

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION 17-0005 (13-18 UU) (MP, SE) AN APPLICATION BY URBAN DESIGN KILDAY STUDIOS, AND RESOLUTION 19-13 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING MASTER PLAN APPROVAL AND SPECIAL EXCEPTION USE APPROVAL FOR A PLANNED COMMERCIAL\RESIDENTIAL DEVELOPMENT (PCD) LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 (U.S. 441); BY AGENT: ERIN WOHLITKA, URBAN DESIGN KILDAY STUDIOS.

Issue:

The Applicant is requesting Master Plan Approval and Special Exception Use Approval for a 156.258± acre property in order to provide a representation of the Applicant’s overall vision for the development. In addition, the Applicant is seeking a Special Exception Use approval for a Planned Commercial/Residential Development (PCD). The Master Plan contains six (6) Pods, two (2) of which are proposed to be developed as multi-family residential; two (2) of which are proposed to be developed as commercial uses; one (1) of which is proposed to be developed as single-family residential; and one (1) of which will be deeded to the Village for use as a public park. The development also includes a tract that will be developed as an internal roadway.

The Planning and Zoning Commission considered the Application on October 22, 2019, and recommended Approval by a vote of 4-0.

Recommended Action:

Staff is recommending Approval of Application 17-0005 (13-18UU) (MP, SE) and Resolution 19-13.

Initiator	Village Manager	Agenda Date	Village Council
P & Z Director	Approval	12-19-2019	Action

RESOLUTION NO. 19-13

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 17-0005 (13-18UU) (MP, SE) – THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS – PERTAINING TO MASTER PLAN APPROVAL FOR A 156.258± ACRE SITE AND SPECIAL EXCEPTION APPROVAL FOR A PLANNED COMMERCIAL/RESIDENTIAL DEVELOPMENT LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7 (U.S. 441), 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. 17-0005 (13-18UU) (MP, SE) was presented to the Village Council at its public hearing conducted on November 21, 2019; 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. 17-0005 (13-18UU) (MP, SE), THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS, 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 19th day of December, 2019.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Southern Boulevard Properties
17-0005 (13-18UU) (MP, SE)
Res. No. 19-13

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SHOPPES AT VILLAGE ROYALE AS RECORDED IN PLAT BOOK 124, PAGES 68 THROUGH 71, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING A PORTION OF THE PLAT OF PALM BEACH FARMS PLAT NO.3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN A PORTION OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, AND SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN THE MUNICIPAL LIMITS OF THE VILLAGE OF ROYAL PALM BEACH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 36, N89°00'03"W, A DISTANCE OF 234.75 FEET; THENCE LEAVING SAID SOUTHERLY SECTION LINE, S01°37'59"W A DISTANCE OF 40.00 TO THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4E CANAL (114' WIDE RIGHT-OF-WAY) AS RECORDED IN OFFICIAL RECORD BOOK 2659, PAGE 109 AND OFFICIAL RECORD BOOK 937, PAGE 375, WITH THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO.7 (U.S. HIGHWAY NO. 441) AS RECORDED IN OFFICIAL RECORD BOOK 5308, PAGE 199, OFFICIAL RECORD BOOK 5345, PAGE 591, AND OFFICIAL RECORD BOOK 10084, PAGE 365, AND BEING THE POINT OF BEGINNING; SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE PLAT OF GROVES AT ROYAL PALM, AS RECORDED IN PLAT BOOK 100, PAGES 158-160 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG THE NORTHERLY LINE OF SAID PLAT, ALSO BEING THE SOUTHERLY LINE OF SAID LWDD CANAL S-4E, N89°00'03"W A DISTANCE OF 1262.03 FEET; THENCE LEAVING SAID LINE, N01°05'13"W A DISTANCE OF 114.08 FEET TO A POINT ON THE NORTHERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4E CANAL (80' WIDE RIGHT-OF-WAY) AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGES 375, AND 382 AND AUXILIARY POINT A; THENCE ALONG SAID NORTHERLY LINE, S89°03'00"E A DISTANCE OF 1264.80 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO.7; THENCE ALONG SAID RIGHT-OF-WAY LINE S00°18'24"W A DISTANCE OF 114.01 TO THE POINT OF BEGINNING.

THENCE FROM AUXILIARY POINT A, N89°00'03"W A DISTANCE OF 14.46 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 160.00 FEET AND A CENTRAL ANGLE OF 14°27'44"; THENCE ALONG AND WITH SAID CURVE FOR A DISTANCE OF 40.39 FEET TO THE POINT OF TANGENCY; THENCE N74°32'19"W A DISTANCE OF 26.92 FEET; THENCE S01°05'13"E A DISTANCE OF 45.81 FEET; THENCE N89°00'04"W A DISTANCE OF 1096.91 FEET; THENCE S01°50'51"W A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH LINE OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE ALONG SAID SOUTH LINE N88°59'05"W A DISTANCE OF 572.85 FEET; THENCE LEAVING SAID SOUTH LINE S01°50'01"W A DISTANCE OF 900.85 FEET; THENCE S88°57'45"E A DISTANCE OF 572.63 FEET TO A POINT ON THE WEST LINE OF A 80 FOOT WIDE LAKE WORTH DRAINAGE DISTRICT CANAL EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGES 378, 379 AND 382, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WEST LINE S01°50'51"W A DISTANCE OF 723.62 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE 60 FOOT S-4W CANAL FOR LAKE WORTH DRAINAGE DISTRICT AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 374, PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N88°59'05"W A DISTANCE OF 2607.66 FEET TO A POINT ON THE WESTERLY SECTION LINE OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE ALONG SAID WESTERLY SECTION LINE N01°50'01"E A DISTANCE OF 1624.68 FEET TO THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE

WEST LINE OF SAID SECTION 36, N01°30'19"E, A DISTANCE OF 142.27 FEET; THENCE LEAVING SAID WESTERLY SECTION LINE, S88°59'05"E A DISTANCE OF 1252.51 FEET; THENCE N04°44'26"E A DISTANCE OF 550.90 FEET; THENCE N88°59'05"W A DISTANCE OF 348.57 FEET; THENCE N01°30'19"E A DISTANCE OF 471.00 FEET; THENCE S87°52'10"E A DISTANCE OF 656.66 FEET; THENCE N04°06'31"E A DISTANCE OF 85.04 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE WEST PALM BEACH CANAL (C-51) SAID LINE BASED ON A LETTER FROM BLAIR LITTLEJOHN (COUNSEL TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT), TO JERALD CANTON ESQ. DATED NOVEMBER 29, 2000 (VERIFIED BY MEETING WITH SFWMD MARCH 2007); THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S87°52'10"E A DISTANCE OF 1103.60 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE S01°31'44"W A DISTANCE OF 341.89 FEET; THENCE S88°33'11"E A DISTANCE OF 1048.97 FEET TO A POINT ON THE WESTERLY PLAT LINE OF LOWE'S HOME CENTER, AS RECORDED IN PLAT BOOK 87, PAGES 193-195 IN THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE ALONG SAID WESTERLY PLAT LINE S01°05'13"E A DISTANCE OF 790.07 FEET TO AUXILIARY POINT A.

CONTAINING 156.258 ACRES

Exhibit B
Conditions of Approval
Southern Boulevard Properties
17-0005 (13-18UU) (MP, SE)
Res. No. 19-13

1. Development Order:

This development order constitutes approval for the Master Plan and Special Exception Use Approval for a Planned Commercial/Residential Development (PCD) per Sec. 26-61(j) of Village Code with commercial, single-family residential, multi-family residential, and public ownership uses.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All previous conditions of approval associated with this site remain in full force and effect.

2. Site Specific Conditions:

- A. The Master Property Owner's Association shall be created and registered with the State of Florida and the Master Property Owner's Association governing documents (i.e., Declaration of Covenants and Restrictions) shall be recorded prior to Final Master Plat approval for the Planned Commercial/Residential Development (PCD). The governing documents shall be in a form acceptable to the Village Attorney.

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Southern Boulevard Properties Master Plan

Application: 17-0005 (13-18UU) (MP, SE) and Res. 19-13

Agent: Ken Tuma\Erin Wohlitka
Urban Design Kilday Studios
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

Applicant: Ken Tuma\Erin Wohlitka
Urban Design Kilday Studios
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

Request: Master Plan Approval and Special Exception Use Approval for a Planned Commercial/Residential Development (PCD), located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7 (U.S. 441).

Hearings: Planning and Zoning Commission: October 22, 2019
Village Council: December 19, 2019

Recommendation: Approval

II. Site Data:

Site Area: 156.258 acres (±)

Existing Land Use: Single Family Homes

Existing FLUM Designation: Multi-family High (MFH), Single-Family (SF)
Commercial (COM), Open Space (OS)

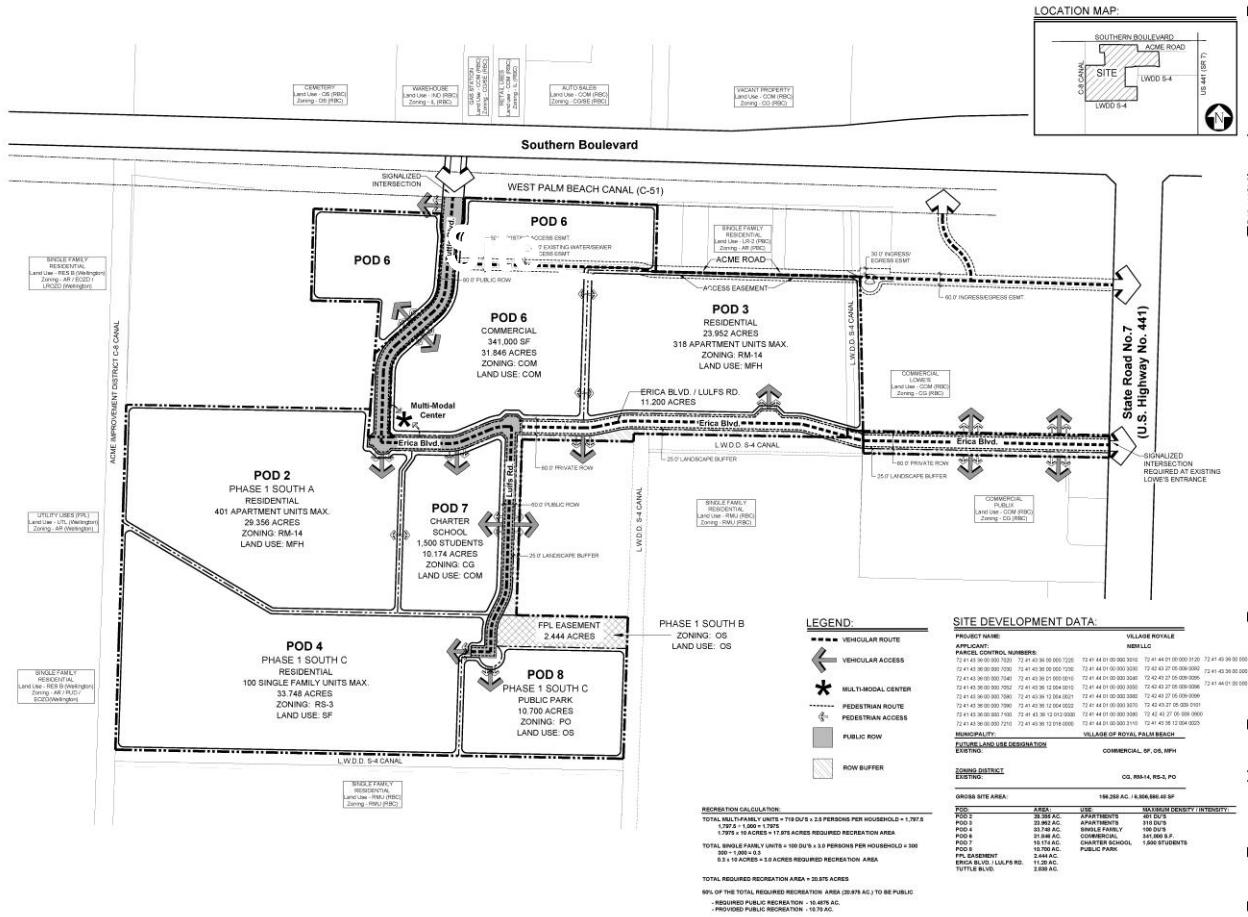
Proposed FLUM Designation: N/A

Existing Zoning District: Multi-family residential (RM-14), Single-family residential (RS-3), General commercial (CG), Public Ownership (PO)

Proposed Zoning: N/A

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
<i>North</i>	Various	Commercial (COM), Open Space (OS), Industrial (IND)	General Commercial (CG), Private Recreation (PR), Industrial Limited (IL)
<i>South</i>	Anthony Groves Residential	Residential Mixed Use (RMU)	Residential Mixed Use (RMU)
<i>East</i>	Lowes, Anthony Groves Residential	Commercial (COM), Residential Mixed Use (RMU)	General Commercial (CG), Residential Mixed Use (RMU)
<i>West</i>	Wellington, Pod 1	Multi-Family High Res. (MFH)	Multi-Family Residential (RM-18)

Figure 1: Location Map of the Master Plan



III. Intent of Petition:

The Applicant is requesting Master Plan Approval, and Special Exception Use Approval for a 156.258± acre property in order to provide a representation of the Applicant’s overall vision for the development. In addition, the Applicant is seeking a Special Exception Use approval for a Planned Commercial/Residential Development (PCD). The Master Plan contains six (6) Pods, two (2) of which are proposed to be developed as multi-family residential; two (2) of which are proposed to be developed as commercial uses; one (1) of which is proposed to be developed as single-family residential; and one (1) of which will be deeded to the Village for use as a public park. The development also includes a tract that will be developed as an internal roadway. For an Illustration showing the Master Plan please refer to **Attachment C**.

IV. History:

The subject property is a 156.258± acre portion, of a larger 208.39-acre tract of land which was annexed into the Village Boundary in three (3) separate phases. The first phase included an 88.40-acre tract of land which was the subject of a voluntary annexation request. The property was annexed into the Village boundaries through the adoption of Ordinance 894 by the Village Council on October 16, 2014. A second phase of annexation included 22.045 acres, which was also annexed voluntarily. The Village Council annexed this tract through

the adoption of Ordinance 918, by Village Council on September 17, 2015. The remaining 97.94 acres was the subject of an involuntary annexation, which was completed through the adoption of Ordinance 919, by Village Council on September 3, 2015. All of the land that is part of the Master Plan was assigned Village Land Use and Zoning Designations over the subsequent years.

V. Analysis:

The Applicant is requesting Master Plan Approval, and Special Exception Use Approval for a 156.258± acre property in order to provide a representation of the Applicant's overall vision for the development. In addition, the Applicant is seeking a Special Exception Use approval for a Planned Commercial/Residential Development (PCD). The Master Plan contains six (6) Pods, two (2) of which are proposed to be developed as multi-family residential; two (2) of which are proposed to be developed as commercial uses; one (1) of which is proposed to be developed as single-family residential; and one (1) of which will be deeded to the Village for use as a public park. The development also includes a tract that will be developed as an internal roadway.

The following is a summation of the Master Plan, which includes the proposed Pods and the uses contained within them, as indicated throughout the individual Pod applications and the Traffic Performance Standard Ordinance (TPSO) letter:

- Pod 2 - Maximum 401 Apartment Units on 29.36 acres;
- Pod 3 – Maximum 318 Apartment Units on 23.95 acres;
- Pod 4 – Maximum 100 Single Family Units on 33.75 acres;
- Pod 6 – Maximum 341,000 square feet of Commercial Uses on 31.85 acres, according to the traffic study that this Pod relies upon, the use/square footage breakdown is: 22,000 ft² of grocery, 13,000 ft² of Pharmacy with drive-through, 5,636 of Convenience Store with eight (8) pump gas islands, 76,500 ft² of Restaurant, 55,000 ft² of General Commercial, 150 room Hotel, 915 Seat Movie Theatre, 33,000 ft² Health Club, 12,000 ft² Daycare Facility, five (5) lane Car Wash, and a Multi-Modal Center;
- Pod 7 – 1,500 Student Charter School on 10.17 acres;
- Pod 8 - 10.7 acre Public Park; and
- Erica Boulevard (aka Phase 4 Lowes Rd) – 11.2 acres of Roadway.

To put the commercial space proposed for this Master Plan into perspective, Staff has provided the acreage and commercial square footages for comparable Master Planned areas of similar nature and they are as follows:

- Delray Marketplace – 32 acres, 320,000 square feet of retail;
- Downtown At The Gardens – 35 acres, 316,2317 square feet of retail; and
- City Place WPB – 23.19 acres, 617,648 square feet of retail.

Traffic Impact Analysis has been undertaken for the site to determine compliance with the County's Traffic Performance Standards Ordinance (TPSO). That analysis includes

evaluations of significantly impacted roadways and intersections. The Applicant has provided a letter dated May 7, 2018 and issued by Palm Beach County's Traffic Division stating that the development of Pod 3 into 318 multi-family units meets the County's TPSO. The County's TPSO approval is reliant upon various roadway improvements and proportionate fair share contributions as outlined in the Traffic Study prepared by Susan E. O'Rourke, P.E., Inc. dated December 20, 2016. The Traffic Study is accompanied by an addendum, dated July 19, 2018, which provides an illustration of the design of a new signalized intersection proposed by the Applicant and supported by Staff, located at the southernmost ingress/egress point for Lowe's.

Overall, the proposed Master Plan, and Special Exception Use for a Planned Commercial/Residential Development (PCD) is in conformance with the Village's requirements for the Village assigned zoning districts.

VI. Staff Recommendation:

Staff is recommending Approval of Application 17-0005 (13-18UU) (MP, SE) and Resolution 19-13.

VII. Hearing History:

Planning and Zoning Commission:

The Planning and Zoning Commission considered the application on October 22, 2019, and recommended Approval by a vote of 4-0.

**Attachment A
Legal Description
Tuttle Royale Master Plan
17-0005 (13-18UU) (MP, SE)
Resolution No. 19-13**

Legal Description:

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