SE-15-04 Revised: 01/20/16
Exhibit "A"
Date: January 15, 2016

LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

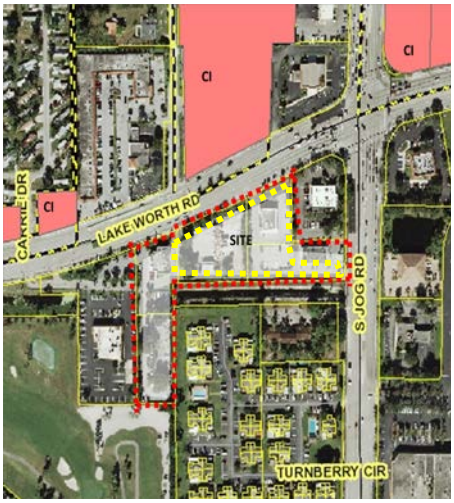
I. Project Description:

Project: Wawa

Petitioner: Bohler Engineering
2255 Glades Road, Suite 305E
Boca Raton, FL 33431
Agent for the owner:
Lake Worth Road Development Associates, Ltd.

Request: Special Exception approval for a Convenience Store with Fuel Sales

Location: The southwest corner of Jog Road and Lake Worth Road at 6548, 6566, and 6584 Lake Worth Road



II. Site Data:

Existing Use:	Gas Station and Retail
Proposed Use:	Convenience Store with Fuel Sales and Retail
Parcel Control Numbers:	00-42-43-27-05-022-0781, -0783, and-0786
Parcel Size:	
Master Planned Commercial Dev't.:	6.27 acres (273,121 square feet)
Wawa Site:	2.26 acres (98,445 square feet)
Existing Future Land Use Designation:	PBC Commercial High with an underlying 8 units per acre (CH/8)
Proposed Future Land Use Designation:	City Commercial (CM)
Existing Zoning District:	PBC General Commercial (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	PNC Bank and Greenacres Plaza Shopping Center	PBC Commercial High/8 (CH/8) and City Commercial (CM)	PBC Commercial General (CG) and City Commercial Intensive (CI)
South	Village of Turnberry Multi-family	PBC High Residential-12 (HR-12)	PBC RH (Residential High)
East	Boston Market Restaurant and Lake Worth Plaza	PBC Commercial High/8 (CH/8) and PBC Commercial High/1 (CH/1)	PBC General Commercial (CG)
West	Red Lobster Restaurant	PBC Commercial High/8 (CH/8)	PBC General Commercial (CG)

III. Annexation/Zoning History:

The approximately 2.26 acre site is located in unincorporated Palm Beach County within the identified Future Annexation Area of the City. The site contains three (3) individual parcels each having a Palm Beach County future land use designation of Commercial High with an underlying residential density of eight (8) dwelling units per acre (CH/8) and a Palm Beach County zoning designation of General Commercial (CG).

The original Palm Beach County Master Plan approval for the 6.27 acre Crossroads Shopping Center (of which the subject site is a part) was on May 24, 1979 under zoning petition No. 79-110. The development was later amended and granted a special exception by Palm Beach County for a financial institution with drive-up teller windows, an auto service station, and a drive-thru restaurant via Resolution 87-1202 on August 11, 1987. The Master Plan for the parcels was amended administratively various times throughout the years. The Palm Beach County Property Appraiser's Office indicates that the existing commercial development was built in stages between 1983 and 1996.

The applicant is proposing to re-develop the central portion of the site under the authority of the City of Greenacres and in conformity with the City's zoning code. The portion of the site proposed for redevelopment is 2.26 acres (98,445 square feet) that fronts directly onto Lake Worth Road.

A variance (BA-15-04) for a reduction of the required buffer widths along the south property line and a portion of the north property line was approved on January 5, 2016. A concurrent petition for a site and development plan (SP-15-06) is being processed for the site. In addition, City-initiated petitions for annexation (ANX-15-02), comprehensive plan amendment (CPA-15-06), and zoning change (ZC-15-06) include the subject site and other parcels.

IV. Applicable City Code Provisions:

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

Sec. 16-496 through 16-506 pertaining to the CI zoning district
Sec. 16-1241 through 16-1312 pertaining to landscaping
Sec. 16-1331 through 16-1340 pertaining to off-street parking

V. Staff Analysis:

Background:

The subject site is located on the south side of Lake Worth Road approximately 350 feet west of the intersection of Lake Worth Road and Jog Road with ingress and egress to the property from Lake Worth Road and Jog Road. It is 2.26 acres and contains a 3,155 square foot retail building and a gas station with four (4) pumps [eight (8) fueling positions] with a 510 square foot convenience store originally developed in 1990. After demolition of all site improvements, the site is proposed to be redeveloped with a new 5,943 square foot convenience store building in the center of the property. North of the new building will be a new 6,090 square foot canopy over eight (8) pumps (16 fueling positions). New parking, loading, dumpster, and landscaping areas meeting Code requirements will be provided. To improve pedestrian access, a new sidewalk connection to Lake Worth Road is proposed. The applicant has provided architectural elevations that show the height of the building to be approximately 33 feet. There is a landscape buffer along the entire perimeter as well as landscaping internal to the site.

On September 10 and 17, 2015, the Land Development Staff reviewed this petition and recommended approval subject to the conditions contained in this staff report.

Land Development Staff Comments:

Planning and Engineering Dept.:	Incorporated into the staff report.
Building Department:	No objections.
Public Safety Department:	Incorporated into the staff report.
Public Works Department:	No objections.

Other Agencies:

PBC Traffic Division:	Project meets traffic performance standards.
PBC Water Utilities:	Water and sewer service is available from the Palm Beach County Water Utilities Department. The applicant must enter into a Standard Water and Wastewater Agreement with Palm Beach County Utilities.
MPO / Palm Tran:	No objections.
LWDD:	No objections.

Plan Details:

The petitioner's concept plan stamp-dated December 28, 2015 depicts the following:

1. A total land area of 2.26 acres (98,445 square feet).
2. The demolition of the existing 510 sq. ft. gas station convenience building (Marathon), attached approximately 3,150 sq. ft. canopy with four (4) pumps (8 fueling positions), a 1,050 sq. ft. drive-thru car wash, and a 3,155 sq. ft. retail building.
3. Construction of a 5,943 sq. ft. convenience store building with eight (8) pumps (16 fueling positions) under a 6,090 sq. ft. canopy.
4. A total of 46 parking spaces, including 3 handicapped spaces.
5. Three vehicular ingress / egress access points, two on Lake Worth Road and one on Jog Road.
6. A new pedestrian connection to Lake Worth Road.
7. Landscape Plan.
8. Building Plans and Elevations.
9. Photometric Plan.
10. Conceptual Engineering Plan.
11. Boundary and Topographic Survey.

VI. Special Exception Criteria and Findings of Fact:

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

Finding: The proposed Convenience Store with Fuel Sales complies with Goal 1 of the Future Land Use Element, Goal 1 of the Transportation Element, and Objective 1 of the Infrastructure Element within the City of Greenacres' Comprehensive Plan directing growth, development, and redevelopment activities to appropriate areas. Per Section 16-499(17), a Convenience Store is subject to a Special Exception approval in the Commercial Intensive (CI) zoning district and may include Fuel Sales provided certain other requirements are met.

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 three (3) vehicular access points (Lake Worth Road - 2, Jog Road -1) as well as sidewalk connections to Lake Worth Road and Jog Road provide adequate access. The concept 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 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 meets the minimum parking requirements. Specifically, in accordance with the off-street parking provisions listed in

Section 16-1336, the required parking for the convenience store is 1 space per 200 square feet of gross floor area, with a minimum of 3 spaces, and a bike rack with a minimum of 5 spaces. For the proposed 5,943 square foot building, the applicant has provided 46 parking spaces and 1 bike rack with 5 spaces, thus meeting the minimum requirement of 30 spaces (5,943 / 200 = 30). A loading zone is provided convenient to the building.

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

Finding: The City's franchise hauler will serve the site for all refuse collection. Two dumpster enclosures, including recycling facilities, are located to the rear of the building; will provide an adequate storage area for refuse; and will not adversely affect public health and safety.

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

Finding: The subject site has commercial uses on three sides and multi-family residential to one side (South). The existing gas station with car wash and convenience store will be completely demolished and the site redeveloped in compliance with current Code. The requested 24 hour, 7 days per week operating hours are compatible with the busy intersection and the hours of operation of nearby uses. The site will include landscape buffers on all perimeters to mitigate any potential nuisance. No odor, smoke, electrical interference or mechanical vibrations will be produced from this development. In conjunction with the development of the property, the existing concrete buffer wall will remain. The wall provides buffering for the uses to the south of the subject site. The proposed development as conditioned below will not create a nuisance that is detrimental to adjacent and nearby properties.

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

Finding: All utilities can be safely provided to the site. 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 proposed development includes perimeter buffers consistent with the CI zoning district, Section 16-1286 of the landscape code, and in accord with the proposed variance (BA-15-04). The proposed buffering will be a marked improvement over the existing conditions.

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

Finding: All proposed signs shall meet the requirements of the City's Zoning Code. All exterior lighting shall meet City code requirements for limiting spill onto adjacent neighboring residential areas and onto major roads. Replacement of the existing lighting with new lighting, as proposed, will improve compatibility and harmony through the use of cutoff type fixtures to control glare.

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

Finding: The project complies with the interior and perimeter landscaping and open space requirements of the Zoning Code and is in accord with the approved variance (BA-15-04). The overall lot coverage, including covered gas canopy, of 12% is below the maximum 30%, and all building setbacks of the Commercial Intensive zoning district are being met.

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

Finding: The proposed Convenience Store with Fuel Sales is compatible with the existing high-intensity commercial nature of the Lake Worth Road corridor, and with adjacent uses. To the north, west, and east are commercial retail and restaurant uses. The property is being re-zoned (ZC-15-06) to Commercial Intensive (CI) which permits a Convenience Store with Fuel Sales as a Special Exception use.

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

Finding: The proposed Convenience Store with Fuel Sales is in scale with the needs of the surrounding community. Lake Worth Road provides a wide variety of retail and commercial services in many different sizes. There is already a full-service gas station with convenience retail on the site which was built in 1990 and currently still in operation. The rebuilt site will meet these same needs in a modern and efficient manner.

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

Finding: The proposed use, as conditioned below, complies with the special requirements for security, lighting, and restriction on coin-operated amusement devices outlined in the Special Exception criteria for Convenience Stores within a Commercial Intensive district. In addition, the curbing, setback, and loading requirements for Fuel Sales have been complied with. Since this project is the renovation of an existing approved gas station and convenience store use, the location requirements are not applicable.

VII. Staff Recommendation:

Approval of SE-15-04 through adoption of Resolution 2016-02 with the following conditions:

1. Site and development plan approval is required prior to the issuance of development permits. (Planning and Building)

2. The Special Exception is limited to a Convenience Store with Fuel Sales consisting of a 5,943 square foot building and 8 pumps (16 fueling stations) on a 2.26 acre site. Expansion or changes to another use will require new Special Exception and Site and Development Plan approvals. (Planning)

3. Hours of operation for the Convenience Store with Fuel Sales are 24 hours a day, 7 days a week. (Planning and Building)

4. The proposed convenience store shall have appropriate security systems to include, but not be limited to, cameras with video retrieval capabilities. (Public Safety)

5. No coin-operated amusement devices shall be permitted. (Building)

6. Outdoor display of merchandise is prohibited. (Building)

7. No outdoor speakers shall be permitted, except as necessary to comply with safety or handicap accessibility requirements for the gas pumps on site. (Building)

8. The Palm Beach County approval pertaining to the existing gas station is hereby rescinded and revoked. (Planning)

PLANNING COMMISSION RECOMMENDATION – January 20, 2016

The Planning Commission on a motion made by Commissioner Clements and seconded by Commissioner Robarts, voting five (5) to zero (0), ***recommended approval*** of Special Exception ***SE-15-04*** *(Wawa),* as presented by staff, with the modification of Condition #7 as follows:

7. No outdoor speakers shall be permitted, except as necessary to comply with safety or handicap accessibility requirements for the gas pumps on site and adjacent to the outdoor seating area on the northeast corner of the building No music or announcements shall be audible beyond the property lines. (Building)

CITY COUNCIL ACTION – February 22, 2016

Samuel J. Ferreri, Mayor

Attest:

Denise McGrew, City Clerk

Attachments:

1. Resolution 2016-02
2. Concept Plan
3. Aerial Location Map