

Village of Royal Palm Beach
Village Council
Agenda Item Summary

Agenda Item:

PUBLIC HEARING TO CONSIDER APPLICATION NO. 22-64 (SE), AN APPLICATION BY ROYAL PALM BREWING COMPANY, AND ADOPTION OF RESOLUTION NO. 23-22 CONFIRMING COUNCIL ACTION. THE APPLICANT IS SEEKING SPECIAL EXCEPTION USE APPROVAL FOR A “BREW PUB NOT TO EXCEED SIX THOUSAND SQUARE FEET OF GROSS FLOOR AREA SUBJECT TO SECTION 26-75.2”, FOR A PROPERTY LOCATED AT 543 N. STATE ROAD 7, SUITES 103, 106 AND 107.

Issue:

The Applicant is seeking Special Exception Use approval for a “Brewpub Not To Exceed Six Thousand Square Feet Of Gross Floor Area Subject to Section 26-75.2” for a property located at 543 N. State Road 7, Suites 103, 106 and 107 and situated within the Commons Shopping Center. This request is the result of the Applicant’s desire to expand the current Brewpub. Currently, the Brewpub occupies 2,679 square feet within suite 103. The Applicant is proposing to expand into suites 106 and 107 for an additional 2,300 square feet. Also included by separate variance application is a proposed 189 square foot outdoor seating area. This request will bring the Brewpub to a total of 5,168 square feet.

In reviewing the proposed Special Exception, Village Staff considered compatibility with adjacent land uses, consistency with the Village’s Comprehensive Plan and conformance with the Village’s Development Standards for the General Commercial (CG) Zoning District, and Section 26-75.2 Brewpubs, breweries and microbreweries. Staff has determined that the proposed Special Exception conforms to Village standards.

The original application was heard by the Planning and Zoning Commission on June 27, 2023 but did not move forward to Village Council due to required revisions to the Applicant’s request. The Applicant’s revised application is the subject of this agenda item.

The Planning and Zoning Commission considered this application on September 18, 2023 and recommended _____ by a vote of X-X.

Recommended Action:

Staff is recommending Approval of Application No. 22-64 (SE) and Resolution No. 23-22.

Initiator:	Village Manager	Agenda Date	Village Council
P & Z Director	Approval	9-21-2023	Action

RESOLUTION NO. 23-22

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, APPROVING LAND DEVELOPMENT APPLICATION NO. 22-64(SE) – THE APPLICATION OF ROYAL PALM BREWING COMPANY - PERTAINING TO APPROVAL OF A SPECIAL EXCEPTION USE FOR A FOR A “BREW PUB NOT TO EXCEED SIX THOUSAND SQUARE FEET OF GROSS FLOOR AREA SUBJECT TO SECTION 26-75.2”, FOR A PROPERTY LOCATED AT 543 N. STATE ROAD 7, SUITES 103, 106 AND 107; 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. 22-64(SE) was presented to the Village Council at its public hearing conducted on September 21, 2023; 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, APPLICATION NO. 22-64(SE), THE APPLICATION OF ROYAL PALM BREWING COMPANY, 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 21st day of September, 2023.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(SEAL)

DIANE DISANTO, VILLAGE CLERK

Exhibit A
Legal Description
Royal Palm Brewing Company @ 543 N. State Road 7, Suites 103, 106 and
107
Application No. 22-64(SE)
Resolution No. 23-22

LEGAL DESCRIPTION:

Exhibit "A"

Legal Description

Parcel 1 (Fee Simple):

Tract C and Lots 1, 2 and 3, of the Commons at Royal Palm Beach, Plat Two, according to the Plat thereof, as recorded in Plat Book 96, Page 63, of the Public Records of Palm Beach County, Florida.

Parcel 2 (Fee Simple):

Tract B, of the Commons at Royal Palm Beach, Plat Two, according to the Plat thereof, as recorded in Plat Book 96, Page 63, of the Public Records of Palm Beach County, Florida.

Parcel 3 (Fee Simple):

Tract A, of the Commons at Royal Palm Beach, Plat Two, according to the Plat thereof, as recorded in Plat Book 96, Page 63, of the Public Records of Palm Beach County, Florida.

Parcel 4 (Easement):

Perpetual non-exclusive easements for private roadway purposes for the benefit of Parcel 1, as created and granted in that certain Private Roadway Access and Maintenance Agreement by and between Starwood Wasserman Palm Beach Holding LLC, and Lennar Homes, Inc., dated December 21, 2000, and recorded December 28, 2000, in Official Records Book 12223, Page 204, as re-recorded January 29, 2001, in Official Records Book 12278, Page 1053, both of the Public Records of Palm Beach County, Florida.

Parcel 5 (Easement):

Non-exclusive easements for the benefit of Parcel 1, as set forth in the Sewer Easement Agreement, recorded June 27, 2001, in Official Records Book 12681, Page 741, of the Public Records of Palm Beach County, Florida.

Parcel 6 (Easement):

Non-exclusive easements for the benefit of Parcel 1, as set forth in the Declaration of Covenants, Restrictions and Easements, recorded March 29, 2002, in Official Records Book 13556, Page 690; and as amended by First Amendment to Declaration of Covenants, Restrictions and Easements, recorded in Official Records Book 15367, Page 755, both of the Public Records of Palm Beach County, Florida.

Exhibit B
Conditions of Approval
Royal Palm Brewing Company @ 543 N. State Road 7, Suites 103, 106 and 107
Application No. 22-64(SE)
Resolution No. 23-22

1. Development Order:

This development order constitutes approval for:

A Special Exception Use for a "Brewpub Not To Exceed Six Thousand Square Feet Of Gross Floor Area Subject to Section 26-75.2" for a property located at 543 N. State Road 7, Suites 103, 106 and 107.

This constitutes the only approval granted by this resolution. Unless specifically discussed in this condition or subsequent specific conditions of approval, no other approval is granted or implied.

2. Site Specific Conditions:

- A. This Special Exception use approval shall become null and void should the operator cease operations at this location.

3. Standard Conditions:

- A. This Special Exception approval shall expire one (1) year from the date of Council approval unless development is commenced within that time frame or appropriate applications for extensions are submitted pursuant to Section 26-66 of the Village Code or 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. The developer shall submit copies of permits from all agencies with regulatory jurisdiction prior to the issuance of a building permit.
- D. All advertising, legal documents, and correspondence shall refer to this location as being located within the Village of Royal Palm Beach.