

Agenda Item # R - 8

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION 23-063 (SPM, AAR), AN APPLICATION BY KINGSWOOD ACADEMY – ROYAL PALM, AND ADOPTION OF RESOLUTION 23-38 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING A SITE PLAN MODIFICATION AND ARCHITECTURAL & AESTHETIC REVIEW APPROVAL FOR THE CONVERSION OF A VACANT RETAIL BUILDING INTO A CHILD DAY CARE CENTERS WITH MODIFICATIONS TO THE BUILDING PAINT, COLOR, LANDSCAPE ADDITIONS AND SIGNAGE, FOR PROPERTY LOCATED AT 10245 OKEECHOBEE BOULEVARD WITHIN THE COBBLESTONE VILLAGE SHOPPING CENTER.

Issue:

The applicant, Kingswood Academy – Royal Palm, on behalf of Globex Investments Group V LLC, is requesting Major Site Plan Modification and Architectural & Aesthetic Review Approval for the conversion of a vacant retail building into a Child Day Care Centers with modifications to the building paint color, landscape additions and signage. The property is property located at 10245 Okeechobee within the Cobblestone Village Shopping Center and situated within the General Commercial (CG) Zoning District.

Overall, the proposed Site Plan improvements meet all of the Village’s requirements for this type of use in the General Commercial (CG) Zoning District.

The Planning and Zoning Commission considered this application on September 18, 2023 and recommended _____ by a vote of X-X.

Recommended Action:

Staff is recommending Approval of Application No. 23-063 (SPM, AAR) and Resolution No. 23-38.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	9-21-2023	Action

P:\Fox Property (MUPD_DRI) (06-14) (13-21)\CVS Pharmacy (Kingswood Academy)\23-063 (SPM, AAR) Kingswood Academy\Board Documents\AIS & Staff Report\Agenda Item Summary\23-063 (SPM, AAR) Kingswood Academy AIS VC.doc

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Kingswood Academy

Application: 23-063 (SPM, AAR) Res. 23-38

Applicant: Kingswood Academy – Royal Palm
2239 Stotesbury Way
Wellington, FL 33414

Agent: Jon Schmidt
Schmidt Nichols
1551 N. Flagler Drive
West Palm Beach, FL 33401

Request: Major Site Plan Modification and Architectural & Aesthetic Review Approval for the conversion of a vacant retail building into a Child Day Care Centers with modifications to the building paint, color, landscape additions and signage, for property located at 10245 Okeechobee Boulevard within the Cobblestone Village Shopping Center.

Hearings: Planning and Zoning Commission: September 18, 2023
Village Council: September 21, 2023

Recommendation: Approval

II. Site Data:

Site Area: 1.09± acres

Property Control Numbers: 72-41-43-24-02-011-0000

Existing Land Use: Vacant CVS Store

Existing FLUM Designation: Commercial (COM)

Existing Zoning District: General Commercial (CG)

Table 1: Adjacent Existing, Future Land Uses, and Zoning

Dir.	Existing Use:	FLUM:	Zoning:
North	Commons Shopping Center	Commercial (COM)	General Commercial (CG)
South	Gas Station	Commercial (COM)	General Commercial (CG)
East	Gas Station	Commercial (COM)	General Commercial (CG)
West	Porto Sol	Single Family (SF)	Planned Unit Development (PUD)

Directly below is a map showing the location of the site:



III. Intent of Petition:

The applicant, Kingswood Academy – Royal Palm, on behalf of Globex Investments Group V LLC, is requesting Major Site Plan Modification and Architectural & Aesthetic Review Approval for the conversion of a vacant retail building into a Child Day Care Centers with modifications to the building paint color, landscape additions and signage. The property is located at 10245 Okeechobee within the Cobblestone Village Shopping Center and situated within the General Commercial (CG) Zoning District.

IV. History:

This site is part of the overall Fox Property Development of Regional Impact (DRI), which was the subject of a mediated settlement agreement with Palm Beach County. The subject property is located on the north side of Okeechobee Blvd, west of State Road 7. The property was annexed into the Village boundaries by the adoption of Ordinance 767 on December 21, 2006. The property was assigned a Commercial (COM) Land Use designation through the adoption of Ordinance 774 by Village Council on February 15, 2007. The property was subsequently rezoned to the General Commercial (CG) Zoning District through the adoption of Ordinance 775 on April 5, 2007.

V. Analysis:

The applicant, Kingswood Academy – Royal Palm, on behalf of Globex Investments Group V LLC, is requesting Major Site Plan Modification and Architectural & Aesthetic Review Approval for the conversion of a vacant retail building into a Child Day Care Centers with modifications to the building paint color, landscape additions and signage. The property is property located at 10245 Okeechobee within the Cobblestone Village Shopping Center and situated within the General Commercial (CG) Zoning District.

The Applicant is proposing to redevelop the existing building formerly a 11,200 square foot CVS into a Child Day Care Center that will serve 240 children and have 24 staff members at maximum work shift. The proposed improvement include reconfiguring the drive-through, excess parking spaces, and a circulation drive into a 16,000 square foot outdoor play area. The outdoor play area will be treated with artificial turf and include a tot lot, a splash pad, little tike car track, jungle gym and shade canopies and wash stations. The current dumpster will be relocated from the northwest to the northeast and will include a new enclosure as well as landscape treatments. For an illustration of the Site Plan, please refer to **Attachment C**. For an illustration of the Landscape Plan please refer to **Attachment D**.

The Applicant is also requesting Architectural approval for the building modifications, signage, and Landscape Plan. Please refer to Attachment E for an illustration of the building modification, Attachment D for an illustration of the Landscape Plan, and Attachment E for an illustration of the proposed signage.

In reviewing this application, Village Staff considered conformity with Chapter 26 of the Village's Code of Ordinances. Specifically, the proposed project meets the requirements for the General Commercial (GC) Zoning District, and Section 26-61 *Planned commercial developments*, as outlined below:

1. Parcel size: The site contains 1.09± acres, which exceeds the minimum area required for CG-designated property of 40,000 square feet.
2. Parcel width: The site is 308 feet wide, which exceeds the minimum parcel width of 150 feet of frontage.
3. Setbacks: The proposed building meets the setback for the zoning district.
4. Pervious area: The proposed Site Plan meets or exceeds the pervious area requirements.
5. Parking Requirements: The proposed Site Plan meets the parking standards of the Village Code.
6. Landscape Areas: The proposed landscape plan meets all of the minimum planting material standards of Chapter 15 Landscaping.

7. Maximum Building Height: The proposed buildings do not exceed the maximum height regulations of the General Commercial (CG) Zoning District.

Overall, the proposed Site Plan improvements meet all of the Village's requirements for this type of use in the General Commercial (CG) Zoning District.

VI. Disposition Options:

Recommend: Approval of the application;
Denial of the application.

VII. Staff Recommendation:

Staff is recommending Approval of Application No. 23-063 (SPM, AAR) and Resolution No. 23-38.

VIII. Hearing History:

Planning and Zoning Commission:

The Planning and Zoning Commission considered this application on September 18, 2023 and recommended _____ by a vote of X-X.

**Attachment A
Legal Description
Kingswood Academy
Application No. 23-063 (SPM, AAR)
Resolution No. 23-38**

Directly below is the Legal Description:

LEGAL DESCRIPTION

That certain land situated in the County of Palm Beach, State of Florida, and described as follows:

Tract A of Southern Palm Crossing, according to the Plat thereof as recorded in Plat Book 107, Pages 185 through 188, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the following parcel conveyed to the State of Florida Department of Transportation by the deed recorded in Official Records Book 23291, Page 1637, of the Public Records of Palm Beach County, Florida:

A portion of Tract "A", Southern Palm Crossing, according to the Plat thereof as recorded in Plat Book 107, Pages 185 through 188, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Tract "A"; thence South 88 degrees 17 minutes 03 seconds East, along the South line of said Tract "A", a distance of 270.02 feet to the Point of Beginning of herein described parcel of land; thence North 46 degrees 34 minutes 56 seconds East, a distance of 12.79 feet; thence South 88 degrees 25 minutes 04 seconds East, a distance of 351.98 feet; thence South 73 degrees 50 minutes 36 seconds East, a distance of 36.00 feet to a point on the South line of said Tract "A"; thence North 88 degrees 27 minutes 53 seconds West, along said South line, a distance of 287.82 feet; thence continue along said South line, North 88 degrees 17 minutes 03 seconds West, a distance of 108.05 feet to the Point of Beginning.

Bearings shown hereon are based on the West line of said Plat, said line bearing North 01 degrees 19 minutes 16 seconds East and all other bearings being relative thereto.

Attachment B
Conditions of Approval
Kingswood Academy
Application No. 23-063 (SPM, AAR)
Resolution No. 23-38

1. Development Order:

This development order constitutes approval for:

Major Site Plan Modification and Architectural & Aesthetic Review Approval for the conversion of a vacant retail building into a Child Day Care Centers with modifications to the building paint color, landscape additions and signage, for a property located at 10245 Okeechobee Boulevard.

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.

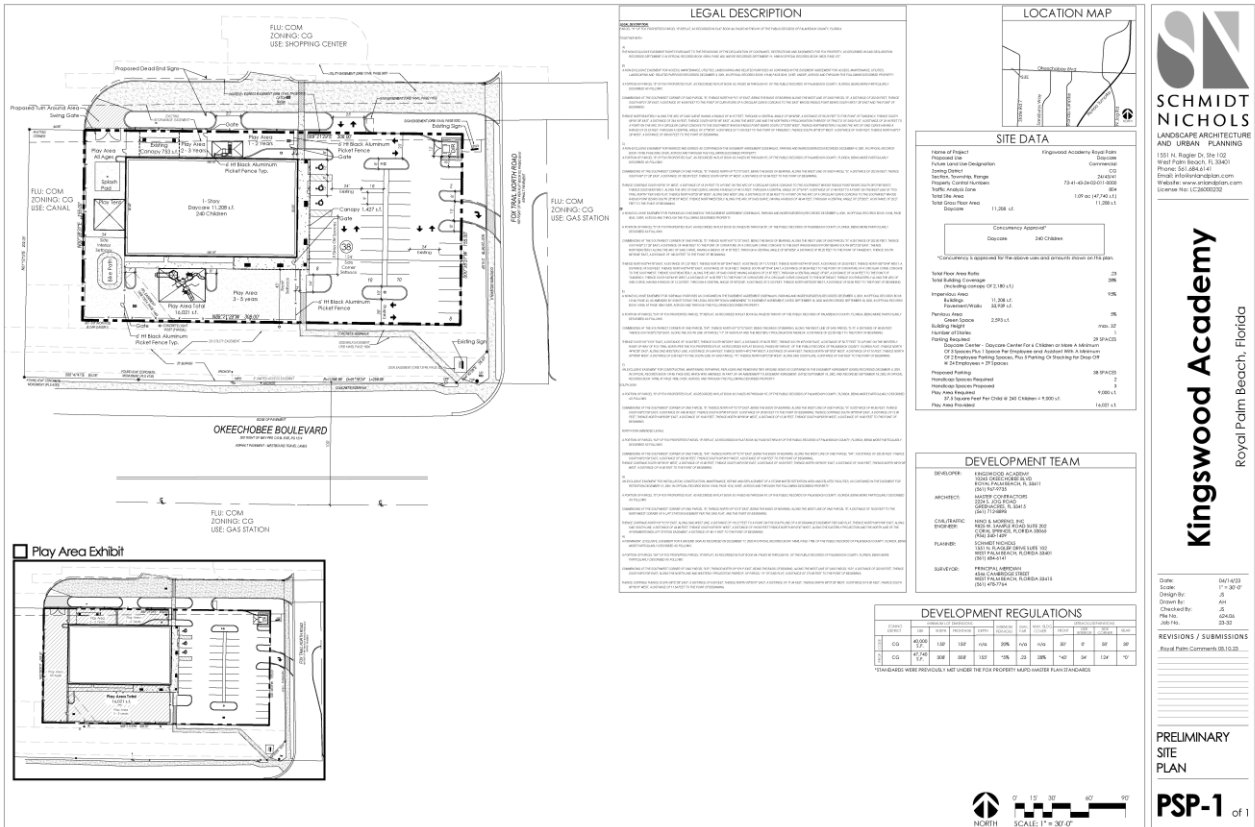
2. Site Specific Conditions:

- A. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- B. The site shall be maintained free of all trash at all times.
- C. The signs shall meet all of the dimensional requirements of Village Code.

3. Landscaping Conditions:

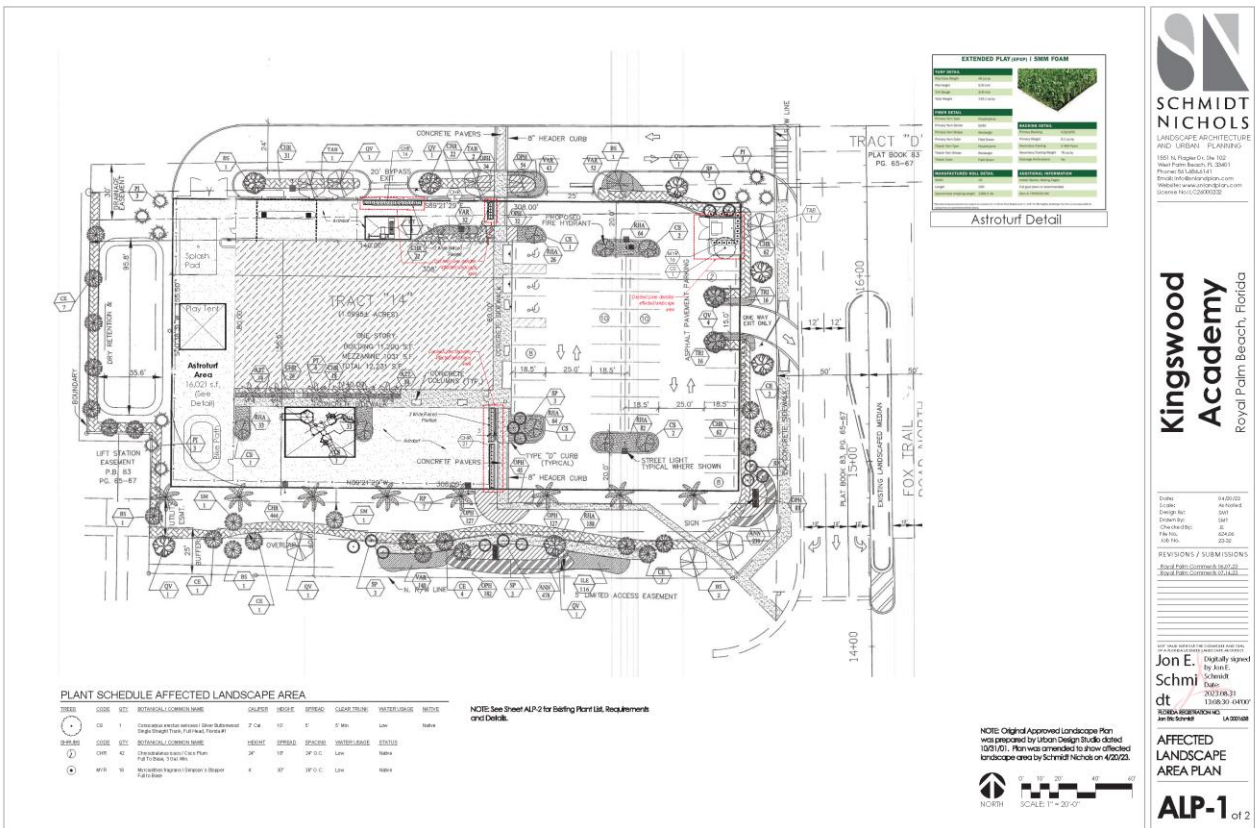
- A. The property owner or association shall be responsible for the maintenance of landscaping in adjacent public and private roads up to the edge of pavement and waters edge.
- B. Vegetation removal shall not commence until a vegetation removal permit have been issued.
- C. All shrub materials shown on the proposed 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.
- D. The practice of "hat racking" 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, 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.
- E. All exotic invasive species of plants shall be removed from the site prior to commencement of installing the required landscaping.

Directly below is an illustration of the Site Plan:



Attachment D Landscape Plan Kingswood Academy Application No. 23-063 (SPM, AAR) Resolution No. 23-38

Directly below is an illustration of the Landscape Plan:



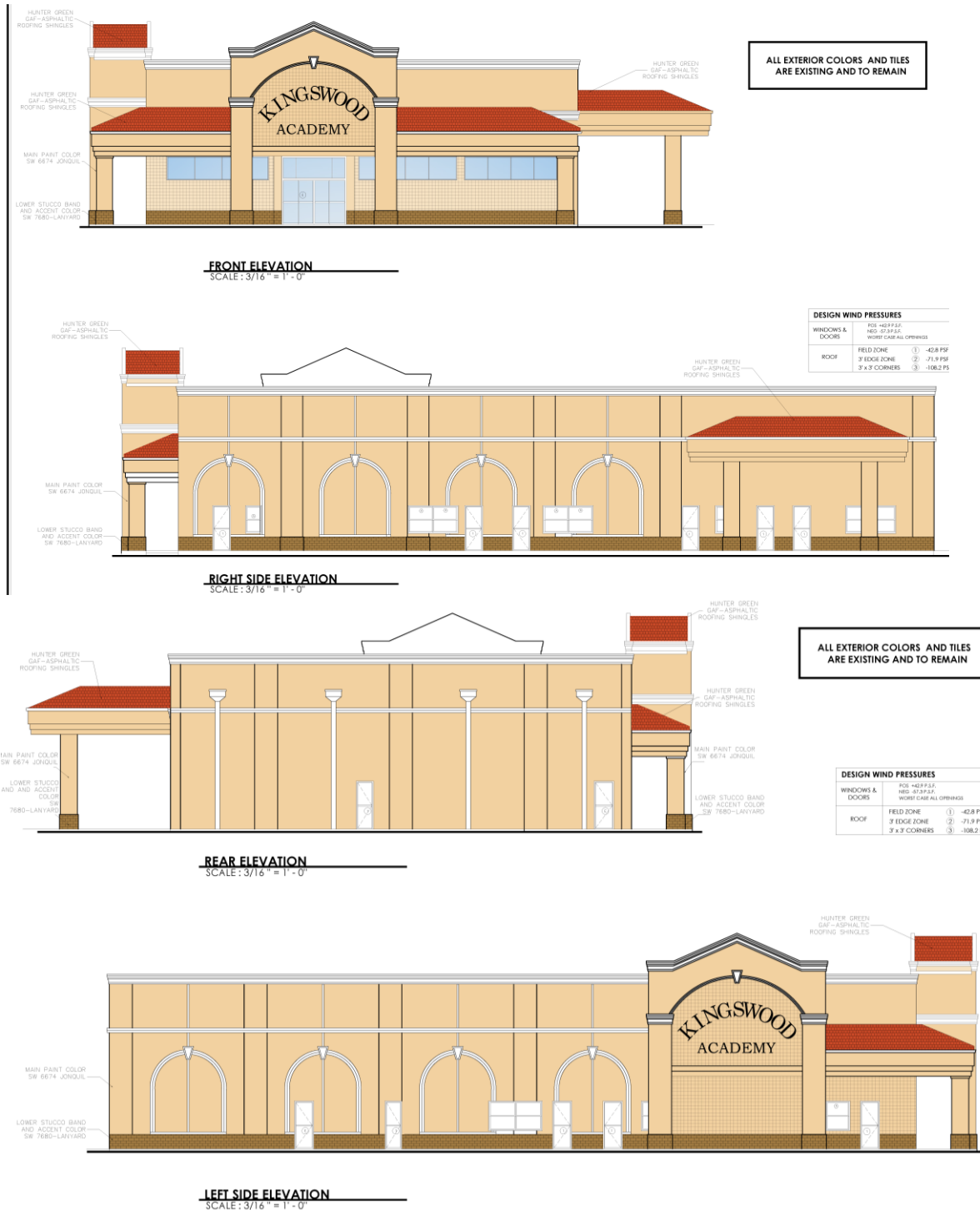
Attachment E

Kingswood Academy

Application No. 23-063 (SPM, AAR)



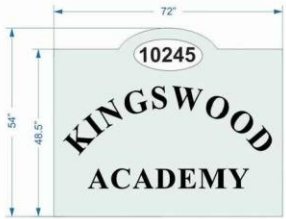


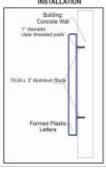

Resolution No. 23-38


Directly below is an illustration of the Architectural Plan:



Attachment E Cont'd
Kingswood Academy
Application No. 23-063 (SPM, AAR)
Resolution No. 23-38

Directly below is an illustration of the Sign Architectural Plan:

DESCRIPTION: existing monument, 2 sided, remove old aluminum faces with acrylic, New aluminum faces with acrylic letters (FACE CHANGE ONLY)		<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td>Allowable= 150' sq.ft</td></tr><tr><td>Sign Size= 54"x72"</td></tr><tr><td>Proposed= 27' sq. Ft.</td></tr><tr><td>Existing=</td></tr><tr><td>Elevation=</td></tr></table>	Allowable= 150' sq.ft	Sign Size= 54"x72"	Proposed= 27' sq. Ft.	Existing=	Elevation=
Allowable= 150' sq.ft							
Sign Size= 54"x72"							
Proposed= 27' sq. Ft.							
Existing=							
Elevation=							
<p>Proposed</p> 	<p>Existing</p> 	<ul style="list-style-type: none">■ 3/16" WHITE ACRYLIC OVERLAID WITH DAYNIGHT VINYL■ 0.090 ALUMINUM FACE PAINTED■ 3/16" WHITE ACRYLIC OVERLAID WITH BLACK VINYL CUT					
							
	<p>Description: Pin mounted formed plastic letters to be mounted on front of the building on concrete facade</p> <ul style="list-style-type: none">● Black formed plastic letters	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td>Allowable= 113' sq.ft</td></tr><tr><td>Sign Size= 21.89'x13.89' / 8.08'x41.78'</td></tr><tr><td>Proposed= 40.57 sq. Ft.</td></tr><tr><td>Existing=</td></tr><tr><td>Elevation=</td></tr></table>	Allowable= 113' sq.ft	Sign Size= 21.89'x13.89' / 8.08'x41.78'	Proposed= 40.57 sq. Ft.	Existing=	Elevation=
Allowable= 113' sq.ft							
Sign Size= 21.89'x13.89' / 8.08'x41.78'							
Proposed= 40.57 sq. Ft.							
Existing=							
Elevation=							
		<p>Pin Mounted Formed Plastic Letters</p> <p>DESCRIPTION: LETTERS ARE FORMED PLASTIC WITH 10-24 X12" ALUMINUM STUDS</p> <p>Threaded aluminum studs will be mounted to 1" clear threaded posts. The posts are bonded to the letters with a clear heat bond (methylethylacrylate). The aluminum studs will be embedded into the concrete structure 1 1/2" deep using silicone or liquid nails.</p> <div style="display: flex; justify-content: space-around;"><div style="text-align: center;"><p>"SIDE VIEW OF FORM LETTERS INSTALLATION"</p></div><div style="text-align: center;"><p>"FRONT VIEW"</p></div></div>					


THE CONSTRUCTION AND
ARCHITECTURE GROUP, INC.
20410204 N. US HWY. 101, SUITE 100, TAMPA, FL 33613
Phone: (813) 944-0000 Fax: (813) 944-0001

DATE
JANUARY 19, 23

BLDG. DEPT.
FAR
REVISIONS:

	BY	DATE	REVISION
1			
2			
3			

10245 OKEECHOBEE BLVD.
10245 OKEECHOBEE BLVD.
TAMPA, FL 33613
Phone: (813) 944-0000 Fax: (813) 944-0001

OTHER DETAIL
DRAWN BY: JG
CHECKED BY: JG
REVIEWED BY: JG

SHEET
A-5

RESOLUTION NO. 23-38

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 23-063 (SPM, AAR) – THE APPLICATION OF SCHMIDT NICHOLS - PERTAINING TO A SITE PLAN MODIFICATION AND ARCHITECTURAL APPROVAL FOR THE CONVERSION OF A VACANT RETAIL BUILDING INTO A CHILD DAY CARE CENTER WITHIN THE GENERAL COMMERCIAL ZONING DISTRICT ON A 1.09± ACRE PARCEL OF LAND LOCATED AT 10245 OKEECHOBEE 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. 23-063 (SPM, AAR) was presented to the Village Council at its public hearing conducted on September 21, 2023; 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. 23-063 (SPM, AAR), THE APPLICATION OF SCHMIDT NICHOLS, 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 and site plan depiction:

PLEASE SEE EXHIBIT “B” and “C” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 21st day of September, 2023.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Kingswood Academy @ 10245 Okeechobee Boulevard
Application No. 23-063 (SPM, AAR)
Resolution No. 23-38

LEGAL DESCRIPTION:

LEGAL DESCRIPTION

That certain land situated in the County of Palm Beach, State of Florida, and described as follows:

Tract A of Southern Palm Crossing, according to the Plat thereof as recorded in Plat Book 107, Pages 185 through 188, of the Public Records of Palm Beach County, Florida, LESS AND EXCEPT the following parcel conveyed to the State of Florida Department of Transportation by the deed recorded in Official Records Book 23291, Page 1637, of the Public Records of Palm Beach County, Florida:

A portion of Tract "A", Southern Palm Crossing, according to the Plat thereof as recorded in Plat Book 107, Pages 185 through 188, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Tract "A"; thence South 88 degrees 17 minutes 03 seconds East, along the South line of said Tract "A", a distance of 270.02 feet to the Point of Beginning of herein described parcel of land; thence North 46 degrees 34 minutes 56 seconds East, a distance of 12.79 feet; thence South 88 degrees 25 minutes 04 seconds East, a distance of 351.98 feet; thence South 73 degrees 50 minutes 36 seconds East, a distance of 36.00 feet to a point on the South line of said Tract "A"; thence North 88 degrees 27 minutes 53 seconds West, along said South line, a distance of 287.82 feet; thence continue along said South line, North 88 degrees 17 minutes 03 seconds West, a distance of 108.05 feet to the Point of Beginning.

Bearings shown hereon are based on the West line of said Plat, said line bearing North 01 degrees 19 minutes 16 seconds East and all other bearings being relative thereto.

Exhibit B
Conditions of Approval
Kingswood Academy @ 10245 Okeechobee Boulevard
Application No. 23-063 (SPM, AAR)
Resolution No. 23-38

1. Development Order:

This development order constitutes approval for:

Major Site Plan Modification and Architectural & Aesthetic Review Approval for the conversion of a vacant retail building into a Child Day Care Centers with modifications to the building paint color, landscape additions and signage, for a property located at 10245 Okeechobee Boulevard.

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. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- B. The site shall be maintained free of all trash at all times.
- C. The signs shall meet all of the dimensional requirements of Village Code.

3. Landscaping Conditions:

- A. The property owner 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.
- B. Vegetation removal shall not commence until a vegetation removal permit have been issued.
- C. All shrub materials shown on the proposed 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.
- D. The practice of "hat racking" 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, 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.
- E. All exotic invasive species of plants shall be removed from the site prior to commencement of installing the required landscaping.

Directly below is an illustration of the Site Plan.

