

	DEVELOPMENT & NEIGHBORHOOD SERVICES STAFF REPORT AND RECOMMENDATION
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I. Project Description:

Project: Astoria Towns (Rezoning Request)

Petitioner: Alex Ahrenholz
JMorton Planning/Landscape Architecture
3910 RCA Boulevard, Suite 1015
Palm Beach Gardens, FL 33410
Agent for the owners:
Moriya Evangelical Alliance Church, Inc
of Delray and Lake Wellington
Professional Center Inc.

Request: A request for a Rezoning from Residential – Medium Density (RM-2) (7 units per acre) and Commercial General (CG) to Residential – High Density (RH) (10 units per acre).

Location: South side of Dodd Road, approximately 1,200 feet east of Jog Road.



Project Manager: Gionni Gallier, Senior Planner

II. Site Data:

Existing Use:	House of Worship and Vacant Parcel
Proposed Use:	Townhouses
Parcel Control Numbers:	18-42-44-22-00-000-5120; and, 18-42-44-22-00-000-5090
Parcel Size:	286,013 square feet (6.56 acres)
Existing Future Land Use Designation:	Residential – Medium Density (RS-MD) and Commercial (CM)
Proposed Future Land Use Designation:	Residential – High Density (RS-HD) Companion Future Land Use Map Amendment: (CPA-23-04)

Existing Zoning District: Residential Medium – 2 (RM-2) and Commercial General (CG)

Proposed Zoning District: Residential High Density (RH)
Companion Rezoning: (ZC-23-02)

Table 1: Surrounding Existing Land Use, Future Land Use Designation, Zoning District:			
Direction	Existing Land Use	Future Land Use Designation	Zoning District
<i>North</i>	Villages of Woodlake PUD (Residential)	Residential – Medium Density (RS-MD)	Residential Medium Density – 2 (RM-2)
<i>South</i>	Medical Office	Commercial (CM)	Commercial General (CG)
<i>East</i>	Single-Family Residence and Woodlake Boulevard Plaza	Residential – Medium Density (RS-MD) and Commercial (CM)	Residential Medium – 2 (RM-2) and Commercial Intensive (CI)
<i>West</i>	Catalina Estates (Residential) and Liberty Plaza	Residential – Medium Density (RS-MD) and Commercial (CM)	Residential Medium – 2 (RM-2) and Commercial General (CG)

III. Annexation/Zoning History:

The subject two (2) parcels are located on the south side of Dodd Road, approximately 1,200 feet east of Jog Road (“Property”). The Property is identified by Parcel Control Numbers (PCNs) 18-42-44-22-00-000-5120 and 18-42-44-22-00-000-5090. The northern section of the Property is developed with a 4,797 square foot House of Worship, which was approved by a Special Exception (SE-84-02) on September 29, 1986, and the southern parcel is currently vacant.

The applicant is concurrently requesting a small-scale Future Land Use Map Amendment to change from Residential Medium Density (RS-RM) and Commercial (CM) to Residential High Density (RS-HD). Rezoning (ZC-23-02) from Residential -Medium Density (RM-2) (7 units per acre) and Commercial General to Residential - High Density (RH) (10 units per acre) and requesting Site and Development Plans approval (SP-23-06) and Master Sign Plan (MSP-24-03) approval to construct a Townhouse Development consisting of sixty (60) two-story townhouse residential units. A variance (BA-23-07) has been requested for a reduction of the required 20-foot minimum side yard setback requirement for the townhouse buildings.

IV. Applicable Comprehensive Plan Provisions:

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

1. Future Land Use Element

Objective 8, Policy c)

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

(1-4 and 6-16 omitted for brevity)

(5) High Density Residential – 10.0 residential units per acre

Objective 11, Policies b) and c)

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

Policy 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.

1. Housing Element

Objective 1, Policy a)

The City of Greenacres will enhance and develop cost effective development techniques including planned unit developments, cluster housing, zero lot line and townhouses to assure a diversity of housing types.

V. Applicable City Code Provisions:

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

Division 6. Residential High Density (*Sections 16-361 through 16-372*)

The residential high density (RH) district is intended to fulfill the need for a high concentration of population through a variety of housing types, residential high density (RH) districts are situated so that they are well served by public and commercial services in close proximity and have convenient access to arterial streets. Governmental,

educational, religious, noncommercial, and recreational uses that may serve this district as well as other districts are permitted or permissible by special exception.

VI. Staff Analysis:

LEVEL OF SERVICE ANALYSIS (LOS)

Water and Wastewater

The site is located within the Palm Beach County Water Utilities Department (PBCWUD) service area and currently receives potable water service through PBCWUD. PBCWUD will continue to provide potable water service and sewer services. Development of the site will require PBCWUD concurrency approval with approved capacity.

Solid Waste

The property is serviced by the City’s current waste services contract, Waste Management. The development of the site will require concurrency approval, prior to development approval.

Recreation

The City has established a level of service for parks and recreation facilities of three (3) acres per 1,000 residents. Based on the population estimate of 2.2 residents per multi-family structure for the proposed annexation area, the City’s existing park and recreation facilities are sufficient to accommodate this additional population and still maintain the level-of-service standards. The development of the site will require land or in lieu dedication for park and recreation facilities, prior to development approval.

Drainage

The subject properties are located within the boundaries of the Lake Worth Drainage District (LWDD), South Florida Water Management District (SFWMD) and Palm Beach County. The drainage will be provided for onsite, require legal positive outfall and require permitting from any applicable entities.

Public Safety

No issues were raised through the City’s Development Review Committee process. PBSO District #16 and Fire Department have indicated capacity is available to serve the proposed rezoning area to maintain the police and fire Levels of Service.

Traffic

Residential Medium (RS-MD) FLU category within the Residential Medium (RM-2) Zoning District allows up to 7 dwelling units per acre. The maximum development potential allowed under the existing FLU category is summarized by the table below:

Potential Traffic Impact of Existing Future Land Use

Parcel	Max. Density /Intensity	Total Trips
Residential Medium	28 dwelling units	189 AADT* trips
Commercial	39,182 square feet	720 AADT* trips

*Average Annual Daily Traffic based on ITE LU 220 and ITE LU 822

The maximum development potential that is allowed under the proposed FLU category of Residential High is outlined in the table below:

Potential Traffic Impact of Proposed Future Land Use

Parcel	Max. Density /Intensity	Total Trips
Residential High	65 dwelling units	438 AADT* trips

*Average Annual Daily Traffic based on ITE LU 220

Net Impact of Future Land Use Change

Parcel	Existing	Proposed	Net Change
Residential High	909 AADT* trips	438 AADT* trips	-471 AADT* trips

The surrounding road network will not be negatively impacted by traffic based on the rezoning. The trip generation analysis shows that there will be a net DECREASE of 471 AADT external trips. Development of the site requires a Palm Beach County Traffic Performance Standards approval.

Conclusion of Level of Service Analysis

The Applicant's analysis demonstrates that there will be no direct adverse impacts on the adopted Level of Service (LOS) standards for water, wastewater, solid waste, recreation, police and fire services, and traffic. Therefore, the proposed rezoning will not pose a negative impact on the public facilities in the area.

On February 15, 2024, the Development Review Committee (DRC) reviewed this application and recommended approval with the comments as noted herein.

Rezoning Criteria and Findings of Fact:

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

Specific Criteria Findings:

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

Finding: The proposed Residential High (RH) zoning district will be consistent with the property's proposed Residential High (RS-RH) Future Land Use designation which is currently being processed with this petition as CPA-23-04. The proposed change is a difference in the existing land uses on site, but in line with the residential character of the immediate area with townhouses built across Dodd and Woodlake from the subject Property.

(2) The existing land use pattern.

Finding: The proposed Residential High (RH) zoning district is consistent with the existing land use pattern in the area. The subject property is bound by residential uses to the north, east, and west. To the north includes multi-family complexes which are similar to the proposed project. Although to the east and west are Single-Family residences, the subject property will be developed to ensure there is minimal impact upon these properties.

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

Finding: The proposed zoning change would not create an isolated district unrelated to adjacent and nearby districts. The zoning designations to the north, south, east, and west are already designated as Residential zoning districts. The Residential High zoning designation is the logical district adjacent to Commercial, as it serves to provide a transition to less dense Single-Family areas that are currently zoned Residential - Medium Density.

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

Finding: The population density proposed for the site is set to have no major impact on public facilities, utilities, or streets. Palm Beach County Traffic and School Board has already determined the proposed development does not have a significant impact.

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

Finding: The southern portion of the property is currently a Commercial zoning district and has never been developed. According to the applicant, the Commercial property is a difficult location for marketing as there is no visibility along Lake Worth Road. Additionally, there is no formal access to the Property with Scott Road only being an easement that would need improvements. Though surrounded by other commercial lots that front Lake Worth Road, it is logical to incorporate this parcel with the residential neighborhood.

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

Finding: The proposed amendment stems from the Applicant's desire to create a new Townhouse product within the City of Greenacres. According to the applicant, the project to be able to sell at a reasonable price, the density needs to be increased to permit additional units. At the current density, 28 units could be developed, but the units would be at a higher price point that is less affordable and not attainable for most people in the area.

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

Finding: According to the traffic study provided by the applicant, the proposed rezoning will have a beneficial impact on the surrounding roadways. The new Average Annual Daily Traffic (AADT) is a reduction of 471 trips at full build-out. Palm Beach County Traffic Division has been provided the trip information and has made the finding the development meets the Traffic Performance Standards of Palm Beach County.

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

Finding: The proposed zoning change will not adversely affect living conditions in the area. The existing homes to the west of the Property will be separated from the proposed Townhouse Development by a landscape buffer, 106 feet of dry detention and 30-foot backyards. On the east side, there is one Single-Family home that will have a landscape buffer and 30-foot backyards for separation. The dry detention was chosen to be on the west side of the site to mitigate the impact to the most adjacent residents. Rear setbacks for all of the townhouses are proposed to be exceeded by 10 feet.

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

Finding: The existing zoning is incompatible and requires a Future Land Use Map Amendment as well as a Rezoning for the commercial parcel to become residential. The request for the Residential High zoning district is consistent with the intensity that could go within a Commercial district as well as providing a transitional zoning designation to the adjacent Residential Medium. Increased development potential adjacent to the intersection of Jog Road and Lake Worth Road is a logical nexus for increased density to create a proper neighborhood center and node of future development.

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

Finding: The proposed change would not constitute a special privilege for the property owner. Any property owner is permitted to request a zoning change. The applicant will be required to provide verification that all development concurrency is available for the project prior to development.

VIII. Staff Recommendation:

Approval of ZC-23-02.

PLANNING & ZONING BOARD OF APPEALS RECOMMENDATION – August 8, 2024

The Planning and Zoning Board of Appeals on a motion made by Board Member Fitzgerald and seconded by Board Member Edmundson, voting five (5) to zero (0), ***recommended approval*** of Rezoning **ZC-23-02**, as presented by staff.

CITY COUNCIL ACTION – September 16, 2024

The City Council on a motion made by Council Member Tharp and seconded by Council Member Bousquet, voting five (5) to zero (0), ***approved*** zoning change **ZC-23-02 (Astoria Towns)**, on first reading, through ***Ordinance 2023-23***, as presented by staff.

CITY COUNCIL ACTION – October 7, 2024
