

Agenda Item #   R - 2  

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION 22-89 (SPM), AN APPLICATION BY COTLEUR & HEARING ON BEHALF OF PSN CONSULTANT INC. THE APPLICANT IS REQUESTING A MAJOR SITE PLAN MODIFICATION TO ADD A 923 SQUARE FOOT ADDITION TO EXPAND THE EXISTING AUTOMOBILE SERVICE STATION AND ALLOW FOR LARGER SERVICE BAYS, SITUATED WITHIN ROYAL PLAZA AND LOCATED AT 11503 SOUTHERN BOULEVARD: BY AGENT: GEORGE MISSIMER, COTLEUR & HEARING.**

**Issue:**

Major Site Plan Modification to add a 923 square foot addition to expand the existing automobile service station and allow for larger service bays, for a property located at 11503 Southern Boulevard. Additionally, in order to accommodate the expansion, the dumpster enclosure will be reconfigured.

In reviewing this petition, Village Staff considered conformity with the Village of Royal Palm Beach Zoning Code of Ordinances pertaining to the General Commercial (CG) Zoning District. Staff has reviewed the application and found it consistent with Village Code requirements.

Overall, the proposed site plan meets all of the Village's requirements for these types of uses in the General Commercial (CG) Zoning District.

**Recommended Action:**

Staff is recommending Approval of Application No. 22-89 (SPM) and Resolution 22-38.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	12-15-2022	Action

## Village of Royal Palm Beach - Staff Report

### I. General Data:

Project Name: Royal Palm Auto Spa

Application: 22-89 (SPM) (Res. 22-38)

Applicant/Owner: PSN Consultants, Inc.  
11503 Southern Boulevard  
Royal Palm Beach, FL 33411

Agent: George Missimer  
Cotleur & Hearing  
1934 Commerce Lane, Suite 100  
Jupiter, FL 33458

Request: Major Site Plan Modification to add a 923 square foot addition to expand the existing automobile service station and allow for larger service bays, for a property located at 11503 Southern Boulevard.

Recommendation: Approval

Hearings: Planning & Zoning Commission December 13, 2022  
Village Council December 15, 2022

### II. Site Data:

Site Area: 0.52 acre

Property Control Numbers: 72-41-43-35-00-000-7210

Existing Land Use: Automobile Repair Service, Office

Existing FLUM Designation: Commercial (COM)

Existing Zoning District: General Commercial (CG)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
North	Royal Plaza	Commercial (COM)	General Commercial (CG)
South	Village of Wellington	Village of Wellington	Village of Wellington
East	Royal Commerce Park	Industrial (IND)	Industrial General (IG)
West	Royal Inn	Commercial (COM)	General Commercial (CG)

Directly below is an illustration showing the location of the site:



### **III. Intent of Petition:**

Major Site Plan Modification to add a 923 square foot addition to expand the existing automobile service station and allow for larger service bays, for a property located at 11503 Southern Boulevard. Please refer to **Attachment C** for an illustration of the Site Plan, **Attachment D** for an illustration of the Landscape Plan and **Attachment E** for an illustration of the Elevation Plan.

### **IV. History:**

The subject property is part of a larger Commercial Development known as Royal Plaza. This site received a Site Plan and Special Exception Use approval to allow for an "Automobile Repair Service" on August 21, 2003 through the approval of Application 03-05 (SE, SP) and adoption of Resolution 03-53.

### **V. Analysis:**

Major Site Plan Modification to add a 923 square foot addition to expand the existing automobile service station and allow for larger service bays, for a property located at 11503 Southern Boulevard. Additionally, in order to accommodate the expansion, the dumpster enclosure will be reconfigured.

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In reviewing this petition, Village Staff considered conformity with the Village of Royal Palm Beach Zoning Code of Ordinances pertaining to the General Commercial (CG) Zoning District. Staff has reviewed the application and found it consistent with Village Code requirements.

Specifically, the proposed site meets the requirements as follows:

1. Parcel Size: The parcel size is not affected by this modification.
2. Parcel Frontage: The total site has a frontage of approximately 200 feet along Southern Boulevard, thus, exceeds the required minimum frontage of 150 feet along a major roadway.
3. Setbacks: The minimum required side (interior) setback is zero (0). Thus, the proposed expansion exceeds the minimum required setbacks as shown on the site plan.
4. Pervious Area: The site plan indicates a total of 15,681 square feet (36%) of pervious area is provided which exceeds the required minimum pervious area of 25%.
5. Parking Requirements: The site has provided parking that is consistent with the requirements of Chapter 23 (Traffic and Vehicles).
6. Landscape Areas: The project complies with all applicable landscape code requirements.
7. Maximum Building Height: The proposed building expansion's height comply with the maximum allowed building height.

Overall, the proposed site plan meets all of the Village's requirements for these types of uses in the General Commercial (CG) Zoning District.

#### **VII. Staff Recommendation:**

Staff is recommending Approval of Application No. 22-89 (SPM) and Resolution 22-38.

#### **VIII. Hearing History:**

##### *Planning and Zoning Commission*

The Planning and Zoning Commission considered the application for site plan modification on December 13, 2022, and recommended \_\_\_\_\_ by a vote of \_\_\_\_ - \_\_\_\_.

**Exhibit A**  
**Legal Description**  
**Royal Palm Auto Spa**  
**Application No. 22-89 (SPM)**  
**Resolution No. 22-38**

Legal Description:

COMMENCE AT THE POINT OF INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SOUTHERN BOULEVARD (STATE ROAD NO. 80) AND THE CENTERLINE OF ROYAL PALM BEACH BOULEVARD AS RECORDED IN PLAT BOOK 26, PAGE 107, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN S89°25'10"E, ALONG THE NORTH RIGHT OF WAY LINE OF SOUTHERN BOULEVARD, FOR 510.95 FEET TO THE POINT OF BEGINING; THENCE CONTINUE S89°25'10"E, ALONG SAID RIGHT OF WAY LINE, FOR 200.01 FEET; THENCE RUN NORTH PARALLEL WITH THE CENTERLINE OF ROYAL PALM BEACH BOULEVARD, FOR 200.00 FEET; THENCE RUN WEST FOR 200.00 FEET; THENCE RUN SOUTH, PARALLEL WITH THE CENTERLINE OF ROYAL PALM BEACH BOUELVARD, FOR 197.97 FEET TO THE POINT OF BEGINING; LYING AND BEING SITUATED IN SECTION 35, TOWNSHIP 43 SOUTH, RANGE 41 EAST, IN THE CITY OF ROYAL PALM BEACH, PALM BEACH COUNTY, FLORIDA.

LESS THE FOLLOWING:

A PORTION OF THE S.W. 1/4 OF SECTION 35, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE CENTER OF SAID SECTION 35; THENCE S01°19'07"W ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 35, A DISTANCE OF 347.724 METERS (1,140.82 FEET) TO A POINT ON THE BASELINE OF SURVEY FOR STATE ROAD 80 (SOUTHERN BOULEVARD) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93120-2542; THENCE N88°17'29"W ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 164.659 METERS (540.22 FEET); THENCE N01°42'31"E ALONG A LINE AT A RIGHT ANGLE TO THE LAST DESCRIBED COURSE, A DISTANCE 15.540 METERS

(50.00 FEET) TO A POINT ON THE NORTHERLY EXISTING RIGHT OF WAY LINE FOR SAID STATE ROAD 80 (SOUTHERN BOULEVARD) AND THE POINT OF BEGINING; THENCE N88°17'29"W ALONG SAID NORTHERLY EXISTING RIGHT OF WAY LINE AND A LINE 15.240 METERS (50.00 FEET) NORTH OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 60.963 METERS (200.01 FEET); THENCE N01 °06'55"E, A DISTANCE OF 26.365 METERS (86.50 FEET); THENCE S88°17'29"E ALONG A LINE 41.604 METERS (136.50 FEET) NORTH OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 60.963 METERS (200.01 FEET); THENCE S01°06'55"W, A DISTANCE OF 26.365 METERS

(86.50 FEET) TO THE POINT OF BEGINING.

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**Exhibit B**  
**Conditions of Approval**  
**Royal Palm Auto Spa**  
**Application No. 22-89 (SPM)**  
**Resolution No. 22-38**

**1. Development Order:**

This development order constitutes approval for:

Site Plan Modifications to expand the existing building footprint, by adding approximately 923 square feet (SF) in building area to the existing Royal Palm Auto Spa "Automobile Service Repair" building (2,910 SF), for a total of 3,833 SF in building area.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All other conditions imposed by previous approvals shall remain in full force and effect unless specifically modified herein.

**2. Site Specific Conditions:**

- A. All landscape improvement shall be installed or relocated prior to the issuance of the Certificate of Occupancy and completion of the development infrastructure.
- B. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- C. No outdoor storage of any materials shall be permitted on site.
- D. All dead, missing or substandard landscape material shall be brought back into compliance with the approved Landscape Plan prior to the issuance of a certificate of occupancy.

**3. Standard Conditions:**

- A. This site plan approval shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66 of the Village Code of Ordinances. In no case shall the approval be extended beyond code-established time frames.
  - B. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.
  - C. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction-permitting phase of the final approvals. Thus, except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
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- D. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- E. At the time of application for a building permit, four (4) sets of engineering plans shall be submitted to the Engineering Department for review and approval. A certified cost estimate for paving, and drainage shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Engineering Department at the time engineering drawings are submitted. A copy of the receipt shall be provided to the Building Department upon submittal of a permit. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
- F. All public improvements associated with the project shall be complete prior to the issuance of any certificate of occupancy.
- G. Prior to the issuance of any building permit or conditional building permit the following must be completed:
  - 1. No building permits shall be issued until the construction drawings have been approved.
  - 2. Property owner's documents acceptable to the Village Engineer and Attorney must be submitted and recorded which include provisions for cross-access and cross-parking for the outparcels.
  - 3. The site plan, plat and engineering drawings must be submitted in electronic format compatible with AutoCAD 14 or AutoCAD 2000 prior to the issuance of a building permit.
- H. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.

#### **4. Landscaping Conditions:**

- A. Prior to the issuance of a Certificate of Occupancy, the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
  - B. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
  - C. The property owner/s or association shall be responsible for the maintenance of landscaping in adjacent public and private roads up to the edge of pavement and waters edge.
  - D. The developer shall submit a landscape maintenance plan to the Village Landscape Inspector prior to the issuance of a Certificate of Occupancy.
  - E. The landscape plan shall be revised and resubmitted to the Village to ensure that all landscaping is located outside of all easements prior to the issuance of a building permit.
  - F. All shrub materials shown on the approved landscape plan shall be installed at no less than twenty-four (24) inches in height, but must be maintained at no less than thirty-six inches (36) in height.
  - G. The practice of "hatracking" defined as the severe cutting back of branches, making internodal cuts to lateral limbs, leaves branch stubs larger than 1 inch in diameter within the tree's crown, is strictly prohibited for all trees listed in the approved landscape plan for installation. Trees shall be allowed to grow in a shape natural to their species, and shall only be pruned to remove limbs or foliage which presents a hazard to power lines or structures, or to remove dead,
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damaged or diseased limbs. In no case shall pruning result in trees which are smaller than the minimum requirements for spread or height, or are unnaturally shaped.

**5. Planning and Zoning Commission:**

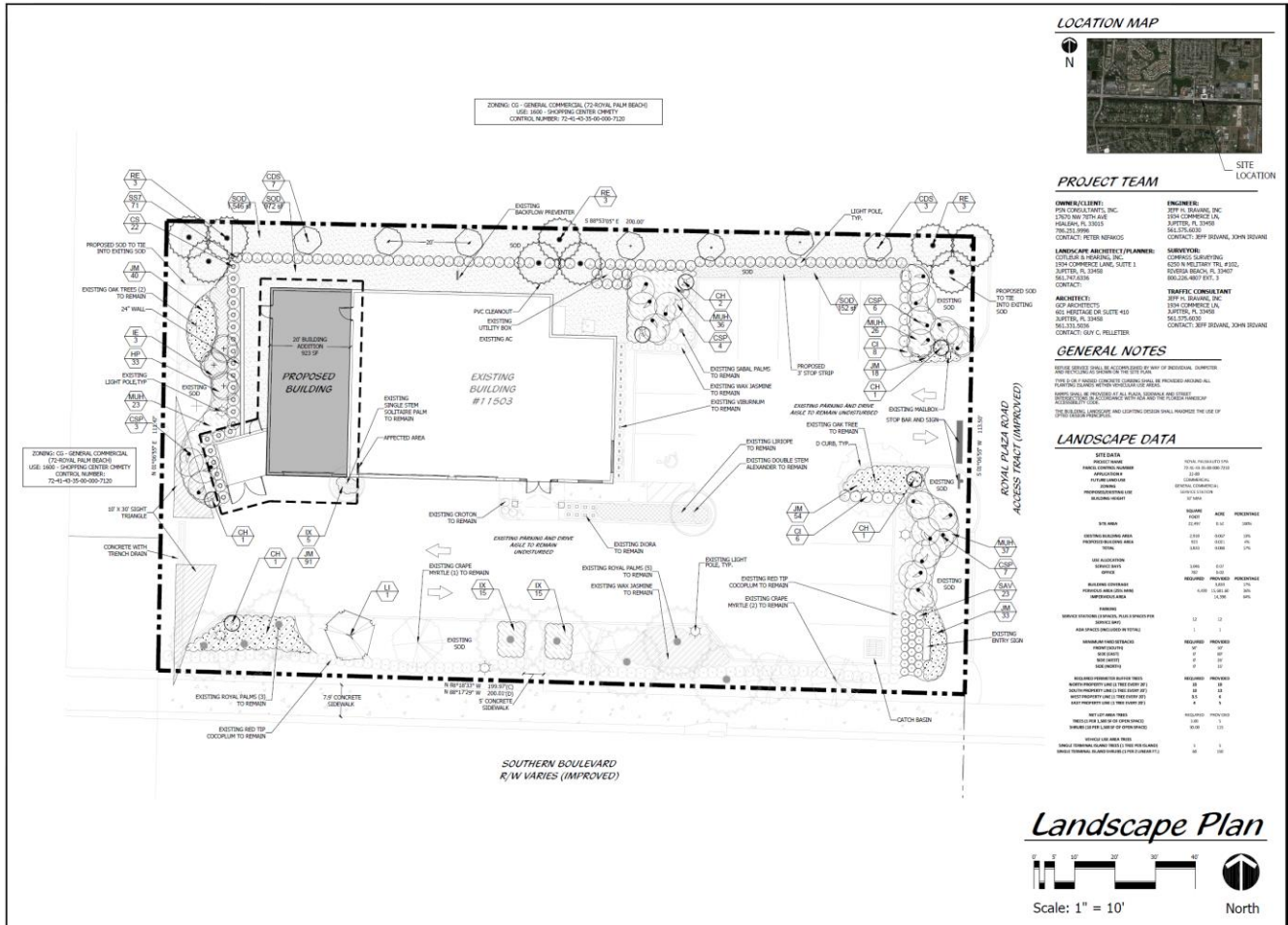


**Directly Below is an illustration of the Site Plan:**

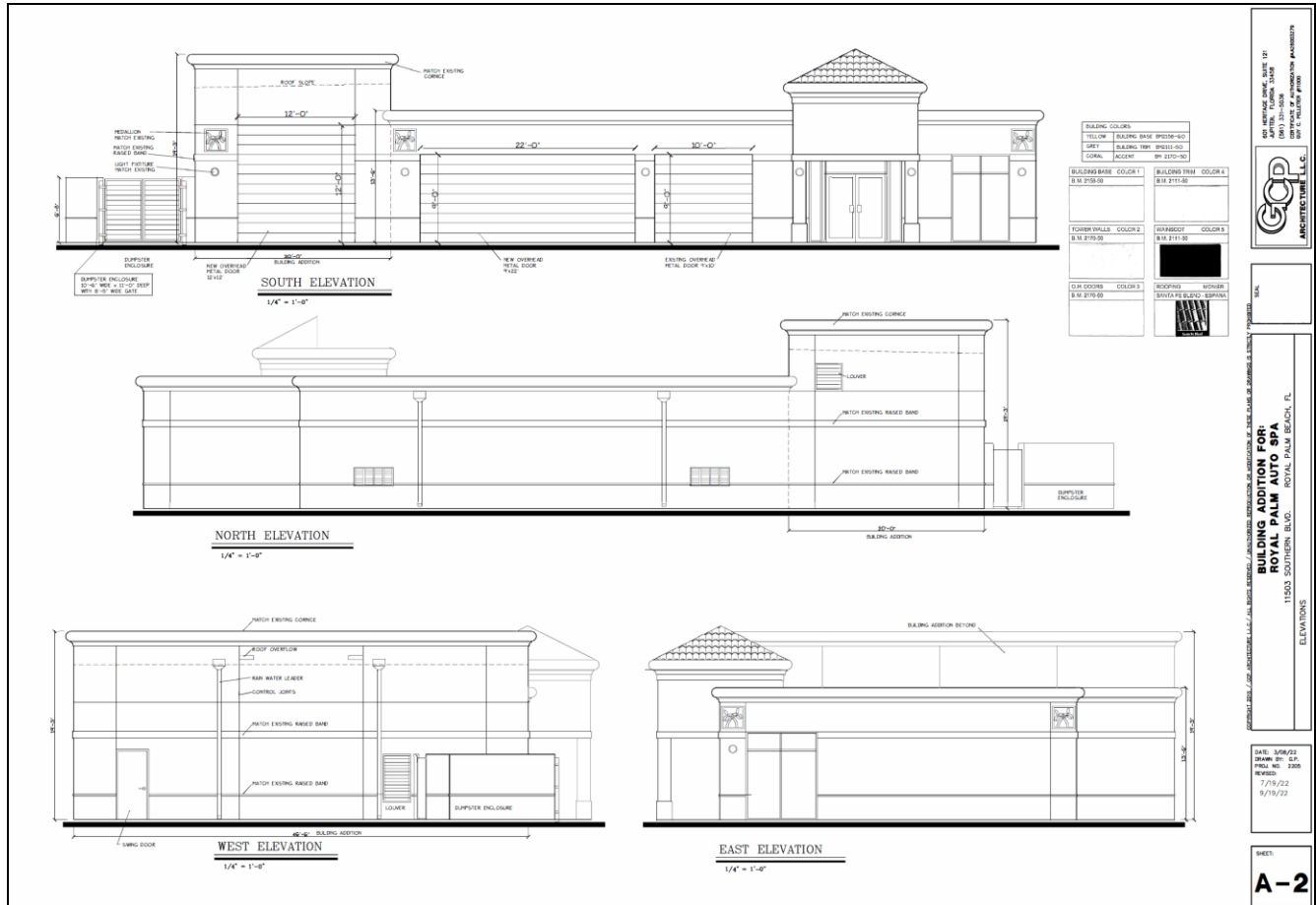


# Attachment D Landscape Plan Royal Palm Auto Spa Application No. 22-89 (SPM) Resolution No. 22-38

Directly below is an illustration of the Landscape Plan:



**Directly below is an illustration of the Elevation Plan:**



**RESOLUTION NO. 22-38**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 22-89 (SPM) – THE APPLICATION OF COTLEUR & HEARING ON BEHALF OF PSN CONSULTANTS, INC. - PERTAINING TO A SITE PLAN MODIFICATION TO AMEND THE APPROVED SITE PLAN FOR AN EXISTING AUTOMOBILE SERVICE STATION LOCATED AT 11503 SOUTHERN BOULEVARD IN THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Village Council of the Village of Royal Palm Beach, Florida (“Village”), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 166 Florida Statutes, is authorized and empowered to consider applications relating to zoning and land development; and

**WHEREAS**, the notice and hearing requirements provided for in the Village Code have been satisfied where applicable; and

**WHEREAS**, Application No. 22-89 (SPM) was presented to the Village Council at its public hearing conducted on December 15, 2022; and

**WHEREAS**, the Village Council has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various Village review agencies, boards, and commissions, where applicable; and

**WHEREAS**, this approval is subject to all applicable Zoning Code requirements that development commence in a timely manner.

**NOW THEREFORE**, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT APPLICATION NO. 22-89 (SPM), THE APPLICATION OF COTLEUR & HEARING ON BEHALF OF PSN CONSULTANTS, INC., ON A PARCEL OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PLEASE SEE EXHIBIT ‘A’ ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Was approved, subject to the following conditions:

PLEASE SEE EXHIBIT ‘B’ ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of December, 2022.

VILLAGE OF ROYAL PALM BEACH

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MAYOR FRED PINTO

ATTEST:

(SEAL)

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DIANE DISANTO, VILLAGE CLERK

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**5. Planning and Zoning Commission:**