

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 23-156 (PVAR), AN APPLICATION BY RP LOGISTICS, LLC, TO ALLOW A PARKING VARIANCE FROM VILLAGE CODE SEC. 23-51 (2) J. TO ALLOW FOR 159 PARKING SPACES WHERE VILLAGE CODE REQUIRES 217 PARKING SPACES, A VARIANCE OF 58 PARKING SPACES, FOR A PROPERTY LOCATED AT 1131, 1141, 1151 AND 1161 N. STATE ROAD 7.

Issue:

The Applicant is requesting a parking variance from the Village’s Code of Ordinances Sec. 23-51 (2) j. to allow for 159 parking spaces where Village Code requires 217 parking spaces, a variance of 58 parking spaces. Sec.23-51 (2) j. requires a minimum of one (1) space per 500 square feet of gross floor area, plus one (1) space per employee on maximum work shift, be provided for a “Industrial and Manufacturing Uses”. Please refer to **Attachment A** for an illustration of the Site Plan showing the provided parking spaces. The variance request is being made in conjunction with a Special Exception Use Approval request in order to allow the development of a “Manufacturing, Limited Processing and Assembly”. The Applicant intends to use this space for an industrial scale butcher and meet processing establishment. Currently, the 42,143 square foot space is parked for an Office-Warehouse combination that requires one (1) parking space per 300 square feet of office and one (1) parking space per 1,000 square feet of warehouse space. The property is situated within the Aldi Park Planned Industrial District (PID) and located at 1131, 1141, 1151 and 1161 N. State Road 7.

The following are the Variance Criteria Village Code Sec. 23-53 (a) (1) for allowing the Village Council to grant variances to the parking code. Also included below are the Applicants responses to these criteria.

- Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings subject to similar requirements;

Applicants Response: The tenant requires the building size and meets the intended use of land in this area.

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- The special conditions and circumstances do not result from the actions of the applicant;

Applicants Response: The special conditions and circumstances do not result from the Applicants actions. The Applicant did not cause and has had no control over the events that have driven the need to construct industrial/distribution buildings.

- Granting the variance request will not confer on the applicant any special privileges that are denied by this Code to other lands, buildings or structures similarly situated;

Applicants Response: The tenant’s business is a unique model that meets the intended use of the building. Granting the variance will not be a special privilege, rather it will allow the Applicant to compete on an equal footing with other industrial properties in today’s competitive market.

- A literal interpretation of the provisions in this Code would deprive the applicant of rights commonly enjoyed by other properties similarly situated under the terms of this Code and would work unnecessary and undue hardship on the applicant;

Applicants Response: The literal interpretation of the provisions of this division would deprive the Applicant of the right to provide industrial space to a unique tenant that is geared toward the needs of today’s similar business model industrial tenants.

- The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

Applicants Response: The applicant is only asking for approval of the deficient parking for the particular tenant space in question. The remaining building use will meet the code requirements.

- The grant of the variance will be in harmony with the general intent and purpose of this division; and

Applicants Response: Permitting this variance will allow the Applicant to meet the parking needs of a long term local business without impacting other businesses on-site.

- Such variance will not be injurious to the area involved or otherwise be detrimental to the public welfare.

Applicants Response: Granting this variance will not be injurious to the surrounding area or otherwise detrimental to the public welfare. The code deficient parking will have no effect on the surrounding buildings most of which are commercial in nature. There is sufficient parking provided for the tenant based on their historical needs as a local business.

Based on the information provided, Village Staff does not support the variance request as the granting of the variance would confer special privileges denied to other residents in similar circumstances, no special conditions and circumstances are applicable to the subject property, and the request is needed due to actions of the applicant as it relates to the proposed “Restaurant with drive-through”.

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The Planning and Zoning Commission considered Application No. 23-156 on January 23, 2024 and recommended Approval by a vote of 5-0.

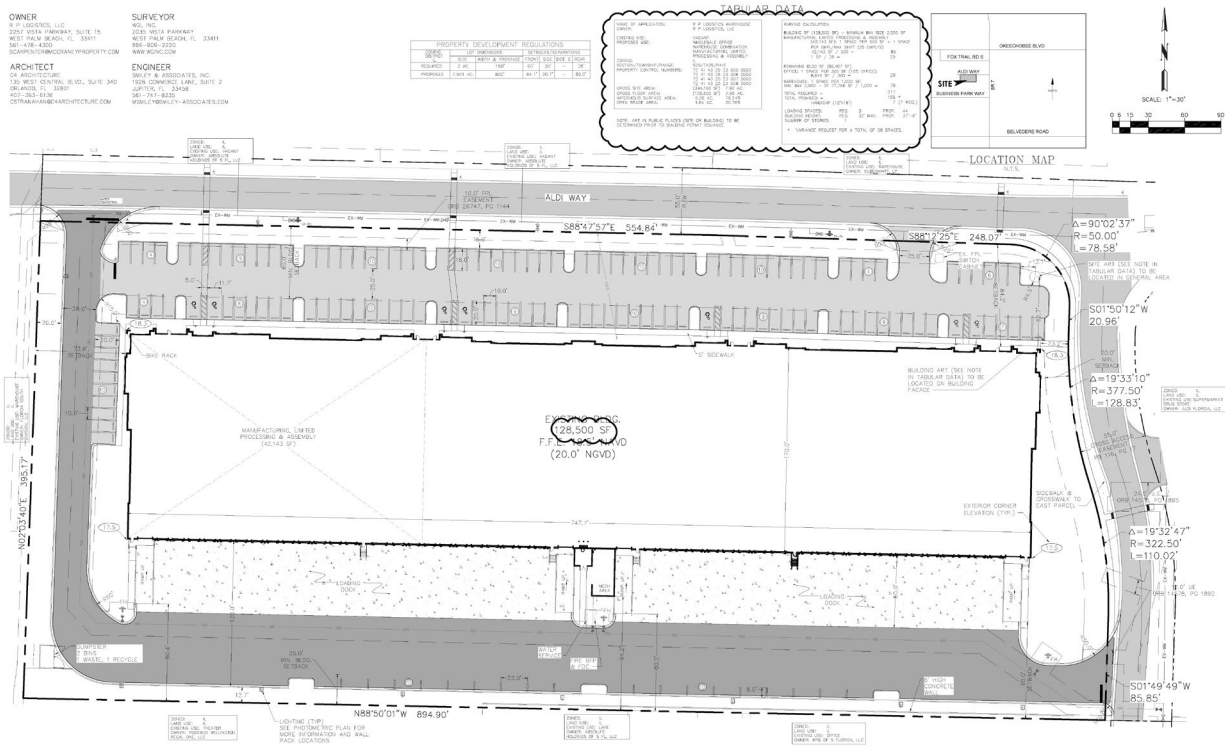
Recommended Action:

Staff is recommending Denial of Application No. 23-156 (PVAR) and Variance Order VC-23-08.

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Attachment A
RP Logistics
Application No. 23-156 (PVAR)
VC-23-08

Directly below is an illustration of the site plan with requested variance.



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**ORDER OF THE VILLAGE COUNCIL
VILLAGE OF ROYAL PALM BEACH
Chapter 23. Traffic and Vehicles**

**CASE NO. VC-23-08
IN RE: Application No. 23-156(PVAR)
RP Logistics Parking @ 1131, 1141, 1151 and 1161 N. State Road 7**

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, 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 IL—Industrial Limited Zoning 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 a **Variance** from Royal Palm Beach Code of Ordinances at the following sections: Sec. 23-51(2)j. to allow only 159 parking spaces where Village Code requires 217 parking spaces, for a variance of 58 parking spaces.
3. Under the provisions of Sec. 23-53(a)(1) of the Village Code of Ordinances, the Village Council has the right, power and authority to act upon the application herein made.
4. In the judgment of the Village Council, the public welfare will best be served by **APPROVING** the application.
5. **IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED** by the Royal Palm Beach Village Council as follows:
6. The application for **Variance, VC-23-08**, with reference to the above-mentioned property in the Village of Royal Palm Beach, Florida to permit variances to the following Code Sections:
Sec. 23-51(2)j. to allow only 159 parking spaces where Village Code required 217 parking spaces, for a variance of 58 parking spaces
is hereby **Approved** in accordance with the Village Code of Ordinances for the following reasons:

**The applicant meets the following standards set forth in Section 23-53 (a) (1).
of the Village Code of Ordinances.**

1. Special conditions and circumstances exist;
2. Special Circumstances are not the result of actions of the applicant;
3. No special privilege is conferred;
4. Literal interpretation would constitute an unnecessary and undue hardship;
5. This is minimum variance for reasonable use of land;
6. Is in harmony with the intent and purpose of this division; and
7. Will not be injurious to area or detrimental to the public welfare.

Done and ordered this 15th day of February, 2024.

Mayor Fred Pinto
Village of Royal Palm Beach

Attest:

Diane DiSanto, Village Clerk

Exhibit A
Legal Description
Application No. 23-156(PVAR)
RP Logistics Parking @ 1131, 1141, 1151 and 1161 N. State Road 7

Legal Description:

Parcels 5, 6, 7 and 8, ALDI PARK, according to the Plat thereof, recorded in Plat Book 116, Page 17, of the Public Records of Palm Beach County, Florida.