



Agenda Item # _____

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

Agenda Item:

PUBLIC HEARING FOR SECOND READING AND ADOPTION OF ORDINANCE NO. 902 AND APPROVAL OF APPLICATION NO. 17-0070 (RZ), AN APPLICATION BY COTLEUR & HEARING. THE APPLICANT IS SEEKING A REZONING OF A PARCEL OF LAND TOTALING 5.55± ACRES, MORE OR LESS, FROM THE TOWNHOUSE RESIDENTIAL ZONING DESIGNATION TO THE GENERAL COMMERCIAL (CG) ZONING DISTRICT, LOCATED AT 10701 OKEECHOBEE BOULEVARD. BY AGENT: DONALDSON HEARING, OF COTLEUR & HEARING.

Issue:

The Applicant is seeking the Rezoning of a parcel of land totaling approximately 5.55 acres of land from the Townhouse Residential (RT-8) Zoning District to the General Commercial (CG) Zoning District. This site is currently vacant. The Applicant has indicated in their justification statement that the ultimate goal is to develop the property to operate in conjunction with the First Baptist church to the west.

Overall, the proposed site is in conformance with the Village’s requirements for the General Commercial (CG) Zoning District. All future submittals for this site will be subject to the Commercial (CG) Zoning District Development Standards, and the Deed Restrictions and Reverter Clause for the site (ORB 29564/PG 705; and ORB 30338/PG 400), and will follow the Village’s review process to ensure compliance.

The Local Planning Agency considered the application on April 23, 2019, and recommended Approval by a vote of 5-0.

The Village Council considered Ordinance 902 on first reading on June 20, 2019, and recommended Approval by a vote of 5-0.

Recommended Action:

Staff recommends Approval of Application 17-0070 (RZ) and Ordinance 902 on Second Reading.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	07-18-2019	Action

ORDINANCE NO. 902

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 ONE (1) PARCEL OF LAND COMPRISING A TOTAL OF 5.55 ± ACRES, MORE OR LESS, LOCATED AT 10701 OKEECHOBEE BOULEVARD, INFORMALLY KNOWN AS LOT 1 OF THE CAPSTONE AT ROYAL PALM PLAT; PROVIDING THAT THIS PARCEL OF REAL PROPERTY WHICH IS MORE SPECIFICALLY DESCRIBED HEREIN SHALL BE ASSIGNED THE VILLAGE ZONING DESIGNATION OF “CG – GENERAL COMMERCIAL 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 that one (1) parcel of real property described hereinbelow, located within the Village, the zoning designation of “CG – General Commercial 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 5.55 ± acres located at 10701 Okeechobee Boulevard, informally known as Lot 1 of the Capstone at Royal Palm Plat, is hereby zoned Village Zoning Designation “CG – General Commercial District,” a change from its previous Village Designation of “RT-8 – Townhouse Residential 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 20th day of June, 2019.

SECOND AND FINAL READING this 18th day of July, 2019.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

(SEAL)

ATTEST:

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
First Baptist Church @ 10701 Okeechobee Blvd.
Application No. 17-0070(RZ)
Ordinance No. 902

DESCRIPTION:

LOT 1, CAPSTONE AT ROYAL PALM, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 125, PAGES 13 AND 14 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LYING IN SECTION 24, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE VILLAGE OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING 241,836 FEET/ 5.5518 ACRES, MORE OR LESS



Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: First Baptist Church of Royal Palm Beach

Application: 17-0070 (RZ) (Ord. No. 902)

Applicant: Donaldson Hearing
Cotleur & Hearing
1934 Commerce Lane, Suite 1400 Columbia Drive, Suite 110
West Palm Beach, FL 33409

Request: Rezoning for one parcel of land totaling approximately 5.55± acres from the Townhouse Residential (RT-8) the the General Commercial (CG) Zoning District, located at 10701 Okeechobee Boulevard.

Hearings: Planning and Zoning Commission: April 23, 2019
Village Council (First Reading): June 20, 2019
Village Council (Second Reading): July 18, 2019

Recommendation: Approval

II. Site Data:

Site Area: 5.55 ± acres

Property Control Numbers: 72-41-43-24-09-000-0010

Existing Land Use: Vacant

Existing FLUM Designation: Open Space (OS)

Proposed FLUM Designation: Commercial (COM)

Existing Zoning District: Townhouse Residential (RT-8)

Proposed Zoning: General Commercial (CG)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
<i>North</i>	La Mancha Subdivision	Single Family Residential	Single Family Residential (RS-2)
<i>South</i>	Public Park	Open Space (OS)	Public Ownership (PO)
<i>East</i>	Hunt Midwest	Residential Mixed Use (RMU)	Residential Mixed Use (RMU)
<i>West</i>	First Baptist Church	Commercial (COM)	General Commercaill (CG)

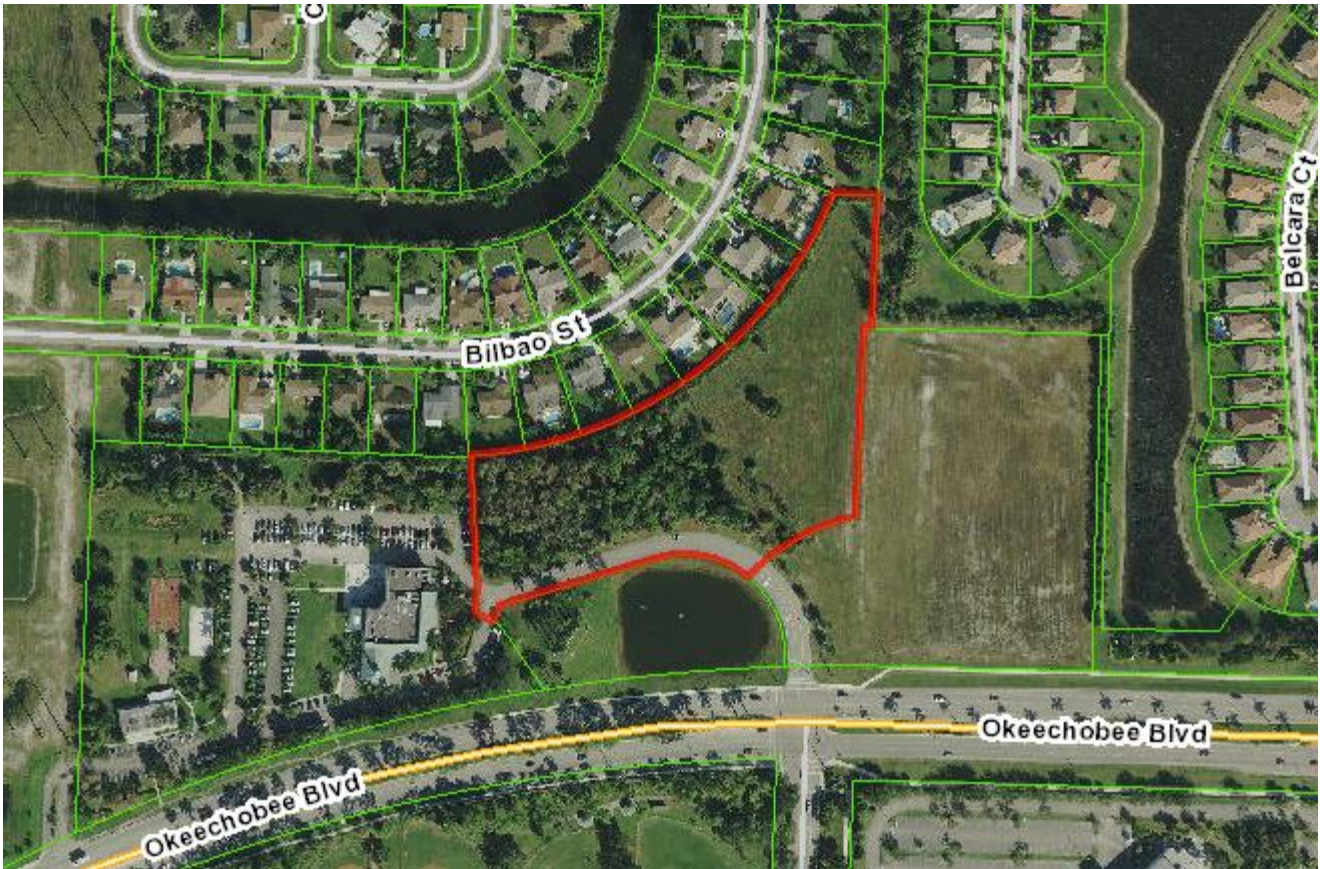


Figure 1: Location Map

III. Intent of Petition:

The Applicant is seeking the Rezoning of a parcel of land totaling approximately 5.55 acres of land from the Townhouse Residential (RT-8) Zoning District to the General Commercial (CG) Zoning District. This site is currently vacant. The Applicant has indicated in their justification statement that the ultimate goal is to develop the property to operate in conjunction with the First Baptist church to the west.

IV. History:

This parcel of land is currently part of the Capstone at Royal Palm Plat. This parcel of land was previously owned by the Village, and was transferred to Royal Palm Beach SLP, LLC on December 29, 2017. The parcel was subsequently transferred to the First Baptist Church of Royal Palm Beach, Florida, Inc. on December 31, 2018.

V. Analysis:

The Applicant is seeking the Rezoning of a parcel of land totaling approximately 5.55 acres of land from the Townhouse Residential (RT-8) Zoning District to the General Commercial (CG) Zoning District. This site is currently vacant. The Applicant has indicated in their justification statement that the ultimate goal is to develop the property to operate in conjunction with the First Baptist church to the west.

In reviewing the proposed Rezoning of the parcel to the General Commercial (CG) Zoning District, Village Staff considered compatibility with adjacent land uses, consistency with the Village's Comprehensive Plan and conformance with the General Commercial (CG) Zoning District development standards in Section 26-89.

Specifically, the proposed site meets the requirements for General Commercial (CG) Zoning District as follows:

1. Parcel size: The site is 5.55 acres and exceeds the minimum area required for CG-designated property of 40,000 square feet.
2. Parcel width: The site exceeds the minimum parcel width of 150 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 at the development order stage.

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;*

The proposed development meets all level of service requirements for this Rezoning. Letters from the appropriate service providers verifying services are available to the site. The applicant in the Justification Statement states that as part of the development of the site all public services will be in place prior to approval of the site plan and civil plans.

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.*

Attached to the application are the following document(s) which confirm that capacity and services are available to serve the proposed development:

Traffic Circulation Element- A Traffic Performance Standards Ordinance Letter issued by Palm Beach County dated 10/18/2018 states that this project meets the Traffic Performance Standards of Palm Beach County;

Solid Waste- Solid waste services are contracted by the Village of Royal Palm Beach for all properties located within the Village. The project will be serviced by the solid waste provider for solid waste services. The applicant has provided a letter from the Solid Waste Authority confirming available landfill capacity.

Drainage- The “Storm Water Management Confirmation” evaluation dated Drainage Statement” prepared by Engenuity Group, Inc. dated November 26, 2014 which confirms that the drainage design will address the drainage demands for the subject site in compliance with the Village requirements.

The action requested will not exacerbate any existing public facility capacity deficits as provided in the traffic circulations elements; sanitary sewer, solid waste, drainage, portable water element of the comprehensive plan. Capacity has been confirmed and infrastructure needed to serve the proposed development will be in place prior to or provided concurrently with development of the subject site.

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 action requested will not generate public facility demands that will affect capacity increases in the five year plan as it relates to sanitary sewer, solid waste, drainage, portable water element. Please refer to the documents referenced above in the response to item number 2 and included with this request which confirms capacity and service for the proposed development.

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 General Commercial (CG) Zoning District will be consistent with the Directives, Goals, Objectives and Policies of the Village of Royal Palm Beach Comprehensive Plan upon the approval of the Commercial (COM) Land Use Designation.

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

This project meets all Level of Service Standards as demonstrated in #2 above.

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.*

Please refer to the documents referenced above in requirement number 2 and included with this request which confirms capacity and service for the proposed development. The developer is required to participate in the proportionate share of any improvement cost necessary and/or provide Infrastructure needed to serve the proposed development.

Overall, the proposed site is in conformance with the Village’s requirements for the General Commercial (CG) Zoning District. All future submittals for this site will be subject to the Commercial (CG) Zoning District Development Standards and will follow the Village’s review process to ensure compliance.

VI. Staff Recommendation:

Staff recommends Approval of Application 17-0070 (RZ) and Ordinance 902 on Second Reading.

VII. Hearing History:

Planning and Zoning Commission:

The Local Planning Agency considered the application on April 23, 2019, and recommended Approval by a vote of 5-0.

Village Council (First Reading):

The Village Council considered Ordinance 902 on first reading on June 20, 2019, and recommended Approval by a vote of 5-0.

**Attachment A
Legal Description
First Baptist Church of RPB
17-0070 (RZ)
Ordinance No. 902**

DESCRIPTION: LANDS SURVEYED

LOT 1, CAPSTONE AT ROYAL PALM, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 125, PAGES 13 AND 14 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LYING IN SECTION 24, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THE VILLAGE OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA.

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