



**PLANNING AND ZONING COMMISSION
MEETING MINUTES
TUESDAY, SEPTEMBER 15, 2020 9:30 A.M.**

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting Kelly Churney, Secretary to the Planning & Zoning Commission at (561) 227-6408.

I. CALL TO ORDER AND ROLL CALL

Chair Klein called the meeting to order at 9:28 a.m. All members participated via Zoom Webinar due to the COVID-19 Situation.

Martin Klein, Chair	PRESENT
Michael Ainslie, Vice Chair	PRESENT
Carol LeCates, Member	PRESENT
Rick Pollock, Member	PRESENT
Michael Spaziani, Member	PRESENT
Richard Kleid, Member	PRESENT
Eric Christu, Member	PRESENT
Ronald Berk, Alternate Member	PRESENT
Marilyn Beuttenmuller, Alternate Member	PRESENT
Jorge Sanchez, Alternate Member	PRESENT

Staff Members present were:

Paul Castro, Zoning Manager

Brad Falco, Zoning Technician

Kelly Churney, Secretary to the Planning and Zoning Commission

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Churney led the Commission with the Invocation and the Pledge of Allegiance.

Mr. Klein welcomed all in attendance at the meeting.

III. APPROVAL OF THE AGENDA

Motion made by Mr. Spaziani and seconded by Mr. Ainslie to approve the agenda. Motion carried unanimously.

IV. APPROVAL OF JULY 21, 2020 PLANNING & ZONING COMMISSION MINUTES

Mr. Kleid requested minor changes to the July 21, 2020 minutes. Ms. Churney agreed to make the changes.

Motion made by Mr. Kleid and seconded by Mr. Spaziani to approve the minutes of the July 21, 2020 Planning & Zoning Commission meeting as amended. Motion carried unanimously.

V. **APPROVAL OF THE AUGUST 18, 2020 PLANNING AND ZONING COMMISSION MINUTES**

Mr. Kleid requested minor changes to the August 18, 2020 minutes. Ms. Churney agreed to make the changes.

Motion made by Mr. Kleid and seconded by Mr. Spaziani to approve the minutes of the August 18, 2020 Planning & Zoning Commission meeting as amended. Motion carried unanimously.

VI. **COMMUNICATIONS FROM CITIZENS REGARDING NON AGENDA ITEMS - (3 MINUTE LIMIT PLEASE)**

There were no communications from citizens at this time.

VII. **ZONING ITEM**

A. **Update on Town Council Action on the Proposal by the Planning and Zoning Commission to Study Uses Allowed in the Town's Commercial Zoning Districts, and Possible Next Steps and Scope Related to that Zoning Issue.**

Zoning Manager Castro reported the Town Council had considered a request from the Planning and Zoning Commission, which staff supported, to allow the Commission to look at commercial uses and specifics related to the commercial districts in the town encompassing vacancies and changes in the retail market, as well as stores closing. Town Council was very receptive, and asked staff to give Planning & Zoning Commission direction to go ahead and proceed, but to take baby steps. Specifically, they asked to stay away from Worth Avenue at this time and focus on an area of town where there are vacancies, look at the data, and proceed with some possible changes related to uses that might help fill some of the vacant spaces, then move to other areas of the town after that. Council gave direction for staff to work with Planning & Zoning Commission to come up with a scope and an area to look at within the commercial districts in the town to do that study. Staff believed that area should be from Royal Palm Way to just north of Worth Avenue on both sides of the street. Mr. Castro commented staff could provide data on all the existing storefronts and their linear footage, specific uses, and uses allowed in the district. Staff could work with the Commission to come up with alternatives or changes within the code to further promote filling the vacant stores. Mr. Castro offered to answer questions.

Chair Klein thanked Michael Ainslie for bringing this to the Commission's attention, which had led to this opportunity to exercise the Commission's planning function. He asked to proceed judiciously, and praised Director Bergman for eliminating some of the town serving issues that had hampered small businesses.

Mr. Kleid requested ten years of data be provided on the stores, to which Mr. Castro agreed.

Mr. Spaziani thanked Mr. Klein for his amazing job. He recalled the recession approximately ten years ago when there had been a lot of vacant commercial space, and felt the idea of mixing retail and office was an excellent idea, but cautioned that the economy eventually would come back and to make sure not to do something that would over exaggerate the amount of office space and discourage retail from coming back to this area. He suggested taking it one step at a time, looking back at what was done during the last recession, because he felt that had an important impact on what should be done today.

Jorge Sanchez stated he was thrilled this was being analyzed, and asked if the rents over the past ten years could be found. He felt if rents had stayed the same or gone down, that would make a difference in the Commission's decisions. Mr. Castro indicated he was not sure that information could be provided. Mr. Sanchez suggested realtors might be able to help.

Mr. Spaziani commented rent had been going up at a nice steady rate, but slightly below the CPI until COVID-19 began. It was unknown how this would affect long-term leases. Rents might go down, but some heavy hitters would stay stable with their rents in the future.

Ms. Beuttenmuller agreed the Commission must proceed very slowly, and limit the vacancies perhaps to a percentage of the empty storefronts that could be used for other purposes for now. She expressed her opinion not to make too much of a change before COVID-19 was in stage 3, because at this point too much was unknown. She expressed her appreciation to Mr. Klein for being a fabulous chairman.

Mr. Berk echoed the previous comments that Mr. Klein had done an excellent job. Mr. Berk suggested before looking at the situation to speak with people who had been studying it for a long time such as real estate entities and retail entities, who had been discussing what post pandemic was going to look like. He suggested talking to owners of the various shopping malls and strip centers to see what they thought the future would be like and what would work for them. He felt the Commission should work independently and look at it from all kinds of different perspectives. He suggested realtors in town be invited to speak to the Commission about what they would want and what they thought would be beneficial to the community, and to speak to the national brands because they would have studied this also.

Mr. Christu expressed his appreciation for being able to work with Mr. Klein. He thanked the Town Council for letting the Commission work on this project. He commented they had asked for a study, therefore, there should be no preconceived ideas. He suggested working in two steps; one, the new normal from the effect of the pandemic and how long that would last and two, he felt input would be very important, from staff, landlords, tenants, and owners, and to always include that in any future study.

Mr. Klein thanked everyone for continuing the effort of code reform.

Mr. Kleid thanked Mr. Klein for his work and for the Commission being able to participate in this particular study. He felt this would evolve down to the question of whether to put things other than retail on the first floor, and cautioned everyone to think carefully about that because it might scare off more retail. He agreed with proceeding slowly but was for going ahead full steam and getting all the data needed for a decision.

Mr. Pollack felt the comments were all valid and asked if a timeline was in place from staff. Mr. Klein responded he thought a lot depended on staff and their workload. Mr. Pollack stated he was all for it and felt it was the evolution of what the Town should be doing. He also thanked Mr. Klein for his excellent work.

Ms. LeCates thanked Mr. Klein for his service. She expressed her opinion it was too soon to do anything because the virus was still ongoing. She pointed out more people were moving to Florida, and might want office space or just to work out of their homes. She thought there was currently a 20% vacancy rate in the town, and if she was going to add office space anywhere it would be in the area of Wells Fargo. She felt the study would be confined to first floor space that based on demographics retail outlook was very positive, malls would continue to have

trouble, but she didn't think the whole picture would be known until 2022. She favored not doing anything now, but if someone felt strongly about permitting offices on the first floor on South County, north of Royal Palm Way up to Seaspray or Seaview she would be okay with that because it would create additional competition.

Mr. Klein commented the Town Council was anxious for the Commission and staff to set up an agenda with some baby steps for discussion, and he was not sure office versus retail was considered.

Mr. Castro commented if a specific area could be confirmed, staff could begin working on providing information the Commission had requested—previous and current uses and rent trends over the past ten years, plus mapping the area for specific vacancies and how long they had been vacant.

Mr. Ainslie thanked Mr. Klein for his leadership. He expressed his opinion that the Town had too much zoned for retail, and retail was changing dramatically. Based on business tax license applications being only a fraction of previous years, many businesses might not reopen this fall. He thought that repurposing the second floor of the Esplanade for more offices for newcomers would be a growing trend, and he felt people would want smaller, boutique retail spaces. He thought the Commission should look at minimum sizes. He felt consultants would not be needed at this time, but might be needed ultimately, and suggested Gibbs Planning Group. He suggested listening to Laurel Baker with the Chamber of Commerce, the O'Connor Group, and the Frisbee Group, and suggested looking at minimum sizes in the area between the two major streets, and look at the town serving requirements in addition to the vacancies that needed to be studied.

Ms. LeCates wanted to be sure staff knew the area to study and commented there was half a million square feet of office space under construction in West Palm Beach in the downtown area.

Mr. Castro confirmed the Town Council wanted to stay away from Worth Avenue at this time and recommended the Commission study the portion of County Road where there were vacancies.

VIII. COMMENTS FROM PLANNING AND ZONING COMMISSIONERS AND THE PLANNING, ZONING AND BUILDING DIRECTOR

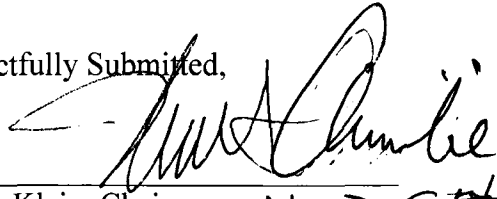
Council Member Julie Araskog commented this was Mr. Klein's last day and expressed the Council's appreciation for his service and dedication, to which Mr. Klein responded. Mr. Castro wished Mr. Klein the best.

Mr. Castro advised he would need time to put the data together and the next meeting was set for November 17.

IX. ADJOURNMENT

Motion was made by Mr. Kleid, and seconded by Mr. Ainslie to adjourn the meeting. The meeting was therefore adjourned at 10:22 a.m. without benefit of a vote.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Martin Klein', written over a horizontal line.

Martin Klein, Chair
Town of Palm Beach
Planning & Zoning Commission

VICE-CHAIR