

CPA-21-01 (Ordinance 2021-07)  
Exhibit "A"  
Date: July 14, 2021

Revised: 02/21/2021



## LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

### Subject/Agenda Item:

#### **Ordinance 2021-07: CPA-21-01 Martin Avenue Lot 1**

**First Reading:** A request from Michael Sanchez of Managed Land Entitlements, agent for the owner Turk Investments LLC, for a small-scale Future Land Use Amendment for approximately 0.2986 acres from City Mixed Use (MU) to City Residential Low Density (RS-LD). The site is located on the west side of Martin Avenue approximately 80 feet north of 10<sup>th</sup> Avenue North.



☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☒ Public Hearing

<b>Originating Department: Planning &amp; Engineering</b>  Project Manager   Kara Ferris, Director	<b>Reviewed By:</b> Director of Planning & Engineering   Kara L. Irwin-Ferris, AICP
<b>Approved By:</b>  City Manager  _____ Andrea McCue	<b>Public Notice:</b> <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 7/8/2021, 8/5/2021 Paper: Lake Worth Herald  <b>Mailing</b> <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Notice Distance: 300'
<b>Attachments:</b> <ul style="list-style-type: none"><li>• Aerial</li><li>• Survey</li><li>• Location Map</li></ul>	<b>City Council Action:</b> <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____

## **I. Executive Summary**

A request for a small-scale Future Land Use Amendment for approximately 0.2986 acres from City Mixed Use (MU) to City Residential Low Density (RS-LD). The subject site is currently one parcel, but the owner intends to subdivide the lot into two (2) single-family lots according to the applicable zoning regulations. A zoning change application (ZC-21-01) is being processed concurrently with this request.

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

## **II. Site Data:**

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

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

## **III. Annexation/Zoning History:**

The Mixed Use Development – Original Section (MXD-OS) zoning district was approved on October 7, 2003 and was intended to encourage the consolidation of small lots into large lots for

non-residential development along the 10<sup>th</sup> Avenue Corridor. Originally, the zoning district still permitted the development of single-family homes. An existing single-family residence was built in 2014 at 549 Fleming Avenue, to the west of the site, in conformance with MXD-OS zoning district rules in place at that time. Subsequent to this, the MXD-OS district was amended (ZTA-14-03) to delete single-family residential as a use. Under current code requirements, the vacant site would be required to develop as a commercial use that does not have frontage on 10<sup>th</sup> Avenue North.

A concurrent petition for zoning change (ZC-21-01) is being processed for the site.

#### **IV. Data and Analysis:**

This small-scale future land use amendment is required to replace the Mixed Use (MU) future land use designation with an appropriate Future Land Use designation that allows the development of single-family homes on the site. Currently, the entire site is within the Commercial Zone of the Mixed-Use zoning district because the lot to the south, which fronts on 10<sup>th</sup> Avenue North, has a lot width of less than 100 feet. The subject site has no connectivity to the parcel along 10<sup>th</sup> Avenue North and without that connectivity would not be an appropriate location for a stand-alone mixed-use development.

The current Mixed Use (MU) future land use designation allows a maximum residential development density of 6 dwelling unit per acre, the proposed City of Greenacres RS-LD future land use designation allows a maximum residential development density of between 0.4 to 5 dwelling units per net acre, depending on which zoning district is assigned. The proposed Residential Low-3 (RL-3) zoning designation allows up to 5 units per acre. This equates to a maximum density decrease of one dwelling unit per acre gross density, however, since the lot sizes will not change, and the RL-3 zoning designation allows one dwelling unit for each original 1925 platted lot, there is no actual change in residential density.

#### ***Project Description:***

The parcel is currently vacant. The subject site can be subdivided into two (2) single-family lots that meet the lot requirements of the proposed land use and proposed compatible zoning district.

#### ***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 (see attached Aerial Photo) shows that the proposed land use is compatible with the adjacent properties.

*East:* Across Martin Avenue is an existing single-family home. The property has a future land use designation of Residential-Low Density (RS-LD) and a zoning designation of Residential Low-3 (RL-3), which is consistent with the density and intensity of development compared to the proposed designation for the subject site. As such, there will not be an adverse impact from the proposed future land use amendment.

*South:* Directly to the south of the subject site is a small 0.209-acre parcel developed with a 3,900 square foot office plaza. The property has a future land use designation of Mixed Use (MU) and a zoning designation of Mixed Use Development - Original Section (MXD-OS). The maximum density permitted in the Mixed Use district is nearly identical to the one proposed and the associated zoning district has features specifically designed to enhance compatibility with the RL-3 district. As such, the property will not be adversely impacted by the proposed future land use amendment.

*North:* To the north is an existing single-family attached (duplex) home. The property has a future land use designation of Residential-Low Density (RS-LD) and a zoning designation of Residential Low-3 (RL-3), which is consistent with the density and intensity of development compared to the proposed designation for the subject site. As such, there will not be an adverse impact from the proposed future land use amendment.

*West:* To the west of the subject site is a 0.5971-acre vacant parcel. The property has a future land use designation of Mixed Use (MU) and a zoning designation of Mixed Use Development - Original Section (MXD-OS). The maximum density permitted in the Mixed Use district is nearly identical to the one proposed and the associated zoning district has features specifically designed to enhance compatibility with the RL-3 district. As such, the property will not be adversely impacted by the proposed future land use amendment.

*Conclusions:* Reviewing the adjacent existing development shows that the proposed Residential-Low Density (RS-LD) future land use designation is compatible with the surrounding properties.

## ***B. Concurrency:***

Any future changes to the parcels will be evaluated for compliance with Level of Service standards by all relevant agencies. The proposed change in future land use designation has no impact on overall concurrency considerations since the parcels are currently used or anticipated to be used for single-family residential uses and the proposed land use designation actually decreases the maximum density by one dwelling unit per acre.

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

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

### **1. Future Land Use Element**

#### **Objective 8, Policy c)**

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

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

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

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

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

##### **Policy a)**

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

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

##### **Policy b)**

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

##### **Policy c)**

Future timing of appropriate land use densities and intensities will be determined by the established levels of services and the availability of services and facilities to meet the established levels.

## **2. Housing Element**

#### **Objective 1, Policy d)**

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

the needs of existing and future residents of the City of Greenacres, including households with special needs.

Policy d)

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

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

The proposed future land use amendment represents a means of developing infill rather than encouraging 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 that states that redevelopment, revitalization, and infill of existing neighborhoods and districts should be encouraged. The proposed Residential-Low Density (RS-LD) future land use designation is also consistent with the intent of Regional Goal 8.1, which states that development should take place concurrent with or after the provision of necessary infrastructure and services. As a result, the proposed future land use amendment is consistent with the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan (SRPP) concerning appropriate development patterns.

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

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

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

#### **VII. Staff Recommendation:**

*Approval* of CPA-21-01 through the adoption of Ordinance 2021-07.

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**LOCAL PLANNING AGENCY ACTION – July 21, 2021**

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No action taken, meeting did not have a quorum.

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**LOCAL PLANNING AGENCY ACTION – August 18, 2021**

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The Local Planning Agency on a motion made by Commissioner Charles and seconded by Commissioner Edmundson, by a vote of six (6) to zero (0), ***recommended approval*** of Comprehensive Plan Amendment ***CPA-21-01*** (Martin Ave), as presented by staff.

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**CITY COUNCIL ACTION First Reading – September 8, 2021**

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**CITY COUNCIL ACTION Adoption Hearing –**

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