

RESOLUTION NO. R-83-734

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF
WEST PALM BEACH TO REZONE RECENTLY ANNEXED PROPERTY
PURSUANT TO §171.062, FLORIDA STATUTES, AND
RESOLUTION NO. 68-83

WHEREAS, by its Resolution No. 68-83, the City of West Palm Beach has requested permission from the Board of County Commissioners to rezone the property described therein which has been annexed into the corporate limits of the City; and

WHEREAS, the property is currently zoned CG (General Commercial) and is subject to the Palm Beach County Comprehensive Land Use Plan; and

WHEREAS, the City proposes to rezone the property to C-2 (Commercial) with further zoning to a General Commercial P.U.D.; and

WHEREAS, the Comprehensive Land Use Plan identifies Commercial potential in the annexation area, i.e., along the North side of Okeechobee Boulevard from Military Trail to the City's limits (Study Area #8, Policy #3); and

WHEREAS, the Planning Division has reviewed the request and has found the proposed rezoning consistent with the Comprehensive Land Use Plan, as outlined in the June 20, 1983 memorandum, attached hereto and made a part hereof; and

WHEREAS, after consideration of the request this Board finds that the uses and densities in the City's plan for the property will have no significant impact (as defined in the Comprehensive Plan or other adopted ordinances) on County systems; and

WHEREAS, based on the foregoing, this Board finds the proposed rezoning compatible with the Comprehensive Land Use Plan.

WHEREAS, Florida Statutes 171.062, requires that when a City desires to rezone property which was previously subject to County land use control that the City must request and receive permission for such change from the Board of County Commissioners of the respective County

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the request of the City of West Palm Beach in its Resolution No. 68-83 attached hereto and made a part hereof, is approved.

The foregoing Resolution was offered by Commissioner Spillias who moved for its adoption. The motion was seconded by Commissioner Wilken, and upon being put to a vote, the vote was as follows:

PEGGY B. EVATT - Aye
KENNETH G. SPILLIAS - Aye
DENNIS P. KOEHLER - Aye
DOROTHY H. WILKEN - Aye
BILL BAILEY - Aye

The Chairman thereupon declared the Resolution duly passed and adopted this 5th day of July, 1983.

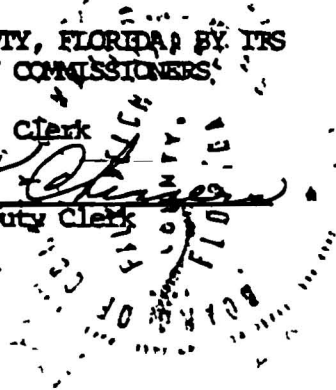
PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOHN B. DUNKLE, Clerk

BY: [Signature]
County Attorney

BY: [Signature]
Deputy Clerk



FILED THIS JUL 5 1983 DAY OF

AND RECORDED IN RESOLUTION

MINUTE BOOK NO AT

PAGE RECORD VERIFIED

BY [Signature] JOHN B. DUNKLE, CLERK

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8-22

RESOLUTION NO. 68-83

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA DECLARING THE INTENT OF THE CITY COMMISSION TO ANNEX TO THE CITY OF WEST PALM BEACH APPROXIMATELY 1.47 ACRES OF REAL PROPERTY TO BE A PORTION OF THE "HABITAT" COMMERCIAL DEVELOPMENT, BEING THE EAST 135 FEET OF THE WEST ONE-HALF OF THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER LESS THE SOUTH 840 FEET OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY APPROVE THE CHANGE IN DENSITY TO BE PERMITTED BY THE CITY'S LAND USE REGULATIONS APPLICABLE TO THE PROPERTY TO BE ANNEXED, PURSUANT TO SECTION 171.062(2), FLORIDA STATUTES; DIRECTING THE CITY CLERK TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO THE COUNTY ADMINISTRATOR OF PALM BEACH COUNTY; AND FOR OTHER PURPOSES.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA that:

SECTION 1 The City Commission hereby declares its intent to annex to the City of West Palm Beach the following-described real property:

The East 135 ft. of the West one-half of the East one-half of the Southeast one-quarter of the Southeast one-quarter less the South 840 ft. of Section 24, Township 43 South, Range 42 East, Palm Beach County, Florida, containing 1.47 acres, more or less.

Pursuant to Section 171.062(2), Florida Statutes, the City Commission of the City of West Palm Beach hereby requests that the Board of County Commissioners of Palm Beach County grant its approval to the change in density to be applied to the property to be annexed by the City. A copy of the site plan has been submitted to the City by the property owner and tentatively approved for development subject to annexation and to the granting of this request by the Board of County Commissioners of Palm Beach County. A copy of said site plan is attached and made a part hereof by reference as Exhibit "A." The site plan is entitled "HABITAT."

Also attached hereto is the relevant portion of the minutes of the West Palm Beach Planning Board meeting held February 15, 1983 (Exhibit "B"), and the relevant portion of the minutes of the Public Hearing of the City Commission held April 18, 1983 (Exhibit "C").

SECTION 2 The City Clerk is hereby directed to forward a certified copy of this Resolution, including its exhibits, to the County Administrator of Palm Beach County.

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SECTION 3 This Resolution shall take effect immediately upon its

passage

PASSED AND ADOPTED THIS 9th DAY OF May, 1983.

(CORPORATE SEAL)

Ernest W. Mack

John W. Wilkes

Dwight B. Baker

ATTEST:

Agnes E. Motuelle
CITY CLERK

Carl [Signature]
CITY COMMISSIONER

STATE OF FLORIDA
COUNTY OF PALM BEACH
CITY OF WEST PALM BEACH

This copy is a true copy of the original on file in this office. WITNESS my hand and Official Seal. This 11th day of

May 1983

City of West Palm Beach

By Susan D. [Signature] Deputy Clerk

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This Instrument Prepared By
Carl V. M. Coffin
City Attorney
Law Department
City of West Palm Beach
200 2nd Street P O Box 3366

Inter-Office Communication
PALM BEACH COUNTY

7B-8

TO Stan Redick, Planning Director DATE June 20, 1983
FROM Richard Morley FILE
Principal Planner
RE Annexation/Rezoning - City of West Palm Beach
Resolution No. 78-83

The Planning Division has reviewed the above waiver request under Chapter 171.062 Florida Statutes and offers the following comments.

Background Information

The City of West Palm Beach has recently annexed a 1.23 acre parcel of land located north of Okeechobee Blvd. and on the east side of Indian Road (see location map). The request is now for the purpose of rezoning the parcel from the County's CG (General Commercial) Zoning District to the City's C-2 Commercial District with a further zoning to a "General Commercial Planned Unit Development District and to establish the future Land Use Plan designation of Dotted Zone Commercial Land Use Category. The 1.23 acre annexed parcel will be combined with a 9.8 acre incorporated adjacent parcel for development of a construction industry showroom center with a small branch bank facility and professional office building. The proposed project will be known as the "Habitat", The Construction Industry and Finance Center.

Land Use Plan Designation and Zoning District

- a) The subject site is presently zoned CG by the County.
- b) The City proposes to rezone the property to a C-2 Commercial District with a further zoning to a "General Commercial Planned Unit Development" District and to establish the future Land Use Plan designation of Dotted-Zone/Commercial Land Use Category.
- ~~c) There is little difference in land use intensity between the County's CG Zone and the City's proposed C-2 Commercial District.~~
- d) The County's Land Use Plan identifies the subject annexed site as having "commercial potential" along the north side of Okeechobee Boulevard from Military Trail to the West Palm Beach City limits (Study Area #8, Policy #3). The Plan was amended in 1982 to include "industrial potential" for properties fronting on Indian Road, north of Okeechobee Boulevard.
- e) The City's proposed rezoning to C-2 is consistent with the County's Land Use Plan designation of "commercial potential" for that area.

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SIGNED _____

Stan Redick
June 20, 1983
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In summary, the Planning Division has determined that the requested C-2 Zoning District by the City of West Palm Beach is consistent with the County's Comprehensive Land Use Plan. In addition, the proposed use is a) compatible with surrounding land uses and b) the uses within the 1.2 acre annexed site will not have a significant impact on County systems. To improve traffic flow and circulation on adjacent roadways the developer of the entire 11 acre project (Habatat) has voluntarily agreed to construct the following traffic improvements:

Phase I - Develop a left turn lane at Okeechobee Boulevard entrance

Resurface Indian Road from Okeechobee Boulevard to north project limits.

Phase II - Separate left turn lane on the north approach of Indian Road at Okeechobee Boulevard.

Separate left turn lane on the south approach of Indian Road at Okeechobee Boulevard.

Separate right turn lane on the north approach at Indian Road and Okeechobee Boulevard.

Lengthen left turn lane on the west approach of Okeechobee Boulevard and Indian Road.

It is recommended that the waiver of County Zoning be granted to the City of West Palm Beach.

RM:cjs

Richard F. Mackey

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