

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

Agenda Item:

PUBLIC HEARING FOR SECOND READING AND ADOPTION OF ORDINANCE NO. 1032 AND APPROVAL OF APPLICATION NO. 22-97 (SCPA), AN APPLICATION BY URBAN DESIGN STUDIOS. THE APPLICANT IS SEEKING A CHANGE OF LAND USE DESIGNATION FOR TEN (10) TRACTS OF LAND TOTALING 31.846 ± ACRES, MORE OR LESS, FROM THE VILLAGE'S COMMERCIAL (COM) LAND USE DESIGNATION TO THE VILLAGE'S MIXED USE SOCIAL CENTER (MXS) LAND USE DESIGNATION AND FOR FIVE (5) TRACTS OF LAND TOTALING 9.289 ± ACRES FROM PALM BEACH COUNTY'S LR-2 LOW RESIDENTIAL LAND USE DESIGNATION TO THE VILLAGE'S MIXED USE SOCIAL CENTER (MXS) LAND USE DESIGNATION, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 7/10 OF A MILE WEST OF STATE ROAD 7. BY AGENT: LENTZY JEAN-LOUIS.

Issue:

The Applicant is seeking a Future Land Use Map Amendment to change the Land Use Designation for ten (10) tracts totaling approximately 31.846 acres of land from Village's Commercial (COM) Land Use Designation to the Village's Mixed Use Social Center Land Use Designation and for five (5) tracts of land totaling 9.298± acres from Palm Beach County's LR-2 Low Residential Land Use Designation to the Village's Mixed Use Social Center (MXS) Land Use Designation, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

Overall, the proposed future land use amendment from the Village's Commercial (COM) Land Use Designation and Palm Beach County's Low Residential (LR-2, PBC) Land Use Designation to the Village's Mixed Use Social Center (MXS) Land Use Designation is consistent with the Village's Comprehensive Plan, compatible with adjacent future land uses, and meets all relevant concurrency level of service standards. Finally, the proposed land use amendment package is consistent with the requirements of Chapter 163, F.S., concerning the requirements for the processing of future land use amendments.

The Local Planning Agency considered the application and Ordinance No. 1032 on November 10, 2022 and recommended Approval by a vote of 5-0.

The Village Council considered Ordinance No. 1032 on first reading on November 17, 2022 and voted to Approve Ordinance No. 1032 by a vote of 5-0.

Recommended Action:

Staff recommends Approval of Application No. 22-97 (SCPA) and Ordinance No. 1032 on second reading.

Initiator:	Village Manager	Agenda Date	Village Council
------------	-----------------	-------------	-----------------

P&Z Director	Approval	12/15/22	Action
--------------	----------	----------	--------

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Tuttle Royale Pod 6

Application: 22-97 (SCPA)) (Ord. No. 1032)

Applicant: Urban Design Studios
Lentzy Jean-Louis
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

Request: A Comprehensive Plan Amendment for ten (10) tracts of land totaling 31.846± acres of land from the Village's Commercial (COM) Land Use Designation to the Mixed Use Social Center (MXS) Land Use Designation and for five (5) tracts of land totaling 9.289± acres from Palm Beach County's LR-2 Low Residential Land Use Designation to the Village's Mixed Use Social Center (MXS) Land Use Designation, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

Hearings: Planning and Zoning Commission: December 13, 2022
Village Council (First Reading): November 17, 2022
Village Council (Second Reading): December 15, 2022

Recommendation: Approval

II. Site Data:

Site Area: 41.135± acres

Property Control Numbers: 72 41 43 36 00 000 7080, 7090, 7100;
72-41-43-36-12-004-0010, 0021, 0022; 0023;
72-41-43-36-12-012-0000; 72-42-43-27-05-009-
0093, 0098, 0094, 0091, 0101; 72-41-43-36-12-004-
0011; 72-41-43-36-00-000-7370, 7380

Existing Land Use: Single Family Residential

Existing FLUM Designation: Low Residential (LR-2, PBC) & Commercial (COM)

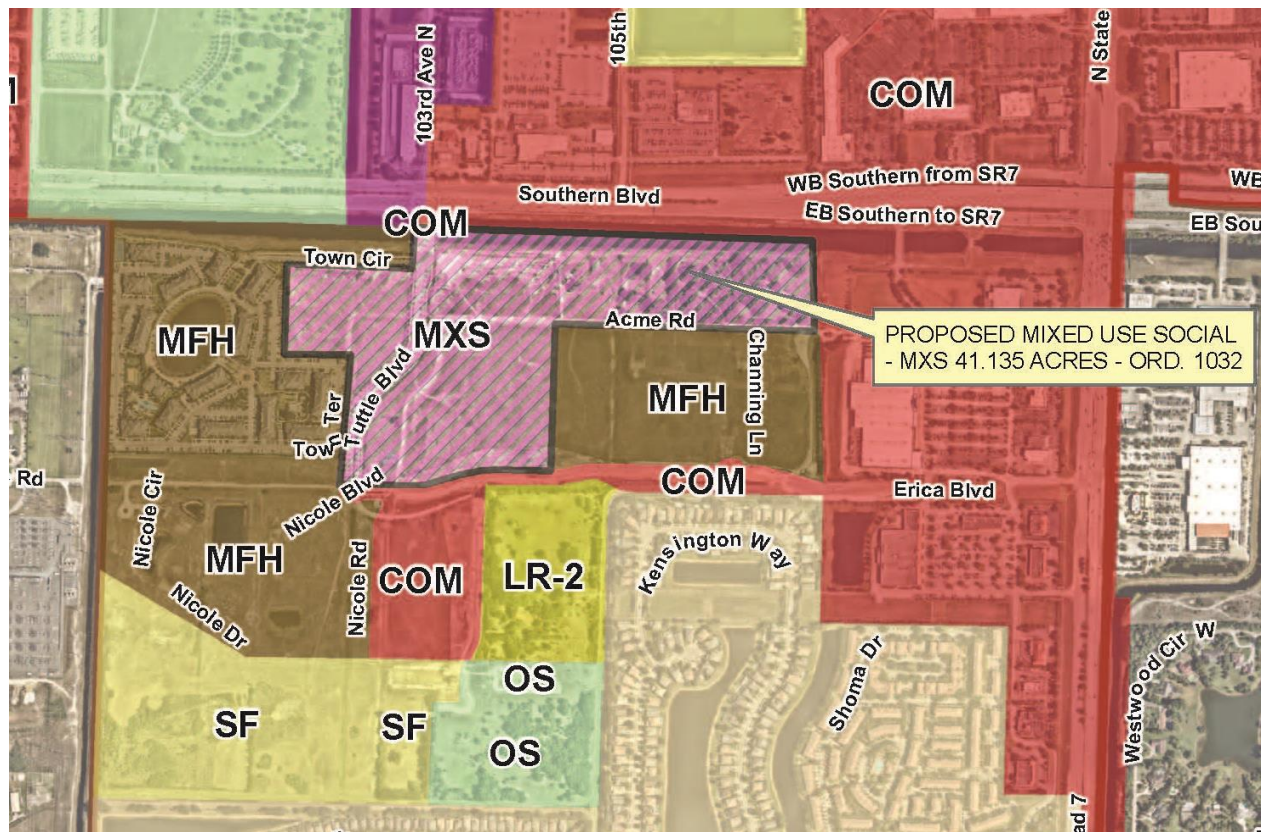
Proposed FLUM Designation: Mixed Use Social Center (MXS)

Existing Zoning District: Agriculture Residential (AR, PBC) & General Commercial (CG)

Proposed Zoning: Mixed Use Social Center (MXS)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
North	Al Packer, Autozone	Commercial (COM)	General Commercial (CG)
South	Pod 7 & Bell Property	Commercial (COM) & Low Residential (LR-2, PBC)	General Commercial (CG) & Agricultural Residential (AR, PBC)
East	Pod 3 & Lowes	Multi-Family High Density Residential, Commercial (COM)	Multi-Family Residential (RM-14) & General Commercial (CG)
West	Phase 1 North	Multi-Family High Density Residential (MFH)	Multi-Family Residential (RM-18)

Directly below is an aerial showing the location and extent of the affected area:



III. Intent of Petition:

The Applicant is seeking a Future Land Use Map Amendment to change the Land Use Designation for ten (10) tracts totaling approximately 31.846± acres of land from Village’s Commercial (COM) Land Use Designation to the Village’s Mixed Use Social Center Land Use Designation and for five (5) tracts of land totaling 9.289± acres from Palm Beach County’s LR-2 Low Residential Land Use Designation to the Village’s Mixed Use Social Center (MXS) Land Use Designation, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

In reviewing the proposed Future Land Use Map Amendment designating the parcels as Mixed Use Social Center (MXS), Village Staff considered compatibility with adjacent land uses; consistency with the Village’s Comprehensive Plan; and whether the action requested will

exacerbate any existing public facility capacity deficits in regards to the roadway network, sanitary sewer, solid waste, drainage, potable water, and recreation and open space. Village Staff also considered Pod 6 in relation to the overall proposed Master Plan for this this area. The proposed Master Plan is provided in **Attachment B** for your reference to give the Applicant's overall vision for this area and relation of Pod 6 to the other applications relating to this area.

IV. History:

The subject property is located on the south side of Southern Boulevard and west of State Road 7. The parcels are contiguous to the Village boundary on the north and south sides and adjacent to Wellington's boundary on the west side. The properties were recently annexed into the Village Boundary by adoption of Ordinances 918 and 919 by the Village Council on September 17, 2015 and September 3, 2015 respectively. These properties were given a Commercial (COM) Land Use Designation and General Commercial (CG) Zoning Designation in 2019. The Village Council on September 18, 2022 adopted Ordinance No. 1028 in order to amend the Village's Comprehensive Plan's Future Land Use Element to add an entirely new *Mixed Use Social Center (MXS)* Land Use Designation. The intent of the amendment was to create a Future Land Use Designation that allows for "innovative, and urban mixed use developments that provide integrated, vibrant, compatible, and complimentary uses within a single development."

V. Analysis:

The Applicant is seeking a Future Land Use Map Amendment to change the Land Use Designation for ten (10) tracts totaling approximately 31.846± acres of land from Village's Commercial (COM) Land Use Designation to the Village's Mixed Use Social Center Land Use Designation and for five (5) tracts of land totaling 9.289± acres from Palm Beach County's LR-2 Low Residential Land Use Designation to the Village's Mixed Use Social Center (MXS) Land Use Designation, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

In reviewing the proposed Future Land Use Map Amendment designating the parcels as Mixed Use Social Center (MXS), Village Staff considered compatibility with adjacent land uses; consistency with the Village's Comprehensive Plan; and whether the action requested will exacerbate any existing public facility capacity deficits in regards to the roadway network, sanitary sewer, solid waste, drainage, potable water, and recreation and open space. Village Staff also considered Pod 6 in relation to the overall proposed Master Plan for this this area.

The Applicant asserts that the proposed Land Use Plan Amendment is consistent with the Village of Royal Palm Beach's Comprehensive Plan and Section 26-32 (f) (2) b. Below is a summation of the findings and assertions by the Applicant contained with the application.

Consistency with the Comprehensive Plan:

Future Land Use Element

Goal LU-1: A MIX OF COMPATIBLE LAND USES WHICH MEETS THE NEEDS OF THE VILLAGE RESIDENTS, MAINTAINS AND ENHANCES THE COMMUNITY CHARACTER, DOES NOT ADVERSLY IMPACT EXISTING NEIGHBORHOOD AND IS DEVELOPED CONCURRENTLY WITH THE NEEDED INFRASTRUCTURE AND FACILITIES.

The proposed CPA to assign the subject site a FLU designation of MXS (Mixed Use Social Center) will create an efficient and viable opportunity to support the Village's demand for a diversity of housing stock options. Through site design, the project will maintain and enhance the community character and will be consistent with the scale of the neighboring residential pods in the Tuttle Royale Master Plan. To the contrary, the development of this site will complement the surrounding area by maintaining a high level of aesthetic appeal, providing adequate buffering and separation, and by offering multi-family residential housing opportunities as well as entertainment, social activity, recreation, and community in the Village. The location of the proposed development is consistent with the development pattern of the surrounding area, as similar styles of multi-family development have been approved by the Village. The proposed MXS development is the most logical transition between the residential apartment pod densities that surround the site. The site's commercial, office, and recreation intensities will also serve the entirety of the 165.53 Acre Master Plan. The site will be developed concurrently with the needed infrastructure and facilities.

Policy LU-1.1.1: All proposed development shall include a soils analysis prepared by a professional, licensed to prepare such an analysis which shall include the ability of the soil structure to support the proposed development.

An Environmental Assessment is provided to the Village of Royal Palm Beach as part of the initial submittal. A soils analysis is included as part of the Environmental Assessment and demonstrates that the soil structure is sufficient to support the proposed development.

Policy LU-1.1.2: All proposed development shall be located in a manner such that the natural topographic features of a site are not adversely altered so as to negatively affect the drainage of neighboring properties or visual aesthetics of the area.

The proposed development of the Mixed Use Social Center will be done so in a manner that does not impede on the natural topographic features of the site. No adverse impacts related to the drainage of neighboring properties will be created. Additionally, the development of this site will enhance the visual aesthetics of the area by providing high quality development in an appropriate location that is compatible with the surrounding area.

Objective LU-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.

Letters from the appropriate service providers verifying capacity have been requested. Once received, the confirmation letters will be included in the following submittal.

Policy LU-1.2.1.: The development of residential commercial and industrial land shall be timed and staged in conjunction with provisions of supporting community facilities and services identified as being required such as:

- a. Potable water;*
- b. Sanitary sewers;*
- c. Solid waste removal;*
- d. Vehicular and pedestrian circulation;*
- e. Public Safety;*

- f. Recreation;
- g. Public schools;
- h. Electricity.

Community facilities and services are available in the area to sustain the future residential development proposed by this development. Letters to the appropriate service providers verifying capacity at the proposed density of up to 401 units have been included. Further, the future development will be required to provide construction plans for the developments infrastructure and pay the appropriate cost or fair share fee to guarantee that facilities/services will be provided. Future applications will provide details of the planned facilities and services that will be required for the future residential development as required by this and other applicable Village codes.

As for school capacity, the applicant has applied a School Capacity Availability Determination (SCAD) has been issued.

Policy LU-1.3.2: *Land development regulations adopted to implement this Plan shall allow new residential development to be permitted only at densities equal to or less than the following:*

MXS - Mixed Use Social Center - a maximum of 10.0 dwelling units per gross acre

The proposed development of up to 401 units on the 41.12-acre site equates to approximately 9.8 dwelling units per acre. This density is within the allowable maximum threshold of 10 dwelling units per acre provided in the MXS - Mixed Use Social Center Land Use designation.

Objective LU-1.4: *Development orders and permits for development or redevelopment activities shall be issued only if the protection of natural resources is insured and consistent with the Goals, Objectives, and Policies of the Conservation Element of this Comprehensive Plan.*

The proposed development does not negatively impact natural resources and is consistent with the Village's Comprehensive Plan. An Environmental Assessment is being provided to the Village of Royal Palm Beach as part of this submittal.

Policy LU-1.4.3: *The Village shall protect potable water wellfields and prime aquifer recharge areas through the implementation of the Palm Beach County Wellfield Protection Ordinance.*

The subject site is not located within a Wellfield Protection Area. A copy of the County's Wellfield Zones, with the subject site identified, is being provided as part of this submittal

Policy LU-1.4.3: **THE VILLAGE SHALL PROTECT POTABLE WATER, WELLFIELDS AND PRIME AQUIFER RECHARFE AREAS THROUGH THE IMPLEMENTATION OF THE PALM BEACH COUNTY WELLFIELD ORDINANCE.**

The subject site is not located within a Wellfield Protection Area. A copy of the County's Wellfield Zones, with the subject site identified was provided as part of the Comprehensive Plan Amendment submittal showing the site outside any wellfield protection zones.

Policy LU-1.4.4: *THE DEVELOPER/OWNER OF ANY SITE SHALL BE RESPONSIBLE FOR THE MANAGEMENT OF RUN-OFF CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE DRAINAGE SUB-ELEMENT OF THIS COMPREHENSIVE PLAN.*

The proposed improvements include development of the site into a mixed use development with associated roadways and infrastructure. Civil engineering improvements will include a drainage collection and conveyance system of inlets and culverts connected to offsite storm water detention areas. The offsite dry detention areas are planned to be located to the south in the FPL transmission easement. Required water quality treatment will be provided using exfiltration trench and dry detention. A drainage control structure will be utilized to provide the necessary detention prior to outfall to the Lake Worth Drainage District S-4 canal system which will provide a positive drainage outfall. Drainage will pass through Lulfs Road, Pod 2, Pod 4 and the FPL Pod.

All related drainage criteria set forth by the South Florida Water Management District, Lake Worth Drainage District and The Village of Royal Palm Beach Land Development Code will be adhered to as required.

Policy LU-1.4.5: *Extraction of natural resources shall be permitted when compatible with existing and proposed land uses and, in a manner, consistent with the Goals, Objectives, and Policies of the Conservation Element of this Comprehensive Plan.*

Any extraction or removal of natural resources will be done so in accordance with permitting requirements and will be consistent with the Goals, Objectives and Policies of the Conservation Element of the Village's Comprehensive Plan.

Policy LU-1.4.6: *The Village, through its land development regulations and other appropriate mechanism, shall require the eradication of invasive exotic plant species concurrent with the commencement of development of development activity.*

Any invasive exotic plant species that must be eliminated, will be done so in accordance with Village requirements, and will be concurrent with the commencement of development activity.

Objective LU-1.5: *Urban sprawl shall be discouraged by directing future growth, development and re-development to appropriate areas as depicted on the Future Land Use Map, consistent with: sound planning principles, minimal natural limitations; the goals, objectives, and policies contained within this Comprehensive Plan; and desired community character.*

The development of the subject site as mixed-use social center is consistent with the character of the surrounding pods within the Master Plan and will not create incompatibility issues. Similar multi-family residential developments have been approved and/or developed in the direct vicinity of the area over the past few years. These developments were held to the Village's high standards of design, and the proposed development at this location will maintain these high standards as it moves through the development process. The location of the site in the "corner" along a major thoroughfare, highly traveled by motor vehicles, and directly behind "big box" retail, creates a prime location in which to situate the proposed development at the desired density of ten (10) dwelling units per acre. The development pattern, which encourages more intense uses along the Villages major roadway, will be maintained as part of this development proposal. The designation of the subject site with the MXS FLU category will not negatively impact the natural environment and will further enhance the development landscape of the area.

Policy LU-1.5.3: *Residential neighborhoods shall be designed to include an efficient system of internal circulation, including the provision of collector streets to feed traffic onto arterial roads and highways.*

The proposed MXS development will be designed to include an efficient internal circulation system, which will accommodate both vehicles and pedestrians. The vehicular circulation system will be designed to take into account access to the surrounding roadway network. Future applications will provide the details that will be required for the future residential development as required by this and other applicable Village codes.

Policy LU-1.6.1: *Development orders and permits for future development and redevelopment activities shall be issued only in areas possessing the appropriate Future Land Use designation and that are consistent with the Goals, Objectives, and Policies of the Comprehensive Plan.*

The proposed FLU designation of MXS is consistent with the character of the area. The proposed development will be consistent with the Goals, Objectives and Policies of the Village's Comprehensive Plan, as it relates to mixed use social center development and the MXS FLU designation.

Objective LU-1.10: *The Village shall ensure that new development and redevelopment is consistent with, and does not negatively impact, existing neighborhoods and uses, and that existing uses and neighborhoods are maintained in a manner that does not diminish community character or negatively impact the surrounding area.*

Transportation Element

Policy T-1.3.1: *Review all proposed development in order to identify and address potential transportation impacts and otherwise ensure consistency with the Goals, Objectives and Policies of this Plan.*

A Traffic Study has been submitted to Palm Beach County and included as part of this Application. The Applicant will provide the County's TPSO letter upon receipt. The Traffic Study is consistent with the Goals, Objectives and Policies of the Plan.

The Village received a County TPSO Letter stating "Based on the review, the Traffic Division has determined that the proposed development meets the TPS of Palm Beach County, subject to five (5) conditions.

Policy T-1.3.1: *Require all future land use amendments to demonstrate that roadway improvements required to maintain levels of service identified in Policy t-1.1.6 will be in place to accommodate projected traffic impacts through participation in the Countywide Palm Beach County Traffic Performance Standards Ordinance.*

A Traffic Study was previously submitted to Palm Beach County and initially included as part of this Application. The County's TPSO letter has been provided to the Village. The Traffic Study is consistent with the Goals, Objectives and Policies of the Plan.

The Village received a County TPSO Letter stating “Based on the review, the Traffic Division has determined that the proposed development meets the TPS of Palm Beach County, subject to five (5) conditions.

Objective T-3.1: Review all development applications for consistency with the transportation system to appropriately accommodate bicycle and pedestrian roadway design and facility requirement.

Future applications will demonstrate that the project will be designed in such a way that will accommodate bicycle and pedestrian circulation.

Housing Element

GOAL H-1: Provide decent, safe and sanitary housing at affordable costs to meet the needs of the present and future residents of the Village.

The development of approximately 401 residential units on this site will provide for greater housing options, by providing well planned, safe housing residential apartment choices for future residents of the Village.

Goal H-1: Provide decent, safe and sanitary housing at affordable costs to meet the needs of the present and future residents of the Village.

The development of approximately 401 residential units on this site will provide for greater housing options, by providing well planned, safe housing residential apartment choices for future residents of the Village.

Policy H1.1.4: The Village shall require the use of landscaping or other buffers between residential areas and major arterials or more intensive land uses.

Future applications will demonstrate that the project will be designed with adequate landscaping and buffering between the residential areas, Southern Boulevard and the adjacent pods within the Master Plan

Policy H-1.2.5: The Village shall utilize the appropriate mechanisms to encourage the provision of a range of housing types and costs in proximity to employment and services, and in proportions commensurate to demand as indicated by the assessment of housing needs and cost burdened households contained in the most recent evaluation and appraisal report. These strategies should be in accordance with and supportive of the strategies contained in the treasure coast strategic regional policy plan, and may include but not be limited to accessory dwelling units, the reduction of regulatory barriers, inclusionary zoning density bonuses, community land trusts, impact fee assistance, and trust funds.

The subject site, while immediately surrounded by residential uses, is located in very close proximity to a high amount of non-residential uses, as well as non-residential uses within the site. As such, the proposed MXS development will complement the existing developments that surround the site. The proposed development is designed so that the upper story residential apartments are in close proximity to commerce and employment and entertainment opportunities within the MXS development, furthering this vision of this Policy. A Market Analysis will be provided to the Village of Royal Palm Beach demonstrating compliance with this policy.

Policy H1.4.4: Within the village, new development shall be permitted only when central water and/or central sewer systems are available or will be provided concurrent with the impacts of development.

The subject site is within the Village of Wellington Water and Sewer Utility Service Area. Confirmation of services and capacity have been included with this application. The required improvements to provide services to the subject site will be provided concurrent with the future development of the project. Additionally, the proposed project will be developed in accordance with the Village's development standards.

Overall, the proposed future land use amendment from Palm Beach County's Low Residential (LR-2, PBC) and the Village of Royal Palm Beach's Commercial (COM) Land Use Designation is consistent with the Village's Comprehensive Plan, compatible with adjacent future land uses, and meets all relevant concurrency level of service standards. Finally, the proposed land use amendment package is consistent with the requirements of Chapter 163, F.S., concerning the requirements for the processing of future land use amendments.

VI. Staff Recommendation:

Staff is recommending Approval of Application No. 22-97 (SCPA) and Ordinance No. 1032.

VII. Hearing History:

Planning and Zoning Commission:

The Local Planning Agency considered the application and Ordinance No. 1032 on December 13, 2022 and recommended _____ by a vote of X - X.

Village Council (First Reading):

The Village Council considered Ordinance No. 1032 on first reading on November 17, 2022 and recommended Approval by a vote of 5-0.

Attachment A
Legal Description
Tuttle Royale Pod 6
Application No. 22-97 (SCPA)
Ordinance No. 1032

POD 6 LEGAL DESCRIPTION:

A PARCEL OF LAND BEING ALL OF TRACTS DT-1 AND DT-2 OF THE PLAT OF TUTTLE ROYALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, PAGE 101 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

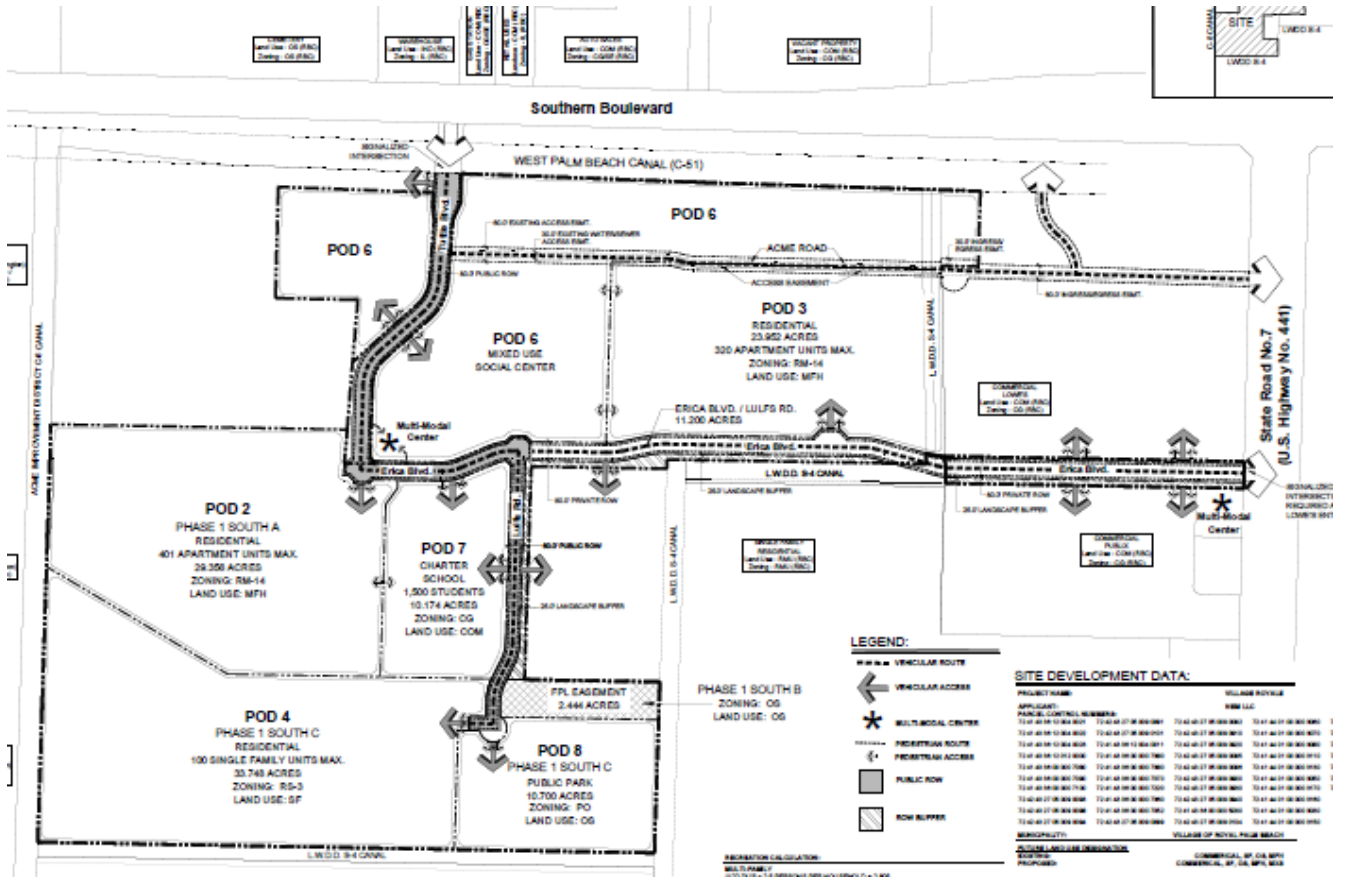
TOGETHER WITH A PORTION OF TRACT 9 AND 10, BLOCK 9 OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 1319.62 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTOR ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, S83°44'24"E A DISTANCE OF 627.16 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S01°30'19"W A DISTANCE OF 10.19 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51), SAID LINE AS SHOWN ON THE C-51 CANAL RIGHT-OF-WAY MAP CONTRACT NO. CN04901-2003; THENCE S88°52'41"E, A DISTANCE OF 110.68 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1963.46 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY S87°52'10"E A DISTANCE OF 36.50 FEET; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY THE FOLLOWING TWO CALLS S88°13'01"E A DISTANCE OF 957.09 FEET; THENCE S88°18'13"E A DISTANCE OF 210.43 FEET TO A POINT ON THE WESTERLY LINE OF THE PLAT OF LOWE'S HOME CENTER AS RECORDED IN PLAT BOOK 87, PAGE 193 OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WESTERLY LINE S01°41'47"W A DISTANCE OF 320.01 FEET; THENCE LEAVING SAID WESTERLY LINE N88°18'13"W A DISTANCE OF 154.82 FEET TO A POINT ON THE EASTERLY LINE OF AN 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 382, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE S01°05'13"E A DISTANCE OF 15.60 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT DT-3 OF SAID PLAT OF TUTTLE ROYALE; THENCE ALONG SAID NORTHERLY LINE N88°33'11"W A DISTANCE OF 1048.97 FEET; THENCE LEAVING SAID NORTHERLY LINE N01°31'44"E A DISTANCE OF 341.89 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 41.135 ACRES MORE OR LESS.

Attachment A Master Plan Tuttle Royale Pod 6 Application No. 22-97 (SCPA) Ordinance No. 1032



ORDINANCE NO. 1032

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 163.3187, ET SEQ., FLORIDA STATUTES, PURSUANT TO A PRIVATELY INITIATED APPLICATION # 22-97(SCPA) WHICH PROVIDES FOR AN AMENDMENT TO THE VILLAGE FUTURE LAND USE MAP DESIGNATING 41.135± ACRES, MORE OR LESS, OF REAL PROPERTY AS “MIXED USE SOCIAL CENTER (MXS)”; WHICH PROPERTY IS 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 6”; 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, the Village of Royal Palm Beach, Florida, has received privately initiated application #22-97(SCPA) requesting a small scale amendment to the Village’s Comprehensive Development Plan which meets all the requirements of a “small scale” development as defined in Section 163.3187(1), Florida Statutes; 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 Mixed Use Social Center (MXS) 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 Economic Opportunity and after the proposed amendment of the plan was returned to the Village of Royal Palm Beach, in accordance with Chapter 163.3187, 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 July 4, 2009. This amendment specifically changes the land use designation for ten (10) parcels of property totaling 31.846± acres from the Village Commercial (COM) future land use designation to the Village Mixed Use Social Center (MXS) future land use designation and five (5) parcels of property totaling 9.289± acres from the Palm Beach County LR-2—Low Residential land use designation to the Village Mixed Use Social Center (MXS) future land use designation, and further amends the Village’s Future Land Use Map accordingly. Said parcel comprises approximately 41.135± acres, more or less, and is more particularly described on the attached Exhibit “A.” The amended Village Future Land Use Map, which shows the new land use designation for this parcel, is attached hereto as Exhibit “B” 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 Planning and Zoning Director is hereby directed to transmit one (1) copy of the amendment to the current Comprehensive Development Plan to the State Land Planning Agency along with a letter indicating the number of acres for the amendment submitted, the cumulative number of acres involved in small scale developments within the Village of Royal Palm Beach that the Village Council has approved during the past calendar year, a copy of the executed adopting ordinance and the Future Land Use Map, in color format, depicting the subject property, and the ordinance effective date.

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 thirty-one (31) days following adoption of this Ordinance by the Village of Royal Palm Beach. If timely challenged,

this amendment does not become effective until the State Land Planning Agency or the Administration Commission issues a final order determining the small scale development amendment is in compliance pursuant to Sec. 163.3187(5)(c), *Florida Statutes*. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

FIRST READING this 17th day of November, 2022.

SECOND AND FINAL READING this 15th day of December, 2022.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

EXHIBIT A
LEGAL DESCRIPTION

POD 6 LEGAL DESCRIPTION:

A PARCEL OF LAND BEING ALL OF TRACTS DT-1 AND DT-2 OF THE PLAT OF TUTTLE ROYALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, PAGE 101 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

TOGETHER WITH A PORTION OF TRACT 9 AND 10, BLOCK 9 OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 1319.62 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTOR ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, S83°44'24"E A DISTANCE OF 627.16 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S01°30'19"W A DISTANCE OF 10.19 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51), SAID LINE AS SHOWN ON THE C-51 CANAL RIGHT-OF-WAY MAP CONTRACT NO. CN04901-2003; THENCE S88°52'41"E, A DISTANCE OF 110.68 FEET TO A FOUND RIGHT-OF-WAY MONUMENT; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1963.46 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY S87°52'10"E A DISTANCE OF 36.50 FEET; THENCE CONTINUE ALONG SAID C-51 RIGHT-OF-WAY THE FOLLOWING TWO CALLS S88°13'01"E A DISTANCE OF 957.09 FEET; THENCE S88°18'13"E A DISTANCE OF 210.43 FEET TO A POINT ON THE WESTERLY LINE OF THE PLAT OF LOWE'S HOME CENTER AS RECORDED IN PLAT BOOK 87, PAGE 193 OF SAID PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WESTERLY LINE S01°41'47"W A DISTANCE OF 320.01 FEET; THENCE LEAVING SAID WESTERLY LINE N88°18'13"W A DISTANCE OF 154.82 FEET TO A POINT ON THE EASTERLY LINE OF AN 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 382, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE S01°05'13"E A DISTANCE OF 15.60 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT DT-3 OF SAID PLAT OF TUTTLE ROYALE; THENCE ALONG SAID NORTHERLY LINE N88°33'11"W A DISTANCE OF 1048.97 FEET; THENCE LEAVING SAID NORTHERLY LINE N01°31'44"E A DISTANCE OF 341.89 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 41.135 ACRES MORE OR LESS.

EXHIBIT B
 VILLAGE'S REVISED FUTURE LAND USE MAP

