

Agenda Item # __R - 5__

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 24-029 (SPM) AN APPLICATION BY BELVEDERE ROAD LLC AND THE ADOPTION OF RESOLUTION NO. 24-09 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING SITE PLAN MODIFICATION IN ORDER TO REPLACE ONE PARKING SPOT AND 10' OF LOADING SPACE NORTHEAST OF BUILDING C WITH A PLAYGROUND AREA, ADD 30,000 SF MEDICAL OFFICE SPACE WITHIN THE DEVELOPMENT, ADD AN ELECTRIC VEHICLE CHARGING STATION, BENCHES AND BIKE RACKS AND MODIFY THE PREVIOUSLY APPROVED LANDSCAPING, FOR A PROPERTY LOCATED AT 9701 BELVEDERE ROAD: BY AGENT, GEORGE MISSIMER.

Issue:

The Applicant is seeking a Major Site Plan Modification in order to replace one parking spot and 10' of loading space northeast of Building C with a playground area, add 30,000 sf medical office space within the development, add an electric vehicle charging station, benches and bike racks and modify the previously approved landscaping. The site is located at 9701 Belvedere Road.

Overall Village Staff has determined that the minimum requirements of the Village Code have been met for this Site Plan Modification, therefore Staff is recommending Approval of Application No. 24-029 (SPM).

The Planning and Zoning Commission considered the application on July 23, 2024, and recommended Approval by a vote of 5-0 with the condition that the playground area shall not be used for daycare purposes and shall only be used in conjunction with the special needs therapy counseling in Building C.

Recommended Action:

Approval of Application No. 24-029 (SPM) through the adoption of Resolution No. 24-09.

Initiator:	Village Manager	Agenda Date	Village Council
Director of P&Z	Approval	8-15-2024	Action

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: University Centre (a/k/a Corporate Center West)

Application: 24-029 (SPM) (Res. No. 24-09)

Applicant/Owner: Belvedere Road LLC
5554 Main Street
Williamsville, NY 14221

Agent: Cotleur & Hearing, Inc.
1934 Commerce Lane
Jupiter, FL 33458

Request: Approval of a Site Plan Modification in order to replace one parking spot and 10' of loading space northeast of Building C with a playground area, add 30,000 sf medical office space within the development, add an electric vehicle charging station, benches and bike racks and modify the previously approved landscaping, for a property located at 9701 Belvedere Road.

Hearings: Planning and Zoning Commission: July 23, 2024
Village Council: August 15, 2024

Recommendation: Approval

II. Site Data:

Site Area: 9.86 ± acres

Property Control Numbers: 72-42-43-31-13-001-0000, 002-0000, 003-0000

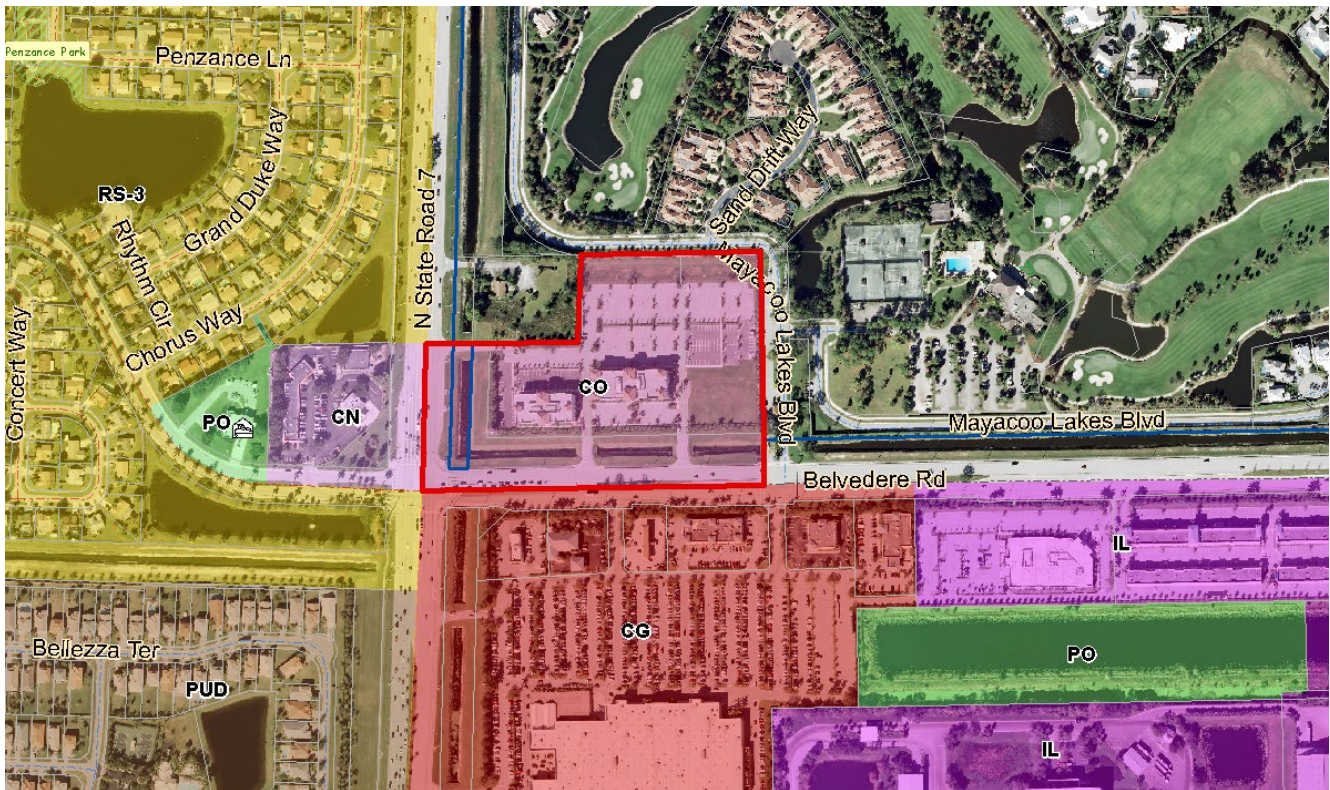
Existing Land Use: Vacant

Existing FLUM Designation: Commercial (COM)

Existing Zoning District: Office Commercial (CO)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
<i>North</i>	Breakers West	Low Residential (LR-2, PBC)	Single Family Res. (RS, PBC)
<i>South</i>	Sawgrass PCD	Commercial (COM, RPB)	General Commercial (CG, RPB)
<i>East</i>	Breakers West	Low Residential (LR-2, PBC)	Single Family Res. (RS, PBC)
<i>West</i>	Counterpoint Est.	Single Family (SF, RPB)	Single Family Res. (RS-3, RPB)

Directly below is an aerial showing the location and extent of the affected area:



III. Intent of Petition:

The Applicant is seeking a Major Site Plan Modification in order to replace one parking spot and 10' of loading space northeast of Building C with a playground area, add 30,000 sf medical office space within the development, add an electric vehicle charging station, benches and bike racks and modify the previously approved landscaping. The site is located at 9701 Belvedere Road.

IV. History:

The subject property is located at 9701 Belvedere Road. The property was annexed into the Village boundaries by the adoption of Ordinance 757 on November 16, 2006. The subject site was assigned a Village Land Use Designation of Commercial (COM) through the adoption of Ordinance 762 on December 21, 2006. The parcel was subsequently rezoned to Office Commercial (CO) through the adoption of Ordinance 763 on February 1, 2007. Prior to the above actions, the Palm Beach County Board of County Commissioners granted an approval for a Multiple Use Planned Development (MUPD) to allow 100,000 square feet of professional offices. The applicant obtained approval for a Site Plan and Special Exception for a Planned Commercial Development (PCD) which is generally consistent with the County's approval through the adoption of Resolution 07-04 on March 15, 2007. The applicant obtained approval for a Site Plan Modification and Special Exception Use to include an Academic Institution in the permitted uses for the site on February 21, 2008 through the adoption of Resolution 08-07.

V. Analysis:

The Applicant is seeking a Major Site Plan Modification in order to replace one parking spot and 10' of loading space northeast of Building C with a playground area, add 30,000 sf medical office space within the development, add an electric vehicle charging station, benches and bike racks and modify the previously approved landscaping. The site is located at 9701 Belvedere Road. For an illustration of the Site Plan please refer to **Attachment C**.

The Applicant is proposing to reconfigure the parking lot replacing one (1) parking space and a 10-foot loading space northeast of Building C with a playground. The proposed playground area is being requested to provide increased activities for a tenant that offers counseling and therapy of special needs patients. A four (4) foot aluminum fence, bollards, and hedge material will be used for safety and screening for the playground area. A Live Oak will also be relocated to this area to provide shade for the playground area. The Applicant has stated that this area will not be used for Child Daycare Center, which is Special Exception Use within the Commercial Office (CO) Zoning District.

In addition to the playground, the applicant is also proposing to add an electric vehicle charging station. Parking stalls used to accommodate electric vehicle charging stations cannot count towards the code required number of parking spaces. The overall site contains additional parking spaces above the code requirements to accommodate the charging station.

Additionally, the Applicant is proposing benches north and west of Building C to provide additional pedestrian amenities. The Applicant is also proposing a bike rack to accommodate employees of Building C who commute to work via bicycle.

Overall Village Staff has determined that the minimum requirements of the Village Code have been met for this Site Plan Modification, therefore Staff is recommending Approval of Application No. 24-029 (SPM).

VI. Staff Recommendation:

Approval of Application No. 24-029 (SPM) through the adoption of Resolution No. 24-09.

VII. Hearing History:

Planning and Zoning Commission:

The Planning and Zoning Commission considered the application on July 23, 2024, and recommended Approval by a vote of 5-0 with the condition that the playground area shall not be used for daycare purposes and shall only be used in conjunction with the special needs therapy counseling in Building C.

Attachment A
Legal Description
University Centre (a/k/a Corporate Center West)
Application No. 24-029 (SPM)
Resolution No. 24-09

LEGAL DESCRIPTION:

Parcels 2 and 3, University Centre, according to the Plat thereof as recorded in Plat Book 113, Page 31, Public Records of Palm Beach County, Florida.

Attachment B
Conditions of Approval
University Centre (a/k/a Corporate Center West)
Application No. 24-029 (SPM)
Resolution No. 24-09

1. Development Order:

This development order constitutes approval for:

Approval of a Site Plan Modification Approval in order to replace one parking spot and 10' of loading space northeast of Building C with a playground area, add 30,000 sf medical office space within the development, add an electric vehicle charging station, benches and bike racks and modify the previously approved landscaping, for a property located 9701 Belvedere Road.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All prior conditions of approval imposed by the adoption of Resolution Nos. 07-04 and 08-07 and as modified by 12-07, remain in full force and effect unless specifically modified herein.

2. Site Specific Conditions:

- A. The playground area shall not be used for daycare purposes and shall only be used in conjunction with the special needs therapy counseling in Building C.

RESOLUTION NO. 24-09

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 24-029 (SPM) – THE APPLICATION OF BELVEDERE ROAD LLC - PERTAINING TO A SITE PLAN MODIFICATION APPROVAL TO REPLACE ONE PARKING SPOT AND 10’ OF LOADING SPACE NORTHEAST OF BUILDING C WITH A PLAYGROUND AREA, ADD 30,000 SF MEDICAL OFFICE SPACE WITHIN THE DEVELOPMENT, ADD AN ELECTRIC VEHICLE CHARGING STATION, BENCHES AND BIKE RACKS AND MODIFY THE PREVIOUSLY APPROVED LANDSCAPING, FOR A PROPERTY LOCATED AT 9701 BELVEDERE ROAD, 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. 24-029 (SPM) was presented to the Village Council at its public hearing conducted on August 15, 2024; 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. 24-029 (SPM), THE APPLICATION OF BELVEDERE ROAD 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 15th day of August, 2024.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

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Resolution No. 24-09

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2. Site Specific Conditions:

A. The playground area shall not be used for daycare purposes and shall only be used in conjunction with the special needs therapy counseling in Building C.

