

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER APPLICATION 19-108 (LW), AN APPLICATION BY ARCHITECT BRUCE CELENSKI, INC., AND ADOPTION OF LANDSCAPE WAIVER NO. 20-01 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING LANDSCAPE WAIVERS FROM SECTION 15-131 OF THE VILLAGE ZONING CODE TO ALLOW FOR THE ELIMINATION OF THE REQUIRED THREE (3) FOOT HIGH PERIMETER BERM ALONG THE WEST AND A PORTION OF THE NORTH PROPERTY LINE AND TO ALLOW FOR A REDUCTION IN THE WIDTH OF THE REQUIRED LANDSCAPE BUFFERS ALONG THE WEST, NORTH AND EAST PROPERTY LINES; THE PROPERTY IS SITUATED ON A 0.92-ACRE PARCEL OF LAND LOCATED AT 1351 ROYAL PALM BEACH BOULEVARD; BY AGENT: BRUCE CELENSKI, OF ARCHITECT BRUCE CELENSKI, INC.**

The Applicant is requesting Landscape Waivers from Village Code Section 15-131 (a) *Berms*. and Section 15-131 (b) (2) *Buffering of nonresidential uses adjacent to residential and/or public ownership property*. The Applicant is proposing a waiver to eliminate the required three (3) foot high berm within the landscape buffer along the west and north property lines and to reduce the buffer width from the required 25 feet down to a minimum of five (5) feet in width along the west, north and east property lines. The Applicant is also seeking a Landscape Waiver to Section 15-131 (c) 1. *Buffering of nonresidential uses adjacent to a roadway*. to allow for a 15-foot wide buffer where a 25-foot wide buffer is required. The request is due to the location of a 10-foot wide Utility Easement along the east property line. No reduction in landscape materials is requested, it will all be located in the reduced buffer width.

The Applicant stated in their Justification Statement that they are requesting the Landscape Waivers due to the location of easements along the west, north and east property lines.

Staff is recommending Approval of these Landscape Waiver requests and generally concurs with the Applicant's assessment. Staff believes that this is the minimum waiver necessary to allow reasonable use of the property.

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Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	03-19-2020	Action

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**Recommended Action:**

Staff is recommending Approval of Application 19-108 (LW) and Landscape Waiver No. 20-01.

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<b>Initiator:</b>	<b>Village Manager</b>	<b>Agenda Date</b>	<b>Village Council</b>
<b>Director of P &amp; Z</b>	<b>Approval</b>	<b>03-19-2020</b>	<b>Action</b>

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**Attachment A  
Landscape Plan  
Dunkin @ Waterway Plaza  
19-108 (LW)  
Landscape Waiver No. 20-01**

**Below is an Illustration of the proposed Landscape Plan showing the location of the waiver requests.**



**LANDSCAPE REQUIREMENTS**

Item	Requirement	Proposed
1	Minimum 25% Tree Canopy	25% Tree Canopy
2	Minimum 5% Shrub Canopy	5% Shrub Canopy
3	Minimum 5% Groundcover	5% Groundcover
4	Minimum 5% Perennial Flowering Plants	5% Perennial Flowering Plants
5	Minimum 5% Native Plants	5% Native Plants

Item	Requirement	Proposed	Waiver Request	Waiver Justification
1	Minimum 25% Tree Canopy	25% Tree Canopy	10%	Site is a parking lot area with limited space for trees.
2	Minimum 5% Shrub Canopy	5% Shrub Canopy	2%	Site is a parking lot area with limited space for shrubs.
3	Minimum 5% Groundcover	5% Groundcover	2%	Site is a parking lot area with limited space for groundcover.
4	Minimum 5% Perennial Flowering Plants	5% Perennial Flowering Plants	2%	Site is a parking lot area with limited space for flowering plants.
5	Minimum 5% Native Plants	5% Native Plants	2%	Site is a parking lot area with limited space for native plants.

**Legend**

Symbol	Description
[Green Area]	Proposed Tree Canopy
[Blue Area]	Proposed Shrub Canopy
[Yellow Area]	Proposed Groundcover
[Pink Area]	Proposed Perennial Flowering Plants
[Purple Area]	Proposed Native Plants

**General Notes:**

1. All plants shall be installed in accordance with the Florida Department of Transportation (FDOT) Standard Specifications for Road and Bridge Construction, Section 300.00.
2. All plants shall be installed in accordance with the Florida Department of Transportation (FDOT) Standard Specifications for Road and Bridge Construction, Section 300.00.
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20. All plants shall be installed in accordance with the Florida Department of Transportation (FDOT) Standard Specifications for Road and Bridge Construction, Section 300.00.

- NOTES:**
1. SEE AND BRING TO EDGE OF ROAD.
  2. TREE PLANTS SHALL BE BRING TO EDGE OF LOT FROM REMOVAL OF ANY PREVIOUS LOT.
  3. ALL PLANTS SHALL BE BRING TO EDGE OF ROAD WITH APPROPRIATE SHRUB MATERIAL.

**LANDSCAPE PLAN**

**DUNKIN' DONUTS**  
1800 ROYAL PALM BEACH BOULEVARD  
ROYAL PALM BEACH, FLORIDA 33411

**ARCHITECT**  
**BRUCE GELBERG, INC.**  
ARCHITECTURE DESIGN & PLANNING

Project No. 19-108 (LW)  
Date: 03-19-2020  
Scale: 1" = 20'-0"

**Please use the zoom feature to aid in viewing this document.**

Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	03-19-2020	Action

**ORDER OF THE VILLAGE COUNCIL  
VILLAGE OF ROYAL PALM BEACH  
Chapter 15. Landscape Waiver**

**CASE NO. LW-20-01**

**IN RE: Application No. 19-108(LW) – Dunkin Donuts**

**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 on March 19, 2020, 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 CG Commercial General 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 landscape waiver from the Village of Royal Palm Beach Code of Ordinances at Sec. 15-131(a) in order to eliminate the required three (3) foot high berm within the landscape buffer along the west and north property lines; a landscape waiver from the Village of Royal Palm Beach Code of Ordinances at Sec. 15-131(b)(2) in order to reduce the buffer width from the required 25 feet down to a minimum of five (5) feet in width along the west, north and east property lines; and a landscape waiver from the Village of Royal Palm Beach Code of Ordinances at Sec. 15-131(c)1.

in order to allow for a 15-foot wide buffer where a 25-foot buffer is required along the east property line.

3. Under the provisions of Sec. 15-37 of the Village Code of Ordinances, the Village Council has the right, power and authority to act upon the application herein made.
4. In accordance with the requirement of Section 15-37 to specify the duration of the waiver, the Village Council holds that this grant of Landscape Waiver shall continue as long as the Project exists on this site.

5. **IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED** by the Royal Palm Beach Village Council as follows:

The application in connection with **Landscape Waiver Order, LW-20-01**, with reference to the Dunkin Donuts project in the Village of Royal Palm Beach, Florida is hereby **Approved** in accordance with the Village Code of Ordinances for the following reasons:

**The applicant meets the landscape objectives as set forth in Section 15-37 of the Village Code of Ordinances.**

**Done and ordered this 19th day of March, 2020.**

\_\_\_\_\_  
Mayor Fred Pinto  
Village of Royal Palm Beach

Attest:

\_\_\_\_\_  
Diane DiSanto, Village Clerk

**Exhibit A  
Legal Description  
Dunkin Donuts  
Application 19-108(LW)  
LW-20-01**

DESCRIPTION:

Legal Description:

ALL OF LOT C-1, WATERWAY PLAZA PLAT NO 2 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 71, PAGE 82 OF THE RECORDS OF PALM BEACH COUNTY, FLORIDA

CONTAINING 0.92 ACRES OF LAND

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

SUBJECT TO ALL PERTINENT MATTERS OF RECORD.