



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PUBLIC NOTICE

RE: LAND USE MAP AMENDMENT AND REZONING FOR 14145 SOUTH MILITARY TRAIL

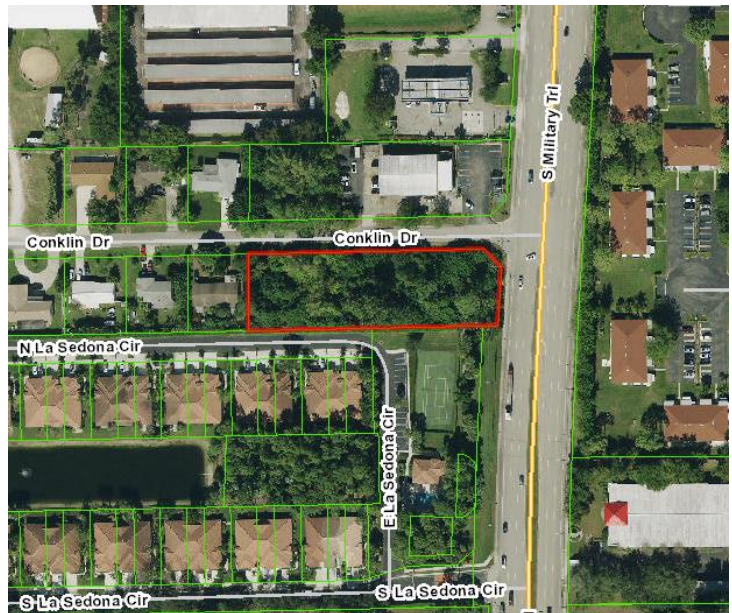
Pursuant to the Land Development Regulations of the City of Delray Beach, you are hereby notified that the Planning and Zoning Board, acting as the Local Planning Agency, will conduct a **VIRTUAL PUBLIC HEARING** on **MONDAY, JUNE 15, 2020 at 6:00 PM** to consider and make a recommendation to the City Commission regarding a City-initiated Land Use Map Amendment and privately-initiated request to rezone a 0.99± acre parcel located at 14145 South Military Trail on the southwest corner of South Military Trail and Conklin Drive (see map below).

The existing and proposed Land Use Map designations and zoning districts are as follows (see attached map):

Existing Land Use: Transitional (TRN)
Proposed Land Use: General Commercial (GC)

Existing Zoning District: Special Activities District (SAD)
Proposed Zoning District: General Commercial (GC)

The applicant intends to develop the vacant and undeveloped property with a 7,428 SF automotive parts and accessories store at that location; the site plan requires a separate approval by the Site Plan Review and Appearance Board (SPRAB). Following the Planning and Zoning Board Meeting, the City Commission will review the Land Use Map Amendment and rezoning request at two separate hearings. A separate mail notice will be provided in advance of the 2nd City Commission adoption hearing (date to be determined). Additional information on this project can be found on the Development Services page at www.delraybeachfl.gov. NOTE: This request was previously noticed for a meeting to occur on March 16, 2020, which was subsequently canceled.



Pursuant to Executive Order 20-69, during the COVID-19 State of Emergency, Planning and Zoning Board meetings may be held virtually. Members of the public wishing to view Planning and Zoning Board meetings should log into the City's website, <https://www.delraybeachfl.gov/i-want-to/watch/city-meetings>, where the meeting will be live-streamed for the public. The meeting agenda will be made available online prior to the meeting at: <https://delraybeach.legistar.com/Calendar.aspx>.

Due to the closure of City Hall, members of the public wishing to participate may do so by submitting their comments via voicemail. Any member of the public wishing to comment publicly on any matter, including public comment or public hearing items, may submit their comments by dialing (561) 243 - 7556 and leaving a voicemail message that will be played during the Planning and Zoning Board meeting and made a part of the public record:

1. State your full name
2. State your address
3. Leave a comment no longer than 3 minutes.

Public comment on items that have been set for a formal public hearing shall only be made during the presentation of the item. After the Planning and Zoning Board has heard from both the applicant and the City, the Board will take a recess in order to afford the public an opportunity to comment on the specific agenda item. After the recess, comments from the public will be played into the record for the Board's consideration.

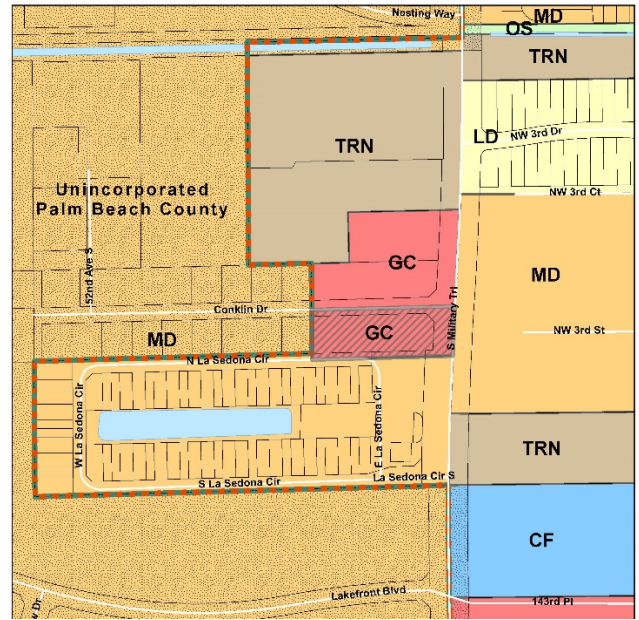
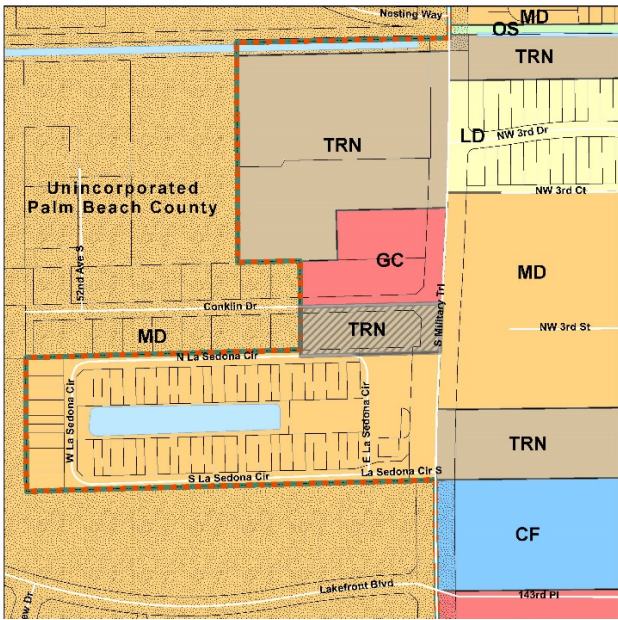
The request for Land Use Plan Amendment and rezoning approval may be inspected online at <https://www.delraybeachfl.gov/government/city-departments/city-clerk/public-notices>. If you would like further information as to how the subject request may affect your property, please contact Rebekah Dasari, Senior Planner, at 561.243.7040, Ext. 7044, via email at dasarir@mydelraybeach.com, or at the Development Services Department, City Hall, 100 NW 1st Avenue, Delray Beach, Florida 33444.

All interested parties are invited to attend the public hearing and comment upon the proposed action or submit their comments in writing on or before the date of the hearing to the Development Services Department. Please be advised that if the action taken on this request is appealed, the appellant may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. The City does not provide nor prepare such record pursuant to F.S. 286.0105.

Proposed Land Use Map Amendment & Rezoning 14145 South Military Trail

Existing Land Use Designation

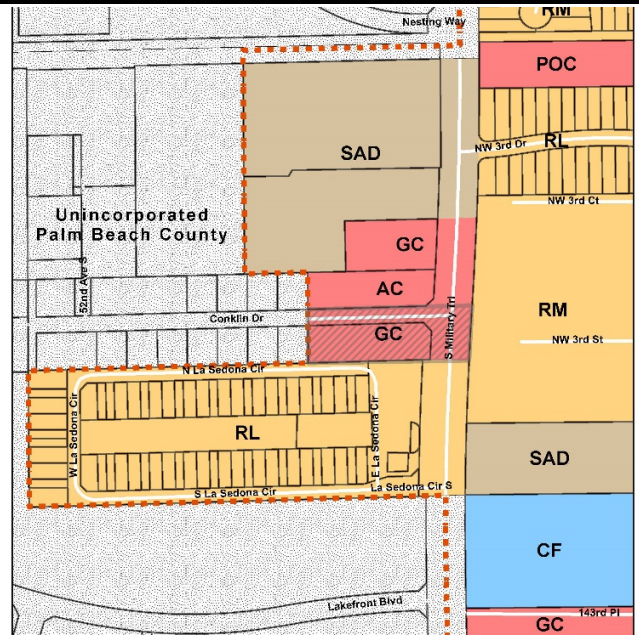
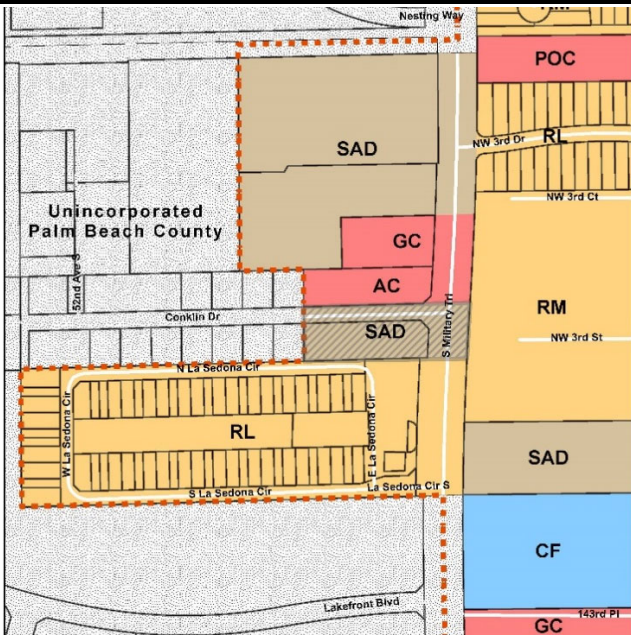
Proposed Land Use Designation



KEY:
 TRN - TRANSITIONAL
 GC - GENERAL COMMERCIAL
 MD - MEDIUM DENSITY, 5-12 UNITS PER ACRE
 LD - LOW DENSITY, 0-5 UNITS PER ACRE
 CF - COMMUNITY FACILITIES
 OS - OPEN SPACE
 Subject Parcel | 14145 S. Military Trail
 Municipal City Limits
 Planning Area
 Future Annexation Areas

Existing Zoning

Proposed Zoning

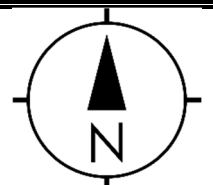


KEY:
 GC - GENERAL COMMERCIAL
 POC - PLANNED OFFICE CENTER
 AC - AUTOMOTIVE COMMERCIAL
 RM - MULTIPLE FAMILY RESIDENTIAL (MEDIUM DENSITY)
 RL - MULTIPLE FAMILY RESIDENTIAL (LOW DENSITY)
 SAD - SPECIAL ACTIVITIES DISTRICT
 CF - COMMUNITY FACILITIES
 Municipal City Limits
 Subject Parcel | 14145 S. Military Trail
 Future Annexation Areas



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Date: June 5, 2020

ORDINANCE NO. 20-20

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING LAND ZONED SPECIAL ACTIVITIES DISTRICT (SAD) TO GENERAL COMMERCIAL (GC) FOR A PARCEL OF LAND AT 14145 SOUTH MILITARY TRAIL AT THE SOUTHWEST CORNER OF SOUTH MILITARY TRAIL AND CONKLIN DRIVE, WHICH MEASURES APPROXIMATELY 0.99± ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING “CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017”; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, O’Reilly Automotive Store, Inc. is the fee simple owner of a parcel of land measuring approximately 0.99± acres located at 14145 South Military Trail (the “Property”); and

WHEREAS, the Property is shown on the City of Delray Beach Zoning Map, dated June 29, 2017, at being zoned Special Activities District (SAD); and

WHEREAS, Owner requested a rezoning of the Property from Special Additives District (SAD) to General Commercial (GC); and

WHEREAS, the City Commission of the City of Delray beach finds the zoning designation of General Commercial (GC) zoning is a more appropriate for the Property and in the best interest of the City; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as Local Planning Agency, considered this item at a public hearing on February 24, 2020 and voted ~~x to x~~ to recommend that property hereinafter described be rezoned to General Commercial (GC), finding that the request and approval thereof is consistent with the Comprehensive Plan, meets the criteria set forth in the Land Development Regulations, and is in the best interest of the City; and

WHEREAS, it is appropriate that the Zoning District Map of the City of Delray Beach, Florida, be amended to reflect the revised zoning classification.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. The Zoning District Map of the City of Delray Beach, Florida, be and the same, is hereby amended to reflect a zoning classification of General Commercial (GC) for the property described in **Exhibit “A” Legal Description.**

Section 3. The City of Delray Beach, Florida Zoning Map, shall, upon the effective date of this ordinance, be amended to conform to the provisions of Section 2 hereof.

See Exhibit “B” Proposed Zoning Map

Section 4. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 5. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

Section 6. This Ordinance shall become effective concurrent with the effective date of Ordinance 19-20, amending the Comprehensive Plan, and upon approval at second reading. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ADOPTED in regular session on second and final reading on this ___ day of _____, 2020.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

First Reading _____

Second Reading _____

EXHIBIT A - LEGAL DESCRIPTION
14145 S. MILITARY TRAIL
PCN 12-42-46-14-03-002-0010

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 14 TOWNSHIP 46 SOUTH, RANGE 42 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A CONCRETE MONUMENT WITH "PALM BEACH COUNTY" BRASS DISK FOUND AT THE NORTHEAST CORNER OF SAID SECTION 14, THENCE ALONG THE EAST LINE OF SAID SECTION 14 $S0^{\circ}28'58''E$, A DISTANCE OF 859.77 FEET TO THE EXTENDED SOUTH RIGHT OF WAY LINE OF CONKLIN DRIVE (50' PUBLIC RIGHT OF WAY); THENCE ALONG SAID EXTENDED RIGHT OF WAY $S88^{\circ}24'12''W$, A DISTANCE OF 117.83 FEET TO A 5/8" REBAR & CAP FOUND (LS 6218) AT THE NORTHWEST CORNER OF A MITER JOINING SAID SOUTH RIGHT OF WAY OF CONKLIN DRIVE AND THE WEST RIGHT OF WAY OF SOUTH MILITARY TRAIL (A.K.A. COUNTY ROAD 809, 120' PUBLIC RIGHT OF WAY), SAID POINT BEING THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL OF LAND; THENCE ALONG SAID MITER $S44^{\circ}11'52''E$, A DISTANCE OF 36.65 FEET TO A NAIL & DISK FOUND (LS 6218) ON SAID WEST RIGHT OF WAY OF SOUTH MILITARY TRAIL; THENCE ALONG SAID RIGHT OF WAY OF SOUTH MILITARY TRAIL, ALONG THE ARC OF A CURVE TO THE LEFT 88.08 FEET, SAID CURVE HAVING A RADIUS OF 10,525.40 FEET AND SUBTENDED BY A CHORD BEARING $S02^{\circ}55'33''W$, A DISTANCE OF 88.08 FEET TO A 5/8" REBAR & CAP FOUND (LS 6218); THENCE LEAVING SAID RIGHT OF WAY OF SOUTH MILITARY TRAIL $S88^{\circ}22'27''W$, A DISTANCE OF 375.21 FEET TO A 1/2" REBAR & CAP SET (LB 6552) ON THE NORTH LINE OF NORTH LA SEDONA CIRCLE (43' PRIVATE ROAD); THENCE $N00^{\circ}19'30''W$, A DISTANCE OF 115.00 FEET TO A 1/2" REBAR FOUND ALONG THE AFORESAID SOUTH RIGHT OF WAY OF CONKLIN DRIVE; THENCE CONTINUING ALONG SAID RIGHT OF WAY OF CONKLIN DRIVE $N88^{\circ}24'12''E$, A DISTANCE OF 354.80 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 43,108 SQUARE FEET, OR 0.990 ACRES, MORE OR LESS

EXHIBIT B – LOCATION MAP
14145 S. MILITARY TRAIL
PCN 12-42-46-14-03-002-0010