

Agenda Item #   R - 2  

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

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER LANDSCAPE WAIVER APPLICATION NO. 24-078 (LW) AND APPROVAL OF ORDER LW-24-03, AN APPLICATION BY INSITE STUDIO, ON BEHALF OF AI FLORIDA DIVISION DC LLC, IS REQUESTING A LANDSCAPE WAIVER FROM SEC. 15-133(B) TO ELIMINATE THE REQUIRED 5-FOOT WIDE PERPENDICULAR DIVIDER STRIPS, FOR A PROPERTY LOCATED AT 1171 N. STATE ROAD 7; BY AGENT: BRIAN TERRY.**

**Issue:**

The Applicant Insite Studio, on behalf of AI Florida Division DC LLC, is requesting a Landscape Waiver from Sec. 15-133(b) to eliminate the required 5-foot wide perpendicular divider strips. The property is located at 1171 N. State Road 7.

For a brief description of the Waiver and location, please see below. Also below is the Applicant’s justification and Staff’s recommendation for the requested waiver.

**Waiver:**

Sec. 15-133(b)(1) to allow for the elimination of the required Perpendicular Divider Strips within the proposed parking lot expansion. Please refer to **Attachment A** for an illustration showing the location of the affected area.

The Applicant Contends: “The request for this waiver is substantiated by the site constraints, the burden of additional pavement causing a smaller retention area, and the project viability and public benefit. Compliance with the perpendicular divider strip requirement would necessitate the expansion of the paved parking areas, which would significantly reduce the space available for site’s designated storm water retention area. This retention area is critical for managing storm water runoff, preventing flooding, and complying with local storm water management practices. Additional pavement would increase impervious surface coverage, reducing the capacity for proper drainage and retention. The site plan has been designed to prioritize sufficient space for the storm water retention space and pedestrian safety in the parking area. Reducing the size of the retention area to accommodate divider strips would decrease the capacity for storm water, potentially leading to negative impacts on the site”.

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Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Denial	11/21/24	Action

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**Staff Recommendation:** Staff recommends denial of the requested landscape waiver and does not concur with the Applicant's justification. In Staff's opinion, the waiver exceeds what is necessary to allow reasonable use of the property.

The Applicant claims that incorporating the perpendicular divider strip would significantly reduce the space available for the designated stormwater retention area. However, the Applicant has not provided sufficient evidence to demonstrate that the site would be unable to meet the stormwater management requirements by expanding existing dry detention areas or through exfiltration.

The Planning and Zoning Commission considered the application on October 22, 2024, and recommended Approval with the condition that the Applicant add the required landscaping from the eliminated perpendicular divider strips to other locations onsite by a vote of 5-0.

**Recommended Action:**

Staff is recommending Denial of Application No. 24-078 (LW) and Order LW-24-03.

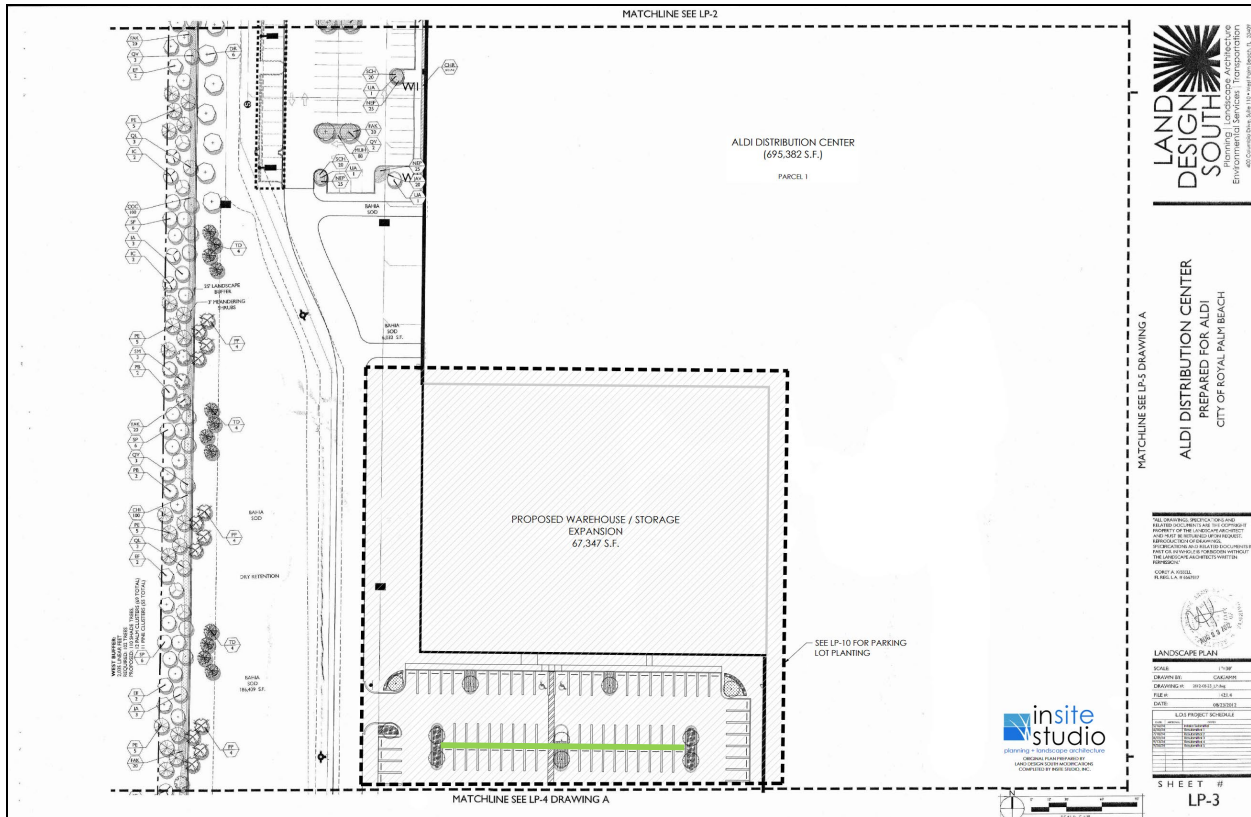
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# Attachment A Waiver Affected Area Application No. 24-078 (LW)

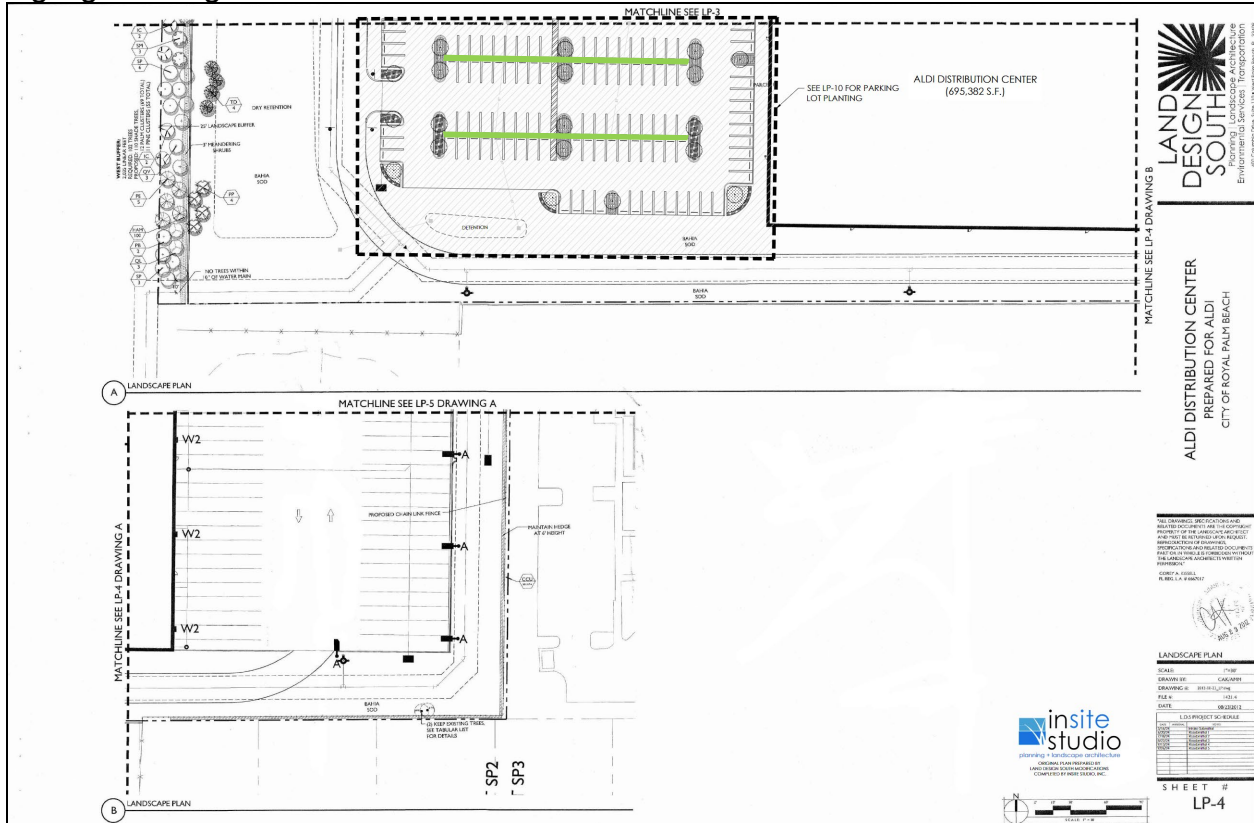
Directly below is an illustration of the landscape plan showing the location of the waiver highlighted in green.



Initiator:	Village Manager	Agenda Date	Village Council
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# Attachment A Cont'd Waiver Affected Area Application No. 24-078 (LW)

Directly below is an illustration of the landscape plan showing the location of the waiver highlighted in green.



Initiator:	Village Manager	Agenda Date	Village Council
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**ORDER OF THE VILLAGE COUNCIL  
VILLAGE OF ROYAL PALM BEACH  
Chapter 15. Landscape Waiver**

**CASE NO. LW-24-03**

**IN RE: Application No. 24-078(LW) – Aldi Distribution Expansion @  
1171 N. State Road 7**

**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 November 21, 2024, 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 Industrial Limited (IL) 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. 15-133 (b) (1) to eliminate the required 5-foot wide perpendicular divider strips.
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-24-03**, with reference to the Aldi Distribution Expansion 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 allowed by Section 15-37 of the Village Code of Ordinances.**

**Done and ordered this 21st day of November, 2024.**

\_\_\_\_\_  
Mayor Jeff Hmara  
Village of Royal Palm Beach

Attest:

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

**Exhibit A**  
**Legal Description**  
**Aldi Distribution Expansion @ 1171 N. State Road 7**  
**Application No. 24-078 (LW)**  
**LW-24-03**

LEGAL DESCRIPTION:

That portion of Parcel 1 and Parcel 11, Aldi Park, according to the Plat thereof, as recorded in Plat Book 116, pages 17 through 23, inclusive, of the Public Records of Palm Beach County Florida, lying within the lands previously described as:

Lots 1, 4 and 5, Country West, according to the Plat thereof, as recorded in Plat Book 40, Page 179, of the Public Records of Palm Beach County, Florida.

and

That portion of Parcel 1 and Parcel 11, Aldi Park, according to the Plat thereof, as recorded in Plat Book 116, pages 17 through 23, inclusive, of the Public Records of Palm Beach County Florida, lying within the following described lands:

The Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 43 South, Range 41 East, Palm Beach County, Florida.