

	LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION
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I. Project Description:

Project: Soma Medical Center

Petitioner: Fernando Prieto, AIA
Team Architecture
1217 South Flagler Drive, Ste 300
West Palm Beach, FL 33401
Agent for the owner:
Soma Lake Worth Investor, LLC

Request: Voluntary Annexation

Location: North side of Lake Worth Road
approximately 1,400 feet east of South
Jog Road at 6239 Lake Worth Road



II. Site Data:

Existing Use:	Vacant
Proposed Use:	Medical Office
Parcel Control Number:	00-42-44-22-00-000-5080
Parcel Size:	0.895 acres (39,000 square feet)
Existing Future Land Use Designation:	PBC Commercial High with an underlying 5 units per acre (PBC CH/5)
Proposed Future Land Use Designation:	City Commercial (CM)
Existing Zoning District:	PBC Commercial General (PBC CG)
Proposed Zoning District:	City Commercial General (CG)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:			
Direction	Existing Land Use	Future Land Use	Zoning District
<i>North</i>	Vacant	Palm Beach County Medium Residential (MR-5)	PBC Agricultural Residential (AR)
<i>South</i>	Steak N Shake (closed)	City Commercial (CM)	City Commercial Intensive (CI)
<i>East</i>	Jog Lake Plaza	City Commercial (CM)	City Commercial General (CG)
<i>West</i>	Pine Brook Square PCD Taco Bell Fast Food Restaurant	Palm Beach County Commercial High/5 (CH/5)	PBC Commercial General (CG)

III. Annexation/Zoning History:

The approximately 0.89-acre site is located in an unincorporated Palm Beach County pocket within the identified Future Annexation Area of the City. Consequently, the proposed annexation will reduce the size of the existing pocket. The site contains one parcel having a Palm Beach County future land use designation of Commercial High with an underlying 5 units per acre (PBC CH/5) and a Palm Beach County zoning designation of Commercial General (PBC CG).

The site was previously approved by the Palm Beach County Board of County Commissioners as a conditional use for a Checkers drive-in restaurant on February 25, 1993 and received site plan approval for a 785 square foot building. In September 2008, the building was removed from the site, but the existing infrastructure remained, including drainage, paving, curbing, landscaping, and a six (6) foot high perimeter wall on the north and east sides of the property. The applicant is proposing to redevelop the site with a 5,438 square foot medical building. Concurrent petitions for a comprehensive plan amendment (CPA-16-02), zoning change (ZC-16-01), and site plan approval (SP-16-01) are being processed for the site.

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 voluntary annexation

VI. Staff Analysis:

Land Development Staff Comments:

The petition was reviewed by the Land Development Staff on June 9 and June 16, 2016, and recommended for approval.

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

Background:

The existing infrastructure was built for a Checkers drive-in fast-food restaurant in 1993. The property owner pulled permits to remove the building on the site in September 2008. The permit for demolition provided for the removal of the building from the concrete pad, the capping of the utilities on site, but not the removal of the building support infrastructure, which still remains on site. The applicant is proposing to utilize some of the existing infrastructure on site, as well as preserving some of the existing mature trees on site for the redevelopment of the property. Prior to redeveloping the site, the property owner has requested voluntary annexation into the City of Greenacres.

The property proposed for voluntary annexation is contiguous to the City's boundary on the east side of the property as well as across Lake Worth Road to the south, is within the City's Future Annexation Area, and it's annexation will reduce the size of an existing pocket.

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 Policy 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 rectangular in shape, reasonably compact, and immediately contiguous to the City's municipal boundary to the east and south.

- (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 boundary. 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 east and south sides and will reduce the size of an approximately 36-acre pocket of unincorporated properties, located along the north and south sides of Lake Worth Road between Jog Road and Woodlake Boulevard, already bounded on three sides by the City and within the City's Future Annexation Area.

- (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. The property is located on Lake Worth Road, one of the City's transportation corridors where many existing developments are already receiving City services and redevelopment activity is taking place nearby. Further, since the property proposed for annexation is 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 property will not create an unreasonable expense or burden upon the City of Greenacres. Since the subject site is contiguous to developed parcels already in the City, its 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. The City will also be provided with revenue from the property taxes of the new parcel.

- (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 property will allow the City and the petitioner to improve the identity of the area as being part of Greenacres and help reduce confusion. Since the property is located in a pocket of land within Palm Beach County, the annexation of the subject property will benefit both Palm Beach County and the City of Greenacres by increasing service delivery efficiency.

- (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 property without degrading any established levels of service, since the City is already providing governmental services to nearby developments along Lake Worth Road in the immediate vicinity of the subject parcel.

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-16-01 through the adoption of Ordinance 2016-18.

PLANNING COMMISSION RECOMMENDATION – July 20, 2016

The Planning Commission on a motion made by Commissioner Clements and seconded by Commissioner Buczek, by a vote of five (5) to zero (0), ***recommended approval*** of Annexation ***ANX-16-01 (Soma Medical Center)***, as presented by staff.

CITY COUNCIL ACTION First Reading – August 1, 2016

The City Council on a motion made by Councilwoman Bousquet and seconded by Councilman Noble, voting five (5) to zero (0), ***approved*** Annexation ***ANX-16-01 (Soma Medical Center)***, on first reading, through ***Ordinance 2016-18***, as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – August 15, 2016

Samuel J. Ferreri, Mayor

Attest:

Denise McGrew, City Clerk

Attachments:

1. Aerial Map
2. Ordinance 2016-18