



**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 19-0087 (RZ), AN APPLICATION BY URBAN DESIGN KILDAY STUDIOS, AND APPROVAL OF ORDINANCE NO. 996. THE APPLICANT IS SEEKING THE REZONING OF TWO (2) TRACTS OF LAND TOTALING 13.144± ACRES, MORE OR LESS, FROM PALM BEACH COUNTY’S AGRICULTURE RESIDENTIAL (PBC, AR) ZONING DISTRICT, TO THE VILLAGE OF ROYAL PALM BEACH’S PUBLIC OWNERSHIP (PO) ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7. BY AGENT: ALI PALMER, OF URBAN DESIGN KILDAY STUDIOS.

Issue:

The Applicant is seeking the rezoning of two (2) tracts of land totaling approximately 13.144± acres from the Palm Beach County’s Agriculture Residential (PBC, AR) Zoning District to the Village of Royal Palm Beach’s Public Ownership (PO) Zoning District. This site has several single family homes on large tracts. The Applicant has indicated in their justification statement that the ultimate goal is for Pod 8 to be the receiving area for the recreation obligations for Pods 2, 3, and 4 and total approximately 10.7 acres. The remaining acreage is the areas within the Florida Power and Light Easement.

Village Staff generally agrees with the Applicant’s assertions regarding compliance with the Village’s Comprehensive Plan, Village Code, and State Statutes. Overall, the proposed rezoning is generally consistent with the Village’s Comprehensive Plan, compatible with adjacent land uses, and meets all relevant concurrency level of service standards and therefore Staff is recommending approval of the application.

The Local Planning Agency considered the application on September 24, 2019, and recommended Approval by a vote of 5-0.

Recommended Action:

Staff is recommending Approval of application 19-0087 (RZ) and Ordinance 996 on First Reading.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	10/17/2019	Action

ORDINANCE NO. 996

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, PROVIDING FOR THE REZONING OF CERTAIN REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE VILLAGE; WHICH PROPERTY CONSISTS OF TWO (2) PARCELS OF LAND COMPRISING A TOTAL OF 13.144 ± ACRES, MORE OR LESS, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD AND APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 / US 441, INFORMALLY KNOWN AS THE “SOUTHERN BOULEVARD PROPERTIES POD 8”; PROVIDING THAT THESE PARCELS OF REAL PROPERTY WHICH ARE MORE SPECIFICALLY DESCRIBED HEREIN SHALL BE ASSIGNED THE VILLAGE ZONING DESIGNATION OF “PO PUBLIC OWNERSHIP”; PROVIDING THAT THE ZONING MAP OF THE VILLAGE OF ROYAL PALM BEACH BE AMENDED TO REFLECT THE PROPER DESIGNATION FOR THESE PARCELS OF REAL PROPERTY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, after duly noticed public hearings, held pursuant to Florida Statutes, the Village Council does hereby find, determine and declare that the public health, safety and general welfare of the citizens of the Village of Royal Palm Beach are best served by assigning those two (2) parcels of real property described hereinbelow, located within the Village, the zoning designation of “PO Public Ownership District.”

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Those certain parcels of real property located within the corporate limits of the Village of Royal Palm Beach consisting of a total of 13.144 ± acres located on the South Side of Southern Boulevard and approximately 0.27 miles West of State Road 7 / US 441, informally known as the “Southern Boulevard Properties POD 8”, are hereby zoned Village Zoning Designation “PO Public Ownership,” a change from their previous Palm Beach County Zoning Designation of Agricultural Residential District (AR), and are legally described as follows:

(See Exhibit A attached hereto for legal description)

Section 2: The Village Zoning Map is hereby amended to conform to this Ordinance, and the appropriate officials of the Village are instructed to make the necessary changes to the official Village Zoning Map.

Section 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: This Ordinance shall take effect immediately upon passage.

FIRST READING this 17th day of October, 2019.

SECOND AND FINAL READING this 21st day of November, 2019.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

(SEAL)

ATTEST:

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Southern Boulevard Properties POD 8
Application No. 19-0087(RZ)
Ordinance No. 996

DESCRIPTION:

POD 8 DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID SECTION 1, S88°59'05"E A DISTANCE OF 1765.21 FEET; THENCE LEAVING SAID NORTH LINE S01°50'01"W A DISTANCE OF 1060.55 FEET TO A POINT ON THE SOUTH LINE OF A 160' WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 699, PAGE 534, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID SOUTH LINE S88°57'45"E A DISTANCE OF 173.30 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID SOUTH LINE S88°57'45"E A DISTANCE OF 669.29 FEET TO A POINT ON THE WEST LINE OF A 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGES 378, 379 AND 382; THENCE ALONG SAID WEST LINE S01°50'51"W A DISTANCE OF 563.60 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE 60 FOOT WIDE S-4W CANAL FOR LAKE WORTH DRAINAGE DISTRICT; THENCE ALONG SAID NORTH LINE N88°59'05"W A DISTANCE OF 845.60 FEET; THENCE LEAVING SAID NORTH LINE N01°50'01"W A DISTANCE OF 503.92; THENCE S88°57'45"E A DISTANCE OF 177.28 FEET; THENCE N01°01'47"E A DISTANCE OF 60.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.700 ACRES MORE OR LESS.

FPL POD DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 1, S01°50'01"W A DISTANCE OF 900.06 FEET TO A POINT ON THE NORTH LINE OF A 160 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 699, PAGE 534 AND OFFICIAL RECORD BOOK 765, PAGE 56 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID NORTH LINE S88°57'45"E A DISTANCE OF 1962.19 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID NORTH LINE S88°57'45"E A DISTANCE OF 645.97 FEET TO A POINT ON THE WEST LINE OF A 80' WIDE LAKE WORTH DRAINAGE DISTRICT EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 378, 379 AND 382 OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY, THENCE ALONG SAID WEST S01°50'51"W A DISTANCE OF 160.02 FEET TO A POINT ON THE SOUTH LINE OF SAID FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE ALONG SAID SOUTH LINE N88°57'45"W A DISTANCE OF 669.62 FEET; THENCE LEAVING SAID SOUTH LINE N01°01'47"E A DISTANCE OF 67.44 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 170.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°49'50" A DISTANCE OF 76.64 FEET TO THE POINT OF TANGENCY; THENCE N26°51'37"E A DISTANCE OF 20.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.444 ACRES MORE OR LESS.

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Southern Boulevard Properties Pod 8

Application: 19-0087 (RZ) (Ord. No. 996)

Applicant: Urban Design Kilday Studios
Ali Palmer
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

Request: Rezoning for 13.144± acres from Palm Beach County's Agriculture Residential (PBC, AR) Zoning District to the Village's Public Ownership (PO) Zoning District, for an area located on the south side of Southern Boulevard and approximately 0.27 miles west of State Road 7 / US 441.

Hearings: Planning and Zoning Commission: September 24, 2019
Village Council (First Reading): October 17, 2019
Village Council (Second Reading): November 21, 2019

Recommendation: Approval

II. Site Data:

Site Area: 13.144 ± acres

Property Control Numbers: 72 41 44 01 00 000 00 3060; 72 41 44 01 00 000 3110

Existing Land Use: Single Family Residential

Existing FLUM Designation: Low Density Residential (PBC, LR-2)

Proposed FLUM Designation: Open Space (OS, RPB)

Existing Zoning District: Agriculture Residential (AR, PBC)

Proposed Zoning: Public Ownership (PO, RPB)

Table 1: Adjacent Existing, Future Land Uses, and Zoning

Dir.	Existing:	FLUM:	Zoning:
North	Verse Apartments	Multi-Family High Density Residential (MFH, RPB)	Multi-Family Residential (RM-18, RPB)
South	Victoria Groves PUD	Residential Mixed Use (RMU)	Residential Mixed Use (RMU)
East	Victoria Groves PUD	Residential Mixed Use (RMU)	Residential Mixed Use (RMU)
West	Single Family Residences	Single-Family Residential (SF)	Single-Family Residential (SF-3)



Figure 1: Map showing the location of Pod 8.p

III. Intent of Petition:

The Applicant is seeking the rezoning of two (2) tracts of land totaling approximately 13.144± acres from Palm Beach County’s Agriculture Residential (PBC, AR) Zoning District to the Village of Royal Palm Beach’s Public Ownership (PO) Zoning District. This site has several single family homes on large tracts. The Applicant has indicated in their justification statement that the ultimate goal is for Pod 8 to be the receiving area for the recreation obligations for Pods 2, 3, and 4 and total approximately 10.7 acres. The remaining acreage is the areas within the Florida Power and Light Easement.

IV. History:

The subject property is located on the south side of Southern Boulevard and west of State Road 7. The parcels were recently annexed into the Village Boundary by Adoption of Ordinance 919 by Village Council on September 3, 2015. The Village Council approved Ordinance 992 on first reading on June 20, 2019 and on second reading on September 19, 2019, which changed the parcels Land Use Designation from Palm Beach County’s Low Residential LR-2, to the Village’s Open Space Land Use Designation.

V. Analysis:

The Applicant is seeking the rezoning of two (2) tracts of land totaling approximately 13.144± acres from the Palm Beach County’s Agriculture Residential (PBC, AR) Zoning District to the Village of Royal Palm Beach’s Public Ownership (PO) Zoning District. This site has several

single family homes on large tracts. The Applicant has indicated in their justification statement that the ultimate goal is for Pod 8 to be the receiving area for the recreation obligations for Pods 2, 3, and 4 and total approximately 10.7 acres. The remaining acreage is the areas within the Florida Power and Light Easement.

In reviewing the proposed Rezoning of the parcels to the Village's Public Ownership (PO) Zoning District, Village Staff considered compatibility with adjacent land uses; consistency with the Village's Comprehensive Plan and conformance with the Public Ownership (PO) Zoning District development standards in Section 26-91. Staff also considered Pod 8 in relation to the overall proposed Master Plan for this this area.

Specifically, the proposed site meets the requirements for Public Ownership (PO) Zoning District as follows:

As Determined by Village Council with Recommendations from Staff and the Planning and Zoning Commission.

The proposed Master Plan is provided in **Attachment B** for your reference to give the Applicant's overall vision for this area, and how Pod 8 is situated among the other pods. The following is a summation of the Master Plan, which includes the proposed pods and the uses contained within them, as indicated throughout the individual Pod applications and the Traffic Performance Standard Ordinance (TPSO) letter:

- Pod 2 - Maximum 401 Apartment Units on 29.36 acres;
- Pod 3 – Maximum 318 Apartment Units on 23.95 acres;
- Pod 4 – Maximum 100 Single Family Units on 33.75 acres;
- Pod 6 – Maximum 341,000 square feet of Commercial Uses on 31.85 acres, according to the traffic study that this Pod relies upon, the use/square footage breakdown is: 22,000 ft² of grocery, 13,000 ft² of Pharmacy with drive-through, 5,636 ft² of Convenience Store with eight (8) pump gas islands, 76,500 ft² of Restaurant, 55,000 ft² of General Commercial, 150 room Hotel, 915 Seat Movie Theatre, 33,000 ft² Health Club, 12,000 ft² Daycare Facility, five (5) lane Car Wash, and a Multi-Modal Center;
- Pod 7 – 1,500 Student Charter School on 10.17 acres;
- Pod 8 - 10.7 acre Public Park (this park is not part of this Comprehensive Plan Land Use Map amendment approval round but will be brought forth for consideration for a Comprehensive Plan Land Use Map amendment prior to the second reading and adoption hearing of the current Comprehensive Plan Land Use Map amendment approval round); and
- Erica Boulevard (aka Phase 4 Lowes Rd) – 11.2 acres of Roadway.

To put the commercial space proposed for this Master Plan into perspective, Staff has provided the acreage and commercial square footages for comparable Master Planned areas of similar nature and they are as follows:

- Delray Marketplace – 32 acres, 320,000 square feet of retail;
- Downtown At The Gardens – 35 acres, 316,2317 square feet of retail; and
- City Place WPB – 23.19 acres, 617,648 square feet of retail.

The designation of the subject site is consistent with the character of the surrounding area and will not create incompatibility issues. The parcel is an infill site surrounded by development and will not promote urban sprawl. The 10.7-acre site will be dedicated to the Village of Royal Palm Beach to comply with the recreation requirements for the surrounding residential development as proposed on the Village Royale master plan previously filed with the Village. The proposed amendment will provide recreation facilities to support the existing and future proposed development in the area.

Traffic Circulation – A Traffic Analysis was conducted for this project by O’Rourke Engineering and Planning Inc. and it was concluded that based on a programming of 2 soccer fields that given that the net trip generation results in insignificant impacts on the networks, additional analysis is not required. At this time the Village of Royal Palm Beach has no plans as to the programming of this park.

The Applicant asserts that the proposed Rezoning is consistent with the Village of Royal Palm Beach’s Comprehensive Plan and Section 26-32 (f) (3) b. The Applicant has provided a narrative demonstrating consistency with Section 26-32 (f) (3) b. of the Village’s Code of Ordinances and they are as follows:

Consistency with Section 26-32 (f) (2) b.

1. *If the action requested will contribute to a condition of public hazard as described in the sanitary sewer, solid waste, drainage, and potable water sub elements of the comprehensive plan.*

The proposed development meets all level of service requirements for a park.

2. *If action requested will exacerbate any existing public facility capacity deficits as described in the traffic circulations elements; sanitary sewer, solid waste, drainage, portable water element and recreation and open space element of the comprehensive plan.*

The proposed development meets all level of service requirements for a park.

3. *If the action requested will generate public facility demands that may be accommodated by capacity increases planned in the five-year schedule of improvements established by the comprehensive plan.*

The proposed development meets all level of service requirements for a park.

4. *If the action requested conforms with future land uses as shown on the future land use map of the future land use element of the comprehensive plan.*

The proposed zoning designation is entirely consistent with many of the Directives, Goals, Objectives and Policies of the Village of Royal Palm Beach Comprehensive Plan. The action requested will amend the Zoning use map and conform to the future land use.

5. *If public facilities are developer provided, will the action requested accommodate public facility demand based on LOS standards?*

The proposed development meets all level of service requirements for a park.

6. *If public facilities are provided in part or whole by the Village, is the action financially feasible subject to the capital improvement element of the comprehensive plan.*

The proposed development meets all level of service requirements for a park.

Village Staff generally agrees with the Applicant's assertions regarding compliance with the Village's Comprehensive Plan, Village Code, and State Statutes. Overall, the proposed rezoning is generally consistent with the Village's Comprehensive Plan, compatible with adjacent land uses, and meets all relevant concurrency level of service standards and therefore Staff is recommending approval of the application.

VI. Staff Recommendation:

Staff is recommending Approval of application 19-0087 (RZ) and Ordinance 996 on First Reading.

VII. Hearing History:

Planning and Zoning Commission:

The Local Planning Agency considered the application on September 24, 2019, recommended Approval by a vote of 5-0.

Village Council (First Reading):

The Village Council considered Ordinance 996 on first reading on October 17, 2019, and recommended _____ by a vote of X-X

Attachment A
Legal Description
Southern Boulevard Properties Pod 8
19-0087 (RZ)
Ordinance No. 996

POD 8 DESCRIPTION:

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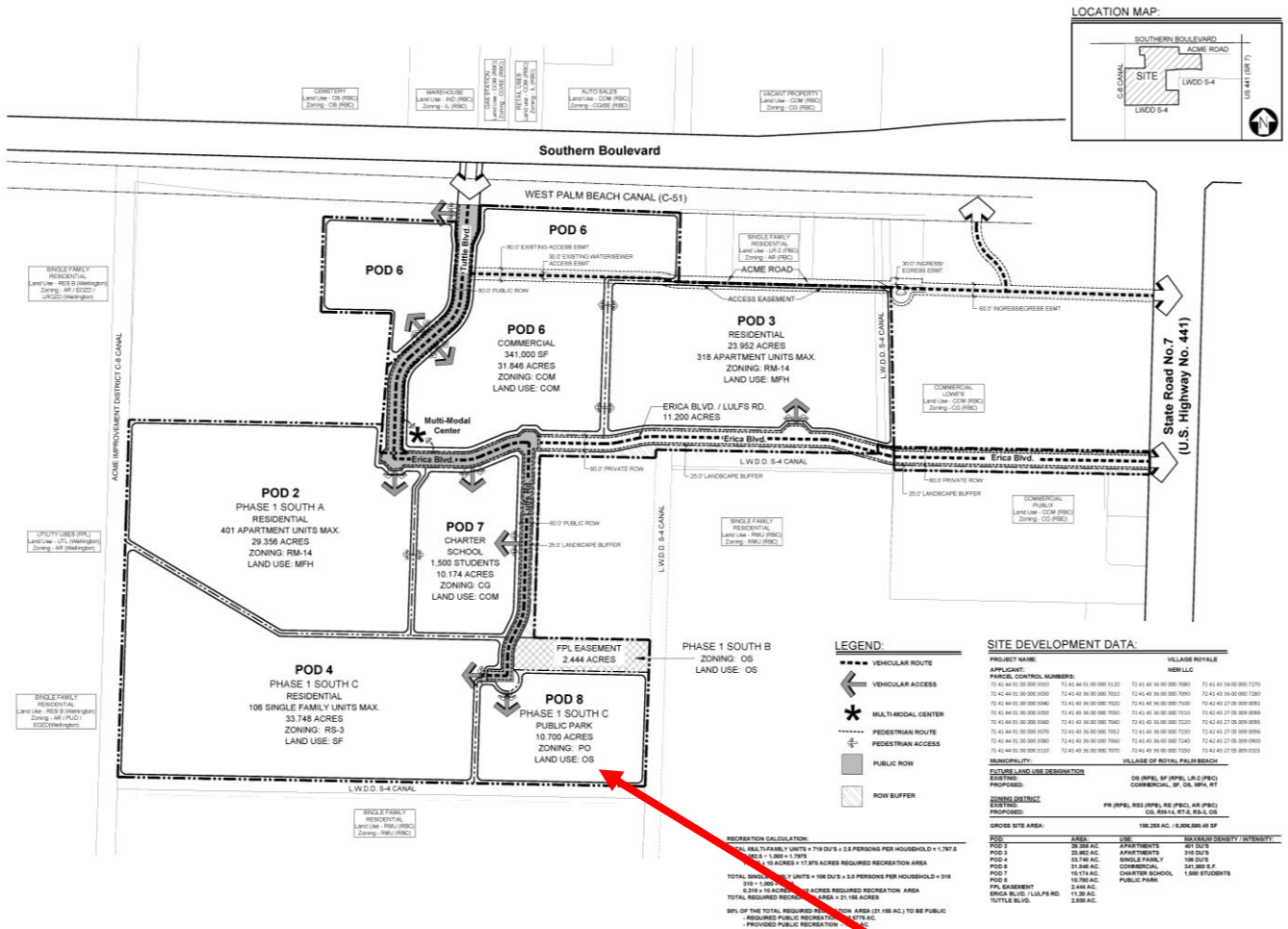
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CONTAINING 2.444 ACRES MORE OR LESS.

Attachment A Master Plan Southern Boulevard Properties Pod 8 19-0087 (RZ) Ordinance No. 996



This is an illustration that shows the location of Pod 8 in relation to the other pods within the Master Plan.