



Agenda Item # R - 8

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

Agenda Item:

FIRST READING OF ORDINANCE 780 REQUESTING A LARGE-SCALE FUTURE LAND USE AMENDMENT FOR A PARCEL OF PROPERTY TOTALING APPROXIMATELY 19.32 ACRES, MORE OR LESS, FROM PALM BEACH COUNTY COMMERCIAL HIGH (CH, PBC) TO VILLAGE COMMERCIAL (COM, RPB), LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF OKEECHOBEE BLVD AND STATE ROAD 7. REQUESTED BY, TARGET CORPORATION: BY AGENT, TARGET CORPORATION.

Issue:

The applicant is seeking a future land use amendment from the Commercial High (CH, PBC) to the Commercial (COM, RPB) category. As a result of the recent annexation, the Commercial High future land use category approved under Palm Beach County needs to be replaced with an appropriate Village designation. The proposed amendment meets the requirements of the Village Code for amending the future land use to the Commercial (COM) land use category.

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 06-14 (b) (LCPA) thru the approval of Ordinance 780 on first reading.

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

March 1, 2007

ORDINANCE NO. 780

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO A VILLAGE INITIATED APPLICATION # 06-14(b) (LCPA) WHICH PROVIDES FOR AN AMENDMENT TO THE VILLAGE LAND USE MAP DESIGNATING 19.32± ACRES, MORE OR LESS, OF REAL PROPERTY AS “COM – COMMERCIAL”; WHICH PROPERTY IS LOCATED ON THE NORTH SIDE OF OKEECHOBEE BOULEVARD APPROXIMATELY 75 FEET WEST OF STATE ROAD 7 AND, INFORMALLY KNOWN AS THE ATARGET PROPERTY”; FURTHER PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities draft and adopt comprehensive development plans to provide thorough and consistent planning with regard to land within their corporate limits; and

WHEREAS, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, Section 163.3191, *Florida Statutes*, requires that local governments review the adopted comprehensive plan, in part, to respond to changes in local, state and regional policies along with an analysis of the major issues necessary to further the community’s goals consistent with statewide minimum standards; and

WHEREAS, the Village of Royal Palm Beach, Florida, has carefully prepared an amendment to its comprehensive development plan in order to adopt a map amendment concerning a proposed residential land use designation; and

WHEREAS, the Village of Royal Palm Beach has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Department of Community Affairs and after the proposed amendment of the plan was returned to the Village of Royal Palm Beach, in accordance with Chapter 163.3184, Florida Statutes; and

WHEREAS, the Village Council desires to adopt the amendment to the current comprehensive development plan to guide and control the future development of the Village, and to

preserve, promote and protect the public health, safety and welfare.

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

Section 1: The Village of Royal Palm Beach Comprehensive Plan is hereby amended by adopting this amendment to its current Comprehensive Development Plan dated September 14, 1995. This amendment specifically provides for the land use designation of “COM – Commercial” for one (1) parcel of property comprising a total of approximately 19.32± acres, more or less, and amending the Village’s Future Land Use Map accordingly; which amendment consists of changing the existing map to the one (1) page map which is attached hereto as Exhibit “A” and made a part hereof and of the current comprehensive development plan.

Section 2: A copy of the comprehensive development plan, as amended, is on file in the office of the Village Clerk, Village of Royal Palm Beach, Florida.

Section 3: The Village’s Senior Planner is hereby directed to transmit three (3) copies of the amendment to the current comprehensive development plan to the State Land Planning Agency, along with a copy to the Treasure Coast Regional Planning Council, and to any other unit of local government who has filed a written request for a copy, within ten (10) working days after adoption, in accordance with Section 163.3184(7), Florida Statutes.

Section 4: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 5: 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 6: The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of

noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Division of Community Planning, Plan Processing Team.

FIRST READING this 15th day of February, 2007.

SECOND AND FINAL READING this _____ day of _____, 2007.

VILLAGE OF ROYAL PALM BEACH

DAVID A. LODWICK, MAYOR

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Ord780-LCPA-FoxTarget

EXHIBIT A
Target @ Fox Property
06-14(B)(LSCPA)

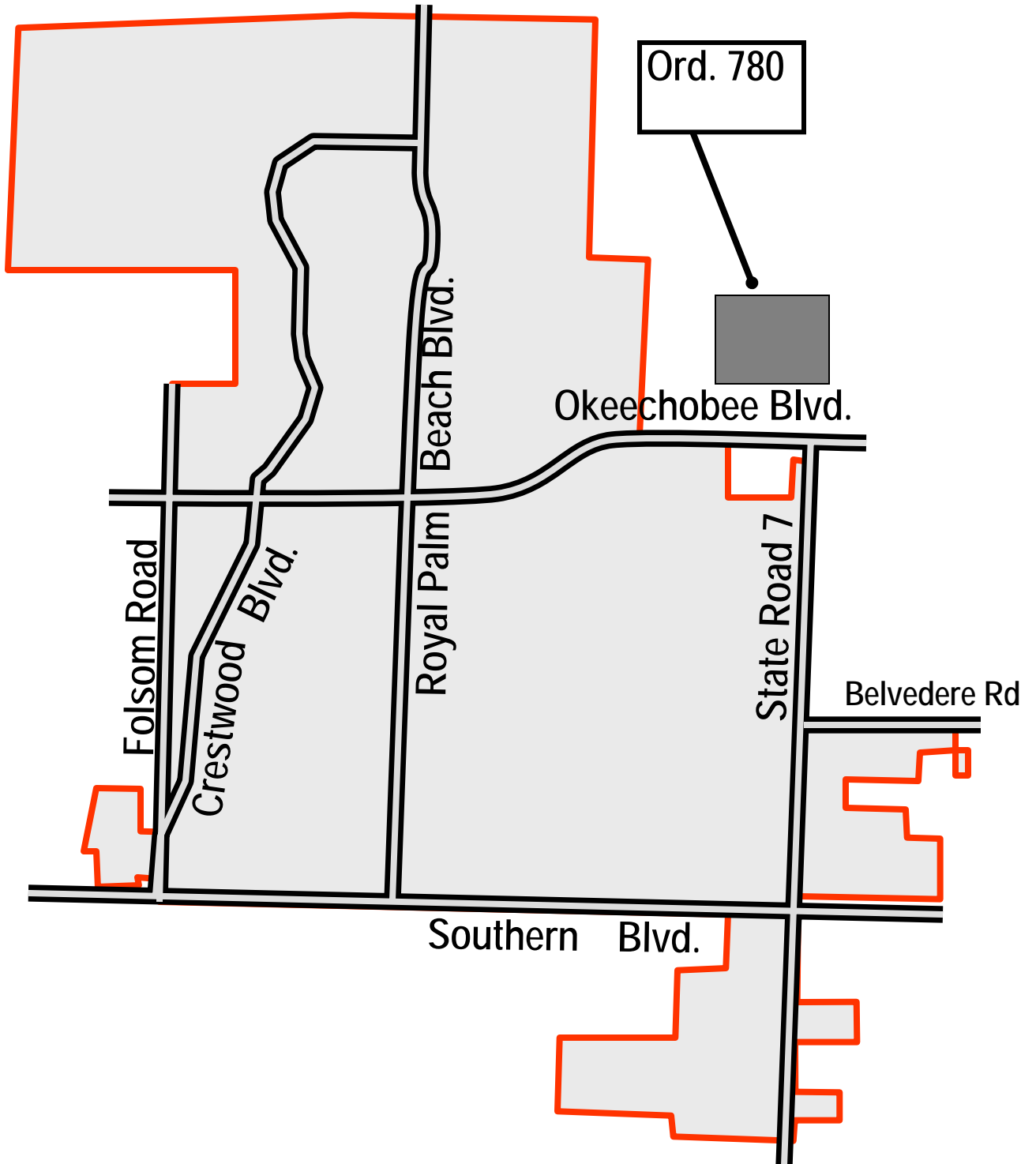


Exhibit B
Legal Description
Target @ Fox Property
06-14 (b) (LCPA)
Ordinance No. 780

LEGAL DESCRIPTION:

A PORTION OF PARCEL "5-R" OF FOX PROPERTIES PARCEL 5 REPLAT, AS RECORDED IN PLAT BOOK 94, PAGES 60 THRU 61 AND PARCEL "13" OF FOX PROPERTIES PLAT, AS RECORDED IN PLAT BOOK 83, PAGES 65 THRU 67 ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "5-R"; THENCE, N 88° 46' 44" W FOR A DISTANCE OF 184.47 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 01° 22' 31", HAVING A RADIUS OF 11558.95 FEET, AND WHOSE LONG CHORD BEARS N 89° 28' 00" W FOR A DISTANCE OF 277.45 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE THENCE, N 00° 28' 56" W FOR A DISTANCE OF 237.94 FEET TO A POINT ON A LINE THENCE, S 89° 31' 04" W FOR A DISTANCE OF 634.57 FEET TO A POINT ON A LINE THENCE, N 00° 28' 56" W FOR A DISTANCE OF 166.07 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 91° 41' 09", HAVING A RADIUS OF 75.00 FEET, AND WHOSE LONG CHORD BEARS N 45° 21' 39" E FOR A DISTANCE OF 107.61 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE THENCE, S 88° 47' 47" E FOR A DISTANCE OF 29.84 FEET TO A POINT ON A LINE THENCE, N 01° 12' 13" E FOR A DISTANCE OF 190.00 FEET TO A POINT ON A LINE THENCE, N 88° 47' 47" W FOR A DISTANCE OF 315.00 FEET TO A POINT ON A LINE THENCE, N 01° 12' 13" E FOR A DISTANCE OF 180.00 FEET TO A POINT ON A LINE THENCE, S 88° 47' 47" E FOR A DISTANCE OF 1324.69 FEET TO A POINT ON A LINE THENCE S 01° 38' 49" W A DISTANCE OF 829.21 FEET TO THE **POINT OF BEGINNING**;

AND

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL "13"; THENCE, S 00° 28' 56" E FOR A DISTANCE OF 204.76 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 01° 09' 46", HAVING A RADIUS OF 11558.95 FEET, AND WHOSE LONG CHORD BEARS S 88° 52' 05" W FOR A DISTANCE OF 234.60 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE THENCE, N 00° 28' 56" W FOR A DISTANCE OF 207.42 FEET TO A POINT ON A LINE THENCE N 89° 31' 04" E A DISTANCE OF 234.58 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 19.32 ACRES MORE OR LESS.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

SUBJECT TO ALL PERTINENT MATTERS OF RECORD.

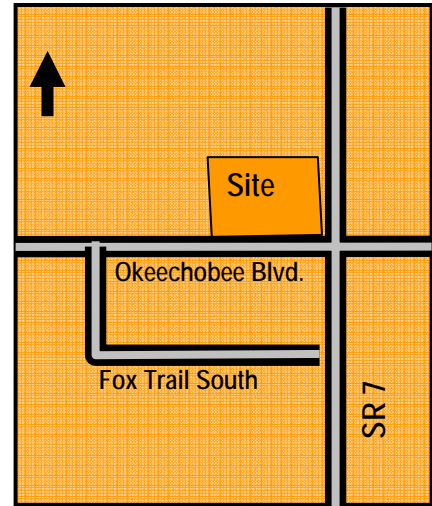


Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Target @ Fox Property
 Application: 06-14 (b) (LCPA) (Ord. No. 780)
 Applicant/Owner: Target Corporation.
 1000 Nicollet Mall TPN-12H
 Minneapolis, MN 55403

Agent: Ryan Setterholm
 Target Corporation.
 1000 Nicoller Mall TPN-12H
 Minneapolis, MN 55403



Request: Large-Scale Future Land Use Map Amendment for a 19.32 acre parcel of land from Commercial High (CH, PBC) to Commercial (COM), located on the north side of Okeechobee Blvd, west of State Road 7.

Hearings: Planning and Zoning Commission: January 23, 2007
 Village Council (First Reading): March 01, 2007
 Village Council (Second Reading): TBA

Recommendation: Approval

II. Site Data:

Site Area: 19.32 ± acres
 Property Control Numbers: 72-41-43-24-02-005-000
 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)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
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 Dev. (MUPD, PBC)
East	West Palm Beach	Special Impact Zone Single Family (SIZ/SF)	Residential Planned Dev. (RPD)
West	PortoSol by Minto	Light Residential (LR-2, PBC)	Planned Unit Development (PUD, PBC)

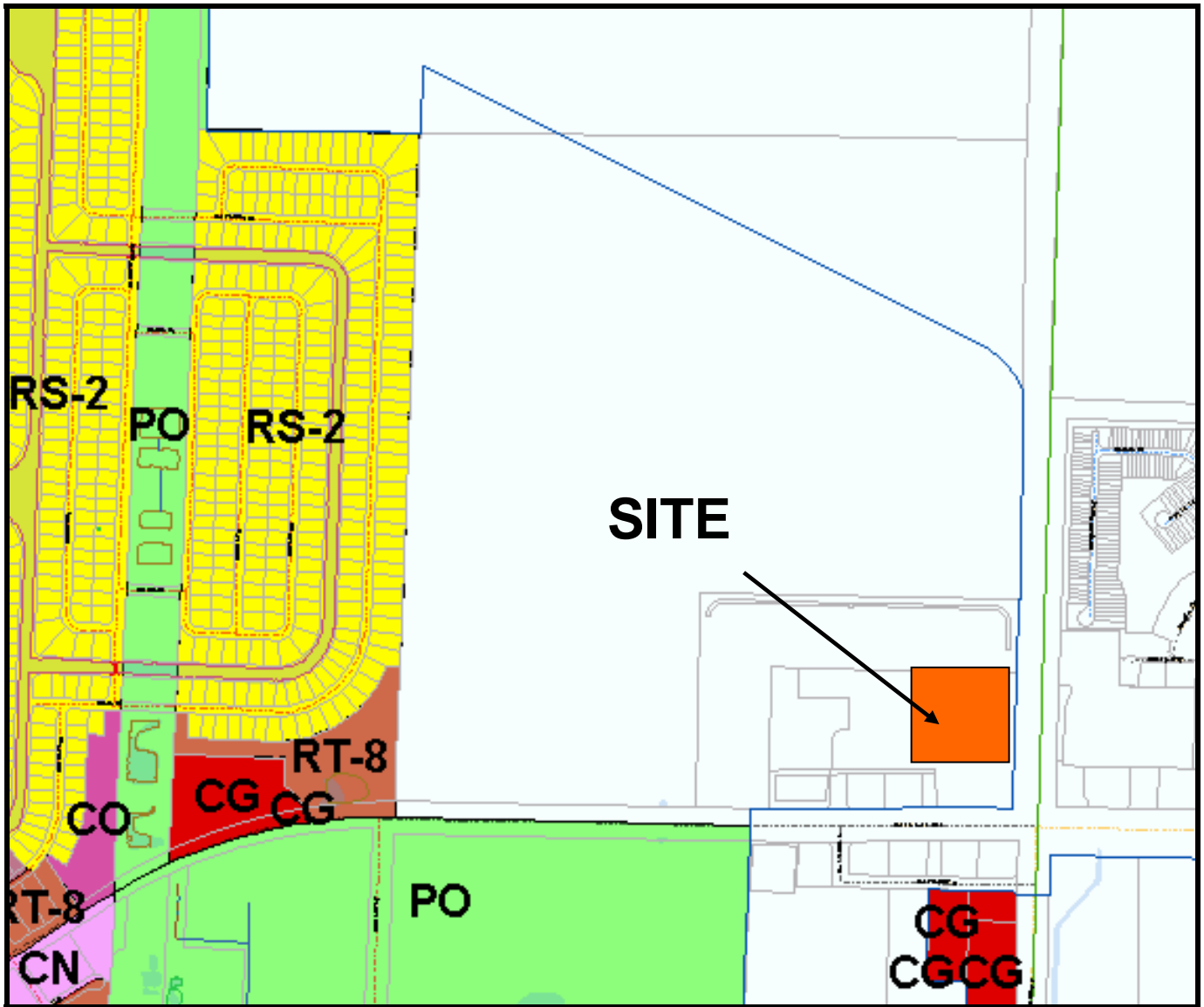


Figure 1: Location Map

III. Intent of Petition:

The applicant is requesting a Large-Scale Future Land Use Map Amendment to change the land use designation of a 19.32 acre parcel of land from Commercial High (CH, PBC) to Commercial (COM). The subject property is located on the north side of Okeechobee Blvd, west of State Road 7. The commercial land use will help address the identified deficit of commercial land within the Village boundaries. Staff has reviewed the petition and found it in compliance with the Village's Comprehensive Plan and Code of Ordinances.

IV. History:

The subject property is located on the north side of Okeechobee Blvd, west of State Road 7. The property was recently annexed into the Village boundaries by the adoption of Ordinance 770 on December 21, 2006. The property currently supports a commercial land use.

V. Analysis:

In reviewing the proposed Future Land Use Map Amendment designating the parcel as Commercial (COM), Village staff considered compatibility with adjacent land uses, consistency with the Village's Comprehensive Plan, and concurrency-related issues.

Compatibility with Adjacent Properties:

The requested Commercial (COM) designation will allow all land uses permitted within the General Commercial (CG) zoning district. The site is located adjacent to residentially zoned property to the north and west. There is a 210-foot drainage easement between this site and the residential property that will minimize the adverse impacts that the commercial development may have upon the residential property. The subject site is located off of Okeechobee Blvd. where significant commercial development already exists. As such, the requested Commercial (COM) future land use designation is compatible with adjacent surrounding land uses.

Consistency with the Comprehensive Plan:

The change of land use for this 19.32 acre parcel of land is consistent with the need for additional commercial land uses. The proposed amendment is consistent with the Village of Royal Palm Beach's Comprehensive Plan.

Future Land Use Element:

Goal 1.1: A mix of compatible land uses which meets the needs of the Village residents and is developed concurrently with the needed infrastructure and facilities

Objective 1.1.1: Development orders and permits for development and redevelopment activities shall be issued only in those areas where suitable topography and soil conditions exist to support such development.

Objective 1.1.2: Development orders and permits for development and redevelopment activities shall be issued only in areas where public facilities necessary to meet level of service standards (which are adopted as part of the Capital Improvements Element of this Comprehensive Plan) are available concurrent with the impacts of development.

Concurrency

The proposed land use change will have no adverse impacts on public facilities since governmental services have already been accounted for prior to annexation. As such, concurrency-related issues have been addressed and are as follows:

Traffic:

The applicant has obtained a TPSO approval from the County Traffic Division for the existing land use.

Drainage:

The applicant has demonstrated that the site has legal positive outfall with regard to storm water drainage.

Potable Water and Sanitary Sewer:

Palm Beach County currently provides potable water and sanitary sewer service to this location. There is adequate capacity to serve this site.

School Concurrency:

Not Applicable.

Fire-Rescue:

Site is serviced by Station 29 with an average response time of 6:09.

Parks and Recreation:

N/A.

Overall, the proposed future land use amendment is consistent with the Village's Comprehensive Plan, compatible with adjacent land uses, and meets all relevant concurrency level of service standards. In addition, the amendment is consistent with the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan (SRPP), as well as Chapter 163, F.S., concerning the requirements for the processing of future land use amendments.

VI. Staff Recommendation:

Approval of 06-14 (b) (LCPA) on first reading of Ordinance No. 780.

VII. 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 780 on first reading on February 1, 2007, and recommended _____ by a vote of X-X.

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