



PLANNING COMMISSION

City of Greenacres, Florida

Wednesday, August 18, 2021 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

AGENDA

CALL TO ORDER AND ROLL CALL

AGENDA APPROVAL - Additions, deletions, or other revisions to the agenda.

APPROVAL OF MINUTES

1. January 20, 2021 and February 17, 2021

QUASI-JUDICIAL PUBLIC HEARING

2. **ZC-21-01 Martin Avenue Residential - Ordinance 2021-08:**

A request by the owner for a zoning designation change for one (1) parcel of land from City Mixed Development - Original Section (MXD-OS) to City Residential Low-3 Density (RL-3). The site is located on the west side of Martin Avenue approximately 80 feet north of 10th Avenue North.

DISCUSSION ITEM

CONCLUDING REMARKS

ADJOURNMENT

Meeting Records Request

Any person requesting the appeal of a decision will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of Greenacres does not prepare or provide such verbatim record.

Notice of Meetings and Agendas

Meetings may be called based on an application and whenever necessary. Agendas are posted on the City's website on the Friday prior to each scheduled meeting. A copy of the meeting audio and the complete agenda may be requested at cityclerk@greenacres.gov or 561-642-2006.

Americans with Disabilities Act

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Quintella Moorer at Greenacres City Hall, 5800 Melaleuca Lane, Greenacres, Florida. Phone No. 561-642-2006. Hearing Assistance: If any person wishes to use a Listen Aid Hearing Device, please contact the City Clerk prior to any meeting held in the Council Chambers.



CITY OF GREENACRES, FLORIDA

**OFFICIAL MINUTES
PLANNING COMMISSION**

Wednesday, January 20, 2021

1. Call to Order and Roll Call.

The Planning Commission meeting was called to order on Wednesday, January 20, 2021 at 6:00 p.m., with Vice-Chair Larry Tronco presiding. Quintella Moorer, City Clerk, called the roll.

ROLL CALL:

Commissioners Present:

Larry Tronco, Vice-Chair
Robert Clements,
Emily Robarts
Ann Edmundson
Dannette Fitzgerald, Late
Joan Hayes, Late

Public Attendance: Yes.

Press Attendance: No.

Absent:

Aieshia Charles, Alt. 1

2. Agenda Approval:

Vice-Chair Clements asked if there were any additions, deletions, or revisions to the agenda; hearing none, the agenda was approved.

3. **Approval of Minutes:** November 4, 2020 Planning Commission Meeting.

MOTION: Commissioner Edmundson made a motion to approve the Planning Commission minutes of November 8, 2020. Commissioner Robarts seconded the motion.

VOTE ON THE MOTION: **In favor:** Vice-Chair Tronco, Commissioners Clements, Edmundson, Robarts.
Motion: 4 – 0.

Commissioner Fitzgerald arrived at 6:08 p.m.

Commissioner Hayes arrived at 6:14 p.m.

4. **Cases:**

A. QUASI JUDICIAL PUBLIC HEARING SE-20-06 Res. 2021-01 Greenacres Internet Café: A request by the applicant for a special exception (SE) to allow an Indoor Recreational Amusement (Arcade) use in an existing tenant space within the Woodlake Plaza at 5831 Lake Worth Road.

Vice-Chair Tronco read the title into the record.

Senior Planner Osniel Leon explained the Quasi-judicial proceedings for all cases.

Vice-Chair Tronco asked the Commissioners if there was any Ex-parte communication with the Applicant. All stated no.

City Clerk Moorer swore in all individuals who would provide testimony.

Mr. Aaron Taylor, the Agent for the Applicant, represented the property. Mr. Taylor announced the overall site was 15.54 acres on a commercial site called Woodlake Plaza at the intersection of Lake Worth Road and 57th Avenue. The zoning designation for the site was Commercial Intensive (CI) and a future land use of Commercial (CM). The vacated retail bay at the plaza was to be converted into an internet café with indoor amusement. The proposed project was located 130 feet from a residential area, which exceeded the Code requirement. Mr. Taylor stated the project’s floor plan met the minimum 50 machine requirement for indoor amusement use. The planned hours of operation were from 10 a.m. to 10 p.m. and no alcohol sale on-premises. The applicant would provide an ADA complaint bathroom, which was consistent with the Code. Mr. Taylor stated the project was compatible with the existing zoning district, City Code, and Florida State Statutes. There was no negative impact on traffic and pedestrian circulation as the project was in an existing commercial plaza.

Commissioner Edmundson asked what type of refreshments would be sold and the total occupancy number of the premise.

Mr. Taylor stated only water and soda would be sold and there should not be more than 50 individuals as there were only 50 machines on-premise.

Planner Leon presented the proposed request for Indoor Recreation Amusement use, SE-20-06. He stated the proposed use of internet café/arcade fell under the Indoor Recreation Amusement section of the City Code. The applicant did not propose exterior changes and indoor recreational amusements were allowed as a SE in CI zoning. Planner Leon stated the amusement center catered to adults and the bay was more than 100 feet from the nearest residential zoning area as established by Code. The proposed use would have no alcohol sale and late hours. The project did not create a nuisance detrimental to adjacent properties. Staff recommended approval of SE-20-06 subject to the conditions of approval in the Staff Report.

Mr. Taylor accepted the conditions in the Staff Report.

MOTION: Commissioner Edmundson made a motion to recommend approval of SE-20-06 as presented by Staff. Commissioner Fitzgerald seconded the motion.

VOTE ON THE MOTION: **In favor:** Vice-Chair Tronco, Commissioners Clements, Edmundson, Hayes, Robarts, and Fitzgerald.

Motion: 6 – 0.

B. QUASI JUDICIAL PUBLIC HEARING SE-20-04 Res. 2021-02 Kid’s College: A request by Thomas J. Twomey, PE., agent for Kid’s College Preschool Jog, LLC, owner for the expansion of an existing special exception (SE-20-04) to allow the addition of 2,530 square feet to a childcare center/preschool facility building. The site is located at 1091 South Jog Road.

Vice-Chair Tronco read the title into the record. He asked if the Commissioners had any Ex-parte communication with the Applicant. All stated no.

Mr. David Reyes, the Agent for the Applicant, explained SE-20-04 was a request to increase capacity for a new building.

Planner Leon stated SE-20-04 was an amendment for a SE approval for a child care facility use. The site was located at 1091 South Jog Road and was a one-story building totaling 6,396 square feet. The building was not issued a Certificate of Occupancy (CO). The amendment requested approval of a 2,530 square foot building expansion to accommodate a total of 166 children. The site plan included 51 parking spaces, two handicap spaces, and two drop-off spaces. There was an entrance and exit from Dillman Road and exit only to Jog Road. The Applicant also requested a site and development plan approval concurrent with the SE request. There were no changes to the proposed architectural elevations other than the proposed building expansion, which was consistent with the existing building. Planner Leon overviewed the buffer and landscape plans. The buffers did not meet Code, but a variance was approved due to a Lake Worth Drainage District easement along Dillman Road. SE-20-04 was compatible with the residential uses in the surrounding area and would not create an

adverse impact. In addition, the proposed use was consistent with the mixed residential and institutional uses along the South Jog Road Corridor. Staff recommended approval of SE-20-04 subject to the conditions of approval in the Staff Report.

Mr. Reyes agreed to all the conditions.

Commissioner Hayes asked if the berm on the property would be a safety issue for children.

Planner Leon stated it was a two (2) feet landscaping berm, which would not be a safety issue.

Commissioner Fitzgerald asked why the CO had not been issued.

Planner Leon explained there was a change of ownership that slowed the process.

Mr. Reyes also explained the first building was complete, but they were waiting to construct the second building in order to apply for the CO.

Commissioner Robarts asked if the proposed child care facility would be taxed as it had to apply for a City business tax receipt (BTR).

Planning, Engineering, and Building Director Kara Ferris clarified child care facilities were not taxed. The project had to apply for a BTR for the City to review if the use was allowed in the City.

MOTION: Commissioner Edmundson made a motion to recommend approval of SE-20-04 as presented by Staff. Commissioner Fitzgerald seconded the motion.

VOTE ON THE MOTION: **In favor:** Vice-Chair Tronco, Commissioners Clements, Edmundson, Hayes, Robarts, and Fitzgerald.

Motion: 6 – 0.

C. SP-13-03B Res. 2021-03 **Kid’s College:** A request by Thomas J. Twomey, PE., agent for Kid’s College Preschool Jog, LLC, owner of the site to add a 2,530 square foot building addition to the previously approved Kid’s College Greenacres Campus site plan (SP). The site is located at 1091 South Jog Road.

Vice-Chair Tronco read the title into the record.

Planner Leon stated SP-13-03B was concurrent with the SE-20-04 and was a request for an amendment to the previously approved site and development plan for a child care facility. The subject site was developed with a one-story building child care facility, which was originally approved on February 2, 2015. The building had not been issued a CO. The applicant proposed to add 2,530 square feet to the existing building for a total of 9,819 square feet, which included open canopy areas. The child capacity would accommodate 166

children. The SP included 51 parking spots and 16,685 square feet of outdoor play area. Planner Leon presented the buffer plans and stated a variance was approved for the buffer. The proposed building expansion was consistent with the existing building, project layout, and Code designs. Planner Leon presented the floor and photometric plan. Staff recommended approval of SP-13-03B subject to the conditions of approval in the Staff Report.

MOTION: Commissioner Edmundson made a motion to recommend approval of SP-13-03B as presented by Staff. Commissioner Fitzgerald seconded the motion.

VOTE ON THE MOTION: **In favor:** Vice-Chair Tronco, Commissioners Clements, Edmundson, Hayes, Robarts, and Fitzgerald.

Motion: 6 – 0.

D. QUASI JUDICIAL PUBLIC HEARING	SE-20-07 Res. 2021-04	CSL Plasma: A special exception to allow a 10,000 square foot laboratory (clinical) in a Commercial Intensive (CI) zoning district. The site is located within the Greenacres Plaza at 3961 South Jog Road.
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Vice-Chair Tronco read the title into the record. He asked if the Commissioners had any Ex-parte communication with the Applicant. All stated no.

Mr. William Goldsmith, Partner for Gator Greenacres Limited, represented the project. He stated he wanted to supplement the use language in the Staff Report from laboratory use approval, which was defined as clinical and testing to language specifically stated in Gator’s lease agreement with CSL Plasma. Such language was taken directly from Section 5.5 of his lease agreement. He stated the proposed language amendment would not be different from that on the Staff Report. He presented emails and floor plans for the record.

Commissioner Edmundson asked if the clients would be walk-ins or required doctor’s recommendations.

Mr. Goldsmith stated there would be both, but the majority would be recommended by doctors.

Vice-Chair Tronco asked if the plasma and blood collected in the facility would be sent out for testing.

Mr. Goldsmith stated yes, samples would be sent to a testing facility in Knoxville.

Mr. Thomas Hultgren, of Gator Investments, clarified the facility would also be used to collect plasma for donations.

Commissioner Edmundson asked if CSL Plasma was a national vendor.

Mr. Hultgren stated yes.

Mr. Goldsmith stated CSL Plasma would be a great tenant and addition to the community.

Director Ferris clarified Staff and the applicant’s language use was consistent with Code. When a project’s use was not directly spelled out in the Code, Staff applied the use that was closely related. SE-20-07’s similar category was “laboratory, clinical, and testing”. The City allowed both testing and clinical under the laboratory use category. Director Ferris also stated she contacted surrounding municipalities to research if there were any issues with CSL Plasma and how it was categorized. She was told there were no issues and one of the municipalities categorized it as a laboratory.

Director Ferris stated SE-20-07 was a request for a use approval. There were no SP amendments due to no external changes. Director Ferris presented the SP for the Greenacres Plaza located at 3961 South Jog Road. The conceptual floor plan for the project was consistent with the proposed use. The bay in the Plaza had 9,830 square feet of leasable space. Director Ferris stated SE-20-07 complied with the City’s Comprehensive Plan (Comp Plan) and with the 12 criteria for a SE. The property’s landscape met Code and the proposed laboratory use was compatible with the commercial uses of the commercial plaza. Staff recommended approval of SE-20-07 subject to the conditions of approval in the Staff Report.

The Commission asked if to postpone the case until both parties agreed on the difference of use language.

Mr. Goldsmith explained the language provided by CSL Plasma did not change or contradict the City’s language.

Director Ferris clarified the use of Code language was general in nature to grant the project a SE. She acknowledged CSL’s use and was confident the Code allowed CSL to perform their business.

Mr. Goldsmith accepted the conditions of approval.

MOTION: Commissioner Edmundson made a motion to recommend approval of SE-20-07 as presented by Staff and the information provided by CSL Plasma. Commissioner Fitzgerald seconded the motion.

VOTE ON THE MOTION: **In favor:** Vice-Chair Tronco, Commissioners Clements, Edmundson, Hayes, Robarts, and Fitzgerald.

Motion: 6 – 0.

5. Election of Chair and Vice-Chair.

Commissioner Edmundson nominated Vice-Chair Tronco as Chair.

All Commissioners agreed.

Chair Tronco accepted the nomination.

Commissioner Clements nominated Commissioner Fitzgerald as Vice-Chair.

All Commissioners agreed.

Vice-Chair Fitzgerald accepted the nomination.

6. **Discussion Items:** None.

7. **Concluding Remarks:**

Staff Update

Director Ferris introduced Mr. Edward Tombari as the new Zoning Administrator.

COVID Vaccination

Chair Tronco asked if Director Ferris had any information on COVID vaccinations.

Director Ferris stated the Palm Beach County distributed the vaccines, but she had no new information.

7. **Adjournment of Planning Commission.**

Chair Tronco adjourned the Planning Commission meeting at 7:15 p.m.

Planning Commission

Larry Tronco, Chair

Kara L. Irwin-Ferris
Director of Building, Planning, and Engineering

Quintella Moorer, CMC
City Clerk

Date of Approval: _____

/ag



City of Greenacres, Florida

**Official Minutes
Planning Commission**

Wednesday, February 17, 2021

1. Call to Order and Roll Call.

The Planning Commission meeting was called to order on Wednesday, February 17, 2021 at 6:03 p.m., with Chair Larry Tronco presiding. Alejandro A. Gonzalez, Assistant City Clerk, called the roll.

Roll Call:

Commissioners Present:

Larry Tronco, Chair
Dannette Fitzgerald, Vice-Chair
Emily Robarts
Ann Edmundson
Joan Hayes
Aieshia Charles, Alt. 1

Public Attendance: Yes.

Press Attendance: No.

Absent:
Robert Clements

2. Agenda Approval:

Chair Tronco asked if there were any additions, deletions, or revisions to the agenda; hearing none, the agenda was approved.

3. Approval of Minutes: None.

4. Cases:

A. Public Hearing Anx-20-02/Ord. 2021-01 - Ranchette Road: A request by the owners for a voluntary annexation of three (3) parcels of land totaling approximately 10.58 acres. The site was located at 1281, 1283 and 1351 Ranchette Road.

Senior Planner Osniel Leon explained the Quasi-judicial process for the entire meeting.

Assistant City Clerk Gonzalez swore in eight (8) individuals who planned to testify at the meeting.

The title was read by Chair Tronco.

Planner Leon explained the subject land was in an unincorporated part of Palm Beach County (PBC), which was continuous to the City's boundary and part of the City's future annexation plans. The subject annexation did not create an unreasonable burden on the City nor did it adversely affect the level of service provided. In addition, the site was an unincorporated PBC pocket and the elimination of such pocket increased the City's service efficiency. The proposal met all of the guidelines of the City's Comprehensive Plan (Comp Plan), Florida State Statutes, and was a logical extension of the City's boundary. Staff recommended approval of ANX-20-02.

Mr. Ken Tuma of Urban Design Studios represented the property. Mr. Tuma had no further comments.

Motion: Commissioner Edmundson made a motion to recommend approval of ANX-20-02 as presented by Staff; seconded by Commissioner Charles.

Motion carried 6 – 0.

- B. Quasi-Judicial Public Hearing ZC-20-02/Ord. 2021-03 - Ranchette Road:** A request by the owners for a zoning designation change from PBC Agricultural Residential (AR) to a City Residential Medium -2 (RM-2). The site was located at 1281, 1283 and 1351 Ranchette Road.

The title was read by Chair Tronco. He asked if the Commissioners had any Ex-parte communication with the Applicant. All stated no.

Mr. Tuma explained the request was for rezoning the parcels in the proposed Ranchette Road annexation. The request allowed completion of the townhouse development planned for those parcels. Also, the City RM-2 zoning designation was consistent with the surrounding City zoning designations.

Planner Leon stated the parcels contained two (2) family homes and a nursery. The Applicant intended to develop 74 townhouses on the site. The proposed RM-2 designation was consistent with the surrounding area's proposed use. The proposed zoning change would not create an isolated zoning district. The proposed RM-2 designation did not constitute a privilege to the property owner as the change was consistent with the land use patterns, future land use, and zoning designations. Staff recommended approval of ZC-20-02.

Commissioner Robarts asked about entry right of way.

Planner Leon stated it was only through Ranchette.

Motion: Commissioner Edmundson made a motion to recommend approval of ZC-20-02 as presented by Staff; seconded by Commissioner Charles.

Motion carried 6-0.

- C. **SP-20-02/Res. 2021-07 Ranchette Road:** A request by the owners for site and development plan approval to construct 74 townhomes. The site is located at 1281, 1283 and 1351 Ranchette Road.

The title was read by Chair Tronco.

Planner Leon stated the subject site was comprised of three (3) parcels in unincorporated PBC, comprised of two (2) single-family homes and a nursery. The proposed development consisted of 74 townhomes units. The site had access through Ranchette Road and proposed 276 parking spaces. On January 25, 2021, the Zoning Board of Adjustments and Appeals granted a variance request for the reduction of single car garage dimensions for interior units only. The buffer and landscape plans were presented and were consistent with Code. The architectural and elevation plans were compatible with adjacent housing developments. There was a change to the language for conditions of approval in the Staff Report: Condition 3 had the incorrect Code Section and Condition 21 stated the project's Certificate of Occupancy could not be issued unless the project met all conditions of approval in the Staff Report. Staff recommended approval of SP-20-02.

Vice-Chair Fitzgerald asked if the sidewalk was compliant with the Americans with Disabilities Act (ADA).

Mr. Tuma stated yes.

Motion: Commissioner Fitzgerald made a motion to recommend approval of SP-20-02 as presented by Staff; seconded by Commissioner Charles.

Motion carried 6-0.

5. **Discussion Items:** None.
6. **Concluding Remarks:** None.
7. **Adjournment of Planning Commission.**

Chair Tronco adjourned the Planning Commission meeting at 6:22 p.m.

Planning Commission

Larry Tronco, Chair

Kara L. Irwin-Ferris
Director of Building, Planning, and Engineering

Quintella Moorer, CMC, City Clerk

Date of Approval: _____

/ag

	LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION
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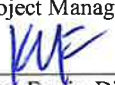
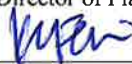
Subject/Agenda Item:

Ordinance 2021-08: ZC-21-01 Martin Avenue Lot 1

Recommendation to City Council: A request from Michael Sanchez of Managed Land Entitlements, agent for the owner Turk Investments LLC, for zoning change for approximately 0.2986 acres from City Mixed Development – Original Section (MXD-OS) to City Residential Low-3 (RL-3). The site is located on the west side of Martin Avenue approximately 80 feet north of 10th Avenue North.

Recommendation to APPROVE
 Recommendation to DENY

Quasi-Judicial
 Legislative
 Public Hearing

<p>Originating Department: Planning & Engineering</p> <p>Project Manager  Kara Ferris, Director</p>	<p>Reviewed By: Director of Planning & Engineering  Kara L. Irwin-Ferris, AICP</p>
<p>Approved By:</p> <p>City Manager _____ Andrea McCue</p>	<p>Public Notice: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 7/8/2021, 8/5/2021 Paper: Lake Worth Herald</p> <p>Mailing: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Notice Distance: 300'</p>

<p>Attachments:</p> <ul style="list-style-type: none"> • Aerial • Survey • Location Map 	<p>City Council Action: <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____</p>
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I. Executive Summary

A request for a zoning change for approximately 0.2986 acres from City Mixed Development – Original Section (MXD-OS) to City Residential Low-3 (RL-3). The subject site is currently one parcel, but the owner intends to subdivide the lot into two (2) single-family lots according to the applicable zoning regulations. A small-scale land use amendment application (CPA-21-01) is being processed concurrently with this request.

The site is located on the west side of Martin Avenue approximately 80 feet north of 10th Avenue North.

II. Site Data:

Existing Use:	Vacant
Proposed Use:	Two Single-Family Residences
Parcel Control Numbers:	18-42-44-23-17-000-0010
Parcel Size:	0.2986 acres (13,007 square feet)
Existing Future Land Use Designation:	Mixed Use (MU)
Proposed Future Land Use Designation:	Residential-Low Density (RS-LD)
Existing Zoning:	Mixed Use Development - Original Section (MXD-OS)
Proposed Zoning:	Residential Low - 3 (RL-3)

Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:			
Direction	Existing Land Use	Future Land Use	Zoning District
<i>North</i>	Duplex	City Residential-Low Density (City RS-LD)	City Residential Low-3 (RL-3)
<i>South</i>	Commercial Plaza (Seaglades Plaza)	City Mixed Use (MU)	City Mixed Use Development-Original Section (MXD-OS)
<i>East</i>	Single-Family	City Residential-Low Density (City RS-LD)	City Residential Low-3 (RL-3)
<i>West</i>	Vacant	City Mixed Use (MU)	City Mixed Use Development-Original Section (MXD-OS)

III. Annexation/Zoning History:

The Mixed Use Development – Original Section (MXD-OS) zoning district was approved on October 7, 2003 and was intended to encourage the consolidation of small lots into large lots for non-residential development along the 10th Avenue Corridor. Originally, the zoning district still permitted the development of single-family homes. An existing single-family residence was built in 2014 at 549 Fleming Avenue, to the west of the site, in conformance with MXD-OS zoning district rules in place at that time. Subsequent to this, the MXD-OS district was amended (ZTA-14-03) to delete single-family residential as a use. Under current code requirements, the vacant site would be required to develop as a commercial use that does not have frontage on 10th Avenue North.

IV. Applicable Comprehensive Plan Provisions:

The Comprehensive Plan includes the following planning objectives and policies related to this proposed zoning request:

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:

**** (4 through 16 omitted for brevity) ****

- (1) Agricultural Residential - 1.0 residential unit per two and one-half (2½) net acres;
- (2) Estate Residential - 1.0 residential unit per net acre;
- (3) Low Density Residential – 3.0 to 5.0 residential units per net acre

Objective 11, Policies a, b & 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 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.

2. Housing Element

Objective 1, Policy d)

The City shall work cooperatively with the private sector to ensure the provision of adequate and affordable housing by creating a diversity of housing types through enhancement and development of cost effective development techniques, streamlining the review process, revising appropriate land development ordinances and inducing the development of additional single family detached units to meet the needs of existing and future residents of the City of Greenacres, including households with special needs.

Policy d)

The City shall continue to support the private sector in developing additional single family detached units to meet the existing need to balance with the multifamily inventory.

V. Applicable City Code Provisions:

Section 16-153(a)(1) of the Code relating to rezoning of property states that the proposed zoning change should not be contrary to the future land use map, and it should not have an adverse effect on the Comprehensive Plan.

Division 4. Residential Low Density (*Section 16-301 through 16-313*)

The residential low density (RL) district is established as a designation whereby the principal use of land is single-family dwellings of low density. Uses and structures designed to serve governmental, educational, religious, noncommercial and recreational uses that are compatible with residential development of this density are permitted or are permissible as special exceptions within such district, subject to restrictions and requirements necessary to preserve and protect the single-family residential character. Variation among RL-1, RL-2, and RL-3 is limited to requirements for density, lot area, width and certain yards.

VI. Staff Analysis:

Land Development Staff Comments:

The petition was reviewed by the Land Development Staff on May 13, 2021, and recommended for approval.

Planning and Engineering Dept.:	No objections
Building Department:	No objections
Public Safety Department:	No objections
Public Works Department:	No objections

Zoning Change Criteria and Findings Of Fact:

Section 16-153. Planning Commission Report: The Planning Commission shall submit a report to the City Council which shows that the Commission has studied and considered the proposed amendment for rezoning of property and change to the official zoning map in relation to the following, where applicable:

Specific Criteria Findings:

- (1) Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the Comprehensive Plan.**

Finding: The proposed Residential Low -3 zoning will be consistent with the property’s proposed Residential - Low Density future land use designation. The RL-3 district is intended for single-family oriented uses and allows the provision of uses and structures compatible with residential development of this density.

- (2) The existing land use pattern.**

Finding: The proposed Residential Low - 3 (RL-3) zoning district is compatible with the existing mix of uses in the area. This designation is the predominant zoning district for the majority of the properties located within the Original Section of the City.

- (3) The possible creation of an isolated district unrelated to adjacent and nearby districts.**

Finding: This proposed zoning change will not create an isolated zoning district. The parcels are located adjacent to identical residential uses and districts to the east and south of the site.

- (4) The population density pattern and possible increase or overtaxing of the land on public facilities such as schools, utilities, etc.**

Finding: No change in potential population density will be caused by the proposed zoning change since the proposed maximum residential density is virtually identical to the existing maximum. Therefore, the residential density potential of the parcels will not create any

significant impact on services.

- (5) **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

Finding: The proposed boundary is logically drawn along the property line.

- (6) **Whether changed or changing conditions make the passage of the proposed amendment necessary.**

Finding: The vacant property is isolated from adjacent commercial properties and therefore require an appropriate City zoning designation. The development of the subject site as Mixed-Use was contingent upon the consolidation of the subject site with adjacent properties that front on 10th Avenue North. Conditions of current development have not supported the consolidation of the smaller parcels into larger parcels.

- (7) **Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.**

Finding: The proposed change will replace the existing mixed-use zoning designation with a City residential zoning designation, which allows an almost identical residential density. Thus traffic and public safety will not be negatively impacted.

- (8) **Whether the proposed change will adversely influence living conditions in the neighborhood.**

Finding: The proposed zoning change will not adversely affect living conditions in the area. The proposed single-family development will be required to include adequate landscaping, setbacks, and buffering. Furthermore, the predominant use in the area is detached single-family residential.

- (9) **Whether there are substantial reasons why the property cannot be used in accord with existing zoning.**

Finding: The property is too small to be developed for other on-residential uses and does not front on the 10th Avenue North commercial corridor. Therefore, they require an appropriate City zoning designation.

- (10) **Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.**

Finding: As evidenced by the findings above, the proposed zoning change does not constitute a special privilege for the property owner because the change is consistent with existing land use patterns, the property's proposed future land use, the surrounding zoning designations, and the existing use of the property.

VII. Staff Recommendation:

Approval of ZC-21-01 through the adoption of Ordinance 2021-08.

PLANNING COMMISSION RECOMENDATION – July 21, 2021

No action taken, meeting did not have a quorum.

PLANNING COMMISSION RECOMENDATION – August 18, 2021

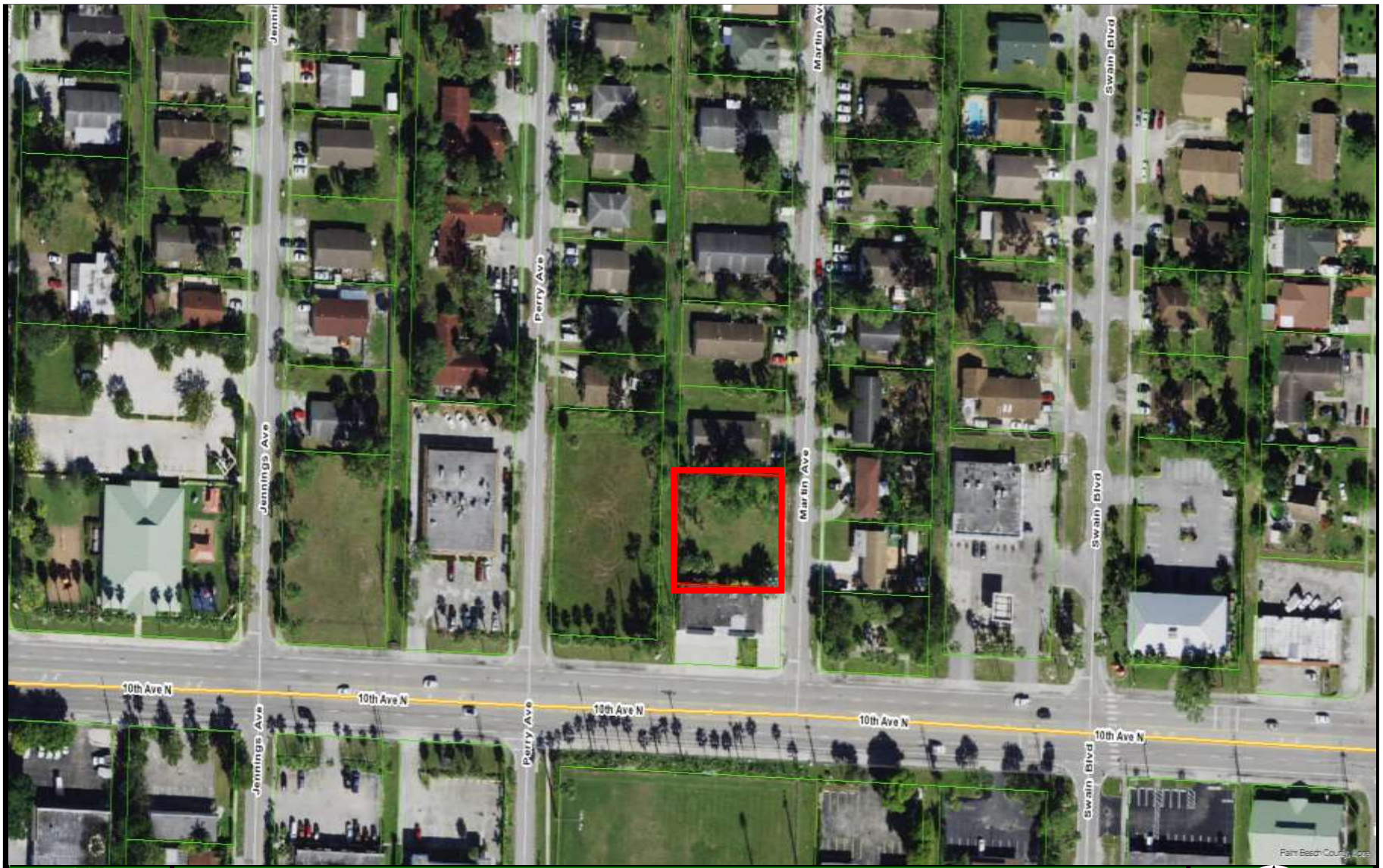
CITY COUNCIL ACTION First Reading

CITY COUNCIL ACTION Adoption Hearing

Joel Flores, Mayor

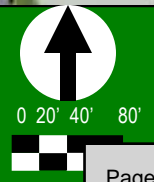
Attest:

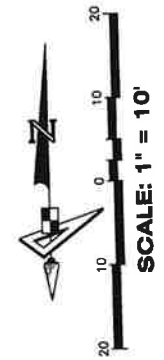
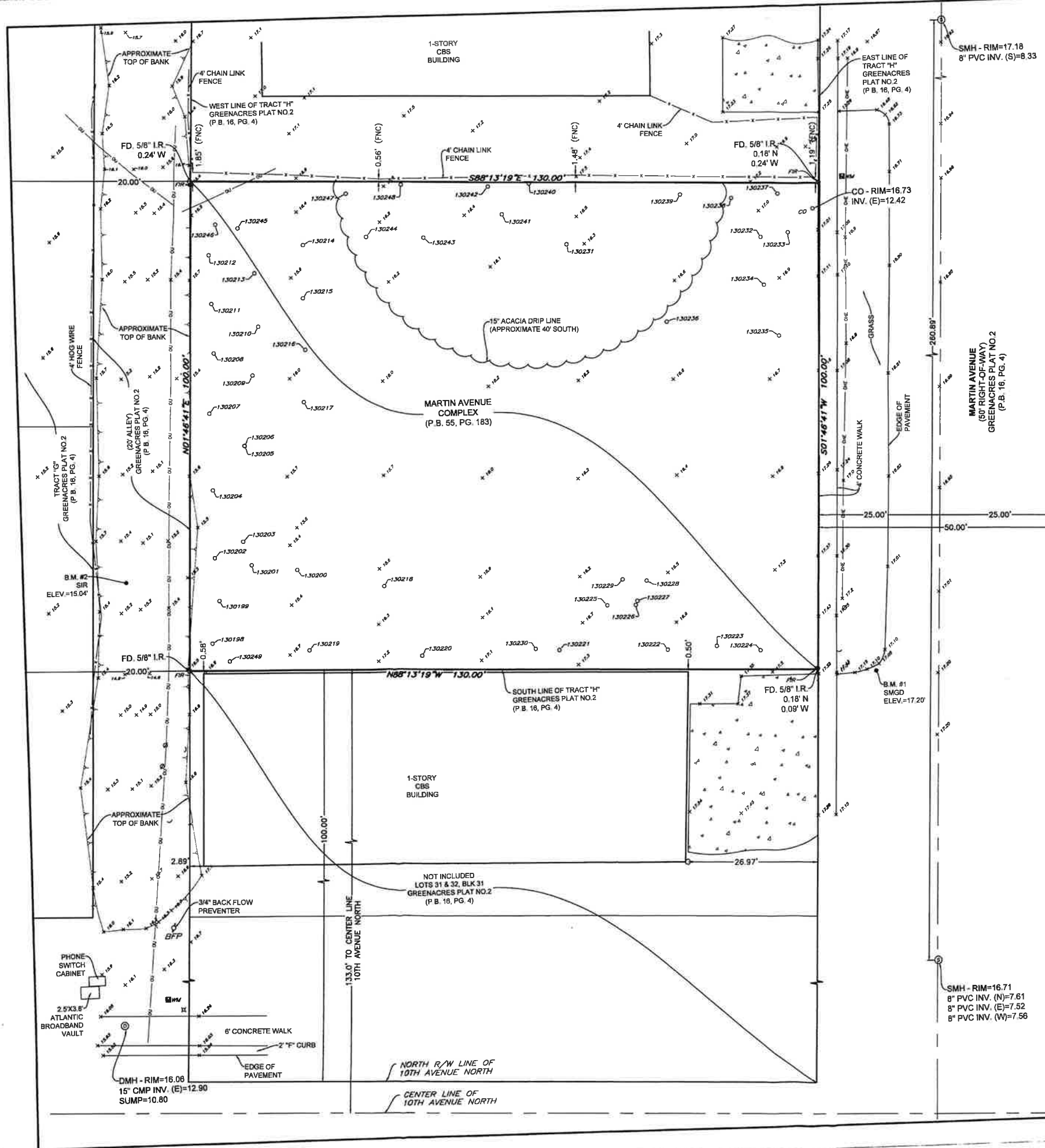
Quintella Moorer, City Clerk



Martin Avenue Residential CPA-20-01 & ZC-21-01

Prepared By:
Planning and Engineering Department





**LOCATION MAP
NO SCALE**

DESCRIPTION:
LOT 1, MARTIN AVENUE COMPLEX, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 55, PAGE 183.

SURVEYOR'S NOTES:

- 1) THE LEGAL DESCRIPTION WAS PROVIDED BY THE CLIENT.
- 2) THE SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- 3) THE SYMBOLS ARE NOT AT THE SAME SCALE AS THE DRAWING IN ORDER TO SHOW GREATER DETAIL.
- 4) THIS SURVEY IS NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL ALONG WITH THE SURVEYOR'S SIGNATURE.
- 5) BUILDING FOUNDATIONS, FOOTERS, TREES, AND UNDERGROUND UTILITIES NOT LOCATED.
- 6) THE SUBJECT PARCEL LIES IN FLOOD ZONE 'X', AND ZONE 'AE' (ELEVATION 16.3), ACCORDING TO FLOOD INSURANCE RATE MAP, MAP NO. 12099C0569F FOR THE CITY OF GREENACRES, COMMUNITY NO. 120203, PALM BEACH COUNTY, FLORIDA, DATED OCTOBER 5, 2017 AND ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 7) BEARINGS SHOWN HEREON ARE BASED ON WEST RIGHT-OF-WAY OF MARTIN AVENUE, BEING S.01°46'41"W. (ASSUMED).
- 8) ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), BASED ON NATIONAL GEODETIC SURVEY BENCHMARK 'CHEDDAR', HAVING A PUBLISHED ELEVATION OF 17.97 FEET (NAVD 88).

TREE TABLE		TREE TABLE		TREE TABLE	
TREE #	TREE TYPE/SIZE	TREE #	TREE TYPE/SIZE	TREE #	TREE TYPE/SIZE
130198	MFP 4"	130216	TP 4"	130234	PDP 6"
130199	TP 6"	130217	TP 9"	130235	UNK
130200	CP 18"	130218	CP 11"	130236	SL 14"
130201	CP 15"	130219	TP 8"	130237	RM 5"
130202	CP 4"	130220	TP 4.5"	130238	LI 4"
130203	TP 4"	130221	TP 5.5"	130239	LI 6"
130204	TP 8"	130222	RP 10"	130240	AC 15"
130205	TP 7"	130223	BP 17"	130241	CP 14"
130206	TP 6"	130224	PDP 10"	130242	CP 20"
130207	TP 5"	130225	CTP 4"	130243	MFP 5"
130208	TP 6.5"	130226	CTP 4"	130244	MFP 5"
130209	TP 5"	130227	CTP 4"	130245	MFP 8"
130210	TP 7.5"	130228	CTP 4"	130246	SL 16"
130211	TP 8"	130229	CTP 4"	130247	SL 11"
130212	TP 9"	130230	CTP 4"	130248	SL 17"
130213	TP 5"	130231	BP 11"	130249	RP 3"
130214	TP 6"	130232	UNK		
130215	TP 4"	130233	UNK		

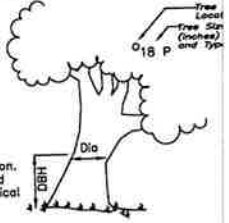
LEGEND

- P.B. ----- PLAT BOOK
- PG(s) ----- PAGE(S)
- FR ----- FOUND 5/8" IRON ROD
- PI ----- FOUND IRON PIPE
- FD ----- FOUND
- SMGD ----- SET 5/8" IRON ROD LB 7768
- SMGD ----- SET MAG NAIL & DISK LB 7768
- LB ----- LICENSED BUSINESS
- B.M. ----- BENCH MARK
- FNC ----- FENCE
- CMF ----- CORRUGATED METAL PIPE
- ELEV. ----- ELEVATION
- INV. ----- INVERT
- U ----- UTILITY POLE
- GA ----- GUY ANCHOR
- W ----- WATER METER
- SC ----- SANITARY SEWER CLEAN OUT
- BFP ----- BACK FLOW PREVENTER
- SM ----- Sanitary Sewer Manhole
- SD ----- Storm Drainage Manhole
- CONC ----- CONCRETE
- LOC ----- LOCATION OF READING
- SPOT ----- SPOT ELEVATION

TREE LEGEND

- AC ----- ACACIA
- BP ----- BISMARCK PALM
- CTP ----- CHINESE THATCH PALM
- CP ----- CABBAGE PALM (SABAL PALM)
- LI ----- LIVE OAK
- MFP ----- MEXICAN FAN PALM
- PDP ----- POGY DATE PALM
- RM ----- RED MAPLE
- RP ----- ROYAL PALM
- SL ----- SLASH PINE (YELLOW PINE)
- TP ----- TRIANGLE PALM

NOTE: Trees by nature are irregular in size and shape. Every effort is made to accurately locate trees. The tree size is determined at diameter breast height. The tree location is the center of the tree. This location may be different if located from a different direction. All tree locations should be field checked if critical to design.



LINE TYPE LEGEND

- CHAIN LINK FENCE
- OVERHEAD UTILITY LINES
- OVERHEAD ELECTRIC LINES
- TOP OF BANK

**MARTIN AVENUE COMPLEX
BOUNDARY AND TOPOGRAPHIC SURVEY**

REVISIONS

No.	Date	Description	Drawn

Prepared For: PATIO COURT TOWNHOMES, LLC

Least Date of Field Survey: 04/07/2021

SURVEYOR'S CERTIFICATE

This certifies that a survey of the herein described property was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 55-17.000, Florida Administrative Code, pursuant to Section 472.007, Florida Statutes.

Gary A. Rager
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS4828

**GeoPoint
Surveying, Inc.**

4152 W. Blue Heron Blvd., Suite 105
Riviera Beach, FL 33404
Phone: (561) 444-2777
www.geopointsurveying.com
Licensed Business Number

Drawn: SWMM Date: 04/07/2021 Data: File: martin_ave_complex.dwg
Field Book: 2021-12W24-28
Check: GAR P.C.: JS
Section: 23 Trvs. 44S Rng. 42E Job #: Martin Av

NAVD88

Sheet No. 1 of 1 Sheets

CPA-21-01