

**DEVELOPMENT DEPARTMENT
PLANNING AND ZONING DIVISION
MEMORANDUM NO. PZ 21-007**

STAFF REPORT

TO: Chair and Members
Planning and Development Board

THRU: Ed Breese
Planning and Zoning Administrator

FROM: Hanna Matras, Senior Planner

DATE: April 9, 2021

PROJECT: Knuth Road
LUAR 21-003

REQUEST: Approve Knuth Road Future Land Use Map Amendment from Local Retail Commercial (LRC) to Mixed Use Low (MXL), and Rezoning from PCD, Planned Commercial Development to SMU, Suburban Mixed Use. City-initiated.

PROJECT DESCRIPTION

Property Owner: Knuth Rd Trust & Knuth Gas & Oil Inc.

Applicant: City-initiated

Location: Southwest corner of Knuth Road and West Boynton Beach Boulevard

Existing Land Use/
Zoning: Local Retail Commercial (LRC) / PCD, Planned Commercial Development

Proposed Land Use/
Zoning: Mixed-Use Low (MXL) / SMU, Suburban Mixed-Use

Proposed Use: No use proposed at this time

Acreage: 12.52 acres

Adjacent Uses:

- North: On the northwest, right-of-way of West Boynton Beach Boulevard, then developed commercial properties in unincorporated Palm Beach County, classified Commercial High with an underlying HR-8 and zoned CN Neighborhood Commercial and CS, Commercial Specialized; on the northeast, developed commercial property (gasoline station), classified Local Retail Commercial and zoned PCD, Planned Commercial Development; further north, right-of-way for West Boynton Beach Boulevard and then developed commercial property in the City, classified Local Retail Commercial and zoned C-3, Community Commercial;
- South: Developed residential community of Quail Ridge Country Club in Palm Beach County, classified Low Residential and zoned AR, Agricultural Residential;
- East: Right-of-way of Knuth Road; farther northeast, developed commercial retail property (Aldi Grocery), classified Local Retail Commercial (LRC) and zoned C-3, Community Commercial; further south, developed office property, classified Office Commercial (OC) and zoned C-1, Office Professional and then developed residential community of Stonehaven, classified Low Density Residential (LDR) and zoned PUD, Planned Unit Development; and
- West: Developed residential community of Quail Ridge Country Club in Palm Beach County, classified Low Residential and zoned AR, Agricultural Residential.

BACKGROUND

The 12.52 acre parcel is one of the few remaining large vacant parcels in the City. It was annexed to the City on December 18, 1990 and concurrently approved for the City's Future Land Use classification of Local Retail Commercial (LRC) and City's zoning designation of PCD, Planned Commercial Development (Ordinances 090-61, 091-69 and 090-70). The approvals covered 13.65 acres, including 1.13-acre outparcel on the southwest corner of West Boynton Beach Boulevard and Knuth Road. The masterplan was approved for 120,000 square feet of commercial space, including 35,000 square feet for a major department store.

On May 21, 1996 the city approved a site plan for a convenience store and a gasoline station on the above mentioned outparcel. The remaining part of the property—the subject of the city-initiated Future Land Use Map (FLUM) Amendment and rezoning—is currently vested consistent with the approved master plan.

PROCESS

Since the size of the property under consideration exceeds ten acres, the proposed Future Land Use Map amendment is subject to the Expedited State Review Process per provisions of Chapter 163.3184(3) and (5), Florida Statutes. If the City Commission approves the proposed amendments, they will be transmitted for review to the Florida Department of Economic Opportunity (DEO), the state land planning agency. The final adoption by the City Commission is tentatively planned for April 2021.

REVIEW BASED ON CRITERIA

The criteria used to review Comprehensive Plan amendments and rezonings are listed in the Land Development Regulations, Chapter 2, Article II, Section 2.B and Section 2.D.3. These criteria are required to be part of a staff analysis when the proposed change includes an amendment to the Comprehensive Plan Future Land Use Map (FLUM) or a rezoning.

- a. Demonstration of Need. A demonstration of need may be based upon changing conditions that represent a demand for the proposed land use classification and zoning district. Appropriate data and analysis that adequately substantiates the need for the proposed land use amendment and rezoning must be provided within the application.***

There are two major factors contributing to the need for the proposed amendment:

- The probability of construction of a large commercial development on the subject property per the approved 1990 master plan is extremely low. The market support for such development has been steadily decreasing, replaced by mixed use projects with residential components. The trend accelerated within the last few years. The PCD zoning district does not allow residential uses; arguably, at this point the district can be considered obsolete. Future redevelopment of several existing PCDs and areas with C-3 Community Commercial Zoning west of I-95 are likely to use Mixed Use Low (MXL) future land use and SMU, Suburban Mixed Use zoning.
- Over the years, the property attracted attention of numerous investors, but the existence of the gasoline station on the outparcel has consistently thwarted attempts to develop the property. The use is nonconforming because of its location—gasoline stations are only allowed on properties located at three-way or four-way intersections involving arterial and collector roads as designated by the Comprehensive Plan, and Knuth road does not have a collector designation. Moreover, gasoline stations are not allowed in SMU zoning districts.

To facilitate development of the property by addressing the above issues, the city is initiating FLUM amendment and rezoning for the vacant 12.52 acre lot, reclassifying it from Local Retail Commercial (LRC) to Mixed-Use Low (MXL), and rezoning from PCD, Planned Commercial Development to SMU, Suburban Mixed Use.

- b. Consistency.** *Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be consistent with the purpose and intent of, and promote, the applicable Comprehensive Plan policies, Redevelopment Plans, and Land Development Regulations.*

The proposed FLUM amendment is consistent with the intent of several Comprehensive Plan Future Land Use Element policies, including:

Policy 1.3.1d Mixed Use category shall provide for the vertical or horizontal mixing of land uses within a single site in order to allow development and redevelopment in specific geographic areas of the City that take maximum advantage of existing utility systems and services; and promote compact development, safe and pedestrian-friendly streets, and provide transportation choices.

Policy 1.8.2 The City shall discourage urban sprawl by;

- A. Continuing to promote compact developments within the City's utility service areas, while requiring the maximization of all public services for each development in the most cost effective manner possible; and*
- B. Requiring, in all future development and redevelopment in the City, land use patterns that are non-strip in nature and demonstrate the ability to attract and encourage a functional mix of uses.*

In 2018, staff initiated work on a comprehensive redevelopment plan for the Congress Avenue Corridor. The plan has yet to be completed, but the preliminary future land use recommendation for development and redevelopment of areas along or nearby Congress Avenue is the Mixed Use Low (MXL), with a corresponding SMU zoning.

The subject requests do not include master plan/site plan. If approved, the amendments should renew the market's interest in the property and support a mix-use master plan consistent with the City's vision for the property. Any future master plan for the site will require City Commission review and approval after public hearings are conducted.

- c. Land Use Pattern.** *Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be contrary to the established land use pattern, or would create an isolated zoning district or an isolated land use classification unrelated to adjacent and nearby classifications, or would constitute a grant of special privilege to an individual property owner as contrasted with the protection of the public welfare. This factor is not intended to exclude FLUM reclassifications and rezonings that would result in more desirable and sustainable growth for the community.*

See response to criterion “a.” Moreover, the land use pattern in adjacent and nearby areas is eclectic: it incorporates commercial uses of office and retail as well as single-family residential uses. The proposed FLU category and zoning district will allow for both residential and commercial uses but, given the market trends, staff is anticipating a future master plan to consist mostly of multifamily dwellings, with some street-fronting commercial uses as required by the Land Development Regulations. Any possible negative impacts of incompatibility between the potential height and bulk of multifamily buildings and adjacent single-family homes, particularly those in Quail Ridge Country Club to the west and south of the subject parcel, will be specifically mitigated through the master plan’s design features. The parcel does not directly abut any residential structures within Quail Ridge, only the golf course itself.

d. Sustainability. Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would support the integration of a mix of land uses consistent with the Smart Growth or sustainability initiatives, with an emphasis on 1) complementary land uses; 2) access to alternative modes of transportation; and 3) interconnectivity within the project and between adjacent properties.

The proposed FLU and zoning designations support a sustainable integration of a mix of uses. As noted earlier in this report, the master plan is not included in the subject request but when submitted, it will be reviewed for sustainability per the City’s Sustainable Development Standards ordinance. The ordinance requires all projects to incorporate specific required design features (i.e., white roof, warm outdoor lighting, butterfly attracting landscape material, and electric vehicle charging stations). Beyond that, new developments must meet a specified point total by selecting a number of design options.

e. Availability of Public Services / Infrastructure. All requests for Future Land Use Map amendments shall be reviewed for long-term capacity availability at the maximum intensity permitted under the requested land use classification.

Water and Sewer. Long-term capacity availability for potable water and sewer for the subject request has been confirmed by the Utilities Department. Both potable water and sewer mains are available adjacent to the site, but, depending on the master plan, the mains and /or force main piping may require upsizing.

Solid Waste. The Palm Beach County Solid Waste Authority determined that sufficient disposal capacity will be available at the existing landfill through approximately the year 2046.

Drainage. Drainage will be reviewed in detail as part of the site plan, land development, and building permit review processes.

Traffic. The traffic impact analysis will be submitted to the Palm Beach County Traffic Division at the time of master plan application.

Schools. The School Capacity Availability Determination application will be submitted to the School District of Palm Beach County at the time of master plan application.

f. Compatibility. *The application shall consider the following factors to determine compatibility:*

(1) Whether the proposed Future Land Use Map amendment (FLUM) and rezoning would be compatible with the current and future use of adjacent and nearby properties, or would negatively affect the property values of adjacent and nearby properties; and

(2) Whether the proposed Future Land Use Map amendment (FLUM) and rezoning is of a scale which is reasonably related to the needs of the neighborhood and the City as a whole.

See the responses to criteria “a”, “b” and “c”. The property will be difficult to develop under the current commercial-only PCD zoning. As noted before in this report, staff initiated work on a comprehensive redevelopment plan for the Congress Avenue Corridor. The plan has yet to be completed, but staff’s preliminary future land use recommendation for development and redevelopment of areas along or nearby Congress Avenue is the Mixed Use Low (MXL) with a SMU zoning, same as FLU and zoning designations requested for the subject property. Note also that the potential traffic impact of a project supported by the proposed amendment would be considerably lower than the impact generated by a large commercial development. Finally, the future master plan will require features designed to mitigate any potential negative impacts of the project’s height and scale on the adjacent low-rise residential properties.

The proposed amendments are related to the needs of the neighborhood and the City as a whole. A future mixed-use project will meet a stringent design standards, generate demand for commercial uses located along Congress Avenue corridor, and encourage further modernization of older developments.

g. Direct Economic Development Benefits. *For rezoning / FLUM amendments involving rezoning to a planned zoning district, the review shall consider the economic benefits of the proposed amendment, specifically, whether the proposal would:*

(1) Further implementation of the Economic Development (ED) Program;

(2) Contribute to the enhancement and diversification of the City’s tax base;

(3) Respond to the current market demand or community needs or provide services or retail choices not locally available;

(4) Create new employment opportunities for the residents, with pay at or above the county average hourly wage;

(5) Represent innovative methods/technologies, especially those promoting sustainability;

- (6) Be complementary to existing uses, thus fostering synergy effects; and*
- (7) Alleviate blight/economic obsolescence of the subject area.*

The proposed amendment would encourage development of the site and thus contribute to the enhancement of the City tax base, as a demand for multifamily dwellings appear to continue unabated. A required commercial component will also create jobs.

h. Commercial and Industrial Land Supply. *The review shall consider whether the proposed rezoning/FLUM amendment would reduce the amount of land available for commercial/industrial development. If such determination is made, the approval can be recommended under the following conditions:*

- (1) The size, shape, and/or location of the property makes it unsuitable for commercial/industrial development; or*
- (2) The proposed rezoning/FLUM amendment provides substantiated evidence of satisfying at least four of the Direct Economic Development Benefits listed in subparagraph “g” above; and*
- (3) The proposed rezoning/FLUM amendment would result in comparable or higher employment numbers, building size and valuation than the potential of existing land use designation and/or rezoning.*

See criterion “a.” The request reduces the amount of land available for commercial-only development since it would reclassify most of the subject site currently under the Local Retail Commercial (LRC) FLU category into the Mixed-Use Low (MXL) category. Even though the future project will likely be predominantly multifamily residential, it will require a commercial component. Moreover, apartment residents will create demand for commercial uses throughout the Congress Avenue Corridor area. Ultimately, an increase of City tax revenue will be considerable.

i. Alternative Sites. *Whether there are adequate sites elsewhere in the City for the proposed use in zoning districts where such use is already allowed.*

There are not comparable sites (this is a site looking for a development option, rather than a use looking for a site). See criterion “a.”

j. Master Plan and Site Plan Compliance with Land Development Regulations. *When master plan and site plan review are required pursuant to Section 2.D.1.e above, both shall comply with the requirements of the respective zoning district regulations of Chapter 3, Article III and the site development standards of Chapter 4.*

The future master plan/site plan shall comply with the requirements of the SMU zoning district.

RECOMMENDATION

This is a City-initiated FLU amendment and rezoning, therefore staff recommends that the request be approved.

S:\Planning\SHARED\WP\PROJECTS\Knuth Road\Knuth Rd LUAR 21-003\Knuth Road LUAR 21-003 Staff Report.doc