



LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

I. Project Description:

- Project:** Southwest corner of Lake Worth Road and South Military Trail
- Petitioner:** City of Greenacres
Planning & Engineering Dept.
5800 Melaleuca Lane
Greenacres, FL 33463
- Request:** City-initiated annexation
- Location:** The southwest corner of Lake Worth Road and South Military Trail at 4558 and 4562 Lake Worth Road and 4065, 4101, and 4215 South Military Trail



II. Site Data:

- Existing Use:** Retail, Commercial, Restaurant, and Offices
- Proposed Use:** Retail, Commercial, Restaurant, and Offices
- Parcel Control Numbers:**
00-42-44-25-00-000-3050
00-42-44-25-00-000-3021
00-42-44-25-00-000-3070
00-42-44-25-00-000-3040
00-42-44-25-45-001-0000
- Parcel Size:** 10.773 acres (469,272 square feet)
- Existing Future Land Use Designation:** PBC Urban Infill (UI)
- Proposed Future Land Use Designation:** City Commercial (CM)
- Existing Zoning District:** PBC Urban Infill (UI)
- 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>	CVS Pharmacy and Mil-Lake Plaza	City Commercial (City CM)	City Commercial Intensive (City CI)
<i>South</i>	Countryside townhouses and Grower's Outlet Retail Nursery	PBC High Residential - 8 (PBC HR-8) and PBC Commercial High/8 (PBC CH/8)	PBC Residential Medium (PBC RM) and PBC Commercial General (PBC CG)
<i>East</i>	Jiffy Lube, Auto Glass, Body Shop and Salvage Yard, Self-Storage, and Action Supply Company	Village of Palm Springs Commercial (VOPS COM), PBC Commercial High/8 (PBC CH/8), and PBC Urban Infill (PBC UI)	Village of Palm Springs Commercial General (VOPS CG), PBC Commercial General (PBC CG), and PBC Urban Infill (PBC UI)
<i>West</i>	Auto Zone and Countryside townhouses	City Commercial (City CM) and PBC High Residential - 8 (PBC HR-8)	City Commercial Intensive (City CI) and PBC Residential Medium (PBC RM)

III. Annexation/Zoning History:

The approximately 10.773-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 five (5) individual parcels each having a Palm Beach County future land use designation of Urban Infill (PBC UI) and a Palm Beach County zoning designation of Urban Infill (PBC UI).

Parcel 1 (4558 Lake Worth Road)

Aloha Shopping Center (commonly known as Office Depot Plaza) is a retail shopping center built in 1973 and consisting of 55,486 square feet according to the Palm Beach County Property Appraiser (57,142 square feet according to Palm Beach County approved case CA00-038). Uses on site include an Office Depot, a pet shop, a laundromat, and a Family Dollar and there are two ingress/egress points each on Lake Worth Road and South Military Trail. In addition, it contains a 150 foot tall cellular communications tower which was approved by Palm Beach County on January 28, 1998 as petition No. DRC96-123. Through various site plan amendments approved by the County, the tower is currently approved for 3 carriers with associated ground equipment including a generator. Since this use is only allowed by the City Zoning Code on property with a Government Use zoning designation, the cellular communications tower shall be considered a legal non-conforming use and must be removed in the event the use is discontinued. Concurrent petitions for a comprehensive plan amendment (CPA-16-04) and zoning change (ZC-16-02) are being processed for this parcel.

Parcel 2 (4562 Lake Worth Road)

According to the Palm Beach County Property Appraiser's public records, the existing 3,692 square foot International House of Pancakes (IHOP) restaurant was built on this 0.2109-acre site in approximately 1976. The site has access through the Aloha Shopping Center, which has two ingress/egress locations each on Lake Worth Road and South Military Trail. Concurrent petitions for a comprehensive plan amendment (CPA-16-04) and zoning change (ZC-16-02) are being processed for this parcel.

Parcel 3 (4065 S. Military Trail)

The 1.0392 acre site currently has a 10,000 square foot retail building under construction which was approved by Palm Beach County on August 29, 2014 as petition No. W2014-00288 through Resolutions 2014-1228 and 2014-1229 for an O'Reilly Auto Parts store. The site has direct access to S. Military Trail and is not connected to Aloha Shopping Center. 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. Any changes to the use or site plan will be required to meet the City Code. In order to avoid disrupting the current construction activity proceeding under a permit issued by Palm Beach County, Condition #1 below requires the City to pursue an Interlocal Agreement with Palm Beach County to allow the County Building Department to continue to perform inspections. Concurrent petitions for a comprehensive plan amendment (CPA-16-04) and zoning change (ZC-16-02) are being processed for this parcel.

Parcel 4 (4101 S. Military Trail)

According to the Palm Beach County Property Appraiser's public records, the existing Florida Power and Light (FPL) substation was built on this 0.7149-acre site in approximately 1980. The site has access directly onto South Military Trail and has no interconnectivity to the adjacent Aloha Shopping Center. Concurrent petitions for a comprehensive plan amendment (CPA-16-04) and zoning change (ZC-16-02) are being processed for this parcel.

Parcel 5 (4215 S. Military Trail)

The 3.28 acre parcel has a 36,000 square foot 2-story office building constructed earlier this year. It was approved by Palm Beach County on December 9, 2013 as petition No. W2013-02239 through Resolution 2013-1767 for the Tax Collector's Central Palm Beach County Service Center. The site has access to S. Military Trail and Landar Drive. 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. Any changes to the use or site plan will be required to meet the City Code. No concurrent petitions are being processed for this site, however a comprehensive plan amendment and zoning change to appropriate City designations will be undertaken in the near future after consultation and coordination with the Tax Collector.

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 |

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 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 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 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 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-16-02 through the adoption of Ordinance 2016-22 with the following condition:

1. The City shall recognize the validity of the building permit issued by Palm Beach County for the current construction of the O'Reilly Auto Parts at 4065 S. Military Trail and allow Palm Beach County to perform all of the necessary inspections through to completion of the project as currently permitted. (Building)

PLANNING COMMISSION RECOMMENDATION – August 3, 2016

The Planning Commission on a motion made by Commissioner Buzek and seconded by Commissioner Tronco, by a vote of five (5) to zero (0), ***recommended approval*** of Annexation ***ANX-16-02*** (Lake Worth Road and South Military Trail), as presented by staff.

CITY COUNCIL ACTION First Reading – August 15, 2016

CITY COUNCIL ACTION Adoption Hearing – September 8, 2016

Samuel J. Ferreri, Mayor

Attest:

Denise McGrew, City Clerk

Attachments:

1. Aerial Map
2. Ordinance 2016-22
3. Property Data List (Exhibit 1)
4. Urban Services Report