



DEVELOPMENT REVIEW COMMITTEE STAFF REPORT AND RECOMMENDATION

Subject/Agenda Item:

Ordinance 2023-04: Future Land Use Amendment – CPA 22-03 Lake Worth Plaza West Outparcels Public Hearing & First Reading: A City of Greenacres (“City”) initiated Future Land Use Amendment request for six (6) parcels of land totaling approximately 7.9636 acres to replace the existing Palm Beach County Commercial High (PBC CH) future land use designation with an appropriate City designation as a result of the recent annexation of the property into the City. The five of the sites are Outparcels to the Lake Worth Plaza West shopping center located at the southeast corner of Lake Worth Road and Jog Road and the sixth is located at 6323 Lake Worth Road.

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

<p>Originating Department: Planning, GIS & Engineering</p> <p>Project Manager</p> <p>_____</p> <p>Caryn Gardner-Young, AICP</p>	<p>Reviewed By:</p> <p>Director of Development and Neighborhood Services</p> <p>_____</p> <p>Denise Malone</p>
<p>Approved By:</p> <p>City Manager</p> <p>_____</p> <p>Andrea McCue</p>	<p>Public Notice:</p> <p><input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required</p> <p>Date: 2/2/2023, 2/23/2023</p> <p>Paper: Lake Worth Herald, PB Post</p> <p>Mailing</p> <p><input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required</p> <p>Notice Distance: Property Owner</p>

<p>Attachments:</p> <ul style="list-style-type: none"> • Ordinance 2023-04 • Location Map 	<p>City Council Action:</p> <p><input checked="" type="checkbox"/> Approval</p> <p><input type="checkbox"/> Approve with conditions</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> Continued to: _____</p>
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I. Project Description:

Project: Lake Worth Plaza West Outparcels

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

Request: Small-scale Future Land Use
Amendment from Palm Beach
County Commercial High (PBC CH) to City
Commercial (CM)

Location: The southeast corner of
Lake Worth Road and South Jog Road
4148, 4080 and 4020 S Jog Road and 6429 and 6350 Lake Worth Road and 6323
Lake Worth

II. Site Data:

Existing Use: Bank, Animal Clinic, Pharmacy, Fuel Station, and Retail

Proposed Use: Bank, Animal Clinic, Pharmacy, Fuel Station, and Retail

Parcel Control Numbers: 18-42-44-27-33-001-0000, 18-42-44-27-00-001-1330, 18-42-44-27-34-001-0000, 18-42-44-27-00-000-1290, 18-42-44-27-00-000-1360, 18-42-44-22-00-000-5250

Parcel Size: 7.9636 acres

Existing Future Land Use Designation: PBC Commercial High (CH)

Proposed Future Land Use Designation: City Commercial (CM)

Existing Zoning District: PBC Commercial General (CG)

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>	Public Storage Restaurant, Office Building/Shopping Center	City Commercial (CM) City Commercial (CM)	City Commercial Intensive (CI) City Commercial Intensive (CI)
<i>South</i>	Lake Worth Plaza West and Outparcel	City Commercial (CM) in process	City Commercial Intensive (CI) in process
<i>East</i>	Lake Worth Plaza West and Outparcel	City Commercial (CM) in process	City Commercial Intensive (CI) in process
<i>West</i>	Office Building Shopping Center Shopping Center	City Commercial (CM) City Commercial (CM) City Commercial (CM) in process	City Commercial General (CG) City Commercial Intensive (CI) City Commercial Intensive (CI) in process

III. Annexation/Zoning History:

The subject properties were recently annexed from Palm Beach County into the City of Greenacres on December 20, 2022, through Resolution 2022- 60 and were considered to be within an enclave. In accord with Chapter 171.031(13)(a) and (b), the subject properties are enclosed within and bounded on all sides by the City or enclosed within and bounded by the City and a natural or manmade obstacle which allows vehicular traffic to them only by passing through the City.

The parcels were also included within an Interlocal Service Boundary Agreement (ISBA) adopted by the City of Greenacres on August 15, 2022, by City Ordinance 2022-01, and by the County on September 13, 2022, by Ordinance 2022-025. The purpose of the Agreement was to jointly determine how to provide services to residents and property in the most efficient and effective manner while balancing the needs and desires of the community to the area identified in the unincorporated area. The agreement established the means and process by which future annexations and planning activities would be accomplished. The ISBA set forth the proposed future land use and zoning as well as service delivery for all parcels within the Agreement which this petition is in compliance with.

The subject properties consist of six (6) parcels of land, where five parcels were developed as outparcels to the Lake Worth Plaza West shopping center plaza and one parcel was developed as a fuel station. There are no plans to change the existing uses.

This is a companion petition with a City initiated rezoning request to change the Palm Beach County Commercial General zoning designation with a City Commercial Intensive designation for the subject properties.

IV. Data and Analysis:

This small-scale future land use amendment is needed in order to replace the existing Palm Beach County Commercial High (PBC CH) future land use designation with a City Commercial (CM)

designation as a result of an annexation. The Advisory Future Land Use Map Annexation Area (Map FLU 9) recommends Commercial (CM) for the subject parcel. 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 land uses (see attached Aerial Photo) shows that the proposed land use is compatible with the adjacent properties. To the north, east and south of the subject properties are developed parcels that possess a land use designation of City Commercial which is the same designation being sought for the subject properties. Those adjacent parcels to the west possess residential land use designations of either medium or high-density designation which are appropriate next to a commercial land use designation. A medium and high-density land use designation is typically a step down between commercial activity and single-family residences.

Conclusions: Reviewing the adjacent existing commercial, government use and multi-family residential developments 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 the sites with a City future land use designation based upon its recent annexation. Additional impacts on services are expected to be insignificant since the proposed City commercial future land use designation will be the equivalent of what was provided in the County.

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, and 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 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. 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-22-03 through the adoption of Ordinance 2023-04.

LOCAL PLANNING AGENCY ACTION – February 16, 2023

The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Litowsky, voting five (5) to zero (0), *recommended approval* of the Future Land Use Change (CPA 22-03), as presented by staff.

CITY COUNCIL ACTION First Reading –

CITY COUNCIL ACTION Adoption Hearing –

Attachments:

1. Aerial Photograph
2. Future Land Use Map
3. Ordinance 2023-04