



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, March 20, 2023 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

AGENDA

Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

SPECIAL BUSINESS - None.

CONSENT AGENDA

- 1. Official Meeting Minutes:** City Council Meeting, March 6, 2023, Quintella L. Moorer, City Clerk.

REGULAR AGENDA

- 2. PUBLIC HEARING: Ordinance 2023-04: Second Reading:** Amending the future land use map of the future land use element of the City's Comprehensive Plan, to change the future land use designation of six parcels of land totaling approximately 7.9636 acres, located at the Southeast corner of Lake Worth Road and Jog Road at 6492, 6350, and 6323, Lake Worth Road and 4148, 4080 and 4020 S. Jog Road, from a Palm Beach County designation Commercial High (CH) to a City of Greenacres designation of Commercial (CM) as requested by the Planning, GIS and Engineering Division; providing for repeal of conflicting ordinances, severability, transmittal, inclusion in the Comprehensive Plan; and an effective date. - Caryn Gardner-Young, Zoning Administrator.
- 3. PUBLIC HEARING: Ordinance 2023-03: Second Reading:** Approving a zoning change for six parcels of land totaling approximately 7.9636 acres, located at the southeast corner of Lake Worth Road and Jog Road at 6492, 6350, and 6323, Lake Worth Road, and 4148, 4080, and 4020, Jog Road, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) as requested by the Planning, GIS and Engineering Division; providing for changes

to the official zoning map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

DISCUSSION ITEM

4. Establishment of an Education Advisory Committee. - Andrea McCue, City Manager.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

MAYOR AND CITY COUNCIL REPORT

ADJOURNMENT

Upcoming City Council Meetings

April 3, 2023.

April 17, 2023.

Meeting Records Request

Any person requesting the appeal of a decision of the City Council 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 Council Meetings and Agendas

The first and third Monday of each month are regular meeting dates for the City Council; special or workshop meetings may be called, whenever necessary. Council Agendas are posted on the City's website on the Friday prior to each Council meeting. A copy of the meeting audio and the complete agenda may be requested at CityClerk@greenacresfl.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 Moorner 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 COUNCIL MEETING
City of Greenacres, Florida
Monday, March 06, 2023, at 6:00 PM
City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council
Joel Flores, Mayor
John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II
Judith Dugo, Councilmember District III
Susy Diaz, Councilmember, District IV
Paula Bousquet, Councilmember, District V

Administration
Andrea McCue, City Manager
Glen J. Torcivia, City Attorney
Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

Mayor Flores called the meeting to Order at 6PM and City Clerk Moorer called the Roll.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve the Agenda.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, Councilmember Bousquet

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

Ms. Elizabeth Larson, resident of Pine Hov asked how many fires had occurred in the City due to the shutters being closed. She also recommended Fire Rescue find a particular gadget to allow shutters to remain open year-round; she felt it was an inconvenience to remove hurricane shutters after storms.

Mr. Virgil Linger, resident of Pine Hov Circle recommended the City use new heat detection camera technology to see inside of homes, so residents were able to keep their shutters on the properties year-round.

Mr. Herbert Salus, resident of Pine Hov Circle, felt the shutter ordinance was implemented to produce revenue gains and he felt there was no reason to remove the shutters since the condo would be vacant.

Mr. Edward Whittier resident of Pine Hov Circle suggested allowing the clam shell shutters to remain up year round. He also recommended adding a signal to the front door to indicate when the condo was or was not occupied.

SPECIAL BUSINESS

- 1. Proclamation:** Bike Month March 2023. - Brian Ruscher, Deputy Director of Multimodal, Palm Beach Transportation Planning Agency.
Mr. Ruscher thanked the City of Greenacres for promoting Bike Month 2023.
Photos were taken.
- 2. Proclamation:** Let's Move Palm Beach County Month. - Wil Romelus, Digital Vibez.
Ms. Moorer read the proclamation by title.
Mr. Romelus was not present, Mayor Flores accepted the proclamation on his behalf.
- 3. Proclamation:** Women's History Month. - CaraJoy Nash, President, Susan Kaplan, Vice President and Selena Samios, Executive Director of Women's Chamber of Commerce of Palm Beach County.
Ms. Moorer read the proclamation by title.
Ms. Nash thanked the City for their recognition and welcomed them to an upcoming award ceremony.
Photos were taken.

CONSENT AGENDA

- 4. Official Meeting Minutes:** City Council Special Meeting, February 1, 2023, and City Council Meeting, February 6, 2023. - Quintella L. Moorer, City Clerk.
Motion made by Councilmember Bousquet, Seconded by Councilmember Noble to approve the Consent Agenda.
Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

REGULAR AGENDA

- 5. PUBLIC HEARING: Ordinance 2022-35: Second Reading:** Amending Chapter 16, Article 3, District Regulations, Division 11, Commercial Intensive, Section 16-499(30) to allow for outside car detailing at standalone car washes within the Commercial Intensive (CI) zoning district; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in Code; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.
Ms. Moorer read the ordinance by title.
Ms. Gardner-Young explained the Quasi-Judicial procedures and stated the items would be discussed and presented together as they were all related and went hand in hand.
Ms. Moorer swore in five people.
Mr. Josh Nichols, Agent for the owner reiterated the request from the First Reading. He highlighted the changes, showed some site renderings, letters of support and photos.
Ms. Gardner-Young explained the requested changes and stated the ordinance was approved by Staff.
Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve Ordinance 2022-35 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

6. QUASI-JUDICIAL PUBLIC HEARING: Ordinance 2022-36: Second Reading:

Approving a zoning change and official zoning map amendment for three parcels of land totaling approximately 3.62 acres, located on the south side of Lake Worth Road approximately 200 feet west of Empire Way at 4840 Lake Worth Road, from a City of Greenacres designation of Commercial General (CG) to a City of Greenacres designation of Commercial Intensive (CI), as requested by the Petitioner, Schmidt and Nichols, Agent for the owner, Mint Eco Car Wash Acquisition Co., LLC; providing for changes to the official zoning map, repeal of conflicting ordinances, severability; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated no changes had been made since the First Reading. Staff recommended approval.

Ex-Parte Communications.

Councilmember Bouquet disclosed she had some communications with the applicant.

Councilmember Diaz disclosed she had some communications with the applicant which did not alter her decision.

Mayor Flores disclosed he had communications prior to the First Reading of the ordinance which caused some minor changes to the proposal.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-36 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

7. PUBLIC HEARING: Ordinance 2022-37: Second Reading:

Amending Chapter 4 "Buildings and Building Regulations," Article 1 "in General," by deleting Section 4-4, "Greenacres Property Maintenance Code," and creating a new Chapter 7, Article 8, to be entitled, "Greenacres Property Maintenance Code," and amending provisions of the Greenacres Property Maintenance Code; providing for severability, conflicts, codification, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young reviewed the amendments and stated since the First Reading the City changed the time frame to remove and/or open shutters to 14 days directly after a storm or event.

Mr. Brian Fuller, Fire Rescue Chief presented a presentation on the importance of removing hurricane shutters after storms and the risk of keeping them on. Staff recommended with the one change.

Deputy Mayor Tharp stated he felt the City needed to follow the lead of the Fire Rescue expert.

Councilmember Diaz confirmed that the ordinance was approved in 2019 and that tonight's revisions was not omitting the ordinance but only revising the shutter removal timeframe.

Councilmember Noble suggested postponing the item and to form a Committee with residents to discuss for more solutions.

Ms. Ann Cadaret, resident of Pine Circle spoke in favor of removing the shutters in 14 days after a storm or event. She felt the condos looked ugly and was a target with the shutters being shut year-round.

Mr. Herbert Salus, resident of Pine Circle stated closing the shutters was an indication the residents were not home. He also mentioned the shutters must shut as the insurance agency require it. Mr. Salus felt the City was causing a hardship and the shutters were protection.

Mr. Lawrence Reid resident of Pine Circle agreed with Councilmember Noble to create a Committee to implement a solution. He also asked does the ordinance include clam shells and how open should the shutters be opened.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Diaz to approve Ordinance 2022-37 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Diaz, and Councilmember Bousquet.
Voting Nay: Councilmember Noble

- 8. PUBLIC HEARING: Ordinance 2023-01: Second Reading:** Amending Chapter 16 "Zoning Regulations," Article 6, "Signs Regulation." Division 5, Sign Regulation by Zoning District, Section 16-983, Identification Signs, to clarify the maximum sign copy area; providing for severability, conflicts, codification, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the amendment was due to the omission of some language in the ordinance and no changes had been made since the First Reading.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2023-01 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

- 9. QUASI-JUDICIAL PUBLIC HEARING: Resolution 2023-06:** Approving the petition for a Special Exception to allow a standalone car wash in a Commercial Intensive (CI) zoning district, located at 4840 Lake Worth Road, as requested by the petitioner, Josh Nichols, Agent for Mint Eco Car Wash Acquisition CO., LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the resolution meets all requirements and Staff recommended approval.

Ex-parte communications:

Mayor Flores stated he met with the applicant prior to the presentation to review the site.

Councilmember Diaz stated she met with the owner of Mint Eco car wash to review the site and her decision was solely on the evidence produced at the meeting.

Councilmember Bousquet stated she had conversations with the owner.

Councilmember Noble questioned the limit on car wash businesses in the City. Ms. Gardner-Young replied the car washes met all requirements and felt mostly likely business was good for car washes.

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve Resolution 2023-06.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

10. Resolution 2023-07: Approving a site and development plan to allow for a standalone car wash in a Commercial Intensive (CI) zoning district, located at 4840 Lake Worth Road, as requested by the Petitioner, Josh Nichols, Agent for the contract purchaser, Mint Eco Car Wash Acquisition CO. LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the resolution by title.

Ms. Gardner-Young stated the request included phasing, 55 parking spaces, landscape buffers and the six-foot wall with access to Empire Road and Lake Worth Road. She stated a variance was granted and all other outside requirements were approved. Ms. Gardner-Young also mentioned art in public places and impact fees would be collected. Staff recommended approval.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Resolution 2023-07.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

11. QUASI-JUDICIAL: PUBLIC HEARING: Ordinance 2023-03: First Reading: Approving a zoning change for six parcels of land totaling approximately 7.9636 acres, located at the southeast corner of Lake Worth Road and Jog Road at 6492, 6350, and 6323, Lake Worth Road, and 4148, 4080, and 4020, Jog Road, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) as requested by the Planning, GIS and Engineering Division; providing for changes to the official zoning map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the property was recently annexed into the City. She mentioned the City and County had various commercial zoning designations and the zoning change was required by the City. She showed the Council the parcels on a map.

Staff recommended approval.

Councilmember Noble thanked Ms. Gardner-Young for such great presentations.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Noble to approve Ordinance 2023-03 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

12. PUBLIC HEARING: Ordinance 2023-04: First Reading: Amending the future land use map of the future land use element of the City's Comprehensive Plan, to change the future land use designation of six parcels of land totaling approximately 7.9636 acres, located at the Southeast corner of Lake Worth Road and Jog Road at 6492, 6350, and 6323, Lake Worth Road and 4148, 4080 and 4020 S. Jog Road, from a Palm Beach County designation Commercial High (CH) to a City of Greenacres designation of Commercial (CM) as requested by the Planning, GIS and Engineering Division; providing for repeal of conflicting ordinances, severability, transmittal, inclusion in the Comprehensive Plan; and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated this ordinance was the companion of Ordinance 2023-03, this was the land use zoning designation, and the two designations must match. The request was needed due to the annexation.

Staff recommended approval.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Ordinance 2023-04 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

DISCUSSION ITEM - None.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mr. Brett Brown, former Historical Society President stated he took over as President as of November 2019. He was not aware of the previous issues of the Society. He addressed the City's concerns with the display of items, portable bathrooms, locks, and Wi-Fi issues.

Mayor Flores wanted to have a meeting with Mr. Brown and the contact of the Historical Society.

Mr. Frank Medrano resident of the Original Section stated the school zone for L.C. Swain Middle School needed more signage as the current signage was too long and easy to miss.

Mr. Bradley Stemtrong, resident stated he would like to assist with the Historical Society and suggested Hometown Hero Project banners for veterans. He would like to be involved with the City. Mayor Flores suggested adding Hometown Hero to the next agenda for discussion.

CITY MANAGER'S REPORT

13. CRS Department Report.
14. Development and Neighborhood Services Report.
15. Finance Report.
16. Fire Rescue Report.
17. Information Technology Report.
18. Palm Beach Sheriff's Office District 16 Report.
19. Public Works Report.
20. Purchasing Report.
21. Youth Programs Report.

Ms. McCue reminded everyone of the upcoming Let's Talk Session regarding Substance Abuse.

CITY ATTORNEY'S REPORT

No report.

MAYOR AND CITY COUNCIL REPORT

Deputy Mayor Tharp requested adding property insurance to a future agenda item for discussion.

Councilmember Diaz updated the Council regarding the final school districting maps and she requested adding an Educational Advisory Committee to an upcoming agenda for discussion.

Mayor Flores stated they would continue the septic to sewer fight in Tallahassee during the Palm Beach County Days. He also mentioned the audio system needed updating as soon as possible and requested testing prior to the meeting. Mayor Flores also recommended addressing the school zone issues.

ADJOURNMENT

7:54PM.

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____



ITEM SUMMARY

MEETING DATE: March 20, 2023

FROM: Caryn Gardner-Young, Zoning Administrator

SUBJECT: **Ordinance 2023-04, CPA-22-03**
Lake Worth Plaza West Outparcels/Shell Station

BACKGROUND

The subject sites were annexed into the City of Greenacres (City) on December 20, 2022, through Resolution 2022-60 and an Interlocal Service Boundary Agreement. The six (6) parcels are located at 4148 S Jog Road, 4080 S Jog Road, 4020 S Jog Road, 6492 Lake Worth Road, 6350 Lake Worth Road, and 6323 Lake Worth Road. There are no known changes to the existing uses.

The City is processing a Zoning Map Amendment concurrently with this petition.

The Development Review Committee has reviewed this proposal and recommended approval. This was followed by the Planning and Zoning Board of Appeals which recommended approval by a vote of 5-0 at their meeting on February 16, 2023. The City Council approved this petition as presented by staff on first reading March 6, 2023, by a unanimous vote of 4-0.

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 an appropriate City designation as a result of an annexation and the elimination of an enclave. 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.

FINANCIAL INFORMATION

N/A

LEGAL

Ordinance 2023-04 was prepared in accordance with all applicable State Statutes and City Code requirements.

STAFF RECOMMENDATION

Approval of CPA-22-03 through the adoption of Ordinance 2023-04.

CPA-22-03
 Exhibit "A"
 Date: December 30, 2022

Revised: 2/16/2023
3/6/2023



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 & Second 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, 3/9/2023</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 – March 6, 2023

The City Council on a motion made by Council Member Bousquet and seconded by Deputy Mayor Tharp, voting four (4) to zero (0), *approved* zoning change *CPA-22-03*, on first reading, through *Ordinance 2023-04*, as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – March 20, 2023

Attachments:

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

ORDINANCE NO. 2023-04

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN, TO CHANGE THE FUTURE LAND USE DESIGNATION OF SIX PARCELS OF LAND TOTALING APPROXIMATELY 7.9636 ACRES, LOCATED AT THE SOUTHEAST CORNER OF LAKE WORTH ROAD AND JOG ROAD AT 6492, 6350 and 6323 LAKE WORTH ROAD AND 4148, 4080 and 4020 S JOG ROAD, FROM A PALM BEACH COUNTY DESIGNATION COMMERCIAL HIGH (CH) TO A CITY OF GREENACRES DESIGNATION OF COMMERCIAL (CM) AS REQUESTED BY THE PLANNING, GIS AND ENGINEERING DIVISION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, TRANSMITTAL, INCLUSION IN THE COMPREHENSIVE PLAN; AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Greenacres, pursuant to the Community Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been certified by the State of Florida; and

WHEREAS, the City of Greenacres Planning, GIS and Engineering Division is herein known as the "Petitioner" for the herein described property; and

WHEREAS, the City recently annexed five (5) properties, which are generally located at the southeast corner of Jog Road and Lake Worth Road and one parcel located at 6323 Lake Worth Road which consists of approximately 7.9636 acres ("Property"); and

WHEREAS, the Petitioner is requesting to change the land use designation for the Properties from a Palm Beach County future land use designation of Commercial High to a City of Greenacres future land use designation of Commercial (CM) and include the new designation on the City's Future Land Use Map which is a companion petition with a rezoning request to

change the zoning designations of the subject parcels from Palm Beach County Commercial General to City of Greenacres Commercial Intensive (CI); and

WHEREAS, the Local Planning Agency for the City of Greenacres has held a duly advertised public hearing on February 6, 2023, and has recommended approval of the Petitioner's request (petition CPA-22-03) to amend the City's Comprehensive Plan, Future Land Use Element's Future Land Use Map; and

WHEREAS, the City Council of the City of Greenacres has conducted a duly advertised public hearing to receive comments on CPA-22-03 concerning the proposed amendment to the Comprehensive Plan and has considered all comments received as required by state law and local ordinance; and

WHEREAS, the City Council finds that the proposed amendment to the City's Comprehensive Plan is consistent with the City's goals and objectives in the Comprehensive Plan and is in the best interest of the citizens of the City of Greenacres.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, AS FOLLOWS:

SECTION 1. The foregoing recitals are incorporated into this Ordinance as true and correct finds of the City Council of the City of Greenacres.

SECTION 2. Future Land Use Map Designation

The Future Land Use Map in the City's Comprehensive Plan is hereby amended to change the designation of the Property from a Palm Beach County future land use designation of Commercial High to a City of Greenacres future land use designation of Commercial (CM) for the Property, which is legally described as follows:

4148 S Jog Road – PCN 18-42-44-27-33-001-0000

OUT-PARCEL TO LAKE WORTH PLAZA TR A K/A ALL OF PLAT

4080 S Jog Road – PCN: 18-42-44-27-34-001-0000

Parcel 1:

Commence at the North quarter corner of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida; thence South 01°22'26" West (State Plane Grid Datum) along the North-South quarter section line of Section 27, a distance of 653.08 feet; thence South 88°37'34 " East, perpendicular to the previous course, 80.0 feet to the Easterly Right-of-Way line of Jog Road and the POINT OF BEGINNING; thence North 01°22'26" East along said right of way line and parallel with the North-South quarter section line, 61.29 feet; thence North 02°16'49" East along said right of way line, 189.64 feet; thence North 01°22'26" East along said right of way line, 18.0 feet; thence South 88°37'34" East, perpendicular to the previous course, 271.16 feet to a nontangent point of curvature; thence Southwesterly along the arc of a curve concave to the Southeast having a radius of 149.0 feet; a central angle of 52°40'42", a chord length of 132.22 feet which bears South 27°40'35" West, an arc distance of 136.99 feet to a point of tangency; thence South 01°20'15" West 150.40 feet; thence North 88°37'34" West along a line perpendicular to the North-South quarter Section line 215.68 feet to the POINT OF BEGINNING.

Parcel 2:

Non-Exclusive Easement for pedestrian and vehicular ingress and egress over the adjacent shopping center as set forth in that certain Cooperation and Easement Agreement recorded in Official Records Book 4836, Page 10, and as modified in Official Records Book 5744, Page 1905, of the Public Records of Palm Beach County, Florida.

4020 S Jog – PCN: 18-42-44-27-34-001-0000

Parcel 1:

Tract 1, Walgreens at Lake Worth Plaza West, according to the plat thereof, as recorded in Plat Book 117, Page 53, of the Public Records of Palm Beach County, Florida.

Parcel 2:

Easement Rights set forth in Cooperation and Easement Agreement, recorded in Official Records Book 4836, Page 10, and as modified in Official Records Book 5744, Page 1905, all of the Public Records of Palm Beach County, Florida.

6429 Lake Worth Road – PCN: 18-42-44-27-00-000-1290

A parcel of land in the Northeast quarter of Section 27, Township 44 South, Range 42 East, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast quarter of said Section 27, thence South 88 degrees 12'34" East (assumed bearing datum) along the North line of the Northeast quarter of said Section 27, 1012.29 feet to a point on the East line of the West

half of the East half of the Northwest quarter of the Northeast quarter of said Section 27; thence South 1 degree 20' 15" West along said East line, 30.00 feet to a point on the southerly right of way line of Lake Worth Road (S.R. 802); thence North 88 degrees 12'34" West along said right of way line, 63.96 feet to a point of curvature; thence westerly along said right of way line being an arc of a curve, 235.04 feet to the Point of Beginning, said curve being concave to the South having a radius of 2804.93 feet and a central angle of 04 degrees 48'04"; thence westerly along said right of way line being an arc of a curve, 441.32 feet, said curve being concave to the South having a radius of 2804.93 feet and a central angle of 09 degrees 00'53"; thence South 12 degrees 01'31" East along a radial line, 210.00 feet; thence South 59 degrees 37'34" East along a non-radial line, 79.53 feet to a point of non-tangency; thence easterly along an arc of a curve 340.67 feet to a point of curvature, said curve being concave to the South having a radius of 979.00 feet, a central angle of 19 degrees 56'15" and a chord length of 338.95 feet which bears North 68 degrees 55'52" East; northeasterly along an arc of a curve, 17.23 feet to a point of non-tangency, said curve being concave to the Northwest having a radius of 30.00 feet and a central angle of 32 degrees 54'12" thence North 02 degrees 11'36" West, 173.71 feet to the Point of Beginning.

6350 Lake Worth Road – PCN: 18-42-44-27-00-000-1360

Being a parcel of land in the Northeast quarter of Section 27, Township 44 South, Range 42 East, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast quarter of said Section 27, thence South 88°12'34" East (assumed bearing datum) along the North line of the Northeast quarter of said Section 27, 1012.29 feet to a point on the East line of the West half of the East half of the Northwest quarter of the Northeast quarter of said Section 27; thence South 01°20' 15" West along said East line, 30.00 feet to the POINT OF BEGINNING, said point being on the southerly right-of-way line of Lake Worth Road (S.R. 802); thence continuing South 01°20'15" West along said East line, 206.03 feet; thence North 88°39'45" West at right angles to the previous course, 188.15 feet to a Point of Curvature; thence Northwesterly along an arc of a curve, 20.04 feet to a point of non-tangency, said curve being concave to the Northeast, having a radius of 30.00 feet, a central angle of 38°16'48", and a chord length of 19.67 feet which bears North 69°31'22" West; thence North 02°11'36" West, along a non-radial line, 197.61 feet to the Southerly right-of-way line of Lake Worth Road, said right-of-way line being 60.00 feet South of and concentric with the center line of right-of-way of Lake Worth Road; thence Easterly along said South right-of-way line being an arc of a curve, 155.00 feet to a Point of Tangency, said curve being concave to the South, having a radius of 2804.93 feet, a central angle of 03°09'58", and a chord length of 154.98 feet which bears South 89°42'54" East; thence South 89°12'34" East, along a line that is 30.00 feet Southerly of and parallel with the North line of the Northeast quarter of Section 27, 63.96 feet to the POINT OF BEGINNING.

Together with a non-exclusive right to cross parking and ingress and egress of roads, ways, sidewalks, and parking areas situated in the shopping center known as Lake Worth Plaza West.

6323 Lake Worth Road – PCN: 18-42-44-22-00-000-5250

Parcel 1:

A Parcel of land lying in Section 22, Township 44 South, Range 42 East, Palm Beach County, Florida;

Being more particularly described as follows:

Commencing at the South one-quarter (The Southwest corner of the Southeast Quarter) of said Section 22;

Said Point being a Palm Beach County Brass Disc in Concrete;

Thence, North 89°14'08" East, along the South line of said Section 22, a distance of 994.88 feet to a point on the East Line of the West 320 Feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of said Section 22;

Thence, North 00°00'00" East, along said East line, a distance of 90.01 feet to the Point of Beginning, said Point being further described as a point on the North Right of Way Line of Lake Worth Road (State Road 802) as recorded in Road Plat Book 5, Page 129, Public Records, Palm Beach County, Florida;

Said Point being witnessed by a Found P-K Nail and Cap, in the concrete sidewalk, lying 0.13 feet North 00°00'00" East (North) and 0.04 feet North 90°00'00" West (West) of said Point;

Thence, South 89°14'08" West, along said North Right of Way Line of Lake Worth Road (State Road 802), a distance of 47.53 feet to the point of curvature of a curve to the Left.

Said Curve having a radius of 2924.93 feet and a Central Angle of 02°59'28" and a chord bearing of South 87°44'24" West;

Said Point Being an "X" Cut in the Concrete Sidewalk;

Thence, Westerly, along the Arc of said Curve and along said North Right of Way line of Lake Worth Road (State Road 802), a distance of 152.70 feet to a Point;

Said Point being witnessed by a Found P-K Nail and Cap, in the concrete sidewalk, lying 0.06 feet North and 0.03 feet West of said Point;

Thence, North 00°00'00" East, a Distance of 226.88 feet to a Point;

Said Point being witnessed by a Found ½ Inch Iron Pipe and Cap lying 0.10 feet West of said Point;

Thence North 90°00'00" East, a Distance of 199.99 feet to a Point on the aforesaid East line of the West 320 feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of said Section 22, said Point being witnessed by a found ½ inch iron pipe and cap lying 0.05 feet North and 0.05 feet West of said Point;

Thence, South 00°00'00" West, along said East line, a distance of 220.03 feet to the Point of Beginning.

Parcel 2:

An Easement for Ingress and Egress over a portion of the Southeast Quarter of Section 22, Township 44 South, Range 42 East, Palm Beach County, Florida and Being more particularly described as follows:

Commence at the South Quarter corner of said Section 22 and Run thence North 89°14'08" East, along the South line of said Section 22, a distance of 725.81;

Thence North 00°39'45" West, along a non-radial line, a distance of 81.51 feet to a point of intersection with a circular curve concave to the South and whose Radius Point bears South 05°07'51" East, from said intersection, said circular curve also being the Northerly right-of-way line of State Road 802 (Lake Worth Road);

Said intersection also being The Point of Beginning of the herein described parcel:

Thence, continue North 00°39'45" West, a distance of 147.13 feet;

Thence North 90°00'00" East, a distance of 71.69 feet;

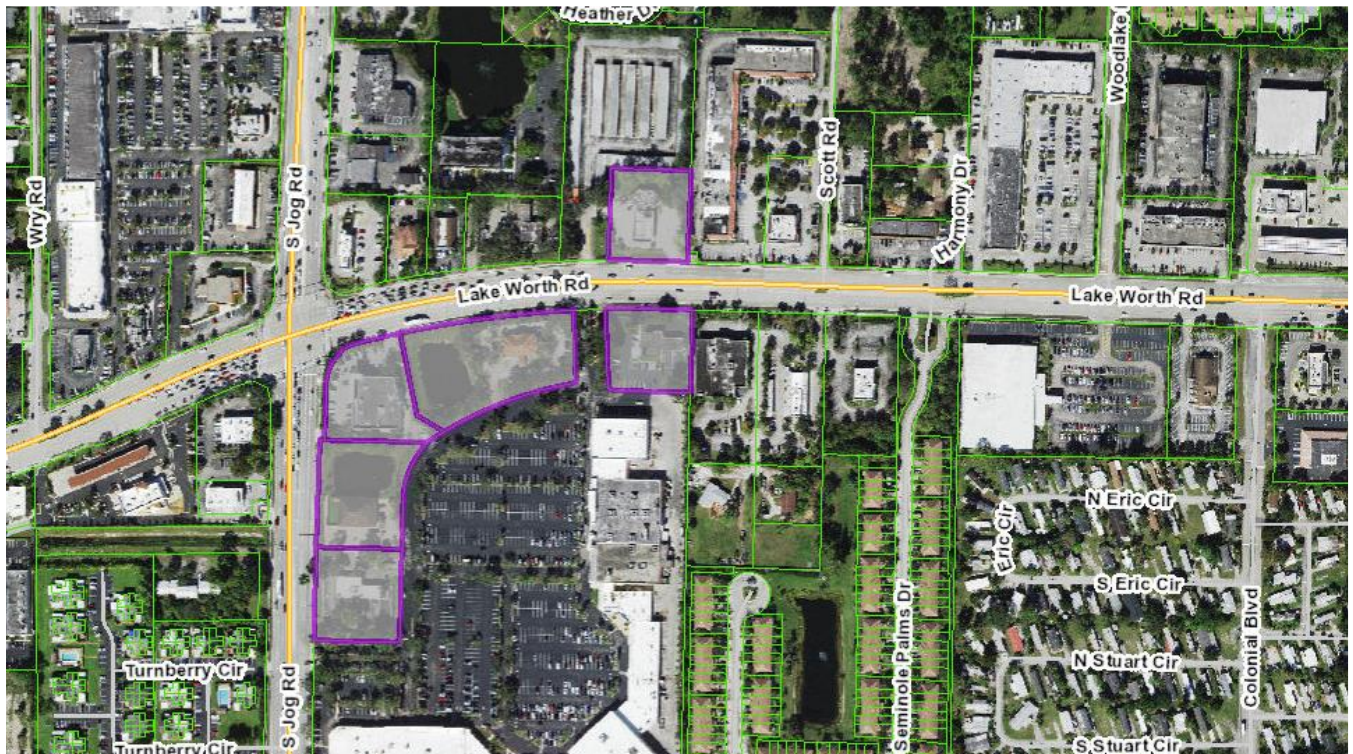
Thence South 00°00'00" West, a distance of 35.00 feet;

Thence, South 90°00'00" West, a distance of 35.29 feet

Thence, non-radically South 00°39'45" East, a distance of 109.13 feet to the said Northerly line of State Road 802 also being a circular curve concave to the South and whose radius point bears South 04°25'26" East,

Thence, Westerly, along the Arc of said curve having a central angle of 00°42'25", a radius of 2924.93 feet, an arc distance of 36.09 feet to the Point of Beginning.

MAP



SECTION 3. Authorization to Make Changes.

The Planning, GIS, and Engineering Division is authorized to make the necessary Future Land Use map change to the Comprehensive Plan to reflect the change authorized by this Ordinance.

SECTION 4. Repeal of Conflicting Ordinances.

All Ordinances or parts thereof or parts of the code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 6. Transmittal to the DEO.

The Planning, GIS and Engineering Division shall send copies of this Ordinance, all supporting documentation and the future land use map amendment to the Treasure Coast Regional Planning Council (TCRPC) and the State Land Planning Agency (Department of Economic Opportunity) (DEO).

Section 7. Inclusion in the Comprehensive Plan.

It is the intention of the City Council, entered as hereby ordained, that the Comprehensive Plan of the City of Greenacres, Florida, shall be amended to include the amendment to the Future Land Use Map as stated herein.

Section 8. Effective Date.

The effective date of this Comprehensive Plan amendment shall be thirty-one (31) days following the adoption of this Ordinance in accordance with the provisions of Chapter 163.3187(c), Florida Statutes.

[The remainder of this page intentionally left blank.]

Passed on the first reading this 6th day of March, 2023.

PASSED AND ADOPTED on the second reading this 20th day of March, 2023.

Joel Flores, Mayor

Voted:
John Tharp, Deputy Mayor

Attest:

Quintella Moorer, City Clerk

Voted:
Peter Noble, Council Member, *District II*

Voted:
Judith Dugo, Council Member, *District III*

Voted:
Susy Diaz, Council Member, *District IV*

Voted:
Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney

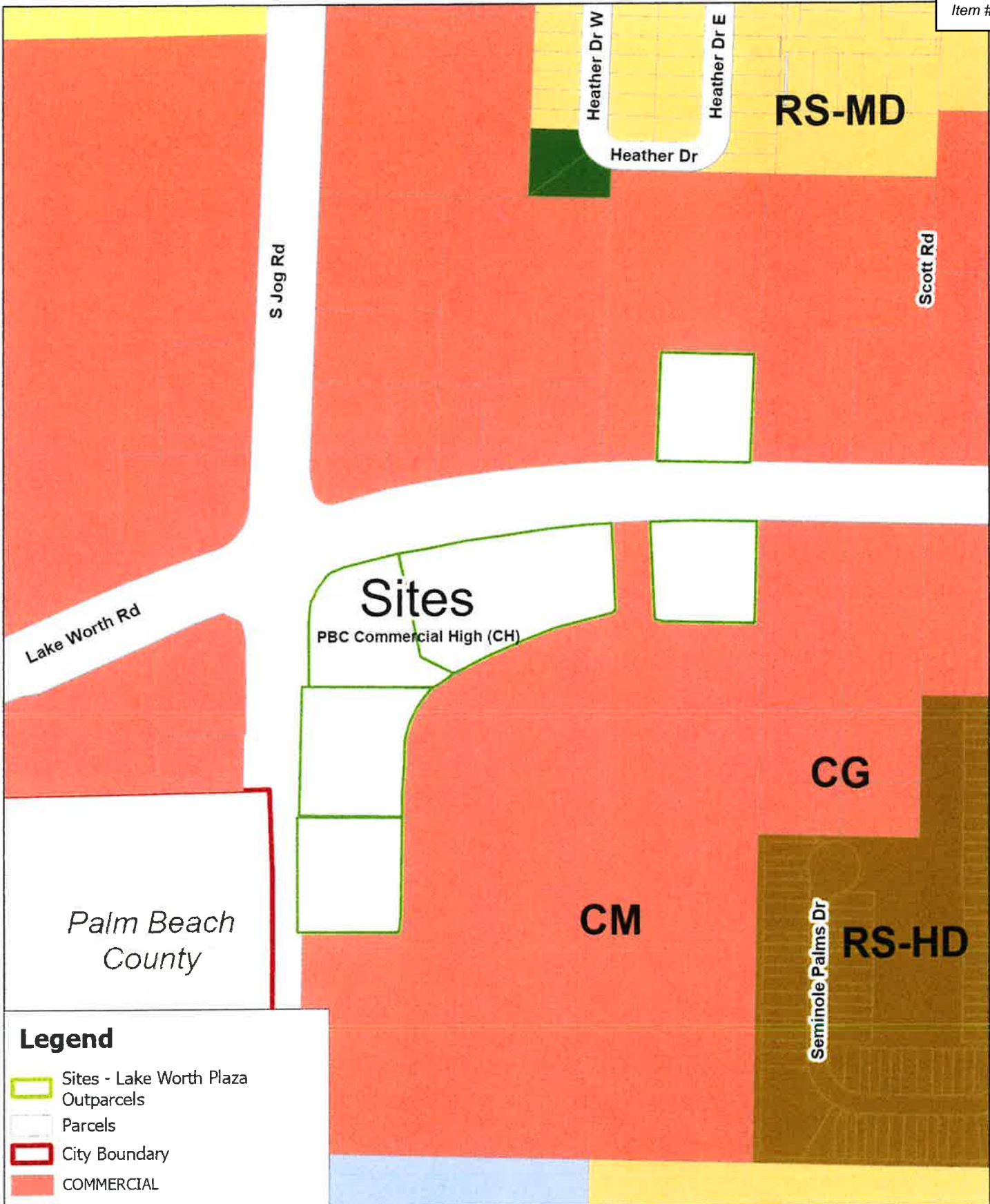


North

Prepared By:
 Planning and Engineering Department
 City of Greenacres
 5800 Melaleuca Lane
 Greenacres, FL 33463

Lake Worth Plaza West Outparcels &
 Shell Gas Station
 CPA-22-03 and ZC-22-03





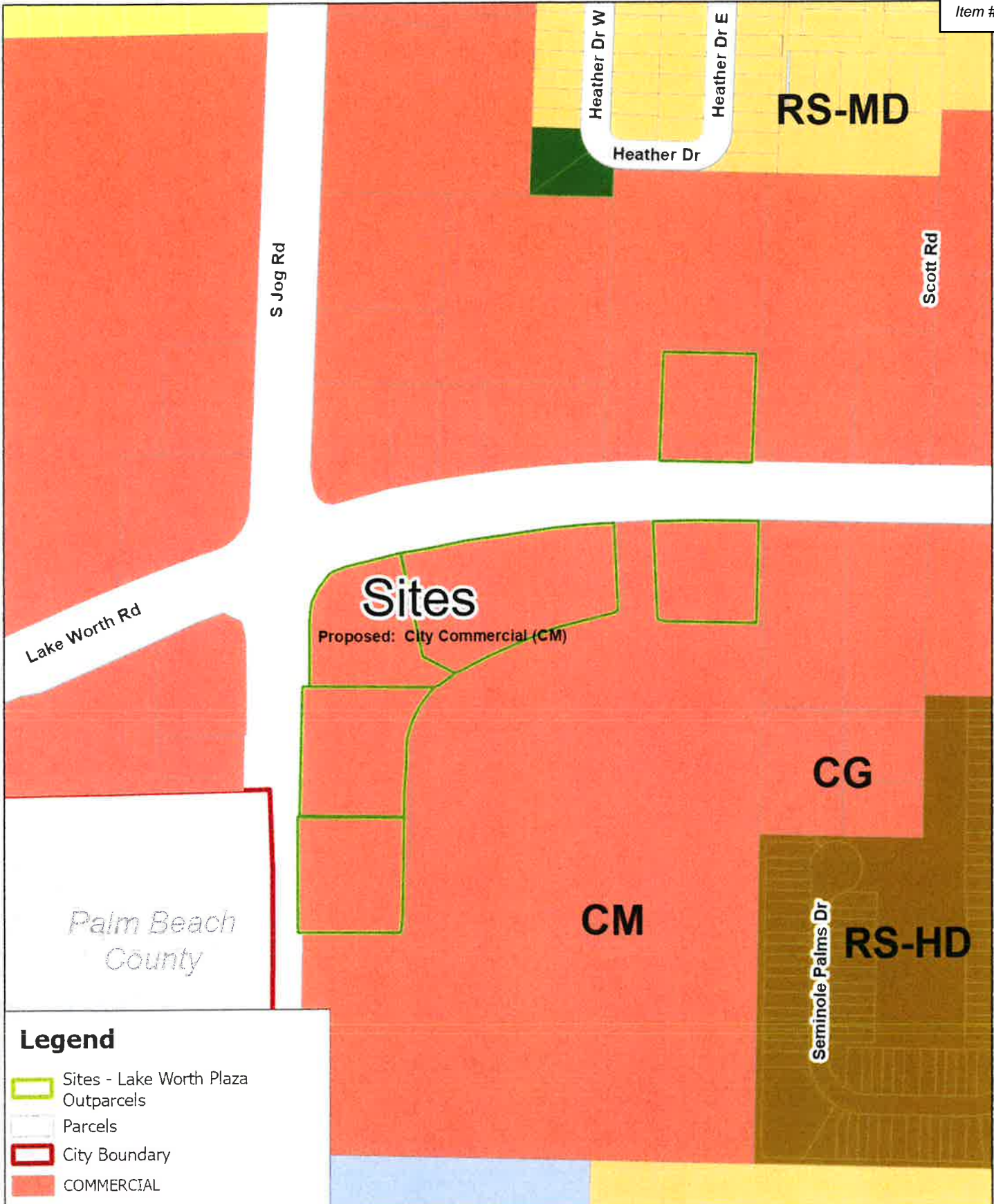
Legend

- Sites - Lake Worth Plaza Outparcels
- Parcels
- City Boundary
- COMMERCIAL
- PUBLIC INSTITUTION
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY
- RECREATION OPEN SPACE

The requestor/viewer of this data acknowledges and accepts the limitations of the data shown, including the fact that the data is dynamic and is in a constant state of maintenance, correction and update. Contact the City of Greenacres Planning and Engineering Department for current information or interpretation.



Existing Future Land Use Map
 Lake Worth Plaza Outparcels
 CPA-22-03



Legend

- Sites - Lake Worth Plaza Outparcels
- Parcels
- City Boundary
- COMMERCIAL
- PUBLIC INSTITUTION
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY
- RECREATION OPEN SPACE

The requestor/viewer of this data acknowledges and accepts the limitations of the data shown, including the fact that the data is dynamic and is in a constant state of maintenance, correction and update. Contact the City of Greenacres Planning and Engineering Department for current information or interpretation.



Proposed Future Land Use Map
 Lake Worth Plaza Outparcels
 CPA-22-03



ITEM SUMMARY

MEETING DATE: March 20, 2023

FROM: Caryn Gardner-Young, Zoning Administrator

SUBJECT: **Ordinance 2023-03, ZC-22-03**
Lake Worth Plaza West Outparcels/Shell Station

BACKGROUND

The subject sites were annexed into the City of Greenacres on December 20, 2022, through Resolution 2022-60 as well as part of an Interlocal Service Boundary Agreement with Palm Beach County. The six (6) parcels are located at 4148 S Jog Road, 4080 S Jog Road, 4020 S Jog Road, 6492 Lake Worth Road, 6350 Lake Worth Road, and 6323 Lake Worth Road. There are no known changes to the existing uses.

The City is processing a Comprehensive Plan Map Amendment concurrently with this petition.

The Development Review Committee reviewed this proposal and recommended approval. This was followed by the Planning and Zoning Board of Appeals which recommended approval by a vote of 5-0 at their meeting on February 16, 2023. The City Council approved this petition as presented by staff on first reading March 6, 2023, by a unanimous vote of 4-0.

ANALYSIS

This is a City of Greenacres ("City") initiated zoning change request for six parcels of land totaling approximately 7.9636 acres from Palm Beach County Commercial General (CG) zoning district to the City Commercial Intensive (CI) zoning district as a result of a recent annexation and to eliminate an enclave. Five of the sites are located at the southeast corner of Lake Worth Road and Jog Road and the sixth site is located on the north side of Lake Worth Road located at 6323 Lake Worth Road.

FINANCIAL INFORMATION

N/A

LEGAL

Ordinance 2023-03 was prepared in accordance with all applicable State Statutes and City Code requirements.

STAFF RECOMMENDATION

Approval of ZC-22-03 through the adoption of Ordinance 2023-03.

ZC-23-03
 Exhibit "A"
 Date: December 22, 2022

Revised: 2/16/2023
3/6/2023

	DEVELOPMENT REVIEW COMMITTEE STAFF REPORT AND RECOMMENDATION
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Subject/Agenda Item:

Ordinance 2023-03: ZC-22-03 Rezoning at Lake Worth Plaza West Outparcels

Public Hearing and Second Reading: A City of Greenacres ("City") initiated zoning change request for six (6) parcels of land totaling approximately 7.9636 acres from Palm Beach County Commercial General (CG) zoning district to City Commercial Intensive (CI) zoning district as a result of a recent annexation. Five of the sites are located at the southeast corner of Lake Worth Road and Jog Road and the sixth site is located at 6323 Lake Worth Road.

Recommendation to APPROVE
 Recommendation to DENY

Quasi-Judicial
 Legislative
 Public Hearing

<p>Originating Department: Planning & 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, 3/9/2023</p> <p>Paper: Lake Worth Herald; PB Post</p> <p>Mailing</p> <p><input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required</p> <p>Notice Distance: 300'</p>

<p>Attachments:</p> <ul style="list-style-type: none"> • Aerial • Zoning Map • Ordinance 2023-03 	<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. Executive Summary

A City of Greenacres (“City”) initiated zoning change request for six parcels of land totaling approximately 7.9636 acres from Palm Beach County Commercial General (CG) zoning district to the City Commercial Intensive (CI) zoning district as a result of a recent annexation. Five of the sites are located at the southeast corner of Lake Worth Road and Jog Road and the sixth site is located on the north side of Lake Worth Road located at 6323 Lake Worth Road. The need for the rezoning is due to elimination of an enclave and due to recent annexation from Palm Beach County.

III. 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>	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

<i>West</i>	Public Storage Shopping Centers Turnberry Casa Hermosa Apt	City Commercial (CM) City (Commercial) PBC (Res Med Density) PBC (Res High Density)	City Commercial Intensive (CI) PBC Residential (RH -High Density)
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IV. 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.

V. Applicable Comprehensive Plan Provisions:

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

1. Future Land Use Element

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.

VI. 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 11. Commercial Intensive (Section 16-496 through 16-506)

The commercial intensive (CI) district is intended for intensive, highly automotive oriented uses that require a conspicuous and accessible location along thoroughfares designated as major arterials in the Comprehensive Plan. Permitted uses and special exceptions within this designation require larger land areas with ample off-street parking and off-street

loading space. This district provides the greatest variety of uses among commercial districts and serves a geographical area that extends beyond the city limits. This district may accommodate certain light manufacturing, processing, wholesaling and storage and warehousing uses when it is clearly demonstrated that such uses are compatible with other uses in the district. It is not the intent of this district that it shall be used to encourage the extension of strip commercial areas.

VII. Staff Analysis:

Development Review Committee Comments:

The petition was reviewed by the Development Review Committee on January 12, 2023, and recommended approval.

Planning, GIS & Engineering Div.:	No objections
Building Department:	No objections
Fire Rescue Department:	No objections
Public Works Department:	No objections
PBSO District 16:	No objections

Zoning Change Criteria and Findings of Fact:

Section 16-153. Planning Zoning and Board of Appeals (“PZAB”) Report: The PZAB shall submit a report to the City Council which shows that the PZAB 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 rezoning from Palm Beach County Commercial General (PBC CG) to City Commercial Intensive (CI) is consistent with the City’s future land use element of the Comprehensive Plan. The Future Land Use Map recommends Commercial for the subject parcel. The proposed CI zoning designation is consistent with the proposed Commercial future land use designation. Since the existing uses are not proposed to change, the most similar City zoning designation to PBC CG is City CI. It is also in compliance with the previously approved ISBA.

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

Finding: The proposed Commercial Intensive (CI) zoning district is compatible with the high traffic commercial concentric uses at the intersection of Lake Worth Road and Jog Road. A review of the adjacent existing land uses shows that the proposed zoning is compatible with the land use pattern. Most of the properties within the City to the north, east, south and west are zoned City Commercial Intensive which is the same zoning district

as that being proposed. Only one parcel to the west of the Shell station is zoned City Commercial General which is compatible with CI businesses. The other properties to the east of the Lake Worth Plaza West shopping center are located within the County and are zoned Residential High density which are typically residential zoning districts adjacent to commercially zoned properties. The Lake Worth Road corridor is heavily commercial intensive with highly automotive oriented uses that require a conspicuous and accessible location. The subject sites follow this type of development so it is consistent with existing land use patterns.

(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 changes are required in order to complete the annexation process and the zoning of the site for commercial intensive is consistent with adjacent properties. Most of the properties within the City to the north, east, south and west are zoned City Commercial Intensive which is the same zoning district as that being proposed. Only one parcel to the west of the Shell station is zoned City Commercial General. The other properties to the east of the Lake Worth Plaza West shopping center are located within the County and are zoned Residential High density which are typically residential zoning districts adjacent to commercially zoned properties. Thus, an isolated district is not being created.

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

Finding: The subject sites are currently operated as outparcels to a shopping center and a fuel station which uses are not proposed to change. The shopping center outparcels have been in existence for a considerable amount time and there will be no additional impacts upon traffic, public safety or utilities since the uses already exist.

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

Finding: The subject properties were annexed into the City and therefore require an appropriate City zoning designation.

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

Finding: The subject properties were annexed into the City and therefore require an appropriate City zoning designation

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

Finding: The subject properties were annexed into the City and the uses are not proposed to change so the rezoning will not create or excessively increase traffic congestion. Public Safety will not be affected since PBC Sheriff’s Office will continue to provide law enforcement services at the proposed sites (would only change the district handling the

property) and the city has entered into an agreement to ensure a smooth transition from PBC Fire to City of Greenacres Fire.

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

Finding: The proposed zoning changes will not adversely affect living conditions in the area since there are no proposed changes to the shopping center outparcels or fuel station

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

Finding: The subject properties were annexed into the City and therefore 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 owners because the change is consistent with existing land use patterns and the properties' proposed future land use, as well as the surrounding future land use and zoning designations.

VIII. Staff Recommendation:

Approval of ZC-22-03 through the adoption of Ordinance 2023-03.

**PLANNING, ZONING AND BOARD OF APPEALS RECOMMENDATION –
February 16, 2023**

The Planning and Zoning Board of Appeals on a motion made by Board Member Litowsky and seconded by Board Member Fitzgerald, voting Five (5) to zero (0), ***recommended approval*** of Zoning Change **ZC-22-03**, as presented by staff.

CITY COUNCIL ACTION First Reading – March 6, 2023

The City Council on a motion made by Deputy Mayor Tharp and seconded by Council Member Noble, voting four (4) to zero (0), ***approved*** zoning change **ZC-22-03** (*Lake Worth Plaza West Outparcels*), on first reading, through ***Ordinance 2023-03***, as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – March 20, 2023

ORDINANCE NO. 2023-03

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING A ZONING CHANGE FOR SIX PARCELS OF LAND TOTALING APPROXIMATELY 7.9636 ACRES, LOCATED AT THE SOUTHEAST CORNER OF LAKE WORTH ROAD AND JOG ROAD AT 6492, 6350 AND 6323 LAKE WORTH ROAD, AND 4148, 4080 AND 4020 JOG ROAD, FROM A PALM BEACH COUNTY ZONING DESIGNATION OF GENERAL COMMERCIAL (CG) TO A CITY OF GREENACRES ZONING DESIGNATION OF COMMERCIAL INTENSIVE (CI) AS REQUESTED BY THE PLANNING, GIS AND ENGINEERING DIVISION; PROVIDING FOR CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Greenacres Planning, GIS and Engineering Division is herein known as the "Petitioner" for the herein described property; and

WHEREAS, the Petitioner is requesting a rezoning of six parcels of land totaling approximately 7.9636 acres more or less, from a Palm Beach County zoning designation of General Commercial (PBC CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) and

WHEREAS, this is a companion petition to a Future Lane Use Amendment to change the Land Use designation for the subject parcels from Palm Beach County Commercial High (PBC CH) to City of Greenacres Commercial (CM);

WHEREAS, the Planning and Zoning Board of Appeals has held a duly advertised public hearing on February 6, 2023, and reviewed the application for compliance with the staff findings relevant to the criteria for a Zoning Change as detailed in the Development Review Committee Development Staff Report and Recommendation, Exhibit "A", dated December 22, 2022, as revised; and

WHEREAS, the City Council of the City of Greenacres has conducted a duly advertised public hearing on _____ and has considered all comments

received concerning the proposed amendment to the Official Zoning Map as required by state law and local ordinance; and

WHEREAS, the City Council finds that the proposed zoning change ordinance is consistent with the City’s Comprehensive Plan, said Plan being adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act and certified by the State of Florida Division of Community Development; and

WHEREAS, the City Council of the City of Greenacres further finds that, in accordance with Exhibit “A”, “Development Review Committee Staff Report and Recommendation”, dated December 22, 2022, as revised (attached), the proposed amendment changing the zoning district of six parcels of land totaling approximately 7.9636 acres more or less, from the Palm Beach County zoning designation of Commercial General (CG) to City of Greenacres zoning designation of Commercial Intensive (CI) is in the best interest of the citizens of the City of Greenacres.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, AS FOLLOWS:

Section 1. Zoning District Amendment.

The request by the petitioner to change the City of Greenacres Official Zoning Map to include a zoning change of six parcels of land totaling approximately 7.9636 acres more or less, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) is approved for the property legally described as follows:

LEGAL DESCRIPTION

4148 S Jog Road – PCN 18-42-44-27-33-001-0000

OUT-PARCEL TO LAKE WORTH PLAZA TR A K/A ALL OF PLAT

4080 S Jog Road – PCN: 18-42-44-27-34-001-0000

Parcel 1:

Commence at the North quarter corner of Section 27, Township 44 South, Range 42 East, Palm Beach County, Florida; thence South 01°22'26" West (State Plane Grid Datum) along the North-South quarter section line of Section 27, a distance of 653.08 feet; thence South 88°37'34 " East, perpendicular to the previous course, 80.0 feet to the Easterly Right-of-Way line of Jog Road and the POINT OF BEGINNING; thence North 01°22'26" East along said right of way line and parallel with the North-South quarter section line, 61.29 feet; thence North 02°16'49" East along said right of way line, 189.64 feet; thence North 01°22'26" East along said right of way line, 18.0 feet; thence South 88°37'34" East, perpendicular to the previous course, 271.16 feet to a nontangent point of curvature; thence Southwesterly along the arc of a curve concave to the Southeast having a radius of 149.0 feet; a central angle of 52°40'42", a chord length of 132.22 feet which bears South 27°40'35" West, an arc distance of 136.99 feet to a point of tangency; thence South 01°20'15" West 150.40 feet; thence North 88°37'34" West along a line perpendicular to the North-South quarter Section line 215.68 feet to the POINT OF BEGINNING.

Parcel 2:

Non-Exclusive Easement for pedestrian and vehicular ingress and egress over the adjacent shopping center as set forth in that certain Cooperation and Easement Agreement recorded in Official Records Book 4836, Page 10, and as modified in Official Records Book 5744, Page 1905, of the Public Records of Palm Beach County, Florida.

4020 S Jog – PCN: 18-42-44-27-34-001-0000

Parcel 1:

Tract 1, Walgreens at Lake Worth Plaza West, according to the plat thereof, as recorded in Plat Book 117, Page 53, of the Public Records of Palm Beach County, Florida.

Parcel 2:

Easement Rights set forth in Cooperation and Easement Agreement, recorded in Official Records Book 4836, Page 10, and as modified in Official Records Book 5744, Page 1905, all of the Public Records of Palm Beach County, Florida.

6429 Lake Worth Road – PCN: 18-42-44-27-00-000-1290

A parcel of land in the Northeast quarter of Section 27, Township 44 South, Range 42 East, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast quarter of said Section 27, thence South 88 degrees 12'34" East (assumed bearing datum) along the North line of the Northeast quarter of said Section 27, 1012.29 feet to a point on the East line of the West half of the East half of the Northwest quarter of the Northeast quarter of said Section 27; thence South 1 degree 20' 15" West along said East line, 30.00 feet to a point on the southerly right of way line of Lake Worth Road (S.R. 802); thence North 88 degrees 12'34" West along said right of way line, 63.96 feet to a point of curvature; thence westerly along said right of way line being an arc of a curve, 235.04 feet to the Point of Beginning, said curve being concave to the South having a radius of 2804.93 feet and a central angle of 04 degrees 48'04"; thence westerly along said right of way line being an arc of a curve, 441.32 feet, said curve being concave to the South having a radius of 2804.93 feet and a central angle of 09 degrees 00'53"; thence South 12 degrees 01'31" East along a radial line, 210.00 feet; thence South 59 degrees 37'34" East along a non-radial line, 79.53 feet to a point of non-tangency; thence easterly along an arc of a curve 340.67 feet to a point of curvature, said curve being concave to the South having a radius of 979.00 feet, a central angle of 19 degrees 56'15" and a chord length of 338.95 feet which bears North 68 degrees 55'52" East; northeasterly along an arc of a curve, 17.23 feet to a point of non-tangency, said curve being concave to the Northwest having a radius of 30.00 feet and a central angle of 32 degrees 54'12" thence North 02 degrees 11'36" West, 173.71 feet to the Point of Beginning.

6350 Lake Worth Road – PCN: 18-42-44-27-00-000-1360

Being a parcel of land in the Northeast quarter of Section 27, Township 44 South, Range 42 East, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast quarter of said Section 27, thence South 88°12'34" East (assumed bearing datum) along the North line of the Northeast quarter of said Section 27, 1012.29 feet to a point on the East line of the West half of the East half of the Northwest quarter of the Northeast quarter of said Section 27; thence South 01°20' 15" West along said East line, 30.00 feet to the POINT OF BEGINNING, said point being on the southerly right-of-way line of Lake Worth Road (S.R. 802); thence continuing South 01°20'15" West along said East line, 206.03 feet; thence North 88°39'45" West at right angles to the previous course, 188.15 feet to a Point of Curvature; thence Northwesterly along an arc of a curve, 20.04 feet to a point of non-tangency, said curve being concave to the Northeast, having a radius of 30.00 feet, a central angle of 38°16'48", and a chord length of 19.67 feet which bears North 69°31'22" West; thence North 02°11'36" West, along a non-radial line, 197.61 feet to the Southerly right-of-way line of Lake Worth Road, said right-of-way line being 60.00 feet South of and concentric with the center line of right-of-way of Lake Worth Road; thence Easterly along said South right-of-way line being an arc of a curve, 155.00 feet to a Point of Tangency, said curve being concave to the South, having a radius of 2804.93 feet, a central angle of 03°09'58", and a chord length of 154.98 feet which bears South 89°42'54" East; thence South 89°12'34" East, along a line that is 30.00 feet Southerly of

and parallel with the North line of the Northeast quarter of Section 27, 63.96 feet to the POINT OF BEGINNING.

Together with a non-exclusive right to cross parking and ingress and egress of roads, ways, sidewalks and parking areas situated in the shopping center known as Lake Worth Plaza West.

6323 Lake Worth Road – PCN: 18-42-44-22-00-000-5250

Parcel 1:

A Parcel of land lying in Section 22, Township 44 South, Range 42 East, Palm Beach County, Florida;

Being more particularly described as follows:

Commencing at the South one-quarter (The Southwest corner of the Southeast Quarter) of said Section 22;

Said Point being a Palm Beach County Brass Disc in Concrete;

Thence, North 89°14'08" East, along the South line of said Section 22, a distance of 994.88 feet to a point on the East Line of the West 320 Feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of said Section 22;

Thence, North 00°00'00" East, along said East line, a distance of 90.01 feet to the Point of Beginning, said Point being further described as a point on the North Right of Way Line of Lake Worth Road (State Road 802) as recorded in Road Plat Book 5, Page 129, Public Records, Palm Beach County, Florida;

Said Point being witnessed by a Found P-K Nail and Cap, in the concrete sidewalk, lying 0.13 feet North 00°00'00" East (North) and 0.04 feet North 90°00'00" West (West) of said Point;

Thence, South 89°14'08" West, along said North Right of Way Line of Lake Worth Road (State Road 802), a distance of 47.53 feet to the point of curvature of a curve to the Left.

Said Curve having a radius of 2924.93 feet and a Central Angle of 02°59'28" and a chord bearing of South 87°44'24" West;

Said Point Being an "X" Cut in the Concrete Sidewalk;

Thence, Westerly, along the Arc of said Curve and along said North Right of Way line of Lake Worth Road (State Road 802), a distance of 152.70 feet to a Point;

Said Point being witnessed by a Found P-K Nail and Cap, in the concrete sidewalk, lying 0.06 feet North and 0.03 feet West of said Point;

Thence, North 00°00'00" East, a Distance of 226.88 feet to a Point;

Said Point being witnessed by a Found ½ Inch Iron Pipe and Cap lying 0.10 feet West of said Point;

Thence North 90°00'00" East, a Distance of 199.99 feet to a Point on the aforesaid East line of the West 320 feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of said Section 22, said Point being witnessed by a found ½ inch iron pipe and cap lying 0.05 feet North and 0.05 feet West of said Point;

Thence, South 00°00'00" West, along said East line, a distance of 220.03 feet to the Point of Beginning.

Parcel 2:

An Easement for Ingress and Egress over a portion of the Southeast Quarter of Section 22, Township 44 South, Range 42 East, Palm Beach County, Florida and Being more particularly described as follows:

Commence at the South Quarter corner of said Section 22 and Run thence North 89°14'08" East, along the South line of said Section 22, a distance of 725.81;

Thence North 00°39'45" West, along a non-radial line, a distance of 81.51 feet to a point of intersection with a circular curve concave to the South and whose Radius Point bears South 05°07'51" East, from said intersection, said circular curve also being the Northerly right-of-way line of State Road 802 (Lake Worth Road);

Said intersection also being The Point of Beginning of the herein described parcel:

Thence, continue North 00°39'45" West, a distance of 147.13 feet;

Thence North 90°00'00" East, a distance of 71.69 feet;

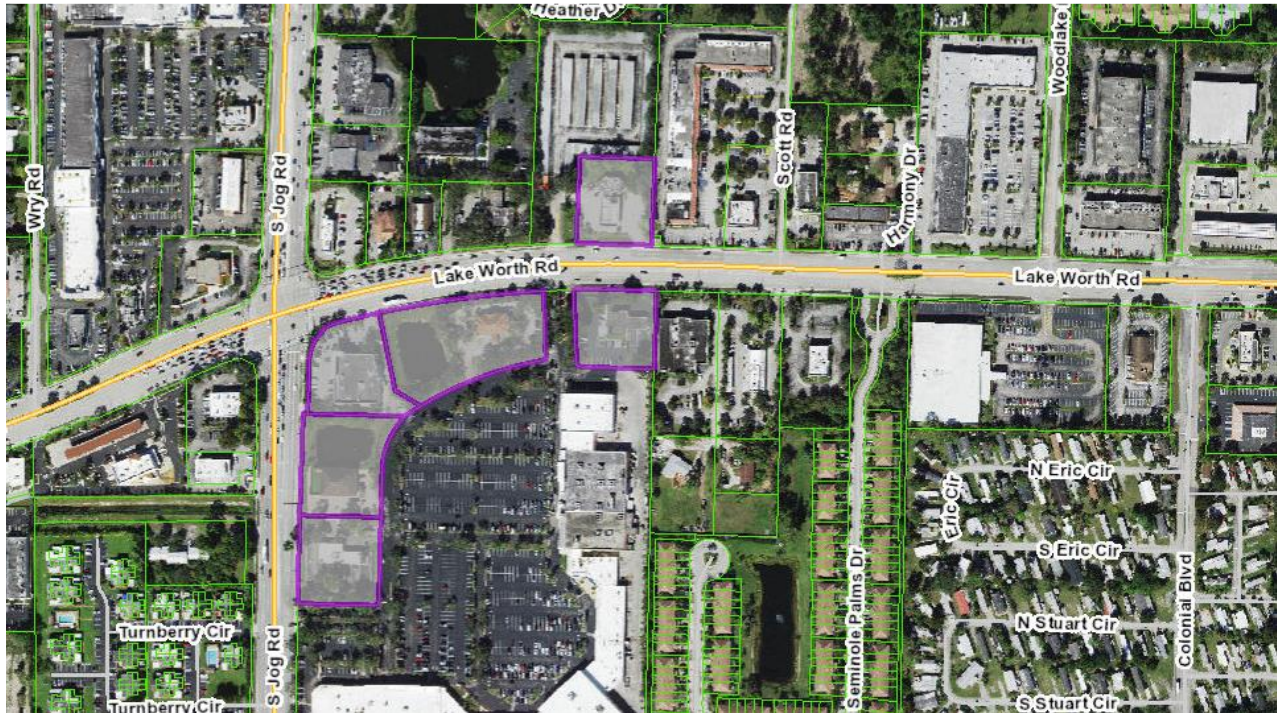
Thence South 00°00'00" West, a distance of 35.00 feet;

Thence, South 90°00'00" West, a distance of 35.29 feet

Thence, non-radically South 00°39'45" East, a distance of 109.13 feet to the said Northerly line of State Road 802 also being a circular curve concave to the South and whose radius point bears South 04°25'26" East,

Thence, Westerly, along the Arc of said curve having a central angle of 00°42'25", a radius of 2924.93 feet, an arc distance of 36.09 feet to the Point of Beginning.

MAP



Section 2. Authorization to Make Changes.

That the Planning, GIS, and Engineering Division is directed to make the necessary changes to the City of Greenacres Official Zoning Map to reflect the changes authorized by this Ordinance.

Section 3. Repeal of Conflicting Ordinances.

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void,

such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 5. Effective Date.

The provisions of this Ordinance shall become effective upon adoption.

Passed on the first reading this 6th day of March 2023.

PASSED AND ADOPTED on the second reading this 20th day of March, 2023.

Voted

Joel Flores
Mayor

()
John Tharp
Deputy Mayor

Attest:

Quintella Moorer
City Clerk

()
Peter Noble
Council Member, District II

()
Judith Dugo
Council Member, District III

()
Susy Diaz
Council Member, District IV

()
Paula Bousquet
Council Member, District V

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia
City Attorney

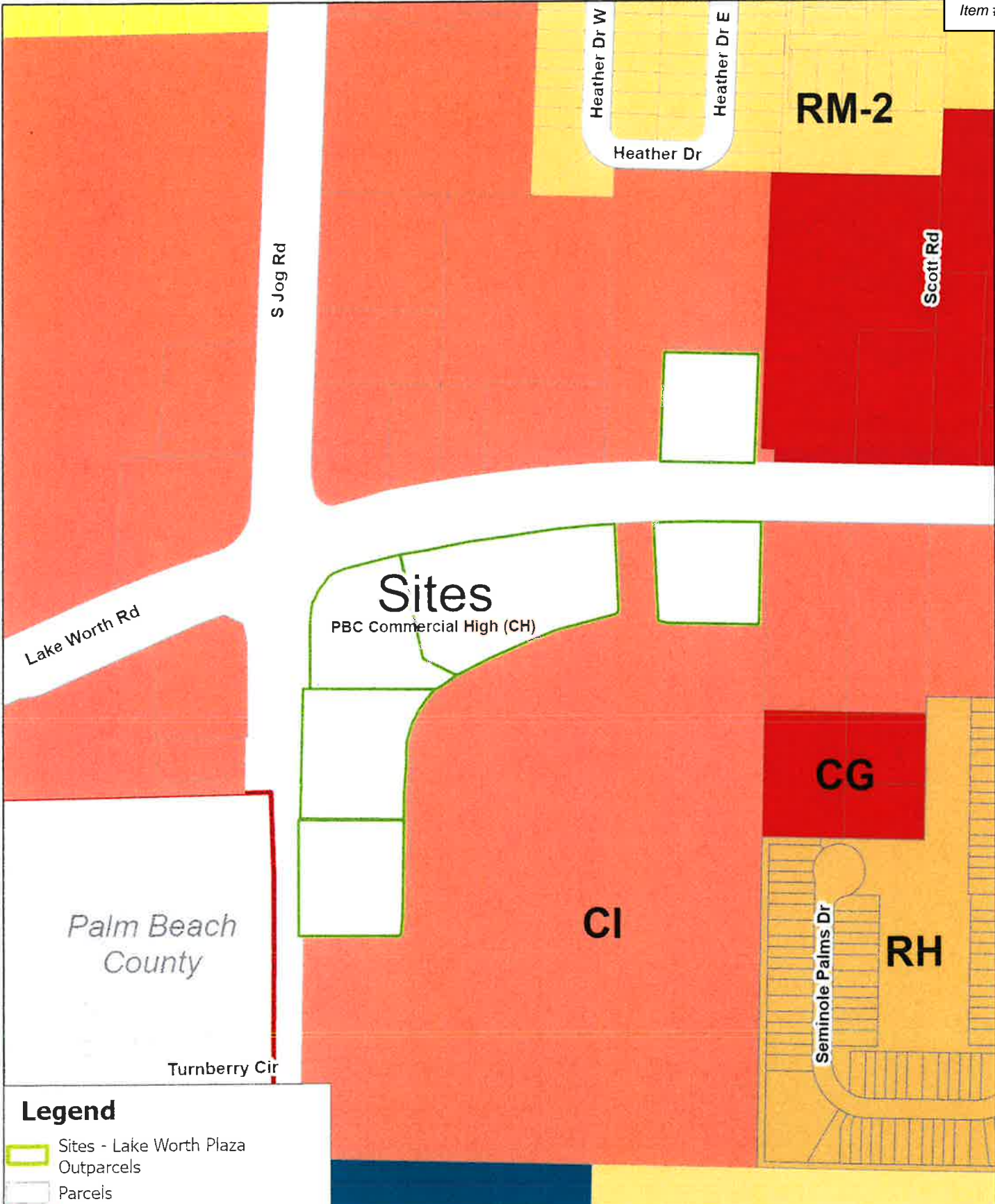


North

Prepared By:
 Planning and Engineering Department
 City of Greenacres
 5800 Melaleuca Lane
 Greenacres, FL 33463

Lake Worth Plaza West Outparcels &
 Shell Gas Station
 CPA-22-03 and ZC-22-03





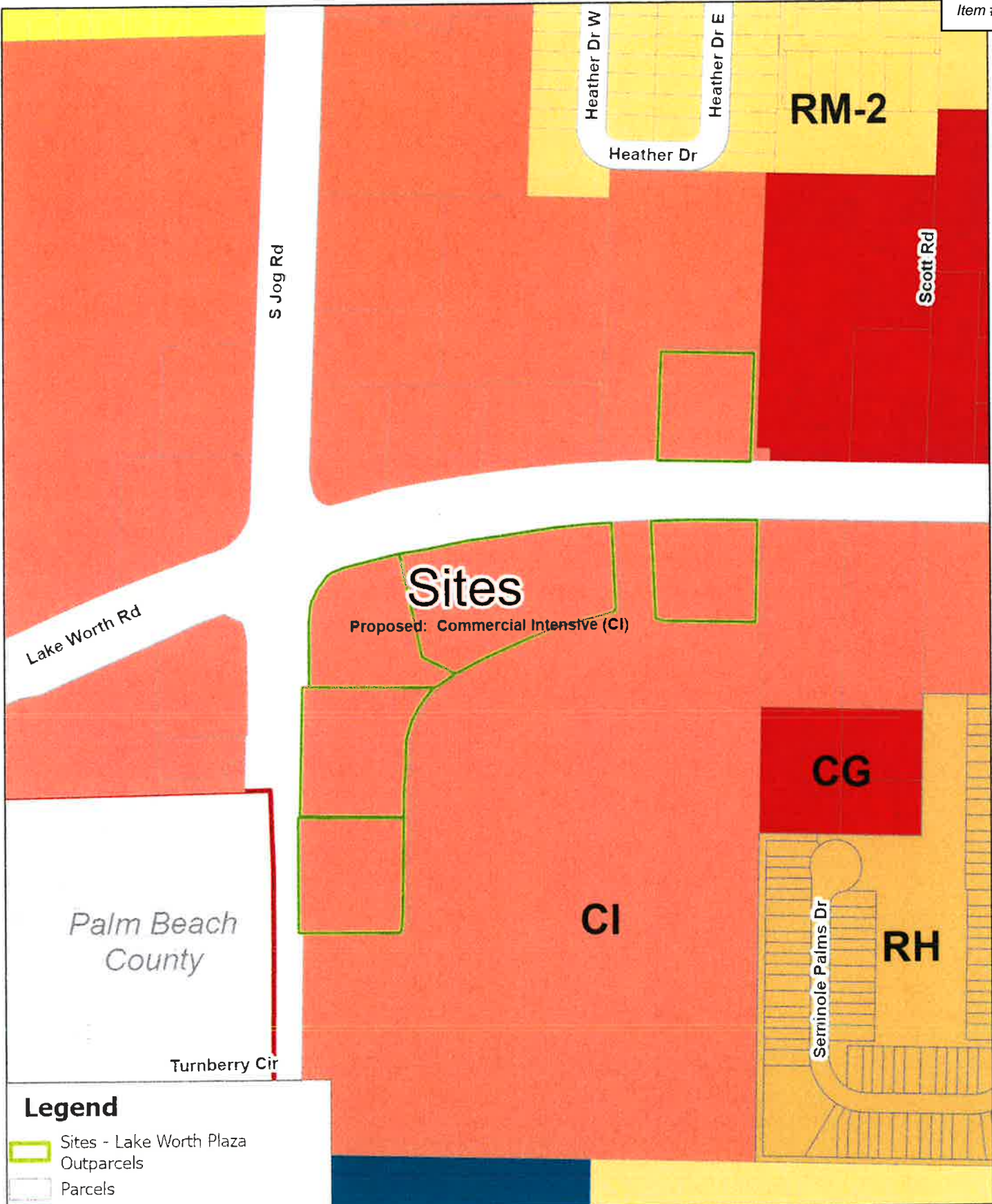
Legend

- Sites - Lake Worth Plaza Outparcels
- Parcels
- City Boundary
- Commercial General (CG)
- Commercial Intensive (CI)
- Residential Medium Density (RM-2)
- Residential High Density (RH)

The requestor/viewer of this data acknowledges and accepts the limitations of the data shown, including the fact that the data is dynamic and is in a constant state of maintenance, correction and update. Contact the City of Greenacres Planning and Engineering Department for current information or interpretation.



Existing Zoning Map
 Lake Worth Plaza Outparcels
 ZC-22-03



Legend

- Sites - Lake Worth Plaza Outparcels
- Parcels
- City Boundary
- Commercial General (CG)
- Commercial Intensive (CI)
- Residential Medium Density (RM-2)
- Residential High Density (RH)

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Proposed Zoning Map
 Lake Worth Plaza Outparcels
 ZC-22-03