



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: Small-scale Future Land Use Amendment from Palm Beach County Urban Infill (UI) to City Commercial (CM)

Location: The southwest corner of Lake Worth Road and South Military Trail at 4558 and 4562 Lake Worth Road and 4065 and 4101 South Military Trail



II. Site Data:

Existing Use: Retail, Commercial, and Restaurant

Proposed Use: Retail, Commercial, and Restaurant

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

Parcel Size: 7.493 acres (326,395 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 Tax Collector's Service Center	PBC High Residential - 8 (PBC HR-8) and PBC Urban Infill (UI)	PBC Residential Medium (PBC RM) and PBC Urban Infill (UI)
<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 7.493 acres of land are located in unincorporated Palm Beach County within the identified Future Annexation Area of the City. The subject four (4) parcels are part of an area to be annexed that consists of 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).

Concurrent petitions for a City-initiated annexation (ANX-16-02) for five parcels totaling 10.773 acres and a zoning change (ZC-16-02) for the four subject parcels totaling 7.493 acres are being processed.

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.

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.

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.

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.

IV. Data and Analysis:

This small-scale future land use amendment is needed in order to replace the existing Palm Beach County Urban Infill (PBC UI) 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 parcels. This is the same as the proposed designation.

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, FS, 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: To the north of the subject parcels (located north of Lake Worth Road) is a property containing the retail center known as Mil-Lake Plaza. Mil-Lake Plaza has a future land use designation of Commercial (CM) and a zoning designation of Commercial Intensive (CI). The proposed designation is identical to the adjacent land use; therefore, there will be no adverse impacts from the proposed future land use amendment.

South: The subject area is abutted by the Countryside townhouses residential development and the Tax Collector's Central Palm Beach County Service Center on its south side, both of which are located within unincorporated Palm Beach County. The properties have Palm Beach County future land use designations of High Residential-8 (PBC HR-8) and Urban Infill (UI) and zoning designations of Palm Beach County Residential Medium (RM) and Urban Infill (UI) respectively. There will be no adverse impacts resulting from the proposed change since the existing development will remain as-is, any proposed changes will need to meet Code requirements for buffering, and the proposed City designation allows less intensity to the existing County designation. In addition, the

Tax Collector site is part of ANX-16-02 and will therefore have to eventually receive an appropriate compatible City future land use designation.

East: To the east of the subject parcels is commercial property within the Village of Palm Springs and unincorporated Palm Beach County. The proposed designation is approximately equivalent to the designation of these adjacent properties and is compatible with the existing commercial development at the south east corner of the Lake Worth Road / South Military Trail major commercial intersection. Therefore, there will be no adverse impacts from the proposed future land use amendments.

West: To the west of the subject parcels is a stand-alone Auto Zone retail building. The proposed designation is identical to the adjacent land use; therefore, there will be no adverse impacts from the proposed future land use amendment.

Conclusions: Reviewing the adjacent existing commercial and multi-family residential development shows that the proposed City Commercial future land use designation is compatible with the surrounding properties and the intense commercial activity at this intersection of two Urban Principal Arterial roadways.

B. Concurrency:

As previously stated, this future land use amendment will provide these sites with a City future land use designation based on their annexation. Additional impacts on services are expected to be insignificant since the proposed City future land use designation allows less intensity (at up to 0.35 FAR) than the existing County future land use designation (at up to 1.0 FAR). Furthermore, an applicant will be required to meet the level of service (LOS) standards for this site through the site and development approval process for any future redevelopment.

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 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 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-16-04 through the adoption of Ordinance 2016-23.

LOCAL PLANNING AGENCY ACTION – August 3, 2016

The Local Planning Agency on a motion made by Commissioner Tronco and seconded by Commissioner Buzek, by a vote of six (6) to zero (0), ***recommended approval*** of Comprehensive Plan Amendment ***CPA-16-04 (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 Photograph
2. Future Land Use Map
3. Ordinance 2016-23