

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER LANDSCAPE WAIVER APPLICATION NO. 23-128 (LW) AND APPROVAL OF ORDER LW-23-05, AN APPLICATION BY COTLEUR & HEARING, ON BEHALF OF ANDRADE ASSOCIATES LIMITED PARTNERSHIP FOR CONSIDERATION OF TWO (2) LANDSCAPE WAIVERS FROM SEC. 15-131(B)(1) TO ALLOW FOR A 10-FOOT LANDSCAPE BUFFER ALONG THE WEST PROPERTY LINE WHERE VILLAGE CODE REQUIRES 25 FEET, AND TO ALLOW FOR AN 11.5-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE VILLAGE CODE REQUIRES 25 FEET, FOR A PROPERTY LOCATED AT 1301 ROYAL PALM BEACH BOULEVARD; BY AGENT: DONALDSON HEARING, OF COTLEUR & HEARING.**

**Issue:**

The Applicant Cotleur & Hearing, on behalf of Andrade Associates Limited Partnership, is requesting Landscape Waivers Approval for two (2) landscape waivers as follows with the Applicant's justification and Staff's recommendation for each waiver:

**Waiver #1:**

Waiver from Sec. 15-131(b)(1) to allow for a 10-foot landscape buffer along the west property line where Village Code requires 25 feet, a waiver to reduce the required buffer width by 15 feet. This buffer will contain all required landscape materials. Please refer to **Attachment A** for an illustration showing the location of the west property line buffer.

The Applicant Contends: "The location subject to this waiver is located on the western side of the property, abutting a portion of land on the adjacent property where construction is not feasible. Therefore, a reduction in the landscape buffer for the associated area will not disrupt the adjacent residential property as it will not connect to a residential parcel/unit and will not disrupt access to the western development".

Staff Recommendation: Staff is recommending Approval of requested Waiver #1 and generally concurs with the Applicant's assessment. Staff believes that this is the minimum waiver necessary to allow reasonable use of the property.

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Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	4-18-2024	Action

**Waiver #2:**

Waiver from Sec. 15-131(b)(1) to allow for an 11.5-foot landscape buffer along the south property line where Village Code requires 25 feet, a waiver to reduce the required buffer width by 13.5 feet. Please refer to **Attachment B** for an illustration showing the location of the south property line buffer.

The Applicant Contends: “The location subject to this waiver is the southern landscape buffer which abuts the driveway entrance to the plaza. The necessity for this waiver is in response to the western property owner’s acquisition of the driveway, therefore it is now considered residential property. Strict adherence to the mentioned code requirement is neither feasible nor logical”.

Staff Recommendation: Staff is recommending Approval of requested Waiver #2 and generally concurs with the Applicant’s assessment. Staff believes that this is the minimum waiver necessary to allow reasonable use of the property.

**Recommended Action:**

Staff is recommending Approval of Application No. 23-128 (LW) and Order LW-23-05.

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Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	4-18-2024	Action

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# Attachment A Waiver #1

Directly below is an illustration showing the location of the west property line buffer.

### LANDSCAPE DATA

NAME OF PROJECT	ADDRESS		
PROPERTY CHECK NUMBER	PL0423120000		
FUTURE LAND USE DESIGNATION	COM. COMMERCIAL		
ZONING DISTRICT	CU. GENERAL COMMERCIAL		
PROJECT AREA	AC		
NET AREA	6,812		
TOTAL DEVELOPMENT	COMMERCIAL		
PROPOSED AREA	SF	AC	%
OFFICE SPACE	3,893	0.23	28%
RETAIL SPACE	1,200	0.07	1%
RESTAURANT SPACE	2,000	0.12	1%
VEHICULAR USE AREA	21,471	0.10	3%
LANDSCAPE LANDSCAPE	4,211	0.22	1%
TOTAL PROPOSED AREA	30,535	0.48	2%
TOTAL SITE AREA	62,000	0.52	10%
LANDSCAPE DATA	SF	AC	%
LANDSCAPE BUFFER	2,211	0.12	1%
LANDSCAPE	2,247	0.11	1%
TOTAL LANDSCAPE	4,458	0.23	2%
MINIMUM YARD SETBACKS	MIN	FEET	
FRONT	15	5	
REAR	10	3	
LEFT SIDEWALK	10	0.5	
SEE DRAWING	10	0.5	
MINIMUM LANDSCAPE BUFFER WIDTHS	MIN	FEET	
FRONT PROPERTY LINE (TO PUBLIC RIGHT OF WAY)	10		
NORTH PROPERTY LINE (TO BROTHER LOT LINE)	10		
SOUTH PROPERTY LINE (TO BROTHER LOT LINE)	10		
WEST PROPERTY LINE (TO BROTHER LOT LINE)	10		
EAST PROPERTY LINE (TO BROTHER LOT LINE)	10		
ALL REQUEST LINES REQUIRE 30' W/ CONTIGUOUS HOOD	10		
REQUIRED PERIMETER BUFFER TREES	MIN	FEET	
FRONT PROPERTY LINE (TO TREE ROW) (1)	14		
SOUTH PROPERTY LINE (TO TREE ROW) (2)	14		
WEST PROPERTY LINE (TO TREE ROW) (3)	14		
EAST PROPERTY LINE (TO TREE ROW) (4)	14		
ALL REQUEST LINES REQUIRE 30' W/ CONTIGUOUS HOOD	14		
VEHICULAR USE AREA TREES	MIN	FEET	
FRONT PROPERTY LINE (TO TREE ROW) (1)	14		
SOUTH PROPERTY LINE (TO TREE ROW) (2)	14		
WEST PROPERTY LINE (TO TREE ROW) (3)	14		
EAST PROPERTY LINE (TO TREE ROW) (4)	14		
ALL REQUEST LINES REQUIRE 30' W/ CONTIGUOUS HOOD	14		
OVERALL TREE & SHRUB REQUIREMENT	MIN	FEET	
TREES (2 IN. DIA. USE OF ORNAMENTAL)	10		
SHRUBS (2 IN. DIA. USE OF ORNAMENTAL)	10		
TOTAL REQUIRED TREES	MIN	FEET	
TREES	10		
SHRUBS	10		
MINIMUM TREES	10		
TREES	10		
SHRUBS	10		
NATIVE TREES & SHRUBS	MIN	FEET	
FRONT PROPERTY LINE (TO TREE ROW) (1)	14		
SOUTH PROPERTY LINE (TO TREE ROW) (2)	14		
WEST PROPERTY LINE (TO TREE ROW) (3)	14		
EAST PROPERTY LINE (TO TREE ROW) (4)	14		

### LANDSCAPE WAIVERS

NUMBER	SUBJECT	CODE SECTION	REQUIRED	PROPOSED	DEVIATION
1	LANDSCAPE BUFFER	SECTION 15 (L) (1) (A) - BUFFERING OF NONRESIDENTIAL UNITS ADJACENT TO RESIDENTIAL AND/OR PUBLIC LANDSCAPE PROPERTY	25' LANDSCAPE BUFFER	15' LANDSCAPE BUFFER	10' LANDSCAPE BUFFER
2	LANDSCAPE BUFFER	SECTION 15 (L) (1) (B) - BUFFERING OF NONRESIDENTIAL UNITS ADJACENT TO RESIDENTIAL AND/OR PUBLIC LANDSCAPE PROPERTY	35' LANDSCAPE BUFFER	15' LANDSCAPE BUFFER	20' LANDSCAPE BUFFER

### LOCATION MAP

### Landscape Plan

Scale: 1" = 20'-0"

REVISIONS:

NO.	DATE	DESCRIPTION
1	02/12/2024	ISSUED FOR PERMIT
2	02/23/2024	REVISED TO REFLECT PERMIT COMMENTS
3	03/15/2024	REVISED TO REFLECT PERMIT COMMENTS
4	03/22/2024	REVISED TO REFLECT PERMIT COMMENTS
5	03/29/2024	REVISED TO REFLECT PERMIT COMMENTS
6	04/05/2024	REVISED TO REFLECT PERMIT COMMENTS
7	04/12/2024	REVISED TO REFLECT PERMIT COMMENTS
8	04/19/2024	REVISED TO REFLECT PERMIT COMMENTS
9	04/26/2024	REVISED TO REFLECT PERMIT COMMENTS
10	05/03/2024	REVISED TO REFLECT PERMIT COMMENTS

DATE: 05/03/2024

SHEET 1 OF 2

Coteleur & Hearing  
Landscape Architects  
Land Planning  
Environmental Consultants  
3000 Commercial Lane  
Jupiter, Florida 33458  
335 209 5200 Fax: 335 211 1177  
www.coteleurhearing.com  
SINCE 1988

Jabrowski's

Royal Palm Beach, Florida

# Attachment A Waiver #2

Directly below is an illustration showing the location of the south property line buffer.

**LANDSCAPE DATA**

LANDSCAPE DATA	sq	ac	%
PROPOSED AREA	4,090	0.23	26%
TOTAL PROPOSED AREA	6,889	0.43	34%
PROPOSED AREA	sq <td>ac <td>%</td> </td>	ac <td>%</td>	%
LANDSCAPE BUFFER	2,947	0.17	24%
TOTAL LANDSCAPE BUFFER	6,889	0.43	34%
PROPOSED AREA	sq <td>ac <td>%</td> </td>	ac <td>%</td>	%
LANDSCAPE BUFFER	2,947	0.17	24%
TOTAL LANDSCAPE BUFFER	6,889	0.43	34%

**LANDSCAPE WAIVERS**

WAIVER NO.	SUBJECT	CODE SECTION	REQUIRED	PROPOSED	DEVIATION
1	LANDSCAPE BUFFER	SECTION 16, 17(3)(d) - BUFFERING OF NONRESIDENTIAL UNITS ADJACENT TO RESIDENTIAL AND/OR PUBLIC LANDSCAPE PROPERTIES	2' LANDSCAPE BUFFER	0' LANDSCAPE BUFFER	2' LANDSCAPE BUFFER
2	LANDSCAPE BUFFER	SECTION 16, 17(3)(d) - BUFFERING OF NONRESIDENTIAL UNITS ADJACENT TO RESIDENTIAL AND/OR PUBLIC LANDSCAPE PROPERTIES	3' LANDSCAPE BUFFER	0' LANDSCAPE BUFFER	3' LANDSCAPE BUFFER

**LANDSCAPE PLAN**

Scale: 1" = 20'-0"

**LOCATION MAP**

North

**Coleur & Hearing**  
Landscape Architects  
Environmental Consultants  
3102 Commercial Lane  
Suwanee, Florida 33150  
888.709.5339 Fax: 771.1417  
www.coleurandhearing.com  
LEAK IL-20000301

**Jabrewski's**  
Royal Palm Beach, Florida

REVISION: \_\_\_\_\_ DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PROJECT: \_\_\_\_\_  
 SHEET: \_\_\_\_\_ OF \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 SCALE: \_\_\_\_\_  
 NORTH: \_\_\_\_\_  
 SHEET 1 of 2  
 Project: 15-02 - 15-06 - 23-128 - LW  
 Title: Waterway Plaza Internal Drive

Initiator: Village Manager Agenda Date Village Council  
 Director of P&Z Approval 4-18-2024 Action

**ORDER OF THE VILLAGE COUNCIL  
VILLAGE OF ROYAL PALM BEACH  
Chapter 15. Landscape Waiver**

**CASE NO. LW-23-05**

**IN RE: Application No. 23-128(LW) – Jabrewski’s @ Waterway Plaza**

**Legal Description:**

Attached as Exhibit “A”

**ORDER APPROVING APPLICATION**

This cause came to be heard upon the above application and the Royal Palm Beach Village Council having considered the evidence presented by the applicant and other interested persons at a hearing called and properly noticed on April 18, 2024, and the Royal Palm Beach Village Council being otherwise advised.

**THEREUPON**, the Village Council of the Village of Royal Palm Beach finds as follows:

1. The property which is the subject of said application is classified and zoned within the General Commercial (CG) District by the Zoning Code of the Village of Royal Palm Beach and the zoning map made a part thereof by reference.
2. The applicant is seeking landscape waivers from the Village of Royal Palm Beach Code of Ordinances at Sec. 15-133 (b) (1) to allow for a 10-foot landscape buffer along the west property line where Village Code requires 25 feet, a waiver of 15 feet, and to allow for an 11.5-foot landscape buffer along the south property line where Village Code requires 25 feet, a waiver of 13.5 feet.
3. Under the provisions of Sec. 15-37 of the Village Code of Ordinances, the Village Council has the right, power and authority to act upon the application herein made.

4. In accordance with the requirement of Section 15-37 to specify the duration of the waiver, the Village Council holds that this grant of Landscape Waiver shall continue as long as the Project exists on this site.
5. **IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED** by the Royal Palm Beach Village Council as follows:  
The application in connection with **Landscape Waiver Order, LW-23-05**, with reference to the Jabrewski's @ Waterway Plaza project in the Village of Royal Palm Beach, Florida is hereby **Approved** in accordance with the Village Code of Ordinances for the following reasons:

**The applicant meets the landscape objectives as allowed by Section 15-37 of the Village Code of Ordinances.**

**Done and ordered this 18th day of April, 2024.**

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Mayor Fred Pinto  
Village of Royal Palm Beach

Attest:

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Diane DiSanto, Village Clerk

**Exhibit A**  
**Legal Description**  
**Jabrewski's @ Waterway Plaza**  
**Application No. 23-128 (LW)**  
**LW-23-05**

LEGAL DESCRIPTION:

**LEGAL DESCRIPTION**

WATERWAY PLAZA  
LEGAL DESCRIPTION OF SOUTHERLY  
40000 SQUARE FOOT PARCEL

A PARCEL OF LAND LYING IN TRACT "C", WATERWAY PLAZA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 69, PAGE 88, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT "C"; SAID NORTHEAST CORNER SITUATE ON THE WEST RIGHT OF WAY LINE OF ROYAL PALM BEACH BOULEVARD; THENCE, SOUTH 01°36'46" WEST, ALONG THE EAST LINE OF SAID TRACT "C" AND ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 215.91 FEET TO THE POINT OF BEGINNING (P.O.B.):

THENCE, CONTINUE SOUTH 01°36'46" WEST, ALONG THE EAST LINE OF SAID TRACT "C" AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 98.27 FEET; THENCE, NORTH 88°23'14" WEST, DEPARTING THE EAST LINE OF SAID TRACT "C" AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 21.89 FEET; THENCE, SOUTH 46°36'46" WEST, A DISTANCE OF 35.36 FEET; THENCE, SOUTH 01°36'46" WEST, A DISTANCE OF 7.48 FEET; THENCE, NORTH 88°23'14" WEST, A DISTANCE OF 204.10 FEET; THENCE, SOUTH 89°17'57" WEST, A DISTANCE OF 93.13 FEET; THENCE, NORTH 01°36'46" EAST, A DISTANCE OF 47.88 FEET TO THE INTERSECTION THEREOF WITH THE NORTHERLY BOUNDARY LINE OF SAID TRACT "C"; THENCE, NORTH 48°04'54" EAST, ALONG SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 124.80 FEET; THENCE, SOUTH 88°23'14" EAST, DEPARTING SAID BOUNDARY LINE, A DISTANCE OF 252.84 FEET TO THE POINT OF BEGINNING.

CONTAINING: 40,000 SQUARE FEET, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY RECORD.