

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

TOWN MANAGER'S OFFICE

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

**TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD**

AGENDA

JANUARY 10, 2018

9:30 AM

Town Council Meeting

Welcome!

For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
Richard M. Kleid, President
Danielle H. Moore, President Pro Tem
Julie Araskog
Bobbie Lindsay
Margaret A. Zeidman

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

IV. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. APPROVAL OF AGENDA

VII. DEVELOPMENT REVIEWS

A. Time Extensions and Waivers

1. Request for One Year Time Extension, Site Plan Review No.1-2016 with Special Exception, 160 Royal Palm Way, Palm House Hotel

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-17-00020 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: CT-S Town-Serving Commercial. The application of CARRIAGE HOUSE PROPERTIES PART, Owner, relative to property located at **264 S COUNTY RD SUITE: SITE**, legal description on file, is described below. PLEASE NOTE: THIS PROJECT ENCOMPASES BOTH 264 & 270 S COUNTY RD. 1. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the CT-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation: Sunday through Wednesday 11:00 a.m. to 12:00 midnight; Thursday through Saturday 11:00 a.m. to 2:00 a.m. 2. A request for a special exception to provide 68 night-time (after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House. [Applicant's Representative: Maura Ziska Esq]
- b. **SITE PLAN REVIEW #1-2017** The application of 235 Via V PB LLC (Stuart Kapp, Manager); relative to property commonly known as **235 Via Vizcaya.**, described as lengthy legal description on file; located in the R-A Zoning District. The applicant is requesting a site plan review to allow the construction of a 7,444 square foot two-story, single family residence on a non-conforming platted lot which is 15,344 square feet in area in lieu of the 20,000 square foot minimum area required; 47.25 in width in lieu of the 125 foot minimum required; and 97.58 feet in depth in lieu of the 150 foot minimum required. [Attorney: Frank Lynch, Esq.] [The Architectural Commission denied the project at the September 27, 2017 meeting. Carried 4-3]

2. New Business

- a. **Z-17-00049 VARIANCE(S)** Zoning District: R-B Low Density Residential
The application of DESRUISSEAUX ANN, Owner, relative to

property located at **1090 N OCEAN BLVD**, legal description on file, is described below. The Applicant is requesting the following variances to construct a 401 square foot loggia addition to the west side of the residence with an open balcony above: 1) a south side yard setback of 10 feet in lieu of the 12.5 foot minimum required in the R-B Zoning District; and 2) a cubic content ratio ("CCR") of 5.31 in lieu of the 4.99 previously approved and the 3.96 maximum allowed in the R-B Zoning District for a lot that is 13,938 square feet in area. [Applicant's Representative: Maura Ziska Esq] [Architectural Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 6-1. The Architectural Commission approved the project as presented. Carried 6-1.]

- b. **Z-17-00050 VARIANCE(S)** Zoning District: R-D(1) Moderate Density Residential
The application of MCCORMICK MATT &, Owner, relative to property located at **250 BRADLEY PL SUITE: M-6**, legal description on file, is described below.
A variance request to construct a 12.5 x 12.5 boat lift with a 22 foot north riparian setback in lieu of the 25 foot minimum setback required. [Applicant's Representative: Maura Ziska Esq]
- c. **Z-17-00051 SITE PLAN REVIEW** Zoning District: RB Low Density Residential The application of STERANKA MICHAEL, Owner, relative to property located at **266 ORANGE GROVE RD**, legal description on file, is described below. 1) Site Plan Review to allow the renovation of an existing one story residence by demolishing more than 50% cubic footage and raising the finished floor elevation of the house to 7.5 NGVD on a lot with a width of 75 feet in lieu of the 100 foot minimum required In the R-B Zoning District and an area of 8,156.25 in lieu of the 10,000 square foot minimum required in the R-B Zoning District. 2) A variance is being requested to allow the construction of a 116 square foot one story addition for a bathroom/bedroom that is proposed to have a 5.4 foot west side yard setback in lieu of the 12.5 foot minimum setback required for a one story structure. 3) A variance is being requested to allow the existing residence to remain nonconforming with no garage provided. [Applicant's Representative: Maura Ziska Esq] [The Architectural Commission deferred the project to the January 24, 2018 meeting. Carried 7-0.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated January 2, 2018 from Maura Ziska**
- d. **Z-17-00052 SITE PLAN REVIEW WITH VARIANCE(S)**
Zoning District: RB Low Density Residential The application of CARLSON GUSTAV TRUST &, Owner, relative to property located at **280 ORANGE GROVE RD**, legal description on file, is described below. 1) Site Plan Review to allow the renovation of an existing one story residence by demolishing more than 50%

cubic footage and raising the finished floor elevation of the house to 7.5 NGVD on a lot with a width of 75 feet in lieu of the 100 foot minimum required In the R-B Zoning District and an area of 8,156.25 in lieu of the 10,000 square foot minimum required in the R-B Zoning District. 2) A variance is being requested to allow the construction of a 116 square foot one story addition for a bathroom/bedroom that is proposed to have a 5.4 foot west side yard setback in lieu of the 12.5 foot minimum setback required for a one story structure. 3) A variance is being requested to allow the existing residence to remain nonconforming with no garage provided. [Applicant's Representative: Maura Ziska Esq] [Architectural Commission Recommendation: Implementation of the proposed site plan review with variances will not cause negative architectural impact to the subject property. Carried 7-0. The Architectural Commission deferred the project to the January 24, 2018 meeting. Carried 7-0.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated January 2, 2018 from Maura Ziska**

- e. **Z-17-00053 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: RB Low Density Residential The application of PALM BEACH TOWN OF, Owner, relative to property located at **2185 S OCEAN BLVD SUITE: SITE**, legal description on file, is described below. Sec. 134-329 site plan review request for existing north restroom building to be replaced by new restroom pre-fabricated building to match restroom buildings to the south of the park. Sec. 134-229 requirements to grant special exception for construction of a public structure. [Applicant's Representative: None] [Architectural Commission Recommendation: Implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject property. Carried 6-1. The Architectural Commission approved the project with the caveat that the color be changed to a light tan to match the existing service building and consider the addition of a creeping vine to add some green to the landscaping at the December 15, 2017 meeting. Carried 6-1.]
- f. **Z-17-00054 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE** Zoning District: C-TS Town-Serving Commercial The application of VIA 313 1/2 WORTH AVENUE LTD, Owner, relative to property located at **313 1/2 WORTH AVE SUITE: B 3**, legal description on file, is described below.1) Special Exception with Site Plan Review is being requested to modify a previous approval (which granted Bice Ristorante 46 outdoor seats) to increase the number of outdoor seats from 46 to 82 (an additional 36 seats) for the seasonal months of November through April only. 2) A variance is being requested to provide zero (0) on-site parking spaces in lieu of the required 12 parking spaces that would be required for the additional 36 seats.

[Applicant's Representative: Maura Ziska Esq]

- g. **Z-17-00055 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: PUD-A Planned Unit Development A The application of BREAKERS PALM BEACH INC, Owner, relative to property located at **1 S COUNTY RD SUITE: GOLF COURSE**, legal description on file, is described below. The Breakers is requesting approval of a special exception with site plan review to effectuate changes and improvements to The Breakers' golf course, including realigning and enlarging most of the tees, relocating bunkers, and shifting and reconfiguring the greens. These improvements, designed by noted golf course architect Rees Jones, will ensure that the golf course remains viable so that the open space in the Breakers PUD will be continue to be preserved. As a part of the renovation, the Breakers is also proposing an addition to the existing golf training building that will enlarge it from 697 square feet to 2,366 square feet, and the replacement of an existing free-standing bathroom building of 250 square feet with a new bathroom building of 267 square feet. [Applicant's Representative: James M. Crowley Esq]

3. Other

- a. Fine Mitigation Request (Project Exceeded Permissible Timeframe)
Single Family Home Construction at 476 South Ocean Boulevard
- b. Planning and Zoning Commission Record and Report:
Proposed Zoning Text Amendments

VIII. ORDINANCES

A. Second Reading

1. **ORDINANCE NO. 30-2017** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article I, In General, Section 134-2, Definitions And Rules Of Construction, By Creating Definitions For An Outdoor Promotional Event Use And A Property Identification Yard Sign; At Article VI, District Regulations, Sections 134-1109, 134-1159 And 134-1259, Special Exception Uses, By Conditionally Allowing Outdoor Promotional Events As A Special Exception Use In The C-TS, C-WA And C-PC Commercial Zoning Districts; At Article VIII, Supplementary District Regulations, By Adding A Division 18, Outdoor Promotional Activities, Section 134-2115, Standards And Criteria For Outdoor Promotional Activities; At Article XI, Signs, By Modifying Section 134-2437, Building Identification, Business Identification Signs, By Adding "Property Identification Yard Signs" To The Title And Allowing Property Identification Yard Signs On Properties That Meet Certain Criteria In All Of The Commercial Zoning Districts; Providing For Severability;

IX. ANY OTHER MATTERS

X. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** No written materials received after 3:30 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS Any citizen is entitled to be heard concerning any matter under

FROM CITIZENS:

the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

**OTHER AGENDA
ITEMS:**

Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.