



AGENDA
LAND DEVELOPMENT BOARD MEETING
VILLAGE HALL COUNCIL CHAMBERS
DECEMBER 6, 2016
6:30 PM

CALL TO ORDER

ROLL CALL

Chairman Ronald Wong
Vice Chairman Johnnie Tieche
Ralph Lashells
Richard Hughes
James Mandigo
Peter Braun, Sr. Alternate
Bonni Funt, Jr. Alternate

Land Development Director Kim Glas-Castro
Land Development Planner Iramis Cabrera
Village Attorney Brian Shutt
Deputy Village Clerk Jane R. Worth

ADDITIONS, DELETIONS OR MODIFICATIONS TO THE AGENDA

APPROVAL OF MINUTES

ORDER OF BUSINESS

PUBLIC HEARINGS

REGULAR AGENDA

NOTE: CLERK TO ASCERTAIN IF THERE ARE ANY EX PARTE COMMUNICATIONS TO BE DISCLOSED DURING QUASI JUDICIAL DISCUSSIONS. CLERK TO SWEAR IN WITNESSES FOR TESTIMONY

1. ORDINANCE No. 2016-22 - AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND, TOTALING 1.98 ACRES, INDIVIDUALLY OWNED; LOCATED AT 4177 SOUTH CONGRESS AVENUE, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

2. ORDINANCE No. 2016-23 - AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING THIRTY-FOUR (34) PARCELS OF LAND, PURSUANT TO SECTION 171.0413 (5)&(6), INDIVIDUALLY OWNED, CONSISTING OF A TOTAL OF 62.14 ACRES; GENERALLY LOCATED ALONG SOUTH CONGRESS AVENUE, SOUTH OF THE L-12 CANAL AND NORTH OF THE ATLANTIS CITY LIMITS; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

3. ORDINANCE No. 2016-24- AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING FOUR PARCELS OF LAND, TOTALING 20.23 ACRES, COMMONLY OWNED; LOCATED AT 4591, 4614 AND 4665 EMERALD VIS, INCLUDING THE PRIVATE ROAD TRACT, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

4. RESOLUTION No. 2016-81- A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, PURSUANT TO SECTION 163.01, AND SECTION 171.046 FLORIDA STATUTES, ET SEQ., FOR THE PURPOSE OF ANNEXING ONE (1) ENCLAVE, CONSISTING OF A PARCEL OF LAND 1.98 ACRES IN SIZE, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" TO THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

5. ORDINANCE NO. 2016-25 - AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH MORGUARD CORAL LAKES, LLC, OWNERS OF SIX PARCELS OF LAND, TOTALING 18.09 ACRES, LOCATED AT 4411 SOUTH CONGRESS AVENUE, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; PROVIDING FOR USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

OTHER BUSINESS

ADJOURNMENT

**NEXT LAND DEVELOPMENT BOARD MEETING
TUESDAY, DECEMBER 13, 2016 AT 6:30 P.M.**

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at 965-4010 at least 3 days prior to the meeting in order to request such assistance.



Village of Palm Springs

Executive Brief

AGENDA DATE: December 6, 2016

DEPARTMENT: Land Development

ITEM #1: Ordinance 2016-22 - Voluntary Annexation - 4177 South Congress Avenue

SUMMARY: Pursuant to Village annexation objectives, discussions have been ongoing with property owners along the South Congress Avenue corridor regarding the benefits of annexation. The subject area is generally located south of the L-12 Canal (south of Lake Worth Road) and north of the City of Atlantis.

The property owner, Congress Apartments LLC, has consented to voluntary annexation, however, there are registered voters that prevent this parcel from being included in the §171.0413 involuntary annexation package.

The 1.98-acre parcel is developed with 16 rental apartments. Village land use and zoning will be assigned via separate ordinance after the effective date of the annexation.

Note: See parcel #3 on the attached map and table.

Palm Beach County sent an email on November 28th indicating that there is no concern with the annexation and finds the proposed annexation is consistent with state statutes (a formal letter is forthcoming).

The Village Council will consider the proposed annexation on December 8th.

FISCAL IMPACT:

The assessed value of the parcel is \$419,938 and will contribute to the Village's overall property values.

ATTACHMENTS:

1. Ordinance 2016-22
2. Exhibit A continued
3. Aerial Map
4. Location Map
5. County Annexation Information Sheet

ORDINANCE NO. 2016-22

(VOLUNTARY ANNEXATION)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND, TOTALING 1.98 ACRES, INDIVIDUALLY OWNED; LOCATED AT 4177 SOUTH CONGRESS AVENUE, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Petitioner(s), individually owned, constituting all of the fee simple title holders to those lands located at 4177 South Congress Avenue, and more particularly described in **Exhibit "A"** ("the subject properties"), attached hereto and made a part hereof, have voluntarily requested the Village of Palm Springs annex said lands into the corporate limits of the Village; and

WHEREAS, the Village Council, has considered the requests for annexation and has also considered the recommendation of the Village staff; and

WHEREAS, the Village Council has determined that granting the request for annexation serves a valid public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Findings. The Village Council finds the above statements are true and correct, and serve as a basis for consideration of this ordinance; that said lands are contiguous and reasonably compact with the corporate limits of the Village of Palm Springs, create no enclaves, pockets or finger areas in serpentine patterns and otherwise meets all of the requirements set forth in section 171.043, Florida Statutes, for annexation. Further, the Village can effectively provide police, fire, and sanitary services to said lands, all in compliance with the terms and requirements of Chapter 171, Florida Statutes, and the Village of Palm Springs Code.

Section 2. Annexation. The Village Council has determined that development of said lands upon annexation shall be in accordance with the regulatory requirements of Palm Beach County, until such time as the Village adopts a Comprehensive Land Use

Plan amendment and it becomes effective. That the parcel of land more particularly described in **Exhibit "A"**, is hereby annexed into and shall be within the corporate limits of the Village of Palm Springs, Florida, and that same shall henceforth be a part of said Village as if said land were originally a part of the Village of Palm Springs.

Section 3. Directions to the Village Clerk. The Village Clerk is hereby authorized and directed to forthwith cause the boundaries as set forth in the Village Charter to be amended and codified. The Village Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, pursuant to Section 2.01, Village Charter, the Florida Department of State, and the Florida Department of Economic Opportunity.

Section 4. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, MAYOR PRO TEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIZ SHIELDS, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the _____ day of _____, 2016.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading: _____
Second Reading: _____

ATTEST:

BY: _____
SUSAN M. CALJEAN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

Exhibit "A"

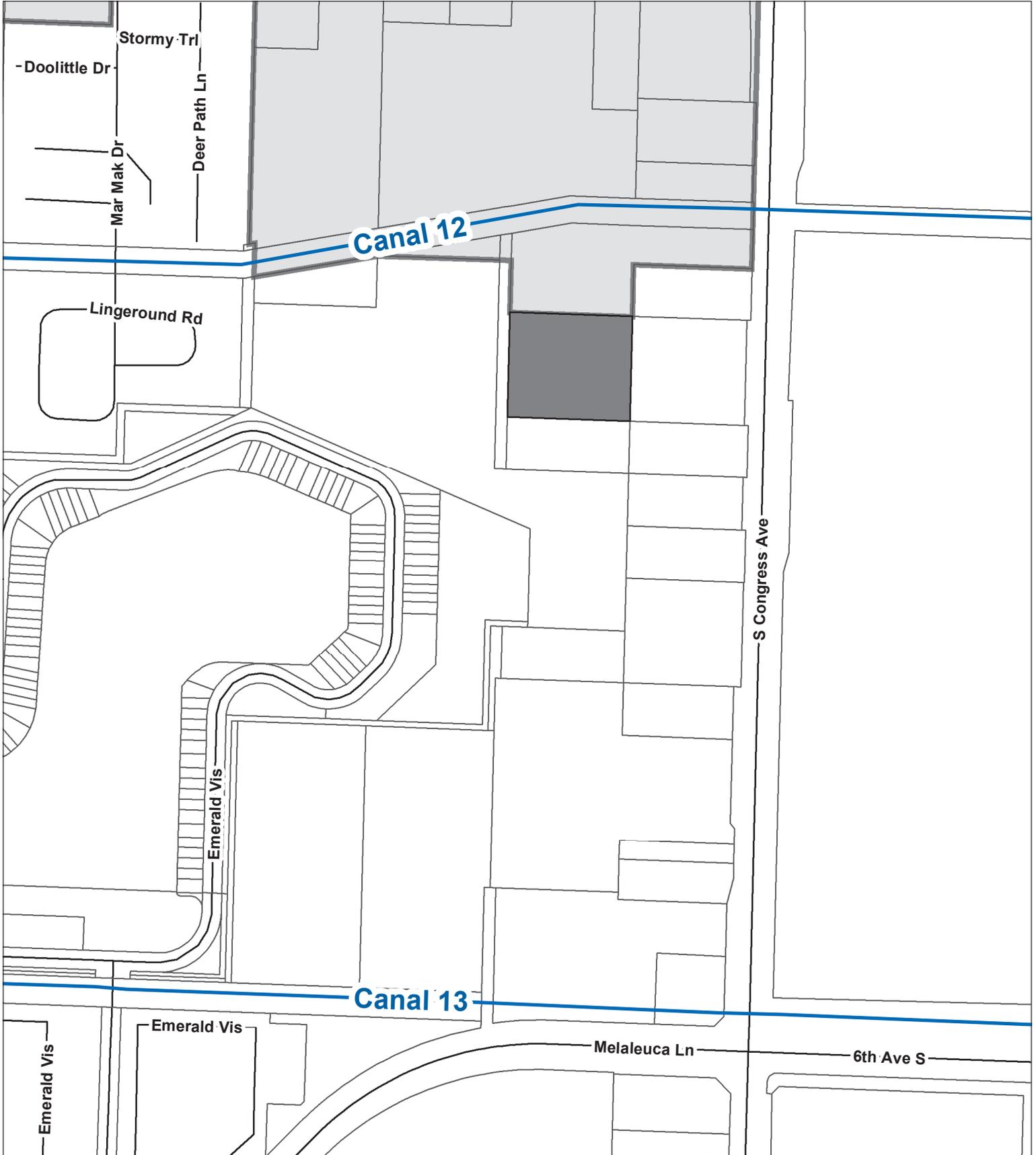
Map ID	PCN	ADDRESS	OWNER	ACRES	ASSESSED VALUE	PBC LAND USE	PBC ZONING	PROPOSED LAND USE	PROPOSED ZONING
3	00434430010310030	4177 S. Congress Avenue	Congress Apartments LLC	1.98	\$419,938	UI	UI	Med Res	RM

Legal Description:

PALM BEACH FARMS CO PLAT 7 LTS C & D BLK 31

VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-22



DATE: 11/15/2016



VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-22

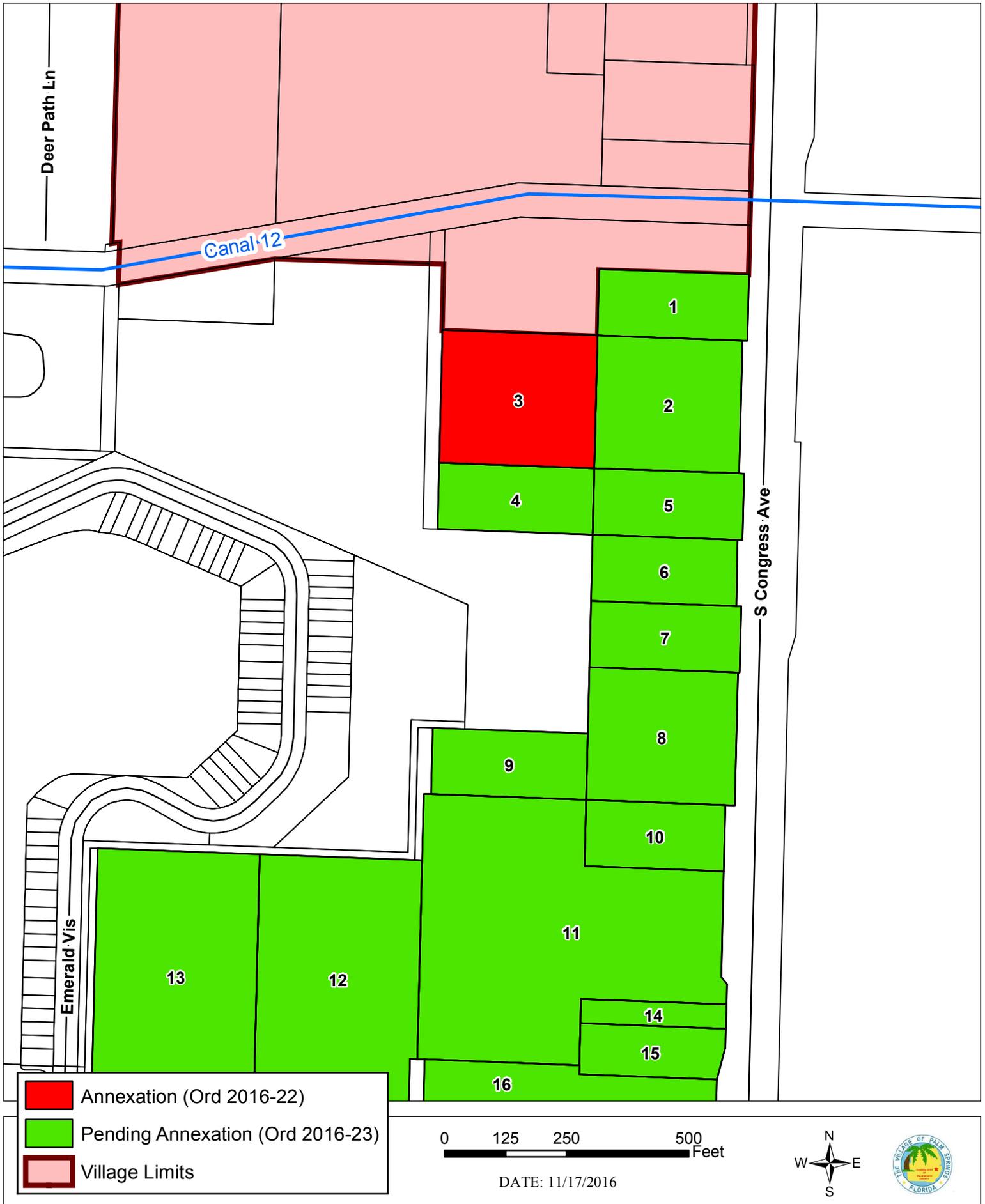
Figure 1



VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-22

Figure 1



**Palm Beach County
Annexation Information Sheet**

Please submit the following information regarding each proposed annexation:

Annexation Name	Congress Apartments
Annexation Type	Voluntary
Acres	1.98 acres
Location	4177 S. Congress Avenue
Existing Use	Multi Family Residential (16 units)
Proposed Use	Same
County Future Land Use	Urban Infill
County Zoning	UI
City Future Land Use	Medium Density Residential
City Zoning	Multi-Family Residential (RM)
First Reading (<i>if known</i>)	December 8, 2016
Second Reading (<i>if known</i>)	December 15, 2016
Ordinance Num. (<i>if known</i>)	Ordinance No. 2016-22
Location Map	(Please Attach) Map # 3
Parcel Control Number	00-43-44-30-01-031-0030



Village of Palm Springs

Executive Brief

AGENDA DATE: December 6, 2016

DEPARTMENT: Land Development

ITEM #2: Ordinance 2016-23 - Involuntary Annexation (§171.0413, F.S.) 34 Parcels along South Congress Avenue, north of City of Atlantis

SUMMARY: Pursuant to Village annexation objectives, discussions have been ongoing with property owners in the “South Congress Avenue” area regarding the benefits of annexation. The subject annexation area is generally located south of the L-12 canal (south of Lake Worth Road) and north of the City of Atlantis (see map).

Chapter 171.0413 (5) & (6), Florida Statutes provides for the involuntary annexation of property when the area to be annexed does not have any registered electors, consent from more than 50% of the parcels & consenting parcels total more than 50% of the total acreage.

Within the proposed involuntary annexation area, thirty-four (34) parcels (totaling 62.14 acres) are proposed to be annexed under §171.0413, F.S. Of these twenty-five (34) parcels, twenty-seven (27) property owners (79% of properties) have consented to annexation by executing voluntary annexation petitions, which represents 83% of the total acreage (51.61 acres) in the proposed involuntary annexation area.

The properties are currently developed as a mix of commercial and multi-family uses. The 18.09-acre Morguard property is subject of an annexation agreement (Ordinance 2016-25), and is proposed for mixed use. Village land use and zoning will be assigned via separate ordinance after the effective date of the annexation.

Note: See attached table and map (Parcels# 1, 2, 4-19, 21-48 depicted in green or yellow)

As required by state law for all involuntary annexations, an Urban Services Report has been prepared for this annexation area and has been submitted to Palm Beach County. As a result, Palm Beach County issued an email on November 28th indicating that there is no concern with the annexation and finds that the proposed annexation is consistent with state statutes (a formal letter is forthcoming).

The Village Council will consider the proposed annexation on December 8th.

FISCAL IMPACT:

The assessed value of the twenty-five (25) parcels is approximately \$8 million and will contribute to

the Village's overall property values. Further, there is immeasurable value from the addition of the proposed parcels along the 10th Avenue North corridor as they are expected to contribute to the Village's strategies for economic (re-)development and our sense of identity.

ATTACHMENTS:

1. Ordinance 2016-24
2. Exhibit A continued
3. Aerial
4. Table 1 - property information
5. Location Map
6. Urban Services Report
7. County Annexation Information Sheet
8. Annexation Study

ORDINANCE NO. 2016-24

(VOLUNTARY ANNEXATION)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING FOUR PARCELS OF LAND, TOTALING 20.23 ACRES, COMMONLY OWNED; LOCATED AT 4591, 4614 AND 4665 EMERALD VIS, INCLUDING THE PRIVATE ROAD TRACT, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Petitioner(s), commonly owned, constituting all of the fee simple title holders to those lands located at 4591, 4614 and 4665 Emerald Vis, including the private road tract, and more particularly described in **Exhibit "A"** ("the subject properties"), attached hereto and made a part hereof, have voluntarily requested the Village of Palm Springs annex said lands into the corporate limits of the Village; and

WHEREAS, the Village Council, has considered the Petitioner(s) request for annexation and has also considered the recommendation of the Village staff and Land Development Board; and

WHEREAS, the Village Council has determined that granting the request for voluntary annexation serves a valid public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Findings. The Village Council finds the above statements are true and correct, and serve as a basis for consideration of this ordinance; that said lands are contiguous and reasonably compact with the corporate limits of the Village of Palm Springs, create no enclaves, pockets or finger areas in serpentine patterns and otherwise meets all of the requirements set forth in section 171.043, Florida Statutes, for annexation. Further, the Village can effectively provide police, fire, and sanitary services to said lands, all in compliance with the terms and requirements of Chapter 171, Florida Statutes, and the Village of Palm Springs Code.

Section 2. Annexation. The Village Council has determined that development of

said lands upon annexation shall be in accordance with the regulatory requirements of Palm Beach County, until such time as the Village adopts a Comprehensive Land Use Plan amendment and it becomes effective. That the parcels of land more particularly described in **Exhibit "A"**, are hereby annexed into and shall be within the corporate limits of the Village of Palm Springs, Florida, and that same shall henceforth be a part of said Village as if said lands were originally a part of the Village of Palm Springs.

Section 3. Directions to the Village Clerk. The Village Clerk is hereby authorized to cause the boundaries as set forth in the Village Charter to be amended and codified. The Village Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, pursuant to Section 2.01, Village Charter, the Florida Department of State, and the Florida Department of Economic Opportunity.

Section 4. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

Aye Nay Absent

BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, MAYOR PRO TEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIZ SHIELDS, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the _____ day of _____, 2016.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading: _____
Second Reading: _____

ATTEST:

BY: _____
SUSAN M. CALJEAN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

Exhibit "A"

Map ID	PCN	ADDRESS	OWNER	ACRES	ASSESSED VALUE	PBC LAND USE	PBC ZONING	PROPOSED LAND USE	PROPOSED ZONING
49	00434430170080010	4665 Emerald Vis	MORGUARD	11.32	17,662,447.00	HR/8	PUD	High Res	RM
50	00434430170080020	4614 Emerald Vis	EMERALD	5.27	9,741,058.00				
51	00434430170180010	4591 Emerald Vis	APARTMENTS	2.54					
52	00434430200190010		LLC	1.10					

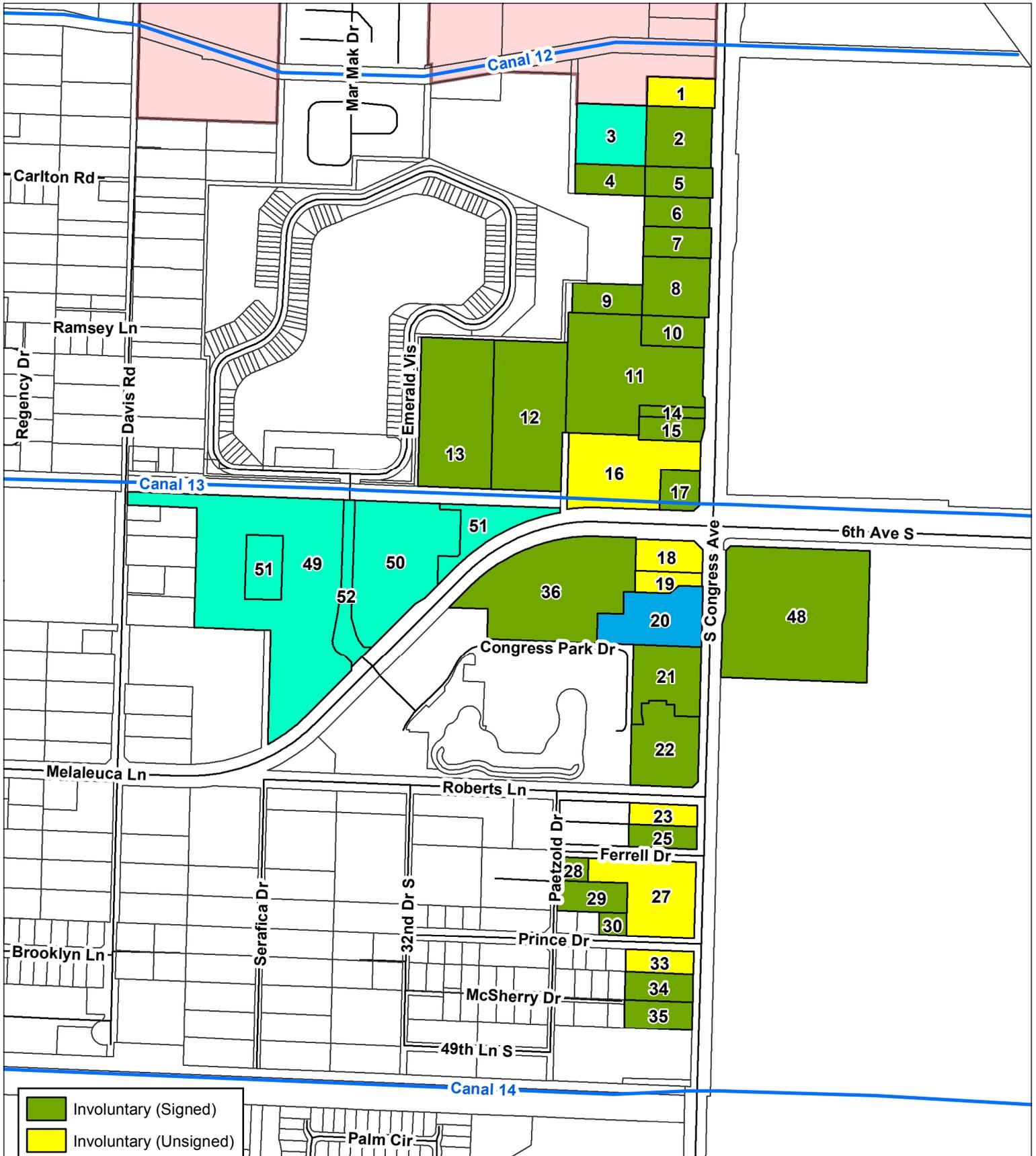
Legal Descriptions:

EMERALD LAKE HOUSING TR 2; and
EMERALD LAKE HOUSING TR 1; and
REC TRS 1 & 2; and
EMERALD LAKE TOWNHOMES RD TR 1

Exhibit “A”

VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Status



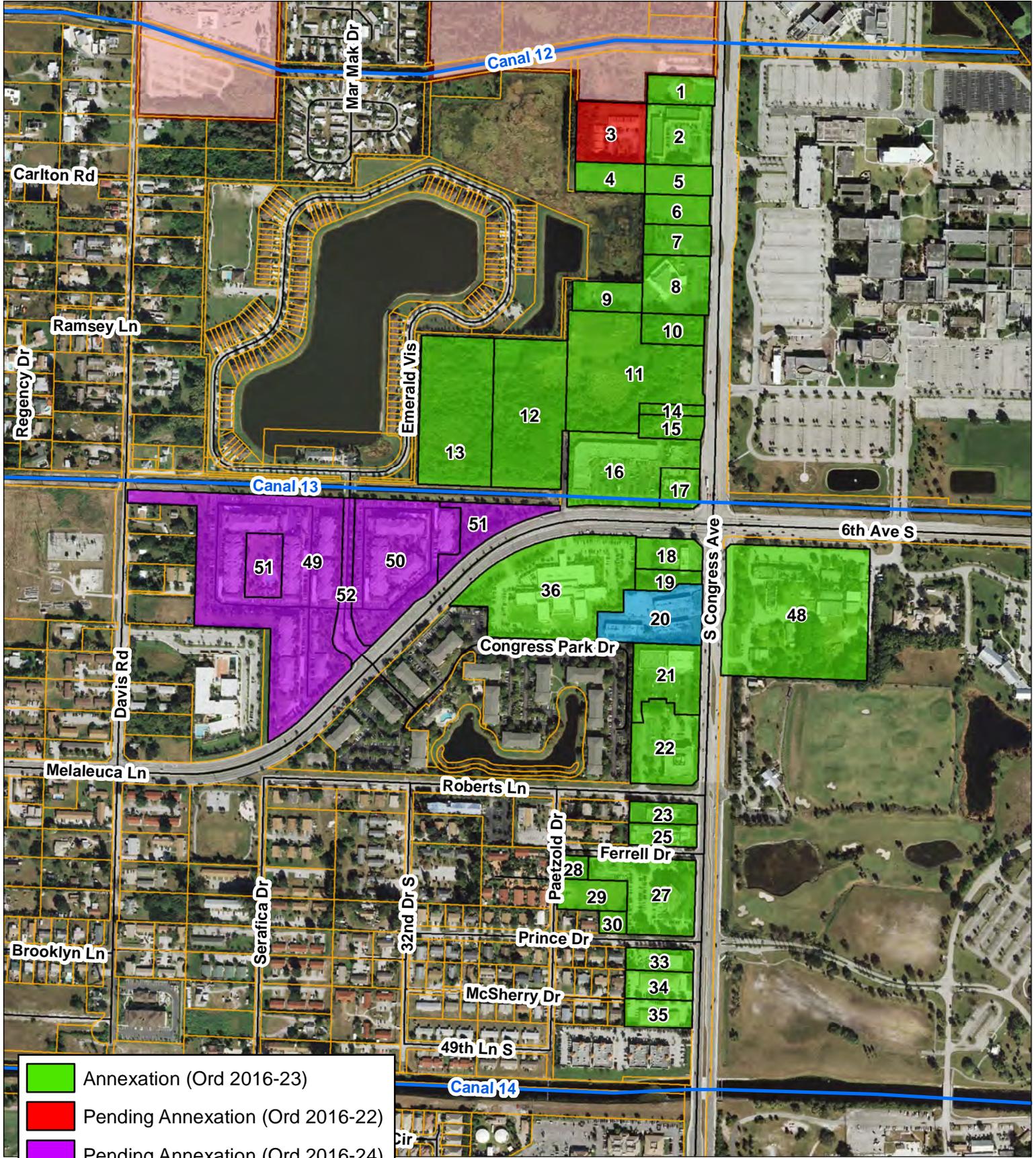
DATE: 11/16/2016



VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-23

Figure 1



- Annexation (Ord 2016-23)
- Pending Annexation (Ord 2016-22)
- Pending Annexation (Ord 2016-24)
- Pending Annexation (Res 2016-81)
- Village Limits



DATE: 11/17/2016



§171.0413 Involuntary Annexation - South Congress Avenue Area
Ordinance 2016-23

TABLE 1

MAP_NUMBER	PCN	OWNER_NAME	PBC_FLU	PBC ZONING	ADDRESS NUMBER	STREET NAME	ACRES	ASSESSED VALUE	REGISTERED VOTERS?	PROPOSED VILLAGE FLU	PROPOSED VILLAGE ZONING	VOLUNTARY?
1	00434430010320020	LP ROCA INVESTMENTS INC	URBAN INFILL	UI	4163	S CONGRESS AVE	0.95	129,440.00	0	Commercial	CG	No
2	00434430010320030	MEDICAL SERVICES OF AMERICA INC	URBAN INFILL	UI	4175	S CONGRESS AVE	1.86	951,952.00	0	Commercial	CG	Yes
4	00434430010310050	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.98	141,120.00	0	Commercial	CG	Yes
5	00434430010320050	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.96	198,510.00	0	Commercial	CG	Yes
6	00434430010330010	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.93	191,869.00	0	Commercial	CG	Yes
7	00434430010330020	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.96	202,807.00	0	Commercial	CG	Yes
8	00434430010330030	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	4320	S CONGRESS AVE	1.90	1,534,466.00	0	Commercial	CG	Yes
9	00434430010340040	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	4320	S CONGRESS AVE	0.98	233,438.00	0	Commercial	CG	Yes
10	00434430010330050	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.89	89,250.00	0	Mixed Use	MU	Yes
11	00434430010340050	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	4411	S CONGRESS AVE	5.88	587,840.00	0	Mixed Use	MU	Yes
12	00434430010620010	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	5.09	509,000.00	0	Mixed Use	MU	Yes
13	00434430010610010	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	5.18	518,000.00	0	Mixed Use	MU	Yes
14	00434430010640032	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.34	34,000.00	0	Mixed Use	MU	Yes
15	00434430010640031	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.71	70,560.00	0	Mixed Use	MU	Yes
16	00434430160010000	CONGRESS POINTE INC	URBAN INFILL	UI	4455	S CONGRESS AVE	3.78	2,908,403.00	0	Commercial	CG	Yes
17	00434430160020000	WENDYS PROPERTIES LLC	URBAN INFILL	UI	4483	S CONGRESS AVE	0.74	615,208.00	0	Commercial	CG	Yes
18	00434430010650010	P F A SARA LLC	URBAN INFILL	UI	4567	S CONGRESS AVE	0.99	10,090,676.00	0	Commercial	CG	No
19	00434430010650032	SWORDFISH REAL ESTATE LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.59	471,574.00	0	Commercial	CG	No
21	00434430150000020	JFK MEDICAL CENTER LIMITED PARTNERSHIP	URBAN INFILL	UI	4665	S CONGRESS AVE	2.10	2,828,490.00	0	Commercial	CG	Yes
22	00434430150000010	COLUMBIA JFK MEDICAL CENTER	URBAN INFILL	UI	4685	S CONGRESS AVE	2.41	3,725,780.00	0	Commercial	CG	Yes
23	00434430010970010	DCS INVESTMENT GROUP LLC	URBAN INFILL	UI	4765	S CONGRESS AVE	0.67	850,000.00	0	Commercial	CG	No
25	00434430010970020	SHEEL GUADALUPE D	URBAN INFILL	UI	4787	S CONGRESS AVE	0.75	516,755.00	0	Commercial	CG	Yes
27	00434430010970030	4801 CONGRESS AVENUE LLC	URBAN INFILL	UI	4801	S CONGRESS AVE	2.86	4,655,000.00	0	Commercial	CG	Yes
28	00434430010980030	PRINCE PARTNERS	URBAN INFILL	UI	3098	FERRELL DR	0.33	51,287.00	0	Commercial	CG	Yes
29	00434430010980040	PRINCE PARTNERS	URBAN INFILL	UI	N/A	N/A (ACCESS OFF PAETZOLD D	0.99	153,707.00	0	Commercial	CG	Yes
30	00434430010980053	PRINCE PARTNERS	URBAN INFILL	UI	3075	PRINCE DR	0.29	45,458.00	0	Commercial	CG	Yes
33	00434430011280010	4889 S CONGRESS LLC	URBAN INFILL	UI	4889	S CONGRESS AVE 100	0.69	1,302,835.00	0	Commercial	CG	No
34	00434430110000010 00434430110000020 00434430110000030 00434430110000040	LAKE WORTH OFFICE PARTNERS LLC	URBAN INFILL	UI	4909, 4911, 4913, 4915	S CONGRESS AVE	0.90	1,050,151.00	0	Commercial	CG	Yes
35	00434430011280030	LAKE WORTH OFFICE PARTNERS LLC	URBAN INFILL	UI	4949	S CONGRESS AVE	0.90	1,263,457.00	0	Commercial	CG	Yes
36	00434430220000000	SELECT SPECIALTY HOSPITAL PALM BEACH INC	INST/8	MUPD	3060	MELALEUCA LN	6.50	8,553,034.00	0	Commercial	CG	Yes
48	00434429000030010	PALM BEACH HABILITATION CENTER INC	INST	PO	4522	S CONGRESS AVE	9.04	2,742,106.00	0	Commercial	CG	Yes

34 Total Parcels (PCNs)

27 # Voluntary

79% % of parcels voluntary

62.14 Total Acreage

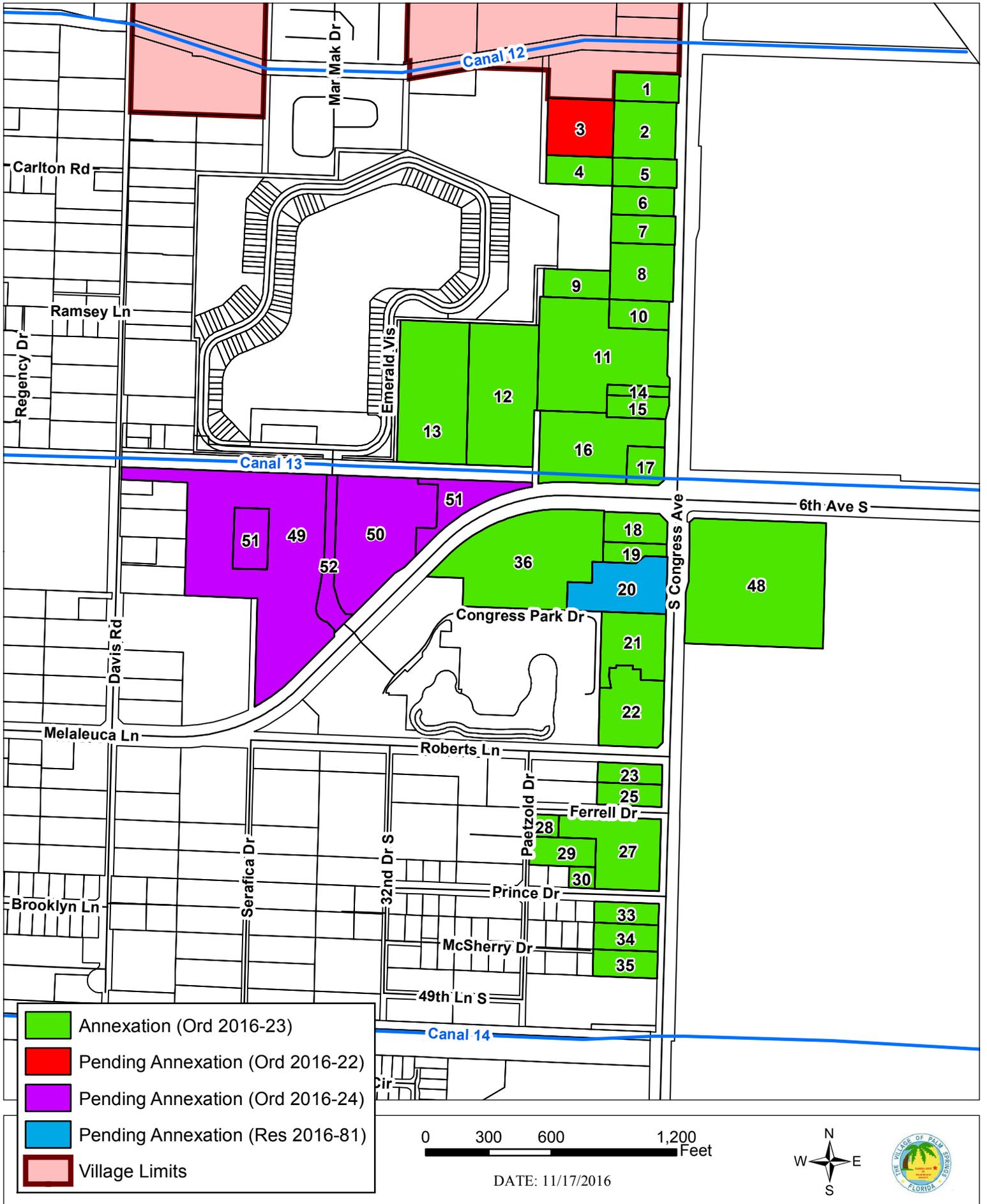
51.61 Acreage of Voluntary

83% % of acreage voluntary

VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-23

Figure 1



URBAN SERVICES REPORT

South Congress Avenue

Area Generally Located
South of L-12 Canal & North of Atlantis Municipal Limits



November, 2016

INTRODUCTION

Chapter 171.0413(6), F.S. provides for the involuntary annexation of property when the annexed area does not have any registered electors. The area can be annexed when more than 50% of the parcels of land in the area proposed to be annexed consent to the annexation. Prior to the annexation, a report shall be prepared that sets forth the provision of urban services in the area and a map of the area. The report shall be filed with the Palm Beach County ("County") Board of County Commissioners at least fifteen (15) days prior to the Village of Palm Springs ("Village") initiating any formal proceedings regarding the annexation.

The proposed area of annexation is consistent with objectives of both the Village and the County in that it will simplify the urban service boundary. Notably, the annexation will allow consistent regulations and code enforcement and law enforcement to be applied along the Congress Avenue corridor to promote a better business environment and foster redevelopment.

DESCRIPTION OF AREA TO BE ANNEXED

The proposed area to be annexed is adjacent to the Village's southern boundary, primarily along the west side of South Congress Avenue, south of Lake Worth Road and the L-12 canal, and north of the municipal limits of the City of Atlantis. The area contains 62.14 acres and consists of 34 parcels. Table I indicates the owner's name, lot size, address and parcel control number for each property. Figure 1 depicts a map of the area. The voluntary annexations constitute 83% of the land area and 79% of the parcels in the area to be annexed (See Table 1).

It should be noted that concurrently with this involuntary annexation, three other annexations are being considered: 1) the voluntary annexation of 1.98 acres owned by Congress Apartments LLC and located at 4177 South Congress Avenue, and 2) the voluntary annexation of 20.23 acres owned by Morguard Emerald Apartments LLC and located at 4614, 4591 and 4665 Emerald Vis (both of these voluntary annexations are not part of the Chapter 171.043, F.S. involuntary proceedings because there are registered voters on the parcels); and 3) the enclave, consisting of one parcel owned by 4611 S Congress LLC, which is a parcel excluded from the involuntary annexation because this residential parcel has registered voters and cannot be included in the involuntary process. A concurrent enclave interlocal agreement with Palm Beach County is being proposed, pursuant to Section 171.046, Florida Statutes.

CHARACTER OF AREA TO BE ANNEXED

Chapter 171.043, F.S. requires that an area to be annexed meet the general standards of subsection (1) and the requirements of either subsection (2) or subsection (3). The subject area complies with all three criteria outlined in subsections (1) and (2) and (3):

Subsection (1) “The total area to be annexed must be contiguous to the municipalities boundaries at the time of annexation proceeding is begun and reasonably compact, and no part of the area shall be included within the boundary of another incorporated municipality.”

“Compactness means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Any annexation proceeding in any county in the state shall be designed in such a manner as to ensure that the area will be reasonably compact.”

The area proposed to be annexed is contiguous to the Village boundaries and is reasonably compact and does not create any pockets or fingers of unincorporated land remaining that might lead to inefficient service delivery. The annexation eliminates unincorporated area between the Village of Palm Springs and the City of Atlantis. The annexation allows for consistent application of regulations, and regular and consistent code enforcement and law enforcement to be applied along the Congress Avenue corridor to promote a better business environment and foster redevelopment.

Subsection (2) “Part or all of the area to be annexed must be developed for urban purposes”. An area developed for urban purposes is defined as any area which meets any one of the following standards:

- (a) It has a total resident population equal to at least two persons for each acre of land included within its boundaries;
- (b) It has a total resident population equal to at least one person for each acre of land included within its boundaries and is subdivided into lots and tracts so that at least 60 percent of the total number of lots and tracts are 1 acre or less in size; or
- (c) It is so developed that at least 60 percent of the total number of lots and tracts in the area at the time of annexation are used for urban purposes, and it is subdivided into lots and tracts so that at least 60 percent of the total acreage, not counting the acreage used at the time of annexation for nonresidential urban purposes, consists of lots and tracts 5 acres or less in size.

The area proposed to be annexed via Section 171.0413 involuntary procedures complies with subsection (2); however the majority of the annexation area is nonresidential and very few of the parcels in the area to be annexed are used for residential purposes. All residential parcels are currently used for urban purposes and are less than 5 acres in size.

Subsection (3) “In addition to the area developed for urban purposes, a municipal governing body may include in the area to be annexed any area which does not meet the requirements of subsection (2) if such area either:

- (a) Lies between the municipal boundary and an area developed for urban purposes, so that the area developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services or water or sewer lines through such sparsely developed area; or
- (b) Is adjacent, on at least 60 percent of its external boundary, to any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (2).”

“Urban purposes means that land is used intensively for residential, commercial, industrial, institutional, and governmental purposes, including any parcels of land retained in their natural state or kept free of development as dedicated as greenbelt areas.”

The area proposed to be annexed via Section 171.0413 involuntary procedures complies with subsection (3), in that it allows consideration of the area beyond that which is to be annexed (which is within the City of Atlantis) to demonstrate uniform delivery of services and intent of all annexed lands to be developed for urban purposes.

FUTURE LAND USE AND ZONING DESIGNATIONS

The current Palm Beach County future land use designation and zoning districts for all of the properties within the proposed annexation area are summarized on Table 1. The predominant zoning can be characterized as a form of commercial (Urban Infill), and two of the parcels are designated as institutional. Figures 2 and 3 indicate the proposed Village of Palm Springs Future Land Use and Zoning designations for the properties. The proposed future land use designation in the Village of Palm Springs for all of the nonresidential properties is Commercial or Mixed Use and the proposed zoning classification is Commercial General (“CG”) or Mixed Use (“MU”). The residential properties are proposed for High Density Residential land use and Residential Multi-Family (“RM”) zoning.

INVENTORY OF PUBLIC FACILITIES AND SERVICES

Roadways.

Most of the properties front South Congress Avenue. Congress Avenue is classified as an urban principal arterial. This segment of the road between Lake Worth Road and Lantana Road is a County road with a 120-foot cross-section and is built with 6 lanes. There are sidewalks on the East and West sides of Congress Avenue.

Melaleuca Lane (also known as 6th Avenue South to the east of Congress Avenue) is classified as an urban minor arterial. This county road has a 110-foot cross section east of Congress Avenue, and narrows to an 80-foot cross section west of Congress Avenue.

These road rights-of-way will remain under the jurisdiction of Palm Beach County.

Drainage.

The LWDD L-12 and L-13 canals bisect the annexation area, and the L-14 canal is located to the south. Developed properties vary with conforming and nonconforming retention characteristics, depending on the age of the improvements. Those that were built more recently have on-site retention and positive legal outfall. The drainage system will not change unless or until the properties are redeveloped. Vacant properties are subject of C-51 basin rules when proposed for development, and require permits from the Village, LWDD and SFWMD.

Potable Water and Sanitary Sewer.

The majority of the properties are within the Palm Beach County Utility Service Area. The parcels south of Roberts Lane are served by the City of Atlantis. The area east of Congress Avenue is the City of Lake Worth Utility Service Area. There will be no change in the water and sewer service by annexing into the Village. Existing PBCWUD and Atlantis utilities, 12" water lines and 6" sewer force mains, are located on the west side of Congress Avenue to serve the annexation area. Additionally, the County has an 8" water line and a 6" sewer force main are located on the north side of Melaleuca Lane to serve adjacent parcels. Lake Worth Utilities has a 16" water main and 4" sewer force main along 6th Avenue South to serve the Habilitation Center.

Police.

The area is currently served by the Palm Beach County Sheriff's Office. Once the annexation is effective, the Village of Palm Springs will assume the police protection services. The Village currently has 44 sworn officers, 17 civilian employees, and 20 part-time employees and volunteers, but will be adding 2 additional sworn officers in Fiscal Year 16-17 to help serve the area. The Department is organized into Administration, Patrol Division, Criminal Investigation Division, and Support Services Division.

Fire Protection and Emergency Medical Services.

The Village has been served by Palm Beach County Fire Rescue since 2009 with both fire protection and emergency medical services. The Palm Springs Police Department continues to be the First Responders for all emergency calls, including fire and medical calls. A majority of Palm Springs' officers are certified Emergency Medical Technicians and one (1) is a certified Paramedic.

Garbage and Public Works.

The Village has a franchise agreement with Republic Services to pick up and haul all solid waste, trash, and recycling within the Village municipal boundaries. The involuntary annexation area is served by Advanced Systems, who will continue to provide service for an interim period. Newly annexed areas will transfer their service to the Village's hauler upon expiration of Advance System's contract.

Planning and Zoning and Building Services.

The Village of Palm Springs has its own Land Development Department which performs all planning, zoning, and building plan review for new development and construction. Additionally, all inspections for new construction are performed by this department. Occupational licenses will be issued by the Village for all businesses operating inside the municipal limits.

Leisure Services.

The Village has an active Leisure Services department that provides activities for the young and old alike. The Village Center Complex Campus is 23.5 acres and includes four lighted baseball fields and two lighted multi-purpose fields, basketball and tennis courts, a sand volleyball court, a water park, two tot lots, an 18-hole golf putting course, a teen center, and several instructional multi-purpose rooms. Additionally, the Village has Sago Park and Frost Lake Park and five other neighborhood passive parks to serve residents and their guests.

It is noted that the annexation area is in close proximity to Palm Beach County's John Prince Park, which is a regional park comprised of over 700 acres, including a 300+acre lake. Recreation facilities include basketball courts, softball fields, playgrounds, 4.5 miles of walking and bicycle paths, picnic pavilions, and boat ramps.

Library.

The Village has its own 11,800 s.f. Library with a collection of 53,288 materials. Additionally, residents have access to an online eBook collection of 4,220 items and 111 online magazines. The Palm Springs Library is a part of COALA, which is a resource management agreement with Boynton Beach, Delray Beach, North Palm Beach, Lake Park, and the Village of Palm Springs. The Village also has a reciprocal use agreement with the Palm Beach County Library System.

The area to be annexed consists primarily of commercial properties, and the few residential properties are not likely to impact these services.

General Government.

All daily administrative functions and general government support will be available to the properties by the Village if annexed into the corporate limits.

§171.0413 Involuntary Annexation - South Congress Avenue Area
Ordinance 2016-23

TABLE 1

MAP_NUMBER	PCN	OWNER_NAME	PBC_FLU	PBC ZONING	ADDRESS NUMBER	STREET NAME	ACRES	ASSESSED VALUE	REGISTERED VOTERS?	PROPOSED VILLAGE FLU	PROPOSED VILLAGE ZONING	VOLUNTARY?
1	00434430010320020	LP ROCA INVESTMENTS INC	URBAN INFILL	UI	4163	S CONGRESS AVE	0.95	129,440.00	0	Commercial	CG	No
2	00434430010320030	MEDICAL SERVICES OF AMERICA INC	URBAN INFILL	UI	4175	S CONGRESS AVE	1.86	951,952.00	0	Commercial	CG	Yes
4	00434430010310050	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.98	141,120.00	0	Commercial	CG	Yes
5	00434430010320050	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.96	198,510.00	0	Commercial	CG	Yes
6	00434430010330010	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.93	191,869.00	0	Commercial	CG	Yes
7	00434430010330020	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.96	202,807.00	0	Commercial	CG	Yes
8	00434430010330030	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	4320	S CONGRESS AVE	1.90	1,534,466.00	0	Commercial	CG	Yes
9	00434430010340040	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	4320	S CONGRESS AVE	0.98	233,438.00	0	Commercial	CG	Yes
10	00434430010330050	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.89	89,250.00	0	Mixed Use	MU	Yes
11	00434430010340050	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	4411	S CONGRESS AVE	5.88	587,840.00	0	Mixed Use	MU	Yes
12	00434430010620010	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	5.09	509,000.00	0	Mixed Use	MU	Yes
13	00434430010610010	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	5.18	518,000.00	0	Mixed Use	MU	Yes
14	00434430010640032	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.34	34,000.00	0	Mixed Use	MU	Yes
15	00434430010640031	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.71	70,560.00	0	Mixed Use	MU	Yes
16	00434430160010000	CONGRESS POINTE INC	URBAN INFILL	UI	4455	S CONGRESS AVE	3.78	2,908,403.00	0	Commercial	CG	Yes
17	00434430160020000	WENDYS PROPERTIES LLC	URBAN INFILL	UI	4483	S CONGRESS AVE	0.74	615,208.00	0	Commercial	CG	Yes
18	00434430010650010	P F A SARA LLC	URBAN INFILL	UI	4567	S CONGRESS AVE	0.99	10,090,676.00	0	Commercial	CG	No
19	00434430010650032	SWORDFISH REAL ESTATE LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.59	471,574.00	0	Commercial	CG	No
21	00434430150000020	JFK MEDICAL CENTER LIMITED PARTNERSHIP	URBAN INFILL	UI	4665	S CONGRESS AVE	2.10	2,828,490.00	0	Commercial	CG	Yes
22	00434430150000010	COLUMBIA JFK MEDICAL CENTER	URBAN INFILL	UI	4685	S CONGRESS AVE	2.41	3,725,780.00	0	Commercial	CG	Yes
23	00434430010970010	DCS INVESTMENT GROUP LLC	URBAN INFILL	UI	4765	S CONGRESS AVE	0.67	850,000.00	0	Commercial	CG	No
25	00434430010970020	SHEEL GUADALUPE D	URBAN INFILL	UI	4787	S CONGRESS AVE	0.75	516,755.00	0	Commercial	CG	Yes
27	00434430010970030	4801 CONGRESS AVENUE LLC	URBAN INFILL	UI	4801	S CONGRESS AVE	2.86	4,655,000.00	0	Commercial	CG	Yes
28	00434430010980030	PRINCE PARTNERS	URBAN INFILL	UI	3098	FERRELL DR	0.33	51,287.00	0	Commercial	CG	Yes
29	00434430010980040	PRINCE PARTNERS	URBAN INFILL	UI	N/A	N/A (ACCESS OFF PAETZOLD D	0.99	153,707.00	0	Commercial	CG	Yes
30	00434430010980053	PRINCE PARTNERS	URBAN INFILL	UI	3075	PRINCE DR	0.29	45,458.00	0	Commercial	CG	Yes
33	00434430011280010	4889 S CONGRESS LLC	URBAN INFILL	UI	4889	S CONGRESS AVE 100	0.69	1,302,835.00	0	Commercial	CG	No
34	00434430110000010 00434430110000020 00434430110000030 00434430110000040	LAKE WORTH OFFICE PARTNERS LLC	URBAN INFILL	UI	4909, 4911, 4913, 4915	S CONGRESS AVE	0.90	1,050,151.00	0	Commercial	CG	Yes
35	00434430011280030	LAKE WORTH OFFICE PARTNERS LLC	URBAN INFILL	UI	4949	S CONGRESS AVE	0.90	1,263,457.00	0	Commercial	CG	Yes
36	00434430220000000	SELECT SPECIALTY HOSPITAL PALM BEACH INC	INST/8	MUPD	3060	MELALEUCA LN	6.50	8,553,034.00	0	Commercial	CG	Yes
48	00434429000030010	PALM BEACH HABILITATION CENTER INC	INST	PO	4522	S CONGRESS AVE	9.04	2,742,106.00	0	Commercial	CG	Yes

34 Total Parcels (PCNs)

27 # Voluntary

79% % of parcels voluntary

62.14 Total Acreage

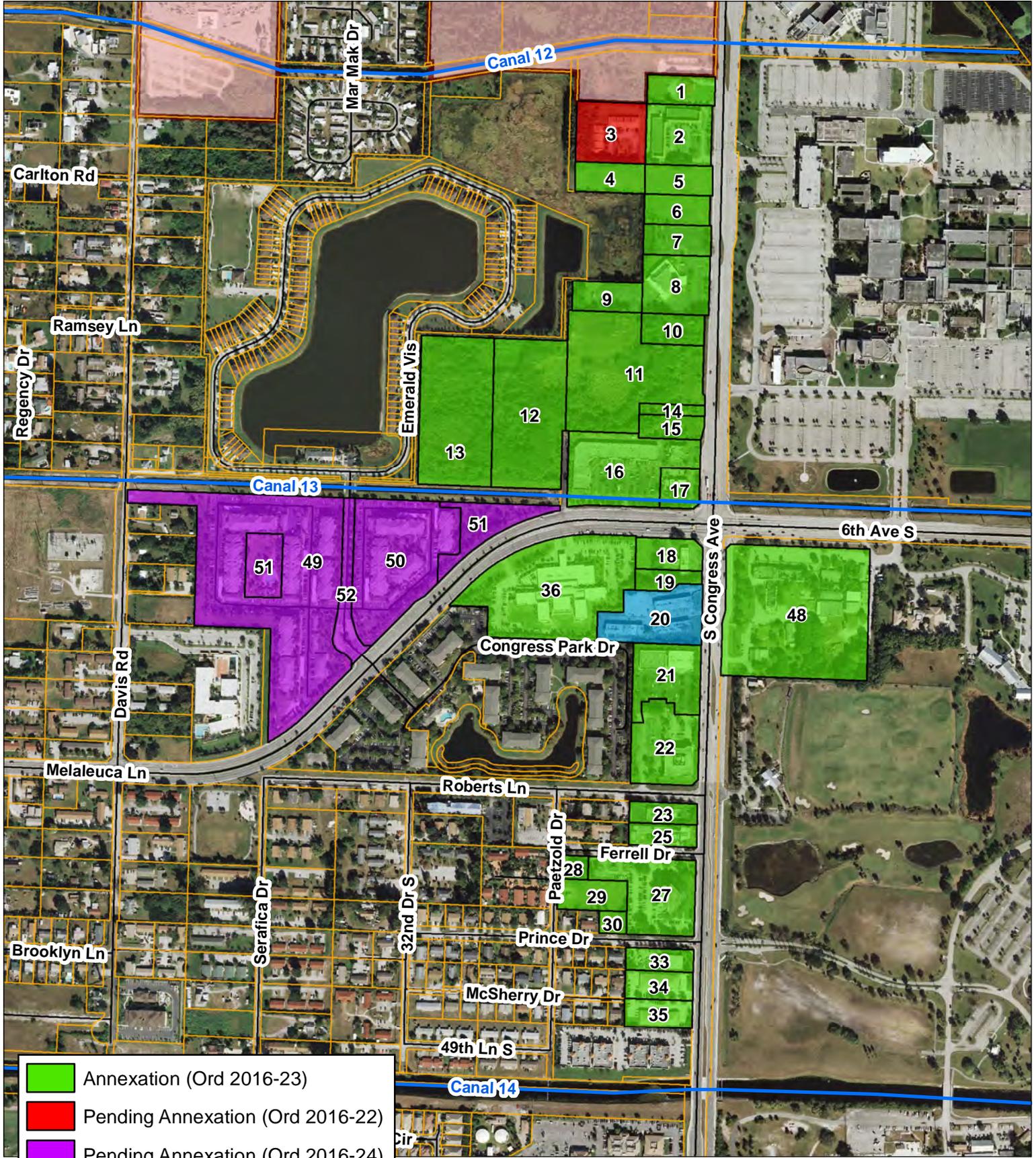
51.61 Acreage of Voluntary

83% % of acreage voluntary

VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-23

Figure 1



- Annexation (Ord 2016-23)
- Pending Annexation (Ord 2016-22)
- Pending Annexation (Ord 2016-24)
- Pending Annexation (Res 2016-81)
- Village Limits



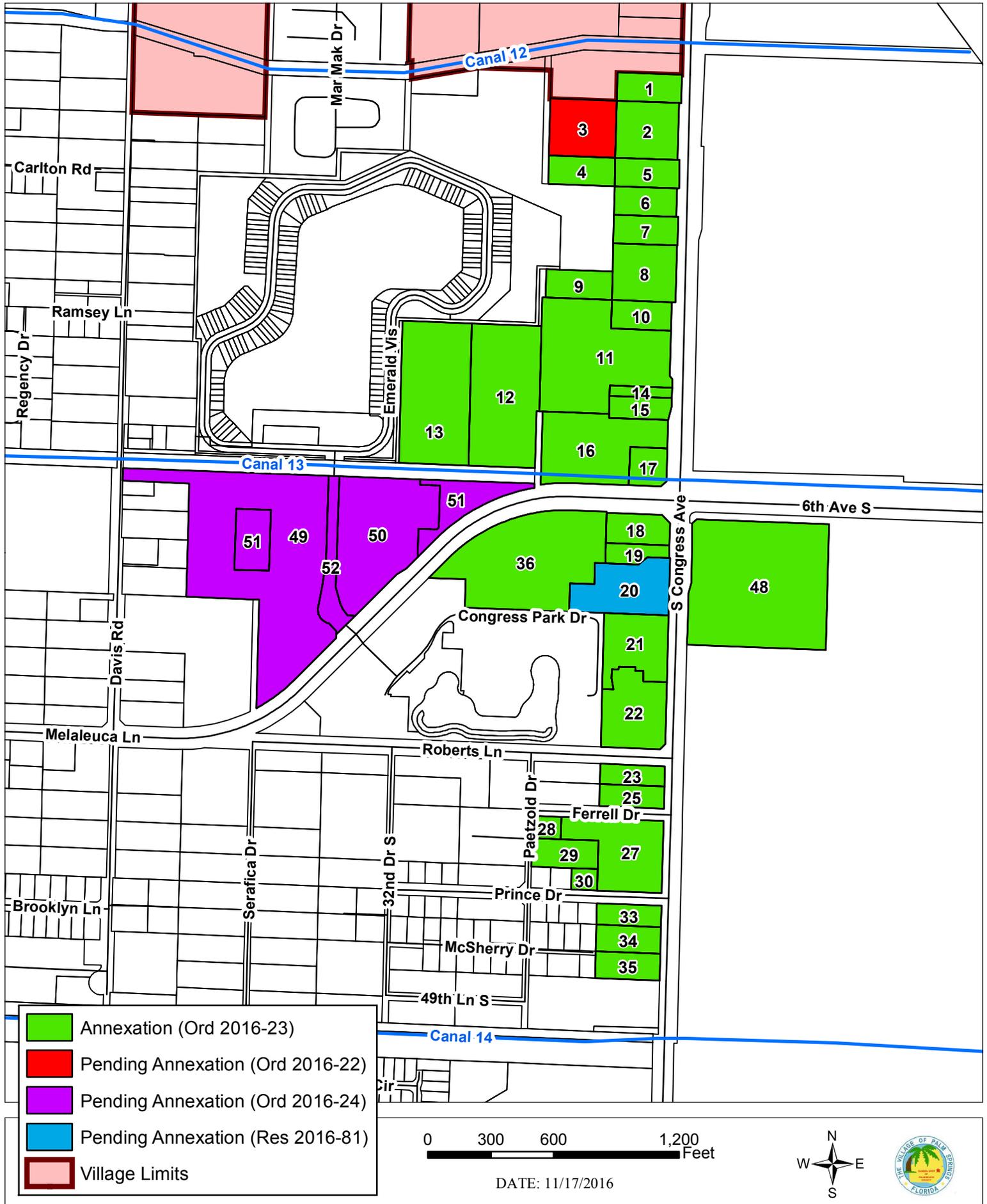
DATE: 11/17/2016



VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-23

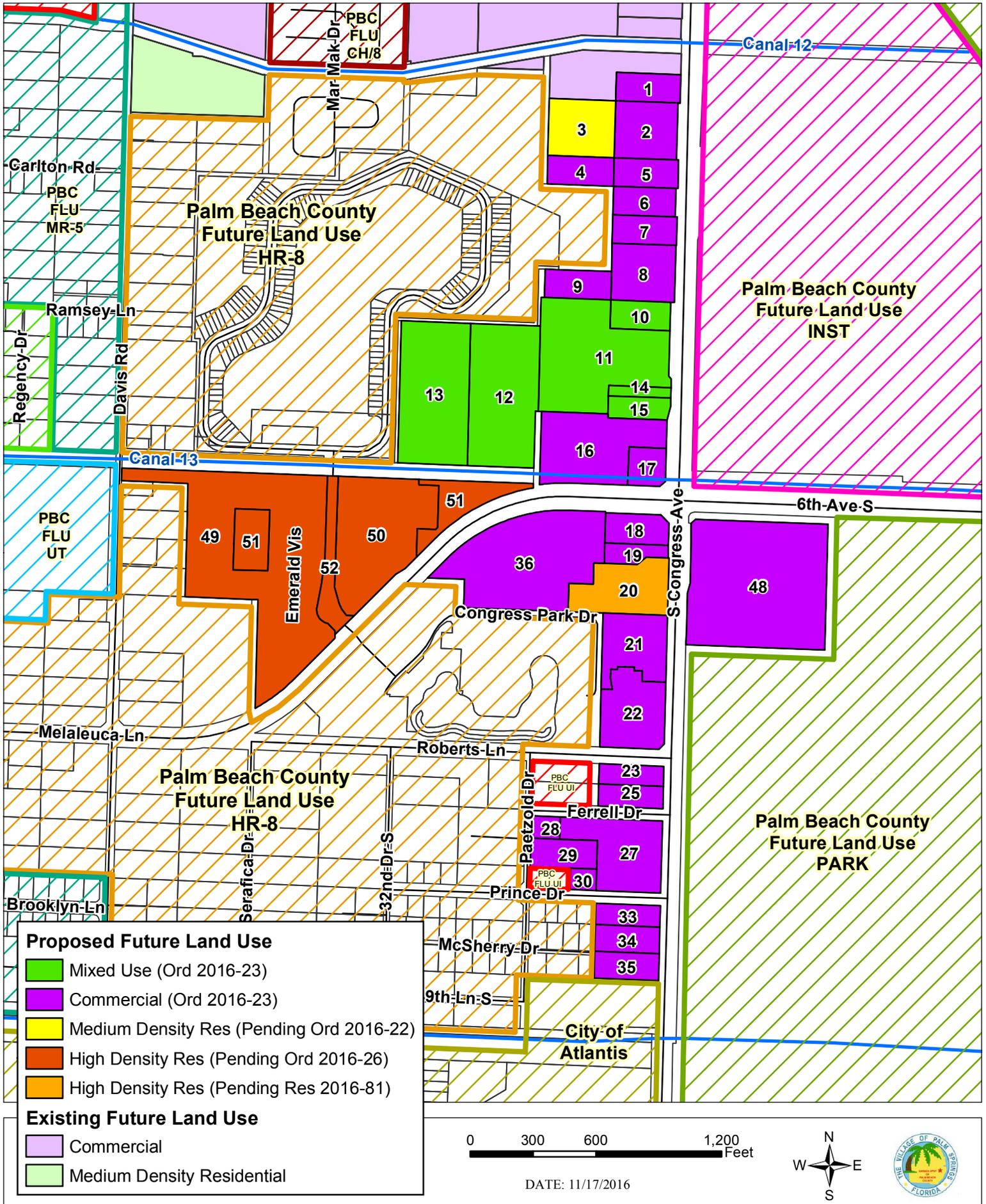
Figure 1



VILLAGE OF PALM SPRINGS

Figure 2

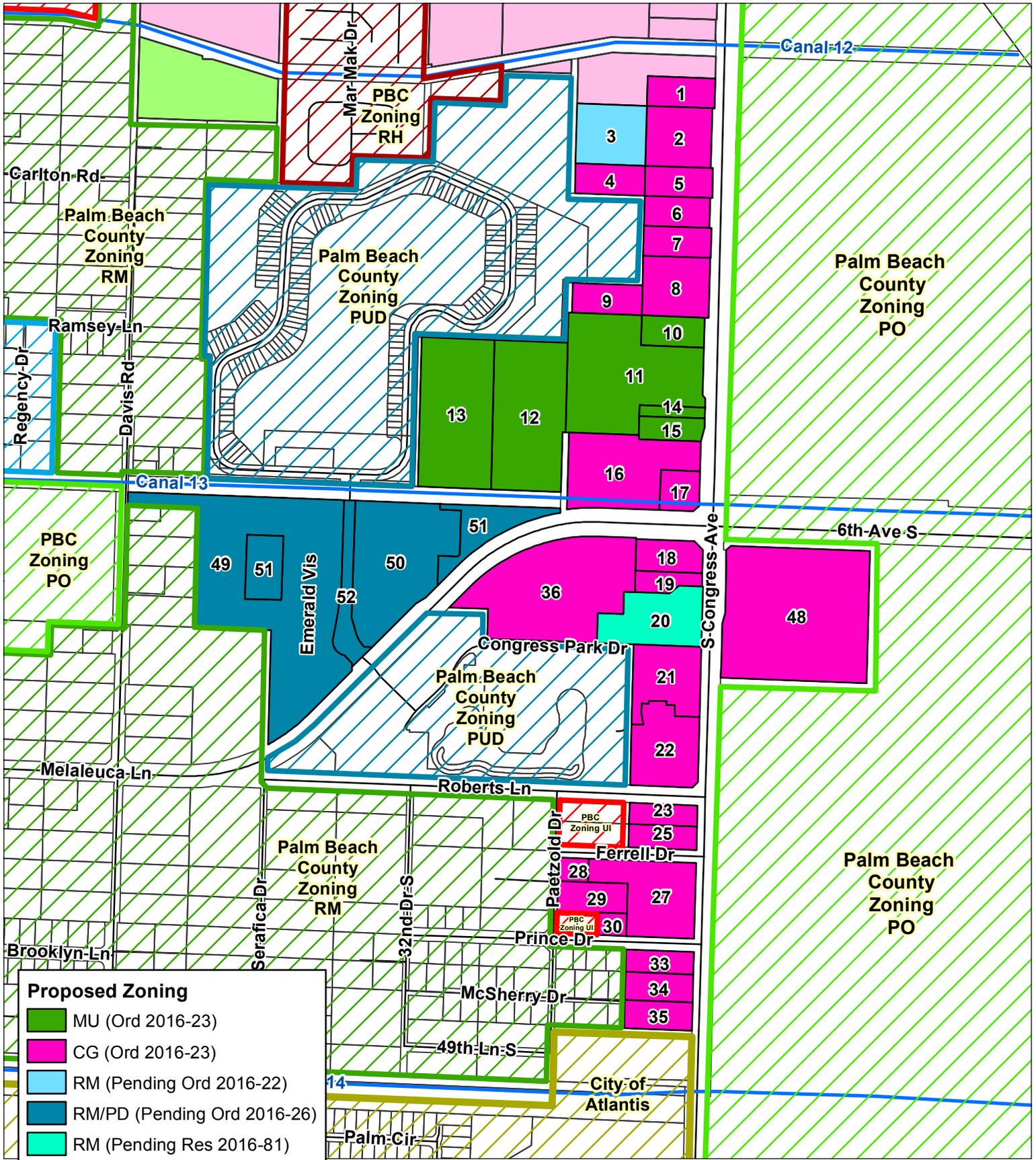
Future Land Use - Ordinance 2016-23



VILLAGE OF PALM SPRINGS

Zoning - Ordinance 2016-23

Figure 3



Proposed Zoning

- MU (Ord 2016-23)
- CG (Ord 2016-23)
- RM (Pending Ord 2016-22)
- RM/PD (Pending Ord 2016-26)
- RM (Pending Res 2016-81)

Existing Zoning

- CG
- RM



DATE: 11/17/2016



**Palm Beach County
Annexation Information Sheet**

Please submit the following information regarding each proposed annexation:

Annexation Name	South Congress Involuntary Annexation Area
Annexation Type	§171.0413 Involuntary
Acres	62.14 acres
Location	South of L-12 Canal, North of Atlantis City Limits, predominantly along west side of Congress Avenue (see map and table)
Existing Use	Mix of nonresidential and multi-family residential uses
Proposed Use	Same
County Future Land Use	Urban Infill and Institutional
County Zoning	UI, INST and PUD
City Future Land Use	Commercial and Mixed Use
City Zoning	CG and MXD
First Reading (<i>if known</i>)	December 8, 2016
Second Reading (<i>if known</i>)	December 15, 2016
Ordinance Num. (<i>if known</i>)	Ordinance 2016-23
Location Map	See Attached
Parcel Control Numbers	See Attached (34 parcels)

SOUTH CONGRESS AVENUE ANNEXATION AREA

(Ordinances 2016-22, 2016-23, & 2016-24, Resolution 2016-81)

Existing Conditions

Area:	86.78 acres
Parcels:	40 individual properties 32 voluntary 8 involuntary
Use(s):	residential 359 multi-family units 16 unit motel Office/ Retail / Restaurants / Vacant
Land Use:	PBC Urban Infill and Institutional and HR/8
Zoning:	PBC UI and MUPD and PUD and PO
Average Property Value:	\$1.9 million
Population Estimate:	898 residents

Village Considerations

Land Use:	Village Commercial, High/Medium Density Residential or Mixed Use
Zoning:	Village RM and CG and MU
Services:	

Utilities	Palm Beach County Water Utilities, Lake Worth Utilities and Atlantis Utilities serve the South Congress Avenue area
Roads	Congress Avenue and Melaleuca Lane are County roads and are generally in good condition with sidewalks on both sides of the road Street lights are located at intersections.
Parks	The annexation area is located south of the current Village boundary. The nearest Village parks are the ±1-acre Royal Palm Park, located on Davis Road, just north of Lakewood Road, and the 1.7-acre Sabal Palm Park, located on Summer Street, just north of 10 th Avenue North. Both neighborhood parks are of sufficient size to serve 2000 residents ¹ and 3400 residents, respectively.

¹ Based on Village LOS standard of 5 acres/10,000 population

This annexation area is located is closer proximity to the Palm Beach County’s John Prince Park, which is a regional park comprised of over 700 acres, including a 300+acre lake. Recreation facilities include basketball courts, softball fields, playgrounds, 4.5 miles of walking and bicycle paths, picnic pavilions, and boat ramps.

Library The estimated 898 residents are projected to undertake 3,592 circulations/year, will require 900 materials, and necessitate 0.45² librarians/library volunteers to serve their needs; however, it should be remembered that the Village Library currently serves the general public and not solely residents.

Police The estimated 898 residents necessitate 2 officers³ to serve this area. However, this does not represent the impact on Police services because the area is primarily commercial in nature. PBSO responded to 4,172 calls for service for the subject area for the 2-year period October 1, 2013 - September 30, 2015, which includes property damage crimes such as graffiti and vandalism.

Code Compliance The area is within the County’s “Serafica Road” and “Congress Park-32nd Drive South” Countywide Community Revitalization Team (“CCRT”) area. A CCRT area typically has more than average code cases (overgrown yard, house in disrepair, debris and trash, junk cars, etc.). The addition of 86.78 acres necessitates 0.14 code enforcement officers⁴ to serve the area.

Permitting Construction of the proposed Morguard mixed-use project will provide permitting revenue, as well as other redevelopment efforts facilitated by the Village College-Hospital Overlay and the elimination of the burdensome (County) Urban Redevelopment Area regulations.

Garbage Advanced Systems = existing provider; residential service to transfer to Republic Services on Oct 1st, commercial to remain with Advanced through effective period of existing contract

Surfacewater unaffected – LWDD area

Fire Rescue unaffected – PBC Fire Rescue

Electric unaffected – Lake Worth Utilities

Schools unaffected – existing residences and student population

² Based on 0.5 FTE/1000 residents, 4 circulations/capita, and 2.8 materials per capita

³ Based on State of Florida average LOS of 2.4 officers per 1,000 residents

⁴ Based on 1 code officer per square mile

Fiscal Sustainability

Budgetary Considerations:

- Police Officers 2 @ \$124,469⁵ > \$248,938
- Code Enforcement Officer 0.14 @ \$65,340 > \$ 9,148

Additional Ad Valorem: \$3,107,594⁶

Non-measurable Factors: Increase in other revenue sources, including sales tax, gas tax, franchise fees, 1% infrastructure surtax, etc.

Expansion of Village boundary to the Atlantis city limits will allow consistent regulations and code enforcement and law enforcement to be applied along the Congress Avenue corridor to promote a better business environment and foster redevelopment.

Elimination of blight and undesired activities as result of Policing and Code Enforcement

A Safe Village = Priceless

⁵ Staff costs includes personnel and equipment

⁶ Based on 4 mils and 2016 assessed values (\$77,689,805)



Village of Palm Springs

Executive Brief

AGENDA DATE: December 6, 2016

DEPARTMENT: Land Development

ITEM #3: Ordinance 2016-22 - Voluntary Annexation - 4591, 4614 and 4665 Emerald Vis, including private road tract

SUMMARY: Pursuant to Village annexation objectives, discussions have been ongoing with property owners along the South Congress Avenue corridor regarding the benefits of annexation. The subject area is generally located south of the L-12 Canal (south of Lake Worth Road) and north of the City of Atlantis.

The property owner, Morguard Emerald Apartments LLC, has consented to voluntary annexation, however, there are registered voters that prevent this parcel from being included in the §171.0413 involuntary annexation package.

The 20.23-acre parcel is developed with 284 rental apartments, and amenities. Village land use and zoning will be assigned via separate ordinance after the effective date of the annexation.

Note: See parcels #49-52 on the attached map and table.

Palm Beach County issued an email on November 28th indicating that there is no concern with the annexation and finds the proposed annexation is consistent with state statutes (a formal letter is forthcoming).

The Village Council will consider the proposed annexation on December 8th.

FISCAL IMPACT:

The assessed value of the parcels is \$27,403,505 and will contribute to the Village's overall property values.

ATTACHMENTS:

1. Ordinance 2016-24
2. Exhibit A continued
3. Aerial
4. Location Map
5. County Annexation Information Sheet

ORDINANCE NO. 2016-24

(VOLUNTARY ANNEXATION)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING FOUR PARCELS OF LAND, TOTALING 20.23 ACRES, COMMONLY OWNED; LOCATED AT 4591, 4614 AND 4665 EMERALD VIS, INCLUDING THE PRIVATE ROAD TRACT, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Petitioner(s), commonly owned, constituting all of the fee simple title holders to those lands located at 4591, 4614 and 4665 Emerald Vis, including the private road tract, and more particularly described in **Exhibit "A"** ("the subject properties"), attached hereto and made a part hereof, have voluntarily requested the Village of Palm Springs annex said lands into the corporate limits of the Village; and

WHEREAS, the Village Council, has considered the Petitioner(s) request for annexation and has also considered the recommendation of the Village staff and Land Development Board; and

WHEREAS, the Village Council has determined that granting the request for voluntary annexation serves a valid public purpose.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Findings. The Village Council finds the above statements are true and correct, and serve as a basis for consideration of this ordinance; that said lands are contiguous and reasonably compact with the corporate limits of the Village of Palm Springs, create no enclaves, pockets or finger areas in serpentine patterns and otherwise meets all of the requirements set forth in section 171.043, Florida Statutes, for annexation. Further, the Village can effectively provide police, fire, and sanitary services to said lands, all in compliance with the terms and requirements of Chapter 171, Florida Statutes, and the Village of Palm Springs Code.

Section 2. Annexation. The Village Council has determined that development of

said lands upon annexation shall be in accordance with the regulatory requirements of Palm Beach County, until such time as the Village adopts a Comprehensive Land Use Plan amendment and it becomes effective. That the parcels of land more particularly described in **Exhibit "A"**, are hereby annexed into and shall be within the corporate limits of the Village of Palm Springs, Florida, and that same shall henceforth be a part of said Village as if said lands were originally a part of the Village of Palm Springs.

Section 3. Directions to the Village Clerk. The Village Clerk is hereby authorized to cause the boundaries as set forth in the Village Charter to be amended and codified. The Village Clerk shall submit such documentation as required by law to give effect to this ordinance to the Clerk of the Circuit Court, pursuant to Section 2.01, Village Charter, the Florida Department of State, and the Florida Department of Economic Opportunity.

Section 4. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

Aye Nay Absent

BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, MAYOR PRO TEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIZ SHIELDS, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the _____ day of _____, 2016.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading: _____
Second Reading: _____

ATTEST:

BY: _____
SUSAN M. CALJEAN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

Exhibit "A"

Map ID	PCN	ADDRESS	OWNER	ACRES	ASSESSED VALUE	PBC LAND USE	PBC ZONING	PROPOSED LAND USE	PROPOSED ZONING
49	00434430170080010	4665 Emerald Vis	MORGUARD	11.32	17,662,447.00	HR/8	PUD	High Res	RM
50	00434430170080020	4614 Emerald Vis	EMERALD	5.27	9,741,058.00				
51	00434430170180010	4591 Emerald Vis	APARTMENTS	2.54					
52	00434430200190010		LLC	1.10					

Exhibit “A”

VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-24



■ Ord 2016-24
■ Village Limits



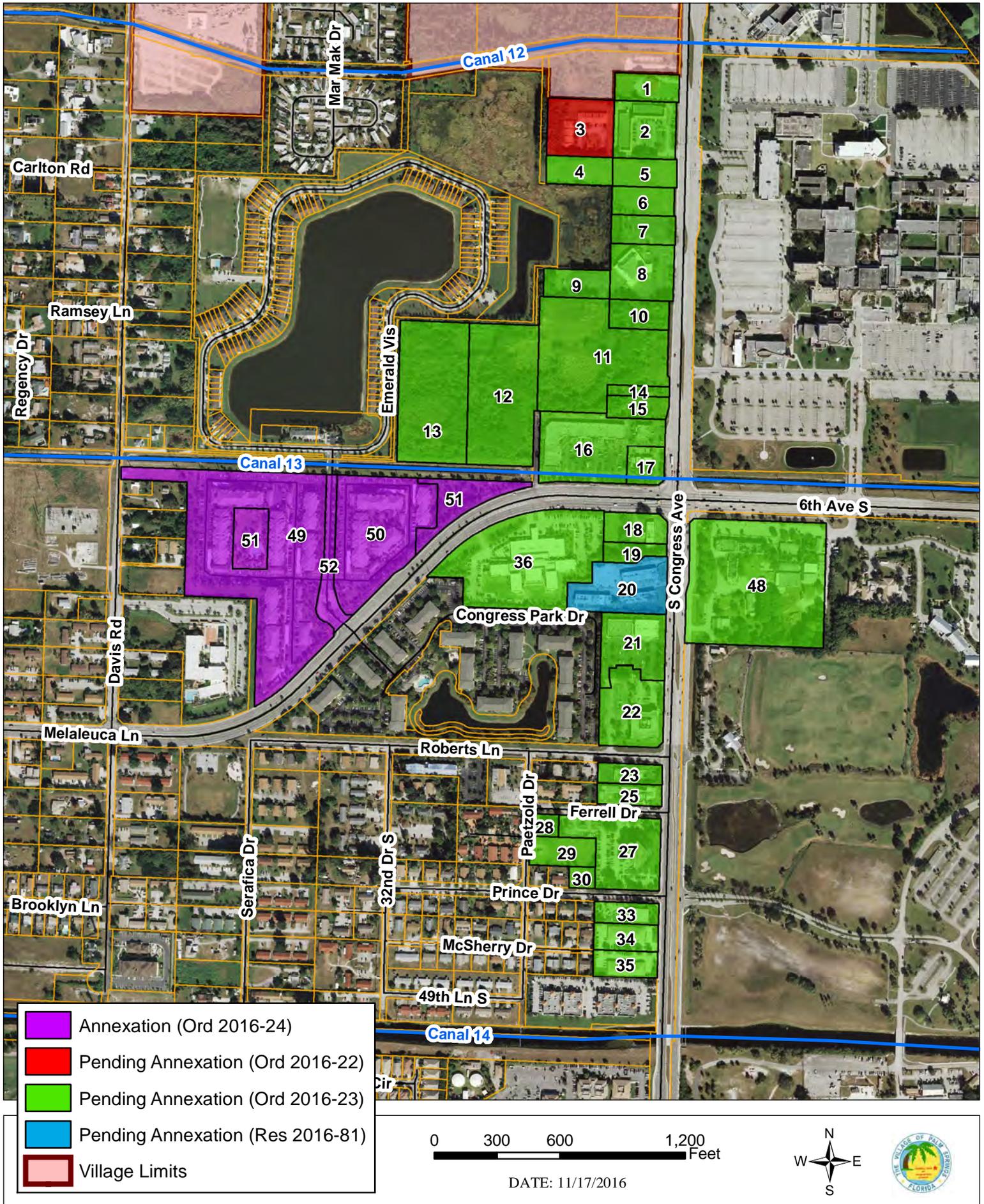
DATE: 11/15/2016



VILLAGE OF PALM SPRINGS

Figure 1

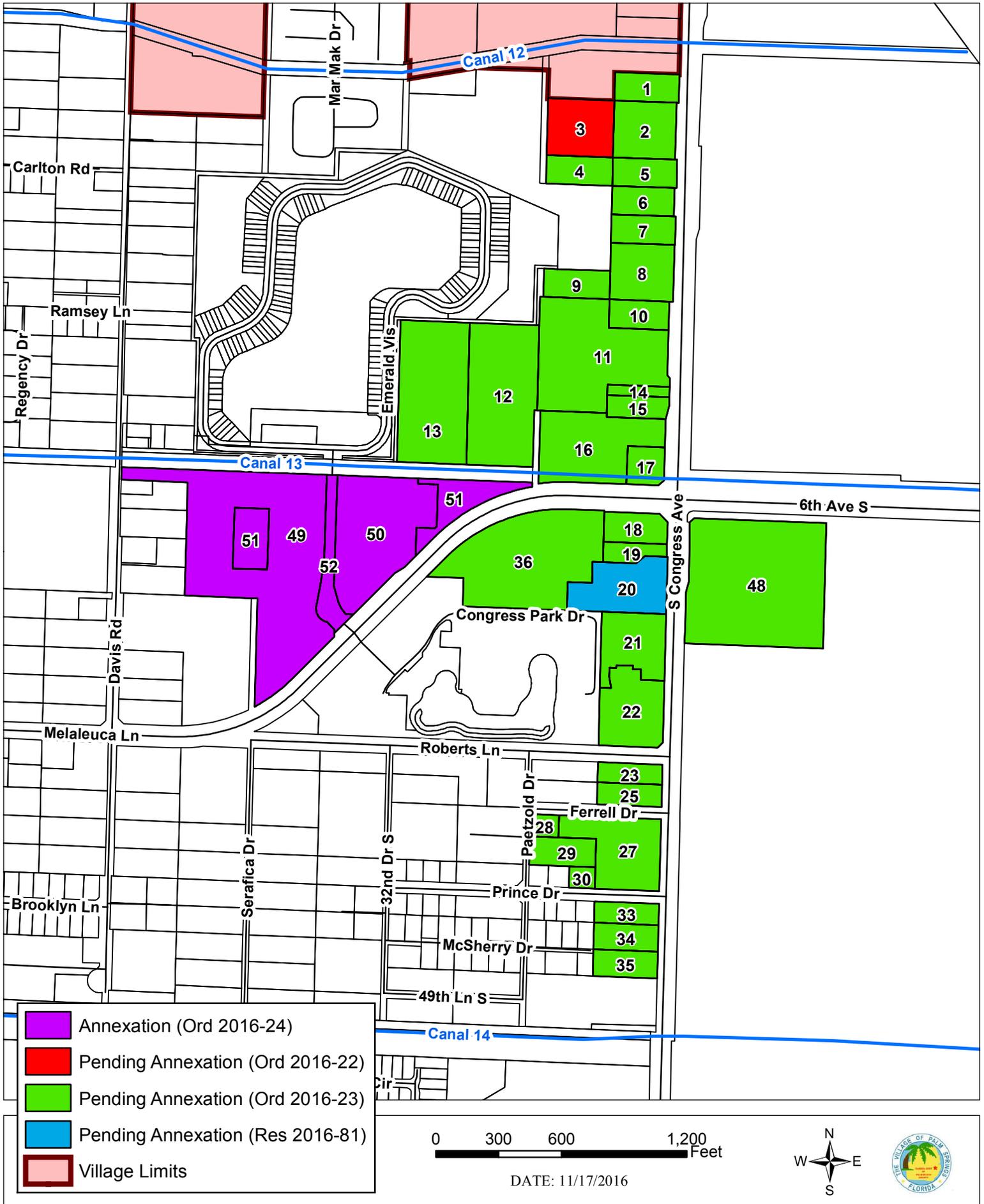
Annexation on S Congress Avenue - Ordinance 2016-24



VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-24

Figure 1



**Palm Beach County
Annexation Information Sheet**

Please submit the following information regarding each proposed annexation:

Annexation Name	Emerald Apartments
Annexation Type	Voluntary
Acres	20.23 acres
Location	4591, 4614 and 4665 Emerald Vis
Existing Use	Multi Family Residential (284 rental units)
Proposed Use	Same
County Future Land Use	HR/8
County Zoning	HR/8
City Future Land Use	High Density Residential
City Zoning	Multi-Family Residential (RM)
First Reading (<i>if known</i>)	December 8, 2016
Second Reading (<i>if known</i>)	December 15, 2016
Ordinance Num. (<i>if known</i>)	Ordinance No. 2016-24
Location Map	(Please Attach) Map # 49, 50, 51, 52
Parcel Control Number	00434430170080010, 00434430170080020 00434430170180010, 00434430200190010



Village of Palm Springs

Executive Brief

AGENDA DATE: December 6, 2016

DEPARTMENT: Land Development

ITEM #4: Resolution 2016-81: Interlocal Agreement for Annexation of One Enclave (One 2.43-Acre Parcel)

SUMMARY: Pursuant to Village annexation objectives, discussions have been ongoing with property owners in the “South Congress Avenue” area regarding the benefits of annexation. The subject annexation area is generally located south of the L-12 canal and north of the city of Atlantis.

Due to registered voters and the lack of owner consent, there is one parcel , located at 4611 South Congress Avenue that is subject of annexation through an interlocal agreement with Palm Beach County rather than being part of the §171.0413 involuntary annexation package.

The subject property (identified as Parcel #20 on the attached map) is improved with a multi-family residential use.

See Parcel #20 on the attached table and map for more information.

The Village Council will consider the proposed interlocal agreement at its December 8th meeting.

FISCAL IMPACT:

The assessed value of the subject parcel is approximately \$3 million, and will contribute to the Village’s overall property values.

ATTACHMENTS:

1. Resolution 2016-81
2. Enclave Interlocal Agreement
3. Aerial Map
4. Location Map
5. Annexation Table 1
6. County Annexation Information Sheet

RESOLUTION NO. 2016-81

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, PURSUANT TO SECTION 163.01, AND SECTION 171.046 FLORIDA STATUTES, ET SEQ., FOR THE PURPOSE OF ANNEXING ONE (1) ENCLAVE, CONSISTING OF A PARCEL OF LAND 1.98 ACRES IN SIZE, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" TO THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palm Springs ("Village") deems it in the best interest of the Village to enter into that certain Interlocal Agreement with Palm Beach County for the annexation of a parcel of land 1.98 acres in size; and

WHEREAS, the Village wishes to annex the enclave, consisting of a parcel of land 1.98 acres in size; which is more fully described in Exhibit "A" to the Interlocal Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The Village of Palm Springs, Florida hereby agrees to the terms and conditions of that certain Interlocal Agreement with Palm Beach County, a copy of which is attached hereto and which is incorporated herein by reference, and which is authorized pursuant to Chapter 163.01 and Section 171.046 et seq., Florida Statutes; and further authorizes the Mayor and Village Clerk to execute and deliver said Interlocal Agreement to Palm Beach County, along with a certified copy of this Resolution.

Section 2. Upon their execution, the Village Clerk shall forthwith cause a certified copy of this Resolution, together with a copy of said Interlocal Agreement to be filed with the Clerk of the Circuit Court in and for Palm Beach County, Florida.

Section 3. This Resolution shall become effective immediately upon its passage.

Council Member _____, offered the foregoing Resolution, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, MAYOR PRO TEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIZ SHIELDS, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Resolution duly passed and adopted this _____ day of _____, 2016.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

ATTEST:

BY: _____
SUSAN M. CALJEAN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

Interlocal Agreement attached here

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is made on this ____ day of _____, 2016 between the VILLAGE OF PALM SPRINGS, a municipal corporation located in Palm Beach County, Florida, hereinafter referred to as “VILLAGE,” and PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as “COUNTY”, each entity constituting a “public agency” as defined in Part 1, Chapter 163, Florida Statutes (2016).

WHEREAS, Section 163.01, Florida Statutes (2016), known as the “Florida Interlocal Cooperation Act of 1969,” as amended, authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and to thereby provide services and facilities which will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the “Florida Interlocal Cooperation Act of 1969” permits public agencies as defined herein to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, Section 171.046, Florida Statutes (2016), provides for annexation of certain enclaves by entering into an interlocal agreement between the municipality and the county having jurisdiction over such enclave; and

WHEREAS, Section 171.046, Florida Statutes (2016), limits annexation by interlocal agreement to enclaves of 110 acres or less in size; and

WHEREAS, Section 171.031 (13) (a) and (b), Florida Statutes (2016), defines enclaves as developed or improved property bounded on all sides by a single municipality, or bounded by a single municipality and by a natural or manmade obstacle that allows passage of vehicular traffic to that incorporated area only through the municipality; and

WHEREAS, the County and the Village have determined that it is appropriate and will promote efficient provision of governmental services for the Village to annex certain enclaves; and

WHEREAS, it has been determined by the Village and by the County that the parcel to be annexed via this interlocal Agreement meets the requirements set out in Section 171.031 (a) and (b) and 171.046, Florida Statutes (2016), as such enclave is developed or is improved, is 110 acres or less in size, and is completely surrounded by the Village or is surrounded by the Village and a natural or manmade obstacle that allows passage of vehicular traffic to the enclaves only through the Village; and

WHEREAS, the enclave identified for annexation in this Interlocal Agreement are in the Village’s future annexation area as provided for in the Village’s Comprehensive Plan; and

WHEREAS, the County and the Village agree that the parcel to be annexed via this Interlocal Agreement is subject to the Land Use Atlas of the Palm Beach County Comprehensive Plan and County zoning and subdivision regulations until the Village adopts a comprehensive plan amendment to include the parcel to be annexed into the comprehensive plan; and

NOW, THEREFORE, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

Section 1. Purpose

The purpose of the Agreement is to allow annexation by the Village of Palm Springs of that certain unincorporated enclave which is identified in Exhibit "A" attached hereto and made a part hereof:

Section 2. Definitions

The following definitions shall apply to this Agreement:

1. The term "enclave" shall be defined as set forth in Section 171.031(13) (a) and (b), Florida Statutes (2016).
2. "Act" means Part 1 of Chapter 163, Florida Statutes (2016).
3. "Agreement" means this Interlocal Agreement, including any amendments or supplements hereto, executed and delivered in accordance with the terms hereof.

Section 3. Annexation

The unincorporated enclave identified in Exhibit "A", which is attached hereto and made a part hereof, is hereby annexed into and is included in the corporate boundaries of the Village of Palm Springs.

Section 4. Annexation of Rights-of-Way

Palm Beach County hereby consents to the annexation of the right-of-way segments identified in Exhibit "B" into the corporate boundaries of the Village of Palm Springs.

Section 5. Transfer of Ownership and Maintenance Responsibility of Rights-of-Way identified in Exhibit "C"

Approval of this interlocal agreement by both parties constitutes mutual agreement by the Village and County pursuant to Section 335.0415, Florida Statutes (2015), to the transfer of the responsibility for ownership, operation and maintenance of the right-of-way segments identified in Exhibit "C" from the County to the Village. Such transfer shall occur upon the effective date of the annexation of the right-of-way segments identified in Exhibit "C".

Section 6. Effective Date

This agreement shall take effect upon execution by both parties.

Section 7. Filing

Upon execution by both parties, a certified copy of this agreement shall be filed with the Clerk of Circuit Court in and for Palm Beach County.

Section 8. Notification

The Village hereby acknowledges that it has provided written notice to all owners of real property located in the enclave identified in Exhibit "A" whose names and addresses are known by reference to the latest published ad valorem tax records of the Palm Beach County Property Appraiser. The written notice described the purpose of the Interlocal Agreement and stated the date, time, and place of the meeting of the Village Council of the Village of Palm Springs where this Interlocal Agreement is to be considered for adoption. The written notice also indicated the name and telephone number of the Palm Beach County staff person to contact regarding the date, time and place when the Board of County Commissioners is to consider the adoption of this Interlocal Agreement.

Section 9. Captions

The captions and section designations herein set forth are for convenience only and shall have no substantive meaning.

Section 10. Severability

In the event any section, paragraph, sentence, clause, or provision hereof is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

Section 11. Entire Agreement & Counterparts

This Agreement represents the entire understanding between the parties, concerning the subject, and supersedes all other negotiations, representation, or agreements, either written or oral, relating to this Agreement. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

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VILLAGE OF PALM SPRINGS

ATTEST:

Bev Smith, Mayor

Susan M. Caljean, Village Clerk

(Seal)

Approved as to Form and Legal Sufficiency

Glen Torcivia, Village Attorney

ATTEST:

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock
Clerk & Comptroller

By: _____
Deputy Clerk

By: _____
_____, Mayor

(SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Robert Banks, Chief Land Use
County Attorney

By: _____
Patrick Rutter, Executive Director
Planning, Zoning & Building

**Exhibit A
Enclave Parcel**

Map ID	PCN	ADDRESS	OWNER	ACRES	ASSESSED VALUE	PBC LAND USE	PBC ZONING	PROPOSED LAND USE	PROPOSED ZONING
20	00434430010650031	4611 S. Congress Avenue	4611 S Congress LLC	2.43	3070127	Urban Infill	UI	High Density Residential	RM

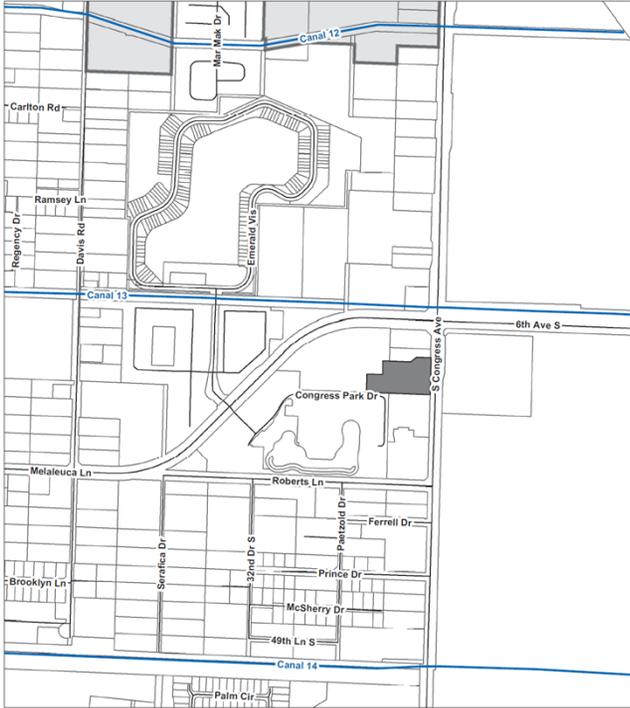


Exhibit B
Right-of-Way Segments To Be Annexed

Rights-of-Way	Segment
Unnamed 30' R/W Plat Book 5, Page 72, Adjacent to Lot D, Block 63	Melaleuca Lane to northern terminus

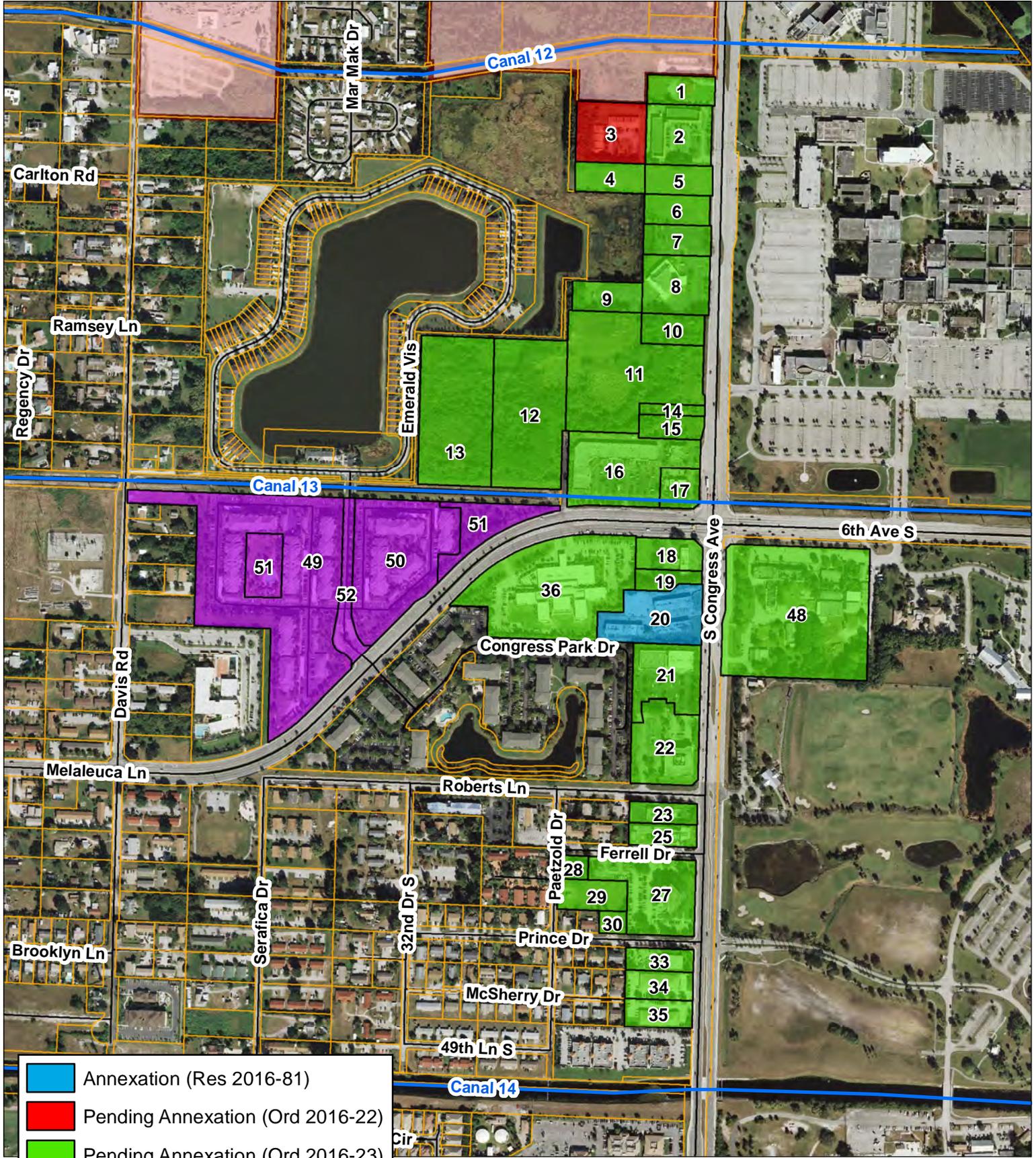
Exhibit C
Right-of-Way Segments Operated and Maintained by the County
For which ownership and maintenance will be transferred to the Village

Rights-of-Way	Segment
Unnamed 30' R/W Plat Book 5, Page 72, Adjacent to Lot D, Block 63	Melaleuca Lane to northern terminus

VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Resolution 2016-81

Figure 1



- Annexation (Res 2016-81)
- Pending Annexation (Ord 2016-22)
- Pending Annexation (Ord 2016-23)
- Pending Annexation (Ord 2016-24)
- Village Limits



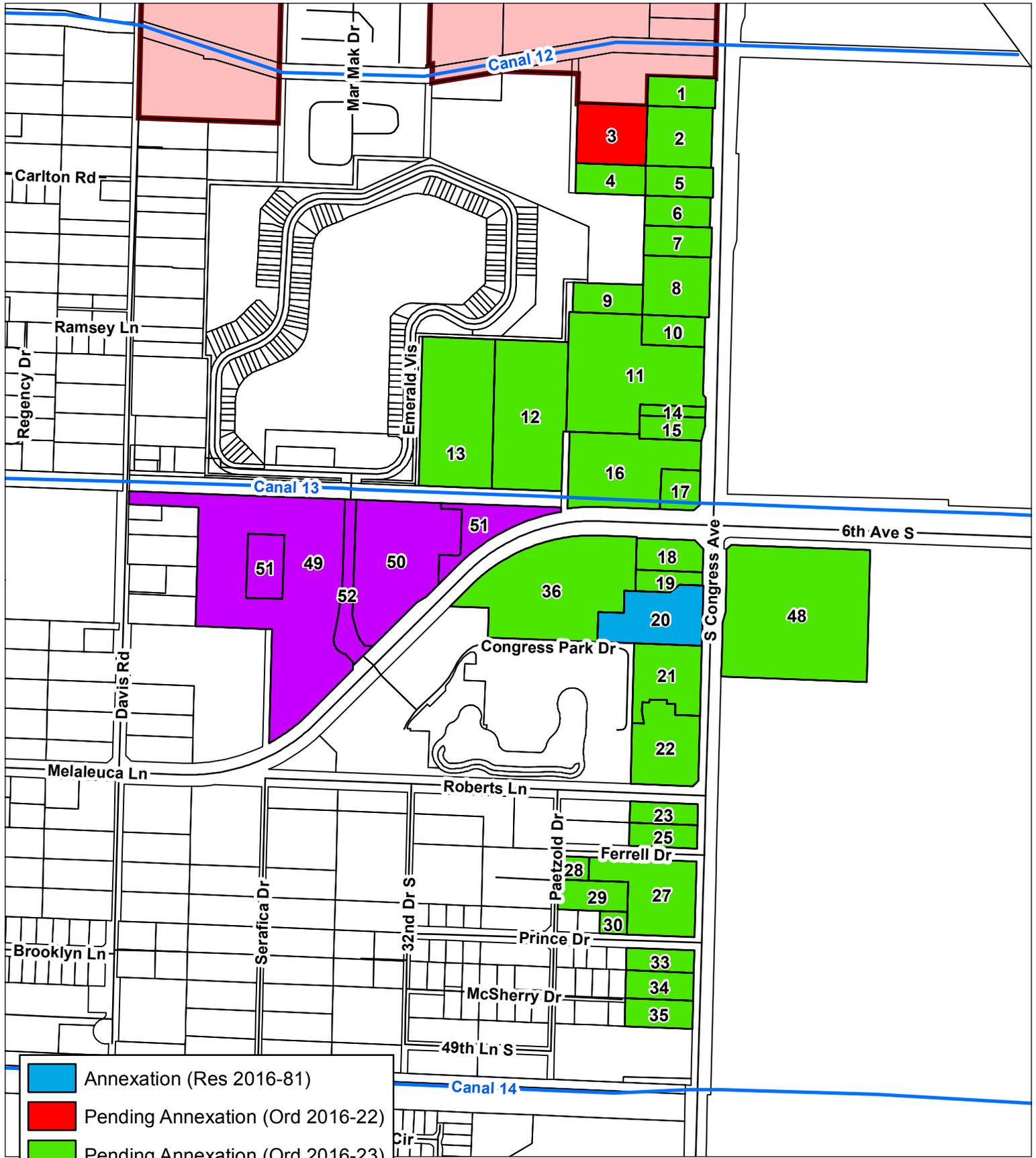
DATE: 11/17/2016



VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Resolution 2016-81

Figure 1



- Annexation (Res 2016-81)
- Pending Annexation (Ord 2016-22)
- Pending Annexation (Ord 2016-23)
- Pending Annexation (Ord 2016-24)
- Village Limits



DATE: 11/17/2016



§171.0413 Involuntary Annexation - South Congress Avenue Area
Ordinance 2016-23

TABLE 1

MAP_NUMBER	PCN	OWNER_NAME	PBC_FLU	PBC ZONING	ADDRESS NUMBER	STREET NAME	ACRES	ASSESSED VALUE	REGISTERED VOTERS?	PROPOSED VILLAGE FLU	PROPOSED VILLAGE ZONING	VOLUNTARY?
1	00434430010320020	LP ROCA INVESTMENTS INC	URBAN INFILL	UI	4163	S CONGRESS AVE	0.95	129,440.00	0	Commercial	CG	No
2	00434430010320030	MEDICAL SERVICES OF AMERICA INC	URBAN INFILL	UI	4175	S CONGRESS AVE	1.86	951,952.00	0	Commercial	CG	Yes
4	00434430010310050	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.98	141,120.00	0	Commercial	CG	Yes
5	00434430010320050	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.96	198,510.00	0	Commercial	CG	Yes
6	00434430010330010	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.93	191,869.00	0	Commercial	CG	Yes
7	00434430010330020	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.96	202,807.00	0	Commercial	CG	Yes
8	00434430010330030	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	4320	S CONGRESS AVE	1.90	1,534,466.00	0	Commercial	CG	Yes
9	00434430010340040	BETHEL ASSEMBLY OF LAKE WORTH FL INC	URBAN INFILL	UI	4320	S CONGRESS AVE	0.98	233,438.00	0	Commercial	CG	Yes
10	00434430010330050	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.89	89,250.00	0	Mixed Use	MU	Yes
11	00434430010340050	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	4411	S CONGRESS AVE	5.88	587,840.00	0	Mixed Use	MU	Yes
12	00434430010620010	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	5.09	509,000.00	0	Mixed Use	MU	Yes
13	00434430010610010	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	5.18	518,000.00	0	Mixed Use	MU	Yes
14	00434430010640032	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.34	34,000.00	0	Mixed Use	MU	Yes
15	00434430010640031	MORGUARD CORAL LAKES LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.71	70,560.00	0	Mixed Use	MU	Yes
16	00434430160010000	CONGRESS POINTE INC	URBAN INFILL	UI	4455	S CONGRESS AVE	3.78	2,908,403.00	0	Commercial	CG	Yes
17	00434430160020000	WENDYS PROPERTIES LLC	URBAN INFILL	UI	4483	S CONGRESS AVE	0.74	615,208.00	0	Commercial	CG	Yes
18	00434430010650010	P F A SARA LLC	URBAN INFILL	UI	4567	S CONGRESS AVE	0.99	10,090,676.00	0	Commercial	CG	No
19	00434430010650032	SWORDFISH REAL ESTATE LLC	URBAN INFILL	UI	N/A	S CONGRESS AVE	0.59	471,574.00	0	Commercial	CG	No
21	00434430150000020	JFK MEDICAL CENTER LIMITED PARTNERSHIP	URBAN INFILL	UI	4665	S CONGRESS AVE	2.10	2,828,490.00	0	Commercial	CG	Yes
22	00434430150000010	COLUMBIA JFK MEDICAL CENTER	URBAN INFILL	UI	4685	S CONGRESS AVE	2.41	3,725,780.00	0	Commercial	CG	Yes
23	00434430010970010	DCS INVESTMENT GROUP LLC	URBAN INFILL	UI	4765	S CONGRESS AVE	0.67	850,000.00	0	Commercial	CG	No
25	00434430010970020	SHEEL GUADALUPE D	URBAN INFILL	UI	4787	S CONGRESS AVE	0.75	516,755.00	0	Commercial	CG	Yes
27	00434430010970030	4801 CONGRESS AVENUE LLC	URBAN INFILL	UI	4801	S CONGRESS AVE	2.86	4,655,000.00	0	Commercial	CG	Yes
28	00434430010980030	PRINCE PARTNERS	URBAN INFILL	UI	3098	FERRELL DR	0.33	51,287.00	0	Commercial	CG	Yes
29	00434430010980040	PRINCE PARTNERS	URBAN INFILL	UI	N/A	N/A (ACCESS OFF PAETZOLD D	0.99	153,707.00	0	Commercial	CG	Yes
30	00434430010980053	PRINCE PARTNERS	URBAN INFILL	UI	3075	PRINCE DR	0.29	45,458.00	0	Commercial	CG	Yes
33	00434430011280010	4889 S CONGRESS LLC	URBAN INFILL	UI	4889	S CONGRESS AVE 100	0.69	1,302,835.00	0	Commercial	CG	No
34	00434430110000010 00434430110000020 00434430110000030 00434430110000040	LAKE WORTH OFFICE PARTNERS LLC	URBAN INFILL	UI	4909, 4911, 4913, 4915	S CONGRESS AVE	0.90	1,050,151.00	0	Commercial	CG	Yes
35	00434430011280030	LAKE WORTH OFFICE PARTNERS LLC	URBAN INFILL	UI	4949	S CONGRESS AVE	0.90	1,263,457.00	0	Commercial	CG	Yes
36	00434430220000000	SELECT SPECIALTY HOSPITAL PALM BEACH INC	INST/8	MUPD	3060	MELALEUCA LN	6.50	8,553,034.00	0	Commercial	CG	Yes
48	00434429000030010	PALM BEACH HABILITATION CENTER INC	INST	PO	4522	S CONGRESS AVE	9.04	2,742,106.00	0	Commercial	CG	Yes

34 Total Parcels (PCNs)

27 # Voluntary

79% % of parcels voluntary

62.14 Total Acreage

51.61 Acreage of Voluntary

83% % of acreage voluntary

**Palm Beach County
Annexation Information Sheet**

Please submit the following information regarding each proposed annexation:

Annexation Name	South Congress Involuntary Annexation Area
Annexation Type	§171.0413 Involuntary
Acres	62.14 acres
Location	South of L-12 Canal, North of Atlantis City Limits, predominantly along west side of Congress Avenue (see map and table)
Existing Use	Mix of nonresidential and multi-family residential uses
Proposed Use	Same
County Future Land Use	Urban Infill and Institutional
County Zoning	UI, INST and PUD
City Future Land Use	Commercial and Mixed Use
City Zoning	CG and MXD
First Reading (<i>if known</i>)	December 8, 2016
Second Reading (<i>if known</i>)	December 15, 2016
Ordinance Num. (<i>if known</i>)	Ordinance 2016-23
Location Map	See Attached
Parcel Control Numbers	See Attached (34 parcels)



Village of Palm Springs

Executive Brief

AGENDA DATE: December 6, 2016

DEPARTMENT: Land Development

ITEM #5: Ordinance 2016-25: Annexation Agreement for Morguard Coral Lakes

SUMMARY: Pursuant to Village annexation objectives, discussions have been ongoing with property owners in the “South Congress Avenue” area regarding the benefits of annexation. The subject annexation area is generally located south of the L-12 canal (south of Lake Worth Road) and north of the City of Atlantis. Chapter 171.0413(6), F.S. provides for the involuntary annexation of property when the annexed area does not have any registered electors, and when more than 50% of the parcels of land in the area proposed to be annexed consent to the annexation.

Morguard Coral Lakes, LLC agreed to execute the voluntary annexation petition, allowing the Village to obtain more than 50% of the land area for the §171.0413 proceeding, with the memorialization of understandings for development allowances in an annexation agreement.

The Annexation Agreement includes provisions for allowances and requirements for development that, in some cases, differ from Village practice. As a result, the annexation agreement is presented for consideration as an ordinance requiring two readings.

In summary, the Morguard Annexation Agreement provides for the following:

- 1) Village will designate the property with Mixed Use land use and Mixed Use zoning in advance of a site plan for the proposed mixed-use planned development being submitted for review;
- 2) A conceptual site plan has been presented that utilizes the increased densities of the College-Hospital Overlay with 360 rental dwelling units (19.9 units per acre) and 9,000 square feet of retail/commercial uses;
- 3) Within 12 months, Morguard must submit the formal planned development (site plan) application, which will undergo standard review and approval processes with public hearings; and
- 4) The annexation agreement is effective for a period of three (3) years. See the attached annexation agreement for more information.

FISCAL IMPACT:

As a vacant property, the proposed improvements will contribute to the property’s assessed value, which is currently \$ 1.8 million. The property has redevelopment potential that can assist the Village implement economic redevelopment strategies.

ATTACHMENTS:

1. Ordinance 2016-25
2. Annexation Agreement
3. Concept Plan
4. Location Map
5. Aerial Map

ORDINANCE NO. 2016-25

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH MORGUARD CORAL LAKES, LLC, OWNERS OF SIX PARCELS OF LAND, TOTALING 18.09 ACRES, LOCATED AT 4411 SOUTH CONGRESS AVENUE, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; PROVIDING FOR USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council deems it in the best interest of the Village to enter into an agreement with Morguard Coral Lakes, LLC, owner of six parcels of land, totaling 18.09 acres, located at 4411 South Congress Avenue, for the purpose of voluntary annexation into the Village of Palm Springs.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The Village Council of the Village of Palm Springs, Florida hereby agrees to the terms and conditions of that certain Agreement with Morguard Coral Lakes, LLC, owner of six parcels of land, totaling 18.09 acres, located at 4411 South Congress Avenue, which is attached hereto as Exhibit "A", and which is incorporated herein by reference; and further authorizes the Mayor and Village Clerk to execute and deliver said Agreement to Morguard Coral Lakes, LLC , along with a copy of this Ordinance.

Section 2. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 3. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance,

and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, MAYOR PRO TEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIZ SHIELDS, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the _____ day of _____, 2016.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

First Reading: _____
Second Reading: _____

ATTEST:

BY: _____
SUSAN M. CALJEAN, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY

Exhibit “A”

Annexation Agreement

Prepared by and return to:

Glen Torcivia, Village Attorney
Village of Palm Springs
226 Cypress Lane
Palm Springs, Florida 33461

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT by and between the **VILLAGE OF PALM SPRINGS, FLORIDA**, a municipal corporation, (hereinafter referred to as the “Village”), 226 Cypress Lane, Palm Springs, FL 33461; and **MORGUARD CORAL LAKES, LLC, a Delaware limited liability company** (hereinafter referred to as the “Petitioner”), with a mailing address of 55 City Centre Drive, Suite 1000, Mississauga, Ontario L5B 1M# Canada.

WHEREAS, Petitioner is the fee simple owner of six (6) parcels of land located at 4411 South Congress Avenue (PCNs: 00434430010330050, 00434430010340050, 00434430010620010, 00434430010610010, 00434430010640032, 00434430010640031) (hereinafter referred to as the “Property”); and

WHEREAS, the Property is within unincorporated Palm Beach County, Florida, and is reasonably compact and contiguous to the Village’s municipal boundaries; and

WHEREAS, the Property meets all the requirements for voluntary annexation set forth in Chapter 171, Florida Statutes, and Petitioner hereby voluntarily petitions the Village to have the Property annexed into the Village; and

WHEREAS, the Village and Petitioner acknowledge that the Property could remain in unincorporated Palm Beach County and continue to be subject to the uses and building intensities permitted by the Palm Beach County Comprehensive Plan and the Unified Land Development Code; and

WHEREAS, the Village and Petitioner recognize the mutual value and benefit of the Property being located within the Village’s municipal boundaries, subject to the terms and conditions of this Agreement being satisfied; and

WHEREAS, in consideration for such voluntary annexation, the Village is making certain representations regarding the appropriate land use designation and zoning category for the

LAND USE

MIXED USE

ZONING

MIXED USE ('MU')

Said designation of the Property in the Village's Future Land Use Map and Land Development District (Zoning) Map is subject to the Village's Code of Ordinances and all applicable statutes, policies and procedures required in order to so designate the Property.

5. **CHANGE IN LAND USE DESIGNATION AND ZONING OF THE PROPERTY.** The Village agrees to assign an appropriate future land use (Mixed Use) and to zone (MU) the Property pursuant to its Comprehensive Plan so that it is consistent with and implements the future land use designation assigned to the Property and so that the Property's land development district (zoning) is compatible with the properties in connection with the Comprehensive Plan amendment and zoning re-districting.
6. **USE AND DEVELOPMENT REQUIREMENTS AND ALLOWANCES.** So long as the Property is assigned the future land use category and land development district (zoning) designation contemplated in Section 5 above, the use and development of the Property shall be conducted in accordance with the following to maintain compatibility with, and protect against adverse impacts to, the surrounding properties:
 - a. **Uses.** Petitioner and Village acknowledge that Petitioner will apply for Planned Development for a mixed-use project, utilizing the allowances of the College-Hospital Overlay, consisting of approximately 360 multifamily units focused on student and young-professional housing consistent with the goals and intent of the College-Hospital Overlay and 9,000 square feet of non-residential uses within twelve (12) months of the effective date of the Annexation Agreement.
 - b. **Plan of Development.** The conceptual site plan of said Mixed Use Planned Development is attached as Exhibit B ("Conceptual Site Plan") which the Petitioner and Village agree shall undergo the standard review and approval process set forth in Chapter 34 of the Village Code, including Land Development Board and Village Council hearings following technical review confirming that the project complies with property development regulations for the zoning district set forth in Section 5, above. Notwithstanding that 9,000 square feet of non-residential use is shown on the Conceptual Site Plan, Petitioner

and Village agree that Petitioner may establish an additional non-residential component north of the entrance on Congress Avenue.

- c. **All other codes and requirements.** All other requirements of the Village's codes and ordinance, and applicable law shall remain in full force and effect.
7. **STATUS OF AGREEMENT.** The parties agree and acknowledge that this Annexation Agreement is not a "development agreement" as contemplated by Sections 163.3220-163.3243, Florida Statutes, and that the provisions of said sections are not applicable to this Annexation Agreement. The parties acknowledge and agree that no infirmity or defect in the Village's actions described herein shall nullify or otherwise affect the annexation of the Property into the Village.
8. **ALL OTHER CODE AND REQUIREMENTS.** All other requirements of the Village's Code of Ordinances, regulations and applicable law shall remain in full force and effect.
9. **TERM OF THE AGREEMENT.** The terms contained herein shall inure only to the party hereto. However, the allowances provided in Section 6, shall only exist for the time set forth in each subsection for the applicable use. Once the time set forth in each subsection expires, the allowances provided shall thereafter without further action by the Village become null, void and of no further legal effect. Thereafter any further use or expansion of the Property shall be governed by the Village Code of Ordinances and all applicable laws and regulations in effect.
10. **TERMINOLOGY.** In this Agreement, the use of the singular shall include the plural, the use of the masculine shall include the neuter, and the use of "officials" shall include appointed and elected officials of the Village and their successors.
11. **ENTIRE AGREEMENT.** This Annexation Agreement embodies the whole agreement of the parties and there are no promises, terms, conditions or obligations other than those herein contained, and this Annexation Agreement supersedes all previous communications, representations, proposals or agreements, if any. The provisions of this Annexation Agreement fully set forth the Petitioner's obligations and there are no other costs, charges, fees, or expenses for the annexation, land use amendment, or rezoning of the Property. There are no other oral or written promises, conditions, representations, understandings or

terms of any kind as conditions of inducement to the execution hereof. Any subsequent conditions, representations, warranties, or agreements shall not be valid or binding upon the parties, unless they are in writing and signed by both parties and executed in the same manner as this Annexation Agreement.

12. **SEVERABILITY.** In the event that any part, term or provision of this Annexation Agreement is found to be illegal or inoperative by a court of competent jurisdiction, the validity of the remaining portions and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Annexation Agreement did not contain the particular part, term or provision held to be so invalid.
13. **CAPTIONS.** Captions are included for convenience only and shall be given no legal effect whatsoever.
14. **ENFORCEMENT.** In the event Petitioner fails to comply with all the terms and conditions of this Agreement, the Village shall have the right to commence code enforcement proceedings against Petitioner or bring any other action at law, including but not limited to injunctive relief against Petitioner.
15. **WAIVER.** Failure of a party to enforce any conditions of this Agreement or exercise any of its right(s) under this Agreement shall not be deemed a waiver of that parties' right to enforce said condition(s) or exercise said right(s) at any time.
16. **TIME.** Time is of the essence in all respects under this Agreement.
17. **EFFECTIVE DATE.** This Annexation Agreement shall become effective upon annexation and final approval by the Village Council.
18. **DURATION OF ANNEXATION AGREEMENT.** This Annexation Agreement shall terminate and be of no further force and effect upon the earlier of: (a) final adoption and issuance (including the expiration of any appeal periods or, if an appeal is filed, the successful defense against any such appeal) of the land use, zoning, and site plan in furtherance of this Annexation Agreement; or (b) three (3) years following the Effective Date of this Annexation Agreement.

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SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF the parties have hereto set their hands and seals in lawful execution of this Annexation Agreement on the date opposite their names.

Date: _____

VILLAGE OF PALM SPRINGS, FLORIDA

By: _____

Bev Smith, Mayor

ATTEST:

By: _____

Susan M. Caljean, Village Clerk

(Village Seal)

APPROVED AS TO FORM:

By: _____

Glen J. Torcivia, Village Attorney

Date: _____

PETITIONER: Morguard Coral Lakes, LLC

Witnesses as to Petitioner:

Witness

By: _____

Name and Title:

Witness

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ACKNOWLEDGEMENTS FOLLOW

ACKNOWLEDGEMENTS

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing ANNEXATION AGREEMENT was acknowledged before me this _____ day of _____, 20__ by BEV SMITH and SUSAN M. CALJEAN, the Mayor and Village Clerk, respectively, of the Village of Palm Springs, Florida, who are personally known to me.

NOTARY PUBLIC – STATE OF FLORIDA
MY COMMISSION EXPIRES:

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing ANNEXATION AGREEMENT was acknowledged before me this _____ day of _____, 20__ by _____ as _____ of Morguard Coral Lakes, LLC, who is personally known to me, or who provided _____ as identification.

NOTARY PUBLIC – STATE OF FLORIDA
MY COMMISSION EXPIRES:

4411 South Congress Avenue
Morguard

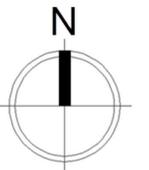
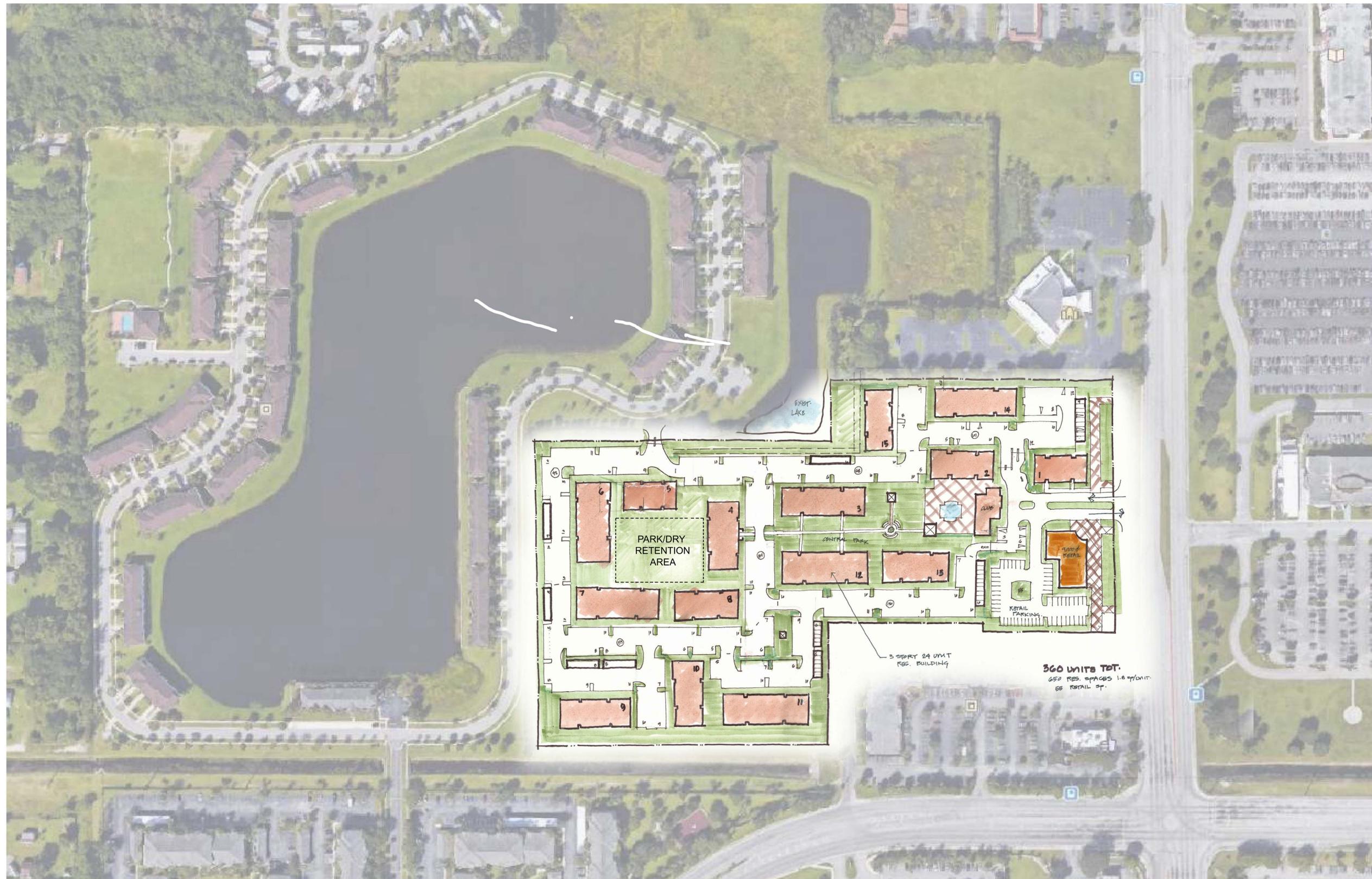
EXHIBIT "A"
LEGAL DESCRIPTION

4411 South Congress Avenue
Morguard

EXHIBIT "B"
CONCEPTUAL SITE PLAN

Coral Lakes Mixed Use

CONCEPTUAL SITE PLAN

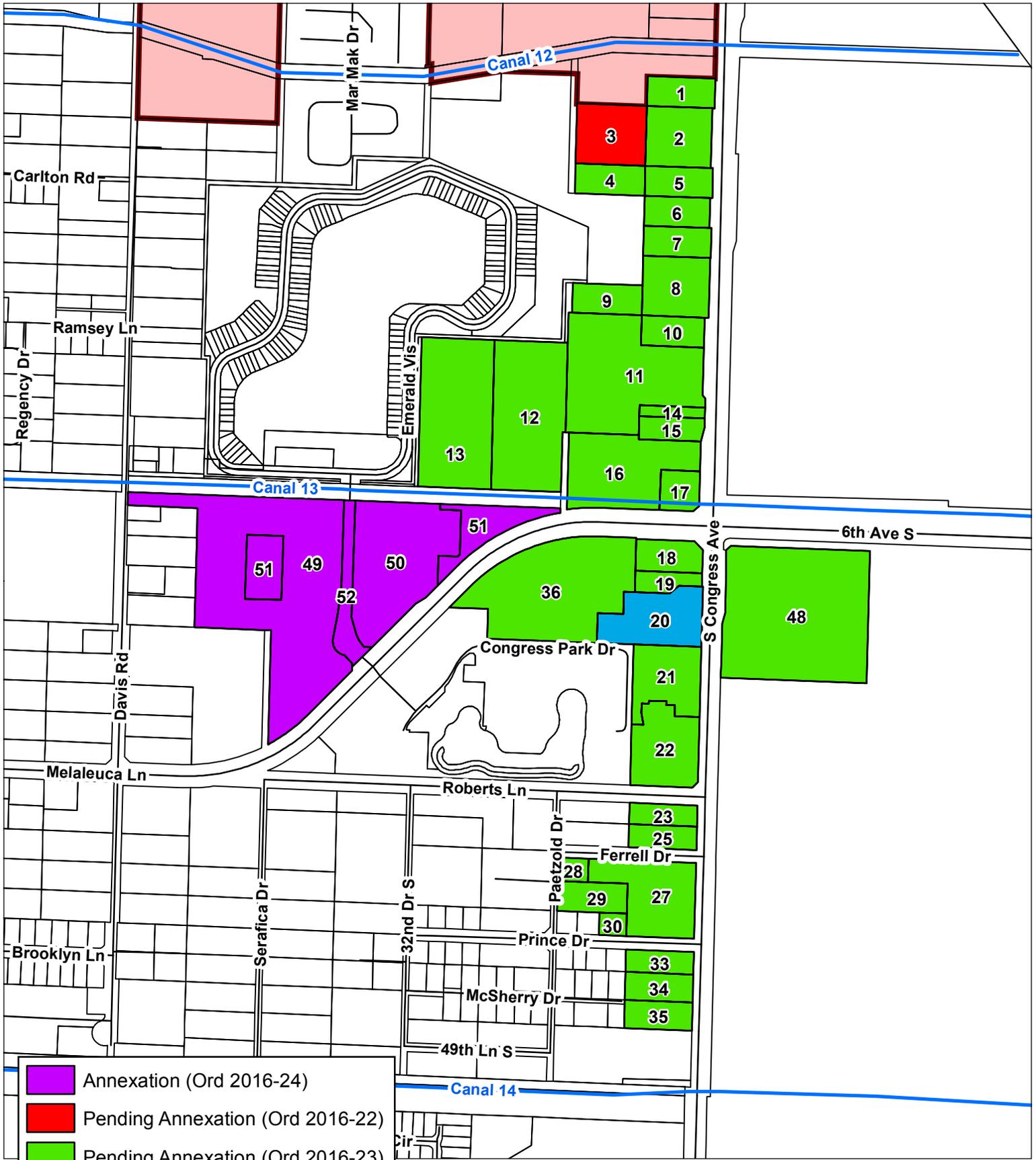


SCALE: 1" = 100'-0"

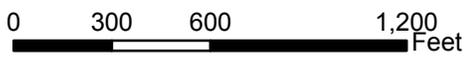
VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-24

Figure 1



- Annexation (Ord 2016-24)
- Pending Annexation (Ord 2016-22)
- Pending Annexation (Ord 2016-23)
- Pending Annexation (Res 2016-81)
- Village Limits



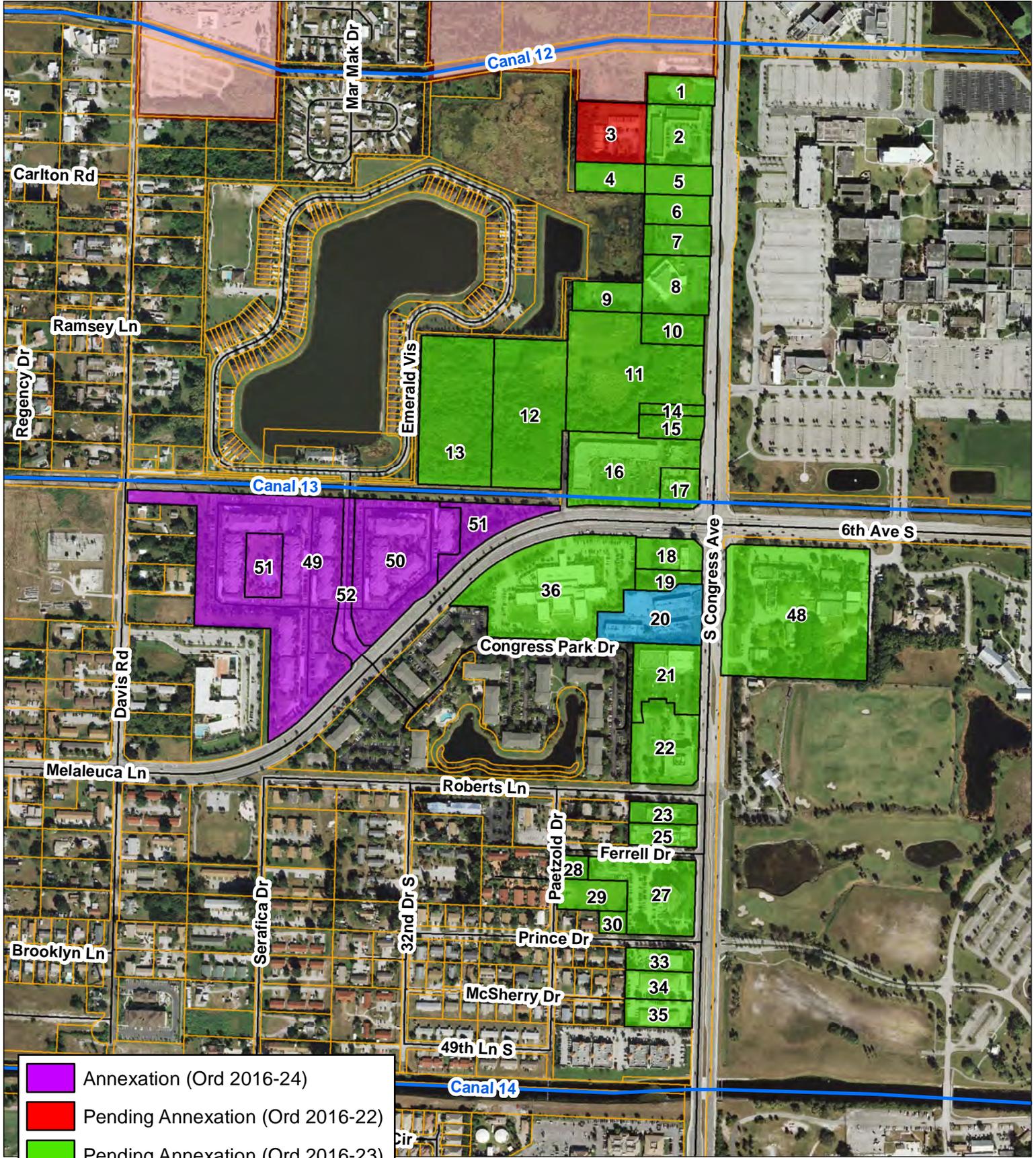
DATE: 11/17/2016



VILLAGE OF PALM SPRINGS

Annexation on S Congress Avenue - Ordinance 2016-24

Figure 1



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DATE: 11/17/2016

