



LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

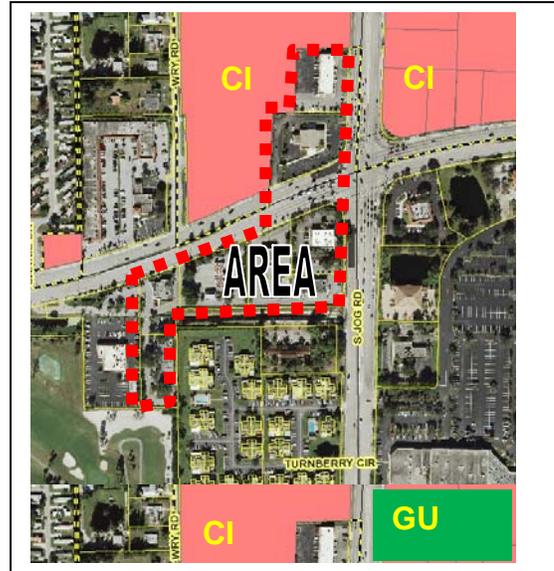
I. Project Description:

Project: Lake Worth Road / South Jog Road

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

Request: Zoning Change from Palm Beach
County General Commercial
(CG) to City Commercial
Intensive (CI)

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)

Direction	Existing Land Use	Future Land Use	Zoning District
North	Greenacres Plaza Shopping Center	City Commercial (CM)	City Commercial Intensive (CI)
South	Village of Turnberry Multi-family	PBC High Residential-12 (HR-12)	PBC RH (Residential High)
East	Lake Worth Plaza West	PBC Commercial High/1 (CH/1)	PBC General Commercial (CG)
West	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 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 annexation (ANX-15-02) and comprehensive plan amendment (CPA-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 City-initiated zoning change 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 and is, therefore, not included in the proposed zoning change.

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 zoning change 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:

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

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 11, Policies a, b, & 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 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.

V. 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.

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

Zoning Change Criteria and Findings of Fact:

Section 16-153. Planning Commission Report: The Planning Commission shall submit a report to the City Council which shows that the Commission 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 will be consistent with the property's proposed Commercial future land use designation. The CI district is intended for intensive, highly automotive oriented uses and allows the provision of a large range of commercial uses in support of the Goals, Objectives, and Policies of the Comprehensive Plan directing commercial activity to major intersections.

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

Finding: The proposed Commercial Intensive (CI) zoning district is compatible with the existing mix of commercial uses in the area, both in the City and the County. This designation is consistent with the predominant County General Commercial (CG) and City Commercial Intensive (CI) zoning districts along Lake Worth Road and South Jog Road.

- (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 parcels are located at the northwest and southwest corners of Lake Worth Road and South Jog Road at a commercialized intersection with existing commercial uses and designations on all four sides including an identical designation to the north and part of the west and east.

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

Finding: This developed site is surrounded by developed commercial land uses on 3 sides. Any future expansion or redevelopment of the site will be required to show that concurrency for all applicable agencies will be satisfied.

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

Finding: The properties are being annexed into the City and therefore require an appropriate City zoning designation.

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

Finding: The properties are being annexed into the City and therefore require an appropriate City zoning designation.

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

Finding: The proposed change will replace the existing County commercial zoning designation with a City commercial zoning designation which allows similar uses and similar intensity of development. Thus traffic and public safety will not be negatively impacted. Furthermore, any redevelopment must satisfy Traffic Performance Standards as part of the site plan approval process.

- (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 parcels are currently developed and are expected to continue in the current use; any future projects will be required to include adequate landscaping, setbacks, and buffering in accordance with the City Zoning Code.

- (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, the property's proposed future land use, the surrounding zoning designations, and the existing County zoning designation.

VII. Staff Recommendation:

Approval of ZC-15-06 through the adoption of Ordinance 2016-05.

PLANNING COMMISSION RECOMMENDATION – January 20, 2016

The Planning Commission on a motion made by Commissioner Clements and seconded by Commissioner Robarts, by a vote of five (5) to zero (0), *recommended approval* of Zoning Change **ZC-15-06** (*Lake Worth Road / South Jog Road*), as presented by staff.

CITY COUNCIL ACTION First Reading – February 1, 2016

The City Council on a motion made by Deputy Mayor Pearce and seconded by Councilwoman Bousquet, voting five (5) to zero (0), *approved* Zoning Change **ZC-15-06** (*Lake Worth Road / South Jog Road*), on second and final reading, through *Ordinance 2016-05*, as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – February 22, 2016

Samuel J. Ferreri, Mayor

Attest:

Denise McGrew, City Clerk

Attachments:

1. Aerial Location Map
2. Zoning Map
3. Ordinance 2016-05