



**LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION**

**I. Project Description:**

**Project:** Lake Worth Road / South Jog Road

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

**Request:** City-initiated annexation

**Location:** The southwest and northwest corner of Jog Road and Lake Worth Road at 6530, 6535, 6548, 6566, 6584, 6602, and 6620 Lake Worth Road and 3810 South Jog Road



**II. Site Data:**

**Existing Use:** Retail, Commercial, Gas Station, and Offices

**Proposed Use:** Retail, Commercial, Offices, and Convenience Store with Fuel Sales

**Parcel Control Numbers:**  
00-42-43-27-05-022-0612  
00-42-43-27-05-022-0771  
00-42-43-27-05-022-0781  
00-42-43-27-05-022-0782  
00-42-43-27-05-022-0783  
00-42-43-27-05-022-0785  
00-42-43-27-05-022-0786  
00-42-43-27-05-030-0021

**Parcel Size:** 7.27 acres (316,681 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
<i>North</i>	Greenacres Plaza Shopping Center	City Commercial (CM)	City Commercial Intensive (CI)
<i>South</i>	Village of Turnberry Multi-family	PBC High Residential-12 (HR-12)	PBC RH (Residential High)
<i>East</i>	Lake Worth Plaza West	PBC Commercial High/1 (CH/1)	PBC General Commercial (CG)
<i>West</i>	Red Lobster Restaurant and Greenacres Plaza Shopping Center	PBC Commercial High/8 (CH/8) and City Commercial (CM)	PBC General Commercial (CG) and City Commercial Intensive (CI)

**III. Annexation/Zoning History:**

The approximately 7.27 acres of land are located in unincorporated Palm Beach County within the identified Future Annexation Area of the City. The area to be annexed contains eight (8) 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).

Concurrent petitions for comprehensive plan amendment (CPA-15-06) and zoning change (ZC-15-06) are being processed for the properties.

Parcels Located South of Lake Worth Road

There are six (6) separate parcels located on the south side of Lake Worth Road that are within the scope of the annexation petition. These parcels are all part of one master planned commercial development known as Crossroads Shopping Center. The original Palm Beach County Master Plan approval for the 6.27 acre Crossroads Shopping Center was on May 24, 1979 under zoning petition No. 79-110. The development was later amended and granted a special exception 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 existing parcels are developed and the Palm Beach County Property Appraiser’s Office indicates that the existing commercial development was built in stages between 1983 and 1996.

In accord with the City’s past practice, the existing Palm Beach County approval will be accepted as a valid City approval and a case number will be assigned for filing purposes. While a portion of the site will remain unaltered and therefore retain the County’s approval, a site plan approval request (SP-15-06) by the property owners 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. It is currently under review and is anticipated to follow the same hearing schedule.

One parcel within the Crossroads Shopping Center (Red Lobster Restaurant) is not included as part of the annexation. It is under separate ownership and is capable of functioning independent of the rest of the plaza.

Parcels Located on North Side of Lake Worth Road

There are two (2) separate parcels located on the north side of Lake Worth Road that are within the scope of the City-initiated annexation petition. They are both located directly adjacent to Greenacres Plaza, which was previously annexed into the City on July 2, 1984 and developed as a shopping center and four outbuildings. The parcel located on the northwest corner of Jog Road and Lake Worth Road is 1.3145 acres that is currently developed with a 4,473 square foot financial institution with a two-lane drive thru (PNC Bank). It was previously known as Fidelity Federal Savings and Loan and was granted a re-zoning, a special exception for a financial institution with drive-up teller windows and site plan approval on December 28, 1978 under zoning petition No. 78-267 via Resolution 79-103 by Palm Beach County. The site has vehicular interconnectivity with Greenacres Plaza. The site also has direct ingress / egress onto Jog Road and Lake Worth Road. In accord with the City’s past practice, the existing Palm Beach County approval will be accepted as a valid City approval and a case number will be assigned for filing purposes.

The other parcel located north of Lake Worth Road is located north of the PNC Bank site at 3810 South Jog Road. The Firestone Tire and Rubber Company was granted a re-zoning, a special exception for a automotive service facility and site plan approval on May 12, 1981 under zoning petition No. 81-35 via Resolution 81-585 by Palm Beach County. The 0.96 acre site is currently developed with a 6,880 square foot auto repair service center (Firestone) that was built in 1982. The Firestone site has no interconnectivity to Greenacres Plaza, but does have ingress/egress onto South Jog Road. In accord with the City’s past practice, the existing Palm Beach County approval will be accepted as a valid City approval and a case number will be assigned for filing purposes.

**IV. Applicable Comprehensive Plan Provisions:**

**Annexation Element:**

- Objective 1, page ANX 19 - addresses efficiency, concurrency and levels of service (LOS).
- Objective 1, Policy c), page ANX 19 - prohibits creating enclaves, or pocket areas which are not reasonably compact.
- Objective 2, page ANX 19 - encourages orderly annexation in the future annexation boundaries through coordination with adjacent municipalities and Palm Beach County.
- Objective 4, page ANX 20 - supports annexations which are deemed necessary to promote the orderly growth of the City and will not adversely impact the City's ability to fulfill other plans.
- Objective 4, Policy a), page ANX 20- outlines six guidelines for annexations.

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

- Article III, Section 10** of the City Charter relating to annexation
- Sec. 16-8 of the City Code** relating to future land use and zoning of annexed areas
- Chapter 171, Florida Statutes** relating to annexation

**VI. Staff Analysis:**

***Land Development Staff Comments:***

On July 9, 2015, the Land Development Staff reviewed this petition and recommended approval subject to the conditions contained in this staff report.

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

***Background:***

The properties proposed for annexation are contiguous to the City’s boundary on the north side and on a portion of the west and east sides as they abut Greenacres Plaza which was annexed into the City on July 2, 1984 as case ANX-84-06 through Ordinance 84-10.

Florida Statutes Chapter 171.0413(6) provides a process for City initiated annexation of property when the annexed area does not have any registered electors. The area can be annexed when the owners of more than 50% of the parcels and of more than 50% of the land area in the area proposed to be annexed consent to the annexation.

The property data list (Exhibit 1) contains the address, owner name, legal description, existing future land use designation, existing zoning designation, proposed future land use designation, proposed zoning designation, apparent existing use, and taxable value for each parcel. The list also contains a calculation of the property tax increase due to annexation based on deletion of the PBC Fire Rescue FY 2016 MSTU millage of 3.4581 and addition of the City’s total FY 2016 millage of 6.0854 (a net increase in millage of 2.6273). In addition, the list indicates whether the owners of each parcel have signed a form consenting to the annexation.

Based on the consents to annexation received from property owners (see Exhibit 1), the owners of 56.4% of the land area (4.10 acres of 7.27 acres total) and 62.5% of the parcels (5 parcels out of 8 parcels total) have agreed to annex into the City, thus exceeding the minimum 50% thresholds established by statute.

***Annexation Findings of Fact:***

The proposed annexation is consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan. The site is contiguous to the City and is within the boundaries of the Future Annexation Area in the Annexation Element of the Comprehensive Plan.

In addition, the following six guidelines, as specified in Objective 4(a) on page 20 and 21 of the Annexation Element within the Comprehensive Plan, must be addressed. The guidelines apply to both City-initiated and voluntary annexations.

***Specific Criteria Findings:***

In all future annexation requests, the City shall be guided by the following:

- (1) **The area in question must meet statutory requirements pertaining to contiguity, compactness and irregular shape.**

*Findings:* The annexation petition is consistent with the provisions in Chapter 171, F.S., specifically because the subject property is a regular polygon in shape, reasonably compact, and immediately contiguous to the City's municipal boundary to the north, east, and west.

- (2) **The petitioned area must have "a unity of interests with the City" and be "a logical extension" of the City's boundaries.**

*Findings:* The subject property has "a unity of interests with the City" and is "a logical extension" of the City of Greenacres' boundaries. The property is identified as part of the Future Annexation Area in the City's Comprehensive Plan. The site is also contiguous to the City's boundary on the north and a portion of the boundary on the east and west. Annexation of these parcels will significantly clarify jurisdictional boundaries at this major intersection and reduce the size of an existing pocket.

- (3) **The area shall have a growth potential sufficient to warrant the extension of services.**

*Findings:* The area has a growth potential sufficient to warrant the extension of services. Redevelopment activity is taking place in the immediate vicinity and adjacent properties within the City are already receiving City services. Since the properties proposed for annexation are contiguous to the City, there will be minimal effect upon infrastructure and services provided within the City.

- (4) **The deficit of income against expense to the City shall not be unreasonable.**

*Findings:* The annexation of the subject properties will not create an unreasonable expense or burden upon the City of Greenacres. Since the subject sites are contiguous to developed parcels already in the City, the annexation will not adversely affect the City's overall level of service, nor will it substantially increase costs to the City to warrant the annexation unreasonable.

- (5) **The advantages both to the City of Greenacres and to the petitioned area must outweigh the disadvantages.**

*Findings:* The advantages to both the City of Greenacres and the proposed annexation area outweigh any potential disadvantages. The annexation of the subject properties will allow the City and the petitioner to improve the identity of the area as being part of Greenacres and help reduce service delivery inefficiency and confusion. This intersection has long been identified by the City and Palm Beach County agencies (including the Sheriff's Office and Palm Beach County Fire Rescue) as a source of continuing service delivery confusion which this annexation will help resolve.

- (6) **The City of Greenacres must be willing and able to provide City services as well as ensure that services provided by Palm Beach County are furnished to the newly annexed area within a reasonable time.**

*Findings:* The City of Greenacres will be able to provide City services to the subject properties

without degrading any established levels of service, since the City is already providing governmental services to nearby developments along South Jog Road and Lake Worth Road in the immediate area of the subject parcels. In addition, the enclosed Urban Services Report demonstrates that the City will be able to provide services to the area at the level they are provided elsewhere in the City.

***Summary of Annexation Criteria:***

The site meets all of the guidelines specified in the City's Comprehensive Plan and Chapter 171 of the Florida Statutes for the annexation of property. It is a logical extension of the City's boundaries in a location identified as part of the City's Future Annexation Area.

**VII. Staff Recommendation:**

***Approval*** of ANX-15-02 through the adoption of Ordinance 2016-03.

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**PLANNING COMMISSION RECOMMENDATION – January 20, 2016**

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The Planning Commission on a motion made by Commissioner Robarts and seconded by Commissioner Clements, by a vote of five (5) to zero (0), ***recommended approval*** of Annexation ***ANX-15-02 (Lake Worth Road / South Jog Road)***, as presented by staff.

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**CITY COUNCIL ACTION First Reading – February 1, 2016**

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The City Council on a motion made by Councilwoman Bousquet and seconded by Deputy Mayor Pearce, voting five (5) to zero (0), ***approved*** Annexation ***ANX-15-02 (Lake Worth Road / South Jog Road)***, on first reading, through ***Ordinance 2016-03***, as presented by staff.

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**CITY COUNCIL ACTION Adoption Hearing – February 22, 2016**

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**Samuel J. Ferreri, Mayor**

**Attest:**

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**Denise McGrew, City Clerk**

Attachments:

1. Aerial Map
2. Ordinance 2016-03
3. Property Data List (Exhibit 1)
4. Urban Services Report
5. Response Letter from Palm Beach County