



TOWN OF PALM BEACH

PLANNING, ZONING, & BUILDING DEPARTMENT

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

APRIL 9, 2025

9:30 AM

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

Danielle H. Moore, Mayor
Bobbie D. Lindsay, President
Lew Crampton, President Pro Tem
Julie Araskog
Ted Cooney
Bridget Moran

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR DANIELLE H. MOORE

IV. COMMENTS OF TOWN COUNCIL MEMBERS

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. APPROVAL OF AGENDA

VII. CONSENT AGENDA

- A. **ZON-24-0094 (ARC-24-0145) 10 SLOANS CURVE DR (COMBO) — SITE PLAN REVIEW** The applicant, Sean Hannity, has filed an application requesting Town Council review and approval for site plan review for modifications to one townhouse unit of the approved Sloan's Curve Planned Unit Development (PUD). The Architectural Commission shall perform design review of the application. *[The Architectural Commission approved the project design. Carried 7-0.]*
- B. **ZON-25-0003 (ARC-25-0006) 400 HIBISCUS AVE (COMBO) — SPECIAL EXCEPTION** The applicant Sferra Fine Linens, LLC d/b/a Pratesi (Robert Tomlinson Jr.), has filed an application requesting Town Council review and approval of a special exception for a retail tenant (Pratesi) with greater than three-thousand (3000) square feet of Gross Leasable Area (GLA) in the Commercial – Town Serving (C-TS) zoning district, by combining an existing retail tenant space with a neighboring unit. The Architectural Commission shall perform design review of the application.

VIII. ITEMS PULLED FROM THE CONSENT AGENDA, IF NEEDED

IX. RESOLUTIONS

- A. Planning and Zoning Commission (PZC) Recommendation on the Application for an Amendment to the Breakers Planned Unit Development (PUD) Amendment

RESOLUTION NO. 006-2025: A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Resolution No. 6-71, The Breakers Planned Unit Development (PUD-A), As Previously Amended, To Authorize The Demolition Of The Existing Two-Story Family Entertainment Center And The Italian Restaurant And Their Replacement With A New, Three Story Structure With Basement Connected By An Overhead Enclosed Pedestrian Bridge To The Existing Two-Story Beach Club Building, With Related Site Improvements; And To Allow The Construction Of A New Parking Structure Consisting Of One Level Of Subterranean Parking And One At-Grade Surface-Level Parking Area To Replace An Existing Surface Parking Lot.

- B. **RESOLUTION NO. 005-2025:** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As **1250 North Ocean Boulevard** Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach

Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. ***[The property owner is opposed to this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.] [This matter was deferred from the January 15, 2025, Town Council meeting, and then twice more at the applicant's request to the April 9, 2025 Town Council meeting.]***

- C. **RESOLUTION NO. 014-2025:** A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **163 Seminole Ave.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 165 SEMINOLE AVENUE) Owner: Dale Coudert, 2012 Steven H. Rose Trust. ***[The property owner is supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]***
- D. **RESOLUTION NO. 039-2025:** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As **262 Sunset Ave.** Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. ***[The Landmarks Preservation Commission recommended the property for designation as a landmark. Carried 7-0.] [The property owner is supportive of the designation.]***
- E. **RESOLUTION NO. 041-2025:** A Resolution Of The Town Council Of The Town Of Palm Beach, Florida, Amending Resolution No. 069-2024, As Amended By Resolution No. 150-2024 Which Declared Zoning In Progress In Regard To The Regulation Of The Location And Limitation Of The Number Of Restaurants, Bars, Night Clubs, Lounges And For-Profit Private Clubs In All Commercial Zoning Districts Of The Town In Which Said Uses Are Special Exception Uses To Extend The Zoning In Progress To July 9, 2025; And Providing An Effective Date.

X. DEVELOPMENT REVIEWS

A. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **ZON-24-0067 (ARC-24-0111) 175 BRADLEY PL (COMBO) SPECIAL EXCEPTIONS AND SITE PLAN REVIEW AND**

VARIANCES The applicant, DOCPALMBEACH PPLC, has filed an application requesting Town Council review and approval for a Special Exception for a second floor in the C-TS zoning district and four (4) variances including (1) to not provide the required parking for a new residential unit, (2) to reduce the required open space for two-story buildings, (3) to reduce the required front (west) setback, and (4) to reduce the required rear (east) setback, for the construction of a new second floor addition for a residential unit to the existing one-story commercial building with existing nonconforming setbacks and landscape open space. The Architectural Commission shall perform design review of the application. *[The project was deferred at the March 5, 2025, Town Council meeting pending further review by the Architectural Review Commission. Carried 4-0.]**[Architectural Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.]**[The Architectural Commission approved the project design with conditions. Carried 6-1.]*

b. **ZON-24-0091 (COA-24-0033) RIGHT-OF-WAY IMPROVEMENTS – WELLS RD/CRESCENT DR/N COUNTY RD (COMBO) – SPECIAL EXCEPTION AND SITE PLAN REVIEW**

The applicant, Town of Palm Beach, has filed an application requesting Town Council review and approval for Special Exception and Site Plan Review right-of-way and park improvements consisting of hardscape and landscape changes along the intersection of Wells Road, Crescent Drive, and North County Road within the Wells Road Scenic Vista. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.]* *[The Landmark Preservation Commission approved the project. Carried 7-0.]*

c. **ZON-24-0092 (ARC-24-0114) 1010 N LAKE WAY (COMBO)—**

VARIANCES The applicant, 1010 North Lake Trust LLC, has filed an application requesting Town Council review and approval for five (5) variances to exceed maximum lot coverage, encroach into side setbacks and construct a lower equipment screening wall that required, as part of an application for elevation, shifting and renovation of a two-story house, addition of a loggia, new pool, hardscape. The Architectural Commission shall perform design review of the application. *[Architectural Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.]**[The Architectural Commission approved the project design with conditions. Carried 7-0.]*

- d. **ZON-24-0087 (COA-24-0032) 1 S COUNTY RD – THE BREAKERS (COMBO) —SITE PLAN REVIEW AND VARIANCE** The applicant, Breakers Palm Beach Inc., has filed an application requesting Town Council review and approval for Site Plan Review for the construction of a new parking structure consisting of one level of subterranean parking and one at-grade surface-level parking area to replace an existing surface parking lot, including one (1) variance to allow tandem parking spaces associated with a new parking structure facility and surface parking lot. Additional improvements include support buildings, realignments of North Breakers Row, golf course changes, as well as landscape and hardscape modifications. These improvements are generally located where there is an existing surface parking lot and a golf course within the designated Landmarked vista from the original hotel building to South County Road. The application requires the approval of a separate resolution to modify the PUD and the Landmarks Preservation Commission shall review the application for design. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.][The Town Council deferred this project to the April 9, 2025, Town Council meeting, pending review by the Planning & Zoning Commission and Landmark Preservation Commission.][The Landmark Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts on the subject property.] [The Landmark Preservation Commission approved the project. Carried 7-0.]*
- e. **ZON-24-0079 (ARC-24-0141) 1 S COUNTY RD—THE BREAKERS FAMILY ENTERTAINMENT CENTER (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for modifications to an existing special exception and permitted uses in an existing hotel Planned Unit Development (PUD) (The Breakers Palm Beach) as it relates to the construction of a new three-story structure with basement that will connect with an overhead enclosed pedestrian bridge to the existing two-story building (Beach Club) to replace an existing two-story building with related site improvements. The application requires the approval of a separate resolution to modify the PUD and the Architectural Commission shall review the application for design. *[The PUD Amendment was considered and recommended to the Town Council at the March 6, 2025, Planning & Zoning Commission meeting.] [The Architectural Review Commission deferred the project to the April 23, 2025, meeting. Carried 7-0.][This project shall be deferred to the May*

14, 2025, Town Council meeting, pending the approval of the PUD Resolution No. 006-2025 and Architectural Commission review.]

- f. **ZON-24-0089 (ARC-24-0116) 1 S COUNTY RD (BREAKERS BEACH CLUB) COMBO — SPECIAL EXCEPTION AND SITE PLAN REVIEW** The applicant, Breakers Palm Beach Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for modifications to an existing food and beverage operations (Beach Club restaurant). The Architectural Commission shall perform design review of the application. *[The Architectural Review Commission approved the project with conditions. Carried 4-3.][The PUD Amendment was considered and recommended to the Town Council at the March 6, 2025, Planning & Zoning Commission meeting.][This project shall be deferred to the May 14, 2025, Town Council meeting, pending the approval of the PUD Resolution No. 006-2025 at the April 9, 2025, Town Council meeting.]*
- g. **ZON-24-0035 (HSB-24-0005) 854 SOUTH COUNTY RD (COMBO)—VARIANCE** The applicant, Dustin Mizell with Environmental Design Group on behalf of owner 854 So County Rd., LLC, has filed an application requesting review and approval for one (1) variance to permit a second guest house with bedrooms and bathrooms on site. The Landmarks Preservation Commission will perform the design review for the proposed structure on site modifications. *[This project shall be deferred to the May 14, 2025 Town Council meeting, pending Landmark Commission design review.]*
- h. **ZON-24-0066 (ARC-24-0108) 1519 N OCEAN WAY (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, 1519 N Ocean Way #1 LLC & 1519 N Ocean Way #2 LLC (Maura Ziska, Attorney), has filed an application requesting Town Council review and approval for a special exception with site plan review for redevelopment of an existing parcel which is nonconforming to minimum lot width requirements in the R-A zoning district. Additionally, three variances are requested to (1) exceed maximum building height and (2) to exceed maximum overall building height for the portions of the structure located west of the CCCL and (3) to permit improvements (steps) within the 50' ocean bulkhead setback area. The Architectural Commission shall review the application as it pertains to zoning relief/approval. *[This project was withdrawn by the applicant.]*
- i. **ZON-24-0093 (ARC-24-0128) 203 VIA VIZCAYA (COMBO)—SPECIAL EXCEPTION & VARIANCE** The applicant, PAUL Z. OKEAN (Trustee, under Trust Agreement dated 5/21/91 as the Paul Z. Okean Revocable Living Trust), has filed an application

requesting Town Council approval for a special exception for redevelopment of a nonconforming parcel and one (1) variance for deficient landscape open space as it relates to development of a new residence. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the May 14, 2025 Town Council meeting, pending Architectural Commission design review.]***

2. New Business

- a. **ZON-25-0004 (HSB-24-0009) 335 COCOANUT ROW (COMBO)—VARIANCE** The applicant, 335 Cocoanut Row Trust, has filed an application requesting Town Council review and approval for one (1) variance to allow landscape open space to increase from existing but still not meet the minimum requirement for the property containing two (2) Historically Significant Buildings. The overall scope of work includes window and door replacement, roof replacement, and landscaping and hardscape modifications with a new pool. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.] [The Landmark Preservation Commission approved the project with conditions and to return to a future meeting for additional review of the windows. Carried 7-0.]*
- b. **ZON-25-0005 264-270 S COUNTY RD AND 230/240 ROYAL PALM WAY—SPECIAL EXCEPTION** The applicant, CARRIAGE HOUSE PROPERTIES PRTNRS LLC, has filed an application requesting Town Council review and approval for a Special Exception request to modify a previously approved Special Exception with site plan review for a private club to allow for another increased membership. The April 10, 2024 Town Council approval brought membership from 232 members to 307 members pursuant to ZON-24-052. This is seeking another 75 membership increase to 382. This application does not seek to increase the seating or occupancy limitations previously approved by the Town Council.
- c. **ZON-25-0006 (COA-25-0006) 262 SUNSET AVE (COMBO)—SPECIAL EXCEPTION, SITE PLAN REVIEW AND VARIANCE** The applicant, James M. Crowley, Esq., has filed an application requesting Town Council review and approval for a special exception with site plan review for commercial uses greater than 3,000 SF in the C-TS zoning district and one (1) Variance to reduce the minimum off-street parking requirement associated with a change of use for the property under consideration to be landmarked. The scope of work includes a new front porch, new front door, roof replacement, exterior color

changes as well as landscape and hardscape modifications including a new pool. The Landmarks Preservation Commission shall perform design review of the application.

- d. **ZON-24-0046 (ARC-24-0090) 2720 – 2730 S OCEAN BLVD—EDGEWATER/ AMBASSADOR SITE (COMBO) - SPECIAL EXCEPTION(S), SITE PLAN REVIEW AND VARIANCES** The applicant, Palm Beach Edgewater Fee Borrower LLC and Palm Beach Ambassador Fee Borrower LLC, has filed an application requesting Town Council review and approval for two (2) Special Exceptions for 1) five-stories in the R-D(2) zoning district, and 2) the construction of a pedestrian tunnel under S Ocean Boulevard, and Site Plan Review for multifamily dwelling(s), for the construction of a new multi-story residential building with five residential levels and a subterranean parking level and rooftop penthouse mechanical equipment to replace an existing three-story building on the lakefront parcel (west site) and for the construction of a new multi-story residential building with five residential levels and a subterranean parking level and rooftop penthouse mechanical equipment to replace one existing five- and one existing eight-story buildings on the oceanfront parcel (east site). Additionally, the project includes the following twenty-one (21) variance requests: 10 for the west lakefront (Edgewater) parcel for 1) to exceed the maximum lot coverage, 2) to exceed the maximum building length, 3) to exceed the maximum amount of fill in a required yard, 4) and 5) to reduce the required minimum side (north and south) yard setbacks, 6) to exceed the maximum height for rooftop mechanical equipment, 7) to permit generators on roofs, 8) to exceed the maximum area for mechanical equipment located on a rooftop, 9) to exceed the maximum overall building height for mechanical screening and 10) to increase the maximum height of walls in required side and front yards; and 11 for the east oceanfront (Ambassador) parcel for 11) to exceed the maximum lot coverage, 12) to exceed the maximum building length, 13) to exceed the maximum amount of fill in a required yard, 14) and 15) to reduce the required minimum side (north and south) yard setbacks, 16) to exceed the maximum height for rooftop mechanical equipment, 17) to permit generators on roofs, 18) to exceed the maximum area for mechanical equipment located on a rooftop, 19) to exceed the maximum overall building height for mechanical screening, 20) to exceed the maximum building height for building 2 for the portion of the building located east of the CCCL, and 21) to increase the maximum height of walls in required side and front yards. The Architectural Commission (ARCOM) shall perform design review of the application. *[The Architectural Review Commission deferred this matter to the May 28, 2025, meeting with the condition to be reviewed by Town Council for zoning relief prior to design review.]*

- e. **ZON-24-0065 (COA-24-0025) 70 MIDDLE RD (COMBO)—VARIANCES** The applicant, Jennifer Naegele, has filed an application requesting Town Council review and approval for a total of six (6) variances for the Landmarked property, three (3) variances previously considered by the Landmarks Preservation Commission to 1) increase the lot coverage for the laundry room addition, 2) increase the cubic content ratio ("CCR") for the laundry room and covered terrace additions, 3) reduce the side (north) yard setback for the laundry room and the covered terrace additions, and three (3) new variances, 1) increase the building height and the overall building height for the covered terrace addition and the rooftop steps, 2) reduce the street (south) side yard setback for pool and fountain equipment and increase the distance between the new fountain water's edge and the fountain equipment, and 3) increase the height of site walls associated with a mechanical equipment enclosure in the street (south) side yard setback for the Landmarked property. The overall scope of work includes the addition of a covered terrace, a laundry room addition, relocation and installation of new mechanical equipment, new rooftop steps, new site walls, landscape, and hardscape modifications. The Landmarks Preservation Commission will perform the design review. ***[This project shall be deferred to the May 14, 2025 Town Council meeting, pending Landmark Commission design review.]***
- f. **ZON-25-0002 (ARC-24-0040) 1285 N OCEAN BLVD (COMBO)—VARIANCE** The applicant, M2B Properties LLC, has filed an application requesting Town Council approval for one (1) fill variance as it relates to development of a new residence. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the May 14, 2025 Town Council meeting, pending Architectural Commission design review.]***

B. Time Extensions and Waivers

1. Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **265 La Puerta Way**

XI. ANY OTHER MATTERS

XII. ADJOURNMENT

Procedures for Public Participation:

Note 1: **Live Stream audio:** To watch/listen live, visit the 'Public Meetings' webpage on the Town's website at www.townofpalmbeach.com and select the "View Event" or "Click Here to Listen" button.

Note 2: Any citizen is entitled to be heard concerning any matter under the sections entitled 'Communications from Citizens' and 'Public Hearings', subject to the three-minute limitation. The public also can speak to any

item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion. 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. In-person or virtual Public Comment is limited to three minutes and must be preceded by your name and address for the record. As a public business meeting, the Town Council President retains the right to limit discussion on any issue.

Alternative public comment is also welcome for Town Council Meetings via four methods:

1. To make a virtual public comment, please register for the Microsoft Teams meeting. This link will be available prior to the meeting on the Public Meeting page or on the Town's calendar of events, which both can be found at townofpalmbeach.com.
2. Written public comment submittals should be sent to publiccomment@townofpalmbeach.com.
3. Direct written entry into the public meeting record through the eComment portal on the Public Meetings webpage.
4. Mail or in-person submittal of written document to the Town Clerk's Office at Town Hall no later than the Friday prior to the meeting.

Note 3: **Appeals:** If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons needing accommodations to participate in this meeting are requested to call the Clerk's Office at (561) 838-5416 at least one day prior to the meeting.