



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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION 18-0085 (SP, SE, LW) AN APPLICATION BY URBAN DESIGN KILDAY STUDIOS AND RESOLUTION 19-17 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING SITE PLAN, SPECIAL EXCEPTION USE AND LANDSCAPE WAIVER APPROVAL FOR A 102 UNIT SINGLE-FAMILY PLANNED UNIT DEVELOPMENT (PUD) LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF STATE ROAD 7. BY AGENT: KEN TUMA OF URBAN DESIGN KILDAY STUDIOS.

Issue:

The Applicant is seeking Site Plan, Special Exception Use and Landscape Waiver Approval for a proposed 102 unit single-family Planned Unit Development on a 33.75± acre parcel of land. The site is situated within the Single-Family Residential (RS-3) Zoning District. This site currently has several single family homes on large tracts. As part of the Planned Unit Development request, the Applicant is also seeking to reduce the required right-of-way width from the required 60 feet to 50 feet. In addition, the Applicant is requesting a Landscape Waiver in order to provide only a 10 foot wide landscape buffer along the north property line where Village Code requires a 15 foot landscape buffer.

Overall, the proposed Site Plan is in conformance with the Village's requirements for the Single-Family Residential (RS-3) Zoning District, with the exception of the variances being requested under separate application.

The Planning and Zoning Commission considered the application on June 25, 2019, and recommended Approval by a vote of 5-0.

Recommended Action:

Staff is recommending Approval of application 18-0085 (SP, SE, LW) and Resolution 19-17. This recommendation is contingent upon the approval of the accompanying variance requests.

Initiator	Village Manager	Agenda Date	P&Z Commission
Director of P & Z	Approval	07-18-2019	Action

RESOLUTION NO. 19-17

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 18-0085 (SP, SE) – THE APPLICATION OF URBAN DESIGN KILDAY STUDIOS – PERTAINING TO SITE PLAN AND SPECIAL EXCEPTION APPROVAL FOR 102 PATIO HOME (ZERO LOT LINE) SINGLE-FAMILY STYLE UNITS ON A 33.75± ACRE PARCEL OF LAND, LOCATED ON THE SOUTH SIDE OF SOUTHERN BOULEVARD APPROXIMATELY 0.27 MILES WEST OF 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. 18-0085 (SP, SE) was presented to the Village Council at its public hearing conducted on July 18, 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. 18-0085 (SP, 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 18th day of July, 2019.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Southern Boulevard Properties POD 4
18-0085(SP, SE)
Res. No. 19-17

LEGAL DESCRIPTION POD 4 (Gap Piece):

A PARCEL OF LAND BEING A PORTION OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 1, S01°50'01"W A DISTANCE OF 459.60 FEET; THENCE LEAVING SAID WESTERLY SECTION LINE, S59°20'02"E A DISTANCE OF 890.38 FEET TO THE NORTH LINE OF A 160 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 699, PAGE 534, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTH LINE S88°57'45"E A DISTANCE OF 715.12 FEET TO THE POINT OF BEGINNING.

THENCE LEAVING SAID NORTH LINE S01°50'01"W A DISTANCE OF 724.26 TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE LAKE WORTH DRAINAGE DISTRICT S-4W CANAL (60 FOOT WIDE RIGHT OF WAY) AS RECORDED IN OFFICIAL RECORD BOOK 937, PAGE 374, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S88°59'05"E A DISTANCE OF 266.86 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE N01°50'01"E A DISTANCE OF 503.92 FEET ; THENCE S88°57'45"E A DISTANCE OF 47.20 FEET; THENCE N01°50'01"E A DISTANCE OF 60.22 FEET TO THE SOUTH LINE OF SAID 160 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE ALONG SAID SOUTH LINE S88°57'45"E A DISTANCE OF 69.24 FEET; THENCE LEAVING SAID SOUTH LINE N01°01'47"E A DISTANCE OF 67.48 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 230.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°43'07" A DISTANCE OF 95.21 FEET TO THE POINT OF TANGENCY, SAID POINT ALSO BEING ON SAID NORTH LINE OF A 160 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT; THENCE ALONG SAID NORTH LINE N88°57'45"W A DISTANCE OF 400.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.939 ACRES MORE OR LESS.

Exhibit B
Conditions of Approval
Southern Boulevard Properties POD 4
18-0085(SP, SE)
Res. No. 19-17

1. Development Order:

This development order constitutes approval for:

Site Plan, Special Exception and Landscape Waiver Approval for a 102 unit single-family residential Planned Unit Development with only a single unit type, located on a 33.75± acre parcel of land situated within the Single-Family Residential (RS-3) Zoning District. The project will consist of 102 zero lot line homes. This Development Order also incorporates Landscape Waiver 19-02. This Development Order also incorporates a Subdivision Variation as part of the Planned Unit Development Approval to allow for a 50 foot right-of-way width in lieu of the required 60 foot width required by Code.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

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. Prior to the issuance of a Building Permit, the applicant shall be required to pay a fee of \$5,000 towards the placement of a bus shelter.
- C. The site shall be maintained free of all trash at all times.
- D. Based on 102 single family units, the recreational requirement for this project is 3.06 acres. Village Council may give credit up to one half of the 3.06 acres for private facilities. The Site Plan provides 1.53 acres of private recreation which leaves a remainder of 1.53 acres of the public recreation requirements that must be satisfied by a dedication of land. To satisfy this requirement, Developer shall dedicate a minimum 1.53 acres to the Village in POD 8 as a public park. This land dedication shall be a minimum of 1.53 acres.
- E. Revise all plans to reflect all required changes and resubmit to the Village prior to the issuance of a building permit.
- F. All recreation facilities must be completed prior to the issuance of the 50th Certificate of Occupancy.
- G. In accordance with Village code Section 26-74 (g) (2) prior to the issuance of building permits within the PUD, a unity of control instrument acceptable to the village attorney must be recorded by the applicant. The unity of control instrument shall assure that the PUD shall be developed consistent with the development order and conditions of approval granted by village council and must contain provisions for the joint maintenance responsibilities of the entire PUD.

3. 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 Section 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 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.

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

CASE NO. LW-19-02

**IN RE: Application No. 18-0085(LW) – Southern Boulevard
Properties POD 4**

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 July 18, 2019, 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 RS-3 Single-Family Residential 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(e) in order to allow the required 15 foot wide landscape buffer to be reduced to 10 feet to allow for a 5 foot walking path on the south side of the buffer.
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-19-02**, with reference to the Southern Boulevard Properties POD 4 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 18th day of July, 2019.

Mayor Fred Pinto
Village of Royal Palm Beach

Attest:

Diane DiSanto, Village Clerk

Exhibit A
Legal Description
Southern Boulevard Properties POD 4
Application 18-0085(LW)
LW-19-02

DESCRIPTION:

LEGAL DESCRIPTION POD 4 (Gap Piece):

A PARCEL OF LAND BEING A PORTION OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID SECTION 1, S01°50'01"W A DISTANCE OF 459.60 FEET; THENCE LEAVING SAID WESTERLY SECTION LINE, S59°20'02"E A DISTANCE OF 890.38 FEET TO THE NORTH LINE OF A 160 FOOT WIDE FLORIDA POWER AND LIGHT COMPANY EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 699, PAGE 534, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID NORTH LINE S88°57'45"E A DISTANCE OF 715.12 FEET TO THE POINT OF BEGINNING.

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CONTAINING 4.939 ACRES MORE OR LESS.



Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Southern Boulevard Properties Pod 4

Application: 18-0085 (SP, SE, LW) (Res. No. 19-17)

Applicant: Urban Design Kilday Studios
Ken Tuma and Jan Polson
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

Request: Site Plan, Special Exception Use, and Landscape Waiver Approval for a proposed 102 unit single-family Planned Unit Development (PUD) on a 33.75± acre parcel of land and lying within the Single-Family Residential District (RS-3) Zoning District, located on the south side of Southern Boulevard approximately 0.27 miles west of State Road 7.

Hearings: Planning and Zoning Commission: June 25, 2019
Village Council July 18, 2019

Recommendation: Approval

II. Site Data:

Site Area: 33.75± acres

Property Control Numbers: 72 41 44 01 00 000 3010; 3030; 3040; 3050; 3060

Existing Land Use: Single Family Residences

Existing FLUM Designation: Single Family Residential (SF)

Proposed FLUM Designation: Single Family Residential (SF)

Existing Zoning District: Single Family Residential (RS-3)

Proposed Zoning: Single Family Residential (RS-3)

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

Dir.	Existing:	FLUM:	Zoning:
North	Pod 2	Single Family Residential (SF)	Single-Family Res (RS-3)
South	Victoria Groves PUD	Residential Mixed Use (RMU, RPB)	Residential Mixed Use (RMU, RPB)
East	Pod 8	Low Residential (LR-2, PBC)	Agricultural Residential (AR, PBC)
West	FPL Service Facility	Utility (U, Wellington)	Utility (U, Wellington)

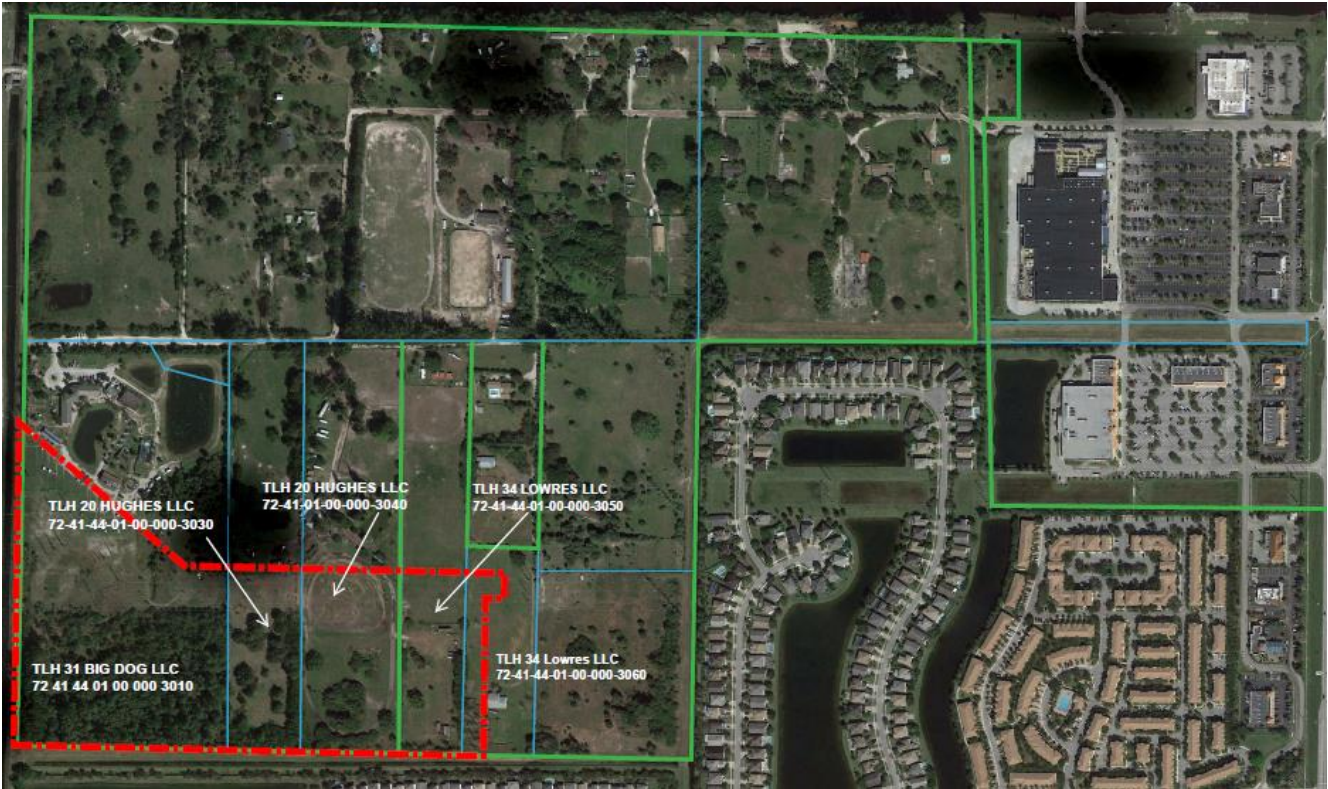


Figure 1: Location Map

III. Intent of Petition:

The Applicant is seeking Site Plan, Special Exception Use and Landscape Waiver Approval for a proposed 102 unit single-family Planned Unit Development on a 33.75± acre parcel of land. The site is situated within the Single-Family Residential (RS-3) Zoning District. This site currently has several single family homes on large tracts. As part of the Planned Unit development request, the Applicant is also seeking to reduce the required right-of-way width from the required 60 feet to 50 feet. For an Illustration of the Site Plan please refer to **Attachment D** and for an Illustration of the Landscape Plan please refer to **Attachment E**.

IV. History:

The subject property is located on the south side of Southern Boulevard and west of State Road 7. The parcels are contiguous to the Village boundary on the north and south sides and adjacent to Wellington’s boundary on the west side. The properties were recently annexed into the Village Boundary by adoption of Ordinance 919 by the Village Council on September 3, 2015.

V. Analysis:

The Applicant is seeking Site Plan, Special Exception Use and Landscape Waiver Approval for a proposed 102 unit single-family Planned Unit Development on a 33.75± acre parcel of land. The site is situated within the Single-Family Residential (RS-3) Zoning District. This site currently has several single family homes on large tracts.

The site will also contain a 0.8 acre lake for onsite retention. In addition, the Site Plan provides 13.88 acres of green and open space. Access to the site will be from Southern Boulevard, via a new bridge over the C-51 canal and a future access to State Road 7 south of Lowe's.

The Applicant is also requesting a reduction in the right-of-way width from 60 feet to 50 feet for the internal minor roadway. Although the Applicant has stated in their Justification Statement that a Subdivision Variance to reduce the right-of-way from 60 feet to 50 feet is part of the request, Section 26-74 (g) allows for flexibility to the subdivision regulations as part of the Planned Unit Development (PUD) approval process.

In addition, the Applicant is requesting a Landscape Waiver in order to provide only a 10 foot wide landscape buffer along the north property line where Village Code requires a 15 foot landscape buffer.

Pursuant to 26-75-4 (g) (1) of Village Code, requirements for recreational space are 10 acres of recreation space, per every 1,000 residents. Each dwelling unit generates 3.0 residents, per Village Code. Thus, based up on the proposed 102 single-family dwelling units, the following recreation area is required:

$$102 \text{ du} \times 3.0 \text{ persons/unit} = 306 \text{ persons}$$
$$306 \text{ persons}/1,000 = .306 \times 10 \text{ acres} = \mathbf{3.06 \text{ acres of recreation space}}$$

Section 26-75 (h) (2) allows for a credit for private open space, where up to 50% of the required recreation area can be provided as private open space, to the residents of the subdivision. The Applicant is proposing to provide a total of 1.53 acres of private recreation on site for a total of 50% of the project's recreation obligation. The private recreation areas proposed will include a pool, multi-purpose sports court, playground, fitness trails, and a picnic area. The Applicant will also be dedicating 1.53 acres of land totaling 100% of their remaining 50% recreation obligation. The 1.53 acres will be a part of Pod 8, which was intended to be the receiving area for the recreation obligations for Pods 2, 3, and 4.

In reviewing this petition, Village staff considered conformity with the Village of Royal Palm Beach's Zoning Code pertaining to the Single-Family Residential (RS-3) Zoning District. Specifically, the proposed project meets the requirements for the Multifamily Residential (RS-3) Zoning District as follows:

Specifically, the proposed site meets the requirements for Single Family Residential (RS-3) Zoning District as follows:

1. Parcel size: The site is 33.75± acres and exceeds the minimum area required for RS-3-designated property of 7,000 square feet.
2. Parcel width: The site exceeds the minimum parcel width of 65 feet of frontage.
3. Setbacks: Any proposed building(s) will be required to conform to the design standards for this zoning district at the time of building permit review.

4. Pervious area: The site will be required to meet or exceed the minimum pervious area requirement at the time of building permit review.
5. Parking Requirements: The site plan will meet or exceed the parking requirements for single family homes at the time of building permit review.
6. Landscape Areas: The proposed site plan complies with all aspects of the Village's Landscape Code, with the exception of the required 15 foot buffer, which is the subject of a Landscape Waiver request to reduce the required 15 foot wide buffer down to a 10 foot buffer along the north property line.
7. Maximum Building Height: The proposed single family homes will be required to meet the height limitations of 30 feet for the RS-3 Zoning District at the time an Architectural and Aesthetics Review Application is filed to approve the different models.

The proposed Master Plan is provided in **Attachment C** for your reference to give the Applicant's overall vision for this area and how Pod 4 is situated among the other Pods. The following is a summation of the Master Plan, which includes the proposed Pod's 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 102 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 (this park is not part of this Comprehensive Plan Land Use Map amendment approval round but will be brought forth for consideration for a Comprehensive Plan Land Use Map amendment prior to the second reading and adoption hearing of the current Comprehensive Plan Land Use Map amendment approval round); and
- Erica Boulevard – 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.

Overall, the proposed Site Plan is in conformance with the Village's requirements for the Single-Family Residential (RS-3) Zoning District., with the exception of the variances being requested under separate application.

VI. Staff Recommendation:

Staff is recommending Approval of Application 18-0085 (SP, SE, LW) and Resolution No. 19-17. This recommendation is contingent upon the approval of the accompanying variance requests.

VII. Hearing History:

Planning and Zoning Commission:

The Planning and Zoning Commission considered the application on June 25, 2019, and recommended Approval by a vote of 5-0.

**Attachment A
Legal Description
Southern Boulevard Properties Pod 4
18-0085 (SP, SE, LW)
Resolution No. 19-17**

Legal Description:

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CONTAINING 33.749 ACRES MORE OR LESS.

Attachment B
Conditions of Approval
Southern Boulevard Properties Pod 4
18-0085 (SP, SE, LW)
Resolution No. 19-17

1. Development Order:

This development order constitutes approval for:

Site Plan, Special Exception and Landscape Waiver Approval for a 102 unit single-family residential Planned Unit Development with only a single unit type, located on a 33.75± acre parcel of land situated within the Single-Family Residential (RS-3) Zoning District. The project will consist of 102 zero lot line homes. This Development Order also incorporates Landscape Waiver 19-02. This Development Order also incorporates a Subdivision Variation as part of the Planned Unit Development Approval to allow for a 50 foot right-of-way width in lieu of the required 60 foot width required by Code.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

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. Prior to the issuance of a Building Permit, the applicant shall be required to pay a fee of \$5,000 towards the placement of a bus shelter.
- C. The site shall be maintained free of all trash at all times.
- D. Based on 102 single family units, the recreational requirement for this project is 3.06 acres. Village Council may give credit up to one half of the 3.06 acres for private facilities. The Site Plan provides 1.53 acres of private recreation which leaves a remainder of 1.53 acres of the public recreation requirements that must be satisfied by a dedication of land. To satisfy this requirement, Developer shall dedicate a minimum 1.53 acres to the Village in POD 8 as a public park. This land dedication shall be a minimum of 1.53 acres.
- E. Revise all plans to reflect all required changes and resubmit to the Village prior to the issuance of a building permit.
- F. All recreation facilities must be completed prior to the issuance of the 50th Certificate of Occupancy.
- G. In accordance with Village code Section 26-74 (g) (2) prior to the issuance of building permits within the PUD, a unity of control instrument acceptable to the village attorney must be recorded by the applicant. The unity of control instrument shall assure that the PUD shall be developed consistent with the development order and conditions of approval granted by village council and must contain provisions for the joint maintenance responsibilities of the entire PUD.

3. Standard Conditions:

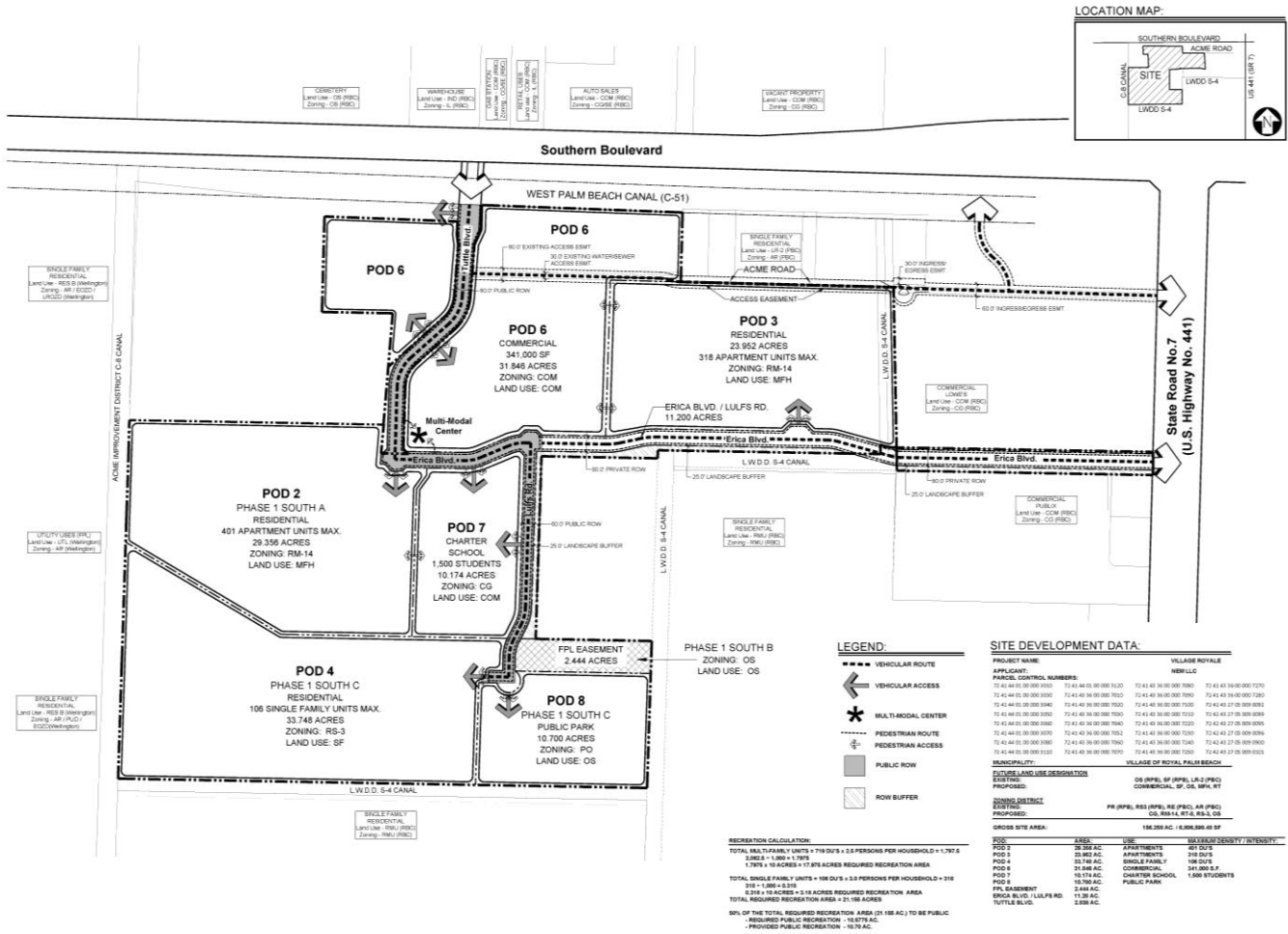
- A. This site plan approval shall expire one (1) year from the date of council approval, unless appropriate applications for site plan extension are submitted pursuant to Sec. 26-66 of the Village Code of Ordinances. In no case shall the approval be extended beyond code-established time frames.
- B. 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 Section 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 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.

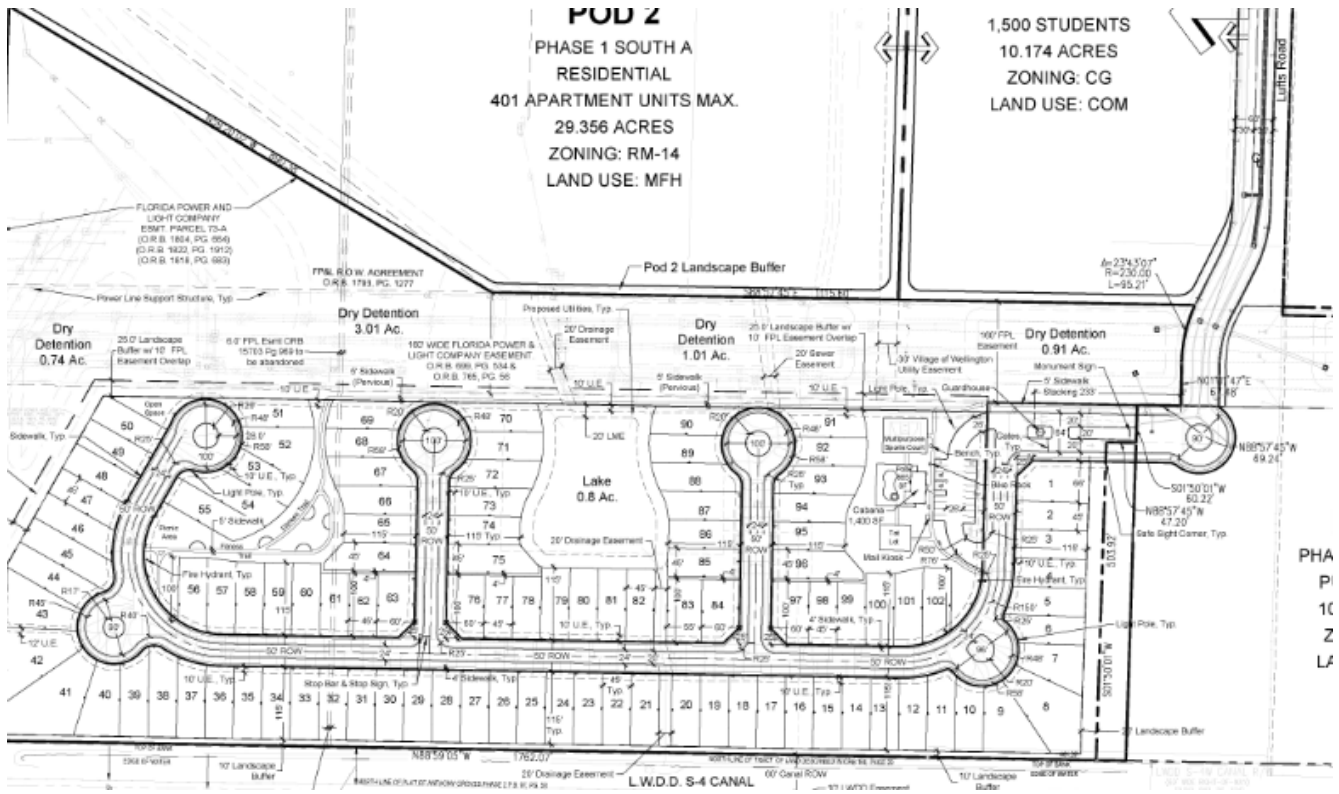
4. Landscaping Conditions:

- 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.

Attachment C Master Plan Southern Boulevard Properties Pod 4 18-0085 (SP, SE, LW) Resolution No. 19-17

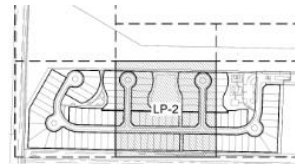
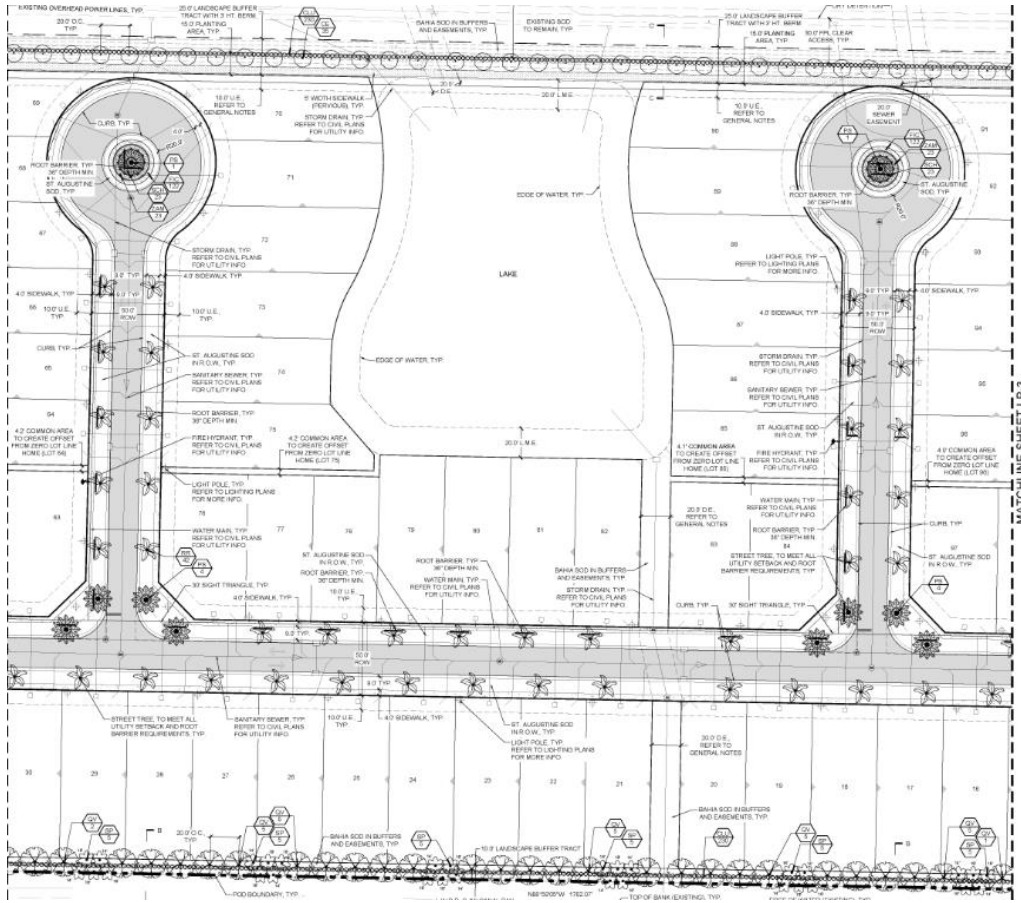


Attachment D
Site Plan
Southern Boulevard Properties Pod 4
18-0085 (SP, SE, LW)
Resolution No. 19-17



Please use the zoom feature to view this illustration.

Attachment D Continued Landscape Plan Southern Boulevard Properties Pod 4 18-0085 (SP, SE, LW) Resolution No. 19-17



PLANT LEGEND

SYMBOL	CODE	SYMBOLICAL NAME / COMMON NAME
(Circle with cross)	01	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with dot)	02	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with horizontal lines)	03	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with vertical lines)	04	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with diagonal lines)	05	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with concentric circles)	06	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with irregular pattern)	07	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with star pattern)	08	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with cross-hatch)	09	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with dots)	10	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with horizontal lines)	11	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with vertical lines)	12	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with diagonal lines)	13	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with concentric circles)	14	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with irregular pattern)	15	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with star pattern)	16	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with cross-hatch)	17	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with dots)	18	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with horizontal lines)	19	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with vertical lines)	20	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with diagonal lines)	21	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with concentric circles)	22	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with irregular pattern)	23	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with star pattern)	24	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with cross-hatch)	25	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with dots)	26	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with horizontal lines)	27	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with vertical lines)	28	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with diagonal lines)	29	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with concentric circles)	30	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with irregular pattern)	31	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with star pattern)	32	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with cross-hatch)	33	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with dots)	34	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
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(Circle with vertical lines)	36	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with diagonal lines)	37	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with concentric circles)	38	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with irregular pattern)	39	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with star pattern)	40	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with cross-hatch)	41	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with dots)	42	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with horizontal lines)	43	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with vertical lines)	44	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with diagonal lines)	45	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with concentric circles)	46	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with irregular pattern)	47	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with star pattern)	48	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with cross-hatch)	49	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m
(Circle with dots)	50	Ardisia cuneata, Bayberry / 1.5m x 1.5m x 1.5m

GENERAL NOTES:

48 HOURS BEFORE BID

Please use the zoom feature to view this illustration.

