

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

Agenda Item:

PUBLIC HEARING FOR CONSIDERATION OF APPLICATION NO. 19-100 (MCIC) AN APPLICATION BY LENNAR HOMES, LLC AND ADOPTION OF RESOLUTION NO. 19-37 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING A MODIFICATION TO A COUNCIL IMPOSED CONDITION (MCIC) TO ALLOW FOR AN AMENDED PHASING PLAN REGARDING THE TIMING OF THE CONSTRUCTION FOR THE RECREATION SITE, FOR A 385-UNIT SINGLE-FAMILY RESIDENTIAL PLANNED UNIT DEVELOPEMT (PUD) LOCATED AT THE NORTHWEST QUADRANT OF CRESTWOOD BOULEVARD AND THE M-1 CANAL.

Issue:

The Applicant is requesting a Modification to a Council Imposed Condition (MCIC) to amend previously approved Condition 2.I to increase the number of certificates of occupancy that can be issued prior to the completion of the recreation facilities. This amendment will allow for the construction of the Recreation Site prior to the issuance of the 281st Certificate of Occupancy. Currently, the Council Imposed Condition requires that the Recreation Site be constructed prior to the issuance of the 151st Certification of Occupancy. The original approval of the Site Plan, Resolution 16-25 required that the Recreation Site be constructed prior to the completion of the Phase I which included the 193 homes south of Whitcombe Drive. Resolution 17-24 was approved by Council amending Resolution 16-25 to require the Recreation Site to be completed prior to issuance of the 151st Certificate of Occupancy.

The Applicant received a Building Permit on September 13, 2019 to construct the Recreation Site and is currently under construction.

Village Staff is recommending Approval to modify Council Imposed Condition 2.I. to require that the Recreation Facilities be completed and a Certificate of Occupancy be issued for the Club House prior to the issuance of a Certificate of Occupancy for the 281st home.

Recommended Action:

Recommend approval of Application 19-100 (MCIC) through the adoption of Resolution 19-37.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	12-19-19	Action

RESOLUTION NO. 19-37

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 19-100(MCIC), THE APPLICATION OF LENNAR HOMES, LLC, PERTAINING TO MODIFICATION OF A COUNCIL IMPOSED CONDITION ATTACHED TO RESOLUTION NO. 17-24 IN ORDER TO ALLOW FOR AMENDMENT TO THE PHASING PLAN REGARDING THE TIMING OF CONSTRUCTION FOR THE RECREATION SITE, FOR A 385-UNIT SINGLE-FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) LOCATED AT THE NORTHWEST QUADRANT OF CRESTWOOD BOULEVARD AND THE M-1 CANAL, 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. 19-100 (MCIC) was presented to the Village Council at its public hearing conducted on December 19, 2019; and

WHEREAS, the Applicant specifically seeks a modification to Council-Imposed Condition No. 2.I. of Resolution No. 17-24 so that the recreation facilities for the project will now be completed and a certificate of occupancy issued prior to the issuance of a certificate of occupancy for the 281st home within the development; 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. 19-100(MCIC), THE APPLICATION OF LENNAR HOMES, LLC, ON A PARCEL OF

LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 19th day of December, 2019.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Lennar Homes, LLC
Application 19-100(MCIC)
Res. 19-37

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA. SAID PARCEL ALSO BEING A PORTION OF TRACT B, PLAT OF SECTION 15, NORTHEAST QUARTER ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 107, PAGES 173 AND 174, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND ALL OF TRACTS C & D, PLAT OF SARATOGA AT ROYAL PALM PLAT I, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 61, PAGES 66 THROUGH 74, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHEAST CORNER OF SAID PLAT OF SECTION 15, NORTHEAST QUARTER: THENCE S86°37'42"W A DISTANCE OF 1.33 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE PALM BEACH CANAL (C.P.B. 20) HAWTHORN SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 30, PAGES 104 THROUGH 114, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S1°50'26"W ALONG SAID WEST RIGHT-OF-WAY LINE AND THE EAST LINE OF SECTION 15, ACCORDING TO SAID PLAT A DISTANCE OF 1373.39 FEET TO A PERMANENT REFERENCE MONUMENT STAMPED P.L.S. 2125; THENCE CONTINUE S1°50'26"W ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 1373.65 FEET TO THE EAST QUARTER CORNER OF SECTION 15, ACCORDING TO SAID PLAT OF HAWTHORN SUBDIVISION; THENCE S86°44'30"W ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 15, ACCORDING TO THE SAID PLAT OF HAWTHORN SUBDIVISION, A DISTANCE OF 1.25 FEET; THENCE S1°49'08"W ALONG THE EAST LINE OF SAID TRACT C, SARATOGA AT ROYAL PALM PLAT I, A DISTANCE OF 125.17 FEET; THENCE N87°57'54"W ALONG THE SOUTH LINE OF SAID TRACT C, A DISTANCE OF 151.20 FEET; THENCE CONTINUE ALONG SAID SOUTH LINE N89°27'35"W, A DISTANCE OF 634.16 FEET TO A POINT OF CURVATURE, CONCAVE TO THE SOUTH WITH A RADIUS OF 1435.23 FEET AND A CENTRAL

**Exhibit A Continued
Legal Description
Lennar Homes, LLC
Application 19-100(MCIC)**

ANGLE OF 33°51'01"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTH LINE OF TRACT C AND TRACT D OF SAID SARATOGA AT ROYAL PALM PLAT I, A DISTANCE OF 847.93 FEET; THENCE DEPARTING SAID CURVE N3°16'48"W ALONG THE WEST LINE OF SAID TRACT D, A DISTANCE OF 261.31 FEET; THENCE S86°43'12"W ALONG THE NORTH LINE OF LOTS 10, 11, 12, 14, 15, 16, 24, 25 AND 26, SAID PLAT OF SARATOGA AT ROYAL PALM PLAT I, A DISTANCE OF 1039.92 FEET; THENCE N2°00'11"E ALONG THE EAST LINE OF SAID SARATOGA AT ROYAL PALM BEACH PLAT I, A DISTANCE OF 735.88 FEET; THENCE N2°06'47"E ALONG THE EAST LINE OF TRACT "P2" SARATOGA AT ROYAL PALM PLAT NO II, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 74, PAGES 147 THROUGH 151, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 245.61 FEET; THENCE CONTINUE N2°06'47"E ALONG THE EAST LINE OF SARATOGA AT ROYAL PALM PLAT IV, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 116 THROUGH 120, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 1758.94 FEET TO A POINT ON THE NORTH LINE OF SAID PLAT OF SECTION 15 NORTHEAST QUARTER; THENCE N86°37'42"E ALONG SAID NORTH LINE A DISTANCE OF 2638.50 FEET TO A POINT OF BEGINNING;

LESS AND EXCEPT THEREFROM ALL OF TRACT A, PLAT OF SECTION 15, NORTHEAST QUARTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 107, PAGES 173 AND 174, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

AND, ALSO LESS AND EXCEPT THE CELL TOWER SITE; A PORTION OF TRACT B, SECTION 15,