

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

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 24-053 (SPM, AAR) AN APPLICATION BY AI FLORIDA DIVISION SOUTH DC, LLC, AND ADOPTION OF RESOLUTION NO. 24-24 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING SITE PLAN MODIFICATION AND ARCHITECTURAL APPROVAL TO MODIFY THE PREVIOUSLY APPROVED SITE PLAN TO REDUCE THE PHASE 2 EXPANSION FROM 151,172 SQUARE FEET TO 67,347 SQUARE FEET, ACCOMMODATE A PARKING LOT EXPANSION, MODIFY THE LANDSCAPE AREAS, AND ESTABLISH THE LOCATION OF REQUIRED PUBLIC ART, FOR A PROPERTY LOCATED AT 1171 N. STATE ROAD 7; BY DANA GILLETTE OF ERDMAN ANTHONY.

Issue:

The Applicant is requesting Site Plan Modification and Architectural Approval to modify the previously approved site plan to reduce the Phase 2 expansion from 151,172 square feet to 67,347 square feet of the new dry warehouse addition, accommodate a parking lot expansion, modify the landscape areas and account for the location of required public art, for a property located at 1171 N. State Road 7.

The Applicant is also seeking Architectural approval for the building architecture, color, materials and Landscape Plan.

A Landscape Waiver (LW) application (Application No. 24-078 (LW)) is being processed in conjunction and concurrent with this application. The waiver request is to eliminate the required Perpendicular Divider Strips within the proposed parking lot expansion.

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

Recommended Action:

Staff is recommending Approval of Application No. 24-053 (SPM, AAR) and Resolution 24-24, subject to the approval of Application No. 24-078 (LW) and Waiver Order LW-24-03.

Initiator:	Village Manager	Agenda Date	Village Council
P&Z Director	Approval	11-21-2024	Action

Village of Royal Palm Beach - Staff Report

I. General Data:

Project Name: Aldi Distribution Expansion

Application: 24-053 (SPM, AAR) (Res. 24-24)

Applicant: AI Florida Division South DC, LLC
1200 North Kirk Road
Batavia, IL 60510-1477

Agent: Dana Gillette
Erdman Anthony
1402 Royal Palm Beach Boulevard, Suite 500
Royal Palm Beach, FL 33411

Request: Site Plan Modification and Architectural Approval to modify the previously approved site plan to reduce the Phase 2 expansion from 151,172 sf to 67,347 sf of the new dry warehouse addition, accommodate a parking lot expansion, modify the landscape areas and account for the location of required public art, for a property located at 1171 N. State Road 7.

Recommendation: Approval

Hearings: Planning & Zoning Commission: October 22, 2024
Village Council: November 21, 2024

II. Site Data:

Site Area: 42.79± Acres

Property Control Numbers: 72-41-43-25-23-001-0000

Existing Land Use: Aldi Distribution

Existing FLUM Designation: Industrial (IND)

Existing Zoning District: Limited Industrial (IL)

Table 1: Adjacent Existing, Future Land Uses, and Zoning			
Dir.	Existing:	FLUM:	Zoning:
<i>North</i>	RPB High School Sunset Isles	Public Ownership (PO) Multi-family High Density R. (MFH)	Public Ownership (PO) Multi-family Residential (RM-14)
<i>South</i>	RPB Business Park	Industrial (IND)	Industrial General (IG)
<i>East</i>	Regal Centre	Commercial (COM)	General Commercial (CG)
<i>West</i>	Willows II	Single Family Residential (SF)	Residential Single Family (RS-2)

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



III. Intent of Petition:

The Applicant is requesting Site Plan Modification and Architectural Approval to modify the previously approved site plan to reduce the Phase 2 expansion from 151,172 sf to 67,347 sf of the new dry warehouse addition, accommodate a parking lot expansion, modify the landscape areas and account for the location of required public art, for a property located at 1171 N. State Road 7.

IV. History:

The subject properties were annexed into the Village from Palm Beach County on May 18, 2000 through the adoption of Ordinance No. 586. The properties, at the time of annexation, were zoned and platted for low density residential uses (2.94 units per acre).

After annexation the Future Land Use for a 9.94 acre parcel of land abutting State Road 7 was changed to Industrial (IND), through the adoption of Ordinance No. 592 on September 13, 2001. The 9.94 acre parcel of land was then Rezoned to Limited Industrial (IL) through the adoption of Ordinance No. 593 on September 7, 2000. The 9.94 acre parcel of land received Site Plan and Planned Industrial Development (PID) approval which included a 106,873 square foot self-service storage facility and 54,360 square feet of general industrial uses, was approved through the adoption of Resolution No. 02-28 on July 18, 2002.

The remaining 62.374 acre parcel, was assigned a Land Use Designation of Industrial (IND) through the adoption of Ordinance No. 599 on October 19, 2001. The Zoning on the 62.374 acre parcel was then changed to Limited Industrial (IL), through the adoption of Ordinance No. 608 on September 6, 2001.

The Future Land Use Designation on the 62.374 acre parcel was changed from Industrial (IND) to Residential Mixed Use (RMU) with the adoption of Ordinance No. 689 on December 16, 2004. The 62.374 acre parcel was then Rezoned to the Residential Mixed Use (RMU) Zoning District on October 6, 2005. Subsequently, a Site Plan and Special Exception Use approval was granted for a 191 unit residential Planned Unit Development (PUD) through the adoption of Resolution No. 05-46 adopted on November 17, 2005. That site plan was never acted upon and thus expired.

The 62.374 acre parcel was then converted back to the Industrial (IND) Land Use Designation and the original Limited Industrial (IL) Zoning District through the adoption of Ordinance Nos. 801 and 811 on May 1, 2008 and November 20, 2008, respectively.

V. Analysis:

The Applicant is requesting Site Plan Modification and Architectural Approval to modify the previously approved site plan to reduce the Phase 2 expansion from 151,172 sf to 67,347 sf of the new dry warehouse addition, accommodate a parking lot expansion, modify the landscape areas and account for the location of required public art, for a property located at 1171 N. State Road 7.

The subject site is located within the previously approved Aldi Park Planned Industrial Development (PID). The Applicant requests a Major Site Plan Modification to revise the original plan by reducing the Phase 2 expansion from 151,172 square feet to 67,347 square feet. The modification includes the addition of a new dry warehouse, expanded parking areas, and landscape areas. For an Illustration of the Site Plan, please refer to **Attachment C**. For an illustration of the Landscape Plan please refer to **Attachment D**.

Architectural approval is also being requested for the new updated building façade. For an illustration of the building's architecture please refer to **Attachment E**.

A Landscape Waiver (LW) application (Application No. 24-078 (LW)) is being processed in conjunction and concurrent with this application. The waiver request is to eliminate the required Perpendicular Divider Strips within the proposed parking lot expansion.

In reviewing this petition, Village staff considered conformity with Chapter 26 of the Village's Code of Ordinances. Specifically, how the proposed project meets the requirements for the Industrial Limited (IL) Zoning District; as outlined below:

1. Parcel size: The site is 42.79± acres, which is greater in size than the minimum requirement of 2 acres for Industrial Limited (IL) Zoning District.
2. Parcel width: The parcel meets or exceeds the minimum parcel width of 150 feet of frontage.
3. Setbacks: The proposed building conforms to the setback standards for the Industrial Limited (IL) Zoning District.
4. Pervious area: The overall Aldi Planned Industrial Development exceeds the minimum pervious area requirement for the site required by Village Code.
5. Parking Requirements: The proposed building conforms to the minimum required parking standards for the Industrial Limited (IL) Zoning District. Also, the property is part of the Aldi Planned Industrial Development (PID), and additional available parking is provided throughout the PID.
6. Landscape Areas: Landscape Waiver Application No. 24-078 (LW) was submitted, requesting Landscape Waiver from Sec. 15-133(B) to eliminate the required perpendicular divider strips a minimum of 5-feet in width,
7. Maximum Building Height: Variance Application No. 22-8 was approved by the Village Council on June 16, 2022 through Variance Order VC-22-06. Accordingly, the proposed building will have a maximum height of 33 feet, in compliance with the approved variance.
8. Access Points: Access to the site will remain as existing via Aldi Way.

Overall, the proposed site plan is in conformance with the Village's requirements for the Industrial Limited (IL) Zoning District, with the exception of the items noted above.

VI. Disposition Options:

Recommend: Approval of the application;
Denial of the application

VII. Staff Recommendation:

The Planning and Zoning Commission considered the application on October 22, 2024, and recommended Approval by a vote of 5-0 with the conditions that the Applicant add the

required landscaping from the eliminated perpendicular divider strips to other locations onsite and add additional trees to the western buffer.

VIII. Hearing History:

Planning & Zoning Commission:

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

**Attachment A
Legal Description
Aldi Distribution Expansion
Application No. 24-053 (SPM, AAR)
Resolution No. 24-24**

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.

Attachment B
Legal Description
Aldi Distribution Expansion
Application No. 24-053 (SPM, AAR)
Resolution No. 24-24

1. Development Order:

This development order constitutes approval for:

Site Plan Modification and Architectural Approval to modify the previously approved site plan to reduce the Phase 2 expansion from 151,172 sf to 67,347 sf of the new dry warehouse addition, accommodate a parking lot expansion, modify the landscape areas and account for the location of required public art, for a property located at 1171 N. State Road 7.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All other conditions imposed by previous approvals shall remain in full force and effect unless specifically modified herein.

2. Site Specific Conditions:

- A. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- B. The site shall be maintained free of all trash at all times.
- C. The Art in Public Places ("AIPP") 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 of the overall Aldi Planned Industrial Development (PID). The remaining minimum balance to be met for this project is \$182,000, after accounting for the previously fulfilled AIPP contribution of \$68,000. (Maximum public art contribution of \$250,000 based on the provided \$19.5M certified cost estimate of expansion/renovation costs - \$68,000 = \$182,000). The public art installation shall be in the location depicted on the Site Plan and installed prior to the issuance of the Certificate of Occupancy.

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 the final site 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 at the time permits are issued. 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 three (3) 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.

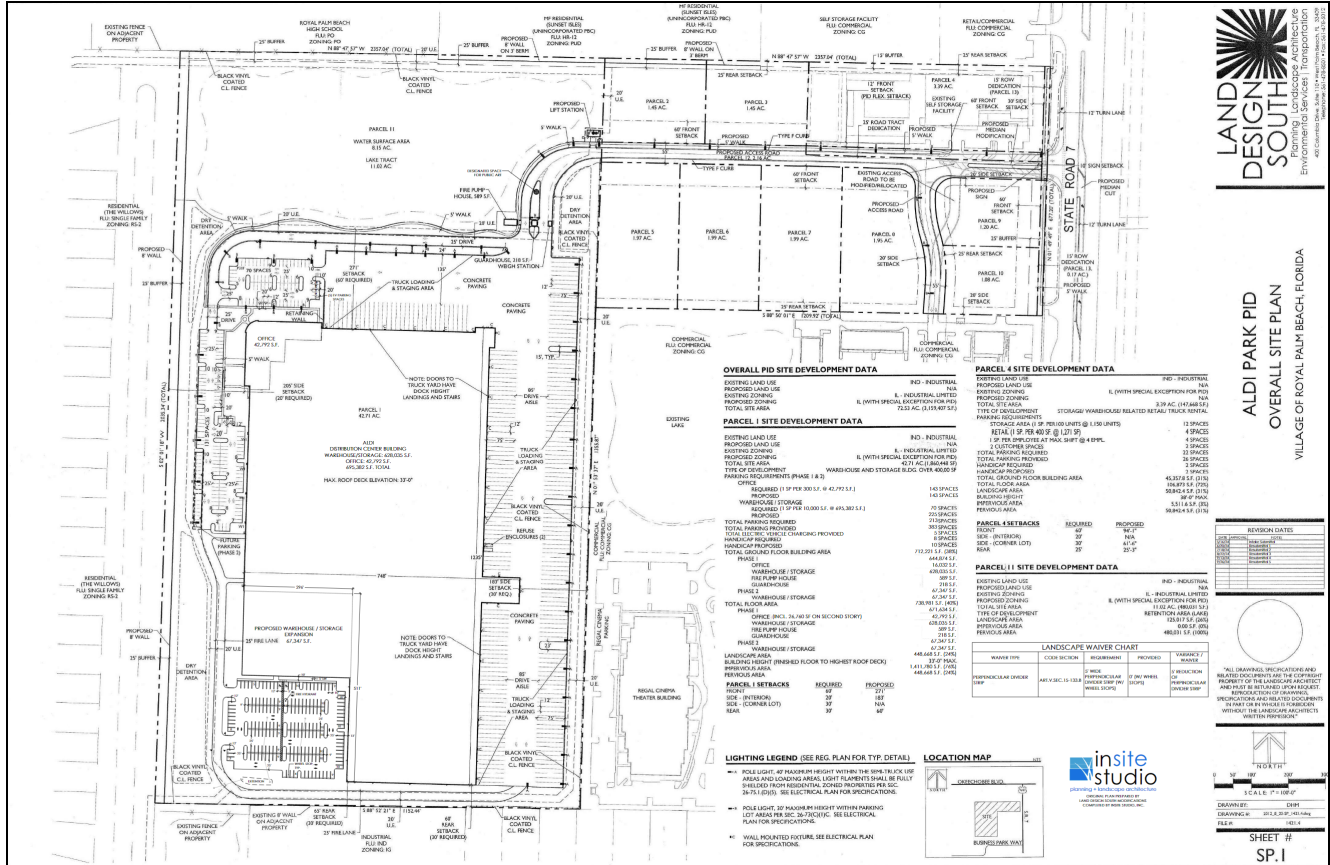
4. Landscaping Conditions:

- 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 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.
- E. 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.

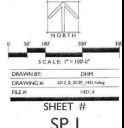
Attachment C Site Plan Aldi Distribution Expansion Application No. 24-053 (SPM, AAR) Resolution No. 24-24

Directly below is an illustration of the proposed site plan:



**ALDI PARK PID
OVERALL SITE PLAN**
 VILLAGE OF ROYAL PALM BEACH, FLORIDA

REVISION DATE	

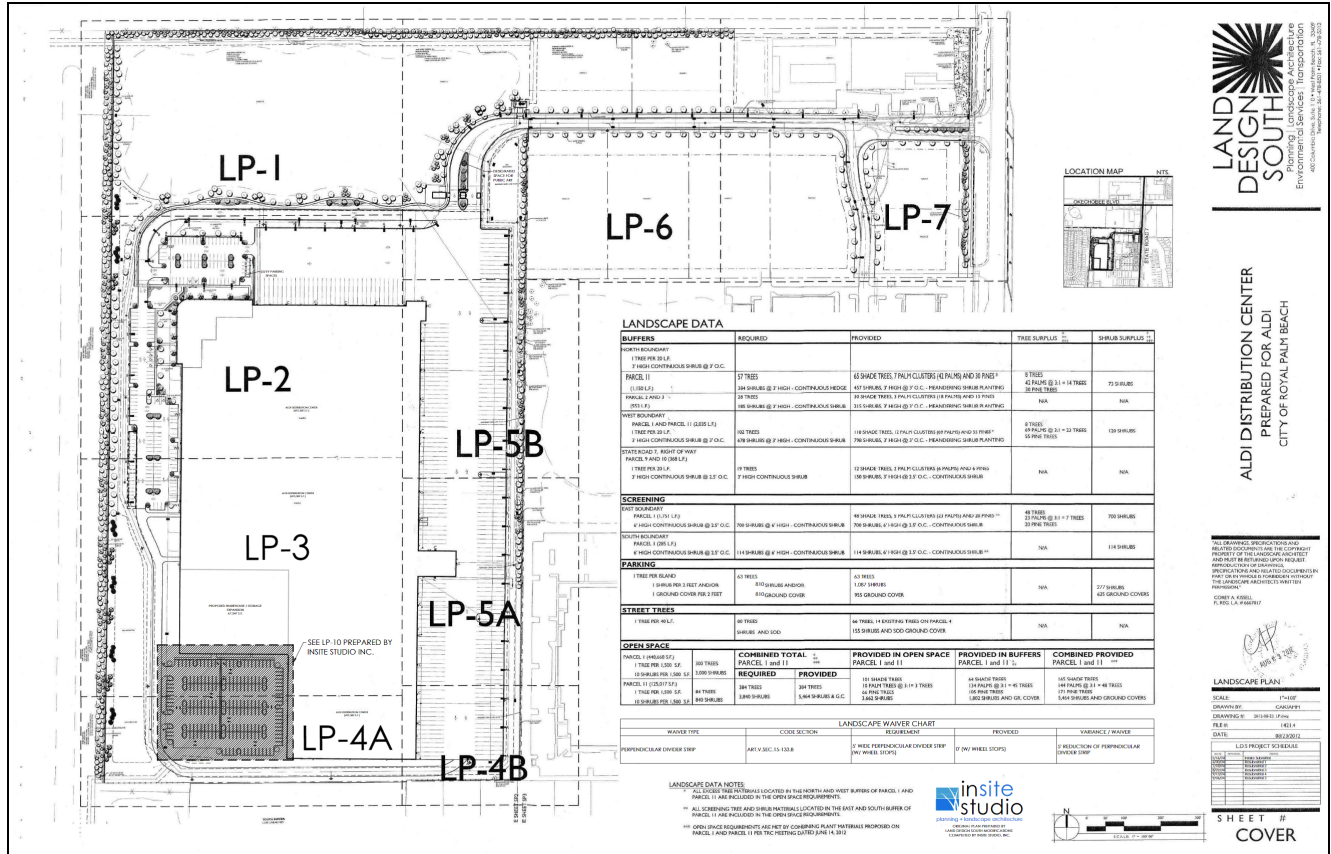


ALL DRAWING SPECIFICATIONS AND RELATED DOCUMENTS ARE THE PROPERTY OF THE LANDSCAPE ARCHITECT AND SHALL BE RETURNED TO HIS OFFICE IMMEDIATELY UPON COMPLETION OF THE PROJECT. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

SHEET #
SP.1

Attachment D Landscape Plan Aldi Distribution Expansion Application No. 24-053 (SPM, AAR) Resolution No. 24-24

Directly below is an illustration of the proposed landscape plan:



LAND DESIGN SOUTH
Environmental Services | Transportation

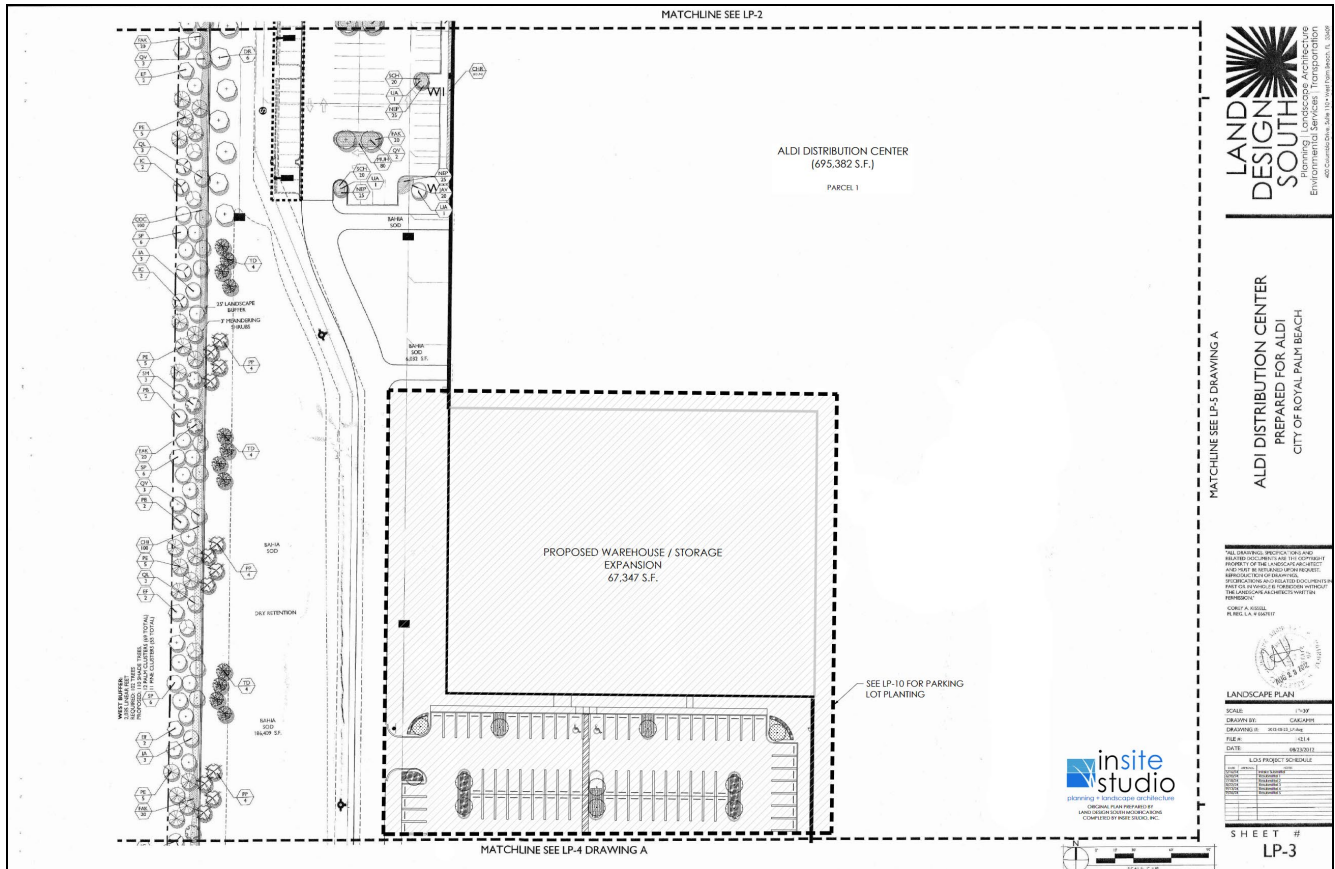
ALDI DISTRIBUTION CENTER
PREPARED FOR ALDI
CITY OF ROYAL PALM BEACH

LANDSCAPE PLAN

SCALE: 1"=20'
DRAWING NO: 24-053 (SPM, AAR)
DATE: 08/20/24
SHEET # 1 OF 1
COVER

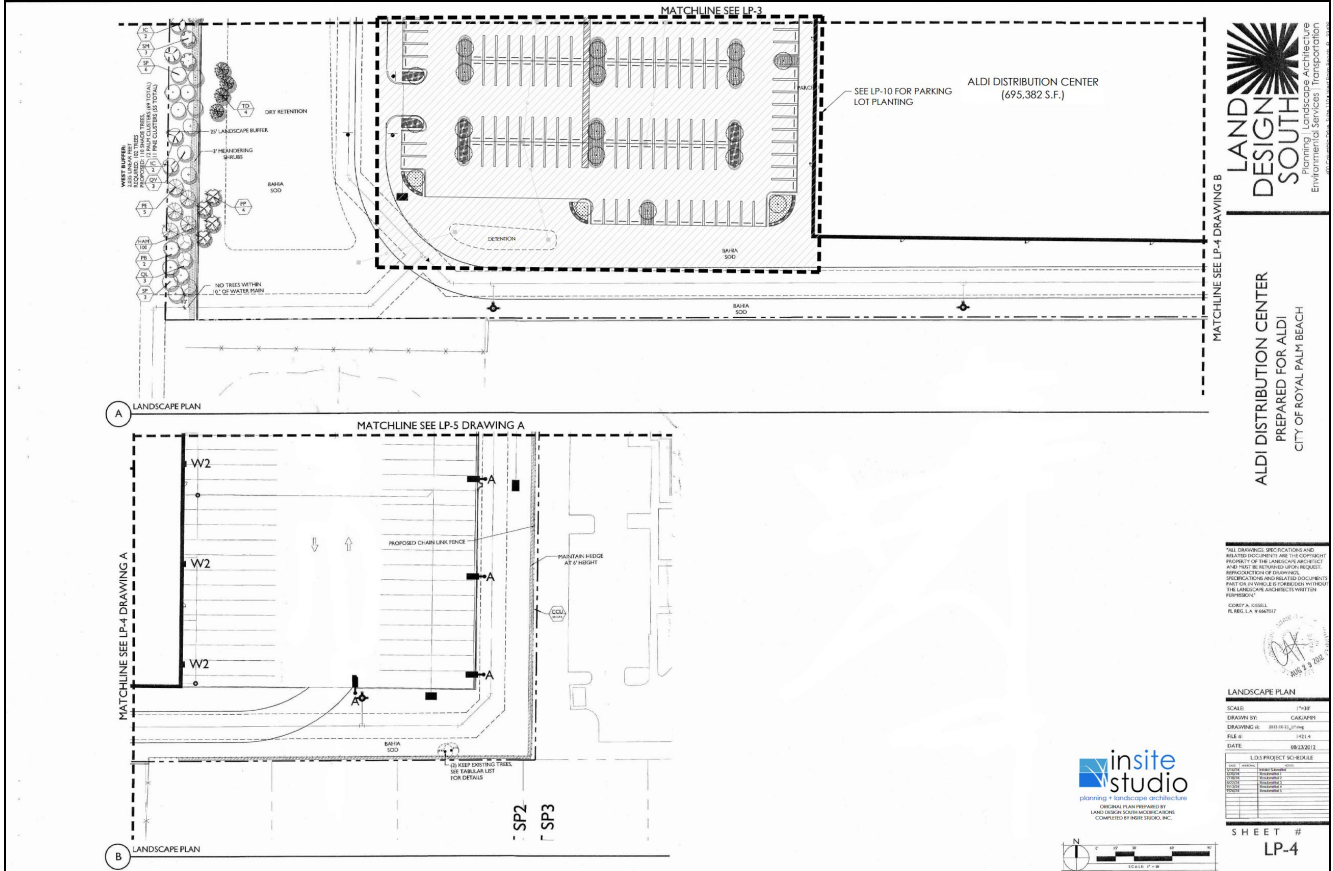
Attachment D Cont'd Landscape Plan Aldi Distribution Expansion Application No. 24-053 (SPM, AAR) Resolution No. 24-24

Directly below is an illustration of the proposed landscape plan:



**Attachment D Cont'd
Landscape Plan
Aldi Distribution Expansion
Application No. 24-053 (SPM, AAR)
Resolution No. 24-24**

Directly below is an illustration of the proposed landscape plan:



**ALDI DISTRIBUTION CENTER
PREPARED FOR ALDI
CITY OF ROYAL PALM BEACH**

THE ORIGINAL PROJECTIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT/ENGINEER/PLANNER/DESIGNER/CONSULTANT AND SHALL REMAIN THE PROPERTY OF SAID ARCHITECT/ENGINEER/PLANNER/DESIGNER/CONSULTANT. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT/ENGINEER/PLANNER/DESIGNER/CONSULTANT.

ERIC A. KIBEL
P.L.L.C. A MEMBER
OF THE
KIMLEY-HORN AND
KNIGHT
CONSTRUCTION, INC.

LANDSCAPE PLAN	
SCALE:	1"=40'
DRAWN BY:	CASADINI
ENGINEER BY:	ERIC A. KIBEL
FILE #:	24-053
DATE:	08/20/24
LDL PROJECT NO. REVISE	
NO.	DATE
1	08/20/24
2	
3	
4	
5	
6	

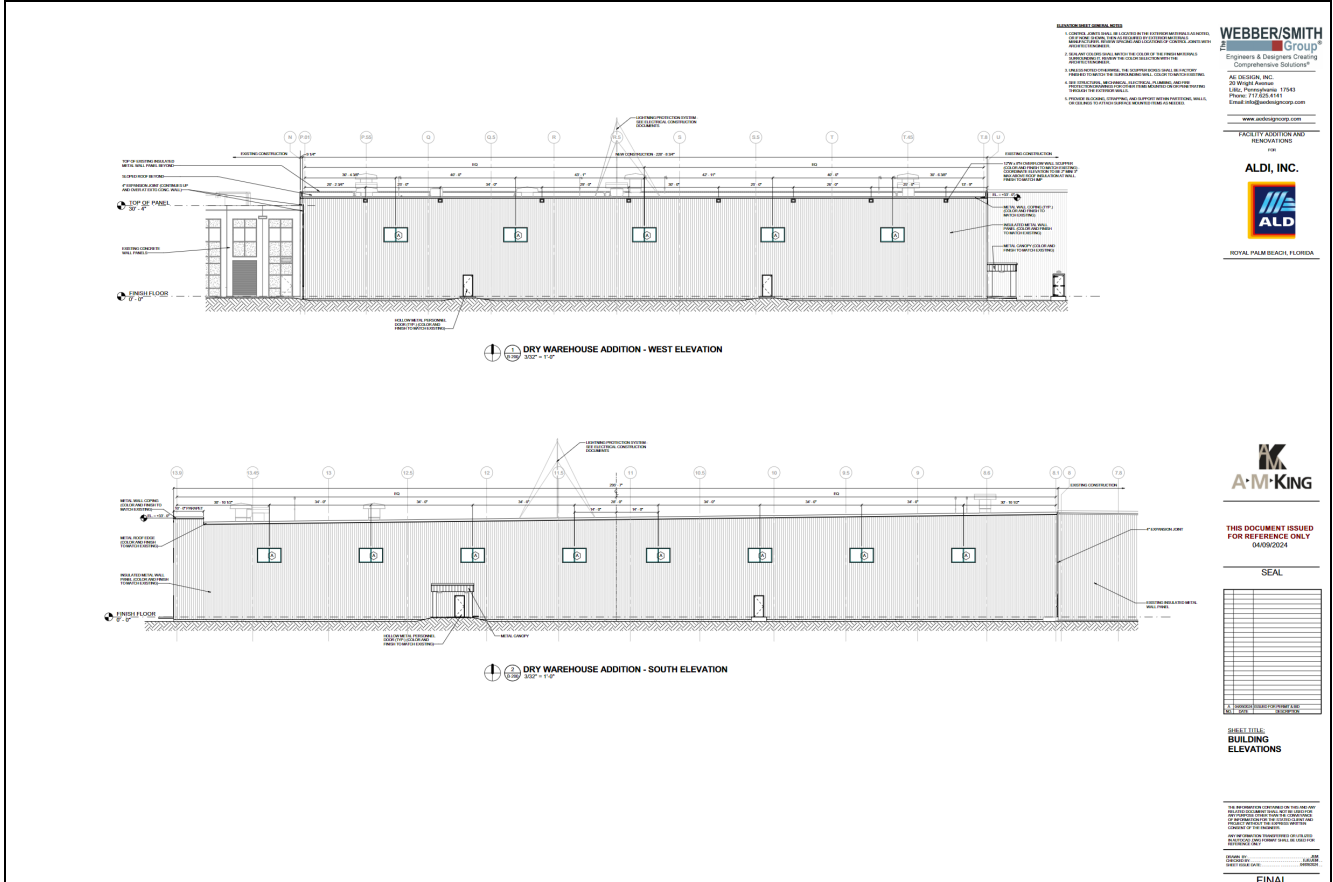


PROJECTS MANAGED BY:
LAND DESIGN SOUTH ARCHITECTURE
CONSULTING ENGINEERS, P.C.

**SHEET #
LP-4**

Attachment D Building Elevations Aldi Distribution Expansion Application No. 24-053 (SPM, AAR) Resolution No. 24-24

Directly below is an illustration of the proposed building elevations:



RESOLUTION NO. 24-24

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 24-053 (SPM, AAR) – THE APPLICATION OF INSITE STUDIO ON BEHALF OF AI FLORIDA DIVISION SOUTH DC, LLC - PERTAINING TO A SITE PLAN MODIFICATION AND ARCHITECTURAL APPROVAL TO REDUCE THE PHASE 2 EXPANSION FROM 151,172 SF TO 67,347 SF OF THE NEW DRY WAREHOUSE ADDITION, ACCOMMODATE A PARKING LOT EXPANSION, MODIFY THE LANDSCAPE AREAS AND ACCOUNT FOR THE LOCATION OF REQUIRED PUBLIC ART WITHIN THE LIMITED INDUSTRIAL ZONING DISTRICT ON A 42.79± ACRE PARCEL OF LAND LOCATED AT 1171 S. 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. 24-053 (SPM, AAR) was presented to the Village Council at its public hearing conducted on November 21, 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. 24-053 (SPM, AAR), THE APPLICATION OF INSITE STUDIO ON BEHALF OF AI FLORIDA DIVISION SOUTH DC, 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 21st day of November, 2024.

VILLAGE OF ROYAL PALM BEACH

MAYOR JEFF HMARA

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Aldi Distribution Expansion @ 1171 S. State Road 7
Application No. 24-053 (SPM, AAR)
Resolution No. 24-24

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.

Exhibit B
Conditions of Approval
Aldi Distribution Expansion @ 1171 S. State Road 7
Application No. 24-053 (SPM, AAR)
Resolution No. 24-24

1. Development Order:

This development order constitutes approval for:

Site Plan Modification and Architectural Approval to modify the previously approved site plan to reduce the Phase 2 expansion from 151,172 sf to 67,347 sf of the new dry warehouse addition, accommodate a parking lot expansion, modify the landscape areas and account for the location of required public art, for a property located at 1171 N. State Road 7.

Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied. All other conditions imposed by previous approvals shall remain in full force and effect unless specifically modified herein.

2. Site Specific Conditions:

- A. The project is subject to and shall remain consistent with the provisions of the Palm Beach County Traffic Concurrency Standards.
- B. The site shall be maintained free of all trash at all times.
- C. The Art in Public Places ("AIPP) 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 of the overall Aldi Planned Industrial Development (PID). The remaining minimum balance to be met for this project is \$182,000, after accounting for the previously fulfilled AIPP contribution of \$68,000. (Maximum public art contribution of \$250,000 based on the provided \$19.5M certified cost estimate of expansion/renovation costs - \$68,000 = \$182,000). The public art installation shall be in the location depicted on the Site Plan and installed prior to the issuance of the Certificate of Occupancy.

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 the final site 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 at the time permits are issued. 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 three (3) 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 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.
- E. 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.

