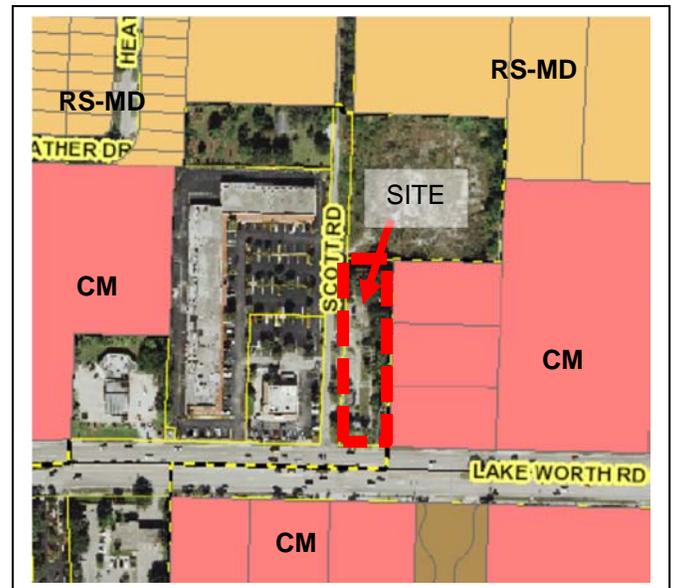




LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

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:** Small-scale Future Land Use
Amendment from Palm Beach
Palm Beach County Commercial
High 5 (PBC CH/5) to City
Commercial (CM)
- 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. 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 an annexation (ANX-16-01), a zoning change (ZC-16-01), and site plan approval (SP-16-01) are being processed for the site.

IV. Data and Analysis:

This small-scale future land use amendment is needed in order to replace the Palm Beach County Commercial High 5 (PBC CH/5) future land use designation with an appropriate City designation as a result of annexation.

The Advisory Future Land Use Map (Map FLU 9) recommends Commercial (CM) for the subject parcel as well as the parcels to the north, south, east and west. This is the same as the proposed designation.

The current Palm Beach County Commercial High 5 (CH/5) future land use designation allows a wide range of uses and is intended to serve a community and/or regional commercial demand. Some uses included in the designation are a variety of services, retail, hotels, repair, health and professional services and offices. The Floor Area Ratio maximum for this designation is typically 0.35. Similarly, the proposed City of Greenacres Commercial (CM) future land use designation allows a wide range of uses intended to serve community commercial demand and has a maximum Floor Area Ratio of 0.35. In addition, the Comprehensive Plan recognizes Lake Worth Road as an important commercial corridor and calls for commercial land uses within the corridor.

Project Description:

As stated above, a concurrent petition for site and development plan approval is under review and the site is anticipated to be developed with a one-story 5,438 square foot medical office building in the future. Site configuration, setbacks, and landscape buffers will be required to meet Code requirements.

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, F.S., 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 and anticipated land uses (see attached Aerial Photo) shows that the proposed land use is compatible with the adjacent properties.

North: The subject parcel is abutted by a vacant property on its north side. The property is located within unincorporated Palm Beach County and has a future land use designation of Medium Residential 5 (PBC MR-5) and a zoning designation of Palm Beach County Agricultural Residential (PBC AR). The higher density residential use is common adjacent to a commercial land use to provide a transition between a parcel adjacent to a major thoroughfare and less dense residential uses. In addition, the Advisory Future Land Use designation of the abutting parcel is commercial and its use is, therefore, anticipated to be commercial in the future.

South: To the south of the site across Lake Worth Road is a vacant building that was previously a Steak N Shake Restaurant. The property has a City future land use designation of Commercial (CM), a City zoning designation of Commercial Intensive (CI) and a Special Exception approval (SE-99-04) for a drive-in/fast food restaurant. There will be no adverse impacts resulting from the proposed future land use amendment since the subject parcel would have the same future land use designation as the adjacent property and is separated by a 6-lane Urban Principal Arterial roadway.

East: To the east is an existing retail plaza and two (2) houses which have a future land use designation of City Commercial (CM) and a zoning designation of City Commercial General (CG). There will be no adverse impacts resulting from the proposed future land use amendment since the subject parcel will have an identical future land use designation as the adjacent property, and a buffer will be provided between the subject site and the residential use while they await their eventual transition to commercial use in the future.

West: To the west is an existing fast food restaurant (Taco Bell) which has a future land use designation of Palm Beach County Commercial High with an underlying 5 units per acre (PBC CH/5) and a Palm Beach County zoning designation of Commercial General (PBG CG). There will be no adverse impacts resulting from the proposed future land use amendment since the subject parcel will have a similar future land use designation as the adjacent property.

Conclusions: Reviewing the adjacent existing commercial and residential development and designations shows that the proposed Commercial (CM) future land use designation is compatible with the surrounding properties and this commercial corridor.

B. Concurrency:

The site is currently vacant and any future changes to the property will be evaluated for compliance with level of service standards by all relevant agencies as part of site and development plan approval. The proposed change in the future land use designation has no impact on overall concurrency considerations since it allows the same maximum intensity as the County designation.

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 2, Policy d)

The City shall continue to plan for future redevelopment and revitalization activities in targeted areas.

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 11 through 16 omitted for brevity) * * **

(10) Commercial General - 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, b, c & d)

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.

Policy d)

The City will continue to utilize the nodal system (Section VI A.1 and A.2 of the Future Land use Element) in conjunction with Map 5 to designate Future Land Uses in activity spheres and infill corridors

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-16-02 through the adoption of Ordinance 2016-19.

LOCAL PLANNING AGENCY ACTION – July 20, 2016

The Local Planning Agency on a motion made by Commissioner Clements and seconded by Commissioner Chambers, by a vote of five (5) to zero (0), ***recommended approval*** of Comprehensive Plan Amendment ***CPA-16-02 (Soma Medical Center)***, as presented by staff.

CITY COUNCIL ACTION First Reading – August 1, 2016

The City Council on a motion made by Councilwoman Rivera and seconded by Councilwoman Bousquet, voting five (5) to zero (0), ***approved*** Comprehensive Plan Amendment ***CPA-16-02 (Soma Medical Center)***, on first reading, through ***Ordinance 2016-19***, as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – August 15, 2016

Samuel J. Ferreri, Mayor

Attest:

Denise McGrew, City Clerk

Attachments:

1. Aerial Photograph
2. Future Land Use Map
3. Ordinance 2016-19