

Agenda Item # R - 1

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION 21-42 (SPM), AN APPLICATION BY NIL PETROLEUM INC., AND ADOPTION OF RESOLUTION 22-03 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING A MAJOR SITE PLAN MODIFICATION APPROVAL TO AMEND THE APPROVED LANDSCAPE PLAN FOR AN EXISTING AUTOMOTIVE SERVICE STATION IN ORDER TO REMOVE AND CHANGE CERTAIN PLANT MATERIAL, FOR A PROPERTY LOCATED AT 11318 OKEECHOBEE BOULEVARD, BY AGENT: NURUDDIN SHEIKH OF NIL PETROLEUM INC.

Issue:

The Applicant, Nil Petroleum Inc., is seeking approval for a Site Plan Modification application in order to amend the approved Landscape Plan to reflect current conditions and to add landscaping in certain areas to bring the site up to current Village Code requirements, for a property situated within the Royal Plaza North Shopping Center and located at 11318 Okeechobee Boulevard. The property is zoned Neighborhood Commercial (CN) and its current land use is an automotive service station/gas station. Furthermore, the intent of the application is to update the approved Landscape Plan to reflect current site conditions and to replace existing trees in poor condition with new species and the addition of new landscape materials including new shade trees, palm trees, and shrubs.

Village Staff has reviewed the proposed Site Plan Modification to change the previously approved Landscape Plan and determined that the proposal meets the requirements on Village Code and the original quality of the project will not be diminished. Please refer to the Landscape Plan for the proposed and currently approved plans.

This item was considered by the Planning and Zoning Commission at its regular meeting on February 22, 2022, and was recommended for Approval by a vote of 4-0.

Recommended Action:

Staff is recommending Approval of Application No. 21-42 (SPM) and Resolution 22-03.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	3-17-2022	Action

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Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Nil Petroleum, 11318 Okeechobee Boulevard

Application: 21-42 (SPM)

Applicant: Nil Petroleum Inc.
11318 Okeechobee Boulevard.
Royal Palm Beach, Florida 33411

Agent: Nuruddin Sheikh
Nil Petroleum Inc.
11318 Okeechobee Boulevard.
Royal Palm Beach, Florida 33411

Request: Site Plan Modification in order to amend the approved Landscape Plan for a property situated within the Royal Plaza North Shopping Center and located at 11318 Okeechobee Boulevard

Hearings: Planning and Zoning Commission: February 22, 2022
Village Council: March 17, 2022

Recommendation: Approval

II. Site Data:

Site Area: 1.26 ± acres

Property Control Numbers: 72-41-43-26-07-012-0010

Existing Land Use: Automotive Service Station

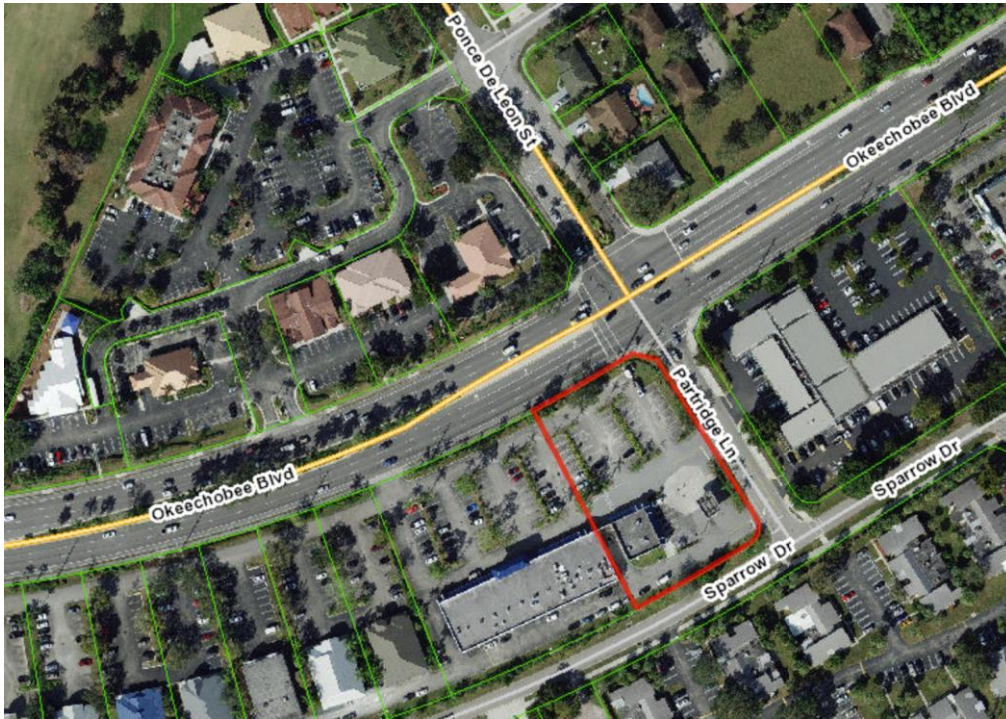
Existing FLUM Designation: Commercial (COM)

Existing Zoning District: Neighborhood Commercial (CN)

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

Dir.	Existing Use:	FLUM:	Zoning:
North	Financial Institution (BB&T)	Commercial (COM)	Office Commercial (CO)
South	Multifamily Development	Townhouse Residential (RT)	Townhouse Residential (RT-8)
East	Village Shoppes Center	Commercial (COM)	Neighborhood Commercial (CN)
West	Royal Plaza North Center	Commercial (COM)	Neighborhood Commercial (CN)

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



III. Intent of Petition:

The Applicant, Nil Petroleum Inc., is seeking approval for a Major Site Plan Modification in order to amend the approved Landscape Plan to reflect current conditions and to add landscaping in certain areas to bring the site up to current Village Code requirements, for a property situated within the Royal Plaza North Shopping Center and located at 11318 Okeechobee Boulevard. The property is zoned Neighborhood Commercial (CN) and its current land use is an automotive service station/gas station. Furthermore, the intent of the application is to update the approved Landscape Plan to reflect current site conditions and to replace existing trees in poor condition with new species and the addition of new landscape materials including new shade trees, palm trees, and shrubs.

IV. History:

The subject property is located on the southwest corner of Okeechobee Boulevard and Partridge Lane. The current configuration and uses for this site are permitted through the approval of Application #64 by Village Council on December 15, 1983. The site is currently occupied by Sunoco gas station.

V. Analysis:

The Applicant, Nil Petroleum Inc., is seeking approval for a Major Site Plan Modification in order to amend the approved Landscape Plan to reflect current conditions and to add landscaping in certain areas to bring the site up to current code requirements, for a property situated within the Royal Plaza North Shopping Center and located at 11318 Okeechobee Boulevard. The property is zoned Neighborhood Commercial (CN) and its current land use is an automotive service station/gas station. Furthermore, the intent of the application is to update the approved Landscape Plan to reflect current site conditions and to replace existing

trees in poor condition with new species and the addition of new landscape materials including new shade trees, palm trees, and shrubs.

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 Neighborhood Commercial (CN) Zoning District as outlined below:

1. Parcel size: The site is 54,773 square feet, or 1.26 acres, which is greater than the minimum parcel size of 24,000 square feet.
2. Parcel width: The property has a width of 151 feet with frontage on Okeechobee Boulevard, which exceeds the minimum parcel width requirement of 80 feet.
3. Setbacks: No changes are proposed that would affect setbacks.
4. Pervious area: The proposed Site Plan provides 22.89% of the site as pervious area, which exceeds the minimum 20% required by Village Code.
5. Parking Requirements: No changes are proposed that would affect the parking requirement. The site currently has 28 parking spaces, which are shared with the shopping center to the north.
6. Landscape Areas: The Proposed Landscape Plan meets all of the minimum planting material standards of Chapter 15 Landscaping.
7. Maximum Building Height: No changes are proposed that would affect structures.

Overall, the proposed site plan is in conformance with the Village's requirements for the Neighborhood Commercial (CN) Zoning District, as applicable for the proposed changes to an existing facility.

VI. Staff Recommendation:

Staff is recommending Approval of Application No. 21-42 (SPM) and Resolution 22-03.

VII. Hearing History:

Planning and Zoning Commission:

This item was considered by the Planning and Zoning Commission at its regular meeting on February 22, 2022, and was recommended for Approval by a vote of 4-0.

**Attachment A
Legal Description
Nil Petroleum @ 11318 Okeechobee Boulevard
21-42 (SPM)
Resolution 22-03**

Directly below is the Legal Description:

LEGAL DESCRIPTION:

LOTS 1 AND 2, BLOCK L, THE WILLOWS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, AT PAGES 102 THROUGH 106, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS AND EXCEPT THOSE LANDS AS DESCRIBED IN RIGHT-OF-WAY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 1478, AT PAGE 438; OFFICIAL RECORDS BOOK 2329, AT PAGE 511; AND OFFICIAL RECORDS BOOK 6369, AT PAGE 329, OF THE AFORESAID PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Attachment B
Conditions of Approval
Nil Petroleum @ 11318 Okeechobee Boulevard
21-42 (SPM)
Resolution 22-03

1. Development Order:

This development order constitutes approval for:

Site Plan Modification in order to amend the approved Landscape Plan to reflect current site conditions and to install new landscaping for a property situated within the Royal Plaza North Shopping Center and located at 11318 Okeechobee Boulevard. The 1.26 acres property is located on the southwest corner of Okeechobee Boulevard and Partridge Lane.

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:

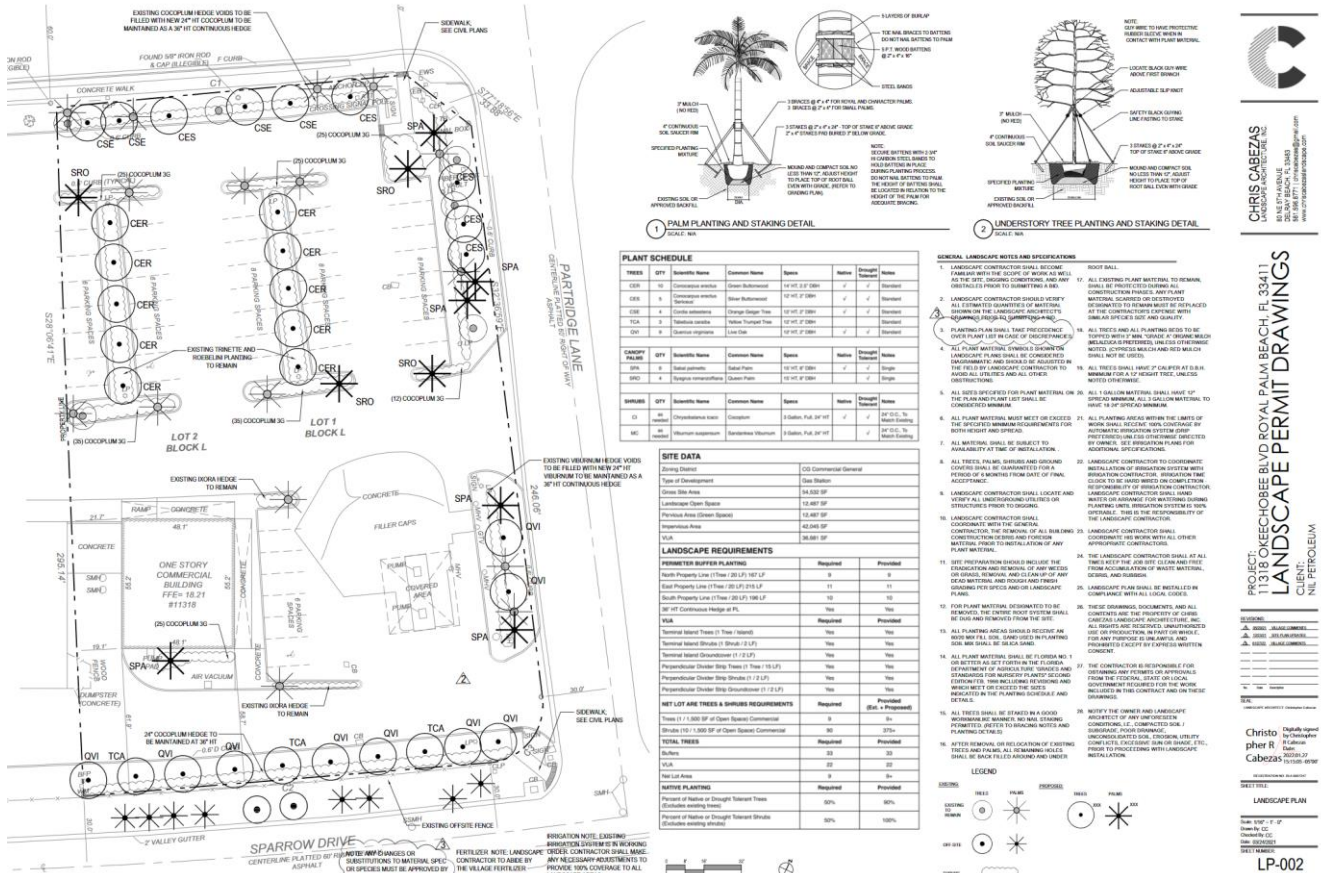
- A. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- B. The site shall be maintained free of all trash at all times.

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.

Attachment C
Landscape Plan
Nil Petroleum @ 11318 Okeechobee Boulevard
21-42 (SPM)
Resolution 22-03

Directly below is an illustration of the Landscape Plan:



CHRIS CABEZAZ
LANDSCAPE ARCHITECT
11318 OKEECHOBEE BLVD
SUITE 100
FORT LAUDERDALE, FL 33304
TEL: 954-575-1111
WWW.CABEZAZDESIGN.COM

PROJECT: 11318 OKEECHOBEE BLVD ROYAL PALM BEACH, FL 33411
LANDSCAPE PERMIT DRAWINGS
CLIENT: NIL PETROLEUM

DESIGNED BY: CHRIS CABEZAZ
DRAWN BY: JESSICA JAMES
CHECKED BY: JESSICA JAMES
DATE: 10/10/2022

Christo Cabezaz
Landscape Architect
11318 Okeechobee Blvd
Suite 100
Fort Lauderdale, FL 33304
Tel: 954-575-1111
www.cabezazdesign.com

LANDSCAPE PLAN
Scale: 1/8" = 1' - 0"
Sheet: 10
Date: 10/10/2022
LP-002

RESOLUTION NO. 22-03

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 21-42 (SPM) – THE APPLICATION OF NIL PETROLEUM INC., BY AGENT NURUDDIN SHEIKH OF NIL PETROLEUM INC. - PERTAINING TO A SITE PLAN MODIFICATION TO AMEND THE APPROVED LANDSCAPE PLAN FOR AN EXISTING AUTOMOTIVE SERVICE STATION LOCATED AT 11318 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. 21-42 (SPM) was presented to the Village Council at its public hearing conducted on March 17, 2022; 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. 21-42 (SPM), THE APPLICATION NIL PETROLEUM INC., BY NURUDDIN SHEIKH OF NIL PETROLEUM INC., 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 17th day of March, 2022.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

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