

**Village of Royal Palm Beach  
Planning and Zoning Commission  
Agenda Item Summary**

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION 19-109 (SPM, AAR) AN APPLICATION BY IPLAN & DESIGN LLC, AND ADOPTION OF RESOLUTION 20-01 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING SITE PLAN MODIFICATION AND ARCHITECTURAL APPROVAL FOR AN EXISTING RESTAURANT USE SITUATED ON A 1.38 ACRE PARCEL OF LAND LOCATED AT 1005 N. STATE ROAD 7: BY AGENT BRIAN CHEGUIS, OF IPLAN & DESIGN, LLC.**

**Issue:**

The Applicant is seeking a Major Site Plan Modification and Architectural Approval for repainting the existing building, minor Landscape Plan changes, Signage, and converting the drive-through lane to a 600 square foot outdoor seating area. In addition, the Applicant is proposing to add an outdoor play area to the west of the proposed outdoor seating area. The conversion of the drive-through lane will also modify the onsite traffic circulation. Village Code requires any change to the traffic circulation, and outdoor seating areas in excess of 300 square feet to be approved as a Major Site Plan Modification.

The Architectural changes include, new signage, repainting the building, addition of the outdoor seating area/play area and landscape changes adjacent to the outdoor seating area and around the building. The Applicant has provided elevation and landscape drawings. Color and material samples will also be provided at the meeting.

Overall, the proposed site plan is in conformance with the Village’s requirements for the General Commercial (CG) Zoning District.

The Planning and Zoning Commission considered the application on January 28, 2020, and recommended Approval by a vote of 5-0.

**Recommended Action:**

Staff is recommending Approval of Application 19-109 (SPM, AAR) and Resolution 20-01.

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Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	02-20-2020	Action

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**RESOLUTION NO. 20-01**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 19-109 (SPM, AAR) – THE APPLICATION OF IPLAN & DESIGN, LLC – PERTAINING TO SITE PLAN MODIFICATION AND ARCHITECTURAL APPROVAL FOR CONVERSION OF AN EXISTING DRIVE-THROUGH TO AN OUTDOOR SEATING AREA, REMODEL OF THE EXTERIOR AND SIGNAGE FOR A 1.38-ACRE PARCEL LOCATED AT 1005 N. STATE ROAD 7, 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. 19-109 (SPM, AAR) was presented to the Village Council at its public hearing conducted on February 20, 2020; 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. 19-109 (SPM, AAR), THE APPLICATION OF IPLAN & DESIGN, LLC, 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 20th day of February, 2020.

VILLAGE OF ROYAL PALM BEACH

\_\_\_\_\_  
MAYOR FRED PINTO

ATTEST:

(SEAL)

\_\_\_\_\_  
DIANE DISANTO, VILLAGE CLERK

**Exhibit A**  
**Legal Description**  
**Papi Chulo Taco Bar**  
**19-109(SPM, AAR)**  
**Res. No. 20-01**

PARCEL 2 OF REGAL CENTER PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82 PAGE 149, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**Exhibit B**  
**Conditions of Approval**  
**Papi Chulo Taco Bar**  
**19-109(SPM, AAR)**  
**Res. No. 20-01**

**1. Development Order:**

This development order constitutes approval for:

Major Site Plan Modification to eliminate an existing drive-through to create outdoor seating and Architectural Approval for an existing restaurant to remodel the exterior and signage, for a property located at 1005 N. State Road 7. The Architectural changes include, new signage, repainting the building, addition of the outdoor seating area/play area and landscape changes adjacent to the outdoor seating area and around the building.

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 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.

# Village of Royal Palm Beach - Staff Report

## I. General Data:

Project Name: Papi Chulo Taco Bar @ Regal Center

Application: 19-109 (SPM, AAR) (Res. No. 20-01)

Applicant: IPlan & Design LLC.  
 Brian Cheguis  
 901 N. Olive Avenue, Suite D  
 West Palm Beach, FL 33401

Request: Site Plan Modification and Architectural Approval for an existing "Restaurant" use on a 1.38 acre parcel, located at 1005 N. State Road 7, within the General Commercial (CG) Zoning District.

Hearings: Planning and Zoning Commission: January 28, 2020  
 Village Council (First Reading): February 20, 2020

Recommendation: Approval

## II. Site Data:

Site Area: 1.38± acres

Property Control Numbers: 72-41-43-25-19-002-0000

Existing Land Use: Restaurant with Drive Through

Existing FLUM Designation: Commercial (COM)

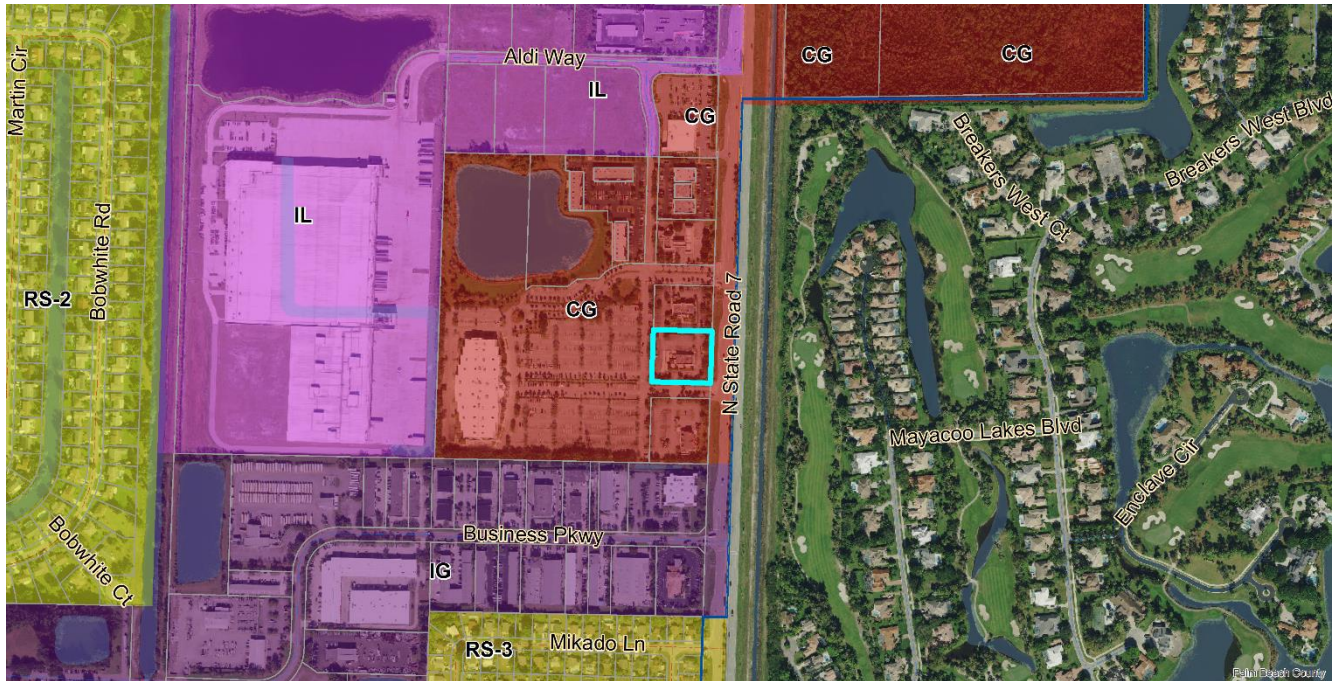
Proposed FLUM Designation: N/A

Existing Zoning District: General Commercial (CG)

Proposed Zoning: N/A

<b>Table 1: Adjacent Existing, Future Land Uses, and Zoning</b>			
<b>Dir.</b>	<b>Existing:</b>	<b>FLUM:</b>	<b>Zoning:</b>
<i>North</i>	Regal Center	Commercial (COM)	General Commercial (CG)
<i>South</i>	Regal Center	Commercial (COM)	General Commercial (CG)
<i>East</i>	The Breakers	Residential	Residential
<i>West</i>	Regal Center	Commercial (COM)	General Commercial (CG)

Figure 1: Location Map



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

The Applicant is seeking Site Plan Modification and Architectural Approval for repainting the existing building, minor Landscape Plan changes, Signage, and converting the drive-through lane to a 600 square foot outdoor seating area. In addition, the Applicant is proposing to add an outdoor play area to the west of the proposed outdoor seating area. The conversion of the drive-through lane will also modify the onsite traffic circulation. Village Code requires any change to the traffic circulation, and outdoor seating areas in excess of 300 square feet to be approved as a Major Site Plan Modification.

### **IV. History:**

The Regal Center property was annexed into the Village in 1989 and received a Comprehensive Plan Future Land Use designation of Commercial and a zoning district designation of General Commercial. The property is vested for traffic concurrency and is maintained on the list of approved projects. The specific use proposed in this petition (restaurant) was an anticipated use in the original approval. In 1996 the Regal Center received individual Site Plan and Special Exception approval as a Planned Commercial Development.

### **V. Analysis:**

The Applicant is seeking Site Plan Modification and Architectural Approval for repainting the existing building, minor Landscape Plan changes, Signage, and converting the drive-through lane to a 600 square foot outdoor seating area. In addition, the Applicant is proposing to add an outdoor play area to the west of the proposed outdoor seating area. The conversion of the drive-through lane will also modify the onsite traffic circulation. Village Code requires any

change to the traffic circulation, and outdoor seating areas in excess of 300 square feet to be approved as a Major Site Plan Modification. For an illustration of the Site Plan please refer to **Attachment C** and for an illustration of the Landscape Plan please refer to **Attachment D**.

The Architectural changes include, new signage, repainting the building, addition of the outdoor seating area/play area and landscape changes adjacent to the outdoor seating area and around the building. The Applicant has provided elevation and landscape drawings. Color and material samples will also be provided at the meeting. For an illustration of the Building Architecture please refer to **Attachment E**.

Village Staff in reviewing the application considered the Village Code, the surrounding properties and compatibility with the rest of the shopping center.

Specifically, the proposed site meets the requirements for the General Commercial (CG) Zoning District as follows:

1. Parcel size: The site is 1.38 acres and exceeds the minimum area required for General Commercial (CG) designated property of 40,000 square feet.
2. Parcel width: The site is 230 feet wide and thus exceeds the minimum parcel width of 150 feet of frontage.
3. Setbacks: The building is existing and is in compliance with all setback requirements of the General Commercial (CG) Zoning District.
4. Pervious area: The site plan provides 30.4% of the site as pervious area which exceeds the 25% pervious area requirement for the Zoning District.
5. Parking Requirements: The site has provided parking that is consistent with the requirements of Chapter 23 (Traffic and Vehicles) for restaurants.
6. Landscape Areas: The proposed modifications to the Approved Landscape Plan meet all landscape requirements of Village Code. In addition, the site will be restored to the original Landscape Plan as it relates to any missing, dead or substandard landscaping as part of this approval.
7. Maximum Building Height: No changes are proposed to the building and the current building meets the height limitations of the Zoning District.

Overall, the proposed site plan is in conformance with the Village's requirements for 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 19-109 (SPM, AAR) and Resolution 20-01.

**VIII. Hearing History:**

*Planning and Zoning Commission:*

The Planning and Zoning Commission considered the application on January 28, 2020, and recommended Approval by a vote of 5-0.



**Attachment A  
Legal Description  
Papi Chulo Taco Bar @ Regal Center  
19-109 (SPM, AAR)  
Resolution No. 20-01**

Legal Description:

PARCEL 2 OF REGAL CENTER PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82 PAGE 149, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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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.

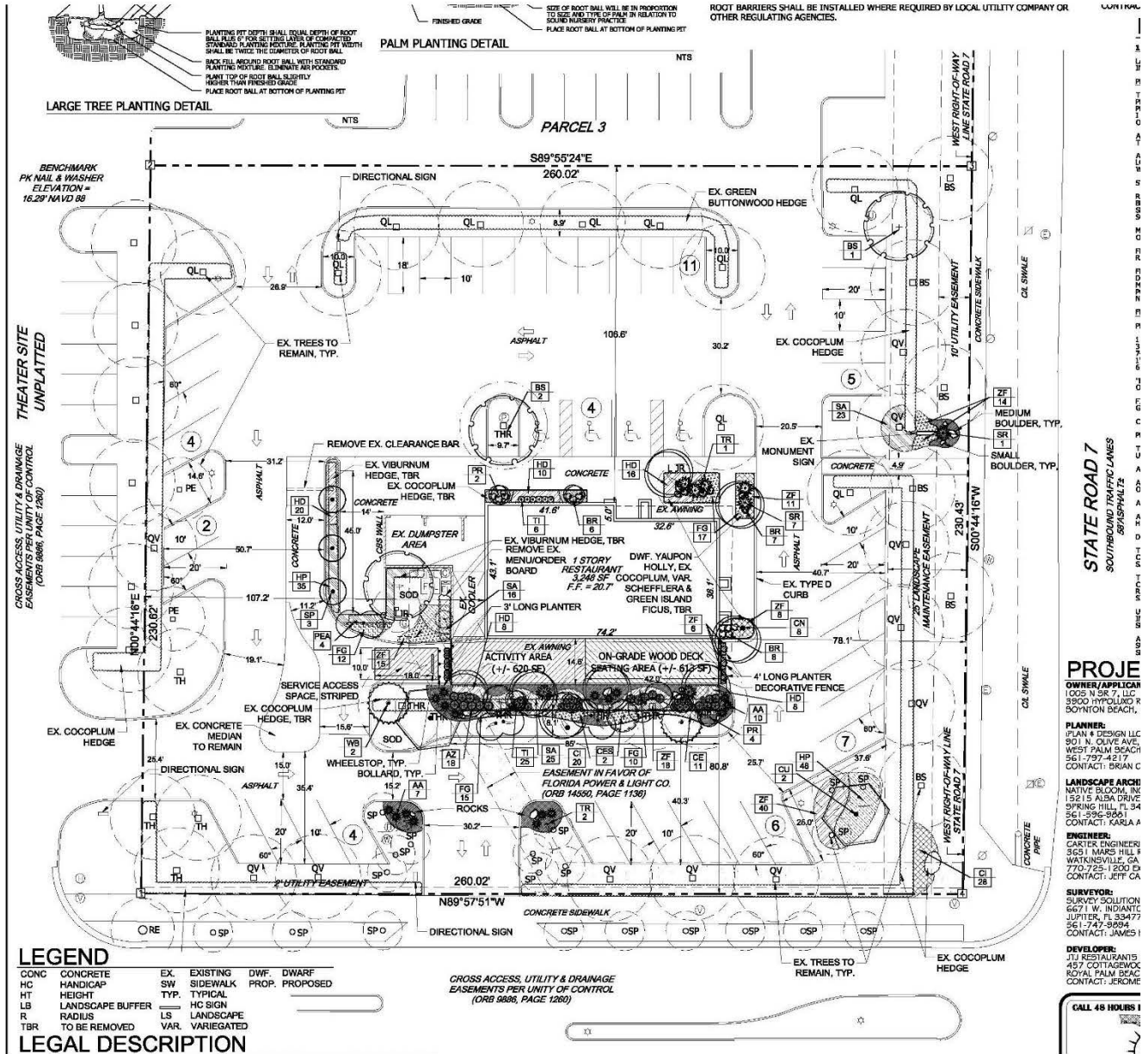
**2. Site Specific Conditions:**

A. All 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.



# Attachment D Landscape Plan Papi Chulo Taco Bar @ Regal Center 19-109 (SPM, AAR) Resolution No. 20-01

Below is an illustration showing the Landscape Plan.



Please use the zoom feature to view the Landscape Plan.

**Attachment E  
Architectural Renderings  
Papi Chulo Taco Bar @ Regal Center  
19-109 (SPM, AAR)  
Resolution No. 20-01**

**Below is an illustration of the Architecture Style of the proposed restaurant.**

