

Village of Royal Palm Beach
Village Council
Agenda Item Summary

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION 21-02 (SPM, AAR) AN APPLICATION BY PMA, INC., AND ADOPTION OF RESOLUTION 21-11 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING A SITE PLAN MODIFICATION AND ARCHITECTURAL APPROVAL TO ALLOW FOR A TEAR DOWN AND REBUILD OF AN EXISTING PUBLIX GROCERY STORE AND PORTIONS OF THE ADJACENT RETAILS SHOPS IN ORDER TO ADD 6,623 SQUARE FEET TO THE EXISTING STORE RESULTING IN A NEW 55,454± SQUARE FOOT PUBLIX GROCERY STORE WITHIN THE CROSSROADS SHOPPING CENTER SITUATED ON A 19.74-ACRE PARCEL OF LAND LOCATED AT 1180 ROYAL PALM BEACH BOULEVARD: BY AGENT ROBERT WILSON, OF PMA, INC.

Issue:

The Applicant is seeking a Site Plan Modification and Architectural Approval in order to allow for a tear down and rebuild of an existing Publix grocery store and potions of the adjacent retail shops in order to add 6,623 square feet to the existing Publix, resulting in a new 55,454± square foot Publix grocery store within the Crossroads Shopping Center situated on a 19.74-acre parcel of land located at 1880 Royal Palm Beach Boulevard. A majority of the shopping center's inline stores will remain unchanged. Additional improvements include creation of a covered pedestrian walkway in the front of the store, a dedicated and enclosed loading dock for Publix deliveries, new pedestrian paths and crossings, upgrades to the existing dumpster enclosures, and reconfigured parking.

It should be noted that the Site Plan Modification request relies upon the approval of a Parking Variance for 34 parking spaces and a Variance to the allowable pervious area to have a total of 24% pervious area where 25% pervious area is required by Code. These requests occur in previous items on the meeting agenda.

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

This item was considered by the Planning and Zoning Commission at its regular meeting on May 25, 2021 and was recommended for Approval by a vote of 5-0.

Recommended Action:

Staff is recommending approval of Application 21-02 (SPM, AAR), through the adoption of Resolution 21-11.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P & Z	Approval	6-17-2021	Action

RESOLUTION NO. 21-11

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 21-02 (SPM, AAR) – THE APPLICATION OF PMA, INC. ON BEHALF OF OWNER CROSSROADS R2G OWNER LLC - PERTAINING TO A SITE PLAN MODIFICATION AND ARCHITECTURAL APPROVAL FOR A TEAR DOWN AND REBUILD OF AN EXISTING PUBLIX GROCERY STORE AND PORTIONS OF THE ADJACENT RETAIL SHOPS IN ORDER TO ADD 6,623 SQUARE FEET TO THE EXISTING PUBLIX, RESULTING IN A NEW 55,454± PUBLIX GROCERY STORY WITHIN THE CROSSROADS SHOPPING CENTER SITUATED ON A 19.74-ACRE PARCELS LOCATED AT 1180 ROYAL PALM BEACH 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. 21-02 (SPM, AAR) was presented to the Village Council at its public hearing conducted on June 17, 2021; 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. 21-02 (SPM, AAR), THE APPLICATION OF PMA, INC. ON BEHALF OF OWNER CROSSROADS R2G OWNER 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 and site plan depiction:

PLEASE SEE EXHIBIT “B” and “C” ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 17th day of June, 2021.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Publix @ Crossroads
Application No. 21-02 (SPM, AAR)
Res. 21-11

Directly below is the legal descriptions for the property:

LEGAL DESCRIPTION:

PARCEL 1, PARCEL 2, PARCEL 3, AND PARCEL 4 AS FOLLOWS:

PARCEL 1

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 41 EAST, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROYAL PALM BEACH BOULEVARD AND OKEECHOBEE ROAD AS RECORDED IN THE HAWTHORN II SUBDIVISION, IN PLAT BOOK 31, PAGE 34, RUN NORTH 88 DEGREES 10 MINUTES 42 SECONDS EAST ALONG THE CENTERLINE OF OKEECHOBEE ROAD FOR A DISTANCE OF 1061.51 FEET TO A POINT; THENCE RUN NORTH 01 DEGREES 49 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 53.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD ACCORDING TO THE PLAT THEREOF, AS RECORDED IN ROAD PLAT BOOK 4, PAGES 19 THROUGH 24, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS; THENCE RUN NORTH 16 DEGREES 53 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 7.25 FEET TO A POINT, SAID POINT BEING THE **POINT OF BEGINNING**.

FROM THE **POINT OF BEGINNING** RUN NORTH 16 DEGREES 53 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 1101.83 FEET TO A POINT; THENCE RUN SOUTH 73 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 138.00 FEET; THENCE RUN NORTH 88 DEGREES 23 MINUTES 14 SECONDS WEST ALONG A LINE PERPENDICULAR TO THE EASTERLY RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, FOR A DISTANCE OF 520.49 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD; THENCE RUN SOUTH 01 DEGREES 36 MINUTES 46 SECONDS WEST ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 1004.61 FEET TO A POINT; THENCE RUN SOUTH 45 DEGREES 06 MINUTES 18 SECONDS EAST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD AS EXPANDED BY THAT CERTAIN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 6324, PAGE 1765, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS FOR A DISTANCE OF 58.25 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTH 74.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23; THENCE RUN NORTH 88 DEGREES 10 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 74.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23 AND ALONG SAID EXPANDED NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 328.04 FEET; THENCE RUN SOUTH 88 DEGREES 37 MINUTES 00 SECONDS EAST ALONG SAID EXPANDED NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 250.39 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTH 60.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23, THENCE RUN NORTH 88 DEGREES 10 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 60.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23 ALONG SAID EXPANDED NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 381.57 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF THE TRAILS AT ROYAL PALM BEACH, A CONDOMINIUM, THE DECLARATION OF WHICH IS RECORDED IN OFFICIAL RECORDS BOOK 3714, PAGES 1156 THROUGH 1425, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING THE **POINT OF BEGINNING**, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF ROYAL PALM BEACH BOULEVARD WITH THE CENTERLINE OF OKEECHOBEE ROAD, AS SHOWN ON THE PLAT OF HAWTHORN II, AS RECORDED IN PLAT BOOK 31, PAGE 26 THROUGH 35, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 88°10'42" EAST, ALONG THE CENTERLINE OF OKEECHOBEE ROAD, A DISTANCE OF 1061.51 FEET; THENCE NORTH 01°49'18" WEST, A DISTANCE OF 53.0 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID OKEECHOBEE ROAD; THENCE NORTH 16°53'44" WEST, A DISTANCE OF 1062.88 FEET; THENCE NORTH 88°23'14" WEST ALONG A LINE PERPENDICULAR TO THE EAST RIGHT OF WAY LINE OF ROYAL PALM BEACH BOULEVARD, A DISTANCE OF 666.02 FEET TO SAID EAST RIGHT OF WAY LINE OF ROYAL PALM BEACH BOULEVARD; THENCE SOUTH 01°36'46" WEST ALONG SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 524.50 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 01°36'46" WEST ALONG SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 210.50 FEET; THENCE SOUTH 88°23'14" EAST ALONG A LINE PERPENDICULAR TO SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 190.00 FEET TO THE INTERSECTION WITH A LINE 190.00 FEET EASTERLY OF AND PARALLEL WITH SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II; THENCE NORTH 01°36'46" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 210.50 FEET; THENCE NORTH 88°23'14" WEST ALONG A LINE PERPENDICULAR TO SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 190.00 FEET TO THE **POINT OF BEGINNING**.

PARCEL 2

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR THE PURPOSES OF MAINTAINING, REPAIRING AND REPLACING DRAINAGE PIPES, AS DEFINED IN THAT DRAINAGE EASEMENT DATED SEPTEMBER 10, 1990, RECORDED SEPTEMBER 12, 1990 IN OFFICIAL RECORDS BOOK 6577, PAGE 1763, AS AMENDED BY AMENDMENT TO DRAINAGE EASEMENT RECORDED AUGUST 22, 1998 IN OFFICIAL RECORDS BOOK 9407, PAGE 357.

PARCEL 3

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS DEFINED IN THAT CROSS ACCESS EASEMENT AGREEMENT, BY AND BETWEEN RANDY RIEGER, INDIVIDUALLY AND AS TRUSTEE, AND ROYAL PALM ASSOCIATES, LTD., DATED SEPTEMBER 6, 1990, RECORDED SEPTEMBER 12, 1990 IN OFFICIAL RECORDS BOOK 6577, PAGE 1758, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS SAID DRIVEWAYS ARE CONSTRUCTED FROM TIME TO TIME.

PARCEL 4

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 SET FORTH IN CROSS PARKING AND EASEMENT AGREEMENT, RECORDED DECEMBER 7, 1987 IN OFFICIAL RECORDS BOOK 5505, PAGE 1306, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Exhibit B
Conditions of Approval
Publix @ Crossroads
Application 21-02 (SPM, AAR)
Res. 21-11

1. Development Order:

This development order constitutes approval for:

Site Plan Modification and Architectural Approval in order to allow for a tear down and rebuild of an existing Publix grocery store and portions of the adjacent retail shops in order to add 6,623 square feet to the existing Publix, resulting in a new 55,454± square foot Publix grocery store within the Crossroads Shopping Center situated on a 19.74-acre parcel of land located at 1180 Royal Palm Beach Boulevard.

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 Applicant shall construct a pedestrian access walkway into the shopping center west of existing right in right out vehicle drive at the south property line adjacent to Okeechobee Boulevard and connect to the pedestrian walkway in front of the inline stores to the satisfaction of the Planning and Zoning Director.
- B. The Art in Public Places requirements in Sec. 26-75.5 of the Village Code must be met. The public art requirement for this project is 1% of the total vertical construction costs using a certified cost estimate, equivalent to \$53,785. The art installation shall be in the location depicted on the Site Plan and installed prior to the issuance of the Certificate of Occupancy.
- C. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- D. Dumpster pads will be sloped to drain onto a pervious area.
- E. Revise all plans to reflect all required changes and resubmit to the Village prior to the issuance of a building permit.
- F. The site shall be maintained free of all trash at all times.

Standard Conditions:

- A. This site plan approval shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66 of the Village Code of Ordinances. In no case shall the approval be extended beyond code-established time frames.
- B. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or

revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.

- C. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction-permitting phase of the final approvals. Thus except where specifically noted herein, the specific Village Code provisions governing design standards will apply.
- D. All utility services shall be underground.
- E. Lighting shall be required on all roadways and parking facilities and shall be installed on all streets on which any building construction has commenced. No certificates of occupancy shall be issued until street lighting is installed and operating in accordance with the provisions of Sec. 22-50 (a)(10). Light spill over onto adjacent properties or roadways shall be less than 0.1-foot candles.
- F. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- G. Following Council approval, the applicant shall submit three (3) sets of final plans and one (1) electronic copy in .TIF format.
- H. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of site construction engineering plans and an electronic copy in .TIF format to the Engineering Department for review and approval. Site construction plans shall include a final signed off version of the site plan. Allow 30 days for review and comment. A certified cost estimate for the total site development shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate for clearing, grading, earthwork, paving and drainage shall be paid to the Building Department. Fifty percent of the said fee shall be due at time of plan submission, and the remaining 50% will be required prior to the mandatory pre-construction meeting. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
- I. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of landscape and irrigation plans for review and approval, incorporating any changes requested by the Planning and Zoning Commission and/or Village Council. A landscape and irrigation plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Building Department at the time permits are issued.
- J. All public improvements associated with the project shall be complete prior to the issuance of any certificate of occupancy.
- K. Prior to the issuance of any building permit or conditional building permit the following must be completed:
 - 1. No building permits shall be issued until the construction drawings have been approved.

2. The site plan, plat and engineering drawings must be submitted in AutoCAD electronic format.
- L. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.

4. Landscaping Conditions:

- A. Prior to the issuance of a Certificate of Occupancy the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
- B. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
- C. The property owner/s 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.
- D. All perimeter landscape buffers shall be installed prior to issuance of the first certificate of occupancy.
- E. The developer shall submit a landscape maintenance plan to the Village Landscape Inspector prior to the issuance of a Certificate of Occupancy.
- F. The landscape plan shall be revised and resubmitted to the Village to ensure that all landscaping is located outside of all easements prior to the issuance of a building permit.
- G. 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.
- H. 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.
- I. All exotic invasive species of plants shall be removed from the site prior to commencement of installing the required landscaping.

6. Planning & Zoning Commission Imposed Conditions:

- A. Building and roof colors and materials, and landscaping shall be only that which was presented and approved by the Planning and Zoning Commission

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Publix @ Crossroads

Application: 21-02 (SPM, AAR) (Res. No. 21-11)

Owner: Crossroads R2G Owner LLC
19 W. 44th Street, Suite 1002
New York, NY 10036

Agent: PMA, Inc.
Robert Wilson
301 E. Pine Street, Suite 725
Orlando, FL 32801

Request: Site Plan Modification and Architectural approval to allow for a tear down and rebuild of an existing Publix grocery store and portions of the adjacent retail shops in order to add 6,623 square feet to the existing Publix, resulting in a new 55,454± square foot Publix grocery store within the Crossroads Shopping Center situated on a 19.74-acre parcel of land located at 1180 Royal Palm Beach Boulevard.

Hearings: Planning and Zoning Commission: May 25, 2021
Village Council June 17, 2021

Recommendation: Approval

II. Site Data:

Site Area: 19.74 ± acres

Property Control Numbers: 72-41-43-23-00-000-7010

Existing Land Use: Retail Grocery

Existing FLUM Designation: Commercial (COM)

Existing Zoning District: General Commercial (CG)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
<i>North</i>	Lakeview Center	Commercial (COM)	Office Commercial (CO)
<i>South</i>	Village Hall	Public Ownership (PO)	Public Ownership (PO)
<i>East</i>	The Trails	Residential MutHigh (RH)	Multifamily Residential (RM-18)
<i>West</i>	Village Royale	Commercial (COM)	General Commercial (CG)

Directly below is an Illustration Showing the Location of the Publix:



III. Intent of Petition:

The Applicant is seeking a Site Plan Modification and Architectural Approval in order to allow for a tear down and rebuild of an existing Publix grocery store and portions of the adjacent retail shops in order to add 6,623 square feet to the existing Publix, resulting in a new 55,454± Publix grocery store within the Crossroads Shopping Center situated on a 19.74-acre parcel of land at 1180 Royal Palm Beach Boulevard. A majority of the shopping center's inline stores will remain unchanged. Additional improvements include creation of a covered pedestrian walkway in the front of the store, a dedicated and enclosed loading dock for Publix deliveries, new pedestrian paths and crossings, upgrades to the existing dumpster enclosures, and reconfigured parking. Please refer to **Attachment A** for an illustration of the proposed Site Plan.

The Applicant is also seeking Architectural Approval for the new store front for the Publix grocery store and the painting of the rest of the inline stores in the shopping center. Additionally, the Applicant is requesting Architectural Approval for landscaping modifications within the parking areas due to the reconfiguration of the parking areas as well as the addition of foundation plantings at the rear of the inline stores. The Applicant has supplied building elevation drawings along with color and material samples for the Commission's review. Please refer to **Attachment D** for an illustration of the proposed architecture and paint colors to be used for the inline stores and **Attachment C** for an illustration of the Landscape Plan.

IV. History:

The subject site is part of the Crossroads Shopping Center which is one of the first Shopping Centers constructed within the Village of Royal Palm Beach. The subject site is currently occupied by inline retail stores.

V. Analysis:

The Applicant is seeking a Site Plan Modification and Architectural Approval in order to allow for a tear down and rebuild of an existing Publix grocery store and portions of the adjacent retail shops in order to add 6,623 square feet to the existing Publix, resulting in a new 55,454± Publix grocery store within the Crossroads Shopping Center situated on a 19.74-acre parcel of land located at 1180 Royal Palm Beach Boulevard. A majority of the shopping center's inline stores will remain unchanged. Additional improvements include creation of a covered pedestrian walkway in the front of the store, a dedicated and enclosed loading dock for Publix deliveries, new pedestrian paths and crossings, upgrades to the existing dumpster enclosures, and reconfigured parking. Please refer to **Attachment A** for an illustration of the proposed Site Plan.

The Applicant is also seeking Architectural Approval for the new store front for the Publix grocery store and the painting of the rest of the inline stores in the shopping center. Additionally, the Applicant is requesting Architectural Approval for landscaping modifications within the parking areas due to the reconfiguration of the parking areas as well as the addition of foundation plantings at the rear of the inline stores. The Applicant has supplied building elevation drawings along with color and material samples for the Commission's review. Please refer to **Attachment D** for an illustration of the proposed architecture and paint colors to be used for the inline stores and **Attachment C** for an illustration of the Landscape Plan.

It should be noted that the Site Plan Modification request relies upon the approval of a Parking Variance for 34 parking spaces and Variance to the allowable pervious area to have a total of 24% pervious area where 25% pervious area is required by Code. These requests occur in previous items on the meeting agenda.

Other proposed improvements to note include the addition of pedestrian access points into the site. These proposed pedestrian walkway improvements occur at the southeast portion of the site to provide safe pedestrian access for the residential areas to the east of the site; an additional proposed pedestrian walkway is located north of the existing full access vehicular drive situated north of the newly constructed 7-11 and south of the Chase Bank. Staff is recommending a Condition of Approval for an additional pedestrian access point west of existing right in right out vehicle drive at the south property line adjacent to Okeechobee Boulevard. The Applicant is in agreement with this Condition of Approval.

Village Code Section 26-75.5 *Art in public places*. requires property owners who renovate or redevelop an existing building where cost of such addition, renovation exceeds twenty percent of the square footage of the existing structure to contribute 1% of the renovation cost to art in public places. In this instance, the Applicant has shown on the Site Plan a location for the art to be located at the southwest corner of the property at the corner of Okeechobee Boulevard and Royal Palm Beach Boulevard. The construction cost provided by the Applicant shall amount to a \$53,785 cost contribution to the artwork. A Condition of Approval has been made part of this approval for this contribution. The selection of the artwork will take place at a

future date and as per Village Code Section 26-75.5 (e)(2).c.2, no Certificate of Occupancy shall be issued until such time the artwork is installed.

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 General Commercial (CG) Zoning District; and Section 26-61 *Planned commercial developments*; as outlined below:

1. Parcel size: The site is 19.74 acres and exceeds the minimum area required for General Commercial (CG) designated property of 40,000 square feet.
2. Parcel width: The property has 998 feet of frontage along Royal Palm Beach Boulevard and exceeds the minimum parcel width of 150 feet of frontage.
3. Setbacks: The proposed building conforms to the setback standards for the General Commercial (CG) Zoning District.
4. Pervious area: The proposed Site Plan provides 24% of the site as pervious area where Village Code Section 26-89 (4)(c) requires 25% pervious area. A variance to this requirement has been requested and is part of a previous item on this meeting's agenda.
5. Parking Requirements: The Applicant is proposing to provide 653 parking spaces where Village Code Section 23-51 (2)(s) requires a total of 687 parking spaces. A variance to this requirement to allow for a reduction of 34 parking spaces has been requested and is part of a previous item on this meeting's agenda.
6. Landscape Areas: The Proposed Landscape Plan meets all of the minimum standards of Chapter 15 Landscaping.
7. Maximum Building Height: The applicant is proposing construction of a one-story building and meets the maximum roof height requirement of Village Code.

Overall, with the exceptions noted above, the proposed site 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 21-02 (SPM, AAR), through the adoption of Resolution 21-11.

VIII. Hearing History:

Planning and Zoning Commission:

This item was considered by the Planning and Zoning Commission at its regular meeting on May 25, 2021 and was recommended for Approval by a vote of 5-0.

Attachment A
Legal Description
Publix @ Crossroads
Application No. 21-02 (SPM, AAR)
Resolution No. 21-11

Directly below is the legal descriptions for the property:

LEGAL DESCRIPTION:

PARCEL 1, PARCEL 2, PARCEL 3, AND PARCEL 4 AS FOLLOWS:

PARCEL 1

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23, TOWNSHIP 43 SOUTH, RANGE 41 EAST, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF ROYAL PALM BEACH BOULEVARD AND OKEECHOBEE ROAD AS RECORDED IN THE HAWTHORN II SUBDIVISION, IN PLAT BOOK 31, PAGE 34, RUN NORTH 88 DEGREES 10 MINUTES 42 SECONDS EAST ALONG THE CENTERLINE OF OKEECHOBEE ROAD FOR A DISTANCE OF 1061.51 FEET TO A POINT; THENCE RUN NORTH 01 DEGREES 49 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 53.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD ACCORDING TO THE PLAT THEREOF, AS RECORDED IN ROAD PLAT BOOK 4, PAGES 19 THROUGH 24, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS; THENCE RUN NORTH 16 DEGREES 53 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 7.25 FEET TO A POINT, SAID POINT BEING THE **POINT OF BEGINNING**.

FROM THE **POINT OF BEGINNING** RUN NORTH 16 DEGREES 53 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 1101.83 FEET TO A POINT; THENCE RUN SOUTH 73 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 138.00 FEET; THENCE RUN NORTH 88 DEGREES 23 MINUTES 14 SECONDS WEST ALONG A LINE PERPENDICULAR TO THE EASTERLY RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD, FOR A DISTANCE OF 520.49 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ROYAL PALM BEACH BOULEVARD; THENCE RUN SOUTH 01 DEGREES 36 MINUTES 46 SECONDS WEST ALONG SAID RIGHT-OF-WAY, FOR A DISTANCE OF 1004.61 FEET TO A POINT; THENCE RUN SOUTH 45 DEGREES 06 MINUTES 18 SECONDS EAST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD AS EXPANDED BY THAT CERTAIN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 6324, PAGE 1765, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS FOR A DISTANCE OF 58.25 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTH 74.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23; THENCE RUN NORTH 88 DEGREES 10 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 74.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23 AND ALONG SAID EXPANDED NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 328.04 FEET; THENCE RUN SOUTH 88 DEGREES 37 MINUTES 00 SECONDS EAST ALONG SAID EXPANDED NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 250.39 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTH 60.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23, THENCE RUN NORTH 88 DEGREES 10 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH 60.00 FEET OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 23 ALONG SAID EXPANDED NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 381.57 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF THE TRAILS AT ROYAL PALM BEACH, A CONDOMINIUM, THE DECLARATION OF WHICH IS RECORDED IN OFFICIAL RECORDS BOOK 3714, PAGES 1156 THROUGH 1425, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING THE **POINT OF BEGINNING**, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING FROM PARCEL 1

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF ROYAL PALM BEACH BOULEVARD WITH THE CENTERLINE OF OKEECHOBEE ROAD, AS SHOWN ON THE PLAT OF HAWTHORN II, AS RECORDED IN PLAT BOOK 31, PAGES 26 THROUGH 35, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN NORTH 88°10'42" EAST ALONG THE CENTERLINE OF OKEECHOBEE ROAD, FOR A DISTANCE OF 1061.51 FEET; THENCE RUN NORTH 01°49'18" WEST FOR A DISTANCE OF 53.0 FEET TO THE INTERSECTION WITH A LINE 53.0 FEET NORTH OF AND PARALLEL WITH SAID CENTERLINE OF OKEECHOBEE ROAD; THENCE RUN NORTH 16°53'44" WEST FOR A DISTANCE OF 1062.88 FEET; THENCE RUN NORTH 88°23'14" WEST FOR A DISTANCE OF 323.49 FEET; THENCE RUN SOUTH 01°36'46" WEST FOR A DISTANCE OF 55.0 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 01°36'46" WEST ALONG A LINE 342.53 FEET EASTERLY OF AND PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF SAID ROYAL PALM BEACH BOULEVARD AND EAST LIMITS OF SAID HAWTHORN II, FOR A DISTANCE OF 90.0 FEET; THENCE RUN NORTH 88°23'14" WEST FOR A DISTANCE OF 130.00 FEET TO THE INTERSECTION WITH A LINE 212.53 FEET EASTERLY OF AND PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF SAID ROYAL PALM BEACH BOULEVARD AND EAST LIMITS OF SAID HAWTHORN II; THENCE RUN NORTH 01°36'46" EAST ALONG SAID PARALLEL LINE FOR A DISTANCE OF 90.0 FEET; THENCE RUN SOUTH 88°23'14" EAST FOR A DISTANCE OF 130.0 FEET TO THE **POINT OF BEGINNING**.

AND FURTHER LESS AND EXCEPT THE FOLLOWING FROM PARCEL 1:

THAT PARCEL OF LAND SET FORTH IN THAT SPECIAL WARRANTY DEED FROM CROSSROADS AT ROYAL PALM JOINT VENTURE, A TEXAS GENERAL PARTNERSHIP TO THE MOBILE OIL CORPORATION, A NEW YORK CORPORATION, DATED JUNE 15, 2000, RECORDED JULY 3, 2000 IN OFFICIAL RECORDS BOOK 11871, PAGE 1634, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PARCEL OF LAND IN SECTION 23, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF ROYAL PALM BEACH BOULEVARD WITH THE CENTERLINE OF OKEECHOBEE ROAD, AS SHOWN ON THE PLAT OF HAWTHORN II, AS RECORDED IN PLAT BOOK 31, PAGE 26 THROUGH 35, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 88°10'42" EAST, ALONG THE CENTERLINE OF OKEECHOBEE ROAD, A DISTANCE OF 1061.51 FEET; THENCE NORTH 01°49'18" WEST, A DISTANCE OF 53.0 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID OKEECHOBEE ROAD; THENCE NORTH 16°53'44" WEST, A DISTANCE OF 1062.88 FEET; THENCE NORTH 88°23'14" WEST ALONG A LINE PERPENDICULAR TO THE EAST RIGHT OF WAY LINE OF ROYAL PALM BEACH BOULEVARD, A DISTANCE OF 666.02 FEET TO SAID EAST RIGHT OF WAY LINE OF ROYAL PALM BEACH BOULEVARD; THENCE SOUTH 01°36'46" WEST ALONG SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 524.50 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 01°36'46" WEST ALONG SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 210.50 FEET; THENCE SOUTH 88°23'14" EAST ALONG A LINE PERPENDICULAR TO SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 190.00 FEET TO THE INTERSECTION WITH A LINE 190.00 FEET EASTERLY OF AND PARALLEL WITH SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II; THENCE NORTH 01°36'46" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 210.50 FEET; THENCE NORTH 88°23'14" WEST ALONG A LINE PERPENDICULAR TO SAID EAST RIGHT OF WAY LINE AND EAST LIMITS OF SAID HAWTHORN II, A DISTANCE OF 190.00 FEET TO THE **POINT OF BEGINNING**.

PARCEL 2

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR THE PURPOSES OF MAINTAINING, REPAIRING AND REPLACING DRAINAGE PIPES, AS DEFINED IN THAT DRAINAGE EASEMENT DATED SEPTEMBER 10, 1990, RECORDED SEPTEMBER 12, 1990 IN OFFICIAL RECORDS BOOK 6577, PAGE 1763, AS AMENDED BY AMENDMENT TO DRAINAGE EASEMENT RECORDED AUGUST 22, 1998 IN OFFICIAL RECORDS BOOK 9407, PAGE 357.

PARCEL 3

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS DEFINED IN THAT CROSS ACCESS EASEMENT AGREEMENT, BY AND BETWEEN RANDY RIEGER, INDIVIDUALLY AND AS TRUSTEE, AND ROYAL PALM ASSOCIATES, LTD., DATED SEPTEMBER 6, 1990, RECORDED SEPTEMBER 12, 1990 IN OFFICIAL RECORDS BOOK 6577, PAGE 1758, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS SAID DRIVEWAYS ARE CONSTRUCTED FROM TIME TO TIME.

PARCEL 4

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 SET FORTH IN CROSS PARKING AND EASEMENT AGREEMENT, RECORDED DECEMBER 7, 1987 IN OFFICIAL RECORDS BOOK 5505, PAGE 1306, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Attachment B
Conditions of Approval
Publix @ Crossroads
Application No. 21-02 (SPM, AAR)
Resolution No. 21-11

1. Development Order:

This development order constitutes approval for:

Site Plan Modification and Architectural Approval in order to allow for a tear down and rebuild of an existing Publix grocery store and portions of the adjacent retail shops in order to add 6,623 square feet to the existing Publix, resulting in a new 55,454± square foot Publix grocery store within the Crossroads Shopping Center situated on a 19.74-acre parcel of land located at 1180 Royal Palm Beach Boulevard.

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 Applicant shall construct a pedestrian access walkway into the shopping center west of existing right in right out vehicle drive at the south property line adjacent to Okeechobee Boulevard and connect to the pedestrian walkway in front of the inline stores to the satisfaction of the Planning and Zoning Director.
- B. The Art in Public Places requirements in Sec. 26-75.5 of the Village Code must be met. The public art requirement for this project is 1% of the total vertical construction costs using a certified cost estimate, equivalent to \$53,785. The art installation shall be in the location depicted on the Site Plan and installed prior to the issuance of the Certificate of Occupancy.
- C. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- D. Dumpster pads will be sloped to drain onto a pervious area.
- E. Revise all plans to reflect all required changes and resubmit to the Village prior to the issuance of a building permit.
- F. The site shall be maintained free of all trash at all times.

Standard Conditions:

- A. This site plan approval shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66 of the Village Code of Ordinances. In no case shall the approval be extended beyond code-established time frames.
- B. Failure of the developer to comply with any of the Conditions of Approval at any time may result in the denial or revocation of building permits, issuance of a stop work order, denial of certificates of occupancy or the denial or revocation of other Village issued permits or approvals. Failure to commence development in a timely manner may also result in the revocation of development approval.
- C. While the site plan approval process requires the submission of certain preliminary drawings, plans and specifications, such items are subject to change to some degree during the detailed design and construction-permitting phase of

the final approvals. Thus except where specifically noted herein, the specific Village Code provisions governing design standards will apply.

- D. All utility services shall be underground.
- E. Lighting shall be required on all roadways and parking facilities and shall be installed on all streets on which any building construction has commenced. No certificates of occupancy shall be issued until street lighting is installed and operating in accordance with the provisions of Sec. 22-50 (a)(10). Light spill over onto adjacent properties or roadways shall be less than 0.1-foot candles.
- F. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- G. Following Council approval, the applicant shall submit three (3) sets of final plans and one (1) electronic copy in .TIF format.
- H. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of site construction engineering plans and an electronic copy in .TIF format to the Engineering Department for review and approval. Site construction plans shall include a final signed off version of the site plan. Allow 30 days for review and comment. A certified cost estimate for the total site development shall be included in the engineering submittal. An engineering plan review and inspection fee of three percent (3%) of the cost estimate for clearing, grading, earthwork, paving and drainage shall be paid to the Building Department. Fifty percent of the said fee shall be due at time of plan submission, and the remaining 50% will be required prior to the mandatory pre-construction meeting. Approval of site civil engineering elements will be required prior to the issuance of a building permit. Site plan approval shall not be construed as final engineering department approval.
- I. At any time before the issuance of a building permit but after Council approval, submit two (2) sets of landscape and irrigation plans for review and approval, incorporating any changes requested by the Planning and Zoning Commission and/or Village Council. A landscape and irrigation plan review and inspection fee of three percent (3%) of the cost estimate shall be paid to the Building Department at the time permits are issued.
- J. All public improvements associated with the project shall be complete prior to the issuance of any certificate of occupancy.
- K. Prior to the issuance of any building permit or conditional building permit the following must be completed:
 - 1. No building permits shall be issued until the construction drawings have been approved.
 - 2. The site plan, plat and engineering drawings must be submitted in AutoCAD electronic format.
- L. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.

4. Landscaping Conditions:

- A. Prior to the issuance of a Certificate of Occupancy the developer's Registered Landscape Architect shall provide a signed and sealed statement of completion.
- B. Vegetation removal shall not commence until a building permit has been applied for and vegetation removal permits have been issued.
- C. The property owner/s 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.

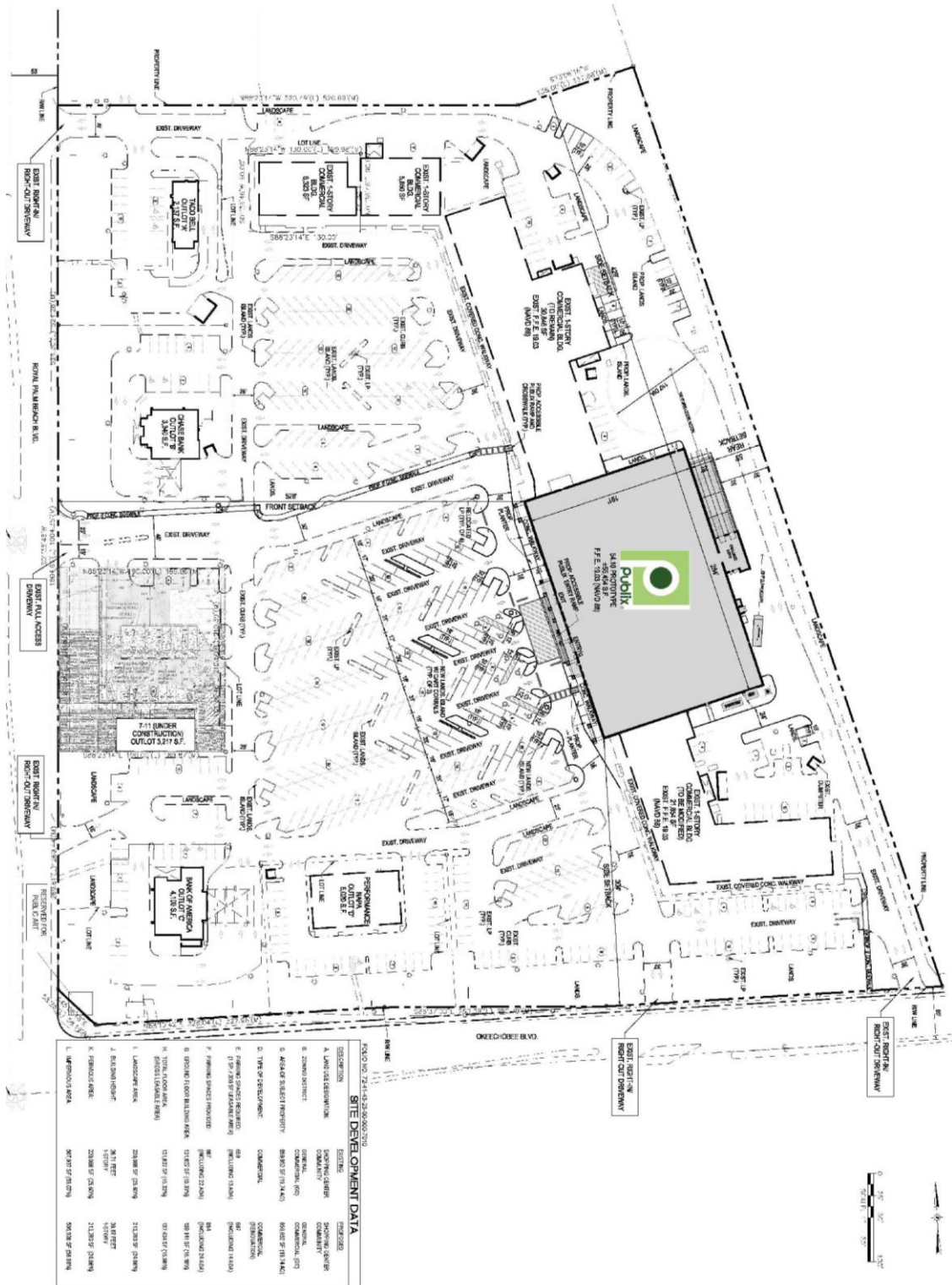
- D. All perimeter landscape buffers shall be installed prior to issuance of the first certificate of occupancy.
- E. The developer shall submit a landscape maintenance plan to the Village Landscape Inspector prior to the issuance of a Certificate of Occupancy.
- F. The landscape plan shall be revised and resubmitted to the Village to ensure that all landscaping is located outside of all easements prior to the issuance of a building permit.
- G. 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.
- H. 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.
- I. All exotic invasive species of plants shall be removed from the site prior to commencement of installing the required landscaping.

6. Planning & Zoning Commission Imposed Conditions:

- A. Building and roof colors and materials, and landscaping shall be only that which was presented and approved by the Planning and Zoning Commission

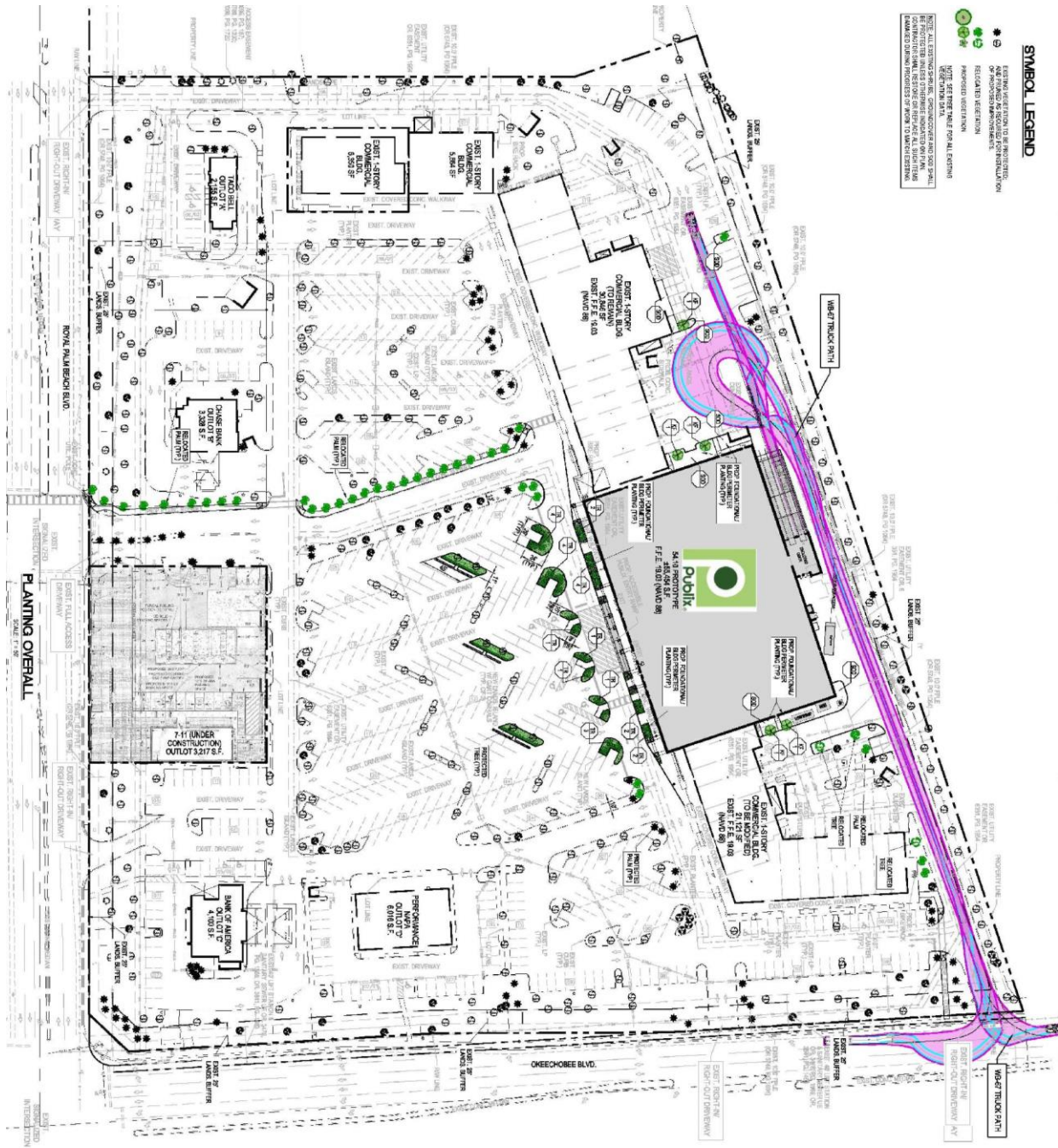
Attachment C
Site Plan
Publix @ Crossroads
Application No. 21-02 (SPM, AAR)
Resolution No. 21-11

Directly below is an illustration of the Site Plan.



Attachment C Landscape Plan Publix @ Crossroads Application No. 21-02 (SPM, AAR) Resolution No. 21-11

Directly below is an illustration of the Landscape Plan.

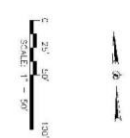


SYMBOL LEGEND

- EXISTING PLANTING TO BE MAINTAINED AND PLANTED AS INDICATED ON EXISTING OR PROPOSED DRAWINGS
- RELICATED VEGETATION
- PROPOSED VEGETATION

NOTE: PLANTING NAME FOR ALL EXISTING

NOTE: ALL EXISTING SHRUBS, GROUNDCOVER AND SOCS SHALL BE PROTECTED UNLESS OTHERWISE INDICATED WITHIN PLANNED DRAWING PROFILES OR WORK TO LANDSCAPING.



Sunshine 811
Call 811 or visit sunshine811.com for more information on how to locate underground utilities before you dig. Contact your nearest approved vendor today!

**Attachment C
Architecture
Publix @ Crossroads
Application No. 21-02 (SPM, AAR)
Resolution No. 21-11**

Directly below is an illustration of the proposed Architecture.





THE CROSSROADS PUBLIX VILLAGE OF ROYAL PALM BEACH, FL
DESIGN DEVELOPMENT

03.26.2021

