Revised: 01/06/16
01/19/16

# LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

## I. Project Description:

**Project:** Family Dollar

**Petitioner:** Thomas Engineering Group
125 West Indiantown Road
Jupiter, FL 33458
Agent for the owners:
G.P. and Louise C. Suggs

**Request:** Small-scale Future Land Use Amendment from Residential-Medium Density (RS-MD) to Mixed Use (MU)

**Location:** 609 Jackson Avenue

## II. Site Data:

| | |
|---|---|
| **Existing Use:** | Single-Family residence |
| **Proposed Use:** | Retail |
| **Parcel Control Number:** | 18-42-44-23-02-018-0010 |
| **Parcel Size:** | 0.746 acres (32,500 square feet) |
| **Existing Future Land Use Designation:** | Residential-Medium Density (RS-MD) |
| **Proposed Future Land Use Designation:** | Mixed-Use (MU) |
| **Existing Zoning District:** | Residential Medium - 1 (RM-1) |
| **Proposed Zoning District:** | Mixed Use Development – Original Section (MXD-OS) |

| Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District: | | | |
|---|---|---|---|
| Direction | Existing Land Use | Future Land Use | Zoning District |
| *North* | Duplex | Residential-Medium Density (RS-MD) | Residential Medium-2 (RM-2) |
| *South* | Vacant | Mixed Use (MU) | Mixed Use Development - Original Section (MXD-OS) |
| *East* | Vacant Property and Single-family Homes | Mixed Use (MU) and Residential-Low Density (RS-LD) | Mixed Use Development - Original Section (MXD-OS) and Residential Low-3 (RL-3) |
| *West* | Triplex, Single-family home and vacant | Residential-Low Density (RS-LD), Residential-Medium Density (RS-MD), and Mixed Use (MU) | Residential Low-3 (RL-3), Residential Medium-1 (RM-1), and Mixed Use Development-Original Section (MXD-OS) |

## III. Annexation/Zoning History:

On October 18, 1999, the subject site was annexed into the City of Greenacres as petition ANX-99-05 (Ord. #99-36) through an Interlocal Agreement (County Resolution #R99-2414D) with Palm Beach County. On May 2, 2005, via petition CPA-05-02 (Ord. #2005-07), the subject site was given a land use designation of Residential-Medium Density (RS-MD) replacing the Palm Beach County High Residential 8 (PBC HR8) designation. The subject site was rezoned concurrently via petition ZC-05-02 (Ord. #2005-08) from Palm Beach County Residential Medium to City of Greenacres Residential Medium-1(RM-1).

On January 26, 2001, a charrette was held to plan a new vision for the 10th Avenue North Corridor located within the "Original Section." Resulting from the charrette, the comprehensive plan was amended on May 6, 2002 to allow for a new zoning district consistent with the Mixed Use (MU) land use and on October 7, 2003 the Mixed Use Development-Original Section (MXD-OS) zoning district was created. This district is targeted for the area along or within 300 feet north and south of 10th Avenue North, between Haverhill Road and the Lake Worth Drainage District (LWDD) E-3 Canal.

Petitions for a rezoning (ZC-15-07), site plan (SP-15-05) and abandonment of a portion of the City's alley (AB-15-01) are being processed concurrently with the comprehensive plan amendment (CPA-15-07). The application for the site plan approval includes three additional parcels and is requesting approval to construct a single-story 8,687 square foot retail building. The proposed comprehensive plan amendment will change the land use of the subject site from Residential-Medium Density (RS-MD) to Mixed Use (MU), which is consistent with the land use designation of the remaining three parcels of the overall site. The subject site is 0.746 acres (32,500 square feet) and developed on the site is a single-family home that was built in 1945.

## IV. Data and Analysis:

This small-scale future land use amendment is needed in order to have a consistent future land use designation with the other parcels that will make up the master development site for the Family Dollar retail building. This amendment is required in order to replace the existing future land use designation of Residential-Medium Density (RS-MD) with a compatible land use designation of Mixed Use (MU) to support the requested zoning change to the new Mixed Use

Development-Original Section (MXD-OS) district. The Mixed Use designation is also in keeping with the City's vision for the 10th Avenue North redevelopment area.

The current Residential-Medium Density (RS-MD) future land use designation allows a maximum residential development density of 6 to 7 dwelling units per net acre. Net acreage is defined as the project area, less all public right-of-way or private roadways. The proposed Mixed Use (MU) future land use designation allows a maximum residential development density of 6 dwelling units per acre and/or 0.30 – 0.35 FAR (Floor Area Ratio) and will be limited by the proposed zoning district of Mixed Use Development – Original Section (MXD-OS). Maximum lot coverage for residential uses shall be 35%.

Based on the maximum density of seven (7) dwelling units per acre and the site area consisting of 0.746 acres, the maximum allowable residential units for the subject site is five (5) units. The Mixed Use (MU) and Mixed Use development - Original Section (MXD-OS) maximum floor area ratio (FAR) is 0.35%. Based on the acreage of the subject site of 0.746 acres, the maximum allowable non-residential building square footage for the subject site is 11,373 square feet.

***Project Description:***

As stated above, a concurrent petition for site and development plan approval is under review and the site is anticipated to be developed with a single-story 8,687 square foot retail building in the future. Site configuration, setbacks, and landscape buffers will be required to meet Code requirements.

***Land Use Analysis:***

After a review of the proposed land use amendment, staff has determined that the application is consistent with the provisions of Chapter 163, F.S., because it is compatible with adjacent properties, meets concurrency requirements, and is consistent with the provisions of the City's Comprehensive Plan. Specifically, these are as follows:

***A. Compatibility:***

A review of the adjacent existing and anticipated land uses shows that the proposed land use is compatible with the adjacent properties, especially considering that the sites located to the south along 10th Avenue North currently have a future land use designation of Mixed Use (MU). These designations allow the same intensity and density.

*North:* The abutting parcel is a duplex with a future land use designation of Residential-Medium Density (RS-MD). The zoning district associated with the proposed Mixed Use (MU) designation contains specific provisions which will increase compatibility with the existing residences. As such, they will not be adversely impacted by the proposed future land use amendment.

*East:* To the east of the site are single-family dwelling units with future land use designations of Residential-Low Density (RS-LD), and a vacant parcel with a land use

designation of Mixed-Use (MU). The zoning district associated with the proposed Mixed Use (MU) district contains specific provisions which will increase compatibility with the existing residences. In addition, the vacant site will eventually feature commercial or mixed-use development. As such, the parcels to the east will not be adversely impacted by the proposed future land use amendment.

*West:* To the west of the site across the alley to be abandoned, the parcels are a combination of single-family and multifamily dwelling units with future land use designations of Residential-Low Density (RS-LD) and Residential-Medium Density (RS-MD) as well as vacant parcels with a Mixed Use (MU) designation. The proposed Mixed Use (MU) district contains specific provisions which will increase compatibility with the existing residences and the adjacent Mixed Use parcels will become part of the overall site of the proposed development. As such, they will not be adversely impacted by the proposed future land use amendment.

*South:* To the south of the subject site is a parcel that will become part of the master site for the proposed Family Dollar (SP-15-05). The property currently has a future land use designation of Mixed Use (MU). The existing designation is the same as the proposed future land use designation for the subject site and it is therefore compatible.

*Conclusions:* Reviewing the existing and proposed development and future land use designations of the surrounding properties show that the proposed Mixed Use (MU) future land use designation is compatible with the surrounding area as it supports the City's goal of creating a compatible blend of commercial and residential uses along 10th Avenue North.

***B. Concurrency:***

The parcel contains a single-family residence and any future changes to the site will be evaluated for compliance with level of service standards by all relevant agencies as part of site and development plan approval. The applicant meets the level of service (LOS) standards for this site through commitment for service letters from Palm Beach County Traffic Engineering, the Lake Worth Drainage District, and the Palm Beach County Water Utilities Department for the anticipated intensity permitted by the proposed land use.

In addition, the land use amendment will result in the potential of a maximum increase of 680 daily trips, 2 AM peak hour trips, and 55 PM peak hour trips; these impacts are not significant and will have no negative impacts on the roadway networks.

***C. Consistency with City's Comprehensive Plan:***

The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, specifically:

**1. Transportation Element**

**Goal 1, Objective 1, Policy e)**

The City shall continue to promote developments that provide a mix of uses at appropriate densities and intensities, redevelopment projects, commercial revitalization projects and projects supportive of an efficient transportation system.

**2. Future Land Use Element**

**Objective 8, Policy c)**

Land development regulations adopted to implement this Comprehensive Plan shall be based on and be consistent with the following standards for residential densities and commercial intensities as indicated below:

* * * * (*1 through 13 and 15 through 16 omitted for brevity*) * * * *

(14) Mixed Use Development-Original Section -- 20%-30% lot coverage, 0.30-0.35 FAR for Commercial and Office Uses, and 6 residential units per net acre for Residential use.

**Objective 11, Policies a, b & c)**

The City shall discourage the proliferation of urban sprawl by following established land use patterns, promoting appropriate infill and designating future land use densities based upon levels of services and the availability of services and facilities.

Policy a)
Urban Sprawl will be discouraged by permitting only development that is consistent and compatible with the established land use pattern. "Consistent and compatible with the established land use pattern" shall mean:

(1) Only uses permitted within the Plan's land use designation and the implementing zoning district shall be approved.
(2) Only development within the designated density range and intensity regulations of the implementing zoning district will be approved.
(3) Adequate facilities and services shall be available and concurrent to accommodate the proposed development.

Policy b)
Infill development shall be promoted within existing areas to discourage the harmful effects of leapfrog development.

Policy c)
Future timing of appropriate land use densities and intensities will be determined

by the established levels of services and the availability of services and facilities to meet the established levels.

## V. Consistency with the Treasure Coast Regional Planning Council SRPP:

The proposed future land use amendment represents a means of increasing commercial opportunities and residential density in the City through the process of infill development, rather than approving land uses which will encourage urban sprawl. This is consistent with the intent of the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan (SRPP) Regional Goal 2.1, which discourages urban sprawl development patterns and Regional Goal 5.1, which states that redevelopment, revitalization, and infill of existing neighborhoods and districts should be encouraged. As a result, the proposed future land use amendment is consistent with the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan (SRPP) concerning appropriate development patterns.

## VI. Consistency with Chapter 163, Florida Statutes:

The amendment is consistent with the provisions of Chapter 163.3184 and 163.3187 F.S. concerning the processing of a small-scale future land use amendment to the Comprehensive Plan, as well as providing all applicable data and analysis to support the amendment.

In summary, this small-scale future land use amendment to the City's Comprehensive Plan is compatible with adjacent land uses, adequately addresses concurrency issues, and is consistent with the City's Comprehensive Plan, the Regional Planning Council's SRPP and Chapter 163, F.S.

## VII. Staff Recommendation:

***Approval*** of CPA-15-07 through the adoption of Ordinance 2016-01.

**LOCAL PLANNING AGENCY ACTION – January 6, 2016**

The Local Planning Agency on a motion made by Commissioner Chambers and seconded by Commissioner Clements, by a vote of six (6) to zero (0), ***recommended approval*** of Comprehensive Plan Amendment ***CPA-15-07*** (*Family Dollar)*, as presented by staff.

**CITY COUNCIL ACTION First Reading – January 19, 2016**

The City Council on a motion made by Deputy Mayor Pearce and seconded by Councilwoman Dugo, voting five (5) to zero (0), ***approved*** Comprehensive Plan Amendment ***CPA-15-07*** (*Family Dollar)*, through ***Ordinance 2016-01***, as presented by staff.

**CITY COUNCIL ACTION Adoption Hearing – February 1, 2016**

**Samuel J. Ferreri, Mayor**

**Attest:**

**Denise McGrew, City Clerk**

Attachments:

1. Aerial Photograph
2. Future Land Use Map
3. Ordinance 2016-01