



# CITY COUNCIL MEETING

## City of Greenacres, Florida

Monday, December 19, 2022 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

### AGENDA

#### Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

#### Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

#### CALL TO ORDER AND ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### AGENDA APPROVAL

#### COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

#### SPECIAL BUSINESS

- 1. Presentation:** 2022 City Photo Contest Winners. - Michele Thompson, Director of Community and Recreation Services and Blanca L. Mackrey, Agent, State Farm.

#### CONSENT AGENDA

- 2. Official Meeting Minutes:** City Council Meeting Minutes, December 5, 2022. - Quintella Moorer, City Clerk.
- 3. Resolution 2022-64:** Approving and authorizing the execution of Amendment 001 for Fiscal Year 2022-2023 Community Development Block Grant (CDBG) Agreement for Phase 1 Lift Station Original Section Sewer Project; and providing for an effective date. - Carlos Ceden, Director of Public Works.
- 4. Resolution 2022-66:** Approving an agreement between the City of Greenacres and Denise Malone, AICP, to provide professional planning and development operations oversight services; authorizing the appropriate City Officials to execute the Agreement and provide for an effective date. - Andrea McCue, City Manager.

#### REGULAR AGENDA

- 5. PUBLIC HEARING: Ordinance 2022-35: First Reading:** Amending Chapter 16, Article 3, District Regulations, Division 11, Commercial Intensive, Section 16-499(30) to allow for outside car detailing at stand-alone car washes within the Commercial Intensive (CI) zoning district; providing for repeal of conflicting ordinances, severability, inclusion in code, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

- 6. QUASI-JUDICIAL PUBLIC HEARING- Ordinance 2022-36: First Reading:** Approving a zoning change and official zoning map amendment for three parcels of land totaling approximately 3.62 acres, located on the south side of Lake Worth Road approximately 200 feet west of Empire Way at 4840 Lake Worth Road, from a City of Greenacres designation of Commercial General (CG) to a City of Greenacres designation of Commercial Intensive (CI), as requested by the Petitioner, Schmidt and Nichols, Agent for the Owner, Mint Eco Car Wash Acquisition CO., LLC; providing for changes to the official zoning map, repeal of conflicting ordinances, severability; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.
- 7. QUASI-JUDICIAL PUBLIC HEARING: Resolution 2022-35:** Approving the petition for a special exception to allow a stand-alone car wash in a Commercial Intensive (CI) zoning district, located at 6200 Lake Worth Road, as requested by the petitioner, Dwayne Dickerson, agent for the contract purchaser, VYBE investments, LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.
- 8. Resolution 2022-40:** Approving a site and development plan to allow for a stand-alone car wash in a Commercial Intensive (CI) zoning district, located at 6200 Lake Worth Road, as requested by the Petitioner, Dwayne Dickerson, agent for the contract purchaser, VYBE Investments LLC; providing for repeal of conflicting resolutions; and providing for an effective date.- Caryn Gardner-Young, Zoning Administrator.
- 9. PUBLIC HEARING: Ordinance 2022-39: First Reading:** Amending the future land use map of the future land use element of the City's Comprehensive Plan, to change the future land use designation of one parcel of land totaling approximately 20.1183 acres, located at the southeast corner of Lake Worth Road and Jog Road at 6400-6490 Lake Worth Road and 4180 S. Jog Road Suites 1-9, from a Palm Beach County designation Commercial High (CH) to a City of Greenacres designation of Commercial (CM) as requested by the Planning, GIS and Engineering Division; providing for repeal of conflicting ordinances; providing for severability; providing for transmittal to the Division of Community Development; providing for inclusion in the Comprehensive Plan; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.
- 10. Ordinance 2022-40: First Reading:** Approving a zoning change for one parcel of land totaling approximately 20.1183 acres, located at the southeast corner of Lake Worth Road and Jog Road at 6400-6490 Lake Worth Road, and 4180 Jog Road Suites 1-9, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) as requested by the Planning, GIS and Engineering Division; providing for changes to the official zoning map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date.- Caryn Gardner-Young, Zoning Administrator.
- 11. PUBLIC HEARING: Ordinance 2022-38: Second Reading:** Amending Chapter 6, Franchises, Article 5, Solid Waste, Division 1, Generally, Section 6-276, of the City of Greenacres Code of Ordinances, to clarify that all rates under the Franchise Agreement may be amended by City resolution; providing for repeal of conflicting ordinances, severability, codification, retrospective application, and an effective date. - Monica Powery, Director of Purchasing.
- 12. PUBLIC HEARING: Ordinance 2022-42: Second Reading:** Amending Chapter 2 "Administration," Article I "In General," by adding a new Section 2-2 "Naming of City

Programs, Events and Facilities;" providing for severability, conflicts, codification and an effective date. - Andrea McCue, City Manager.

**13. Ordinance 2022-41: First Reading:** Approving the conveyance of 6,804 square feet strip of land located adjacent to and east of the property at 1105 S. Jog Road, Greenacres, Florida; authorizing City Manager to execute all documents necessary to accomplish the conveyance; providing for severability, conflicts, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

**14. Ordinance 2022-43: First Reading:** Amending the City of Greenacres Budget for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023, inclusive; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Teri Beiriger, Director of Finance.

**15. Resolution 2022-62:** Agreement between the City of Greenacres and Painted, Inc. to create public art on the wall on the Northeast corner of Melaleuca Lane and Haverhill Road; authorizing the appropriate City Officials to execute the Agreement; providing for an effective date. - Monica Powery, Director of Purchasing.

**16. Ratification of the Building Board of Adjustments and Appeals Board:** Appointing (1) one of (9) nine members to serve (4) four-year unlimited staggered terms. - Andrea McCue, City Manager.

#### **DISCUSSION ITEM - None.**

#### **COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

#### **CITY MANAGER'S REPORT**

**17.** Community and Recreation Services Report.

**18.** Development and Neighborhood Services Report.

**19.** Finance Report.

**20.** Fire Rescue Report.

**21.** Information Technology Report .

**22.** Palm Beach Sheriff's Office - District 16 Report.

**23.** Public Works Report.

**24.** Purchasing Report.

**25.** Youth Programs Report.

#### **CITY ATTORNEY'S REPORT**

#### **MAYOR AND CITY COUNCIL REPORT**

#### **ADJOURNMENT**

#### **Upcoming Council Meeting**

January 9, 2023

**Meeting Records Request**

Any person requesting the appeal of a decision of the City Council will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of Greenacres does not prepare or provide such verbatim record.

**Notice of Council Meetings and Agendas**

The first and third Monday of each month are regular meeting dates for the City Council; special or workshop meetings may be called, whenever necessary. Council Agendas are posted on the City's website on the Friday prior to each Council meeting. A copy of the meeting audio and the complete agenda may be requested at [CityClerk@greenacresfl.gov](mailto:CityClerk@greenacresfl.gov) or 561-642-2006.

**Americans with Disabilities Act**

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Quintella Moorner at Greenacres City Hall, 5800 Melaleuca Lane, Greenacres, Florida. Phone No. 561-642-2006. Hearing Assistance: If any person wishes to use a Listen Aid Hearing Device, please contact the City Clerk prior to any meeting held in the Council Chambers.





## ITEM SUMMARY

**MEETING DATE:** December 19, 2022  
**FROM:** Michele Thompson, Director  
**SUBJECT:** 2022 City Photo Contest Winners

---

### BACKGROUND

---

The City's annual Photo Contest begun in 2018, and every year it grows a little bigger! This year, we received 74 submittals, with 27 of those being viable for judging and enlargement. Thank you to this years' selection committee, representing 9 City Departments:

Kasturi Rodriquez – City Clerk's Office  
Sherreth Stewart – Human Resources  
Careen Dawes – Finance  
Nichole King – Community & Recreation Services  
Kristal Biovin – Fire Rescue  
Monica Powery – Purchasing  
Candy Tejeda – Development & Neighborhood Services  
Aileen Hernandez – Public Works  
Benjamin Dexter – Youth Programs

---

The CRS Dept. would like to thank and acknowledge Loris Baez, Recreation Supervisor from the CRS Dept. for her time and expertise in coordinating this annual program!

A very special thank you to Blanca Mackrey, owner of the State Farm office on Lake Worth Road, who generously sponsored the gift cards awarded tonight and served as a guest judge! Thank you so much for your involvement and continued community support and involvement!

Tonight, we recognize the 3 top winners:

1<sup>st</sup> Place – \$100 to Douglas Ruby (Dragonfly)  
2<sup>nd</sup> Place – \$75 to Amy DeMartino (Mom & Baby Duck)  
3<sup>rd</sup> Place – \$50 to Ashley Baroncelli (Water Lily)

---



## CITY COUNCIL MEETING

### City of Greenacres, Florida

Monday, December 05, 2022 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

## MINUTES

### Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

### Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

### CALL TO ORDER AND ROLL CALL

Mayor Flores called the meeting to order at 6PM and City Clerk Moorer called the Roll. Councilmember Dugo was absent.

### PLEDGE OF ALLEGIANCE

### AGENDA APPROVAL

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Noble to approve the Agenda.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

### COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

### SPECIAL BUSINESS

- 1. Presentation:** Accepting a Certificate of Appreciation from Daughters of the American Revolution (DAR) for sponsoring 900 Constitution books to John I. Leonard High School. - Marjorie Ferrer, DAR.

Mayor Flores acknowledged the attendance of Wellington High School students whom attended the meeting for a Student Government project.

The Council, Staff and the audience sang Happy Birthday to Ms. McCue.

Ms. Ferrer presented the City of Greenacres a Certificate of Appreciation for donating over 900 Books to John I. Leonard High School regarding the Constitution. She was grateful for the City's assistance. She provided brochures on the dais.

Photos were taken.

**2. Presentation:** Recognition of Appreciation to Simon Electric and Healing Hearts Foundation. - Mayor Joel Flores.

Mayor Flores thanked Simon Electric and Healing Hearts Foundation for their efforts and assistance to the residents of Lakeview Gardens in restoring some electricity due to a severe outage in the entire community.

Simon Electric accepted the certificate and thanked the Council for the acknowledgement.

Healing Hearts Foundation was not present.

Photos were taken.

## **CONSENT AGENDA**

**3. Official Meeting Minutes:** City Council Meeting Minutes, November 7, 2022. - Quintella Moorer, City Clerk.

**4. Resolution 2022-63:** Appointing an alternate Special Magistrate for Code Compliance Hearings pursuant to Section 2.288 of the City's Code of Ordinances; authorizing the City Manager to execute an engagement agreement for the Special Magistrate's service; and providing for an effective date. - Andrea McCue, City Manager.

Motion made by Councilmember Bousquet, Seconded by Councilmember Diaz to approve the Consent Agenda.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

## **REGULAR AGENDA**

**5. PUBLIC HEARING: Ordinance 2022-23: Second Reading:** Amending Chapter 16, Zoning Regulations, Article 1, in General, Section 16-1, by amending certain definitions and adding definitions; further amending Chapter 16, Article 4, Supplemental District Regulations, Division 1, Generally, by adopting new Section 16-609, to be entitled "Live Entertainment Permit"; Section 16-610, to be entitled "Outdoor storage, Display, Sales, Cooking and sales of propane tanks"; Section 16-611, to be entitled "Placement and use of portable storage units"; and, Section 16-612, to be entitled "Outdoor seating"; providing for conflicts, severability, codification, an effective date; and for other purposes. - Kara Irwin-Ferris, City Consultant.

Ms. Moorer read the ordinance by title.

Ms. Irwin-Ferris presented a Second Reading for adoption and she proposed one minor change on page 7 of the ordinance under Section 5E regarding storage pods and restricted timeframes and limits.

Otherwise no other changes were made and Staff recommended approval of ordinance.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-23 on Second Reading with modifications to Section 5E.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

**6. Ordinance 2022-38: First Reading:** Amending Chapter 6, Franchises, Article 5, Solid Waste, Division 1, Generally, Section 6-276, of the City of Greenacres Code of Ordinances, to clarify that all rates under the Franchise Agreement may be amended by

City resolution; providing for repeal of conflicting ordinances, severability, codification, retrospective application, and an effective date. - Monica Powery, Director of Purchasing.

Ms. Moorer read the ordinance by title.

Ms. Powery stated the current agreement allowed for yearly increases however did not specify how to amend the rates. Staff desired to clarify that all rates were amended through a City Council approved resolution.

Motion made by Councilmember Noble, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-38 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

**7. Ordinance 2022-42: First Reading:** Amending Chapter 2 "Administration," Article I "In General," by adding a new Section 2-2 "Naming of City Programs, Events and Facilities;" Providing for severability, conflicts, codification and an effective date. - Andrea McCue, City Manager.

Ms. Moorer read the ordinance by title.

Ms. McCue stated the Council had an interest in creating a standard procedure in place to assist in naming, programs, events and property. The Attorney's office created the new Section in the Code that created a procedure. She stated the detailed guidelines were included in the agenda package and were a part of previous discussions. Staff recommended approval.

Deputy Mayor Tharp questioned whether the 4/5 vote majority was included in the ordinance. The Council agreed to include the 4/5 majority vote for approval in the ordinance.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Diaz to approve Ordinance 2022-42 on First Reading with the inclusion of a super vote.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

## **DISCUSSION ITEM**

None.

## **COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

None.

## **CITY MANAGER'S REPORT**

Ms. McCue stated the Holiday in the Park event was a great success and she thanked the Staff.

She was proud to announce that the City would be delivering over \$10K worth of items for the Toy Drive to Estro, Florida.

The Community Conversation - Eating Disorder event was December 9, 2022.

Wellington Parade would be December 11, 2022.

The Mock City Council Meeting will be held December 15, 2022.

Fiesta de Pablo and Artzy Event were coming soon.

She also congratulated Chief Brian Fuller for becoming the Vice President of the Palm Beach County Fire Chief Association.

### **CITY ATTORNEY'S REPORT**

None.

### **MAYOR AND CITY COUNCIL REPORT**

Deputy Tharp: Mentioned the Reefs across America event and wished Councilmember Diaz a Happy Birthday.

Councilmember Noble: Holiday in the Park was fantastic and the tree was amazing. Great job Michele Thompson and Team.

Councilmember Diaz: Thanked Captain Moorer for working with the plaza owner to help with travel flow, congratulation everyone who helped with the Toy Drive, thanked IAFFT Local 2928 for donating fifty turkeys to our residents, especially Tyler Wallwork and Dion Ambrogio. She thanked Michele Thompson and the CRS Team for the Holiday in the Park event. and especially thanks to Santa and Mrs. Santa. She also thanked Greenacres Elementary, Jr. Achievement for being a part of Career Day.

Councilmember Bousquet: Happy Holidays.

Mayor Flores: Mentioned a Roberts Rules Refresher he attended and felt it was a great idea to do a refresher for Council. He thanked Michele Thompson and Tom (Santa) for a great event. Mayor Flores spoke to the students regarding Public Hearings and being involved in the community.

### **ADJOURNMENT**

6:45PM

---

**Joel Flores**  
Mayor

---

**Quintella Moorer, CMC**  
City Clerk

**Date Approved:** \_\_\_\_\_



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Carlos Cedeño, Director, Public Works Department

**SUBJECT:** **Resolution 2022-64**  
Amendment 001 to Interlocal Agreement R2022-1209  
CDBG Original Section Lift Station Phase 1

### BACKGROUND

On October 25, 2022, the City of Greenacres received the fully executed Community Development Block Grant (CDBG) Agreement R2022-1209 for Fiscal Year 2022-2023 from the Palm Beach County Department of Housing and Economic Development (DHED). The project will construct a north area lift station that has gravity sewer line with a septic system currently serving 1,170 residential units.

### ANALYSIS

To proceed with the project, Amendment 001 to the Agreement between Palm Beach County and the City of Greenacres needs to be approved by the Council. The City and the Palm Beach County Department of Housing and Economic Development agree to modify the original Agreement to revise the Project Performance Requirements to provide additional time for permitting process and award of Construction Contract. The time-frame for completion of the improvement activities shall be as follows:

Award Construction Contract by: April 2023

Request 50% Reimbursement of CDBG Funds by: July 15, 2023

Complete Construction by: November 2023

Request 100% Reimbursement of CDBG Funds by: December 31, 2023

### FINANCIAL INFORMATION

The CDBG Agreement provides approximately \$198,947 of the \$1,358,920 estimated construction cost of the project. The remaining portion of funds needed to complete the project has been budgeted in the FY 2022-23 budget.

### LEGAL

The Resolution has been prepared in accord with applicable City Code requirements

### STAFF RECOMMENDATION

*Approval* of the FY 2022-2023 CDBG Agreement Amendment through the adoption of Resolution 2022-64.



**RESOLUTION NO. 2022-64****A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF AMENDMENT 001 TO THE FISCAL YEAR 2022-2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT FOR PHASE 1 LIFT STATION ORIGINAL SECTION SEWER PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City council entered into an Interlocal Agreement with Palm Beach County on June 5, 2017, for the Community Development Block Grant (CDBG) program to qualify for appropriations in Federal Fiscal Years 2021, 2022, and 2023; and

**WHEREAS**, on March 8, 2022, the City of Greenacres applied to the Palm Beach County Department of Housing and Economic Development (DHED) for a Community Development Block Grant for fiscal Year 2022-2023. The project will construct a north area lift station that has gravity sewer line with a septic system currently serving 1,170 residential units from 10<sup>th</sup> Avenue North to the south by Lake Worth Road, to the east by Haverhill Road, and to the west by the LWDD E-3 Canal. ton to South ; and

**WHEREAS**, it was determined there is a need for the following project to be undertaken: Phase 1 of the sewer project lift station in the Original Section of the City of Greenacres. The Phase 1 improvements will be located between 10<sup>th</sup> Ave North and Biscayne Boulevard, in the City of Greenacres. The project will provide sanitary sewer service to properties within the City's Original Section and enhance water quality standards to the city residents.

**WHEREAS**, funding for this project has been approved in the amount of \$198,947, and will result in greatly needed improvements to Greenacres' Original Section; and

**WHEREAS**, these improvements will benefit the residents of the established Community Development Block Grant "Target Area", as well as the residents of surrounding areas of the City; and

**WHEREAS**, the City and the Palm Beach County Department of Housing and Economic Development desire to modify the original Agreement to revise the Project Performance Requirements to provide additional time for permitting process and award of Construction Contract.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** On December 5, 2022, the City received an Amended Agreement from Palm Beach County requiring that the Council re-approve and submit to the County.

**SECTION 2.** The City Council approves and grants authorization for the execution of Amendment 001 to the FY 2022-2023 Community Development Block Grant (CDBG) Funding Agreement for Phase 1 of the Lift Station to the Original Section sewer improvements of the City of Greenacres attached hereto as Exhibit A.

**SECTION 3.** That the appropriate City officials are hereby authorized to execute all necessary documents required to effectuate the terms of the agreement

**SECTION 4.** All resolutions in conflict herewith are hereby repealed.

**SECTION 5.** This Resolution shall become effective upon its adoption.

**RESOLVED AND ADOPTED this 19th of day of December 2022**

\_\_\_\_\_  
**Joel Flores**, Mayor

**Attest:**

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
*Voted:*  
**John Tharp**, Deputy Mayor

\_\_\_\_\_  
*Voted:*  
**Peter Noble**, Council Member, *District II*

\_\_\_\_\_  
*Voted:*  
**Judith Dugo**, Council Member, *District III*

\_\_\_\_\_  
*Voted:*  
**Susy Diaz**, Council Member, *District IV*

\_\_\_\_\_  
*Voted:*  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Andrea McCue, City Manager

**SUBJECT:** PROFESSIONAL SERVICES AGREEMENT FOR PLANNING AND DEVELOPMENT SERVICES

### BACKGROUND

The City of Greenacres needs an experienced and qualified consultant to provide professional planning and development operations oversight services.

### ANALYSIS

Per the City of Greenacres Code, Chapter 2, Article VII, Division 2, Section 2-217 Exemptions, the following item is exempt from the procurement code: (14) Full or part-time contractual employees or independent contractors. Therefore, the City is not required to solicit for these services. However, the City has done its due diligence in selecting Denise Malone, AICP as the Consultant. She is a certified planner by the American Institute of Certified Planners with extensive experience directing planning and development services within local governments.

The City first entered into an agreement with Denise Malone, AICP on September 13, 2022. She has been doing an exceptional job. However, her services are needed longer than initially expected. Therefore, the expense is now at the level needed for City Council approval. The City would like to continue using her services until the Director of Development and Neighborhood Services has been filled.

### FINANCIAL INFORMATION

Sufficient funds are available to cover the expense.

### LEGAL

The recommendation for award is in accordance with the requirements of City policies and procedures.

### STAFF RECOMMENDATION

Approval of Resolution No. 2022-66 not to exceed \$60,000.00.

**PROFESSIONAL SERVICES AGREEMENT**  
**(Planning and Development Services)**

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered on September 13, 2022, by and between the **City of Greenacres**, a Florida municipal corporation (“City”) and **Denise Malone**, AICP, in her individual capacity (“CONSULTANT”).

**RECITALS**

**WHEREAS**, the City is in need of professional planning and development operations oversight services on an as needed basis;

**WHEREAS**, CONSULTANT is a certified planner by the American Institute of Certified Planners with extensive experience directing planning and development services within local governments;

**WHEREAS**, the City and the CONSULTANT desire to enter this Agreement to address the terms and conditions of the CONSULTANT rendering the services to the City; and,

**WHEREAS**, the City finds entering this Agreement with the CONSULTANT as described herein serves a valid public purpose.

**NOW THEREFORE**, the City hereby engages the services of the CONSULTANT, and in consideration of the mutual promises herein contained, the sufficient of which is hereby acknowledged by both parties, the parties agree as follows:

**SECTION 1: INCORPORATION OF RECITALS**. The foregoing Recitals are incorporated into this Agreement as true and correct statements.

**SECTION 2: CONSULTANT’S SERVICES**. The CONSULTANT shall provide professional planning and development director services to the City on an as needed basis, which services may include, but are not limited to, comprehensive plan review and updates, general zoning and planning code updates, development plan review and staff report preparation, attendance at development review committee, Planning and Zoning Board of Appeals, and City Council meetings, and any other planning, zoning, or development related activities, all as directed by the City Manager from time to time.

**SECTION 3: INDEPENDENT CONTRACTOR RELATIONSHIP**. No relationship of employer or employee is created by this Agreement, it being understood that the relationship between the CONSULTANT and the City is that of independent contractors and neither shall be considered a joint employer, venturer, partner, agent, representative or other relationship of the other for any purpose expressly or by implication. Accordingly, CONSULTANT and anyone she utilizes to perform the services under this Agreement shall not have any claim under this Agreement or against the City for employment-related benefits of any kind. Similarly, this Agreement does not guarantee to the CONSULTANT a minimum number of projects or hours. This Agreement does not confer any rights of sovereign immunity to CONSULTANT or any of her agents, representatives, or employees (if any).



#### SECTION 4: TERM, TIME, AND TERMINATION.

(a) Term. The term of this Agreement shall commence upon the approval of this Agreement by the City and shall be subject to termination by either party as set forth herein.

(b) Time for Completion. Time is of the essence in the performance of this Agreement. The CONSULTANT shall at all times carry out her duties and responsibilities as expeditiously as possible and in accordance with the project schedule as agreed to with the City.

(c) Force Majeure. Neither party hereto shall be liable for its failure to perform hereunder due to any circumstances beyond its reasonable control, such as acts of God, wars, riots, national emergencies, sabotage, strikes, labor disputes, accidents, and governmental laws, ordinances, rules, or regulations. The CONSULTANT or City may suspend its performance under this Agreement as a result of a force majeure without being in default of this Agreement, but upon the removal of such force majeure, the CONSULTANT or City shall resume its performance as soon as is reasonably possible. Upon the CONSULTANT's request, the City shall consider the facts and extent of any failure to timely perform the services and, if the CONSULTANT's failure to timely perform was without its or its sub-consultants' fault or negligence, the schedule and/or any other affected provision of this Agreement may be revised accordingly, subject to the City's rights to change, terminate, or stop any or all of the services at any time. No extension shall be made for delay occurring more than thirty (30) days before a notice of delay or claim therefore is made in writing to the City. In the case of continuing cause of delay, only one (1) notice of delay or claim is necessary.

(d) Termination without cause. Either party may terminate this Agreement at any time with or without cause by giving not less than thirty (30) days written notice of termination.

(e) Termination for cause. Either party may terminate this Agreement at any time in the event that the other party engages in any act or makes any omission constituting a material breach of any term or condition of this Agreement. The party electing to terminate this Agreement shall provide the other party with written notice specifying the nature of the breach. The party receiving the notice shall then have three (3) days from the date of the notice in which to remedy the breach. If such corrective action is not taken within three (3) days, then this Agreement shall terminate at the end of the three (3) day period without further notice or demand.

(f) Early Termination. If this Agreement is terminated before the completion of all services by either party, the CONSULTANT shall:

1. Stop services on the date and to the extent specified including without limitation services of any sub-consultants.
2. Transfer all work in progress, completed work, and other materials related to the terminated services to the City in the format acceptable to City.
3. Continue and complete all parts of the services that have not been terminated.



(g) Effect of Termination. Termination of this Agreement shall not affect any rights, obligations, and liabilities of the parties arising out of transactions which occurred prior to termination. Notwithstanding the foregoing, the parties acknowledge and agree that the City is a municipal corporation and political subdivision of the state of Florida, and as such, this Agreement is subject to budgeting and appropriation by the City of funds sufficient to pay the costs associated herewith in any fiscal year of the City. Notwithstanding anything in this Agreement to the contrary, in the event that no funds are appropriated or budgeted by the City's governing board in any fiscal year to pay the costs associated with the City's obligations under this Agreement, or in the event the funds budgeted or appropriated are, or are estimated by the City to be, insufficient to pay the costs associated with the City's obligations hereunder in any fiscal period, then the City will notify CONSULTANT of such occurrence and either the City or CONSULTANT may terminate this Agreement by notifying the other in writing, which notice shall specify a date of termination no earlier than twenty-four (24) hours after giving of such notice. Termination in accordance with the preceding sentence shall be without penalty or expense to the City of any kind whatsoever; however, City shall pay CONSULTANT for all services performed under this Agreement through the date of termination.

#### **SECTION 5: COMPENSATION.**

(a) Invoices. Unless otherwise agreed in writing with the City Manager, the CONSULTANT shall render monthly invoices to the City for services that have been rendered in conformity with this Agreement in the previous month. The invoices shall specify the services performed and the time spent on such work. All reimbursable expenses shall also be clearly identified on the invoice with supporting documentation. Invoices will normally be paid within thirty (30) days following the City's receipt of the CONSULTANT's invoice.

(b) CONSULTANT's Fee. The City shall pay the CONSULTANT for all services performed pursuant to this Agreement at an hourly rate of One Hundred Fifty Dollars (\$150.00) per hour billable by the CONSULTANT in increments of a quarter-hour (15 minutes).

**SECTION 6: INDEMNIFICATION.** The CONSULTANT shall indemnify, defend, and hold harmless the City, including its officers, employees, and agents from liabilities, damages, losses, and costs, including but not limited to, reasonable attorney's fees (at the trial and appellate levels), to the extent caused by the negligence of the CONSULTANT, her agents or any other persons utilized by the CONSULTANT in the performance of the services under this Agreement. The City agrees to be responsible for its own negligence. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the City or CONSULTANT, nor shall this Agreement be construed as a waiver of the City's right to sovereign immunity. Notwithstanding the foregoing provision, neither the CONSULTANT nor the City shall have any liability regardless of the theory of recovery, including breach of contract or negligence, to the other party for any indirect, incidental, special, or consequential damages, cost or expense whatsoever, including but not limited to loss of revenue or profit, whether actual or anticipated, loss of use, failure to realize anticipated savings, loss of or damage to data or other commercial or economic loss. This waiver of consequential damages is made regardless that (i) either party has been advised of the possibility of such damages and (ii) that such damages may be foreseeable.

**SECTION 7: COMPLIANCE AND DISQUALIFICATION.** Each of the parties agrees to perform its responsibilities under this Agreement in conformance with all laws, regulations and administrative instructions that relate to the parties' performance of this Agreement.

**SECTION 8: LICENSES.** The CONSULTANT represents that she has and will continue to maintain all licenses and approvals required to conduct her business and that she will at all times conduct her business activities in a reputable manner. The CONSULTANT is responsible for providing all necessary equipment and tools to perform the services (e.g., computer, internet access, etc.). All of the services required hereunder shall be performed by the CONSULTANT. The CONSULTANT shall not assign this Agreement or utilize any other persons to perform the services unless prior written approval is obtained from the City Manager. Any persons authorized to perform such services, whether an agent, representative or employee of CONSULTANT shall also be properly licensed.

**SECTION 9: LAW, VENUE AND REMEDIES.** This Agreement shall be governed by the laws of the State of Florida. Any and all legal action necessary to enforce the Agreement will be held exclusively in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

**SECTION 10: WAIVER OF JURY TRIAL.** TO ENCOURAGE PROMPT AND EQUITABLE RESOLUTION OF ANY LITIGATION, EACH PARTY HEREBY WAIVES ITS RIGHTS TO A TRIAL BY JURY IN ANY LITIGATION RELATED TO THIS AGREEMENT.

**SECTION 11: PUBLIC ENTITY CRIMES.** CONSULTANT acknowledges and agrees that a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a CONSULTANT, supplier or sub-CONSULTANT under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list. The CONSULTANT will advise the City immediately if it becomes aware of any violation of this statute.

**SECTION 12: NOTICE.** All notices required in this Agreement shall be sent by hand-delivery, certified mail (RRR), or by nationally recognized overnight courier, and if sent to the CITY shall be sent to:

FOR CITY:  
CITY MANAGER  
CITY OF GREENACRES  
5800 MELALEUCA LANE  
GREENACRES, FL 33463

FOR CONSULTANT:  
DENISE MALONE, AICP  
7361 Water Dance Way  
Lake Worth, FL 33467



The foregoing names and addresses may be changed if such change is provided in writing to the other party. Notice shall be deemed given upon receipt.

**SECTION 13: ENTIRETY OF AGREEMENT.** The City and the CONSULTANT agree that this Agreement sets forth the entire agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this Agreement may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto.

**SECTION 14: WAIVER.** Failure of a party to enforce or exercise any of its right(s) under this Agreement shall not be deemed a waiver of that parties' right to enforce or exercise said right(s) at any time thereafter.

**SECTION 15: PREPARATION AND NON-EXCLUSIVE.** This Agreement shall not be construed more strongly against either party regardless of who was more responsible for its preparation. This is a non-exclusive Agreement and the City reserves the right to contract with individuals or firms to provide the same or similar services.

**SECTION 16: MATERIALITY.** All provisions of the Agreement shall be deemed material. In the event CONSULTANT fails to comply with any of the provisions contained in this Agreement or exhibits, amendments and addenda attached hereto, said failure shall be deemed a material breach of this Agreement and City may at its option provide notice to the CONSULTANT to terminate for cause.

**SECTION 17: LEGAL EFFECT.** This Agreement shall not become binding and effective until approved by the City. The Effective Date is the date this Agreement is executed by the City.

**SECTION 18: NOTICE OF COMPLAINTS, SUITS AND REGULATORY VIOLATIONS.** Each party will promptly notify the other of any complaint, claim, suit or cause of action threatened or commenced against it which arises out of or relates, in any manner, to the performance of this Agreement. Each party agrees to cooperate with the other in any investigation either may conduct, the defense of any claim or suit in which either party is named, and shall do nothing to impair or invalidate any applicable insurance coverage.

**SECTION 19: SURVIVABILITY.** Any provision of this Agreement which is of a continuing nature or imposes an obligation which extends beyond the term of this Agreement shall survive its expiration or earlier termination.

**SECTION 20: COUNTERPARTS.** This Agreement may be executed in one or more counterparts electronically, each of which shall be deemed an original, and will become effective and binding upon the parties as of the effective date at such time as all the signatories hereto have signed a counterpart of this Agreement. This Agreement may be signed digitally or electronically by either party and the same shall be considered an original signature.

**SECTION 21: PALM BEACH COUNTY IG.** In accordance with Palm Beach County ordinance number 2011-009, the CONSULTANT acknowledges that this Agreement may be subject to investigation and/or audit by the Palm Beach County Inspector General. The CONSULTANT has reviewed Palm Beach County ordinance number 2011-009 and is aware of its rights and/or obligations under such ordinance.

**SECTION 22: OWNERSHIP OF DELIVERABLES.** The deliverables, work product, specifications, calculations, supporting documents, or other work products requested by the City under this Agreement and produced by the CONSULTANT shall become the property of the City. The CONSULTANT may keep copies or samples thereof and shall have the right to use the same for its own purposes. The City accepts sole responsibility for the reuse of any such deliverables in a manner other than as initially intended or for any use of incomplete documents.

**SECTION 23: PUBLIC RECORDS.** The CONSULTANT shall comply with Florida's Public Records Act, Chapter 119, Florida Statutes, and, if determined to be acting on behalf of the City as provided under section 119.011(2), Florida Statutes, specifically agrees to:

- (a) Keep and maintain public records required by the City to perform the service.
- (b) Upon request from the City's custodian of public records or designee, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion of this Agreement if the CONSULTANT does not transfer the records to the City.
- (d) Upon completion of this Agreement, transfer, at no cost, to the City all public records in possession of the CONSULTANT or keep and maintain public records required by the City to perform the service. If the CONSULTANT transfers all public records to the City upon completion of the Agreement, the CONSULTANT shall destroy any duplicate public records that are exempt or confidential or exempt from public records disclosure requirements. If the CONSULTANT keeps and maintains public records upon completion of the Agreement, the CONSULTANT shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City's custodian of public records or designee, in a format that is compatible with the information technology systems of the City.

**IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, PLEASE CONTACT THE CUSTODIAN OF PUBLIC RECORDS OR DESIGNEE AT THE CITY OF GREENACRES, ATTN: CITY CLERK, AT (561) 642-2006, CITYCLERK@GREENACRESFL.GOV, 5800 MELALEUCA LANE, GREENACRES, FL 33463.**

**SECTION 24: CONFIDENTIAL AND PROPRIETARY INFORMATION.** Each party (the "Receiving Party") will keep confidential and not disclose to any other person or entity or use (except as expressly and unambiguously authorized by this Agreement) information, technology or software ("Confidential Information") obtained from the other party (the "Disclosing Party"); provided, however, that the Receiving Party will not be prohibited from disclosing or using



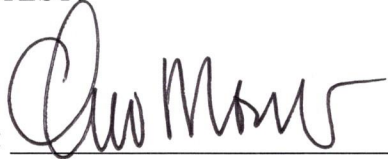
information (i) that at the time of disclosure is publicly available or becomes publicly available through no act or omission of the Receiving Party, (ii) that is or has been disclosed to the Receiving Party by a third party who is not under, and to whom the Receiving Party does not owe, an obligation of confidentiality with respect thereto, (iii) that is or has been independently acquired or developed by the Receiving Party without access to the Disclosing Party's Confidential Information, (iv) that is already in the Receiving Party's possession at the time of disclosure, or (v) that is required to be released by law.

**SECTION 25: NO THIRD-PARTY BENEFICIARIES.** There are no third-party beneficiaries under this Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this Professional Services Agreement (Planning Services) as of the day and year set forth above.

**CITY OF GREENACRES**

ATTEST:

By:   
Quintella Moorer, City Clerk

By:



Andrea McCue, City Manager

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By:   
Glen J. Torcivia, City Attorney



CONSULTANT:

By:

  
Denise Malone, AICP







## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Caryn Gardner-Young, Zoning Administrator

**SUBJECT:** **Ordinance 2022-35, ZTA-22-17**  
Mint Eco Standalone Car Wash Zoning Text Amendment

---

### BACKGROUND

On September 15, 2008, the City Council adopted Ordinance 2008-02 which provided for three (3) changes to the Zoning Code: provided a definition of “Stand Alone Car Wash Facility”, incorporated Stand-Alone Car Wash Facilities into the Commercial Intensive (CI) zoning district as a Special Exception use, and provided for off-street parking and loading requirements for this specific use. Before the amendment, car washes were only approved as accessory uses to existing full-service fuel stations and car dealerships, not as a standalone use. The amendment allowed for a car wash to develop on a property provided it was located adjacent to an existing or planned full-service fuel station and provided cross access easements to the gas station.

Earlier this year, the City received a privately initiated zoning text amendment to amend the code to allow for a standalone car wash use as a Special Exception within the Commercial Intensive (CI) zoning district that is not required to be co-located adjacent to a full-service fuel station or gas station. The proposed language increased the distance requirement between car wash facilities from 1,500 feet to 3,000 feet, prohibited exterior detailing and waxing, and required a landscape buffer for accessory equipment in the parking area of the site. These zoning amendments were approved by the City Council through Ordinance 2022-07.

The City has now received a privately initiated zoning text amendment to allow outside car detailing for standalone car washes.

The Development Review Committee has reviewed the text amendment and is recommending approval, followed by the Planning Commission recommending approval by a vote of 4-0 at their meeting on December 8, 2022.

---

### ANALYSIS

The proposed amendment was submitted by an applicant that also has submitted a concurrent development application for a stand-alone car wash in the city. The proposed amendments will allow for car detailing at a stand-alone car wash which is presently prohibited.

Car detailing is an advanced version of a regular car wash. It is a more thorough process that goes beyond what a car wash can accomplish. A car detailing service focuses not only on deep cleaning, but also on light cosmetic paint restoration and high-tech protective coatings. The

applicant claims that car detailing is a critical part of their car washing operations which other car washing operations do not include.

The applicant is addressing the impacts of such operations by providing a landscape hedge and 6' wall abutting any residential properties. Given that there is a market demand for this use within the city, the proposed amendment is acceptable.

---

**FINANCIAL INFORMATION**

---

N/A

---

**LEGAL**

---

Ordinance 2022-17 was prepared in accordance with all applicable state statutes and City Code Requirements.

---

**STAFF RECOMMENDATION**

---

*Approval* of ZTA-22-01 through the adoption of Ordinance 2022-17.

**ORDINANCE NO. 2022-35**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16, ARTICLE III, DISTRICT REGULATIONS, DIVISION 11, COMMERCIAL INTENSIVE, SECTION 16-499(30) TO ALLOW FOR OUTSIDE CAR DETAILING AT STAND-ALONE CAR WASHES WITHIN THE COMMERCIAL INTENSIVE (CI) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, INCLUSION IN CODE, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Greenacres, Florida (the “City”) is a duly constituted municipality having such home rule power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Josh Nichols of Schmidt and Nichols, agent for Mint Eco Car Wash Acquisition Co., LLC, has submitted a request for a zoning text amendment to revise Chapter 16, Article III, Division 11, Section 16-499(30) to allow outside car detailing at stand-alone car washes; and

**WHEREAS**, it has been determined, in accordance with the Development Review Committee Staff Report and Recommendation, attached hereto as Exhibit “A” (dated September 26, 2022), that the proposed amendment to the City’s zoning regulations is appropriate; and

**WHEREAS**, the Planning and Zoning Board of Appeals, on November 10, 2022, held a duly advertised public hearing and recommended approval of ZTA-22-17 and adoption of Ordinance 2022-35 as presented by staff; and

**WHEREAS**, the City Council of Greenacres has held two (2) duly advertised public hearings to review this request; and

**WHEREAS**, the City Council of Greenacres finds that it is in the best interests of the citizens of the City of Greenacres that the provisions of Chapter 16, Article III, Division II, Section 16-499(30) of the City's Zoning Code be amended; and

**Ordinance No. 2022-35 | Standalone Car Wash**

Page No. 2

**WHEREAS**, the City Council deems approval of this Ordinance as serving a valid public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The foregoing recitals are incorporated into this Ordinance as true and correct findings of the City Council.

**SECTION 2.** Chapter 16, Article III, Division 11, Section 16-499(30) of the City of Greenacres Code of Ordinances is hereby amended as follows (additions are indicated by underscoring and deletions are indicated by ~~strikeout~~):

### **ARTICLE III. DISTRICT REGULATIONS**

#### **DIVISION 11. COMMERCIAL INTENSIVE (CI)**

##### **Sec. 16-499. Special Exceptions.**

The following are special exceptions, subject to the provisions of section 16-474 et seq., in the commercial intensive (CI) district:

*[(1) thru (29) and (31) Omitted for Brevity]*

(30) Stand-alone car wash facility:

- a. There shall be a minimum distance of three thousand (3,000) feet shortest airline measurement between the nearest points of any two (2) parcels of land, located within city limits, occupied or to be occupied for stand-alone car wash facilities.
- b. Stand-alone car wash facilities shall be limited to urban principle arterial roadway systems.
- c. Outdoor storage is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- d. Outdoor display of merchandise is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- e. Hours of operation shall be limited through conditions of approval to promote compatibility with surrounding uses.
- f. A stand-alone car wash facility shall have staff on site at all times during the hours of operation.
- g. Off-street loading space(s) which are provided for the delivery of materials, merchandise, or any similar accessory or product, shall be in accordance with section 16-1336. In those instances where a loading zone is not required per section 16-1336, a Loading Zone Management Plan shall be submitted and approved by the city prior to site plan approval.

**Ordinance No. 2022-35 | Standalone Car Wash**

Page No. 3

- h. Exterior loudspeakers or paging equipment are prohibited.
- i. All stand-alone car wash facilities must comply with the following architectural standards:
  - i. Exterior building material shall be stucco or a similar material presenting a high-quality appearance.
  - ii. Buildings shall be designed to have the same architectural style and decorative elements on all sides.
  - iii. The colors of the building and accessory structures shall be compatible with the general character of the area.
  - iv. Elevations showing architectural details and colors shall be submitted as part of both the site and development plan and special exception applications.
- j. To protect landscape buffers and prevent unplanned access, a raised curb of at least six (6) inches in height shall be erected along all street property lines except for driveways.
- k. The car wash equipment shall use a ninety (90) percent water recycling system, utilizing one hundred (100) percent of the waste water.
- l. All washing facilities and equipment shall be within an enclosed building except that vacuuming facilities and air pumps may be located outside the building, subject to a limitation allowing operation of the exterior vacuum facilities and air pumps only during the hours of operation permitted for the stand-alone car wash facility under Section 16-499(30)e of this code.
- m. Exterior detailing and waxing shall be prohibited when abutting residentially zoned properties unless screened from view at the adjoining property line. If screening is not already required by other portions of this code, screening shall consist of a six (6) foot wall, which shall be compatible with the proposed or existing architectural features on-site. The screening shall also include a continuous hedge maintained at a minimum height of six (6) feet located on the outside of the wall within the required landscape buffer unless an alternative landscape plan has been approved by the development and neighborhood services director or his /her designee. Property lines adjacent to rights-of-way, commercial, or public institution zoned properties shall be upgraded to include a hedge maintained at a minimum of six (6) feet in height unless an alternative landscape plan has been approved by the Development and neighborhood services director or his/her designee.
- n. Special landscape treatment shall be considered to mitigate the visual impact of exterior vacuum equipment on any adjacent right-of-way.
- o. If the opening of the car wash facility faces the adjacent right-of-way, then the opening shall be screened from view of the adjacent right-of-way to the greatest extent possible so that pass-by traffic cannot view the mechanical washing equipment inside the building.

**SECTION 3. Repeal of Conflicting Ordinances.**

All ordinances and resolutions or parts thereof, which conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

**SECTION 4. Severability**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitution; invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**SECTION 5. Inclusion in Code**

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article" or another word.

**SECTION 6. Effective Date**

The provisions of this Ordinance shall become effective upon adoption.

*(Remaining page is intentionally left blank)*



**Ordinance No. 2022-35 | Standalone Car Wash**

Page No. 5

**Passed on the first reading this 19<sup>th</sup> day of December, 2022.**

**PASSED AND ADOPTED on the second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

*Voted:*

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

\_\_\_\_\_  
**Susy Diaz**, Council Member, *District IV*

*Voted:*

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

ZTA-22-17 (Ordinance 2022-35)  
 Exhibit "A"  
 Date: September 26, 2022

Revised: 11/10/2022  
12/08/2022



## DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION

### **Subject/Agenda Item:**

#### **Ordinance 2022-35: ZTA-22-17 – Stand Alone Car Wash**

**First Reading:** A privately initiated Zoning Text Amendment from Schmidt Nichols, agent for Mint Eco Car Wash Acquisition Co., LLC for changes to the existing code requirements to allow outside car detailing at Stand-Alone Car Washes in the Commercial Intensive (CI) zoning district.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☒ Public Hearing

#### **Originating Department:**

##### **Planning & Engineering**

Project Manager

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

#### **Reviewed By:**

Interim Director of Development and Neighborhood Services

\_\_\_\_\_  
 Denise Malone

#### **Approved By:**

##### **City Manager**

\_\_\_\_\_  
 Andrea McCue

#### **Public Notice:**

☒ Required

☐ Not Required

PC Dates:

Papers LWH

Mailing:

☐ Required

☒ Not Required

Notice Distance: \_\_\_\_\_

#### **Attachments:**

- Ordinance 2022-35

#### **City Council Action:**

☐ Approval

☐ Approve with conditions

☐ Denial

☐ Continued to: \_\_\_\_\_

## **I. Executive Summary**

A privately initiated request to amend the City's Zoning Code to revise the established criteria for a standalone car wash to allow outside car detailing activities which the current regulations prohibit. The previously approved zoning text amendments were regulating express car washes which typically have a wash tunnel and vacuums only or the patron exits the site. The applicant is requesting the proposed changes to address full-service car washes which typically go over and above an express car wash by providing the highest level of customer service including comprehensive car detailing.

The applicant has submitted concurrent applications for a Zoning Map Change (from CG to CI), Special Exception, and Site Plan Approval for a Stand-Alone Car Wash located at 4840 Lake Worth Road. Should this proposed zoning text amendment be adopted, the proposed activities in the Site Plan would be permitted by special exception.

## **II. Background**

On September 15, 2008, the City Council adopted Ordinance 2008-02 which provided for three (3) changes to the Zoning Code: provided a definition of "Stand Alone Car Wash Facility", incorporated Stand-Alone Car Wash Facilities into the Commercial Intensive (CI) zoning district as a Special Exception use, and provided for off-street parking and loading requirements for this use. Before the amendment, car washes were only approved as accessory uses to existing full-service fuel stations and car dealerships, not as a standalone use. The amendment allowed for a car wash to develop on a property provided it was located adjacent to an existing or planned full-service fuel station and provided cross access easements to the gas station. The City Council concurrently approved a Stand-Alone car wash as a special exception, Sparkles, submitted by the same applicant that was to be developed at 4605 Melaleuca Lane, adjacent to an existing Texaco gas station. The car wash was never developed, and the approvals expired on September 15, 2010.

The city earlier this year received an application to amend the code to allow for a stand-alone car wash use as a special exception within the Commercial Intensive (CI) zoning district that is not required to be co-located adjacent to a full-service fuel station or gas station. The proposed language increased the distance requirement between car wash facilities from 1,500 feet to 3,000 feet, prohibited exterior detailing and waxing, and required a landscape buffer for accessory equipment in the parking area of the site. These zoning amendments were approved by the City Council through Ordinance 2022-07. A concurrent application for approval of a stand-alone car wash at 6200 Lake Worth Road is pending.

## **III. Proposed Zoning Code Amendments:**

The following Zoning Code regulations are impacted by the proposed Zoning Text Amendments. Text shown in ~~strikethrough~~ is to be deleted. Text shown in underline (proposed by applicant) and double underline (proposed by staff) is to be added:

## Proposed Change #1

### **ARTICLE III. DISTRICT REGULATIONS**

#### **DIVISION 11. COMMERCIAL INTENSIVE (CI)**

##### **Sec. 16-499. Special Exceptions.**

The following are special exceptions, subject to the provisions of section 16-474 et seq. in the Commercial Intensive (CI) district:

*[(1) thru (29) and (31) Omitted for Brevity]*

(30) Stand-alone car wash facility:

- a. There shall be a minimum distance of three thousand (3,000) feet shortest airline measurement between the nearest points of any two (2) parcels of land, located within city limits, occupied or to be occupied for stand-alone car wash facilities.
- b. Stand-alone car wash facilities shall be limited to urban principle arterial roadway systems.
- c. Outdoor storage is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- d. Outdoor display of merchandise is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- e. Hours of operation shall be limited through conditions of approval to promote compatibility with surrounding uses.
- f. A stand-alone car wash facility shall have staff on site at all times during the hours of operation.
- g. Off-street loading space(s) which are provided for the delivery of materials, merchandise, or any similar accessory or product, shall be in accordance with section 16-1336. In those instances where a loading zone is not required per section 16-1336, a Loading Zone Management Plan shall be submitted and approved by the city prior to site plan approval.
- h. Exterior loudspeakers or paging equipment are prohibited.
- i. All stand-alone car wash facilities must comply with the following architectural standards:
  - i. Exterior building material shall be stucco or a similar material presenting a high-quality appearance.
  - ii. Buildings shall be designed to have the same architectural style and decorative elements on all sides.
  - iii. The colors of the building and accessory structures shall be compatible with the general character of the area.
  - iv. Elevations showing architectural details and colors shall be submitted as part of both the site and development plan and special exception applications.
- j. To protect landscape buffers and prevent unplanned access, a raised curb of at least six (6) inches in height shall be erected along all street property lines except for driveways.

- k. The car wash equipment shall use a ninety (90) percent water recycling system, utilizing one hundred (100) percent of the waste water.
- l. All washing facilities and equipment shall be within an enclosed building except that vacuuming facilities and air pumps may be located outside the building, subject to a limitation allowing operation of the exterior vacuum facilities and air pumps only during the hours of operation permitted for the stand-alone car wash facility under Section 16-499(30)e of this code.
- m. Exterior detailing and waxing shall be prohibited when abutting residentially zoned properties unless screened from view at the adjoining property line. If screening is not already required by other portions of this code, screening shall consist of a six (6) foot wall, which shall be compatible with the proposed or existing architectural features on-site. The screening shall also include a continuous hedge maintained at a minimum height of six (6) feet located on the outside of the wall within the required landscape buffer unless an alternative landscape plan has been as approved by the development and neighborhood services director or his /her designee. Property lines adjacent to rights-of-way, commercial, or public institution zoned properties shall be upgraded to include a hedge maintained at a minimum of six (6) feet in height unless an alternative landscape plan has been as approved by the development and neighborhood services director or his/her designee.
- n. Special landscape treatment shall be considered to mitigate the visual impact of exterior vacuum equipment on any adjacent right-of-way.
- o. If the opening of the car wash facility faces the adjacent right-of-way, then the opening shall be screened from view of the adjacent right-of-way to the greatest extent possible so that pass-by traffic cannot view the mechanical washing equipment inside the building.

#### **IV. Staff Analysis:**

The proposed amendment was submitted by an applicant that also has submitted a concurrent development application for a stand-alone car wash in the city. The proposed amendments will allow for car detailing at a stand-alone car wash which is presently prohibited. Car detailing is an advanced version of a regular car wash. It is a more thorough process that goes beyond what a car wash can accomplish. A car detailing service focuses not only on deep cleaning, but also on light cosmetic paint restoration and high-tech protective coatings. The applicant is addressing the impacts of such operations by providing a landscape hedge abutting any residential properties. Given that there is a market demand for this use within the city, and it is already allowed, the proposed amendments are acceptable.

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

The petition was reviewed by the Development Review Committee on September 9, 2022, and recommended for approval.

Planning, GIS and Engineering Division:	No objections
Building Division:	No objections
Fire Rescue Department:	No objections
Public Works Department:	No objections

PBSO District #16  
Community and Recreation Services Dept.

No objections  
No objections

## **V. Zoning Text Amendment Criteria:**

### *A. The need and justification for these changes:*

The principal intent of the proposed text amendment to the Zoning Code is to allow for car detailing at stand-alone car wash facilities. Given that there is a market demand for this use within the city, the applicant is addressing the impacts of the service, and stand-alone car washes are already allowed, the proposed amendment is acceptable.

### *B. The relationship of the proposed amendments to the purpose and objectives of the City's Comprehensive Plan, and whether the proposed change will further the purposes of the City's Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan, specifically, Goal 1 of the Future Land Use Element. This states that it shall be the goal of the City of Greenacres to achieve a high-quality living environment by ensuring that the character and location of land use maximizes the potential for economic benefit and the enjoyment of natural and man-made resources by the citizenry while respecting the integrity of the natural environment by minimizing the threat to health, safety and welfare posed by incompatible land use and environmental degradation. Furthermore, the proposed amendments is consistent with Objective 1 Policy b) of the Future Land Use Element that states that higher intensities and densities of development shall be located within spheres of activity and along major corridors where public facilities are available (such as Commercial Intensive zoned properties).

Overall, the proposed zoning text amendment will enhance economic opportunities while ensuring that appropriate regulations are incorporated to ensure the health, safety, and welfare of the residents of the City, thus assuring consistency with both the Comprehensive Plan and the Zoning Code.

## **VI. Staff Recommendation:**

*Approval* of ZTA-22-17 through the adoption of Ordinance 2022-35.

---

**PLANNING AND ZONING BOARD OF APPEALS  
RECOMMENDATION – November 10, 2022**

---

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

---

---

**PLANNING AND ZONING BOARD OF APPEALS  
RECOMMENDATION – December 8, 2022**

---

The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Litowsky, voting four (4) to zero (0), *recommended approval* of Zoning Text Amendment ZTA-22-17, as presented by staff.

---

---

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

---

---

**CITY COUNCIL ACTION Adoption Hearing – February 6, 2022**

---



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022  
**FROM:** Caryn Gardner-Young, Zoning Administrator  
**SUBJECT:** **Ordinance 2022-36, ZC-22-01**  
 Zoning Change for 4840 Lake Worth Road

### BACKGROUND

Josh Nichols of Schmidt and Nichols, agent for Mint Eco Car Wash Acquisition Co. Inc. to approve a zoning change request from the Commercial General (CG) zoning district to the Commercial Intensive (CI) zoning district. The site is located at 4840 Lake Worth Road.

A request by the contract purchaser for a change in the zoning designation (ZC-22-01) of three parcels of land totaling 3.62 acres from City Commercial General (CG) to City Commercial Intensive (CI). The parcel fronting Lake Worth Road is currently developed with a vacant restaurant structure (La Granja Aruba Foods). The two parcels in the rear are undeveloped. The site and development plan for the restaurant was approved on September 8, 2000. The applicant intends to demolish the existing restaurant building and develop a standalone car wash, which is permitted as a special exception use within the CI zoning district. No development is proposed for the two undeveloped parcels.

The Land Development Staff has reviewed these text amendments and is recommending approval, followed by the Planning Commission recommending approval by a vote of 4-0 at their meeting on December 8, 2022.

### ANALYSIS

Staff has determined that the proposed Commercial Intensive (CI) zoning district is consistent with the property's Commercial future land use designation. With Lake Worth Road being the city's main thoroughfare, the Commercial Intensive zoning district is the most appropriate zoning for the subject parcels. Although the subject parcels fall under the Lake Worth Road Urban Corridor, there are no specific sub-district regulations applicable to the parcels at this time.

### FINANCIAL INFORMATION

N/A

### LEGAL

Ordinance 2022-36 was prepared in accordance with all applicable State Statutes and City Code requirements.

### STAFF RECOMMENDATION

*Approval* of ZC-22-01 through the adoption of Ordinance 2022-36.



**ORDINANCE NO. 2022-36**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING A ZONING CHANGE AND OFFICIAL ZONING MAP AMENDMENT FOR THREE PARCELS OF LAND TOTALING APPROXIMATELY 3.62 ACRES, LOCATED ON THE SOUTH SIDE OF LAKE WORTH ROAD APPROXIMATELY 200 FEET WEST OF EMPIRE WAY AT 4840 LAKE WORTH ROAD, FROM A CITY OF GREENACRES DESIGNATION OF COMMERCIAL GENERAL (CG) TO A CITY OF GREENACRES DESIGNATION OF COMMERCIAL INTENSIVE (CI), AS REQUESTED BY THE PETITIONER, SCHMIDT AND NICHOLS, AGENT FOR THE OWNER, MINT ECO CAR WASH ACQUISITION CO., LLC; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Petitioner, Schmidt and Nichols (agent for Mint Eco Car Wash Acquisition, Co., LLC), is requesting a Zoning Change of three (3) parcels of land totaling approximately 3.62 acres more or less, from a City of Greenacres zoning designation of Commercial General (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI); and

**WHEREAS**, the Planning and Zoning Board of Appeals held a duly advertised public hearing on December 8, 2022, and reviewed the application for a Zoning Change as detailed in the Development Review Committee Staff Report and Recommendation, Exhibit "A", dated September 26, 2022, incorporated herein by reference (as revised) and recommends [*approval by a vote of 4-0 or by a unanimous vote*]; and

**WHEREAS**, the City Council of the City of Greenacres conducted a duly advertised public hearing on December 19, 2022 (and second reading on February 6, 2023) and considered all testimony and evidence presented and other comments made concerning the proposed Zoning

**Ordinance No. 202Y-35 | ZC-22-01 Mint Eco Car Wash**

Page No. 2

Change and amendment to the Official Zoning Map as required by state law and local ordinance;  
and

**WHEREAS**, the City Council finds that the proposed Zoning Change ordinance is consistent with the City's Comprehensive Plan and all state requirements and local ordinances;  
and

**WHEREAS**, the City Council of the City of Greenacres further finds that, in accordance with Exhibit "A", "Development Review Committee Report and Recommendation", dated September 26, 2022 (as revised), the proposed Zoning Change and Zoning Map amendment to change the zoning designation of three (3) parcels of land totaling approximately 3.62 acres more or less, from a City of Greenacres zoning designation of Commercial General (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) is in the best interests of the City and serves a valid public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, AS FOLLOWS:**

**SECTION 1. Recitals.** The foregoing recitals are incorporated into this Ordinance as true and correct findings of the City Council of the City of Greenacres.

**SECTION 2. Zoning Change and Zoning Map Amendment.**

The request by the Petitioner to change the zoning designation for three (3) parcels of land totaling approximately 3.62 acres more or less, from a City of Greenacres zoning designation of Commercial General (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI), is hereby granted for the property located on the south side of Lake Worth Road and approximately 200 feet west of Empire Way, legally described as follows:

**Legal Description**

Parcel 1 – 4840 Lake Worth Road (PCN: 18424425000003260)

The West 140 feet of the North 281 feet of the West Half of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 25, Township 44 South, Range 42 East, Palm Beach County, Florida, less the North 73 feet thereof for Right of Way for Lake Worth Road (State Road No. 802)

Parcel 2 – (PCN: 18424425000003080)

The West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 25, Township 44 South, Range 42 East, Palm Beach County, Florida less the North 281 feet and the East 140 feet thereof. Together with the right of ingress and egress over the South 20 feet of the East 140 feet of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 25

Parcel 3 – (PCN: 18424425000003081)

The East 140 feet of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 25, Township 44 South, Range East, Palm Beach County, Florida less the North 281 feet thereof. Subject to an easement for ingress and egress over the South 20 feet thereof.





**SECTION 3. Authorization to Make Changes.**

That the Planning, GIS, and Engineering Division is further directed to make the necessary changes to the City of Greenacres Official Zoning Map to reflect the changes authorized by this Ordinance.

**SECTION 4. Repeal of Conflicting Ordinances.**

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**SECTION 5. Severability.**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**SECTION 6. Effective Date.**

The provisions of this Ordinance shall become effective upon adoption.

**Ordinance No. 202Y-35 | ZC-22-01 Mint Eco Car Wash**  
**Page No. 6**

**Passed on the first reading this 19th day of December, 2022.**

**PASSED AND ADOPTED on the second reading this \_\_ day of \_\_\_\_\_, 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

*Voted:*

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

\_\_\_\_\_  
**Suzy Diaz**, Council Member, *District IV*

*Voted:*

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

ZC-22-01  
Exhibit "A"  
Date: September 26, 2022

Revised: 11/10/2022  
12/08/2022



## DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION

### Subject/Agenda Item:

#### **Ordinance 2022-36: ZC 22-01: Rezoning at 4840 Lake Worth Road**

**First Reading & Quasi-Judicial Public Hearing:** A request from Josh Nichols of Schmidt and Nichols, agent for Mint Eco Car Wash Acquisition Co. Inc. to approve a zoning change request from the Commercial General (CG) zoning district to the Commercial Intensive (CI) zoning district. The site is located at 4840 Lake Worth Road.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☒ Quasi-Judicial

☐ Legislative

☒ Public Hearing

<b>Originating Department: Planning &amp; Engineering</b>  Project Manager  _____ Caryn Gardner-Young, AICP	<b>Reviewed By:</b>  Interim Director of Development & Neighborhood Services  _____ Denise Malone
<b>Approved By:</b>  City Manager  _____ Andrea McCue	<b>Public Notice:</b> <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 10/27/22, 11/24/22 Paper: Lake Worth Herald  <b>Mailing</b> <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required

<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Aerial</li> <li>• Zoning Map</li> </ul>	<b>City Council Action:</b> <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
--	---

## II. Executive Summary

A request by the contract purchaser for a change in the zoning designation (ZC-22-01) of three parcels of land totaling 3.62 acres from City Commercial General (CG) to City Commercial Intensive (CI). The parcel fronting Lake Worth Road is currently developed with a vacant restaurant structure (La Granja Aruba Foods). The two parcels in the rear are undeveloped. The site and development plan for the restaurant was approved on September 8, 2000. The applicant intends to demolish the existing restaurant building and develop a standalone car wash, which is permitted as a special exception use within the CI zoning district. No development is proposed for the two undeveloped parcels.

### **III. Site Data:**

<b>Existing Use:</b>	Former restaurant / Undeveloped
<b>Proposed Use:</b>	Stand Alone Car Wash
<b>Parcel Control Number:</b>	18-42-44-15-00-000-3260, 3080 and 3081
<b>Parcel Size:</b>	3.62 acres
<b>Existing Future Land Use Designation:</b>	Commercial
<b>Existing Zoning District:</b>	Commercial General (CG)
<b>Proposed Zoning District:</b>	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 Office	Commercial (CM)	Commercial General (CG)
<i>South</i>	Canal/ Single-Family Residence	Residential Low Density (RS-LD)	Residential Low (RL-3)
<i>East</i>	Dairy Queen/ Single Family Residences	Commercial (CM)/Residential Low Density (RS-LD)	Commercial General (CG)/ Residential Low (RL-3)
<i>West</i>	Office/ Single Family Residences	Commercial (CM) and Residential Low Density (RS-LD)	Commercial General (CG) and Residential Low 3 (RL-3)

### **IV. Annexation/Zoning History:**

The subject parcel sites are located on the south side of Lake Worth Road, approximately 200 feet west of Empire Way. The subject sites have a future land use designation of Commercial (CM) and a zoning designation of Commercial General (CG). The parcel fronting Lake Worth Road was originally developed as “Bud’s Chicken”, through petition SE-80-02, which 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 was vacant for seven years. Then in 2000, a Site Plan Amendment (Class III) was received to approve a sit-down restaurant (La Granja). This restaurant closed in 2018 and the building has been vacant since.



The back two parcels are undeveloped with no plans submitted by the applicant. The current owner is now requesting a site and development plan amendment to build a standalone car wash mainly on the subject parcel fronting Lake Worth Road.

## **V. Applicable Comprehensive Plan Provisions:**

The Comprehensive Plan includes the following planning objectives and policies related to this proposed zoning change request:

### **1. Future Land Use Element**

#### **Objective 1, Policy b)**

Higher intensities and densities of development shall be located within spheres of activity (as depicted on Map No. 5) and along major corridors where public facilities are available and land use compatibility can be achieved.

#### **Objective 2 Policy c) and d)**

Policy c)

The City shall adopt measures to promote redevelopment that include the potential establishment of a Transportation Concurrency Exception Area (TCEA) and/or a Corridor Master Plan for Lake Worth Road, including appropriate redevelopment densities and intensities and mix of uses.

Policy d)

In order to maximize compatibility and preserve commercial opportunity, economic vitality, and the tax base, the City shall restrict future land uses in the Lake Worth Road corridor to commercial and mixed-use designations.

#### **Objective 8, Policy c)**

Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for residential densities and commercial intensities as indicated below:

\* \* \* (1 through 9 and 12 through 16 omitted for brevity) \* \* \*

(10) Commercial General - 30% lot coverage, 0.35 FAR;

(11) Commercial Intensive - 30% lot coverage, 0.35 FAR

#### **Objective 11, Policies b) and c)**

Policy b)

Infill development shall be promoted within existing areas to discourage the harmful effects of leapfrog development.

Policy c)

Future timing of appropriate land use densities and intensities will be determined by the established levels of services and the availability of services and facilities to meet the established levels

## **VI. Applicable City Code Provisions:**

Section 16-153(a)(1) of the Code relating to rezoning of property states that the proposed zoning change should not be contrary to the future land use map, and it should not have an adverse effect on the Comprehensive Plan.

### **Division 11. Commercial Intensive (*Section 16-496 through 16-506*)**

The Commercial Intensive (CI) district is intended for intensive, highly automotive oriented uses that require a conspicuous and accessible location along thoroughfares designated as major arterials in the Comprehensive Plan. Permitted uses and special exceptions within this designation require larger land areas with ample off-street parking and off-street loading space. This district provides the greatest variety of uses among commercial districts and serves a geographical area that extends beyond the city limits. This district may accommodate certain light manufacturing, processing, wholesaling and storage and warehousing uses when it is clearly demonstrated that such uses are compatible with other uses in the district. It is not the intent of this district that it shall be used to encourage the extension of strip commercial areas.

### **Division 17. Urban Corridor Overlay District (*Section 16-590 through 16-593*)**

The purpose and intent of the Lake Worth Road Urban Corridor overlay zoning district is to encourage redevelopment and provide enhanced property development standards and patterns within the Lake Worth Road commercial corridor. This overlay district will help implement the City's vision for the area and create solutions for land development along Lake Worth Road. Objectives are to: facilitate redevelopment, manage over time the transition from residential uses to commercial uses, protect adjacent residential uses, enhance the economic viability of the commercial corridor, encourage pedestrian access and efficient vehicular movement, and enhance physical appearance and market success through landscaping and architectural design guidelines. The standards within this district will ensure that any new development or expansion of an existing development is compatible with the surrounding area and supportive of the overall viability of the corridor.

### **Division 7 Transitional Areas (*Section 16-736 through Section 16-737*)**

Transitional areas shall be 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.

## **VII. Staff Analysis:**

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

The petition was reviewed by the Development Review Staff on September 9, 2022, and no objections were received.

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

### ***Zoning Change Criteria and Findings of Fact:***

Section 16-153. Planning and Zoning Board of Appeals Report: The Planning and Zoning Board of Appeals shall submit a report to the City Council which shows that the Board has studied and considered the proposed amendment for rezoning of property and change to the official zoning map in relation to the following, where applicable:

### ***Specific Criteria Findings:***

- (1) Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the Comprehensive Plan.**

***Finding:*** The proposed Commercial Intensive (CI) zoning district is consistent with the property's Commercial future land use designation. With Lake Worth Road being the city's main thoroughfare, the Commercial Intensive zoning district is the most appropriate zoning for the subject parcels. Although the subject parcels fall under the Lake Worth Road Urban Corridor, there are no specific sub-district regulations applicable to the parcels at this time.

- (2) The existing land use pattern.**

***Finding:*** The proposed Commercial Intensive (CI) zoning district is consistent with the existing land use pattern in the area. The portion of the subject property where the standalone car wash would be located is bound by commercial uses to the east, west, and north so its impacts would not affect the single-family residences that are located further

east, west, or south.

**(3) The possible creation of an isolated district unrelated to adjacent and nearby districts.**

***Finding:*** The proposed zoning change would not create an isolated district unrelated to adjacent and nearby districts. The zoning designations to the north, west and east are designated as Commercial already and support the high intensity use typically found along a major thoroughfare. Although the existing zoning districts are CG, most of the Lake Worth Road corridor possesses a CI zoning designation which these parcels would become compatible with.

**(4) The population density pattern and possible increase or overtaxing of the land on public facilities such as schools, utilities, etc.**

***Finding:*** The proposed rezoning is a change from one commercial designation to another so there is no expected increase or overtaxing of the land on public facilities. However, any future development of the site would need to receive concurrency for special exception and site plan approval.

**(5) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

***Finding:*** The proposed rezoning is a change from one commercial designation to another so the boundaries are already drawn as commercial. Thus, the proposed CI zoning designation is compatible and a logical district boundary in relation to the existing conditions in the area.

**(6) Whether changed or changing conditions make the passage of the proposed amendment necessary.**

***Finding:*** The site was previously utilized as a restaurant and there have not been any potential buyers for another restaurant since La Granja closed in 2018. According to the Comprehensive Plan, the proposed CI zoning district is best suited along major thoroughfares such as Lake Worth Road, Military Trail, and Forest Hill Boulevard. As noted, the proposed rezoning will not only allow for the proposed use of a standalone car wash but will provide a wider array of possible uses which can better serve the community.

**(7) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.**

***Finding:*** According to the traffic study provided, the proposed rezoning will have an insignificant impact on the surrounding roadways. The standalone car wash is expected to generate 166 trips per day, or 12 am peak hour trips and 14 pm peak hour trips. Since this is less than 20 peak hour trips, the city's traffic consultant has determined that no

excessive increased traffic will be generated by the proposed zoning change.

**(8) Whether the proposed change will adversely influence living conditions in the neighborhood.**

***Finding:*** The proposed zoning change will not adversely affect living conditions in the area. The CI zoning district allows for the most intensive commercial uses in the Zoning Code which the Comprehensive Plan has indicated is appropriate along Lake Worth Road. Further, the project will need to meet the more stringent Transitional Area regulations which were adopted to provide additional protect to residential properties which are adjacent to commercial projects. Based upon the proposed layout of the project, landscape buffering, the property being already zoned commercial and overall open space adjacent to residential properties, the neighborhood living conditions are not expected to be affected.

**(9) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.**

***Finding:*** There is a substantial reason why the property cannot be used in accord with the existing zoning district. The applicant is proposing the rezoning to Commercial Intensive (CI) in order to develop a standalone car wash which is not permitted in a Commercial General zoning district.

**(10) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.**

***Finding:*** The proposed change would not constitute a special privilege for the property owner. The Comprehensive Plan proposes that the property along Lake Worth Road will be zoned Commercial Intensive in order to continue the development of the corridor and allow for a broader mix of uses that can better service the community along a major thoroughfare.

**VIII. Staff Recommendation:**

*Approval* of ZC-22-01.



---

**PZBA RECOMMENDATION – November 10, 2022**

---

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

---

**PZBA RECOMMENDATION – December 8, 2022**

---

The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Litowsky, voting four (4) to zero (0), ***recommended approval*** of Zoning Change ZC-22-01, as presented by staff.

---

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

---

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

---



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Caryn Gardner-Young, Zoning Administrator

**SUBJECT:** **Resolution 2022-35, SE-22-01**  
Pink Bird Car Wash

### BACKGROUND

Dwayne Dickerson, agent for Vybe Investments, LLC, 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 an existing 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 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 any potential nuisances.

The Development Review Committee has reviewed this proposal and recommended approval, followed by the Planning and Zoning Board of Appeals which recommended approval by a vote of 4-0 at their meeting on December 8, 2022.

### ANALYSIS

The applicant is requesting Special Exception approval to permit a standalone car wash located within a Commercial Intensive zoning district. The project consists of a standalone car wash taking over the vacant Steak N Shake site. The subject site is located approximately 1241 feet east of the intersection of South Jog Road and Lake Worth Road on the south side of Lake Worth Road at 6200 Lake Worth Road.

The proposal has satisfied the Special Exception criteria and findings of fact as indicated in the staff report with six conditions of approval. Specifically, the proposed use will not create a nuisance factor detrimental to the adjacent and nearby properties since it will provide enhanced landscaping, it is compatible with the existing character of this commercial area, the use has been reviewed by staff for automobile, pedestrian, and fire safety, and the proposed use meets all applicable Code requirements and maintains safe and efficient traffic at this site.

### FINANCIAL INFORMATION

N/A

---

---

### **LEGAL**

---

Resolution 2022-35 was prepared in accordance with all applicable State statutes and City Code requirements.

---

### **STAFF RECOMMENDATION**

---

*Approval* of SE-22-01 through the adoption of Resolution 2022-35.

**RESOLUTION NO. 2022-35**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE PETITION FOR A SPECIAL EXCEPTION TO ALLOW A STANDALONE CAR WASH IN A COMMERCIAL INTENSIVE (CI) ZONING DISTRICT, LOCATED AT 6200 LAKE WORTH ROAD, AS REQUESTED BY THE PETITIONER, DWAYNE DICKERSON, AGENT FOR THE CONTRACT PURCHASER, VYBE INVESTMENTS, LLC; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Dwayne Dickerson, hereafter “Petitioner”, as agent for the owner, Vybe Investments, LLC, has submitted a petition for a Special Exception approval to allow a standalone car wash to be located within a Commercial Intensive (CI) zoning district, located at 6200 Lake Worth Road, pursuant to Section 16-499, Commercial Intensive (CI) regulations of the Zoning Code; and

**WHEREAS**, the Petitioner presented this matter to the Development Review Committee of the City of Greenacres which provided comments to the Development and Neighborhood Department which, in turn, recommended approval of the Special Exception to allow for a Standalone Car Wash within a Commercial Intensive (CI) zoning district, with the conditions identified in the Development Review Committee Staff Report and Recommendation, Exhibit “A” dated September 27, 2022, as revised; and

**WHEREAS**, the Planning and Zoning Board of Appeals reviewed the petition in a public hearing on November 10, 2022, for compliance with the Special Exception Criteria as indicated by the Findings of Fact contained in the Development Review Committee Staff Report and Recommendation and has found that the project is in compliance with said criteria; and

**WHEREAS**, the Planning and Zoning Board of Appeals made a recommendation on the petition to the City Council for approval; and

**WHEREAS**, this matter has been presented to the City Council for final approval, and the Council has voted to approve the Special Exception to allow for a Standalone Car Wash within a Commercial Intensive (CI) zoning district subject to the conditions stipulated in the Development Review Committee Report.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The Petition, SE-22-01, a Special Exception to allow for a Standalone Car Wash within a Commercial Intensive (CI) zoning district, is hereby approved.

**SECTION 2.** The approval of Petition SE-22-01 is subject to all conditions contained in the Development Review Committee Staff Report and Recommendation, Exhibit "A", dated September 27, 2022, as revised (attached).

**SECTION 3.** All resolutions in conflict herewith are hereby repealed.

**SECTION 4.** This resolution shall be effective upon its adoption subject to the conditions of Petition SE 22-01 and SP 22-02.

[The remainder of this page intentionally left blank.]

**RESOLVED AND ADOPTED this 19th day of December, 2022**

\_\_\_\_\_  
**Joel Flores**, Mayor

**Attest:**

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
*Voted:*

**John Tharp**, Deputy Mayor

\_\_\_\_\_  
*Voted:*

**Peter Noble**, Council Member, *District II*

\_\_\_\_\_  
*Voted:*

**Judith Dugo**, Council Member, *District III*

\_\_\_\_\_  
*Voted:*

**Susy Diaz**, Council Member, *District IV*

\_\_\_\_\_  
*Voted:*

**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

SE-22-01  
Exhibit "A"  
Date: September 27, 2022

Revised: 11/10/2022  
12/08/2022



## DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION

### Subject/Agenda Item:

#### **Resolution 2022-35: SE-22-01 Pink Bird Stand Alone Car Wash**

**Consideration of Approval:** A Special Exception request from Dwayne Dickerson, agent for Vybe Investments, LLC., for approval of a standalone car wash. The project consists of a standalone car wash taking over the vacant Steak N Shake site. The subject site is located approximately 1241 feet east of the intersection of South Jog Road and Lake Worth Road on the south side of Lake Worth Road at 6200 Lake Worth Road.

[X] Recommendation to APPROVE

[ ] Recommendation to DENY

[X] Quasi-Judicial

[ ] Legislative

[X] Public Hearing

<b>Originating Department:</b>  <b>Planning, GIS &amp; Engineering</b>  Project Manager  _____ Caryn Gardner-Young, Zoning Administrator	<b>Reviewed By:</b>  Interim Director of Development and Neighborhood Services  _____ Denise Malone
<b>Approved By:</b>  <b>City Manager</b>  _____ <b>Andrea McCue</b>	<b>Public Notice:</b> [X] Required [ ] Not Required Dates: 10/27/22, 11/24/22 Paper: The Lake Worth Herald Mailing [X] Required [ ] Not Required Notice Distance: <u>300'</u>

<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Resolution 2022-35</li> <li>• Concept Plan</li> <li>• Aerial Map</li> <li>• Survey</li> <li>• Petitioner's Justification Statement</li> </ul>	<b>City Council Action:</b> [ ] Approval [ ] Approve with conditions [ ] Denial [ ] Continued to: _____
--	---



## **I. Executive Summary**

The applicant is requesting a special exception approval for a standalone car wash in the Commercial Intensive (CI) zoning district. The applicant will demolish the previously approved Steak N Shake drive-thru restaurant and completely redevelop the site.

## **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)

<b>Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:</b>			
<b>Direction</b>	<i>Existing Land Use</i>	<i>Future Land Use</i>	<i>Zoning District</i>
<i>North</i>	Soma Medical	Commercial (CM)	Commercial General (CG)
<i>South</i>	Seminole Palms Residential Development	Residential High Density (RS-HD)	Residential High (RH)
<i>East</i>	Seminole Palms Residential Development	Residential High Density (RS-HD)	Residential High (RH)
<i>West</i>	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 vacant since the fast-food restaurant closed.

## **IV. Applicable Comprehensive Plan Goals, Objectives and Policies:**

### **1. Future Land Use Element**

#### **Objective 1**

Development orders and permits for future development and redevelopment activities shall be issued only if public facilities necessary to meet the level of service standards are

available concurrent with the impacts of the development.

### **Objective 8, Policy c)**

Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for residential densities and commercial intensities as indicated below:

*\* \* \* (1 through 10 and 11 through 16 omitted for brevity) \* \* \**

*(11) Commercial Intensive - 30% lot coverage, 0.35 FAR*

### **Objective 11, Policies a)**

The City shall discourage the proliferation of urban sprawl by following established land use patterns, promoting appropriate infill, and designating future land use densities based upon levels of services and the availability of services and facilities.

#### **Policy a)**

Urban Sprawl will be discouraged by permitting only development that is consistent and compatible with the established land use pattern. “Consistent and compatible with the established land use pattern” shall mean:

- (1) Only uses permitted within the Plan's land use designation and the implementing zoning district shall be approved.
- (2) Only development within the designated density range and intensity regulations of the implementing zoning district will be approved.
- (3) Adequate facilities and services shall be available and concurrent to accommodate the proposed development.

## **2. Transportation Element**

### **Objective 2 Policy a-d)**

Provide adequate design standards to improve safety, reduce congestion, and reduce maintenance.

#### **Policy a)**

Further develop and maintain design standards that are compatible with the County and State design standards.

#### **Policy b)**

Require private development to conform to the Manual on Uniform Traffic Control Devices for on-site traffic control.

#### **Policy c)**

Require engineering review for safe vehicular and non-vehicular traffic flow and parking arrangements in private development.

Policy d)

Improve the safety and operation of City streets, through site-access control, and other traffic operation improvements.

### 3. Infrastructure Element

#### Objective 1

The City of Greenacres, through its LDS review process will continue to ensure that at the time a development permit is issued, adequate public facilities are available or will be available when needed to serve the development.

*A Standalone Car Wash is a use that requires the approval of a Special Exception in the CI zoning district, so while regulated more than permitted uses, they are not prohibited if they meet the conditions of approval as outlined in the City's Zoning Code Section 16-499(30).*

*The request meets the requirements of the City's Comprehensive Plan Transportation Element Goals, Objectives, and Policies through the process of review via the Development Review Committee (DRC) process and the outside agencies review process. The process requires the proposed development of the site to meet the requirements of having adequate facilities and services. The DRC members and outside agencies have not provided any comments to the site that would warrant concern of having inadequate facilities and services on site. The density of the site plan proposal is consistent with the existing Future Land Use designation and Zoning district.*

#### **V. Applicable City Code and Statutory Provisions:**

**Sec. 16-171 through 16-178** pertaining to Special Exceptions

**Sec. 16-496 through 16-508** pertaining to the CI zoning district

**Sec. 16-877** pertaining to Zoning districts.

A Standalone Car Wash is permissible as a special exception in the CI district, subject to the findings in section 16-499 et seq. and requirements contained in this division.

*The proposed development is located within the Commercial Intensive (CI) zoning district, which is consistent with the existing zoning regulations.*

In addition, Article II, Division 8, Sections 16-171 through 16-178 establish the criteria for the approval of Special Exceptions in the City. (see Section VI. of staff report)

#### **VI. Staff Analysis:**

##### ***Background:***

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.

On March 10 and March 17, 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.

***Summary of Proposed Conceptual Plan Details:***

The petitioner's concept plan depicts the following:

1. A total land area of 1.48 acres
2. A 3,945 S.F. building
3. Access to Lake Worth Road from an internal access way that supports the Montessori School, Sonic, the subject property, and two other parcels currently being used for residential use.
4. The site has 23 parking spaces including 1 handicap space
5. Dry retention area.
6. Perimeter buffers around the entire project.

**VI. Special Exception Criteria and Findings of Fact (Sec. 16-173):**

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

***Finding:*** The proposed Standalone Car Wash use complies with Future Land Use Element Goal 1, Objectives 1 and 6; Transportation Element Goal 1, Objective 4; and Objective 1

of the Infrastructure Element within the City of Greenacres' Comprehensive Plan directing growth, development, and redevelopment activities to appropriate areas.

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 proposed Special Exception will have adequate ingress and egress to the site through one (1) vehicular access point from Lake Worth Road. The site plan has been reviewed by staff for automobile, pedestrian, and fire safety, and meets all applicable Code requirements. The City's traffic engineering consultant has reviewed the proposed project's traffic flow and control of the site for compliance with City Code and safety standards and has determined that it meets all necessary 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 exceeds the minimum parking requirements. Specifically, the 23 parking spaces, including one (1) handicapped space, exceeds the City's Zoning Code requirements. No loading zone is required for this use.

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

**Finding:** The site will have a dumpster enclosure and the City's franchise hauler will serve this site for all refuse collection. Trash generation by the proposed use is not expected to be excessive in comparison to previous restaurant use.

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

**Finding:** The proposed Standalone Car Wash is compatible with the surrounding area along Lake Worth Road. A Standalone Car Wash is permitted as a Special Exception in the Commercial Intensive (CI) zoning district. The surrounding area to the west has a Commercial Intensive (CI) zoning, which matches the zoning of the site and a Commercial General (CG) zoning to the north prospectively. Thus, the commercial nature of the standalone car wash would not create a nuisance factor. The property to the south and east is a townhouse development and has a City zoning designation of Residential High (RH) with a future land use of Residential High Density. A RH zoning designation would be expected as a step down<sup>777</sup> from commercial to residential uses and the proposed car wash activity is positioned to the northern portion of the subject property away from the Townhouse buildings. The proposed landscape plan has enhanced the landscape located on-site especially screening the facilities entrance which can be seen from Lake Worth Road. Substantial landscaping buffers and the location of the vacuuming facilities closer to Lake Worth Road will address any nuisance concerns to adjacent and nearby residential 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 currently provided underground. The site is currently served by Palm Beach County Water Utilities. All other utilities are also currently provided to the site, and the applicant 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 applicant is enhancing the landscape buffer, foundation plantings and storm water retention area.

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. The proposed lighting for the internal site will provide adequate lighting for safety and will be shielded to prevent glare onto adjacent properties. Signs will be located in accord with safe visibility requirements at the time of site plan approval.

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

**Finding:** The project complies with interior and perimeter landscaping and open space requirements of the Zoning Code, as well as the setback requirements for the zoning district. The site has a retention area in the rear of the property along with landscaping around the building and landscape buffers.

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

**Finding:**

As noted above, the applicant is proposing to develop the 1.47-acre site as a Standalone Car Wash from the previous commercial fast-food restaurant and house of worship. A review of the adjacent existing land uses shows that the site plan is compatible with the adjacent properties, specifically:

*South & East:* The subject site itself is abutted to the south by a Townhouse Development called Seminole Palms. This townhouse development has a future land use designation of City Residential-High Density (RS-HD) and a zoning designation of Residential High (RH). The site has a single-family use but does have a landscape buffer and an opaque fence to screen the commercial use of the standalone car wash. The developer has been in contact with the Homeowner's Association and discussed the project extensively with the residents and the Board of the HOA.

*West:* The site is abutting the commercial fast-food restaurant, Sonic, to the west. Sonic has a future land use designation of City Commercial (CM) and zoning designation of

Commercial Intensive (CI). This use is a special exception use within the CI zoning district and is compatible.

*North:* A medical office and a commercial strip plaza are located north of the site across the Lake Worth Road right-of-way. The Soma medical office and the Dharmetta building both have a future land use designation of City Commercial (CM) and zoning designation of Commercial General (CG). A Standalone Car Wash is a non-residential use that is compatible with the adjacent medical office and commercial strip plaza.

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

***Finding:*** The proposed Standalone Car Wash is in scale with the needs of the surrounding community. The proposed use will be available to serve the residents of the surrounding neighborhoods.

**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 Standalone Car Wash is in compliance with the regulations for such a use by locating all facilities and equipment in an enclosed building except for vacuuming facilities and air pumps, mitigating visual impacts of exterior vacuum equipment and screening the car wash facility opening.

**VII. Staff Recommendation:**

***Approval*** of SE-22-01 through adoption of Resolution 2022-35 with the following conditions:

1. The most stringent requirements of Exhibit "A" Development Review Committee Staff 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. Site and Development Plan approval is required prior to the issuance of development permits. (Planning)
3. The Special Exception is limited to a standalone car wash with 3,945 square foot building. Any increase in the square footage of the building or change in type of Special Use will require modification of this Special Exception. (Planning)



4. Non-compliance with any of the conditions of approval will result in withholding of building permits, building permit final inspections and/or a Certificate of Occupancy or Completion. (Planning and Building)
5. All advertisements and legal addresses on insurance policies and business correspondence shall clearly state that the project is located within the “City of Greenacres”.
6. All terms, conditions, safeguards, and stipulations made at the time of Special Exception approval shall be binding upon the applicant or any successors in interest. Deviation from any portion of the approved site plan, or failure to comply with any requirement, condition or safeguard imposed by the City during the approval procedure shall render the Special Exception approval null and void upon determination by the City Council.(Planning)

---

**PZBA RECOMMENDATION – November 10, 2022**

---

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

---

---

**PZBA RECOMMENDATION – December 8, 2022**

---

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 Special Exception ***SE-22-01***, as presented by staff.

---

---

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

---

---

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

---



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Caryn Gardner-Young, Zoning Administrator

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

### BACKGROUND

Dwayne Dickerson, agent for Vybe Investments, LLC, is requesting Site Plan approval of the proposed Pink Bird Car Wash project. The site is located on the south side of Lake Worth Road, approximately 1241 feet east of Jog Road. The petition is for a 3,945 square foot standalone car wash building with 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 existing 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.

The Development Review Committee has reviewed this proposal and recommended approval, followed by the Planning and Zoning Board of Appeals recommending approval by a vote of 4-0 at their meeting on December 8, 2022.

### ANALYSIS

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 an existing 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 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 any potential nuisances.

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 proposal has satisfied code requirements for approval of a Site Plan and staff's findings of fact are indicated in the staff report with twenty-seven conditions of approval. Specifically, the proposed project meets floor area ratio and setbacks. Further the height of the building does not exceed the allowable height. The petitioner has obtained all outside agency concurrency requirements including the Traffic Performance Standards from Palm Beach County which has a build out date of December 31, 2023. The petitioner will be required to pay all impact fees including amounts due under the City's Public Arts Program.

---

### **FINANCIAL INFORMATION**

---

Petitioner will be required to pay monies to the City to meet the City's Public Arts Program (Based upon cost of building which has not been determined yet), Tree Dedication Program (donate 4 Live Oaks or provide approximately \$2,000) and \$11,046 for City services.

---

### **LEGAL**

---

Resolution 2022-40 was prepared in accordance with all applicable State statutes and City Code requirements.

---

### **STAFF RECOMMENDATION**

---

*Approval* of SP-22-02 through the adoption of Resolution 2022-40.

**RESOLUTION NO. 2022-40**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING A SITE & DEVELOPMENT PLAN TO ALLOW FOR A STANDALONE CAR WASH IN A COMMERCIAL INTENSIVE (CI) ZONING DISTRICT, LOCATED AT 6200 LAKE WORTH ROAD, AS REQUESTED BY THE PETITIONER, DWAYNE DICKERSON, AGENT FOR THE CONTRACT PURCHASER, VYBE INVESTMENTS LLC; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Dwayne Dickerson, hereafter “Petitioner”, as agent for the owner, Vybe Investments, LLC, has submitted a petition for a Site Plan approval to allow a standalone car wash to be located within a Commercial Intensive (CI) zoning district, located at 6200 Lake Worth Road, pursuant to Section 16-499, Commercial Intensive (CI) regulations of the Zoning Code; and

**WHEREAS**, the Petitioner presented this matter to the Development Review Committee of the City of Greenacres which provided comments to the Development and Neighborhood Department which, in turn, recommended approval of the Site Plan to allow for a Standalone Car Wash within a Commercial Intensive (CI) zoning district, with the conditions identified in the Development Review Committee Staff Report and Recommendation, Exhibit “A” dated September 27, 2022, as revised; and

**WHEREAS**, the Planning and Zoning Board of Appeals reviewed the petition in a public hearing on November 10, 2022, for compliance with the Site Plan Criteria as indicated by the Findings of Fact contained in the Development Review Committee Staff Report and Recommendation and has found that the project is in compliance with said criteria; and

**WHEREAS**, the Planning and Zoning Board of Appeals made a recommendation on the petition to the City Council for approval; and

**WHEREAS**, this matter has been presented to the City Council for final approval, and the Council has voted to approve the Site Plan to allow for a Standalone Car Wash within a Commercial Intensive (CI) zoning district subject to the conditions stipulated in the Development Review Committee Report.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**Section 1.** The Petition, SP-22-02, a Site & Development Plan to allow for a Standalone Car Wash within a Commercial Intensive (CI) zoning district, is hereby approved.

**Section 2.** The application is hereby APPROVED for site plan approval for a one-story 3,945 square foot building for a Standalone Car Wash with a maximum height of 34'8", and a total of 23 parking spaces, including two (2) handicapped spaces. The project is subject to the conditions of approval contained herein, which are in addition to the general requirements otherwise provided by resolution for the real property described as follows:

**LEGAL DESCRIPTION:**

LOT 1, BURGER TRACT, PCD, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 87, PAGE(S) 15, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY. TOGETHER WITH CROSS EASEMENT AGREEMENT IN OFFICIAL RECORDS BOOK 9458, PAGE 528, AS AMENDED IN OFFICIAL RECORDS 9654, PAGE 1021 AND OFFICIAL RECORDS BOOK 11551, PAGE 1838, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TOGETHER WITH EASEMENTS CONTAINED IN THE DECLARATION OF RESTRICTIONS IN OFFICAL REOCRDS BOOK 11570, PAGE 33, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**Section 3.** All resolutions in conflict herewith are hereby repealed.

**Section 4.** This resolution shall be effective upon its adoption subject to the following conditions, which shall be responsibility of and binding upon the Applicant, its successors, or assigns:

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)

**RESOLVED AND ADOPTED this 19th of day of December 2022.**

\_\_\_\_\_  
**Joel Flores, Mayor**

**Attest:**

\_\_\_\_\_  
**Quintella Moorer, City Clerk**

\_\_\_\_\_  
**John Tharp, Deputy Mayor**

\_\_\_\_\_  
**Peter Noble, Council Member, *District II***

\_\_\_\_\_  
**Judith Dugo, Council Member, *District III***

\_\_\_\_\_  
**Susy Diaz, Council Member, *District IV***

\_\_\_\_\_  
**Paula Bousquet, Council Member, *District V***

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia, City Attorney**

SP-22-02 (Resolution 2022-40)  
Exhibit "A"  
Date: September 27, 2022

Revised: 11/10/2022  
12/08/2022



## 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

\_\_\_\_\_  
Denise Malone

#### **Approved By:**

##### **City Manager**

\_\_\_\_\_  
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)

<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>	Soma	Commercial (CM)	Commercial General (CG)
<i>South</i>	Seminole Palms Residential Development	Residential High Density (RS-HD)	Residential High (RH)
<i>East</i>	Seminole Palms Residential Development	Residential High Density (RS-HD)	Residential High (RH)
<i>West</i>	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

<b>Table 2: Proposed Site Data</b>			
<b>Area:</b>	<b>Square Footage:</b>	<b>Acreage:</b>	<b>Percentage:</b>
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)

---

**PZBA RECOMMENDATION – November 10, 2022**

---

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

---

**PZBA RECOMMENDATION – December 8, 2022**

---

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.

---

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

---

---

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

---



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022  
**FROM:** Caryn Gardner-Young, Zoning Administrator  
**SUBJECT:** **Ordinance 2022-39, CPA-22-02**  
 Lake Worth Plaza West

### BACKGROUND

The subject site was annexed into the City of Greenacres on July 18, 2022, through Resolution 2022-60 an Interlocal Service Boundary Agreement. The site is comprised of one (1) parcel of land, that was developed as a 46,967 square foot shopping center plaza. The development was built in 1979 and includes restaurants, retail, personal services, and food supermarkets. There are no plans to change the existing shopping center.

The Land Development Staff has reviewed this proposal and recommended approval, followed by the Planning Commission recommending approval by a vote of 4-0 at their meeting on December 8, 2022.

### ANALYSIS

This small-scale future land use amendment is needed in order to replace the existing Palm Beach County Commercial High (PBC CH) future land use designation with an appropriate City designation as a result of an annexation. The Advisory Future Land Use Map Annexation Area (Map FLU 9) recommends Commercial (CM) for the subject parcel. This is the same as the proposed designation.

### FINANCIAL INFORMATION

N/A

### LEGAL

Ordinance 2022-39 was prepared in accordance with all applicable State Statutes and City Code requirements.

### STAFF RECOMMENDATION

*Approval of CPA-22-02 through the adoption of Ordinance 2022-39.*

**ORDINANCE NO. 2022-39**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN, TO CHANGE THE FUTURE LAND USE DESIGNATION OF ONE PARCEL OF LAND TOTALING APPROXIMATELY 20.1183 ACRES, LOCATED AT THE SOUTHEAST CORNER OF LAKE WORTH ROAD AND JOG ROAD AT 6400-6490 LAKE WORTH ROAD AND 4180 S JOG ROAD SUITES 1-9, FROM A PALM BEACH COUNTY DESIGNATION COMMERCIAL HIGH (CH) TO A CITY OF GREENACRES DESIGNATION OF COMMERCIAL (CM) AS REQUESTED BY THE PLANNING, GIS AND ENGINEERING DIVISION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, TRANSMITTAL, INCLUSION IN THE COMPREHENSIVE PLAN; AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Greenacres, pursuant to the Community Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been certified by the State of Florida; and

**WHEREAS**, the City of Greenacres Planning, GIS and Engineering Division is herein known as the "Petitioner" for the herein described property; and

**WHEREAS**, the City recently annexed the property generally known as Lake Worth Plaza West, which is generally located at the southeast corner of Jog Road and Lake Worth Road and consists of approximately 20.1183 acres ("Property"); and

**WHEREAS**, the Petitioner is requesting to change the land use designation for the Property from a Palm Beach County future land use designation of Commercial High to a City of Greenacres future land use designation of Commercial (CM) and include the new designation on the City's Future Land Use Map; and

**WHEREAS**, the Local Planning Agency for the City of Greenacres has held a duly advertised public hearing on December 8, 2022, and has recommended approval of the



Petitioner's request (petition CPA-22-02) to amend the City's Comprehensive Plan, Future Land Use Element's Future Land Use Map; and

**WHEREAS**, the City Council of the City of Greenacres has conducted a duly advertised public hearing to receive comments on CPA-22-02 concerning the proposed amendment to the Comprehensive Plan and has considered all comments received as required by state law and local ordinance; and

**WHEREAS**, the City Council finds that the proposed amendment to the City's Comprehensive Plan is consistent with the City's goals and objectives in the Comprehensive Plan and is in the best interest of the citizens of the City of Greenacres.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are incorporated into this Ordinance as true and correct finds of the City Council of the City of Greenacres.

**SECTION 2. Future Land Use Map Designation**

The Future Land Use Map in the City's Comprehensive Plan is hereby amended to change the designation of the Property from a Palm Beach County future land use designation of Commercial High to a City of Greenacres future land use designation of Commercial (CM) for the Property, which is legally described as follows:

**PARCEL 1: (FEE SIMPLE PARCEL)**

A parcel of land in the Northeast 1/4 of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:  
Commencing at the Northwest corner of the Northeast 1 /4 of Section 27; thence South 00°58,18" West (State Plane Grid Datum), along the West line of the Northeast 1/4 of

Section 27, a distance of 1339.12 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of Section 27; thence South 88°32'45" East, along said South line, 80.00 feet to the Easterly right-of-way line of Jog Road, and to the Point of Beginning of the parcel described herein; thence continue South 88°32'45" East, along said South line, 933.37 feet to the East line of the West 1/2 of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 27; thence North 00°55'50" East, along said East line, 1104.20 feet to a point that is 236.03 feet South of the North line of Section 27, as measured along said East line; thence North 89°04'10" West, 188.18 feet to a point of curvature; thence Northwesterly, along an arc of a curve concave to the Northeast, having a radius of 30.00 feet, a central angle of 38°19'04", an arc length of 20.06 feet to a non-tangent line; thence North 02°33'43" West, 197.51 feet to the South right-of-way line of Lake Worth Road (S.R. 802), being a non-tangent curve; thence Westerly, along the said South right-of-way line, being an arc of a curve concave to the South, having a calculated radius of 2798.11 feet, a central angle of 01°38'18", a chord length of 80.00 feet, which bears South 87°26'17" West, an arc length of 80.00 feet to a non-tangent line; thence South 02°33'43" East, 173.69 feet to a non-tangent curve; thence Southwesterly, along the arc of a curve concave to the Northwest, having a radius of 30.00 feet, a central angle of 32°51'53", a chord length of 16.97 feet bearing South 21°51'23" West, an arc length of 17.21 feet to a point of reverse curvature; thence Southwesterly, along an arc of a curve concave to the South, having a radius of 979.00 feet, a central angle of 22°32'57", an arc length of 385.29 feet to a point of compound curvature; thence Southwesterly, along an arc of a curve concave to the Southeast, having a radius of 149.00 feet, a central angle of 55°00'46", an arc length of 143.06 feet to a point of tangency; thence South 00°55'50" West, 363.24 feet to a point of curvature; thence Southwesterly, along an arc of a curve concave to the Northwest, having a radius of 30.00 feet, a central angle of 41°51'05", an arc length of 21.91 feet to a point of non-tangency; thence North 89°01'42" West, 208.35 feet to the East right-of-way line of Jog Road, being a line that is 80.00 feet East of and parallel with the West line of the Northeast 1/4 of Section 27; thence South 00°58'18" West, along said line, 80.00 feet; thence South 89°01'42" East, 182.90 feet; thence South 00°55'50" West, 336.62 feet; thence North 88°32'45" West, 183.15 feet to the said East right-of-way line of Jog Road; thence South 00°58'18" West, along said line 38.64 feet to the Point of Beginning.

#### PARCEL 2: (FEE SIMPLE PARCEL)

A parcel of land in the Northeast 1/4 of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of Section 27; thence South 00°58'18" West (State Plane Grid Datum), along the West line of the Northeast 1/4 of Section 27, a distance of 1339.12 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of Section 27; thence South 88°32'45" East along said South line, 80.00 feet

to the Easterly right-of-way line of Jog Road; thence North 00°58'18" East, 38.64 feet to the Point of Beginning; thence continuing North 00°58'18" East, 335.01 feet to a point; thence South 89°01'42" East, 182.90 feet to a point; thence South 00°55'50" West, 336.62 feet to a point; thence North 88°32'45" West, 183.15 feet to the Point of Beginning.

**PARCEL 3: (EASEMENT PARCEL)**

Easement for the benefit of Parcels 1 and 2 for access over and use of the retention pond on Out Parcel L-4, as set forth in paragraph 1.2 of the Cooperation and Easement Agreement dated March 17, 1986, and recorded April 2, 1986, in Official Records Book 4836, page 10, as modified by instrument recorded in Official Records Book 5744, page 1905, of the public records of Palm Beach County, Florida. Said Out Parcel L-4 being more particularly described as follows:

Commencing at the North quarter corner of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida; thence South 1°22'26" West (State Plane Grid Datum), along the North-South quarter Section line of Section 27, a distance of 653.08 feet; thence South 88°37'34" East, perpendicular to the previous course 80.00 feet to the Easterly right-of-way line of Jog Road and the Point of Beginning; thence North 1°22'26" East, along said right-of-way line and parallel with the North-South quarter section line, 61.29 feet; thence North 02°16'49" East, along said right-of-way line 189.64 feet; thence North 01°22'26" East, along said right-of-way line, 18.00 feet; thence South 88°37'34" East, perpendicular to the previous course,

271.16 feet to a non-tangent point of curvature; thence Southwesterly, along the arc of a curve concave to the Southeast, having a radius of 149.00 feet, a central angle of 52°40'42", a chord length of 132.22 feet which bears South 27°40'35" West, an arc distance of 136.99 feet to a point of tangency; thence South 01°20'15" West, 150.40 feet; thence North 88°37'34" West, along a line perpendicular to the North-South quarter section line, 215.68 feet to the Point of Beginning.

**SECTION 3. Authorization to Make Changes.**

The Planning, GIS, and Engineering Division is authorized to make the necessary Future Land Use map change to the Comprehensive Plan to reflect the change authorized by this Ordinance.

**SECTION 4. Repeal of Conflicting Ordinances.**

All Ordinances or parts thereof or parts of the code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 5. Severability.**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Section 6. Transmittal to the DEO.**

The Planning, GIS and Engineering Division shall send copies of this Ordinance, all supporting documentation and the future land use map amendment to the Treasure Coast Regional Planning Council (TCRPC) and the State Land Planning Agency (Department of Economic Opportunity) (DEO).

**Section 7. Inclusion in the Comprehensive Plan.**

It is the intention of the City Council, entered as hereby ordained, that the Comprehensive Plan of the City of Greenacres, Florida, shall be amended to include the amendment to the Future Land Use Map as stated herein.

**Section 8. Effective Date.**

The effective date of this Comprehensive Plan amendment shall be thirty-one (31) days following the adoption of this Ordinance in accordance with the provisions of Chapter 163.3187(c), Florida Statutes.

**[The remainder of this page intentionally left blank.]**

**Ordinance No. 2022-39 | Lake Worth Plaza West  
Future Land Use Amendment**

Page No. 7

**Passed on the first reading this 19<sup>th</sup> day of December, 2022.**

**PASSED AND ADOPTED on the second reading this 9<sup>th</sup> day of January, 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

*Voted:*

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

\_\_\_\_\_  
**Suzy Diaz**, Council Member, *District IV*

*Voted:*

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

**Ordinance No. 2022-39** | Lake Worth Plaza West  
Future Land Use Amendment

Page No. 8

CPA-22-02  
Exhibit "A"  
Date: November 21, 2022

Revised: 12/08/2022



## DEVELOPMENT REVIEW COMMITTEE STAFF REPORT AND RECOMMENDATION

### **Subject/Agenda Item:**

#### **Ordinance 2022-39: Future Lane Use Amendment – CPA 22-02 Lake Worth Plaza West**

**Public Hearing & First Reading:** A City of Greenacres (“City”) initiated Future Land Use Amendment request for one (1) parcel of land totaling approximately 20.1183 acres to replace the existing Palm Beach County Commercial High (PBC CH) future land use designation with an appropriate City designation as a result of the recent annexation of the property into the City. The site is located at the southeast corner of Lake Worth Road and Jog Road.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☒ Public Hearing

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

<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Ordinance 2022-39</li> <li>• Location Map</li> </ul>	<b>City Council Action:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
---	--



**I. Project Description:**

**Project:** Lake Worth Plaza West

**Petitioner:** City of Greenacres  
Planning, GIS, & Engineering Division.  
5800 Melaleuca Lane  
Greenacres, FL 33463

**Request:** Small-scale Future Land Use  
Amendment from Palm Beach  
County Commercial (COM) to City  
Commercial (CM)

**Location:** The southeast corner of  
Lake Worth Road and South Jog Road  
6400-6490 Lake Worth Road and 4180 S Jog Rd Suites 1 through 9.

**II. Site Data:**

**Existing Use:** Retail, Commercial, and Restaurant

**Proposed Use:** Retail, Commercial, and Restaurant

**Parcel Control Numbers:** 18-42-44-27-00-000-1280

**Parcel Size:** 20.1183 acres

**Existing Future Land Use Designation:** PBC Commercial High (CH)

**Proposed Future Land Use Designation:** City Commercial (CM)

**Existing Zoning District:** PBC Commercial General (CG)

**Proposed Zoning District:** City Commercial Intensive (CI)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:			
Direction	Existing Land Use	Future Land Use	Zoning District
North	Public Storage	City Commercial (City CM)	City Commercial Intensive (City CI)
South	Post Office Chelsea Commons	City Public Institution (PI) City Residential Medium (RS- RM)	City Gov't Use (GU) City Residential Medium (RM-2)
East	Seminole Palms Single Family Home Montessori School	City Residential High-Density City Commercial City Commercial	City Residential High (RH) City Commercial General (CG) City Commercial Intensive (CI)
West	Shopping Centers Turnberry	City (Commercial) PBC (Res Medium Density)	City Commercial Intensive (CI) PBC Residential (RH - High Density)

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

The subject site was annexed into the City of Greenacres on July 18, 2022, through Resolution 2022-60 an Interlocal Service Boundary Agreement. The site is comprised of one (1) parcel of land, that was developed as a 46,967 square foot shopping center plaza. The development was built in 1979 and includes restaurants, retail, personal services, and food supermarkets. There are no plans to change the existing shopping center.

### **IV. Data and Analysis:**

This small-scale future land use amendment is needed in order to replace the existing Palm Beach County Commercial High (PBC CH) future land use designation with an appropriate City designation as a result of an annexation. The Advisory Future Land Use Map Annexation Area (Map FLU 9) recommends Commercial (CM) for the subject parcel. This is the same as the proposed designation.

#### ***Land Use Analysis:***

After a review of the proposed land use amendment, staff has determined that the application is consistent with the provisions of Chapter 163, FS, because it is compatible with adjacent properties, meets concurrency requirements, and is consistent with the provisions of the City's Comprehensive Plan. Specifically, these are as follows:

#### ***A. Compatibility:***

A review of the adjacent existing land uses (see attached Aerial Photo) shows that the proposed land use is compatible with the adjacent properties. To the north, east and west of the subject property are developed parcels that possess a land use designation of City Commercial which is the same designation being sought for the subject property. Those adjacent parcels that possess residential land use designations are either medium or high-density designation which are appropriate next to a commercial land use designation. A medium and high-density land use designation is typically a step down between commercial activity and single-family residences. Only one parcel is Public Institution which operates as a business (Post Office) similar to commercial uses.

*Conclusions:* Reviewing the adjacent existing commercial, government use and multi-family residential developments shows that the proposed City Commercial future land use designation is compatible with the surrounding properties and the intense commercial activity at this intersection of two Urban Principal Arterial roadways.

#### ***B. Concurrency:***

As previously stated, this future land use amendment will provide the site with a City future land use designation based upon its recent annexation. Additional impacts on services are expected to be insignificant since the proposed City commercial future land use designation will be the equivalent of what was provided in the County.

**C. Consistency with City's Comprehensive Plan:**

The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, specifically:

**1. Future Land Use Element**

**Objective 8, Policy c)**

Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for residential densities and commercial intensities as indicated below:

\* \* \* (*1 through 10 and 12 through 16 omitted for brevity*) \* \* \*

(11) Commercial Intensive – 30% lot coverage, 0.35 FAR

**Objective 10, Policy e)**

The City of Greenacres shall regulate and control all future land use activities which affect the topography, materials beneath the land's surface and availability of services by implementing the following policies:

**Policy e)**

In reviewing future land use amendments in the City's Future Annexation Area, the City will utilize the Advisory Future Land Use Map (Map 9) as the basis for the assignment of future land use designations as well as consideration of the goals, objectives and policies contained in this Element and an analysis of the proposal's compatibility with adjacent uses in order to determine the appropriate designation.

**Objective 11, Policies a, and c**

The City shall discourage the proliferation of urban sprawl by following established land use patterns, promoting appropriate infill and designating future land use densities based upon levels of services and the availability of services and facilities.

**Policy a)**

Urban Sprawl will be discouraged by permitting only development that is consistent and compatible with the established land use pattern. "Consistent and compatible with the established land use pattern" shall mean:

- (1) Only uses permitted within the Plan's land use designation and the implementing zoning district shall be approved.
- (2) Only development within the designated density range and intensity regulations of the implementing zoning district will be approved.
- (3) Adequate facilities and services shall be available and concurrent to accommodate the proposed development.

**Policy c)**

Future timing of appropriate land use densities and intensities will be determined by the established levels of services and the availability of services and facilities to meet the established levels.

**V. Consistency with the Treasure Coast Regional Planning Council SRPP:**

The proposed future land use amendment represents a means of increasing commercial opportunities in the City through the process of infill development, rather than approving land uses which will encourage urban sprawl. This is consistent with the intent of Regional Goal 2.1, which discourages urban sprawl development patterns and Regional Goal 5.1, which states that redevelopment, revitalization and infill of existing neighborhoods and districts should be encouraged. The proposed Commercial (CM) future land use designation is consistent with the intent of Regional Goal 8.1 which states that development should take place concurrent with or after the provision of necessary infrastructure and services. As a result, the proposed future land use amendment is consistent with the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan (SRPP) concerning appropriate development patterns.

**VI. Consistency with Chapter 163, Florida Statutes:**

The amendment is consistent with the provisions of Chapter 163.3184 and 163.3187 F.S. concerning the processing of a small-scale future land use amendment to the Comprehensive Plan, as well as providing all applicable data and analysis to support the amendment.

In summary, this small-scale future land use amendment to the City's Comprehensive Plan is compatible with adjacent land uses, adequately addresses concurrency issues, and is consistent with the City's Comprehensive Plan, the Regional Planning Council's SRPP and Chapter 163, F.S.

**VII. Staff Recommendation:**

*Approval* of CPA-22-02 through the adoption of Ordinance 2022-39.

---

**LOCAL PLANNING AGENCY ACTION – December 8, 2022**

---

The Local Planning Agency on a motion made by Board Member Jacobs-Robarts and seconded by Board Member Edmundson, voting four (4) to zero (0), ***recommended approval*** of ***CPA-22-02***, as presented by staff.

---

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

---

---

**CITY COUNCIL ACTION Adoption Hearing – January 9, 2023**

---

Attachments:

1. Aerial Photograph
2. Future Land Use Map
3. Ordinance 2022-39



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022  
**FROM:** Caryn Gardner-Young, Zoning Administrator  
**SUBJECT:** **Ordinance 2022-40, ZC-22-02**  
 Lake Worth Plaza West

### BACKGROUND

The subject site was annexed into the City of Greenacres on July 18, 2022, through Resolution 2022- 60 as an Interlocal Service Boundary Agreement. The site is comprised of one (1) parcel of land, that was developed as a 46,967 square foot shopping center plaza. The development was built in 1979 and includes restaurants, retail, personal services, and food supermarkets. There are no plans to change the existing shopping center.

The Land Development Staff has reviewed this proposal and recommended approval, followed by the Planning Commission recommending approval by a vote of 4-0 at their meeting on December 8, 2022.

### ANALYSIS

A City of Greenacres ("City") initiated zoning change request for one parcel of land totaling approximately 20.1183 acres from Palm Beach County Commercial General (CG) zoning district to the City Commercial Intensive (CI) zoning district as a result of a recent annexation. The site is located at southeast corner of Lake Worth Road and Jog Road.

### FINANCIAL INFORMATION

N/A

### LEGAL

Ordinance 2022-40 was prepared in accordance with all applicable State Statutes and City Code requirements.

### STAFF RECOMMENDATION

*Approval of ZC-22-02 through the adoption of Ordinance 2022-40.*

**ORDINANCE NO. 2022-40**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING A ZONING CHANGE FOR ONE PARCEL OF LAND TOTALING APPROXIMATELY 20.1183 ACRES, LOCATED AT THE SOUTHEAST CORNER OF LAKE WORTH ROAD AND JOG ROAD AT 6400-6490 LAKE WORTH ROAD, AND 4180 JOG ROAD SUITES 1-9, FROM A PALM BEACH COUNTY ZONING DESIGNATION OF GENERAL COMMERCIAL (CG) TO A CITY OF GREENACRES ZONING DESIGNATION OF COMMERCIAL INTENSIVE (CI) AS REQUESTED BY THE PLANNING, GIS AND ENGINEERING DIVISION; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Greenacres Planning, GIS and Engineering Division is herein known as the "Petitioner" for the herein described property; and

**WHEREAS**, the City recently annexed the property generally known as Lake Worth Plaza West, which is generally located at the southeast corner of Jog Road and Lake Worth Road and consists of approximately 20.1183 acres ("Property"); and

**WHEREAS**, the Petitioner is requesting a rezoning of the Property from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI); and

**WHEREAS**, the Planning Commission has held a duly advertised public hearing on December 8, 2022 and reviewed the application for compliance with the staff findings relevant to the criteria for a Zoning Change as detailed in the Development Review Committee Report and Recommendation, Exhibit "A", dated November 21, 2022, as revised; and

**WHEREAS**, the City Council of the City of Greenacres has conducted two (2) duly advertised public hearings on December 8, 2022 and on December 19, 2022 and has

considered all comments received concerning the proposed amendment to the Official Zoning Map as required by state law and local ordinance; and

**WHEREAS**, the City Council finds that the proposed zoning change is consistent with the City's Comprehensive Plan and all criteria for a zoning change; and

**WHEREAS**, the City Council of the City of Greenacres has determined that, in accordance with Exhibit "A", "Development Review Committee Staff Report and Recommendation", dated November 21, 2022, as revised (attached), the proposed zoning change for the Property from Palm Beach County zoning designation of General Commercial (CG) to City of Greenacres zoning designation of Commercial Intensive (CI) is in the best interest of the citizens of the City of Greenacres.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are incorporated into this Ordinance as true and correct finds of the City Council of the City of Greenacres.

**SECTION 2. Zoning District Amendment.**

The request by the Petitioner to change the Official Zoning Map to include a zoning change of the Property from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) is hereby approved. The Property is legally described as follows:

**LEGAL DESCRIPTION**

**PARCEL 1: (FEE SIMPLE PARCEL)**

A parcel of land in the Northeast 1/4 of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:  
Commencing at the Northwest corner of the Northeast 1 /4 of Section 27; thence South 00°58,18" West (State Plane Grid Datum), along the West line of the Northeast 1/4 of



Section 27, a distance of 1339.12 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of Section 27; thence South 88°32'45" East, along said South line, 80.00 feet to the Easterly right-of-way line of Jog Road, and to the Point of Beginning of the parcel described herein; thence continue South 88°32'45" East, along said South line, 933.37 feet to the East line of the West 1/2 of the East 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 27; thence North 00°55'50" East, along said East line, 1104.20 feet to a point that is 236.03 feet South of the North line of Section 27, as measured along said East line; thence North 89°04'10" West, 188.18 feet to a point of curvature; thence Northwesterly, along an arc of a curve concave to the Northeast, having a radius of 30.00 feet, a central angle of 38°19'04", an arc length of 20.06 feet to a non-tangent line; thence North 02°33'43" West, 197.51 feet to the South right-of-way line of Lake Worth Road (S.R. 802), being a non-tangent curve; thence Westerly, along the said South right-of-way line, being an arc of a curve concave to the South, having a calculated radius of 2798.11 feet, a central angle of 01°38'18", a chord length of 80.00 feet, which bears South 87°26'17" West, an arc length of 80.00 feet to a non-tangent line; thence South 02°33'43" East, 173.69 feet to a non-tangent curve; thence Southwesterly, along the arc of a curve concave to the Northwest, having a radius of 30.00 feet, a central angle of 32°51'53", a chord length of 16.97 feet bearing South 21°51'23" West, an arc length of 17.21 feet to a point of reverse curvature; thence Southwesterly, along an arc of a curve concave to the South, having a radius of 979.00 feet, a central angle of 22°32'57", an arc length of 385.29 feet to a point of compound curvature; thence Southwesterly, along an arc of a curve concave to the Southeast, having a radius of 149.00 feet, a central angle of 55°00'46", an arc length of 143.06 feet to a point of tangency; thence South 00°55'50" West, 363.24 feet to a point of curvature; thence Southwesterly, along an arc of a curve concave to the Northwest, having a radius of 30.00 feet, a central angle of 41°51'05", an arc length of 21.91 feet to a point of non-tangency; thence North 89°01'42" West, 208.35 feet to the East right-of-way line of Jog Road, being a line that is 80.00 feet East of and parallel with the West line of the Northeast 1/4 of Section 27; thence South 00°58'18" West, along said line, 80.00 feet; thence South 89°01'42" East, 182.90 feet; thence South 00°55'50" West, 336.62 feet; thence North 88°32'45" West, 183.15 feet to the said East right-of-way line of Jog Road; thence South 00°58'18" West, along said line 38.64 feet to the Point of Beginning.

#### PARCEL 2: (FEE SIMPLE PARCEL)

A parcel of land in the Northeast 1/4 of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of Section 27; thence South 00°58'18" West (State Plane Grid Datum), along the West line of the Northeast 1/4 of Section 27, a distance of 1339.12 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of Section 27; thence South 88°32'45" East along said South line, 80.00 feet to the Easterly right-of-way line of Jog Road; thence North 00°58'18" East, 38.64 feet to the Point of Beginning; thence continuing North 00°58'18" East, 335.01 feet to a point:

thence South 89°01'42" East, 182.90 feet to a point; thence South 00°55'50" West, 336.62 feet to a point; thence North 88°32'45" West, 183.15 feet to the Point of Beginning.

**PARCEL 3: (EASEMENT PARCEL)**

Easement for the benefit of Parcels 1 and 2 for access over and use of the retention pond on Out Parcel L-4, as set forth in paragraph 1.2 of the Cooperation and Easement Agreement dated March 17, 1986, and recorded April 2, 1986, in Official Records Book 4836, page 10, as modified by instrument recorded in Official Records Book 5744, page 1905, of the public records of Palm Beach County, Florida. Said Out Parcel L-4 being more particularly described as follows:

Commencing at the North quarter corner of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida; thence South 1°22'26" West (State Plane Grid Datum), along the North-South quarter Section line of Section 27, a distance of 653.08 feet; thence South 88°37'34" East, perpendicular to the previous course 80.00 feet to the Easterly right-of-way line of Jog Road and the Point of Beginning; thence North 1°22'26" East, along said right-of-way line and parallel with the North-South quarter section line, 61.29 feet; thence North 02°16'49" East, along said right-of-way line, 189.64 feet; thence North 01°22'26" East, along said right-of-way line, 18.00 feet; thence South 88°37'34" East, perpendicular to the previous course, 271.16 feet to a non-tangent point of curvature; thence Southwesterly, along the arc of a curve concave to the Southeast, having a radius of 149.00 feet, a central angle of 52°40'42", a chord length of 132.22 feet which bears South 27°40'35" West, an arc distance of 136.99 feet to a point of tangency; thence South 01°20'15" West, 150.40 feet; thence North 88°37'34" West, along a line perpendicular to the North-South quarter section line, 215.68 feet to the Point of Beginning.

**SECTION 3. Authorization to Make Changes.**

That the Planning, GIS, and Engineering Division is directed to make the necessary changes to the City of Greenacres Official Zoning Map to reflect the change authorized by this Ordinance.

**SECTION 4. Repeal of Conflicting Ordinances.**

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 5. Severability.**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Section 6. Effective Date.**

The provisions of this Ordinance shall only become effective if the associated Comprehensive Plan amendment (Ordinance No. 2022-40) becomes effective and the date of effectiveness shall be the same. .

**Passed on the first reading this 19<sup>th</sup> day of December, 2022.**

**PASSED AND ADOPTED on the second reading this 9<sup>th</sup> day of January, 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

*Voted:*

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

\_\_\_\_\_  
**Suzy Diaz**, Council Member, *District IV*

*Voted:*

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

ZC-22-02  
Exhibit "A"  
Date: November 21, 2022

Revised: 12/08/2022



**DEVELOPMENT REVIEW COMMITTEE STAFF REPORT AND RECOMMENDATION**

**Subject/Agenda Item:**

**Ordinance 2022-40: ZC-22-02 Rezoning at Lake Worth Plaza West**

**Public Hearing and First Reading:** A City of Greenacres ("City") initiated zoning change request for one parcel of land totaling approximately 20.1183 acres from Palm Beach County Commercial General (CG) zoning district to City Commercial Intensive (CI) zoning district as a result of a recent annexation. The site is located at the southeast corner of Lake Worth Road and Jog Road.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☒ Public Hearing

<b>Originating Department: Planning &amp; Engineering</b>  Project Manager  _____ Caryn Gardner-Young, AICP	<b>Reviewed By:</b> Director of Development and Neighborhood Services  _____ Denise Malone
<b>Approved By:</b>  <b>City Manager</b>  _____ Andrea McCue	<b>Public Notice:</b> <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 2 Paper: Lake Worth Herald;Palm Beach Post  <b>Mailing</b> <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Notice Distance: 300'

<b>Attachments:</b> <ul style="list-style-type: none"> <li>• Aerial</li> <li>• Zoning Map</li> </ul>	<b>City Council Action:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
--	--

## **I. Executive Summary**

A City of Greenacres (“City”) initiated zoning change request for one parcel of land totaling approximately 20.1183 acres from Palm Beach County Commercial General (CG) zoning district to the City Commercial Intensive (CI) zoning district as a result of a recent annexation. The site is located at southeast corner of Lake Worth Road and Jog Road.

## **III. Site Data:**

<b>Existing Use:</b>	Retail, Commercial, and Restaurant
<b>Proposed Use:</b>	Retail, Commercial, and Restaurant
<b>Parcel Control Numbers:</b>	18-42-44-27-00-000-1280
<b>Parcel Size:</b>	20.1183 acres
<b>Existing Future Land Use Designation:</b>	PBC Commercial High (CH)
<b>Proposed Future Land Use Designation:</b>	City Commercial (CM)
<b>Existing Zoning District:</b>	PBC Commercial General (CG)
<b>Proposed Zoning District:</b>	City 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>	Public Storage	City Commercial (City CM)	City Commercial Intensive (City CI)
<i>South</i>	Post Office Chelsea Commons	City Public Institution (PI) City Residential Medium (RS-RM)	City Gov’t Use (GU) City Residential Medium (RM-2)
<i>East</i>	Seminole Palms Single Family Home Montessori School	City Residential High-Density City Commercial City Commercial	City Residential High (RH) City Commercial General (CG) City Commercial Intensive (CI)
<i>West</i>	Shopping Centers Turnberry	City (Commercial) PBC (Res Medium Density)	City Commercial Intensive (CI) PBC Residential ( RH -High Density)

## **IV. Annexation/Zoning History:**

The subject site was annexed into the City of Greenacres on July 18, 2022, through Resolution 2022- 60 as an Interlocal Service Boundary Agreement. The site is comprised of one (1) parcel of land, that was developed as a 46,967 square foot shopping center plaza. The development was built in 1979 and includes restaurants, retail, personal services, and food supermarkets. There are no plans to change the existing shopping center.

## **V. Applicable Comprehensive Plan Provisions:**

The Comprehensive Plan includes the following planning objectives and policies related to this proposed zoning change request:

### **1. Future Land Use Element**

#### **1. Future Land Use Element**

##### **Objective 8, Policy c)**

Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for residential densities and commercial intensities as indicated below:

\* \* \* (1 through 10 and 12 through 16 omitted for brevity) \* \* \*

(11) Commercial Intensive – 30% lot coverage, 0.35 FAR

##### **Objective 10, Policy e)**

The City of Greenacres shall regulate and control all future land use activities which affect the topography, materials beneath the land's surface and availability of services by implementing the following policies:

##### **Policy e)**

In reviewing future land use amendments in the City's Future Annexation Area, the City will utilize the Advisory Future Land Use Map (Map 9) as the basis for the assignment of future land use designations as well as consideration of the goals, objectives and policies contained in this Element and an analysis of the proposal's compatibility with adjacent uses in order to determine the appropriate designation.

##### **Objective 11, Policies a and c**

The City shall discourage the proliferation of urban sprawl by following established land use patterns, promoting appropriate infill, and designating future land use densities based upon levels of services and the availability of services and facilities.

##### **Policy a)**

Urban Sprawl will be discouraged by permitting only development that is consistent and compatible with the established land use pattern. "Consistent and compatible with the established land use pattern" shall mean:

- (1) Only uses permitted within the Plan's land use designation and the implementing zoning district shall be approved.
- (2) Only development within the designated density range and intensity regulations of the implementing zoning district will be approved.

- (3) Adequate facilities and services shall be available and concurrent to accommodate the proposed development.

Policy c)

Future timing of appropriate land use densities and intensities will be determined by the established levels of services and the availability of services and facilities to meet the established levels.

## **VI. Applicable City Code Provisions:**

Section 16-153(a)(1) of the Code relating to rezoning of property states that the proposed zoning change should not be contrary to the future land use map, and it should not have an adverse effect on the Comprehensive Plan.

### **Division 11. Commercial Intensive (Section 16-496 through 16-506)**

The commercial intensive (CI) district is intended for intensive, highly automotive oriented uses that require a conspicuous and accessible location along thoroughfares designated as major arterials in the Comprehensive Plan. Permitted uses and special exceptions within this designation require larger land areas with ample off-street parking and off-street loading space. This district provides the greatest variety of uses among commercial districts and serves a geographical area that extends beyond the city limits. This district may accommodate certain light manufacturing, processing, wholesaling and storage and warehousing uses when it is clearly demonstrated that such uses are compatible with other uses in the district. It is not the intent of this district that it shall be used to encourage the extension of strip commercial areas.

## **VII. Staff Analysis:**

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

The petition was reviewed by the Development Review Committee on November 17, 2023 and recommended for denial.

Planning, GIS & Engineering Div.:	No objections
Building Department:	No objections
Fire Rescue Department:	No objections
Public Works Department:	No objections
PBSO District 16:	No objections

### ***Zoning Change Criteria and Findings of Fact:***

Section 16-153. Planning Zoning and Board of Appeals (“PZAB”) Report: The PZAB shall submit a report to the City Council which shows that the PZAB has studied and considered the proposed amendment for rezoning of property and change to the official zoning map in relation to the



following, where applicable:

***Specific Criteria Findings:***

- (1) Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the Comprehensive Plan.**

***Finding:*** The proposed rezoning from Palm Beach County Commercial General (PBC CG) to City Commercial Intensive (CI) is consistent with the City's future land use element of the Comprehensive Plan. The Future Land Use Map recommends Commercial for the subject parcel. The proposed CI zoning designation is consistent with the proposed Commercial future land use designation. Since the existing uses are not proposed to change, the most similar City zoning designation to PBC CG is City CI.

- (2) The existing land use pattern.**

***Finding:*** The proposed Commercial Intensive (CI) zoning district is compatible with the high traffic commercial concentric uses at the intersection of Lake Worth Road and Jog Road. A review of the adjacent existing land uses shows that the proposed zoning is compatible with the land use pattern. To the north, east and west of the subject property are developed parcels that possess a zoning designation of city commercial intensive which is the same designation being sought for the subject property. The Lake Worth Road corridor is heavily commercial intensive with highly automotive oriented uses that require a conspicuous and accessible location. The subject site follows this type of development so it is consistent with existing land use patterns.

- (3) The possible creation of an isolated district unrelated to adjacent and nearby districts.**

***Finding:*** This proposed zoning change will not create an isolated zoning district. The changes are required in order to complete the annexation process and the zoning of the site for commercial intensive is consistent with adjacent properties. The property to the north, east and west are zoned Commercial Intensive which is the same zoning district as that being proposed. The other properties are zoned Government Use or High/Medium residential density which are typically buffer zoning districts from single family residences.

- (4) The population density pattern and possible increase or overtaxing of the land on public facilities such as schools, utilities, etc.**

***Finding:*** The subject site is currently operated as a shopping center which use is not proposed to change. The shopping center has been in existence since 1979 and there will be no additional impacts upon traffic, public safety or utilities since the uses already exist.

- (5) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

***Finding:*** The property is being annexed into the City and therefore requires an appropriate City zoning designation.

- (6) Whether changed or changing conditions make the passage of the proposed amendment necessary.**

***Finding:*** The property is being annexed into the City and therefore requires an appropriate City zoning designation.

- (7) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.**

***Finding:*** The property is being annexed into the City and the uses are not proposed to change so the rezoning will not create or excessively increase traffic congestion. Public Safety will not be affected since PBC Sheriff's Office will continue to provide law enforcement services at the proposed site (would only change the district handling the property) and the city has entered into an agreement to ensure a smooth transition from PBC Fire to City of Greenacres Fire.

- (8) Whether the proposed change will adversely influence living conditions in the neighborhood.**

***Finding:*** The proposed zoning changes will not adversely affect living conditions in the area since there are no proposed changes to the shopping center.

- (9) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.**

***Finding:*** The property is being annexed into the City and therefore requires an appropriate City zoning designation.

- (10) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.**

***Finding:*** As evidenced by the findings above, the proposed zoning change does not constitute a special privilege for the property owners because the change is consistent with existing land use patterns and the property's proposed future land use, as well as the surrounding future land use and zoning designations.

### **VIII. Staff Recommendation:**

***Approval*** of ZC-22-02 through the adoption of Ordinance 2022-40.

---

**PLANNING, ZONING AND BOARD OF APPEALS RECOMMENDATION –  
December 8, 2022**

---

The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Jacob-Robarts, voting four (4) to zero (0), *recommended approval* of Zoning Change ZC-22-02, as presented by staff.

---

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

---

---

**CITY COUNCIL ACTION Adoption Hearing – January 9, 2023**

---



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Monica Powery, Director, Purchasing

**SUBJECT:** Franchise Agreement Commercial Rate Amendment

### BACKGROUND

The City of Greenacres approved Ordinance No. 2019-08 the franchise agreement with Advanced Disposal Services Solid Waste Southeast, Inc. ("Advanced") for solid waste collections with an initial term of October 1, 2019 through September 30, 2024 ("Franchise Agreement"). Section 6-276 of the City's Code of Ordinances incorporates the Franchise Agreement into the Code and addresses the terms, conditions, and continuation of the Franchise Agreement

### ANALYSIS

The City and Advanced have previously revised the rates for the residential collections by resolution consistent with the uniform method for non-ad valorem assessments (Section 197.3632, Florida Statutes); and in reviewing the proposed commercial rates for FY 2023, it was discovered that the Franchise Agreement does not specify how the commercial rates are to be amended. Since the commercial rates are subject to change under the Franchise Agreement, the City desires to clarify that all rates in the Franchise Agreement may be amended by City Council resolution; and the City Council of the City of Greenacres finds amending Section 6-276 of the City's Code of Ordinances to address amendments to the rates set forth in the Franchise Agreement is in the best interests of the City, its residents and all Solid Waste customers and serves a valid public purpose.

### FINANCIAL INFORMATION

N/A

### LEGAL

The City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

### STAFF RECOMMENDATION

Approval to clarify language in the Solid Waste Franchise Agreement. Increase in the commercial rate must be made by City Council resolution through the adoption of Ordinance 2022-38.

**ORDINANCE NO. 2022-38**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 6, FRANCHISES, ARTICLE V, SOLID WASTE, DIVISION 1, GENERALLY, SECTION 6-276, OF THE CITY OF GREENACRES CODE OF ORDINANCES, TO CLARIFY THAT ALL RATES UNDER THE FRANCHISE AGREEMENT MAY BE AMENDED BY CITY RESOLUTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION, RETROSPECTIVE APPLICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, by Ordinance No. 2019-08, the City of Greenacres approved the franchise agreement with Advanced Disposal Services Solid Waste Southeast, Inc. ("Advanced") for solid waste collections with an initial term of October 1, 2019 through September 30, 2024 ("Franchise Agreement");

**WHEREAS**, Section 6-276 of the City's Code of Ordinances incorporates the Franchise Agreement into the Code and addresses the terms, conditions, and continuation of the Franchise Agreement;

**WHEREAS**, the City and Advanced have previously revised the rates for the residential collections by resolution consistent with the uniform method for non-ad valorem assessments (Section 197.3632, Florida Statutes); and,

**WHEREAS**, in reviewing the proposed commercial rates for FY 2023, it was discovered that the Franchise Agreement does not specify how the commercial rates are to be amended; and

**WHEREAS**, since the commercial rates are subject to change under the Franchise Agreement, the City desires to clarify that all rates in the Franchise Agreement may be amended by City Council resolution; and,

**WHEREAS**, the City Council of the City of Greenacres finds amending Section 6-276 of the City's Code of Ordinances to address amendments to the rates set forth in the

Franchise Agreement is in the best interests of the City, its residents and all Solid Waste customers and serves a valid public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing recitals are incorporated into this Ordinance as true and correct statements.

**Section 2.** Chapter 6, Franchises, Article V, Solid Waste, Division 1, Generally, Section 6-276, of the City's Code of Ordinances, is amended as follows (underlined language is being added):

**Sec. 6-276. Award of solid waste franchise to Advanced Disposal Services Solid Waste Southeast, Inc.**

- (a) *Exclusive franchise.* The city council hereby grants to Advanced Disposal Services Solid Waste Southeast, Inc., the exclusive right during the term of this franchise to collect and haul residential and commercial solid waste, except for commercial medical waste, commercial recycling and commercial roll-off containers for construction and demolition waste from within the city municipal limits to authorized disposal facilities.
- (b) *Term of franchise.* The franchise is effective for the period October 1, 2019, to September 30, 2024. As authorized herein, the franchise may be extended for five (5) renewal periods of one (1) year each, from October 1, 2024 to September 30, 2029, which shall be approved by mutual consent of the city and Advanced Disposal Services Solid Waste Southeast, Inc.
- (c) *Conditions of the franchise.* The franchise shall continue to be conducted in accordance with the terms contained in the franchise agreement, attached hereto as exhibit 1. The franchise agreement shall remain an exhibit to this section, and shall be remanded to the custody of the city clerk who will maintain such for public inspection.
- (d) *Acceptance and commencement of the franchise.* The franchise shall be considered accepted by Advanced Disposal Services Solid Waste Southeast, Inc. upon written signature to franchise agreement by an authorized representative of Advanced Disposal Services Solid Waste Southeast, Inc., and upon approval by the city council. The franchise shall commence thereafter on October 1, 2019.
- (e) *Continuation of franchise.* The franchise shall continue uninterrupted based upon the terms and conditions of the franchise agreement attached hereto as exhibit 1.

- (f) Rates. The rates set forth in the franchise agreement may be amended by the City Council by resolution. All amendments to the rates shall be consistent with the terms and conditions of the franchise agreement.

**Section 3. Repeal of Conflicting Ordinances.**

All ordinances or parts thereof or parts of the code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 4. Severability.**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Section 5. Inclusion in Code.**

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “ordinance” may be changed to “Section”, “Article” or another word.

**Section 6. Retrospective Application.** It is the specific intent of this Ordinance to make it retrospective in application to acknowledge, confirm, and reauthorize all prior rate changes as being consistent with the terms of the Franchise Agreement whether by

resolution or other act of the City and upon the passage of this Ordinance all future rate changes shall be by City Council resolution.

**Section 7. Effective Date.**

The provisions of this Ordinance shall become effective upon adoption.



Passed on the first reading this 5<sup>th</sup> day of December, 2022.

PASSED AND ADOPTED on the second reading this 19<sup>th</sup> day of December, 2022.

\_\_\_\_\_  
**Joel Flores**, Mayor

**Attest:**

\_\_\_\_\_  
**Quintella Moor**, City Clerk

\_\_\_\_\_  
**John Sharp**, Deputy Mayor

\_\_\_\_\_  
*Voted:*

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

\_\_\_\_\_  
*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

\_\_\_\_\_  
*Voted:*

\_\_\_\_\_  
**Susy Diaz**, Council Member, *District IV*

\_\_\_\_\_  
*Voted:*

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

\_\_\_\_\_  
*Voted:*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Andrea McCue, City Manager, Administration

**SUBJECT:** Naming of City Programs, Events and/or Facilities

---

### BACKGROUND

During the Council's discussion regarding the City's scholarship program, naming of scholarships came up which led to a larger discussion about how the City should go about naming city related programs, events and/or facilities. The Council was interested in having a policy and/or procedure in place to assist in determining how programs, events, and facilities including property are named.

---

### ANALYSIS

The City Attorney office has prepared an Ordinance creating a new section in the City's Code or Ordinances which establishes a uniform methods and procedure for the naming of City programs, events and/or facilities. The naming authority is solely vested in the City Council and through the adoption of the Ordinance a process will be established for naming of City programs, events and/or facilities.

The Ordinance has been updated since the first reading to reflect that four votes will be required for naming and/or removing or renaming any programs, events and/or facilities.

---

### FINANCIAL INFORMATION

Any cost associated with the naming and/or renaming of a city program, event or facility would be included in the budget.

---

### LEGAL

The City Attorney's Office has prepared the Ordinance in accordance with any applicable laws.

---

### STAFF RECOMMENDATION

Staff is recommending approval of Ordinance 2022-42 on second reading.

**ORDINANCE NO. 2022-42**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE I “IN GENERAL,” BY ADDING A NEW SECTION 2-2 “NAMING OF CITY PROGRAMS, EVENTS, AND FACILITIES”; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Greenacres, Florida (the “City”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the City Council wishes to establish a uniform method and procedure for the naming of City programs, events, and facilities; and

**WHEREAS**, the City Council finds that the authority to name City programs, events, and facilities is solely vested in the city council; and

**WHEREAS**, the City Council has reviewed the proposed ordinance and has determined that the ordinance serves a public purpose and is in the best interests of the public health, safety and/or welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The foregoing recitals are hereby fully incorporated herein by reference as the legislative findings of the City Council of the City of Greenacres.

**SECTION 2.** The City of Greenacres Code of Ordinances is hereby amended by adding a new section 2-2 “Naming of city programs, events, and facilities” to Chapter 2 “Administration,” Article I “In general” and such new section shall read as follows:

Sec. 2-2. – Naming of city programs, events, and facilities.

(a) Intent and purpose; findings.

1. The intent and purpose of this section is to establish a uniform method and

**Ordinance No. 2022-42 | Naming of City Programs, Events, and Facilities**

Page No. 2

procedure to name city programs, events, and facilities. The use of the words “name” and “naming” throughout this section shall also include “rename” and “renaming.”

2. The city council hereby finds that the authority to name city programs, events, and facilities is solely vested in the discretion of the city council. The city retains the sole discretion, to the maximum extent allowable by law, to reject any naming petition or donation (offered in exchange for naming rights) for any reason. The decision to associate any name with a city program, event, or facility, or any portion thereof, is made by the city in its proprietary capacity. It is not the city’s intention to create a public forum of any kind with respect to the naming of city programs, events, or facilities.

(b) *Generally.* The naming of a city program, event, or facility may be initiated (i) by the city council, (ii) upon the recommendation of the city manager, or (iii) upon the written petition of any person desiring to recommend a name to the city council.

(c) *Naming guidelines.* When considering the naming of any city program, event, or facility, the city council shall consider the following naming attributes:

1. Recognized geographic names;
2. Natural historic features;
3. Significant contributions to the city, State of Florida, or United States;
4. Significant material or financial contributions to the city;
5. Persons of historic service to the city;
6. Persons of outstanding civic service to the city; and
7. Documented community support for the name.

(d) *Other factors.* When considering the naming of any city program, event, or facility,

**Ordinance No. 2022-42 | Naming of City Programs, Events, and Facilities**

Page No. 3

the city council shall also consider the following additional factors:

1. Names selected will be commensurate with the significance of the city program, event, or facility;

2. Preference will be given to names that lend dignity to the city program, event, or facility;

3. Persons currently serving on the city council or serving as an existing city employee will not be considered;

4. Whether the name may lead to the undue commercialization of the city program, event, or facility.

5. Names that promote alcohol and tobacco products or political organizations will not be considered;

6. Names with connotations which by contemporary community standards are derogatory or offensive will not be considered;

7. The use of the same name for different city programs, events and facilities will be avoided;

8. The use of multiple names for different parts of a particular city program, event or facility will be avoided;

9. If the name is an individual person, whether the individual has ever been convicted of a felony; and

10. The cost that the naming or renaming will have on the city.

(e) Naming petition process. Any person wishing to recommend to the city council a name for a city program, event, or facility shall submit a naming petition to the city manager for evaluation. The petition shall be in writing on a form approved by the city. The petition shall demonstrate that the name selected satisfies the naming

**Ordinance No. 2022-42 | Naming of City Programs, Events, and Facilities**

Page No. 4

guidelines and other factors set forth in this section and that it demonstrates the required minimum community support as set forth in subsection (f). Upon receipt of a petition that meets the requirements of this section, the manager shall make a recommendation to the city council for either the approval or disapproval of the naming petition. The city council will determine, in its sole discretion, whether or not to name a city program, event, or facility in accordance with the recommendation set forth in such petition.

- (f) *Minimum community support for naming petition.* Each naming petition shall include signatures that demonstrate minimum community support for the petition. Minimum community support requires signatures from at least five percent (5%) of the residents of the city based on the last officially reported population statistics maintained by the city. No naming petitions shall be processed by the city manager unless said petition meets the minimum community support requirement.
- (g) *Minimum contribution.* From time to time, the city council may adopt a resolution establishing the minimum contribution required for the naming of a city program, event, and/or facility.
- (h) *Approvals.* The city council shall name, rename, or remove a name from any city program, event, or facility, by resolution. As an alternative to the adoption of a resolution, the city council may enter into sponsorship agreements for naming rights of a city program, event, or facility. Such agreements shall be reviewed by the city attorney for legal sufficiency and approved by the city council. Any term or condition in a sponsorship agreement that is in conflict with this section 2-2 shall be null and void and have no legal effect. Approval of resolutions and sponsorship agreements involving the naming, renaming, or removal of a name from any city

**Ordinance No. 2022-42 | Naming of City Programs, Events, and Facilities**

Page No. 5

program, event, or facility shall require a minimum of four (4) votes of the city council membership.

- (i) No property right. No property right is conferred upon any person as a result of the naming of any city program, event, or facility. If at any time the name given to a city program, event, or facility adversely affects the reputation or business of the city or such name is involved with a public scandal or other disreputable situation, incident or occurrence, the city council, in its sole discretion, shall have the right to remove the name from such program, event, or facility. All sponsorship agreements shall include the language set forth in this subsection.

**SECTION 3. Repeal Of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 5. Codification.** The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section”, “division”, or any other appropriate word.

**SECTION 6. Effective Date.** The provisions of this Ordinance shall become effective immediately upon adoption.

**Ordinance No. 2022-42 | Naming of City Programs, Events, and Facilities**

Page No. 6

Passed on the first reading this 5<sup>th</sup> day of December 2022.

**PASSED AND ADOPTED on the second reading this 19<sup>th</sup> day of December 2022.**

Voted:

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

Voted:

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

Voted:

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

Voted:

\_\_\_\_\_  
**Susy Diaz**, Council Member, *District IV*

Voted:

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney





## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Caryn Gardner-Young, Zoning Administrator

**SUBJECT:** Ordinance No. 2022-41  
Purchase of Property

### BACKGROUND

A request from Aaron Taylor, agent for the potential buyer, to buy a 6,804 square foot strip of land located adjacent to and east of the property at 1105 S Jog Road in Greenacres, Florida from the City of Greenacres ("City"). The owner of 1105 S. Jog Road, US Nursing Group Florida LLC ("Adjacent Owner"), approached the City about purchasing the City Property which would be included in its planned development of 1105 S Jog Road property. The Adjacent Owner feels that the addition of the 6,804 square feet of land will make its planned development a better project.

### ANALYSIS

The City is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes which includes selling of City owner property. Section 1(G), Article VI of the City's Charter requires all conveyance of City-owned property to be done by ordinance. In 2005, after abandoning additional right-of-way along S. Jog Road, Palm Beach County conveyed a 6,804 SF strip of land located adjacent to and east of the property at 1105 S. Jog Road in Greenacres, Florida, to the City, which property is shown on the aerial map attached hereto as Exhibit "A" and incorporated herein ("City Property"). The owner of 1105 S. Jog Road, US Nursing Group Florida LLC, approached the City about purchasing the City Property and it paid to have a title search and appraisal completed for the City Property confirming that the City is the owner and the approximate market value. The appraisal of the City Property concluded that it had a market value of \$115,000 based on the likely total market value when combined with the Adjacent Owner's adjacent property of over two (2) acres. However, recognizing that the Adjacent Owner is realistically the only potential buyer for the City Property, which would otherwise would not be developable and have no value, City staff and the Adjacent Owner have agreed (subject to the approval of this Ordinance) for the City to sell the City Property for \$17,500 with the Adjacent Owner paying for all closing costs (inclusive of all title costs and taxes. Staff believes that selling the City Property to the Adjacent Owner as set forth herein serves a public purpose and is in the best interests of the public health, safety and/or welfare of the City.

### FINANCIAL INFORMATION

Seller will pay \$17,500 plus all closing costs

---

### **LEGAL**

---

Ordinance 2022-41 was prepared in accordance with all applicable state statutes and City Code Requirements.

---

### **STAFF RECOMMENDATION**

---

Adoption of Ordinance 2022-41 (first reading).

**ORDINANCE NO. 2022-41**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE CONVEYANCE OF A 6,804 SF STRIP OF LAND LOCATED ADJACENT TO AND EAST OF THE PROPERTY AT 1105 S. JOG ROAD, GREENACRES, FLORIDA; AUTHORIZING CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE CONVEYANCE; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Greenacres, Florida (the “City”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Section 1(G), Article VI of the City’s Charter requires all conveyance of City-owned property to be by ordinance; and

**WHEREAS**, in 2005, after abandoning additional right-of-way along S. Jog Road, Palm Beach County conveyed a 6,804 SF strip of land located adjacent to and east of the property at 1105 S. Jog Road in Greenacres, Florida, to the City, which property is shown on the aerial map attached hereto as Exhibit “A” and incorporated herein (“City Property”); and

**WHEREAS**, the owner of 1105 S. Jog Road, US Nursing Group Florida LLC (“Adjacent Owner”), approached the City about purchasing the City Property; and

**WHEREAS**, the Adjacent Owner paid to have a title search and appraisal completed for the City Property confirming that the City is the owner and the approximate market value; and

**WHEREAS**, the appraisal of the City Property concluded that it had a market value of \$115,000 based on the likely total market value when combined with the Adjacent Owner’s adjacent property of over two (2) acres; and

**WHEREAS**, recognizing that the Adjacent Owner is realistically the only potential buyer for the City Property, which would otherwise would not be developable and have no value, City staff and the Adjacent Owner have agreed (subject to the approval of this Ordinance) for the

**Ordinance No. 2022- 41 | Purchase of Property**

Page No. 2

City to sell the City Property for \$17,500 with the Adjacent Owner paying for all closing costs (inclusive of all title costs and taxes); and

**WHEREAS**, the City Council finds that selling the City Property to the Adjacent Owner as set forth herein serves a public purpose and is in the best interests of the public health, safety and/or welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The foregoing recitals are hereby fully incorporated herein by reference and adopted as the legislative findings of the City of Greenacres City Council.

**SECTION 2.** The City of Greenacres City Council hereby approves the conveyance of the City Property to the Adjacent Owner for \$17,500 with the Adjacent Owner paying all closing costs (inclusive of title costs and taxes). The City Property is legally described as:

A PORTION OF THE HIATUS STRIP LYING EAST OF THE EAST LINE OF TRACT 1, BLOCK 14, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45 AND WEST OF THE NORTH-SOUTH HALF SECTION LINE OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND LYING SOUTH OF THE WESTERNLY PROJECTION OF THE NORTH LINE OF THE SOUTH 193' OF TRACT 1, BLOCK 14 AND NORTH OF THE WESTERLY PROJECTION OF THE SOUTH LINE OF TRACT 1, BLOCK 14.

LESS AND EXCEPT THE 40' STRIP FOR RIGHT-OF-WAY OF JOG ROAD CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY DEED RECORDED IN DEED BOOK 995, PAGE 312, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**SECTION 3.** The City Manager or designee is hereby authorized to execute all necessary documents to accomplish the conveyance of the City Property to the Adjacent Owner as set forth herein.

**SECTION 4. Repeal Of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 6. Effective Date.** The provisions of this Ordinance shall become effective upon adoption consistent with applicable law.

**Ordinance No. 2022- 41 | Purchase of Property**

Page No. 4

Passed on the first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PASSED AND ADOPTED on the second reading this \_\_\_\_ day of \_\_\_\_\_, 2023.

Voted:

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

Voted:

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

Voted:

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

Voted:

\_\_\_\_\_  
**Susy Diaz**, Council Member, *District IV*

Voted:

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

**Ordinance No. 2022- 41 | Purchase of Property**  
Page No. 5

---

**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** December 17, 2022

**FROM:** Teri Lea Beiriger, Director of Finance

**SUBJECT:** Ord. No. 2022-43

---

### BACKGROUND

---

Council Policy No. 6 requires City Council action to authorize budget adjustments between cost centers, departments, and funds. A budget adjustment is required to account for the increased cost in three Surtax (305) capital projects.

Both the City Sidewalk project and the Septic to Sewer project were delayed due to work performed by Palm Beach County. Prices increased during the delay. The sidewalk was underspent in several line items but will still need an additional \$33,000 to finish. A small portion of the Septic to Sewer overlays the sidewalk project. This project's price increased by \$105,000.

The City is required to issue permits on their own projects. Permits were not budgeted for the Dillman trail project. A budget adjustment for \$12,402 will cover this unbudgeted item.

---

### ANALYSIS

---

Ordinance 2022-43, is to authorize the budget adjustment for the total amount of \$150,402 that documents the movement of the funds from the surtax fund balance to cover the unbudgeted items.

---

### FINANCIAL INFORMATION

---

The proposed ordinance increases the expenditures by \$150,402 in FY 2023.

---

### LEGAL

---

The proposed Budget Amendment has been prepared in accordance with the applicable State Statutes and City Code Requirements

---

### STAFF RECOMMENDATION

---

Approval of Ordinance 2022-43.



**ORDINANCE NO. 2022-43**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING THE CITY OF GREENACRES' BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, INCLUSIVE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Greenacres, Florida adopted a budget for the 2022/2023 Fiscal Year; and

**WHEREAS**, the City Council has determined that an amendment needs to be made to the previously adopted Fiscal Year Budget; and

**WHEREAS**, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, AS FOLLOWS:**

**Section 1.** The City Council hereby amends the expenditures in the Surtax fund (305) balance listed in attached Exhibit "A" and adopts such amendments to the Budget of the City of Greenacres for the Fiscal Year October 1, 2022, through September 30, 2023, inclusive.

**Section 2. Repeal of Conflicting Ordinances.**

All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

**Section 3. Severability.**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such

holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Section 4. Effective Date.**

The provisions of this Ordinance shall become effective upon adoption.

**Passed on the first reading this 19th day of December 2022.**

*Voted:*

---

**Joel Flores**, Mayor

---

**John Tharp**, Deputy Mayor

**Attest:**

*Voted:*

---

**Quintella Moorer**, City Clerk

---

**Peter Noble**, Council Member, *District II*

*Voted:*

---

**Judith Dugo**, Council Member, *District III*

*Voted:*

---

**Susy Diaz**, Council Member, *District IV*

*Voted:*

---

**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

---

**Glen J. Torcivia**, City Attorney

FYE 9/30/2023

Exhibit "A"

## Fund 305 – Surtax Fund

Increase (Decrease)

## Expense

CIP-232 Dillman Trail	305-30-31-63-161	\$ 12,401.53
CIP-106 City Sidewalks	305-40-42-63-20	\$ 33,000.00
CIP-231 Septic to Sewer	305-40-46-33-26	\$105,000.00
305 Fund Balance		(\$150,040.13)



## ITEM SUMMARY

**MEETING DATE:** December 19, 2022

**FROM:** Monica Powery, Director, Purchasing

**SUBJECT:** Award of RFP No. 22-018 Call to Artists – Public Art

### BACKGROUND

The City of Greenacres desires to hire an experienced and qualified artist or artist teams to create a mural on the 4' high wall on the Northeast corner of Melaleuca Lane and Haverhill Road. The RFP was advertised by the City's Purchasing Department on July 31, 2022.

### ANALYSIS

The proposals were opened on September 13, 2022, at 3:00 P.M., with three (3) proposers responding. The attached tabulation sheet summarized the responses received. All but one (1) were found to be responsive and responsible.

The Selection Committee was comprised of the following City personnel: City Manager, Public Information Officer, Recreation Supervisor – Facilities, and the Director of Purchasing as the chair. On October 20, 2022, the Selection Committee held a meeting to discuss, evaluate and rank all the firms. The attached tabulation sheet summarizes the committee's final ranking.

The top ranked artist, Painted, Inc., is located in West Palm Beach, has painted hundreds of murals, many with specific creative scope and direction provided by the Client. Painted, Inc. has painted murals around the world, and has been commissioned by and collaborated with globally recognized brands and businesses, including Red Bull, Empire Records, Atlantic Records, Island Records, the Jacksonville Jaguars (NFL), Swisher Sweets, PNC Bank, among many others.

### FINANCIAL INFORMATION

Sufficient funds are budgeted in account number 001-10-12-34-4 Other Professional Services.

### LEGAL

The recommendation for award is in accordance with the requirements of City policies and procedures.

### STAFF RECOMMENDATION

Approval of Resolution No. 2022-62 authorizing execution of this Agreement in the amount of \$20,000 to Painted, Inc.

**RESOLUTION NO. 2022-62**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING AGREEMENT BETWEEN THE CITY OF GREENACRES AND PAINTED, INC. TO CREATE PUBLIC ART ON THE WALL ON THE NORTHEAST CORNER OF MELALEUCA LANE AND HAVERHILL ROAD; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The City of Greenacres, Florida desires to create a landmark Public Art Mural that incorporates the City's vision, while beautifying the City; and

**WHEREAS**, The Purchasing Department (the "Department") issued Request for Proposal No. 22-018 (the "RFP"); and

**WHEREAS**, the RFP was advertised in the legal notices section of the Palm Beach Post on July 31, 2022, and on DemandStar; and

**WHEREAS**, on September 13, 2022 at 3:00 p.m. EST, the RFP closed and the Purchasing Department received three (3) responses which were reviewed by staff to ensure the responses met the RFP requirements. One proposal received was determined to be non-responsive; and

**WHEREAS**, the Selection Committee (the "Committee") met on October 20, 2022 to discuss and evaluate the firms to determine which would be in the best interest of the City; and

**WHEREAS**, the Committee recommends that the City Council approve award of the Painted, INC. and authorize the execution of the agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The City Council hereby authorizes the award for Public Art to Painted, Inc.

**SECTION 2.** The City Council authorizes the appropriate City Officials to execute the Agreement.

**Resolution No. 2022-62 | Public Art**

Page No. 2

**SECTION 3.** This Resolution shall be effective upon its adoption.



**RESOLVED AND ADOPTED this 19 of day of December 2022**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**John Tharp**, Deputy Mayor

**Attest:**

*Voted:*

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

\_\_\_\_\_  
**Susy Diaz**, Council Member, *District IV*

*Voted:*

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



## CITY OF GREENACRES

### BOARDS & COMMITTEES

Greenacres has several volunteer boards that provide an invaluable service to the operations of the City. Residents interested in serving their community through volunteer service are encouraged to complete a City Board Application.

**Building Board of Adjustments & Appeals:** A seven (7) member quasi-judicial board with two (2) alternates; hears appeals concerning the Chief Building Official's interpretations of technical building codes of the City; meets on an "as needed" basis.

**Charter Review Committee:** A nine (9) member board made out six (6) Council appointed members, one (1) local 2928 IAFF representative, and one (1) local business owner. The Committee meets on an "as needed" basis to review the City Charter and propose amendments for Council's approval.

**Planning and Zoning Board of Appeals/Local Planning Agency:** A five (5) member advisory Board with two (2) alternates to hear, consider, and make recommendations relating to applications for annexations, zoning, site and development plans and special exceptions; meets monthly. Must be a Greenacres resident, except to obtain members with technical and professional expertise from Palm Beach County.

**Retirement Plan Board of Trustees for Public Safety Officers/Firefighters:** A five (5) member Board of Trustees: two (2) members appointed by City Council; two (2) members elected by the employees of Fire Rescue and former Public Safety Officers; and one (1) member selected by the four (4) members of the Board of Trustees. The Board oversees the Retirement Plan for the City's former officers and firefighters; meets on a quarterly basis.

**Scholarship Committee:** An eight (8) member committee including one (1) Council member liaison as Chair and one (1) alternate. The Committee reviews all scholarship applications; interviews all applicants; and makes recommendations for award winners to the City Council. The Committee only meets during the months of April and May.

**Mayor Flores and the City Council encourage residents to participate in their local government process.**  
For additional information regarding City boards please contact the City Clerk at (561) 642-2006.

*A great place to live, learn, work & play!*



## CITY OF GREENACRES BOARD AND COMMITTEE SERVICE APPLICATION

11/28/22

4:50pm

NAME: Brandon Cabrera PHONE: 561-291-2233

ADDRESS: 4912 Clinton Blvd

CITY, STATE & ZIP: Lake Worth, FL 33463

EMAIL ADDRESS: Bcabrera@thebrandxco.com

EMPLOYER NAME: The BrandX Cpmpany OCCUPATION: CEO/Owner

Please provide a description of your education and experience as it relates to the board(s) on which you wish to serve and describe your interest for serving. (You may attach a copy of your resume.)

I have a high school diploma, along with holding a General Contractors License and a Real Estate li

Through the years i have built many homes around the county especially the Greenacres area. I ha

Up in Greenacres, and have continued to invest all that i could in Greenacres. Finally i have reached

A point where i am ready to serve the city by volunteering my time on a board. I believe i qualify

Due to my knowledge of the city's codes and how to interpret them. My experience with

Business and development has prepared me to be a great addition to serve the city. Please

Consider my application for serve the City of Greenacres. I would love to discuss my intent further.

I look forward to hearing from you soon.

Thank you

Do you currently hold any City office? ☐ Yes ☒ No

Do you own a business within the City? ☐ Yes ☒ No If yes, which one? Rental Property

### On which Board or Committee are you interested in serving?

- ☐ Board of Trustees – PSO & Firefighters Retirement
- ☐ Charter Review Committee
- ☐ Scholarship Committee

- ☐ Building Board of Adjustments & Appeals
- ☒ Planning and Zoning Board of Appeals/Local Planning Agency

Applicant Signature:  Date: 11/21/2022

Nominated By: \_\_\_\_\_





## ITEM SUMMARY

**MEETING DATE:** December 19, 2022  
**FROM:** Andrea McCue, City Manager, Administration  
**SUBJECT:** Ratification of Building Board of Adjustments and Appeals (BBAA)

### BACKGROUND

Pursuant to Florida Building Code, Section 113, BBAA rules on appeals of determinations by the City Building Official and Fire Marshal's interpretations of the City of Greenacres Building and Fire Code. The qualified individuals have experience and training in building construction. The BBAA must consist of a layperson, architect, engineer, relator, general contractor, fire code protection contractor, and a fire code enforcement professional. The BBAA has nine (9) members recommended by the Mayor and approved by the City Council. The membership is comprised of seven (7) Regular Members, and two (2) Alternate Members. The Members serve four (4) year staggered unlimited terms. Members are required to file a financial disclosure form.

### ANALYSIS

The following appointee is being recommended for ratification:

General Contractor and Real Estate – Brandon Cabrera

2 Alternate Vacancies Remain

### FINANCIAL INFORMATION

N/A

### LEGAL

The City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

### STAFF RECOMMENDATION

Staff recommending ratification of the BBAA Appointments. See attached BBAA applications.



## Department Report

**MEETING DATE:** December 19, 2022  
**FROM:** Michele Thompson, Director, Community & Recreation Services  
**SUBJECT:** Community & Recreation Services Dept. - October & November Report

### ADMINISTRATION

PERFORMANCE MEASUREMENT	THIS PERIOD	FY2023 TO DATE	FY 2023 BUDGET
No. of Contracts Executed/Renewed	-	-	2
No. of Collaborative Partnerships	5	5	25
No. of Vendor/Independent Contractor Agreements	8	8	21
No. of Educational Scholarship Applications	-	-	15
No. of Community Events Coordinated	2	2	9
No. of Event Participants	1,300	1,300	31,500
No. of Little Free Libraries (LFL)*/Story Walk		30/2	32/2
No. of Business Sponsorships	?		20

### FACILITY RENTALS

FACILITY RENTALS	THIS PERIOD	FY2023 TO DATE	FY 2023 BUDGET
Fields/Concession Stands	140	140	875
Pavilions	80	80	400
Center Facility	146 <sup>1</sup>	146 <sup>1</sup>	800
Monthly Center Attendance	7506	7506	-

<sup>1</sup> 250 Additional Free Rentals: **119** Gym: YP/Adult & Teen Open Gym/BB Skill Clinic/BB League, **23** Banquet Room: PBSO/Let's Talk/Ballroom Dancing/FR/Seniors/Potluck, **20** Room 1: ICC/Voting, **9** Room 2: Tai Chi/Spotlighters, **26** Room 3: Senior Social/PBSC/ESE, **7** Room 4: AARP/FAU, **5** Community Park: Tai Chi for Vets, **41** Freedom Park: Tai Chi

**REVENUE**

<b>FACILITY RENTALS REVENUE</b>	<b>THIS PERIOD</b>	<b>FY2023 TO DATE</b>	<b>FY2023 PROJECTED</b>
Rental Revenue Generated	\$25,208.74	\$25,208.74	\$132,799

**ATHLETICS**

<b>YOUTH ATHLETICS</b>	<b>THIS PERIOD</b>	<b>FY2023 TO DATE</b>	<b>FY2023 PROJECTED</b>
FY23 Co-ed Fall Soccer (9/26/22-12/16/22) • Registration Period 8/1/22 – 9/26/22	18	199	180
FY23 Co-ed Spring Soccer (3/6/23-5/19/23) • Registration Period 1/9/23 – 3/3/23	-	-	220
FY23 Co-ed Winter Basketball (12/5/22-3/9/23) • Registration Period 9/6/22 – 11/2/22	85	120	120
Co-ed Summer Basketball Skills Camp	-	-	40

**Athletic Sponsors: Renaissance Charter School and Greenacres Nissan**

**COMMUNITY SERVICES**

<b>CROS MINISTRIES FOOD PANTRY DATES</b>	<b>NO. OF HOUSEHOLDS</b>	<b>NO. OF INDIVIDUALS</b>
October 13 <sup>th</sup> & 27 <sup>th</sup>	43 / 41	82 / 80
November 10 <sup>th</sup> & 23 <sup>rd</sup>	cancelled/20	cancelled/39
TOTAL YTD	104	201

**SENIOR PROGRAMS**

<b>SENIOR SOCIAL</b>	<b>SPONSORS</b>	<b>NO. OF PARTICIPANTS YTD</b>
Games/Bingo/Special Events Mon., Wed., Fri. (3x12)	Humana; Cano Medical; Prominence Health Dedicated Senior; PBSO; WellCare; Live Well Chiropractic	330
Thanksgiving Luncheon	Humana; Pete's Place	32

**FY23 EVENTS & SPONSORSHIPS**

<b>EVENTS</b>	<b>SPONSORS/PARTNERS</b>	<b>FY2023 EXPENSE</b>	<b>FY2023 ATTENDEES</b>
Holiday in the Park (12/3/22)	\$7,500: Greenacres Nissan; Waste Management; Humana; Sunshine Health; FPL; State Farm; Cayuga Centers; Renaissance Charter School (Wellington); Rosenthal/Levy/S/S; Forest Hill Orthodontics	\$14,845	
Fiesta de Pueblo (1/7/23)	Co-Sponsored w/ Fiesta de Pueblo, Inc.	\$1,058	
Artzy Eve. at City Hall (1/21/23)	\$2,500: Renaissance Charter; Nissan; Waste Management	\$4,800	
Daddy Daughter Dance (2/18/23)	\$1,000: Humana; Waste Management	\$3,875	
Egg'stravaganza (4/8/23)	\$4,500: Waste Management; State Farm; Renaissance Charter	\$11,228	
Rock-n-Roll Sunday/FR Chili Cook-Off (5/21/23)	Co-Sponsored Event	\$6,139	
Ignite the Night (7/4/23)	\$4,500: Waste Management; Nissan; Renaissance Charter School	\$41,780	
<i>Back2School</i> Supply Distribution (7/28/23)	\$4,500: Humana; Waste Management	\$6,200	



## Department Report

**MEETING DATE:** December 19, 2022

**FROM:** Andrea McCue, City Manager

**SUBJECT:** October 1, 2022, through November 30, 2022

## Development & Neighborhood Services

### Planning & Engineering

#### NEW CASES

##### **CPA 22-02 – 4180 S. Jog Rd.**

A request by the Development & Neighborhood Services Department for a land use designation change from Palm Beach County of Commercial General (PBC CG) to Commercial (CM). (Scheduled for DRC meeting on November 17, 2022 and the PZBA meeting on December 8, 2022)

##### **ZC-22-02 – 4180 S. Jog Rd.**

A request by the Development & Neighborhood Services Department for a zoning designation change from Palm Beach County Commercial General (PBC CG) to City Commercial Intensive. (Scheduled for DRC meeting on November 17, 2022 and the PZBA meeting on December 8, 2022)

##### **BA-22-02 - Mint Eco Standalone Car Wash**

The petitioner is requesting a Variance from Chapter 16, Article III, Division 11, Section 16-502(2) to reduce the subject property lot width from two hundred feet (200') to one hundred and forty feet (140'). (Scheduled for DRC meeting on November 17, 2022 and the PZBA meeting on December 8, 2022)

##### **SP-09-01B – Redentor de Vida, Inc.**

The petitioner is requesting a minor site plan amendment to add a utility accessory building to the eastern portion of the site and to clarify that regulations applicable to a House of Worship will apply to the entire site. The site is located at 6174 Summit Blvd.

#### CURRENT PLANNING CASES

##### **ALFA-G Arcade**

A request by the owner for a special exception (SE-22-02) to allow for the relocation of an existing indoor recreation & amusement use from one bay location to another bay at location at 3797 S. Military Trail. (PZBA meeting was held on October 13, 2022 and was approved at the City Council meeting on November 7, 2022.)



### **3130 Perry Avenue**

A site and development plan to develop (SP-22-03) for vacant parcel to construct a 6241 sq. ft of office space totaling 4 bays for flexible office space. The site is located on the northeast corner of Perry Avenue and 10<sup>th</sup> Avenue South. (Resubmittal received on 9/12/2022 awaiting comments on consultant review. Tentatively scheduled for the PZBA meeting on January 12, 2023)

### **ANX-08-01**

Annexation into the City of various road rights-of-way per Interlocal Annexation Agreement (ANX-07-05). (Staff review)

### **Bethesda Tabernacle**

A request by the owner for a request for a site and development plan approval (SP-99-04B) to modify the previously approved site plan and a special exception (SE-21-02) to for a house of worship and develop a 16,459 square foot House of Worship use and accessory uses at 4901 Lake Worth Road. (Administratively withdrawn on October 28, 2022 due to lack of activity)

### **CPA-22-01**

A City-initiated request for a comprehensive plan amendment as required by the Evaluation and Appraisal Report (EAR).

### **Church of God 7<sup>th</sup> Day of Palm Beach**

A request by the applicant for a site plan amendment (SP-08-01C) to change the metal roof to asphalt shingle due to cost constraints. The site is located at 3535 S. Jog Road. (Scheduled for the DRC meetings April 14 and April 21, 2022. (Scheduled for City Council on May 2, 2022. The City Council postponed until applicant is ready for certificate of occupancy.

### **Chick Fil A Greenacres**

A request by the owner for a site and development plan (SP-85-12RR) approval to construct a 4,646 fast food restaurant with a drive-thru window and a special exception (SE-21-03) request to allow a fast food/drive thru restaurant in a commercial intensive zoning district. The site is located in the River Bridge Centre on the southwest corner of Forest Hill Blvd and S. Jog Road. (Resubmittal received on March 25, 2022, under consultant review. (Scheduled for DRC review on October 13, 2022)

### **Iglesia Bautista Libre Emmanuel – 5083 Lake Worth Rd**

A request by the property owner for a major site plan amendment (SP-22-05A) and a special exception request (SE-22-04) to allow a house of worship within an existing building located within a Commercial Intensive zoning district and a variance request (BA-22-01) to allow for a reduction in the front and rear landscape buffers. The site is located at 5083 Lake Worth Road. Scheduled for DRC review on October 13, 2022) The Variance is scheduled for the PZBA meeting on December 8, 2022)

### **Interlocal Annexation 2022**

Annexation (ANX-22-01) of six outparcels located on the southeast corner of Jog Road and Lake Worth Road. (Scheduled for City Council on November 7, 2022 and Palm Beach Board of County Commissioners on December 20, 2022)

### **Interlocal Annexation 2022**

Annexation (ANX-22-02) of sixteen enclaves located on Chickasaw and Wry Road into the City through an Interlocal Agreement with Palm Beach County.

### **Mint Eco Car Wash – 4840 Lake Worth Road**

A request by the applicant for a zoning text amendment (ZTA-22-17) to allow outdoor car detailing at a stand-alone car wash, a zoning map amendment (ZC-22-01) to change the subject property from Commercial General (CG) to Commercial Intensive (CI), a special exception (SE-22-03) and site and development plan (SP 22-04) to allow a stand-alone car wash at 4840 Lake Worth Road. (The ZTA-22-17 and ZC-22-01 have been scheduled for PZBA meeting on December 8, 2022)

### **Pink Bird Stand Alone Car Wash**

A request by the applicant to change the special exception (SE-22-01) for a stand alone car wash in a commercial general zoning district. A site and development plan (SP-22-02) request to construct a stand alone car wash. The site is located at 6200 Lake Worth Road. (Scheduled for the PZBA meeting on December 8, 2022)

---

## **SITE PLAN AMENDMENTS**

---

### **Sunoco – 3067 S Jog Road**

A site and development plan amendment (SP-96-05C) to enlarge car detailing operations from three parking spaces to five parking spaces The site is located at 3067 S. Jog Road. (Administratively withdrawn on October 27, 2022 due to lack of activity)

---

## **ZONING TEXT AMENDMENTS**

---

### **ZTA-21-02 Uses**

A request by the Planning & Engineering Department for a zoning text amendment to reflect uses in all zoning districts.

### **ZTA-22-11**

A City-initiated request for a text amendment to add Outdoor sales regulations. (Scheduled for Planning and Zoning Board of Adjustment & Appeals on July 14, 2022. Scheduled for first reading at City Council on November 7, 2022 and second reading on December 5, 2022.)

### **ZTA-22-13**

A City-initiated request for a text amendment to add regulations for drainage between properties. (Scheduled for first reading on October 17, 2022 and second reading and adoption on November 7, 2022)

### **ZTA-22-14**

A City-initiated request for a text amendment to Property Maintenance Code.

---

## RESIDENTIAL PERMITS

---

### **Catalina Estates**

Plat application received on May 16, 2019. Comments letter sent to applicant on July 17, 2019, resubmittal received on August 25, 2019 and approved by City Council on October 7, 2019. MOT Plan issued drainage work to begin October 5, 2020.

### **Ranchette Road Townhomes**

Plat Application received on March 23, 2021. Comments letter sent to applicant on May 17, 2021, resubmittal received on June 1, 2021. Final plat received and utility permit reviewed by City's engineer. Plat approved by City Council on October 4, 2021. Utilities permit approved by City's consulting engineer on 10/1/2021. Pre-construction meeting held on November 19, 2021. On September 16, 2022 final walk through was completed. Waiting on applicant to provide outside agency approvals for engineering close out to be accepted.

### **Blossom Trail (Nash Trail)**

Plat application received on July 8, 2022. Complete submittal of application received. (Sent for consultant review August 17, 2022)

---

## COMMERCIAL PERMITS

---

### **Church of God 7th Day (3535 S Jog Road)**

The building permit and engineering permit are both issued for the development. Stop work order was issued by Building Official on September 28, 2018. Subsequent meetings have been held with Building Official and Consultant Engineer. The Building Official has re-issued the permits to the contractor. The construction is moving forward.

### **Palm Beach Christian Academy**

Revision to building permit received on November 1, 2021 comments sent to applicant on November 17, 2021, waiting on outside agency permits and resubmittal to address City's engineer comments. Utility permit approved August 4, 2022.

---

## CAPITAL IMPROVEMENTS

---

### **Original Section Drainage Improvement – Phase 8**

An application for Phase 8 of the Original Section Drainage Improvements project was submitted to DES on February 8, 2021. The CDBG Grant Agreement for FY 21-22 was approved by City Council on August 18, 2021. Agreement sent to DHES on August 25, 2021. Design completed January 28, 2022, expected to advertise for bid on January 30, 2022. Pre application meeting was held on February 10, 2022. The bid opening was held on March 2, 2022. On March 21, 2022 the City Council awarded bid to TCLM, Inc. Preconstruction meeting was held on April 19, 2022. Notice to Proceed issued April 20, 2022. Construction start date was April 28, 2022. Project closed out.

### **Dillman Trail**

Preconstruction meeting held on May 31, 2022. Notice to Proceed issued June 1, 2022. Preconstruction meeting held. Construction start date scheduled for August 15, 2022.

**FY 2023 Data:**

<b>Case</b>	<b>Current Period</b>	<b>FY 2023 to Date</b>	<b>FY 2023 Budget</b>
Annexation	0	0	2
Comprehensive Plan Amendment	0	0	5
Zoning Changes	0	0	3
Special Exceptions	1	1	5
Site Plans	0	0	5
Site Plan Amendments	3	3	14
Variances	0	0	4
Zoning Text Amendments	1	1	5

<b>Inspection Type</b>	<b>Current Period</b>	<b>FY 2023 to Date</b>	<b>FY 2023 Budget</b>
Landscaping	24	0	131
Zoning	17	0	121
Engineering	6	0	100

## Building Division

### 1) ADMINISTRATION:

- a) Researched and completed sixty-six (66) lien searches providing open and/or expired permit information.
- b) Researched and completed forty-one (41) records requests for historical permits.
- c) On October 27<sup>th</sup>, the city received an audit from the state for the Florida Department of Environmental Protection's NPDES Stormwater Program. Scott Wood took DEP staff to active construction sites that pertain to such program and went over the construction site run-off protection & inspection procedures. They left impressed with both Public Works & Building staff and a successful MS4 Audit.

### 2) PERMITS/INSPECTIONS:

PERMITS/INSPECTIONS	DURING THIS PERIOD	FYTD 2023
New Applications Received / Permits Created	252	252
Applications Approved	53	53
Applications Canceled	4	4
Applications Denied	0	0
Applications Reopened	5	5
Permits Issued	267	267
Permits Completed	200	200
Permits Canceled	10	10
Permits Reopened	31	31
Permits Expired	7	7
Inspections Performed	749	749
Construction Value of Permits Issued	\$4,282,209.34	\$4,282,209.34
Construction Reinspection Fees	\$950.00	\$950.00
Extension/Renewal Fees	\$4,579.07	\$4,579.07
CO's Issued	6	6
CC's Issued	2	2
Temporary CO's Issued	0	0

**3) BUSINESS AND CONTRACTOR REGISTRATION:**

See attached summary reports.

**4) PERMIT APPLICATIONS IN PLAN REVIEW – PRINCIPAL NEW OR REMODEL PROJECTS:**

PROJECT	ADDRESS	SIZE sq.ft.	DESCRIPTION	PERMIT#
Palm Beach Christian Academy	5208 S Haverhill Rd	4,250	Construct two new classroom buildings & one bathroom building	2021-3230
Publix	6790 Forest Hill Blvd		Interior Remodel-Interior Décor Scheme and Layout Changes	2022-3630
Mochinut Shop	6722 Forest Hill Blvd	1,987	Construct New Coffee/Donut Shop	2022-3927
Salon	3951 S. Jog Rd	5,165	Interior Renovation-convert Mercantile to Business Occupancy	2022-0425
Taco Bell	6265 Lake Worth Rd	4,235	Interior & Exterior Remodel, bypass lane, walk-up window	2023-0329
Sol y Vida Adult Daycare	6460 Lake Worth Rd	3,709	Interior Remodel-Adult Daycare	2023-0434
Ice Cream Shop	4509 Lake Worth Rd	1,066	Interior Remodel Change	2023-0373

**5) PROJECTS IN PROGRESS – PRINCIPAL REMODELING/RENOVATION:**

PROJECT	ADDRESS	SIZE sq.ft.	DESCRIPTION	PERMIT #
IHOP	6708 Forest Hill Blvd	4,231	Interior Remodel - Walls, Doors, Plumbing, Fixtures	2022-3510
Sunnyside	6520 Lake Worth Rd	2,870	Interior Remodel of old Boston Market	2022-3332
Public Storage	6351 Lake Worth Rd		Interior Remodel	2022-2283
Palm Beach Christian Academy	5208 S Haverhill Rd	4,250	Sitework-Utilities, Paving, Excavation	2021-3295
AT & T	5177 Lake Worth Rd	1,260	Exterior Façade Improvement	2022-2421
Catayu Baking	3797 S Military Trail		Convert former Carolina Furniture store into Factory for Bakery with Business Use	2021-3806

Eagle Grill	4624 Lake Worth Rd	1,100	Remodel New Kitchen & Accessible Restroom	2021-4016
Convenience Store/Laundry	5470 10 <sup>th</sup> Ave N	1,604	Interior Remodel – Add Coin Laundry to Convenience Store	2021-1191
Ministries in Bethel	3950 S 57 <sup>th</sup> Ave	6,939	House of Worship	2021-0365
Church of God 7 <sup>th</sup> Day	3535 S Jog Rd	11,500	New Church	2016-2382

## 6) PROJECTS IN PROGRESS – PRINCIPAL NEW CONSTRUCTION:

PROJECT	ADDRESS/LOCATION	UNITS OR SQ. FT. APPROVED	UNITS C.O.'D
Ranchette Townhomes	1093 Ranchette Rd / Common Area	74 T/H	0
Catalina Estates	4500 Catalina Way / Common Area	20 S/F	6

## Code Enforcement Division

CODE ENFORCEMENT	DURING THIS PERIOD	FYTD 2023
Inspections Related to Active Code Cases	288	288
New Cases Started	77	77
Cases Complied	98	98
Current Open Cases	523	523
Notices Sent	313	313
Illegal Signs Removed from right-of-way	280	280
Inspections Not Related to Active Code Cases	708	708
Complaints Received and Investigated	31	31
Warning Tickets	531	531



## License Activity Report

Activity Date Range 10/01/22 - 10/31/22

Summary Listing

License Type	Category	Application Received	Application Denied	Application Approved	New License Issued	License Renewed	License Revoked	License Canceled
Amusement - Amusement & Entertainment	Business	0	0	0	0	2	0	0
Cont Office - Contractor Office	Business	0	0	0	0	4	0	0
Contractor Reg - Contractor Registration	Business	36	0	0	28	18	0	0
Exemptions - Exemptions / Non-Profit	Business	0	0	0	3	3	0	0
Food Service - Food Service / Bar / Lounge	Business	4	0	0	6	18	0	0
General Retail - General Retail	Business	3	0	0	5	26	0	0
General Service - General Service	Business	13	0	0	18	72	0	0
General Svc Reg - General Service Registration	Business	0	0	0	0	6	0	0
Home - Home Based Business	Business	6	0	0	8	111	0	0
Insurance Co - Insurance Sales Company	Business	9	0	0	11	114	0	0
Professional - Professional	Business	12	0	0	19	45	0	0
Rental Office - Rental Office	Business	0	0	0	0	3	0	0
Rental Unit - Rental Unit	Business	8	0	0	8	123	0	0
Grand Totals		91	0	0	106	545	0	0



CITY OF GREENACRES  
**Licensing Revenue Summary Report**  
 Licensing Revenue Summary Report - Summary  
 From Date: 10/01/2022 - To Date: 10/31/2022

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type: Amusement-Amusement & Entertainment					
Amusement Sq Ft-Amusement Square Feet	1	0	\$155.13	\$0.00	\$155.13
Vending Machine-Amuse/ Vending / Coin Operated	1	0	\$1,547.00	\$0.00	\$1,547.00
License Type Amusement-Amusement & Entertainment Totals	2	0	\$1,702.13	\$0.00	\$1,702.13
License Type: Cont Office-Contractor Office					
Cont Office-Contractor Office	1	0	\$116.22	\$0.00	\$116.22
License Type Cont Office-Contractor Office Totals	1	0	\$116.22	\$0.00	\$116.22
License Type: Exemptions-Exemptions / Non-Profit					
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
License Type Exemptions-Exemptions / Non-Profit Totals	1	0	\$69.00	\$0.00	\$69.00
License Type: Food Service-Food Service / Bar / Lounge					
Food-Food Service	11	0	\$1,355.29	\$0.00	\$1,355.29
Food Per Seat-Food Per Seat	9	0	\$1,763.58	\$0.00	\$1,763.58
Vending Machine-Amuse/ Vending / Coin Operated	1	0	\$711.62	\$0.00	\$711.62
Com Inspection-Commercial Inspection	3	0	\$207.00	\$0.00	\$207.00
Transfer-Transfer	2	0	\$34.20	\$0.00	\$34.20
License Type Food Service-Food Service / Bar / Lounge Totals	26	0	\$4,071.69	\$0.00	\$4,071.69
License Type: General Retail-General Retail					
General Retail-General Retail Sq Feet	17	0	\$3,110.08	\$0.00	\$3,110.08
Vending Machine-Amuse/ Vending / Coin Operated	1	0	\$61.88	\$0.00	\$61.88
Com Inspection-Commercial Inspection	4	0	\$276.00	\$0.00	\$276.00
Transfer-Transfer	3	0	\$56.02	\$0.00	\$56.02
Collection Fee-Collection Fee	1	0	\$25.00	\$0.00	\$25.00
Delinquent > 150-Delinquent Over 150 Days	1	0	\$100.00	\$0.00	\$100.00
License Type General Retail-General Retail Totals	27	0	\$3,628.98	\$0.00	\$3,628.98

Pages: 1 of 3

CITY OF GREENACRES  
**Licensing Revenue Summary Report**  
 Licensing Revenue Summary Report - Summary  
 From Date: 10/01/2022 - To Date: 10/31/2022

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type: General Service-General Service					
General Service-General Service	52	0	\$5,733.72	\$0.00	\$5,733.72
Vending Machine-Amuse/ Vending / Coin Operated	1	0	\$1,516.06	\$0.00	\$1,516.06
Com Inspection-Commercial Inspection	6	0	\$414.00	\$0.00	\$414.00
Cosmetology-Cosmetology / Barber	6	0	\$214.67	\$0.00	\$214.67
License Type General Service-General Service Totals	65	0	\$7,878.45	\$0.00	\$7,878.45
License Type: General Svc Reg-General Service Registration					
General Svc Reg-General Service Registration	3	0	\$75.00	\$0.00	\$75.00
License Type General Svc Reg-General Service Registration Totals	3	0	\$75.00	\$0.00	\$75.00
License Type: Home-Home Based Business					
Home-Home Based Business	66	0	\$5,125.91	\$0.00	\$5,125.91
Collection Fee-Collection Fee	4	0	\$100.00	\$0.00	\$100.00
Delinquent >150-Delinquent Over 150 Days	4	0	\$400.00	\$0.00	\$400.00
License Type Home-Home Based Business Totals	74	0	\$5,625.91	\$0.00	\$5,625.91
License Type: Insurance Co-Insurance Sales Company					
Insurance Reg-Insurance Registration	102	0	\$11,854.44	\$0.00	\$11,854.44
License Type Insurance Co-Insurance Sales Company Totals	102	0	\$11,854.44	\$0.00	\$11,854.44
License Type: Professional-Professional					
Professional-Professional	21	0	\$2,446.43	\$0.00	\$2,446.43
Cosmetology-Cosmetology / Barber	18	0	\$696.24	\$0.00	\$696.24
Real Estate-Real Estate Broker / Ins Agents	3	0	\$279.00	\$0.00	\$279.00
General Service-General Service	5	0	\$553.45	\$0.00	\$553.45
License Type Professional-Professional Totals	47	0	\$3,975.12	\$0.00	\$3,975.12
License Type: Rental Office-Rental Office					
Rental Office-Rental Office	2	0	\$310.26	\$0.00	\$310.26

CITY OF GREENACRES  
**Licensing Revenue Summary Report**  
Licensing Revenue Summary Report - Summary  
From Date: 10/01/2022 - To Date: 10/31/2022

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type Rental Office-Rental Office Totals	2	0	\$310.26	\$0.00	\$310.26
License Type: Rental Unit-Rental Unit					
Rental Unit-Rental Unit	147	0	\$14,970.61	\$0.00	\$14,970.61
Rental Insp-Rental Inspection	9	0	\$590.00	\$0.00	\$590.00
License Type Rental Unit-Rental Unit Totals	156	0	\$15,560.61	\$0.00	\$15,560.61



## Department Report

**MEETING DATE:** December 19, 2022

**FROM:** Teri Lea Beiriger, Director of Finance

**SUBJECT:** Department of Finance Activity Report

---

### BACKGROUND

---

The following report provides activity within the Department of Finance for the reporting period from October 1 through November 30, 2022.

In brief, the Finance Department:

- Continued to reconcile outstanding balances of Miscellaneous Billing.
- Continued to review and discuss x:/drive format and Laserfiche cleanup.
- Distributed FY23 Budget Books and posted approved budget to City's website and intranet.
- Presented Solid Waste lien releases to council for accounts paid up to date as of 9/30/22.
- Presented EMS deceased write-off's to council.
- Replaced old file cabinets and reorganized Finance records.
- Hired new Finance Cashier/Accounting Clerk and commenced on-boarding/training.
- Completed HIPAA training renewals (all Finance staff).
- Submitted request for reimbursement for Hurricane Ian (SERT) expenses.

The Finance Department has, and continues to, work on efficiencies to better serve our internal and external customers.

---



## Department Report

**MEETING DATE:** December 19, 2022

**FROM:** Brian Fuller, Fire Chief

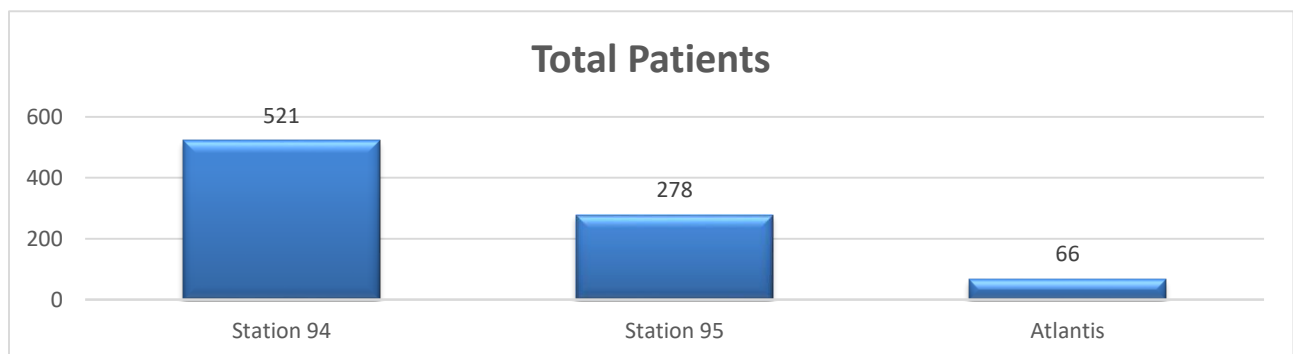
**SUBJECT:** Fire Rescue October-November Report

### FR CALLS

CALLS	MONTHLY TOTALS
Total Alarms dispatched in October and November	1,104
Average alarms per day	19.71
Total calls this fiscal year	1,140

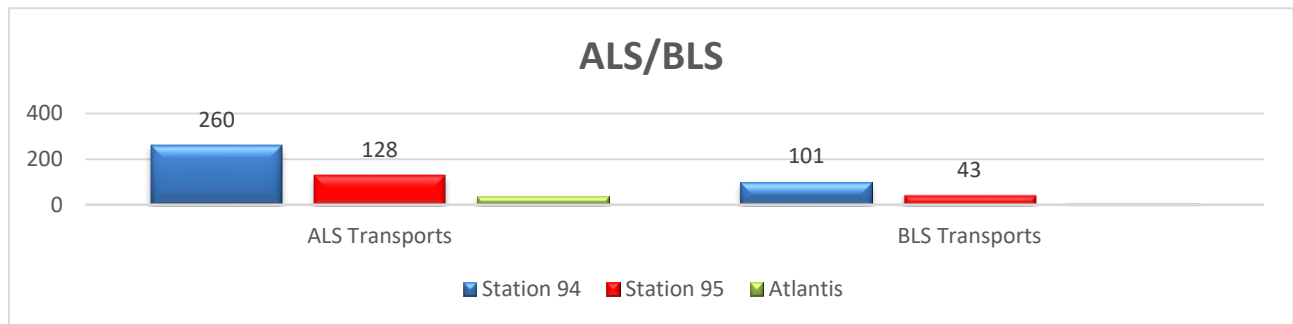
In October and November 2022, 799 patients were treated for Emergency Medical related services. Of those patients, 66 were in the City of Atlantis. These requests include a single unit responding to assist a person who has fallen to the floor, a cardiac arrest requiring multiple units and a combination of personnel, advanced skills, and equipment.

Service Calls, Cancels, and Public Assists totaled 154. The requests include, but are not limited to, persons locked out of home, water evacuation, animal problem, police assist, defective elevator, and canceled due to wrong address.



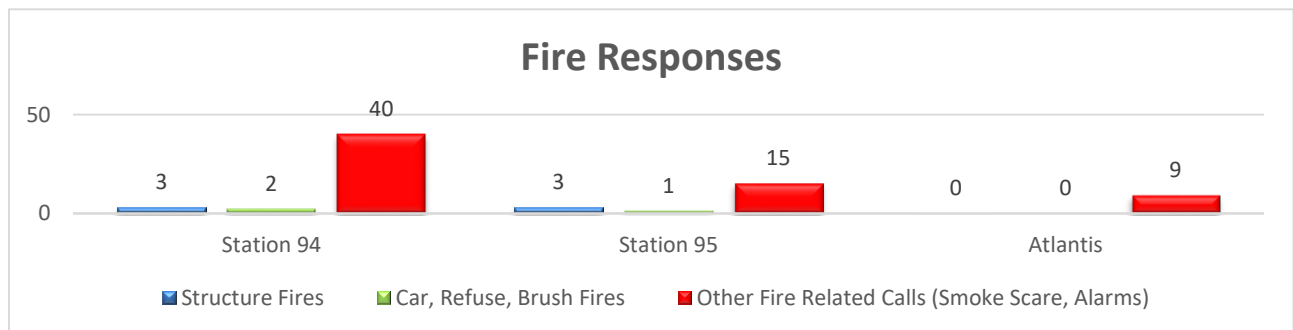
## ALS/BLS

Fire Rescue transported 532 patients to a hospital or 67% of the patients we were called to treat. The majority of those (361) required Advanced Life Support procedures. ALS emergencies necessitate additional personnel, specialized equipment, and skills. Often, an EMT or Paramedic will be taken from the ALS Engine to accompany the one person in the rear of the Rescue to assist with life-saving therapies.



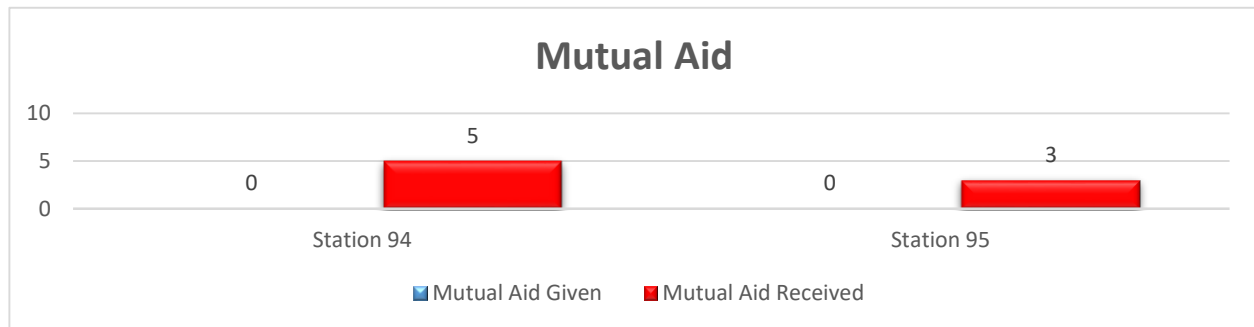
## FIRE RESPONSES

Fire Rescue responded to 55 calls for a fire or smoke related emergency. There were three (3) requiring an escalated response to a car, brush, or refuse fire; six (6) were in a residential or commercial structure.



## MUTUAL AID

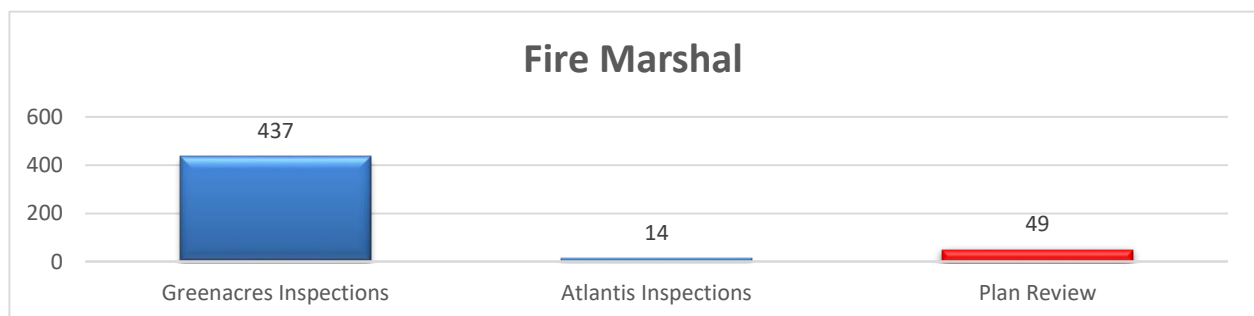
Mutual aid is the sending or receiving of emergency resources (apparatus, personnel) to or from another entity or agency upon request. No community has sufficient resources to handle every emergency of all sizes. Therefore, neighboring agencies work together through a system called Mutual Aid. That system is designed to be limited to large events that tax the resources beyond the normal capabilities of the community.



## FIRE MARSHAL

Fire Prevention and Protection focuses on protecting people and property from fire through fire safety inspections, fire plans review, fire cause and origin investigations, and public education. In addition, the Fire Marshal provides fire safety lectures, attends land development meetings, and testifies at code enforcement hearings.

Inspections	451
Plans Review	49
Dollar Loss due to fire	\$80,000



---

**SPECIAL SERVICES**

---

Blood Pressure Screenings	2
Presentations, Station Tours/Attendees	7/9
Persons Trained in CPR	0





## Department Report

**MEETING DATE:** December 19, 2022

**FROM:** Georges Bayard, Director, Information Technology

**SUBJECT:** Department of Information Technology – October-December 2022 Activity Report

---

### DEPARTMENT HIGHLIGHTS

---

The following report provides the highlights of activity within the Information Technology Department for the reporting period from October 1 - November 30, 2022.

- a. Enterprise Permitting & Licensing (EPL) cloud migration project - Stage 2 - Assess & Define stage is very close to completion. Tyler Technologies and Greenacres staff have been working closely to complete the mapping of current processes and workflows to the new system. During Stage 2 - Prepare Solution, Tyler staff will configure the new environment based on the documentation generated in Stage 2. Go-Live is tentatively scheduled to start on March 9, 2023.
- b. Project to upgrade the City's on-premise Laserfiche Document Management System (DMS) to their cloud-based Enterprise Content Management system (ECM) is under way. The City's document repository has been migrated and is in the process of being verified. Initial training for end users, admins, forms users and records managers has been completed.
- c. IT staff is adjusting the CIS Benchmark secure configurations before implementing them on all City computers. These configurations will allow us to achieve approximately 80% compliance with the NIST Cybersecurity Framework (CSF), as reported by the CIS-Cat Assessor that now runs scans periodically to monitor this on an on-going basis.
- d. Annual mandatory Security Awareness Training was completed by all City staff.
- e. Monthly KnowBe4 simulated phishing test results:
  - a. October - Links clicked: 0; attachments opened: 2; replied: 0; Phish-prone users (vulnerable to phishing attacks): 1.4% (up from 0% from the previous month's campaign).
  - b. November - Links clicked: 0; attachments opened: 0; replied: 0; Phish-prone users (vulnerable to phishing attacks): 0% (down from 1.4% from the previous month's campaign).

City personnel continue to exhibit secure online behavior, paying attention to inbound email messages and not opening unexpected links or attachments.

---

---

**SERVICE DESK REQUESTS**


---

**October 2022**

DEPARTMENT	CURRENT PERIOD	FY 2022 YTD	FY 2022 BUDGET
Administration	7	149	-
Community & Recreation Services	4	99	-
Development & Neighborhood Svcs.	15	199	-
Finance	3	165	-
Fire Rescue	8	147	-
Information Technology	2	81	-
Public Works	3	123	-
Purchasing	6	55	-
Youth Programs	1	95	-
<b>Total Service Desk Requests</b>	<b>49</b>	<b>1,113</b>	<b>350</b>

**November 2022**

DEPARTMENT	CURRENT PERIOD	FY 2022 YTD	FY 2022 BUDGET
Administration	2	151	-
Community & Recreation Services	3	102	-
Development & Neighborhood Svcs.	10	209	-
Finance	9	174	-
Fire Rescue	5	152	-
Information Technology	3	84	-
Public Works	1	124	-
Purchasing	1	56	-
Youth Programs	2	97	-
<b>Total Service Desk Requests</b>	<b>36</b>	<b>1,149</b>	<b>350</b>



## Department Report

**MEETING DATE:** December 19, 2022

**FROM:** Captain Tristram Moore, PBSO District 16

**SUBJECT:** PBSO District 16 October Report

### CAD CALLS

CAD CALLS	MONTHLY TOTALS
Business / Residence Checks (Self-Initiated)	1,456
Traffic Stops (Self-Initiated)	448
Calls for Service	2,025
<b>All CAD Calls - Total</b>	<b>3,929</b>
<b>Total Calls for Service – FY 2022</b> (October 2022 – September 2023)	<b>3,929</b>

Data Source: CADS/Premier 1  
\*Omit Miscellaneous Calls

*Note: P1 is a dynamic system. Meaning that #'s can change from what was previously reported in the event there is a location or call type re-classification/modification.*

### SUMMARY

During the month, there were 3,929 generated calls within the District and 48% of these calls were self-initiated.

### TRAFFIC ACTIVITY

DISTRICT 16 PERSONNEL	
Total Citations	Total Warnings
230	255

Data Source: D16 Office Staff/Monthly Report

PBSO MOTORS UNIT	
Total Citations	Total Warnings
176	141

Data Source: D16 Office Staff

---

## COMMUNITY POLICING EVENTS

---

- 10/6/22: Coach T and Community Partners assisted in giving much needed clothing to five students from Tiny Kingdom Day Care.
- 10/12/22: National Walk, Ride or Roll day at Diamond View Elementary School
- 10/14/22: Hispanic Heritage Celebration at Dedicated Senior Center
- 10/14/22: Not so Scary Trunk-or-Treat at the Greenacres Community Center
- 10/15/22: Greenacres Intercoastal Clean-up
- 10/15/22: Little Smiles "Stars Ball" at the WPB Convention Center
- 10/19/22: City Week at L.C. Swain Middle School (K9 Demonstration)
- 10/20/22: John I Leonard High School Homecoming Parade
- 10/25/22: Trunk or Treat at Dyson Circle
- 10/27/22: Read for the Record
- 10/28/22: Conversation with a Deputy at Jupiter Donuts

---

## STREET CRIMES UNIT

---

- The District 16 Street Crimes Unit assisted the Robbery Unit in locating a suspect. Detectives wanted to question the suspect for a robbery which occurred in District 16. Agents located the suspect's vehicle and was arrested on traffic charges. Inside the vehicle the robbery weapon was located, during the interview the suspect provided a full confession, and was arrested on traffic charges, as well as armed robbery and aggravated battery.
- The District 16 Street Crimes Unit assisted the District 16 Detective Bureau with locating and appending a suspect who had active warrants for arrest for battery on 65 yea or older, felony theft and criminal mischief. The suspect was located and apprehended at the residence.
- The District 16 Street Crimes Unit conducted proactive patrol in the original section. A traffic stop was conducted which was occupied by known documented gang members. Probable cause was developed to search the vehicle and both occupants were arrested on cocaine and firearm charges.

---

## PROPERTY DETECTIVES

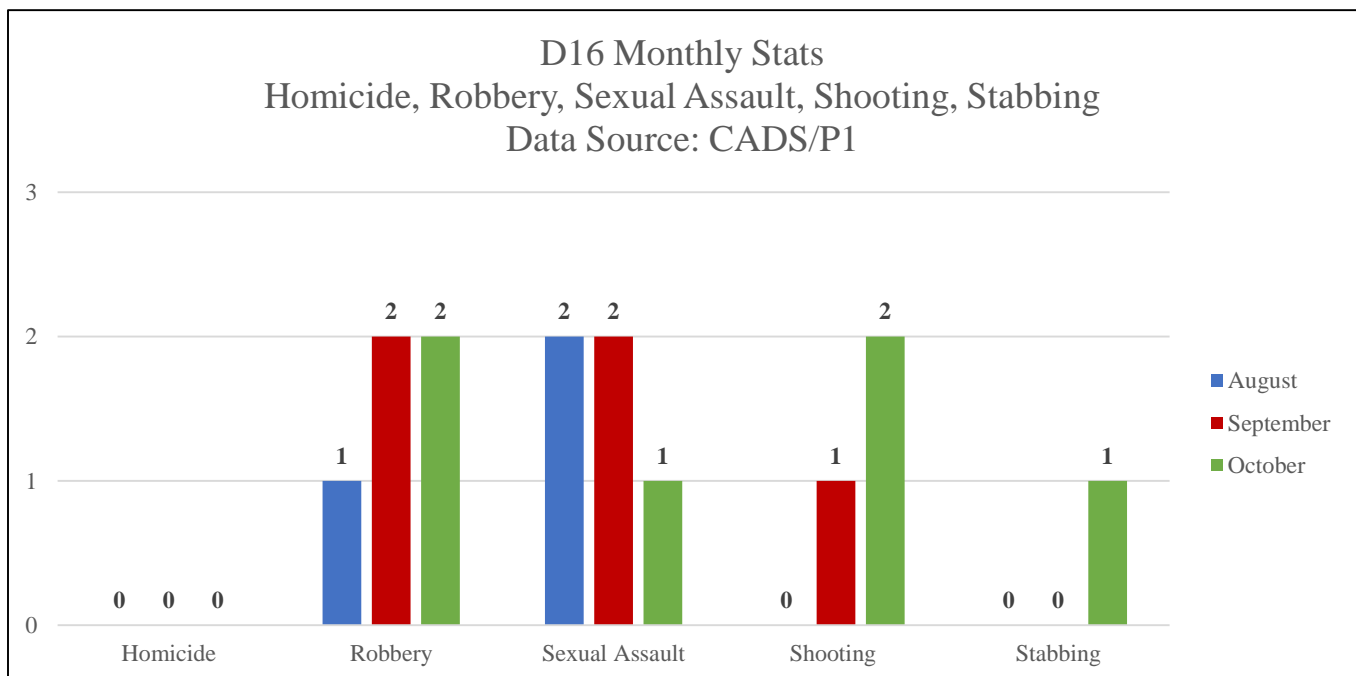
---

- District 16 Detectives investigated a residential burglary in the city where two suspects hopped over the fence and stole two bicycles. Detectives identified two teenagers responsible for the burglaries. The teenagers were arrested and interviewed. Post Miranda both teens confessed to the burglary and theft. This case was cleared by arrest.
- District 16 Detectives investigated a residential burglary where the suspects forced entry into the home stealing jewelry and cash. Through investigative means the three suspects were identified. Geo-fence data received gave Detective probable cause to execute a residential search warrant at the suspects residence. Upon executing the search warrant, evidence related to the crime was recovered and processed. An arrest warrant was obtained for one of the suspects who is currently still being housed in the St. Lucie County Jail. This case was cleared by arrest.

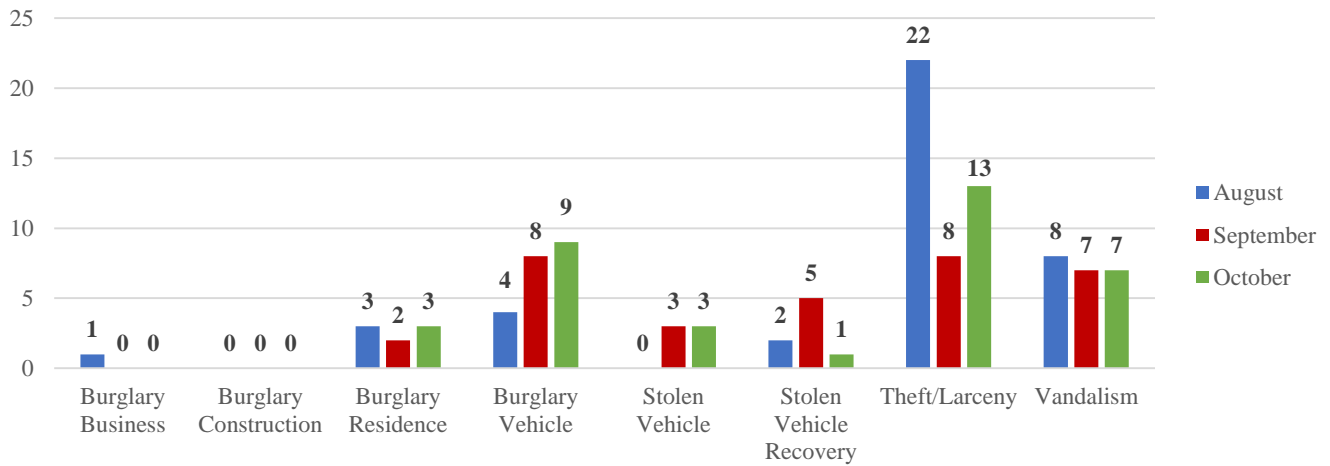
- District 16 Detectives investigated a package theft. Upon reviewing CCTV in the area, it was determined that the Amazon Delivery Driver stole the package. Upon following up with Amazon Lost Prevention, it was learned that this suspect has had a total 131 items delivered but never received since January 2022 for a loss to Amazon in the amount of \$11,065. A residential search warrant was obtained for the suspects residence and upon executing the search, numerous other packages were recovered which were reported stolen or not received. Probable cause was developed for the suspect who was arrested by District 16 Street Crimes Unit.

## DATA ANALYSIS

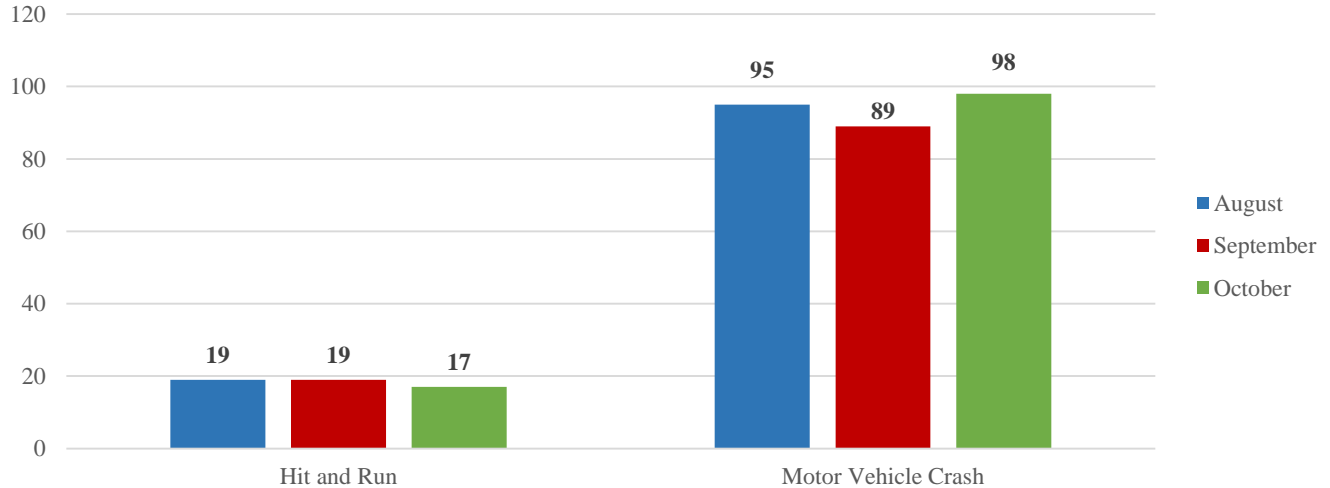
The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with other analysis to develop directed patrol and various enforcement activities. The analysis included on these pages is presented as a brief highlight to explain the salient points of this report.



**D16 Monthly Stats**  
**Burglaries, Stolen Vehicle, Stolen Vehicle Recovery, Theft & Vandalism**  
 Data Source: CADS/P1



**D16 Monthly Stats**  
**Hit and Run & Motor Vehicle Crash**  
 Data Source: CADS/P1



**TOP ACCIDENT LOCATIONS FOR OCTOBER 2022**

LOCATION	CASE NUMBER COUNT
South Jog Road / Lake Worth Road	14
South Jog Road / Forest Hill Boulevard	13
South Haverhill Road / 10 <sup>th</sup> Avenue North	7



## Department Report

**MEETING DATE:** December 16, 2022

**FROM:** Captain Tristram Moore, PBSO District 16

**SUBJECT:** PBSO District 16 November Report

### CAD CALLS

CAD CALLS	MONTHLY TOTALS
Business / Residence Checks (Self-Initiated)	1,630
Traffic Stops (Self-Initiated)	494
Calls for Service	1,859
<b>All CAD Calls - Total</b>	<b>3,983</b>
<b>Total Calls for Service – FY 2022</b> (October 2022 – September 2023)	<b>7,912</b>

Data Source: CADS/Premier 1

\*Omit Miscellaneous Calls

*Note: P1 is a dynamic system. Meaning that #'s can change from what was previously reported in the event there is a location or call type re-classification/modification.*

### SUMMARY

During the month, there were 3,983 generated calls within the District and 53% of these calls were self-initiated.

### TRAFFIC ACTIVITY

DISTRICT 16 PERSONNEL	
Total Citations	Total Warnings
231	310

Data Source: D16 Office Staff/Monthly Report

PBSO MOTORS UNIT	
Total Citations	Total Warnings
159	155

Data Source: D16 Office Staff

---

## COMMUNITY POLICING EVENTS

---

- 11/1/22: Kids Bash at Texas Roadhouse
- 11/8/22: Assist Road Patrol – Election Day
- 11/9/22: Mandatory Evacuations and Preparations for Hurricane Nicole
- 11/11/22: Greenacres Veteran's Day Memorial at Greenacres City Hall
- 11/17/22: Community Partners clothing and toy donation to Pastor Evans
- 11/18/22: Special Events Turkey Pick-Up
- 11/18/22: Turkey Drop Off at Pick Wick, Heritage Elementary, and Paul's Motel
- 11/27/22: Pizza with a Deputy at Greenacres Community Center

---

## STREET CRIMES UNIT

---

- The District 16 Street Crimes Unit conducted a thorough investigation into a suspect who was aggressively fleeing from Deputies across the eastern region. A suspect was identified in these cases. The District 16 Street Crimes Unit and TAC Unit apprehended the suspect exiting a residence. During the apprehension, the suspect threw a backpack into a fenced in area. Several search warrants were authorized for the residence. Agents located two firearms (one stolen), 36 grams of fentanyl, 21.1 grams of crack, 408 grams of marijuana, and \$3500 in currency. The suspect was charged with a slew of charges to include trafficking fentanyl, delinquent in possession of firearm, and fleeing and eluding.
- The District 16 Street Crimes Unit conducted proactive patrols when they observed a vehicle leaving a high drug area. A traffic stop was conducted and the passenger bailed out of the vehicle and was immediately apprehended. The other two occupants were also arrested. All occupants were charged for possession of crack cocaine and paraphernalia. The passenger was also accused of human trafficking. Human Trafficking responded and assumed that portion of the investigation.
- The District 16 Street Crimes Unit assisted District 16 Road Patrol during an in progress call. The caller advised a person pointed a firearm at a passerby vehicle. Agents located the suspect riding a bike. Agents stopped the suspect, located controlled substance, and a loaded firearm on the person. The suspect was arrested for CCW and possession of a controlled substance.

---

## PROPERTY DETECTIVES

---

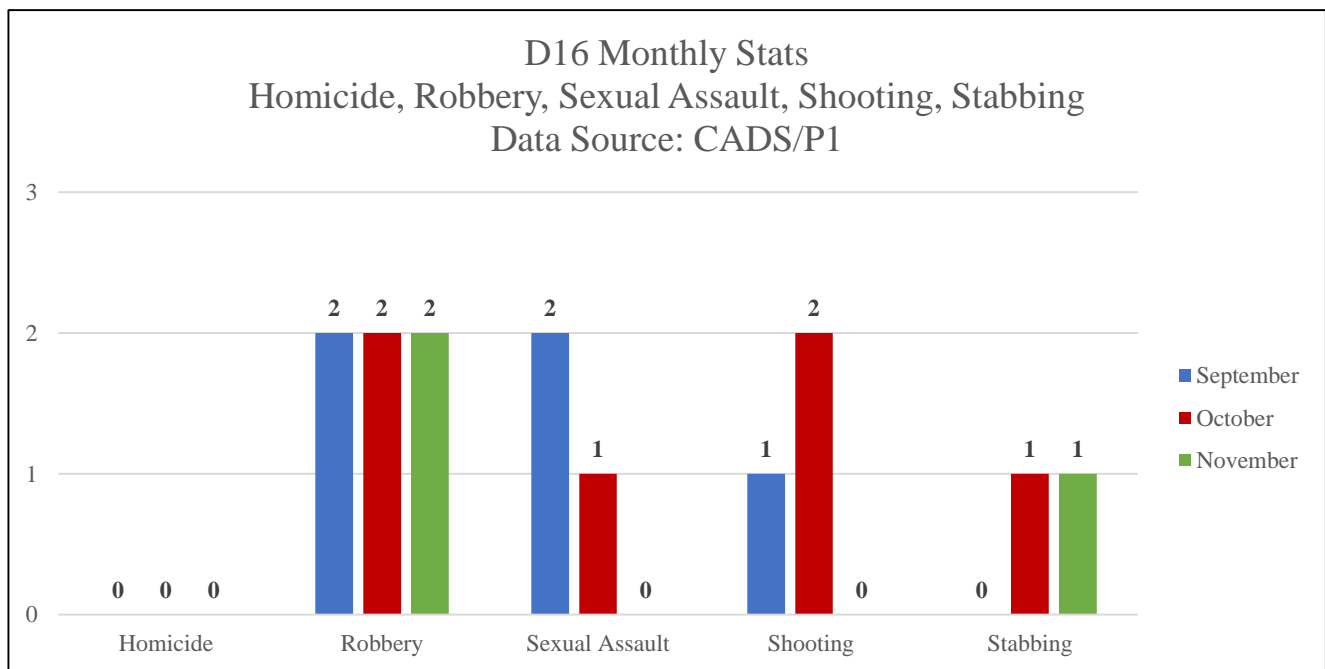
- District 16 Detectives investigated a theft that occurred at a business in the city. Through investigation three suspects were positively identified and with the help of the District 16 Street Crimes Unit all three suspects were located. They were interviewed by Detectives and provided full confessions. The stolen item was recovered and returned to the business where it will be donated to the homeless. This case was cleared by arrest.
- District 16 Detectives investigated a burglary that occurred to a clubhouse in the city. Through further investigation the suspect was identified, located, and apprehended without incident. Post Miranda the suspect confessed to burglarizing the clubhouse to use illegal drugs. This case was cleared by arrest.



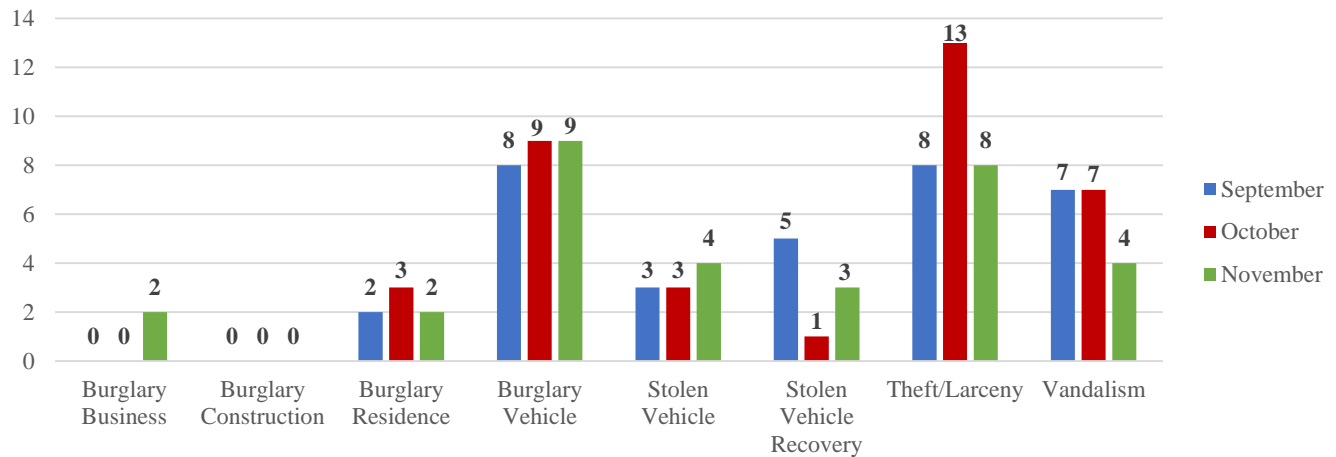
- District 16 Detectives investigated two suspicious incidents of voyeurism where a suspect was observed taking photographs of customers at a business in the city. Through further investigation probable cause was established for the suspect who was apprehended without incident and provided a full confession. Both cases were cleared by arrest.

## DATA ANALYSIS

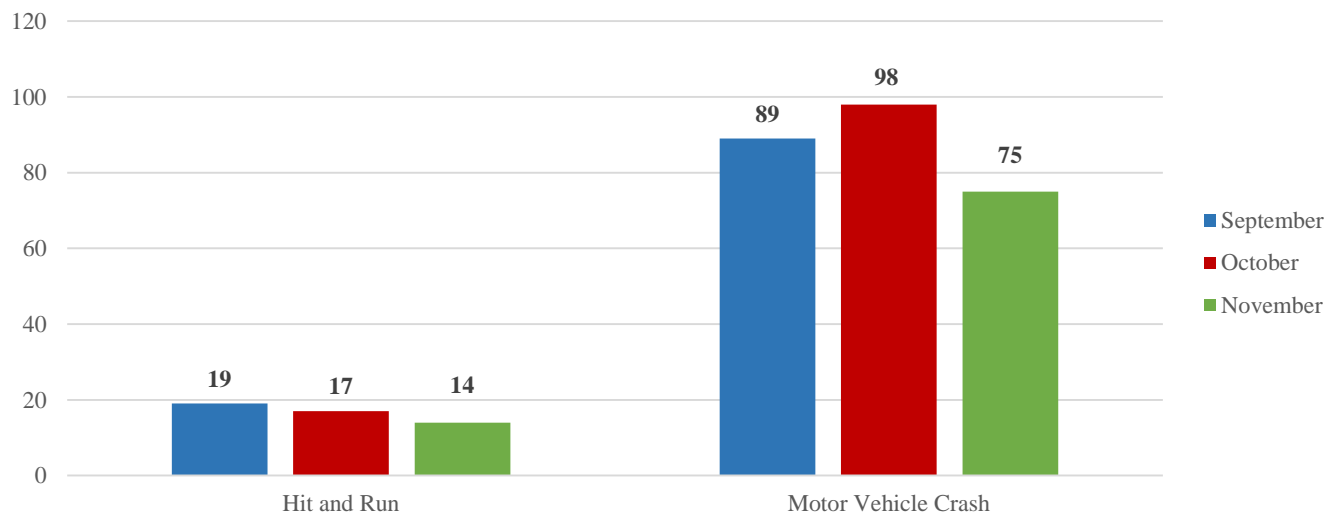
The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with other analysis to develop directed patrol and various enforcement activities. The analysis included on these pages is presented as a brief highlight to explain the salient points of this report.



**D16 Monthly Stats**  
**Burglaries, Stolen Vehicle, Stolen Vehicle Recovery, Theft & Vandalism**  
 Data Source: CADS/P1



**D16 Monthly Stats**  
**Hit and Run & Motor Vehicle Crash**  
 Data Source: CADS/P1



**TOP ACCIDENT LOCATIONS FOR NOVEMBER 2022 – CASE NUMBER INCIDENTS**

LOCATION	CASE NUMBER COUNT
Lake Worth Road / South Jog Road	14
10th Avenue North / South Jog Road	5
Forest Hill Boulevard / South Jog Road	5
3911 South Jog Road	4
Sherwood Forest Boulevard / Lake Worth Road	4



## Department Report

**MEETING DATE:** December 19, 2022

**FROM:** Carlos Cedeño, Public Works Director

**SUBJECT:** Public Works Department Report

---

### DEPARTMENT HIGHLIGHTS

---

Listed below is a brief summary of the activities undertaken by the Public Works Department during the period of October 1, 2022 through November 30, 2022.

#### 1. ADMINISTRATION:

- Staff coordinated a meeting and walkthrough with Directors, staff and architects for an interior space analysis study for future growth and expansion of City Hall.
- Staff met with designers and discussed options for interior upgrades and design to the City's Banquet Hall.
- Supervisors participated in an FAU training "Using Communication to Manage Interpersonal Relations"
- Public Works Staff participated in a "De-Escalation Training"
- All Divisions participated in the Fl. Department of Environmental Protections NPDES Audit.

#### 2. ROADS AND DRAINAGE MAINTENANCE

- Six (6) new pedestrian crossing signs were installed throughout City Hall at crosswalk intersections.
- Fresh mulch was set throughout the medians on Jog Rd, Lake Worth Rd, S 57<sup>th</sup> Ave and Melaleuca Lane.
- Staff coordinated a safety meeting on "What to do when approached by a vicious animal".
- Gathered information and attended the 5-year NPDES Audit

#### 3. VEHICLE MAINTENANCE

- Supervisor completed two (2) Emergency Vehicle Technician exams and received certifications.
  - Coordinated repairs of the generator at Fire Rescue Station 95.
  - Gathered information and attended the 5-year NPDES Audit
-

---

**4. BUILDING SERVICES**

- Coordinated the installation of the manual transfer switch for connection of a portable generator at Fire Rescue 95.
- Staff assisted with the set up and take down of the City Managers Luncheon at the Council Chambers.
- Staff assisted with the set-up of the Holiday Tree in the lobby at City Hall.
- Gathered information and attended the 5-year NPDES Audit.

**5. PARKS MAINTENANCE**

- Coordinated the trimming of oak trees at Freedom Park, SJF Community Park and the Community Center.
  - Staff set up decorations, lights, and a Holiday Tree at SJF Community Park in preparation for upcoming Holiday events
  - Shade structure covers at City parks were removed in preparation of Hurricane Nicole and were reinstalled after the storm.
  - Gathered information and attended the 5-year NPDES Audit.
-



## Department Report

**MEETING DATE:** December 19, 2022

**FROM:** Monica Powery, Director, Purchasing

**SUBJECT:** Department of Purchasing Activity Report

---

### DEPARTMENT HIGHLIGHTS

---

The following report provides the highlights of activity within the Department of Purchasing for the reporting period from October 1 through November 30, 2022.

- a. 22-014 HVAC and Ice Machine Repair – This RFP was advertised on July 31, 2022 and closed on September 7, 2022 with four (4) proposals received. The Selection Committee meeting was held on September 20, 2022 to discuss, evaluate and rank proposers. City Council approved award to Shamtec, Inc. at the meeting held on October 17, 2022.
- b. 22-018 Call to Artists Public Art – This RFP was advertised on July 31, 2022 and closed on September 13, 2022 with three (3) proposals received. The Selection Committee meeting was held on October 20, 2022 to discuss, evaluate and rank proposers. Award to Painted, Inc. to go before Council for approval at the meeting on December 19, 2022.
- c. 23-001 Pressure Cleaning Services – This bid was advertised on July 31, 2022 and opened on August 17, 2022 with ten (10) bid proposals received. City staff is currently reviewing the proposals. City Council approved award to Midlands Pressure Wash Services, LLC at the meeting held on October 17, 2022.
- d. 23-002 Gladiator Lake Drainage Enhancements – This bid was advertised on November 21, 2022 and opens on January 18, 2023.
- e. 23-003 Fence Installation, Maintenance and Repair Services – This bid was advertised on November 13, 2022 and opens on December 13, 2023.
- f. 23-004 Printing Services for City Publications – This bid was advertised on November 20, 2022 and opens on December 20, 2023.
- g. Solicitations In Progress – Emergency Operations Center Construction; Fertilizer; and Public Works Fence & Gate.
- h. Training – One training covering Purchasing Procedures and City Purchasing Card Procedures was held for a new employee.

## DEPARTMENT ACTIVITY

ACTIVITY	CURRENT PERIOD	FY 2023 YTD
Purchase Orders Issued	217	217
Purchase Order Amounts	\$ 30,492,404.84	\$ 30,492,404.84
Solicitations Issued	6	6
Solicitations in Progress	3	—
Central Store Requests	16	16
Contracts Managed	60	60
Purchasing Card Purchases	466	466
Purchasing Card Transactions	\$ 70,764.17	\$ 70,764.17
No. of Training Sessions Conducted	1	1
Towing Revenue	\$ 6,901.00	\$ 6,901.00



## Youth Programs Department Monthly Report

**MEETING DATE:** December 19, 2022

**FROM:** Jowie Mohammed, Director of Youth Programs

**SUBJECT:** October & November 2022 Department Reports

### PROGRAMMING

- Forty (40) days of after-school provided and transportation from six (6) schools within City limits
- Six (6) Full Day of programming from 7:30 a.m.-5:30 p.m.

### PERFORMANCE MEASUREMENTS

PERFORMANCE MEASUREMENT	AVERAGE THIS PERIOD	FY 2023 TO DATE	FY 2023 BUDGET
# of Participants	57	85	150
# of Participants in Sierra Club ICO	0	10	25
# of Licenses Coordinated	1	1	1
# of MOU's Coordinated	1	2	6
# of Part.'s in Teen Advisory Council (TAC)	5	5	7
# of Part.'s in TOP Program	40	40	15
# of Part.'s in Garden Club	24	19	20
# of Presidential Volunteer Service Hours	1592	7,195	8,000

### FINANCIAL INFORMATION

GRANTS COORDINATED	AVERAGE THIS PERIOD	FY 2023 TO DATE	FY 2023 BUDGET
Early Learning Coalition	\$9,291.84	\$9,291.84	\$316,817
Parent & Registration Fees	\$13,313.94	\$13,313.94	\$185,419
Youth Services Department SEL Grant	-	-	\$77,000
Textile Funds	-	-	\$18,000
Youth Services Summer Camp Program	-	-	\$26,000
Community Foundation Grant (Summer)	-	-	-

---

## C.A.R.E.S REPORT

---

- In October the CARES program conducted various activities for City Government Week to inform participants and staff about the City of Greenacres. Some of the activities included work searches, fill in the blank worksheets, and going through the know your city PowerPoint. The CARES program also had a representative from Fire Rescue come to the facility to promote what Fire Rescue does.
- In October the CARES program also participated in Lights on Afterschool which is an event that calls attention to the importance of afterschool programs and the resources required to keep the lights on and the doors open. For this event the CARES program had the youth color light bulbs which are a symbol for Lights on Afterschool.
- In November the CARES program Red Team (4<sup>th</sup> & 5<sup>th</sup> grade) participated in a Volleyball Extended Learning Opportunity (ELO) ran by the YMCA and funded by Prime Time.
- In November the CARES Program participated in various activities for the fall season: Turkeys that were given out to families, projects for youth to take home to talk about who/ what they are thankful for, etc.

---

## TEEN PROGRAMS REPORT

---

- In October our teens visited our Public Works Department and Fire Department as a part of our City Government Week. They had the opportunity to learn about each department as well explore future career opportunities.
- In October our teens took part in a Trunk-n-Treat event held by PBSO District 16. They decorated the CRS's 7 passenger van based on the famous Nightmare Before Christmas movie and even had some students dress up as characters from the movie.
- On November 2<sup>nd</sup> some of our teens had the opportunity to visit Palm Beach College and get a tour of the campus as well as learn about programs and degrees offered by the college.
- On November 30<sup>th</sup> our teens finished putting the finishing touches on their fundraising opportunity and flyer for the city's Holiday in the Park event, on Saturday December 3<sup>rd</sup>. They sold various snack items to raise funds for program activities.



Jowie Mohammed, Director  
Youth Programs Department