

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION NO. 20-112 (RZ), AN APPLICATION BY JESS R. SANTAMARIA, NAGALA FAMILY LTD PARTNERSHIP LLLP, RUP K NAGALA AND ROY N. KISHORE, AND APPROVAL OF ORDINANCE NO. 1015. THE APPLICANT IS SEEKING THE REZONING OF FOUR (4) PARCELS OF LAND TOTALING APPROXIMATELY 12.28 ACRES OF LAND FROM THE VILLAGE'S GENERAL COMMERCIAL (CG) ZONING DESIGNATION TO THE VILLAGE'S RM-9 MULTIFAMILY RESIDENTIAL ZONING DESIGNATION, LOCATED APPROXIMATELY 850 FEET NORTH OF OKEECHOBEE BOULEVARD AND APPROXIMATELY 500 FEET WEST OF ROYAL PALM BEACH BOULEVARD; BY AGENT: EDWIN MULLER OF WGI, INC.**

**Issue:**

The Applicant is seeking the rezoning of four (4) parcels of land totaling approximately 12.28 acres of land from the Village's General Commercial (CG) Zoning Designation to the Village's RM-9 Multifamily Residential Zoning Designation. This site is currently vacant land. The Applicant has indicated in their justification statement that the ultimate goal is to develop the property for 100 townhouse dwelling units (a proposed density of 8.14 units per acre).

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 May 25, 2021, and recommended Approval by a vote of 5-0.

**Recommended Action:**

Staff is recommending Approval of Application No. 20-112 (RZ) and Ordinance 1015 on First Reading.

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Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	6-17-2021	Action

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**ORDINANCE NO. 1015**

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 FOUR (4) PARCELS OF LAND COMPRISING A TOTAL OF 12.28± ACRES, MORE OR LESS, LOCATED APPROXIMATELY 850 FEET NORTH OF OKEECHOBEE BOULEVARD AND APPROXIMATELY 500 FEET WEST OF ROYAL PALM BEACH BOULEVARD, INFORMALLY KNOWN AS “LAKESIDE LANDING”; PROVIDING THAT THIS PARCEL OF REAL PROPERTY WHICH IS MORE SPECIFICALLY DESCRIBED HEREIN SHALL BE ASSIGNED THE VILLAGE ZONING DESIGNATION OF “RM-9 MULTIFAMILY RESIDENTIAL DISTRICT”; PROVIDING THAT THE ZONING MAP OF THE VILLAGE OF ROYAL PALM BEACH BE AMENDED TO REFLECT THE PROPER DESIGNATION FOR THIS PARCEL 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 four (4) parcels of real property described hereinbelow, located within the Village, the zoning designation of “RM-9 Multifamily Residential District.”

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

Section 1: That certain parcel of real property located within the corporate limits of the Village of Royal Palm Beach consisting of a total of 12.28± acres located approximately 850 feet north of Okeechobee Boulevard and approximately 500 feet west of Royal Palm Beach Boulevard, informally known as “Lakeside Landing,” is hereby zoned Village Zoning Designation “RM-9 Multifamily Residential District,” a change from its previous Village Zoning Designation of “(CG) General Commercial District,” and is 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 17<sup>th</sup> day of June, 2021.

SECOND AND FINAL READING this 15<sup>th</sup> day of July, 2021.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

(SEAL)

ATTEST:

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DIANE DISANTO, VILLAGE CLERK

**Exhibit A**  
**Legal Description**  
**Application 20-112(RZ) – Lakeside Landing**  
**Ordinance No. 1015**

LEGAL DESCRIPTION:

Below is Parcel 1's Legal Description

PARCEL 1:

A parcel of land being a portion of Tract "C", Waterway Plaza, according to the plat thereof, as recorded in Plat Book 69, Page 88, Public Records, Palm Beach County, Florida; said parcel of land being more particularly described as follows:

Begin at the Southeast corner of Tract "C-2", Waterway Plaza Plat No. 2, according to the plat thereof, as recorded in Plat Book 71, Page 82, said Public Records. Thence, North 88°23'14" West, along the boundary of said Tract "C-2", a distance of 21.89 feet; thence, South 46°36'46" West, continuing along said boundary for this and the next five courses, a distance of 35.36 feet; 2) South 01°36'46" West, a distance of 7.48 feet; 3) North 88°23'14" West, a distance of 204.10 feet; 4) South 89°17'57" West, a distance of 93.13 feet; 5) North 01°36'46" East, a distance of 47.87 feet to a point on the boundary of said Tract "C", of Waterway Plaza; thence along said boundary for the next ten (10) courses, 1) South 48°04'54" West, a distance of 4.44 feet; 2) South 83°04'55" West, a distance of 101.12 feet; 3) North 71°41'17" West, a distance of 104.40 feet; 4) North 19°48'01" West, a distance of 273.90 feet; 5) North 82°40'37" West, a distance of 100.50 feet; 6) South 85°54'09" West, a distance of 100.50 feet; 7) South 88°45'01" West, a distance of 100.12 feet; 8) South 65°02'52" West, a distance of 111.80 feet; 9) South 39°10'53" West, a distance of 147.33 feet; 10) South 01°33'56" West, a distance of 170.24 feet; thence, South 88°23'14" East, departing said boundary, a distance of 201.02 feet; thence, South 01°36'46" West, a distance of 306.04 feet to a corner on said boundary; thence, South 88°23'14" East, along said boundary, a distance of 485.92 feet; thence, North 01°36'46" East, continuing along said boundary for this and the remaining three courses, a distance of 285.00 feet; thence, South 88°23'14" East, a distance of 419.00 feet to the point of curvature of a curve concave South, having a radius of 48.00 feet; thence, Easterly, along said curve, through a central angle of 40°13'42", a distance of 33.70 feet to the end of said curve; thence, North 01°36'46" East, a distance of 95.84 feet to the point of beginning.

Below is Parcel 2's Legal Description

PARCEL 2:

A parcel of land lying in Tract "C", Waterway Plaza, according to the plat thereof, as recorded in Plat Book 69, Page 88, Public Records, Palm Beach County, Florida; said parcel of land being more particularly described as follows:

Commencing at the Southwest corner of said Tract "C", thence, North 01°33'56" East, along the West line of said Tract "C", a distance of 223.60 feet for a point of beginning; Thence, continue North 01°33'56" East, along said West line of Tract "C", a distance of 434.61 feet; thence South 88°23'14" East, departing said West line, a distance of 200.65 feet to the intersection thereof with the East line of said Tract "C", thence, South 01°36'46" West, along said East line, a distance of 434.61 feet; thence, North 88°23'14" West, departing said East line, a distance of 200.29 feet to the point of beginning.

Less the following Tract:

Commencing at the Southwest corner of said Tract "C", thence, North 01°33'56" East, along the West line of said Tract "C", a distance of 223.60 feet for a point of beginning. Thence, continue North 01°33'56" East, along said West line a distance of 15.74 feet; thence, North 88°10'42" East, departing said West line, a distance of 200.67 feet to the intersection thereof with the East line of said Tract "C"; thence, South 01°36'46" West, along said East line, a distance of 27.76 feet; thence, North 88°23'14" West, departing said East line, a distance of 200.29 feet to the point of beginning.

### Below is Parcel 3's Legal Description

PARCEL 3:

A parcel of land lying in Tract "C", Waterway Plaza, according to the plat thereof, as recorded in Plat Book 69, Page 88, Public Records, Palm Beach County, Florida; said parcel of land being more particularly described as follows:

Commencing at the Southwest corner of said Tract "C"; thence, North 01°33'56" East, along the West line of said Tract "C", a distance of 658.21 feet for a point of beginning; Thence, continue North 01°33'56" East, along said West line, a distance of 21.81 feet; thence, South 88°23'14" East, departing said West line, a distance of 200.67 feet to the intersection thereof with the East line of said Tract "C"; thence, South 01°36'46" West, along said East line, a distance of 21.81 feet; thence, North 88°23'14" West, departing said East line, a distance of 200.65 feet to the point of beginning.

### Below is Parcel 4's Legal Description

PARCEL 4:

A parcel of land lying in Tract "C", Waterway Plaza, according to the plat thereof, as recorded in Plat Book 69, Page 88, Public Records, Palm Beach County, Florida; said parcel of land being more particularly described as follows:

Commencing at the Southwest corner of said Tract "C", thence, North 01°33'56" East, along the West line of said Tract "C", a distance of 680.02 feet for a point of beginning. Thence, continue North 01°33'56" East, along said West line, a distance of 434.20 feet; thence, South 88°23'14" East, departing said West line, a distance of 201.02 feet; thence, South 01°36'46" West, a distance of 306.04 feet to a boundary corner on the Easterly boundary of said plat; thence, continue South 01°36'46" West, along said Easterly boundary, a distance of 128.16 feet; thence, North 88°23'14" West, departing said Easterly boundary, a distance of 200.67 feet to the point of beginning.

# Village of Royal Palm Beach - Staff Report

## I. General Data:

Project Name: Lakeside Landing

Application: 20-112 (RZ) (Ordinance No. 1015)

Applicant/Owner: Jess R. Santamaria  
675 Royal Palm Boulevard  
Royal Palm Beach, FL 33411

Nagala Family LTD Partnership LLLP  
PO Box 50  
Oakes, ND 58474

Rup K Nagala and Roy N Kishore  
420 S. 7<sup>th</sup> Street  
Oakes, ND 58474

Agent: Wantman Group, Inc  
Edwin Muller  
2035 Vista Parkway  
West Palm Beach, FL 33306

Request: Rezoning of four (4) parcels of land totaling approximately 12.28 acres of land from the Village's General Commercial (CG) Zoning Designation to the Village's RM-9 Multifamily Residential Zoning Designation.

Hearings: Planning and Zoning Commission: May 25, 2021  
Village Council (First Reading): June 17, 2021  
Village Council (Second Reading): July 15, 2021

Recommendation: Approval

## II. Site Data:

Site Area: 12.28± acres

Property Control Numbers: 72 41 43 23 12 003 0010, 0050, 0040, 0030

Existing Land Use: Vacant

Existing FLUM Designation: Multi-Family Low Density Residential (MFL)

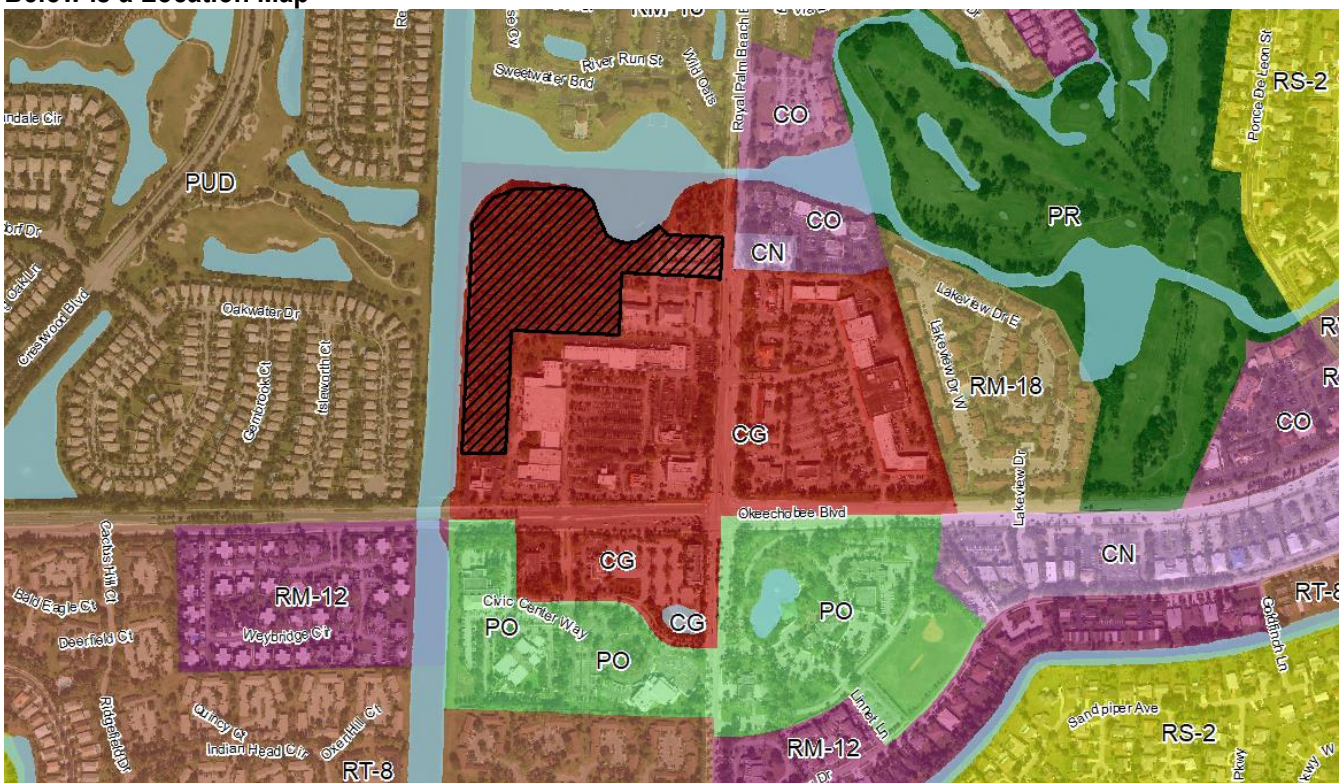
Proposed FLUM Designation: Multi-Family Low Density Residential (MFL)

Existing Zoning District: General Commercial (CG)

Proposed Zoning: Multifamily Residential (RM-9)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
North	Village of Royal Palm Canal and multi-family residential (Verse Apartments)	Multi-Family High Density (MFH)	Residential Multi-family (RM-18)
South	Waterway Plaza	Commercial (COM)	General Commercial (CG)
East	Lakeview Center	Commercial (COM)	Office Commercial (CO)
West	Indian Trail Improvement District canal; Madison Green Golf Course; and Single Family Residential (Fairfax and Wyndam)	Single-Family Residential (SF)	Planned Unit Development (PUD)

**Below is a Location Map**



**III. Intent of Petition:**

Rezoning of four (4) parcels of land totaling approximately 12.28 acres of land from the Village’s General Commercial (CG) Zoning Designation to the Village’s RM-9 Multifamily Residential Zoning Designation. This site is currently vacant land. The Applicant has indicated in their justification statement that the ultimate goal is to develop the property for 100 townhouse dwelling units (a proposed density of 8.14 units per acre).

#### **IV. History:**

The Waterway Plaza Planned Commercial Development (PCD) was originally approved through the approval of Application 154-157 by the Village Council on September 28, 1988. Waterway Plaza (PCD) was approved per the application, for 144,525 square feet of a specialty shopping center that is water oriented and “It will have a “Park Like” atmosphere. This approval also included approval for a gas station. Later, on February 19, 1998, another gas station was approved and located between the M-1 canal and the Village Shoppes Shopping Center. A Special Exception was later approved to allow hotel suites in two of the buildings within Waterway Plaza (PCD) on March 15, 2000. Several modifications to the original Site Plan were approved over the years to include a Dunkin Donuts, Car wash, and a Car Care Center. A Large-Scale Comprehensive Plan and a Future Land Use Amendment to change the Land Use designation from Commercial (COM) future land use (FLU) designation to Multifamily Low Density Residential (MFL) was approved on August 20, 2020.

#### **V. Analysis:**

Rezoning of four (4) parcels of land totaling approximately 12.28 acres of land from the Village’s General Commercial (CG) Zoning Designation to the Village’s RM-9 Multifamily Residential Zoning Designation. This site is currently vacant land. The Applicant has indicated in their justification statement that the ultimate goal is to develop the property for 100 townhouse dwelling units (a proposed density of 8.14 units per acre).

In reviewing the proposed Rezoning of the parcels to the Village’s RM-9 Multifamily Residential Zoning District, Village Staff considered compatibility with adjacent land uses; consistency with the Village’s Comprehensive Plan and conformance with the RM-9 Multifamily Residential Development Standards in Section 26-84.

Specifically, the proposed site meets the requirements for Multifamily Residential (RM-9) Zoning District as follows:

1. Parcel size: The site is 12.28 acres and exceeds the minimum area required for RM-9 designated property of 2.5 acres.
2. Parcel width: The site exceeds the minimum parcel width of 200 feet of frontage.
3. Setbacks: Any proposed building(s) will be required to conform to the design standards for this zoning district at the development order stage.
4. Pervious area: The site will be required to meet or exceed the minimum pervious area requirement, based on the average unit size, at the development order stage.



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) (3) 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;*

A rezoning from the CG zoning district to the RM-9 zoning district will not contribute to a condition of public hazard.

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

As indicated in the provided Traffic Study, the trips associated with the proposed 100 dwelling unit townhouse development are significantly less than the number of traffic trips associated with the current commercial approval that is part of the Waterway Plaza. Therefore, this request will alleviate the public facility capacities rather than exacerbate facilities.

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 rezoning request set forth for a change in districts from CG to RM-9 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.

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 action requested conforms with future land uses as shown on the FLU map of the FLU element of the comprehensive plan. As previously mentioned, it was voted upon by the Village Council to change the FLU designation of the subject site from COM to MFL. This rezoning request is set forth to assign the subject site a consistent residential zoning district of RM-9 with its recently adopted FLU designation of MFL.

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

The site retains prior approval and is able to accommodate public facilities. The proposed development to allow a residential townhouse development will accommodate public facility demand based upon the Village's adopted LOS standards.

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 action will be financially feasible subject to the capital improvement element of the comprehensive plan as development was previously accounted for on the subject site.

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. Disposition Options:**

Approval of the application;

Denial of the application.

**VII. Staff Recommendation:**

Staff is recommending Approval of Application No. 20-112 (RZ) and Ordinance 1015 on First Reading.

**VIII. Hearing History:**

*Planning and Zoning Commission:*

The Local Planning Agency considered the application on May 25, 2021, and recommended Approval by a vote of 5-0.

*Village Council (First Reading):*

The Village Council considered Ordinance 1015 on first reading on June 17, 2021, and recommended \_\_\_\_\_ by a vote of X-X.

**Attachment A  
Legal Description  
Lakeside Landing  
20-112 (RZ)  
Ordinance 1015**

**LEGAL DESCRIPTION:**

**Below is Parcel 1's Legal Description**

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**Below is Parcel 2's Legal Description**

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Commencing at the Southwest corner of said Tract "C", thence, North 01°33'56" East, along the West line of said Tract "C", a distance of 223.60 feet for a point of beginning. Thence, continue North 01°33'56" East, along said West line a distance of 15.74 feet; thence, North 88°10'42" East, departing said West line, a distance of 200.67 feet to the intersection thereof with the East line of said Tract "C"; thence, South 01°36'46" West, along said East line, a distance of 27.76 feet; thence, North 88°23'14" West, departing said East line, a distance of 200.29 feet to the point of beginning.

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## Below is Parcel 4's Legal Description

### PARCEL 4:

A parcel of land lying in Tract "C", Waterway Plaza, according to the plat thereof, as recorded in Plat Book 69, Page 88, Public Records, Palm Beach County, Florida; said parcel of land being more particularly described as follows:

Commencing at the Southwest corner of said Tract "C", thence, North 01°33'56" East, along the West line of said Tract "C", a distance of 680.02 feet for a point of beginning. Thence, continue North 01°33'56" East, along said West line, a distance of 434.20 feet; thence, South 88°23'14" East, departing said West line, a distance of 201.02 feet; thence, South 01°36'46" West, a distance of 306.04 feet to a boundary corner on the Easterly boundary of said plat; thence, continue South 01°36'46" West, along said Easterly boundary, a distance of 128.16 feet; thence, North 88°23'14" West, departing said Easterly boundary, a distance of 200.67 feet to the point of beginning.