



Agenda Item # R - 7

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

Agenda Item:

FIRST READING OF ORDINANCE 779 APPROVING APPLICATION NO. 06-13 (C) (RZ) REQUESTING REZONING OF A 1.10 PARCEL OF LAND, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF OKEECHOBEE BOULEVARD AND STATE ROAD 7. FROM PALM BEACH COUNTY MULTIPLE USE PLANNED DEVELOPMENT (MUPD, PBC) TO VILLAGE GENERAL COMMERCIAL (CG, RPB); REQUESTED BY CHEVRON USA, INC: BY AGENT, CHEVRON USA, INC.

Issue:

This is a request to rezone a 1.10 ± acre parcel of property located on the northwest corner of the intersection of Okeechobee Blvd. and State Road 7, from Palm Beach County Multiple Use Planned Development (MUPD, PBC) to Village General Commercial (CG, RPB). This property was recently annexed into the Village on December 21, 2006, through the adoption of Ordinance 769. The zoning district is consistent with the proposed Future Land Use designation of Commercial. Staff has reviewed this petition and has determined that the application is compatible with adjacent land uses, is consistent with the Village's Comprehensive Plan, and consistent with the development standards for the General Commercial District.

This item was considered by the Planning and Zoning Commission sitting as the Local Planning Agency at its regular meeting on January 23, 2007 and received a recommendation for approval by a vote of 3-0

Recommended Action:

Approval of petition 06-13 (c) (RZ) thru the approval of Ordinance 779 on first reading.

Initiator:	Village Manager Approval	Agenda Date	Village Council Action
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Senior Planner

March 1, 2007

ORDINANCE NO. 779

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 OF ROYAL PALM BEACH, FLORIDA; WHICH PROPERTY CONSISTS OF ONE (1) PARCEL OF REAL PROPERTY COMPRISING A TOTAL OF 1.10± ACRES, MORE OR LESS, LOCATED ON THE NORTH SIDE OF OKEECHOBEE BOULEVARD APPROXIMATELY 850 FEET WEST OF STATE ROAD 7, INFORMALLY KNOWN AS THE “CHEVRON PROPERTY”; PROVIDING THAT THIS ONE (1) 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 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 this 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 one (1) parcel of real property located within the corporate limits of the Village of Royal Palm Beach consisting of a total of 1.10± acres located on the north side of Okeechobee Boulevard approximately 850 feet west of State Road 7, informally known as the “Chevron Property”, is hereby zoned “CG – General Commercial District”, and is legally described as follows:

(See Exhibit 1 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 1st day of March, 2007.

SECOND AND FINAL READING this 5th day of April, 2007.

VILLAGE OF ROYAL PALM BEACH

DAVID A. LODWICK, MAYOR

(SEAL)

ATTEST:

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Chevron
06-13 (c) (RZ)
Ordinance No. 779

LEGAL DESCRIPTION:

Parcel "12" of Fox Properties Plat, as recorded in Plat Book 83, Pages 65 thru 67 of the public records of Palm Beach County, Florida, being more particularly described as follows:

Beginning at the Northeast corner of said parcel "12";

Thence, S 00° 28' 56" E for a distance of 207.42 feet to the beginning of a non-tangential curve,

Said curve turning to the left through 00° 05' 23", having a radius of 11558.95 feet, and whose long chord bears S 89° 28' 22" W for a distance of 18.10 feet to the beginning of a non-tangential curve.

Said curve turning to the right through an angle of 00° 56' 31", having a radius of 11358.95 feet, and whose long chord bears S 88° 33' 00" W for a distance of 186.74 feet to a point of intersection with a non-tangential line.

Thence, N 45° 40' 18" W for a distance of 35.47 feet to a point on a line.

Thence, N 00° 28' 56" W for a distance of 185.59 feet to a point on a line.

thence N 89° 31' 04" E a distance of 230.00 feet to the **POINT OF BEGINNING**;

Containing 1.10 acres more or less.



Village of Royal Palm Beach - Staff Report

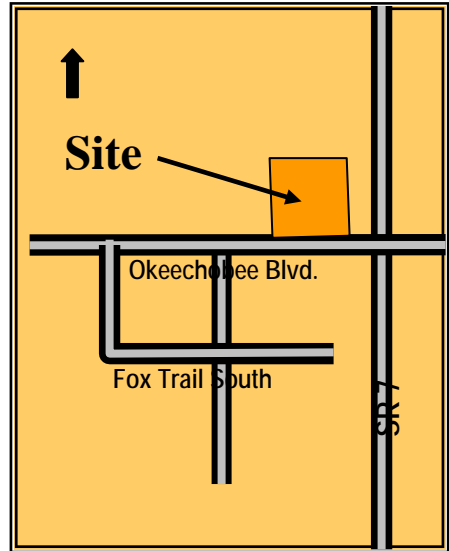
I. General Data:

Project Name: Chevron @ Fox Property
 Application: 06-13 (c) (RZ) (Ord. No. 779)

Applicant/Owner: Chevron USA, Inc.
 935 Gravier Street
 New Orleans, LA 70112

Agent: Chevron USA, Inc.
 935 Gravier Street
 New Orleans, LA 70112

Request: Rezoning of 1.10 ± acres from Multiple Use Planned Development (MUPD, PBC) to General Commercial (CG, RPB), located on the north side of Okeechobee Blvd, west of Target.



Hearings: Planning and Zoning Commission: January 23, 2007
 Village Council (First Reading): March 1, 2007
 Village Council (Second Reading): April 5, 2007

Recommendation: Approval

II. Site Data:

Site Area: 1.10 ± acres
 Property Control Numbers: 72-41-43-24-02-011-0000
 Existing Land Use: Commercial
 Existing FLUM Designation: Commercial High (CH, PBC)
 Proposed FLUM Designation: Commercial (COM)
 Existing Zoning District: Multiple Use Planned Development (MUPD, PBC)
 Proposed Zoning: General Commercial (CG)

Dir.	Existing:	FLUM:	Zoning:
North	PortoSol by Minto	Light Residential (LR-2, PBC)	Planned Unit Development (PUD, PBC)
South	Palm Beach County	Commercial High (CH)	Multiple Use Planned Development (MUPD, PBC)
East	Palm Beach County	Commercial High (CH)	Multiple Use Planned Development (MUPD, PBC)

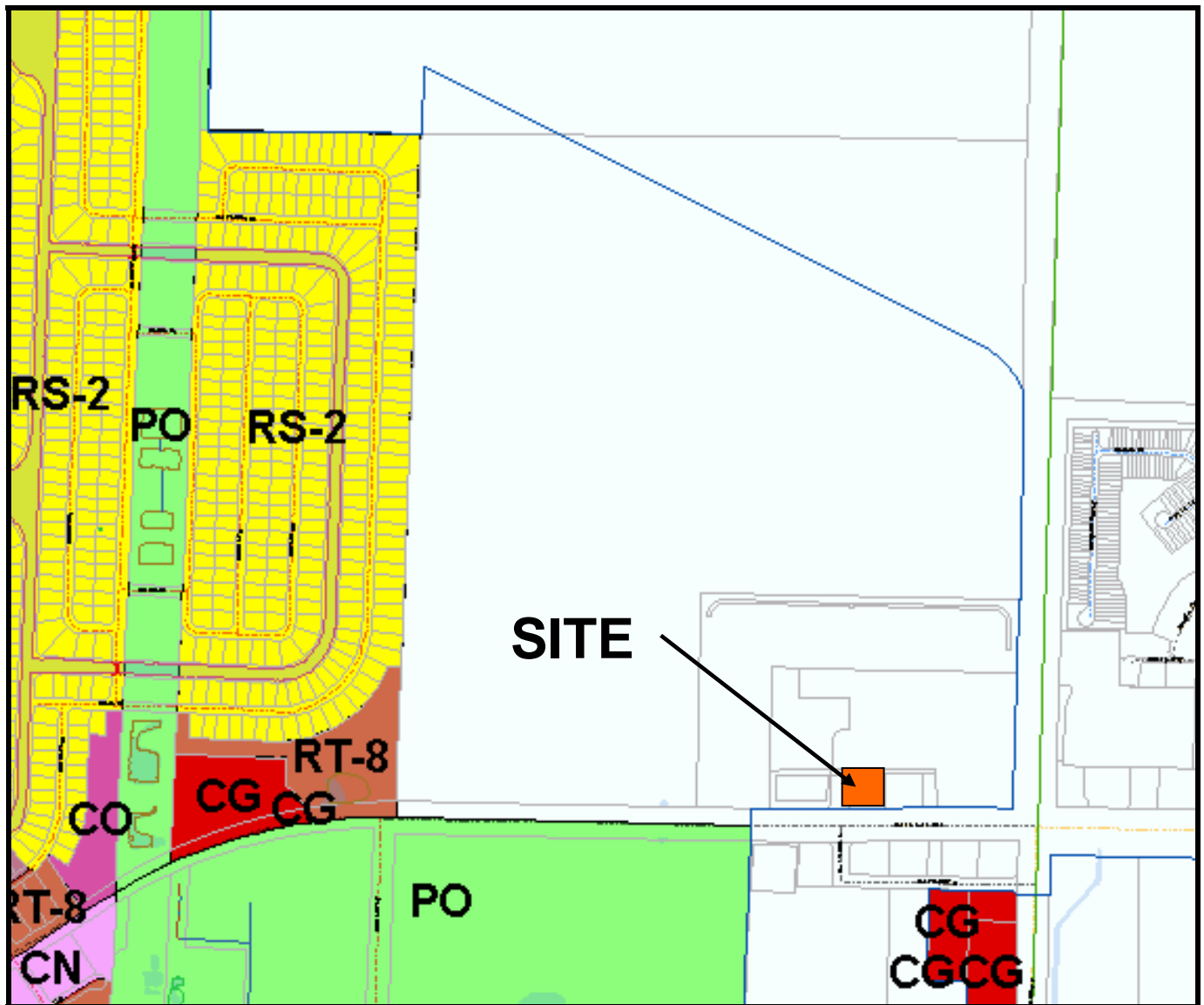


Figure 1: Location Map

III. Intent of Petition:

The applicant is seeking a rezoning of approximately 1.10 acres of property designated as Multiple Use Planned Development (MUPD, PBC) under Palm Beach County to the Village Category of General Commercial (CG, RPB). This is done to assign a recently annexed piece of property with an appropriate Village of Royal Palm Beach zoning category that is consistent with the Commercial (COM) future land use category. The site currently supports commercial land uses and will allow land uses permitted within the General Commercial (CG) zoning district.

IV. History:

The subject property is located on the north side of Okeechobee Blvd, west of Target. The property was recently annexed into the Village boundaries by the adoption of Ordinance 769 on December 21, 2006. The property currently supports a commercial land use.

V. Analysis:

The intent of this amendment is to provide a recently annexed development with an appropriate Village zoning district that is consistent with the site's adopted Commercial (COM) Future Land Use Designation. In reviewing this rezoning request, Village staff considered conformity with the Village of Royal Palm Beach Zoning Code of Ordinances as pertaining to the General Commercial (CG) zoning district (Section 26-88).

Specifically, the proposed site meets the requirements for CG zoning district as follows:

1. Parcel size: The site 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: The site does conform to the required standards for this zoning district.
4. Pervious area: The site does exceed the minimum pervious area of 25%.

Overall, the proposed use 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 CG district design standards and will follow the Village's review process to ensure compliance.

VI. Disposition Options:

In considering this application the options available are as follows:

1. Determine that the application is consistent with the existing Village Land Use Designation, the proposed zoning designation is appropriate for the site and recommend approval.
2. Determine that the application is not consistent with the existing Village Land Use Designation, the proposed zoning designation is not appropriate for the site and recommend denial.

VII. Staff Recommendation:

Approval of 06-13 (c) (RZ) on first reading of Ordinance No. 779.

VIII. Hearing History:

Planning and Zoning Commission:

The Planning and Zoning Commission sitting as the Local Planning Agency considered the application on January 23, 2007, and recommended approval by a vote of 3-0.

Village Council (First Reading):

The Village Council considered Ordinance 779 on first reading on March 1, 2007, and recommended _____ by a vote of X-X.

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