

ORDINANCE NO. 5107-24

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF WEST PALM BEACH, FLORIDA, BY REZONING TWO (2) PARCELS LOCATED AT 2751 SOUTH DIXIE HIGHWAY AND 501 MONCEAUX ROAD, CONSISTING OF APPROXIMATELY 11.57 ACRES, FROM GENERAL COMMERCIAL (GC) TO COMMERCIAL PLANNED DEVELOPMENT (CPD) TO CREATE THE SHOPS AT THE PRESS COMMERCIAL PLANNED DEVELOPMENT; DECLARING THIS ZONING MAP AMENDMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REVISING THE ZONING MAP OF THE CITY ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the subject property, consisting of ±11.57 acres, is located at the southwest corner of Belvedere Road and South Dixie Highway (hereinafter referred to as the “Subject Property”; and

WHEREAS, on June 22, 1987, the City Commission adopted Resolution No. 118-87, approving a Development of Significant Impact (DSI) for the Subject Property to expand an existing newspaper production facility; and

WHEREAS, on May 21, 1990, the City Commission adopted Resolution No. 105-90, approving a Major Amendment to the DSI increase the square footage of the original DSI and eliminate a proposed parking garage; and

WHEREAS, on July 18, 1994, the City Commission adopted Resolution No. 180-94, to expand the boundaries of the DSI; and

WHEREAS, in more recent years the newspaper operations at the Subject Property have been significantly downsized and are now limited to occupying a minimal amount of office space; and

WHEREAS, in May 2019, most of the Subject Property was acquired by Tricera PBP Property Owner, LLC, to convert it into an office, retail and personal service-oriented development; the remaining portion of the Subject Property was acquired in January 2020; and

WHEREAS, on April 6, 2020, the City Commission adopted Resolution 81-20, approving a Major Amendment to the DSI to change the name of the DSI to Shops at the Press, remove square footage limitations on the use of the existing warehouse and office buildings, construct a restaurant/coffee shop with a drive-thru and outdoor seating, and make other associated site improvements; and

WHEREAS, the applicant has requested a Future Land Use (FLU) Map Amendment to change the FLU designation of the subject parcels from Commercial (C) to Commercial East (CE), considered by the City Commission under Ordinance No. 5106-24; and

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WHEREAS, Shayne Broadnix of Urban Design Studio, on behalf of WPB Press LLC, submitted an application for a Rezoning to change the zoning designation of the subject property, located at 2751 South Dixie Highway and 501 Monceaux Road from General Commercial (GC) to Commercial Planned Development (CPD); and

WHEREAS, the Planning Board recommended approval (6-0) of this request to the City Commission after a Public Hearing on July 16, 2024; and

WHEREAS, the development regulations, including site plans and waivers, for the Shops at The Press CPD will be established in Resolution No. 162-24;

WHEREAS, the Public Hearing was advertised in the Palm Beach Post, with proof of publication housed in the Development Services Department – Planning Division, along with evidence that individual notices of the Public Hearing were mailed to all property owners within 500 feet of the subject property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission hereby finds and determines that the Zoning Map amendment to change the zoning designation of two (2) parcels located at 2751 South Dixie Highway and 501 Monceaux, approximately 11.57 acres, from General Commercial (GC) to Commercial Planned Development (CPD) is consistent with the Comprehensive Plan of the City.

SECTION 2: The City Commission hereby finds and determines that the Zoning Map amendment is consistent with the rezoning standards established in Section 94-32 of the City's Zoning and Land Development Regulations, as follows:

- A. **Consistency with Comprehensive Plan.** The Commercial East (CE) FLU designation will provide for a development consisting of multiple uses, including residential and commercial. This provides the potential for a more varied development and ensures that the FLU designation is consistent with the proposed development of the property.
- B. **Changed Conditions.** To incorporate Palm Beach Atlantic University (PBAU), classified as Schools, Colleges, and Universities, Public and Private, as a newly permitted use, a request to change the zoning designation from GC, with a further rezoning to Commercial Planned Development (CPD) is required.
- C. **Consistency with the Land Development Code.** All future development within the subject area will be required to meet the standards of the City's Development Code.

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- D. **Consistency with Use.** The proposed amendment will remain consistent with the existing land use of the subject area; the proposed land use will be consistent with the character of the area.
- E. **Capacity of Public Facilities.** The requests will not increase the demand on public facilities to a point that will exceed their capabilities. Any improvements or enlargements to any public utility system necessary as a result of the proposed development will need to be done at the expense of the developer.
- F. **Natural Resources.** The subject property was previously developed. Redevelopment of the site would not result in significant adverse impacts on the natural environment.
- G. **Property Values.** It is not anticipated that the proposed amendment would adversely affect property values in the area. Development/redevelopment of the property would likely increase property values in the area.
- H. **Logical Development Pattern.** The proposed rezoning would allow the applicant to include the university as a use and also to redevelop the property with a multiple-use project that introduces residential use within the development. It is Staff's professional opinion that the development pattern is desired for the area as the site has already been built, is operational and that the negative effects such as the parking reduction have been mitigated.

SECTION 3: The Zoning Map of the City of West Palm Beach, Florida shall be amended by assigning a Commercial Planned Development (CPD) zoning designation to the approximately 11.57 acres located at 2751 South Dixie Highway and 501 Monceaux Road and legally described in **EXHIBIT A** and shown and depicted in **EXHIBITS B** to **C**.

SECTION 4: The development regulations which govern the Shops at The Press Commercial Planned Development will be established in Resolution 162-24 and all future modifications of the development regulations shall be by resolution.

SECTION 5: If the development approved by Resolution 162-24 terminates or expires, the rezoning granted herein becomes void and the property shall automatically revert to a General Commercial (GC) zoning designation. In such event, Staff is hereby directed and authorized to amend the Zoning Map accordingly.

SECTION 6: This Ordinance shall take effect as of the effective date of the Future Land Use Map amendment described in Ordinance No. 5106-24 (the "Effective Date").

[SIGNATURES ON FOLLOWING PAGE]

FIRST READING THIS 19TH DAY OF AUGUAT, 2024.
SECOND READING AND PASSAGE THIS 16TH DAY OF SEPTEMBER, 2024.



ATTEST:

X *Shaquita Edwards*

CITY CLERK
Signed by: Shaquita Lashae Edwards

CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:

X *Keith A. James*

PRESIDING OFFICER
Signed by: Keith A. James

APPROVED AS TO FORM AND
LEGALITY:

9/12/2024

X *Kimberly L. Rothenburg*

CITY ATTORNEY
Signed by: Kimberly L Rothenburg

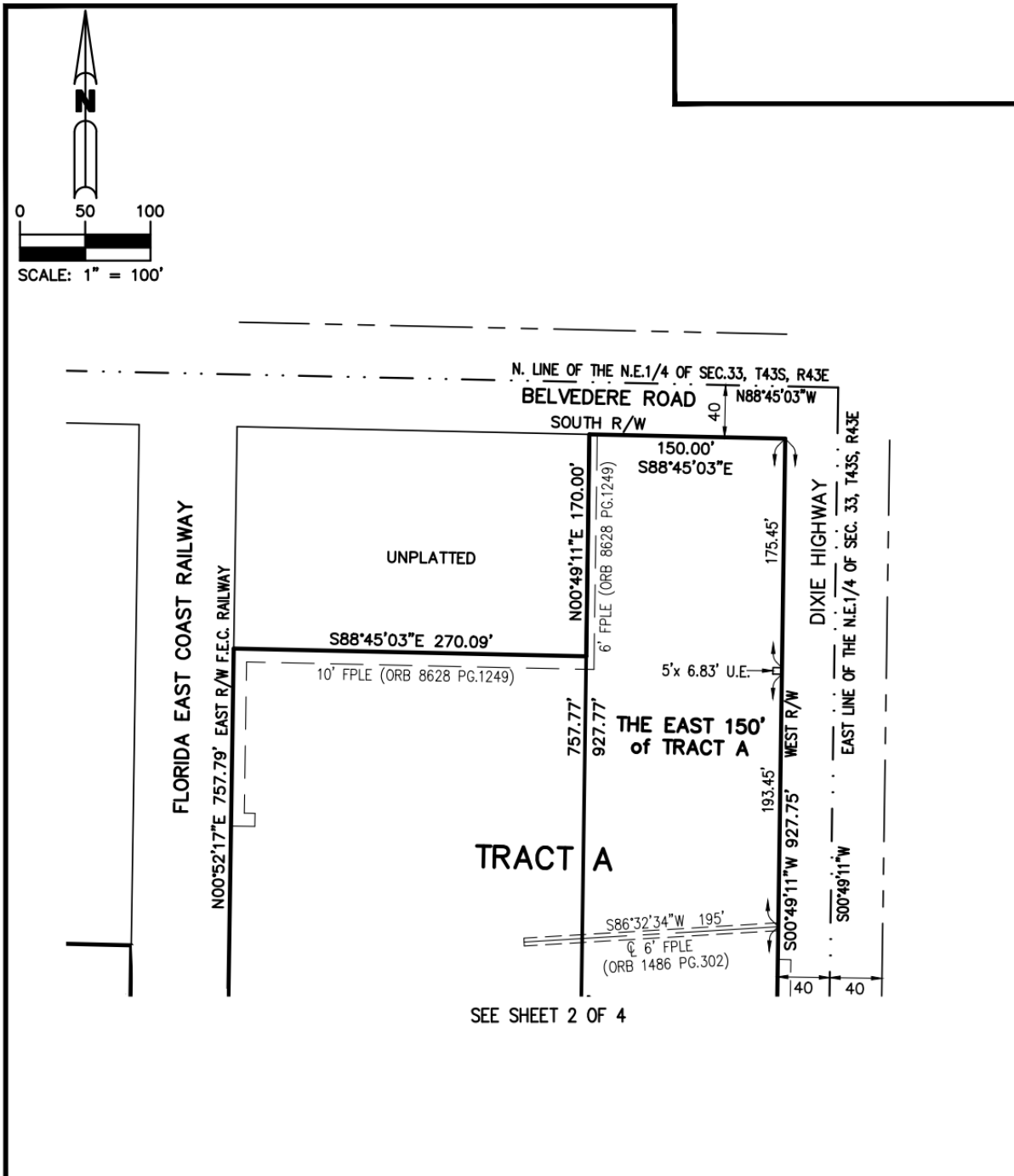
EXHIBIT A

Legal Description of the Affected Area

TRACTS A AND B, OF THE PLAT OF SHOPS AT THE PRESS, RECORDED IN PLAT
BOOK 131, PAGE 183, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA,

DRAWN: MDB	PROJ. No. 19-085E
CHECKED: JEP	SCALE: 1" = 100'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 3/7/24
	SHEET 2 OF 4

EXHIBIT B (Continued)



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
 CERTIFICATE OF AUTHORIZATION # LB 6473
 1860 OLD OKEECHOBEE ROAD., SUITE 509,
 WEST PALM BEACH, FLORIDA 33409
 TELEPHONE (561)-615-3988, 615-3991 FAX

**ALL OF THE SHOPS AT THE PRESS
 LESS THE EAST 150'**
 (THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 19-085E
CHECKED: JEP	SCALE: 1" = 100'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 3/7/24
	SHEET 3 OF 4

EXHIBIT C

Proposed Zoning Map of the Subject Property

