TENTATIVE:
SUBJECT TO
REVISION

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 4, 2023

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
Margaret A. Zeidman
Bobbie Lindsay
Julie Araskog
Ted Cooney
Lew Crampton

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. DISCUSSION ITEMS

A. Discussion Regarding the Possibility of Zoning In Progress for Restaurants, Bars, Nightclubs, Lounges, and Private Clubs Pg. 12

B. **ZON-23-040 C-TS Text Amendment:** The applicant, James M. Crowley, Esq., Gunster Law Firm, has filed an application requesting Town Council review to amend the Town of Palm Beach's Zoning Code to allow for arcades or colonnades to extend into the public right-of-way in the Commercial-Town Serving (C-TS) zoning district through the Special Exception process. Pg. 13

VIII. RESOLUTIONS

A. **RESOLUTION NO. 037-2023:** 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 101 N County Rd 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. Pg. 26

Owner: Shavell Wade M Trust
The owner is in support of the designation.

IX. DEVELOPMENT REVIEWS

A. Appeals

1. Appeal of ARCOM Decision RE: ARC-22-231 7 LA COSTA WAY Pg. 48

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

a. **ZON-22-021 (ARC-22-022) 160 SEAVIEW AVE (COMBO) – VARIANCES** The applicant, Coral Beach Corporation (Angela Feldman, President) and Seaview Holdings, Inc. (David Feldman, Director), has filed an application requesting Town Council review for variances to exceed the point of measurement elevation higher than allowed to be measured from and to reduce the required street side yard setback for a new guest house on combined parcels at 160 and 170 Seaview Avenue. ARCOM will perform design review of the application. [*The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the*** Pg. 52

Architectural Review Commission.]

b. **ZON-22-032 (HSB-23-003) 594 N COUNTY RD (COMBO)—VARIANCES** The applicant, George Marucci, has filed an application requesting Town Council review and approval for variances (1 and 2) to reduce both side yard setback requirements for two, one-story additions to a historically significant one-story building. The Landmarks Preservation Commission will perform the design review. *[The Landmarks Preservation Commission deferred this project to the April 19, 2023, meeting.]* ***This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Landmarks Preservation Commission.*** Pg. 53

c. **ZON-22-088 (ARC-22-126) 240 OLEANDER AVE (COMBO) – VARIANCES** The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Town Council review and approval for variances (1) for development on a lot which is deficient in minimum lot area and (2) deficient in lot depth in the RC zoning district and (3) to exceed the maximum allowed lot coverage, in conjunction with the construction of a new two-story single-family residence. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission will hear the project to their March 29, 2023, meeting.]* Pg. 54

d. **ZON-22-122 (HSB-22-011) 141 AUSTRALIAN AVE (COMBO) —VARIANCES.** The applicant, Gregory James Pamel, has filed an application requesting Town Council review and approval for Variances to (1) reduce the required side (east) yard setback, (2) to reduce the required rear (north) yard setback, (3) to exceed the overall building height for an accessory structure, and (4) to exceed the maximum Cubic Content Ratio (CCR), and (5) to allow a two story accessory structure where only one story is permitted, for the demolition and reconstruction of a two-story accessory structure in the rear yard in conjunction with the proposed renovations to an existing Historically Significant two-story building. The Landmarks Preservation Commission will perform design review of the application. ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Landmarks Preservation Commission.]*** Pg. 60

e. **ZON-22-140 (ARC-22-216) 248 COLONIAL LN (COMBO) —SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE.** The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for development of a lot which is deficient in lot depth and lot area in the R-B zoning district and for variances (1) to eliminate the two-car garage enclosure requirement, (2) to Pg. 61

locate a generator in a setback which is higher than allowed from neighboring grade and (3) to not completely screen a generator with a masonry wall, in conjunction with the construction of a new two-story residence. The Architectural Review Commission will perform design review of the application. *[The Architectural Review Commission will hear the project to their March 29, 2023, meeting.]*

f. **ZON-23-002 (ARC-22-241) 624 ISLAND DR (COMBO)—VARIANCES** The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Town Council review and approval Variances (1) to exceed the maximum amount of lot coverage and (2) to exceed the maximum amount of Cubic Content Ratio (CCR) in the R-B zoning district in conjunction with the enclosure of an existing open-air courtyard of a two-story residence with a new skylight. The Architectural Commission will perform design review of the application. ***[This project shall be deferred to the May 10, 2023, meeting pending review by the Architectural Review Commission at the April 26, 2023, meeting.]*** Pg. 73

g. **ZON-23-033 (ARC-23-024) 1540 S. OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)—VARIANCES.** The applicant, 1540 S Ocean LLC (Steven Kirsch, Managing Director) has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the construction of a new plunge pool, deck, and landscaping for an existing 136 square foot beach cabana at 1540 S Ocean Blvd and 114 Ocean View Road and for a variance (1) to the minimum frontage and variance (2) to the established ocean bulkhead line setback. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission will review the project to their March 29, 2023, meeting.]* Pg. 74

h. **ZON-23-005 (HSB-22-017) 128 SEABREEZE AVE (COMBO) – SITE PLAN REVIEW AND VARIANCES.** The applicant, Jennifer Palumbo and Keith Palumbo, as Trustees of the Keith R. Palumbo 2007 Trust u/a/d August 10, 2007, have filed an application requesting Town Council review and approval for the rehabilitation of the primary residence and reconstruction of the detached two-story accessory structure with site wide landscape and hardscape improvements, including Variances for (1) Cubic Content Ratio, (2) increased lot coverage, (3) decreased landscaped open space, (4) the construction of a two-story accessory structure, and (5-9) to vest non-confirming building setbacks, requiring Special Exception with Site Plan Review due to the demolition of more than 50% of the two Historically Significant structures. The Landmarks Preservation Commission will perform the design review component of the application. *[The Landmarks Preservation Commission Recommendation:* Pg. 80

Implementation of the proposed variances will not cause negative impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved this project with conditions at the March 22, 2023, meeting. Carried 7-0.]

i. **ZON-23-013 (ARC-22-231) 7 LA COSTA WAY (COMBO) — SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Town Council review and approval variances (1) for a reduced 2nd story street rear-yard setback for a new second story roof top terrace, (2) a variance to provide deficient landscape open space, and (3) a variance to exceed 2-story lot coverage maximum, all as part of a renovation to an existing nonconforming one-story residence. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission Recommended: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.][The Architectural Review Commission approved this project at their February 22, 2023, meeting. Carried 7-0.]* ***[This project was deferred to the April 4, 2023, Town Council meeting pending an appeal.]*** Pg. 95

j. **ZON-23-014 (ARC-22-243) 302 SEABREEZE AVE (COMBO) — SITE PLAN REVIEW AND VARIANCE** The applicant, Sean Rooney, has filed an application requesting town council review and approval for development of a new two-story single-family structure on a parcel, comprised of platted lots, which is deficient in lot width and lot area in the R-B zoning district requiring Site Plan Review, and a variance to provide one garage parking spot in lieu of the two required. The Architectural Commission will perform design review of the application. [*The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Architectural Review Commission.]*** Pg. 102

k. **ZON-23-017 (COA-23-001) 1100 S OCEAN BLVD—MAR A LAGO (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW.** The applicant, Mar A Lago Inc., has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for modifications to a private club Special Exception Use including the construction of a new one-story approximately 250 SF guardhouse guardhouse to an existing Landmarked structure. The Landmarks Preservation Commission will perform the design review. ***[This project shall be deferred to the May 10, 2023, Town Council meeting per Council direction at the March 15, 2023, meeting.]*** Pg. 103

l. **ZON-23-019 (COA-23-002) 363 COCOANUT ROW—THE** Pg. 104

VINETA HOTEL (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES The applicant, 363 Cocoanut Row Popco LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the interior and exterior renovation to an existing Landmarked four-story hotel structure for (1) For modifying the existing four-story hotel use including a reduction of rooms from 57 keys to 41 in the R-C district and (2) For outdoor café seating use. Additionally, the applicant is seeking review and approval for Variances (1) to modify and increase a nonconforming hotel use and accessory restaurant uses in the R-C district under Sec. 134-201(a)(6) of the Town Zoning Code, (2) to exceed the maximum overall building height in order to construct rooftop projections (stair and elevator bulkheads), (3) to exceed the maximum overall building height in order to construct rooftop projections (third floor trellis), (4) to exceed the maximum height of rooftop mechanical equipment for air conditioners and (5) commercial kitchen exhaust scrubber on a rooftop, in conjunction with the renovation of an existing Landmarked four-story hotel and accessory restaurant uses. The Landmarks Preservation Commission will perform the design review. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the landmarked property. Carried 7-0.] [Landmarks Preservation Commission approved the project with the lighting to return to the March 22, 2023, meeting. Carried 7-0.] [Town Council deferred the matter to the March 15, 2023, meeting.] [The Town Council approved variances 3, 4, and 5 with the condition that adequate screening will be placed on all sides of the mechanical equipment, and the screening will be approved by the landmarks preservation commission; the remainder of the project will return to the April 4, 2023, meeting.]*

Pg. 104

TIME CERTAIN 2:00 PM

m. **ZON-23-025 (COA-22-055) 210 VIA DEL MAR (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for reduced vehicular gate setbacks on a cul-de-sac street. The Landmarks Preservation Commission will perform the design review for modifications to the existing Landmarked residence and grounds. *[The Landmarks Preservation Commission deferred this project to the March 22, 2023, meeting.]* ***This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Landmarks Preservation Commission.***

Pg. 226

n. **ZON-23-027 (ARC-23-012) 206 CARIBBEAN RD (COMBO)— SITE PLAN REVIEW.** The applicant, 206 Caribbean LLC (Robert Frisbie, has filed an application requesting site plan review from the Town Council for construction of a new two-story single-family on an existing lot that is deficient in minimum required lot width and lot area in the R-B zoning district. The Architectural Commission shall perform design review of the application. *[The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project has been withdrawn by the applicant from the Architectural Review Commission and the Town Council meetings.]*** Pg. 227

o. **ZON-23-028 (ARC-23-013) 177 CLARKE AVE. (COMBO)— VARIANCES.** The applicants, James Coleman Baker and Veronica Chen Baker, have filed an application requesting Town Council review and approval of variances including (1) Cubic Content Ratio, (2-4) to vest existing rear and side setback encroachments due to the demolition of more than 50% of the building, and (5) to allow a two-story accessory structure in support of the construction of a new two-story residence, alterations to an existing garage structure and landscape and hardscape improvements. The Architectural commission will review the design review component of the application. *[The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Architectural Review Commission.]*** Pg. 228

p. **ZON-23-029 (ARC-23-014) 325 VIA LINDA (COMBO)— SPECIAL EXCEPTION WITH SITE PLAN REVIEW**. The applicant, Three Palm Trees, LLC, has filed an application requesting Town Council review and approval for a Special Exception and Site Plan Approval to permit a reduction in the required setback for the proposed driveway gate and gateposts. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission will review the project to their March 29, 2023, meeting.]* Pg. 229

q. **ZON-23-032 (ARC-23-022) 125 WORTH AVE (COMBO)– SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES.** The applicant, 125 Worth Partners LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the substantial demolition exceeding 50% exterior building elevations for the renovation and expansion of the existing four story nonconforming commercial building (with underground parking) including multi-story additions and façade alterations proposing in accordance with the Worth Avenue Design Guidelines and a Special Exception to permit retail and office uses greater than 4,000 SF gross leasable area in the C-WA district. Additionally, the applicant is seeking review and approval for Variances (1) to Pg. 245

reduce the required parking; (2) to modify and expand nonconforming four-story building; (3) to exceed the maximum overall building height in order to construct a new rooftop and rooftop projections; (4) to exceed the maximum allowable lot coverage for the fourth level; (5) to reduce the required front yard setback, (6) to eliminate the requirement for an on-site loading space, (7) to retain and increase the existing nonconforming lot coverage for the first, second and third levels; (8) to retain the existing nonconforming building length; (9) to retain the existing nonconforming landscape open space; and (10) to further increase the existing nonconforming floor area due in association with the voluntary demolition of portions of the nonconforming building exceeding 50% of exterior wall square footage, in conjunction with the renovation of an existing four-story office and retail building. *[The Architectural Review Commission has moved this project forward to the Town Council for zoning review prior to the architectural design review at their February 22, 2023, meeting.] [Town Council deferred this project to the April 4, 2023, Town Council meeting.]* Pg. 245

TIME CERTAIN 11:00 AM

2. New Business

a. **ZON-22-110 (ARC-22-162) 2773 S OCEAN BLVD (COMBO) —SITE PLAN REVIEW** The applicant, Carlyle House Condominium, has filed an application requesting Town Council review and approval for site plan review for demolition and redesign of the pool, pool deck and associated landscape and hardscape. The Architectural Commission shall perform design review of the application. Pg. 996

b. **ZON-22-154 (HSB-22-016) 353 PERUVIAN AVE (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Lifestyle Holdings LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for (1) the addition onto an existing second floor, and (2) for commercial uses > 3,000 SF in C-TS zoning district and Variances (1) to reduce the existing north (side) setback requirements in order to retain an existing nonconforming building and (2) to reduce the required parking spaces, (3) to reduce the required on-site loading spaces, (4) to reduce the required overall landscape open space, and (5) to reduce the required overall front yard open space, and from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, which results in demolition of more than 50% of portions of the existing one-story and two-story Historically Significant building and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner Pg. 1000

building. The Landmarks Preservation Commission will perform design review of the application and review and approved the Floodplain variance. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved this project at the March 22, 2023, meeting, with the back building and front building lighting to return for further review. Carried 7-0.]*

c. **ZON-23-026 (ARC-23-011) 220 ARABIAN RD (COMBO)— SPECIAL EXCEPTION AND SITE PLAN REVIEW** The applicant, Walter Wick, has filed an application requesting Town Council review and approval for special exception and site plan review to construct a new two-story residence on portions of platted lots which are deficient in lot width in the R-B zoning district. The Architectural Commission will perform design review of the application. ***[This project has been withdrawn by the applicant from the Architectural Review Commission and the Town Council meetings.]*** Pg. 1013

d. **ZON-23-034 (ARC-23-026) 171 EL PUEBLO WAY (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicants, Kevin Ryan and Carolyn Pressly-Ryan, has filed an application requesting Town Council review and approval for special exception with site plan review for development of a single-family dwelling on a lot in R-B zoning district which is deficient in lot width and area, and (3) variances for (1) a reduced swimming pool setback, (2) a variance to exceed maximum allowed equipment screening wall height, and (3) a variance to allow a supported second floor balcony to encroach into the required front yard. The Architectural Commission shall perform design review of the application. Pg. 1014

e. **ZON-23-039 (HSB-23-002) 261 SANFORD AVE (COMBO)— VARIANCES** The applicant, Mr. & Mrs. Delaney, has filed an application requesting Town Council review and approval for Site Plan Review for additions and alterations to an existing two-story Historically Significant building involving the demolition of more than 50% of portions of the structure resulting in Variances (1) to retain the existing nonconforming side (west) yard setback and (2) to exceed the maximum lot coverage permitted, and from Chapter 50, Floods, for the required floor elevation of the existing structure, for the renovation and alteration of an existing Historically Significant two-story building. The Landmarks Preservation Commission will perform design review of the application and review and approved the Floodplain variance. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the* Pg. 1037

subject property. Carried 7-0.] [The Landmarks Preservation Commission approved this project as presented at the March 22, 2023, meeting. Carried 7-0.]

f. **ZON-23-041 (ARC-23-032) 176 SEMINOLE AVE (COMBO)—VARIANCES** The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Town Council review and approval for four (4) Variances required to convert an existing two-car garage into interior storage space and to construct a second-story addition over the rear garage with site and landscape alterations, including (1) to eliminate required garage parking spaces, (2) to construct a second floor addition with reduced rear setbacks, (3) to exceed the maximum allowable Cubic Content Ratio (CCR), and (4) to reduce the overall Landscape Open Space below the required minimum. The Architectural Commission will perform the design review component of the application. Pg. 1044

C. Time Extensions, Waivers and Three Strikes

1. Permit Extension - 250 Queens Lane Pg. 1052

X. ANY OTHER MATTERS

XI. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday 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 Wednesday 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 Technology (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 FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under 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.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda
Discussion Items

Agenda Title
Discussion Regarding the Possibility of Zoning In Progress for Restaurants, Bars, Nightclubs, Lounges, and Private Clubs

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda
Discussion Items

Agenda Title
ZON-23-040 C-TS Text Amendment: The applicant, James M. Crowley, Esq., Gunster Law Firm, has filed an application requesting Town Council review to amend the Town of Palm Beach's Zoning Code to allow for arcades or colonnades to extend into the public right-of-way in the Commercial-Town Serving (C-TS) zoning district through the Special Exception process.

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **ZON-23-040 C-TS TEXT AMENDMENT_APP_FIRST SUB_APR23**
- **ZON-23-040 C-TS TEXT AMENDMENT_PROPOSED TEXT_SECOND SUB_APR23 (2)**
- **ZON-23-040 C-TS TEXT AMENDMENT_RESPONSE_SECOND SUB_APR23**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5430 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

THRU: Wayne Bergman, MCP, LEED-AP
Director PZ&B

FROM: Jennifer Hofmeister-Drew, AICP
Planner III

SUBJECT: ZON-23-040 C-TS TEXT AMENDMENT

MEETING: APRIL 4, 2023

ZON-23-040 C-TS TEXT AMENDMENT. ZON-23-040. The applicant, James M. Crowley, Esq., Gunster Law Firm, has filed an application requesting Town Council review to amend the Town of Palm Beach's Zoning Code to allow for arcades or colonnades to extend into the public right-of-way in the Commercial-Town Serving (C-TS) zoning district through the Special Exception process.

Zoning Code Text Amendment - Proposed

The applicant has submitted a proposal for discussion with the Town Council to allow the placement of building arcades and colonnades to extend beyond private property lines that would permit covered walkways within public rights of way. The applicant's Letter of Intent (LOI) accurately cites that the Town currently allows for this code provision in the C-WA zoning district through the implementation of the Worth Avenue Design Guidelines. The purpose of this allowance in the C-WA zoning district is to increase the aesthetic appearance of the streetscape, add protection from the elements and enhance the overall walking experience for the pedestrian. The subject application seeks to duplicate this amenity in the C-TS commercial district.

Having said that, it must be noted that the Public Works Department reviewed the text amendment during the pre-application meeting and is not in support of the request. However the following, at a minimum, needs to be provided with any development proposal that includes arcades within the public right-of-way.

- Include clear zone requirements for travel lanes. Proposed columns cannot be located with a clear zone.
- The required sidewalk widths within the district need to be maintained. Where deficient, additional accommodations need to be provided.
- Existing parking conditions need to be included. Specify that proposed columns cannot adversely affect use of parking lane / parking spots.

The proposed code language is to the Exceptions section of Division 8. C-TS Town Serving Commercial District and is as follows:

…

Sec. 134-1114. Same—Exceptions.

(a) In the C-TS town-serving commercial district, cornices, solid canopies, or architectural features may extend 48 inches over the sidewalk or required yard area, provided they shall have nine feet of vertical clearance between any solid construction and the sidewalk or yard.

(b) Marquees or canvas-covered fireproof canopies, no wider than entranceways, may be constructed over main entrances to hotels, theaters and places of public assembly and may extend to the face of the curb, provided that no support shall be nearer than 18 inches to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance between any solid construction and the sidewalk.

(c) No projections shall be allowed in the required rear yard except open-type fire escapes, and these must be provided with a counter-balanced bottom section to provide for nine feet of clearance when up.

(d) Awnings may be suspended over sidewalks or ways, provided that they shall not project nearer than 18 inches to the face of the street curbline or more than eight feet from the exterior wall of the building, and the installation shall have at least seven feet six inches of vertical clearance between any solid construction and the sidewalk or way. Cloth front and side drops shall measure not less than six feet six inches from their lowest point to the sidewalk or way.

(e) Within the C-TS town-serving commercial district, arcades or colonnades may be constructed over sidewalks or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. Review shall be conducted by the Town's Public Works Department confirming that the arcades or colonnades do not obstruct safe sight visibility triangles and are designed to not interfere with vehicular traffic or parking, including entering and exiting vehicles. Sidewalk widths within arcades and colonnades shall be maintained or increased if needed per Town requirements. Enclosed usable space shall be permitted above the arcade, and within the right-of-way. Approval shall be conditioned upon granting of an easement or license approval. The design of such arcades or colonnades shall be subject to review and approval by the architectural commission or the landmarks preservation commission, whichever has jurisdictional review.

~~(e)~~ (f) One open, one story pergola may extend five feet into a setback provided said structure does not exceed a height of nine feet; the supporting beams do not obstruct a sidewalk or walkway.

~~(f)~~ (g) One arbor shall be allowed in a required setback on a property provided said arbor does not exceed a height of eight feet nor cover more than 15 square feet in area; and, does not block a sidewalk or walkway.

***

The subject application is presented to the Town Council for discussion purposes only. Should support for the proposed text amendment be offered by the Town Council, pursuant to Code Section 134-251. *Town council actions; submission to Planning and Zoning Commission for recommendations and report*. a "studied" text amendment application will be submitted to the Planning, Zoning and Building Department. The studied text amendment will include a proposed draft Ordinance for review and recommendation by the Planning and Zoning Commission and then to public hearing before the Town Council for consideration for adoption. Additionally, the application currently in review by Town staff for the redevelopment of the Paramount Theatre will be modified to incorporate an arcade.

WRB:JGM:JHD

RECEIVED
By yfigueroa at 1:02 pm, Jan 23, 2023

GUNSTER
FLORIDA'S LAW FIRM FOR BUSINESS

Our File Number: 53286-00001
Writer's Direct Dial: (561) 650-0633
Writer's E-Mail Address: jcrowley@gunster.com

January 23, 2023

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Re: C-TS Zoning Code Text Amendment – Zoning Case Number: ZON-23-0040

We are pleased to submit the attached proposal for a zoning code text amendment to the C-TS (Commercial – Town Serving) Zoning District regulations. The intent of the proposed text amendment is twofold: enable the design of more interesting and aesthetically pleasing buildings in the town serving commercial zoning district, and to promote increased walkability in these commercial areas by providing covered walkways to protect the pedestrian from the elements.

The amended zoning text would allow for building arcades or colonnades to be extended beyond the private property boundaries, over sidewalks within the public right-of-way, to move effectively provide shade and cover for pedestrians. The Town has previously approved a similar code provision in the C-WA zoning district through the adoption of the Worth Avenue Design Guidelines, which allow for arcades or colonnade extensions in order to increase the aesthetic appearance of the streetscape along Worth Avenue.

The proposed text amendment would allow construction of such arcades and colonnades in other commercial areas within the Town where the Town Council, ARCOM and Landmarks Preservation Commission deem it appropriate. Notably, there are other locations in the Town outside of Worth Avenue where this design concept was previously undertaken, but current codes would not permit such construction. The properties at 105 North County Road and 184 Sunset Avenue (a Town landmark), two adjacent properties located just north of Royal Poinciana Way within the C-TS zoning district, have building arcades that extend into the right-of-way and provide shade and cover for pedestrians using the sidewalk; these arcades have existed for decades to the delight of all that have visited the businesses occupying these historic/landmarked buildings.

The Town of Palm Beach is also not alone in allowing buildings to extend beyond their private property boundaries. The 113-year-old quaint and historic City of Zephyrhills, Florida is another community that has adopted specific code that allows for buildings to extend beyond their property lines in order to provide arcades over the pedestrian

walkways, and also permits enclosed habitable space above these arcades with special easement permission (City of Zephyrhills, Florida Code Sec. 2.05.04.11).

The C-TS zoning code text amendment allows for building arcades and colonnades to extend into the right-of-way, but no closer than three (3) feet to the face of the curb, with the approval of an easement or license approval from the Town. The text amendment requires that an arcade or colonnade within a right-of-way be designed in such a manner as to not interfere with vehicular traffic or parking, including the entering and exiting of vehicles. The text amendment permits enclosed habitable or usable space above an arcade or colonnade. Finally, any proposed arcade or colonnade within a right-of-way must be approved by the Architectural Commission or the Landmarks Preservation Commission (whichever has jurisdiction), which is also currently required in the C-WA zoning district for arcades and colonnades to extend off of private property.

We strongly believe that this proposed zoning code text amendment will promote more beautiful commercial buildings being brought before the Town for approval, and will have the added benefit of providing residents and visitors with much needed shade and protection from the elements, which can only help to facilitate more pedestrian activity in these areas.

Sincerely,

James M. Crowley

RECEIVED
By yfigueroa at 2:06 pm, Jan 05, 2023

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

DEVELOPMENT REVIEW APPLICATION

Updated 07/26/2022

FILE NUMBER: N/A	**ZONING NUMBER (if applicable):** ZON-23-040	**DATE:** 1/5/23

ADDRESS: N/A

☐ LANDMARKS	☐ ARCOM
☐ Certificate of Appropriateness for design approval ☐ Certificate of Appropriateness for demolition ☐ Historically Significant building ☐ Historic district/ Site designation / undesignation ☐ Other (expand below) ☐ Waiver	☐ Design review approval- **major project** ☐ Design review approval- **minor project** ☐ Design review approval- **minor no notice** ☐ Demolition ☐ Other (expand below)
☐ Tax abatement project	

☐ TOWN COUNCIL

☐ Special exception
☐ Variance(s)
☐ Site plan review
☐ Division of land / replat
■ Amendment to the Town's Zoning Code or Zoning Map or Comprehensive Plan or Future Land Use Map
☐ Other (expand below)

☐ **Other:**

Property Information

ADDRESS OF PROPERTY
N/A

LEGAL DESCRIPTION (if necessary attach as separate exhibit)
N/A

PROPERTY OWNER NAME
N/A

CONTACT NUMBER AND/OR EMAIL
N/A

APPLICANT NAME (if different than owner)
James M. Crowley, Esq.

CONTACT NUMBER AND/OR EMAIL
561.650-0633/JCrowley@Gunster.com

Authorized Representative(s) Information (if applicable)

NAME	
James M. Crowley	■ Attorney ☐ Agent ☐ Other_____
CONTACT PHONE 561.650-0633	EMAIL ADDRESS JCrowley@Gunster.com

Summary of Request (NOTE: A separate Letter of Intent (LOI) is required as part of the submittal prerequisite)
PROVIDE A BRIEF SCOPE OF PROJECT REQUEST Proposal to amend the Town of Palm Beach's Zoning Code to allow for arcades or colonades to extend off of private property and into public right-of-way in the Commercial -Town Serving (C-TS) zoning district to promote pedestrian activity, provided certain location and dimensional requirements are met, the arcade or colonade does not interfere with vehiclar traffic or parking, and the arcace or colonade is approved by the Architectural Commission or Landmarks Preservation Commission (whichever has jurisdiction) and Town Council through the Special Exception process.

Project Information		
Is there an existing building(s) on the site?	☐ YES	■ NO
Does the project include minor exterior demolition?	☐ YES	■ NO
Does the project include total demolition?	☐ YES	■ NO
Does the project include exterior alterations?	☐ YES	■ NO
Does the project include site plan modifications?	☐ YES	■ NO
Provide the total square footage of the new construction.	N/A	SF.
Provide the gross square footage of the new construction (including parking and all usable area).	N/A	SF.

Design Professional (primary design professional responsible for project design)	
NAME: N/A LICENSE #: ☐ Check this box if you are a Commission member that will result in a voting conflict of interest	☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Other _____
CONTACT PHONE	EMAIL ADDRESS

Please read the following and acknowledge below:

■ As part of the project approval, I voluntarily agree to dedicate a utility easement supporting the undergrounding project to the satisfaction of the Town of Palm Beach, which may include the installation of aboveground electrical equipment and pads to be placed on my property.

The aforementioned is acknowledged by:

☐ Owner of the subject property
■ Authorized representative

SIGNATURE

James M. Crowley

PRINT NAME

January 5, 2023

DATE SIGNED

"Exhibit A"
NOTICE AFFIDAVIT

FILE NUMBER: ZON-23-040

FILE NUMBER: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH ,TOWN OF PALM BEACH

BEFORE ME THIS DAY PERSONALLY APPEARED James M. Crowley
WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner, or the owner's authorized agent, of the real property legally described in the Application; and

2. The accompanying Property Owners List is, to the best of his/he list of all property owners' mailing addresses and property c days prior to the meeting at which the subject application will official tax rolls for the subject property and all other property **radius distance if required,** of the real property described in the **hundred (300) feet, or other radius distance if required,** of all part by the owner of the real property described in the Applic

3. A copy of each page of the application plus project Notice of Owners (as described above in 2.) and **TOWN HALL** is included and will be mailed **at least 30 days prior** to the meeting usir Appraiser's office.

Subject to staff confirmation on notice. I don't think mail notice is required.
JMC

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this 5th _____, by
Month/Year

James M. Crowley who is personally known to me or who has produced
(Name of person acknowledging)

_____ as identification.
(Type of identification)

Applicant's Signature	James M. Crowley, Esq./Gunster Law Firm
Odette Pease Odette Pease	Applicant's (or Agent's) Printed Name
Notary as to Owner or to Authorized Agent	777 So. Flagler Dr., Ste. 500 E, WPB, FL 33401
	Applicant's (or Agent's) Address

My Commission Expires: 9/3/2025

ODETTE PEASE
MY COMMISSION # HH 151594
EXPIRES: September 3, 2025
Bonded Thru Notary Public Underwriters

RECEIVED
By yfigueroa at 1:01 pm, Jan 23, 2023

Sec. 134-1114. Same—Exceptions.

(a) In the C-TS town-serving commercial district, cornices, solid canopies, or architectural features may extend 48 inches over the sidewalk or required yard area, provided they shall have nine feet of vertical clearance between any solid construction and the sidewalk or yard.

(b) Marquees or canvas-covered fireproof canopies, no wider than entranceways, may be constructed over main entrances to hotels, theaters and places of public assembly and may extend to the face of the curb, provided that no support shall be nearer than 18 inches to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance between any solid construction and the sidewalk.

(c) No projections shall be allowed in the required rear yard except open-type fire escapes, and these must be provided with a counter-balanced bottom section to provide for nine feet of clearance when up.

(d) Awnings may be suspended over sidewalks or ways, provided that they shall not project nearer than 18 inches to the face of the street curbline or more than eight feet from the exterior wall of the building, and the installation shall have at least seven feet six inches of vertical clearance between any solid construction and the sidewalk or way. Cloth front and side drops shall measure not less than six feet six inches from their lowest point to the sidewalk or way.

(e) Within the C-TS town-serving commercial district, arcades or colonnades may be constructed over sidewalks or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. Review shall be conducted by the Town's Public Works Department confirming that the arcades or colonnades do not obstruct safe sight visibility triangles, and are designed to not interfere with vehicular traffic or parking, including entering and exiting vehicles. Sidewalk widths within arcades and colonnades shall be maintained or increased if needed per Town requirements. Enclosed usable space shall be permitted above the arcade, and within the right-of-way. Approval shall be conditioned upon granting of an easement or license approval. The design of such arcades or colonnades shall be subject to review and approval by the architectural commission or the landmarks preservation commission, whichever has jurisdictional review.

(~~e~~f) One open, one story pergola may extend five feet into a setback provided said structure does not exceed a height of nine feet; the supporting beams do not obstruct a sidewalk or walkway.

(~~f~~g) One arbor shall be allowed in a required setback on a property provided said arbor does not exceed a height of eight feet nor cover more than 15 square feet in area; and, does not block a sidewalk or walkway.

(Ord. No. 2-74, § 5.33(a)—(d), 3-26-74; Ord. No. 4-80, § 4, 3-31-80; Ord. No. 1-91, § 3(c), 4-23-91; Ord. No. 3-02, § 3, 7-9-02)

RECEIVED
By yfigueroa at 1:02 pm, Jan 23, 2023

GUNSTER
FLORIDA'S LAW FIRM FOR BUSINESS

Our File Number: 53286-00001
Writer's Direct Dial: (561) 650-0752
Writer's E-Mail Address: jlindgren@gunster.com

January 23, 2023

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Re: Response Narrative for C-TS Zoning Text Amendment
Zoning Case Number: ZON-23-040

The following is our response narrative to the First Submittal Comments issued.

1. **APPLICATION**
   a. No comments.

   RESPONSE: Acknowledged.

2. **ARCHITECTURAL PRESENTATION**
   a. No comments.

   RESPONSE: Acknowledged.

3. **ZONING**
   a. Please note that an amendment to Code Section 106.1 Obstructions generally. will be necessary as the Town Code speaks to obstruction of any sidewalk or crossing in anyway.

   RESPONSE: We respectively disagree with the assertion that Code Section 106.1 needs to be revised as part of the code amendment that we are proposing. At the beginning of Code Section 106.1, which states that obstructions of any sidewalks or crossing are not permitted, it states "*Except as otherwise permitted by this Code:*". This introductory statement is clear that other sections of the code may supersede these restrictions, which makes sense when you consider that Section 134-1164, as it currently exists, allows for obstructions of sidewalks or crossings in the C-WA zoning district.

   b. As Code amendments are not site specific but pertain to the district that is proposed for amendment, please consider the following amended text to the proposed text amendment which is consistent with the C-WA, code section 134-1164 relating to arcades and colonnades.

Sec. 134-1114. Same – Exceptions.
e) Within the C-TS town serving commercial district~~, for properties that have at least 300 linear feet of street frontage along North County Road, South County Road~~, ~~or Royal Poinciana Way,~~ arcades or colonnades may be constructed ~~subject to approval as a special exception~~, over sidewalks, or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. Review shall be conducted by the Town's Public Works Department confirming that the ~~(or to the face of the street curbline if~~ the curbline is separated from the traffic lane by on-street parking) or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be located past the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. a~~A~~rcades or colonnades do ~~shall~~ not obstruct safe sight visibility triangles and ~~shall be~~ designed ~~so~~ to not interfere with vehicular traffic or parking, including entering and exiting vehicles. Approval shall be conditioned upon granted of an easement and a revocable right-of-way permit from the Town of Palm Beach ~~or license approval~~ as part of the special exception request. The design of such arcades or colonnades shall be subject to review and approval by the architectural commission or the landmarks preservation commission, whichever has jurisdictional review.

RESPONSE: See attached revised code amendment language. Please note that we propose that revocable right-of-way permit from the Town not be required as part of the approval of an arcade or colonnade within a right-of-way.

4. **LANDSCAPE**
   a. No comments.

RESPONSE: Acknowledged.

5. **PUBLIC WORKS**
   Public Works is not in support of the request; however, the following at a minimum need to be included:
   a. Include clear zone requirements for travel lanes. Proposed columns cannot be located with a clear zone.
   b. Required sidewalk widths within the district need to be maintained. Where deficient, additional accommodations need to be provided.
   c. Include existing parking conditions. Specify that proposed columns cannot adversely affect use of parking lane / parking spots.

RESPONSE: Proposed code amendment specifies that Public Works will review any future proposal to ensure that safe sight visibility triangles or clear zones will not be obstructed, and that sidewalk widths within an arcade or colonnade shall be maintained or increased if needed to meet Town requirements. Furthermore, the proposed code specifies that an arcade or colonnade cannot interfere with vehicular traffic or parking

We look forward to proceeding to the meeting date with Town Council, and please let us know if you have any questions or require any additional information.

Sincerely,

John Lindgren

John Lindgren, AICP

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda
RESOLUTIONS

Agenda Title
RESOLUTION NO. 037-2023: 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 101 N County Rd 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.

Owner: Shavell Wade M Trust
The owner is in support of the designation.

Presenter

ATTACHMENTS:

- **Excerpt from the March 22, 2023 Landmarks Preservation Commission Meeting Minutes**
- **Designation Report**
- **Resolution No. 037-2023**
- **Landmark Designation Procedure**
- **Letter of Support - Owner**

X. DESIGNATIONS

1. ITEM 1: 101 N. County Road

Owner: Shavell Wade M Trust

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger and Mr. Ives.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history of this Art Moderne-style commercial structure. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:
Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,
Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction of use of indigenous materials or craftsmanship.
Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Ms. Stillings thanked Cathy Shavell for her support of the designation.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Motion made by Ms. Moran and seconded by Ms. Albarran to make the designation report for 101 N County Road part of the record. Motion carried unanimously, 7-0

Ms. Patterson called for any public comment on the designation.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the building was a wonderful representation of Palm Beach and indicative of the Art Moderne movement. She supported the designation.

Ms. Damgard asked about the building on the NW corner. Ms. Stillings stated that the building was a landmark.

Motion made by Ms. and second by M to recommend 101 N. County Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161, and with the acknowledgment of owner's support. Motion carried unanimously, 7-0.

101 North County Road

DESIGNATION REPORT

March 22, 2023

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

101 North County Road

Table of Contents

I.	GENERAL INFORMATION	2
II.	LOCATION MAP	3
III.	ARCHITECTURAL INFORMATION	4
IV.	HISTORICAL INFORMATION	7
V.	ARCHITECT'S BIOGRAPHY	9
VI.	STATEMENT OF SIGNIFICANCE	10
VII.	CRITERIA FOR DESIGNATION	10
VIII.	SELECTED BIBLIOGRAPHY	12

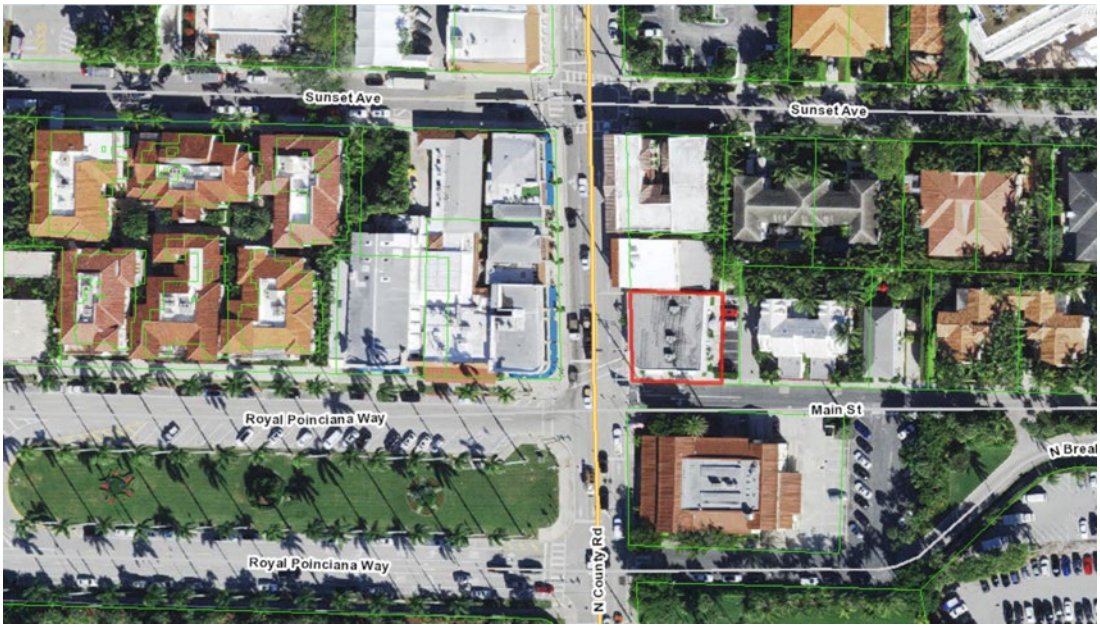
Report produced by Murphy Stillings, LLC

I. General Information

Location:	101 North County Road Palm Beach, Florida
Date of Construction:	1936
First Owner:	Michael Rubekas
Architect:	Gustav Maass
Builder/Contractor:	George Sturhis
Present Owner:	Wade M. Shavell Trust, Cathy W. Shavell, Trustee
Present Use:	Commercial
Present Zoning:	CTS
Palm Beach County Tax Folio Number:	50-43-43-22-31-000-0760
Current Legal Description:	Lots 76, 77 and 78, Floral Park, according to the Plat thereof as recorded in Plat Book 2, Page 6 of the Public Records of Palm Beach County, Florida, less the west 15 feet of said lots conveyed to Palm Beach.

II. Location Map

101 North County Road

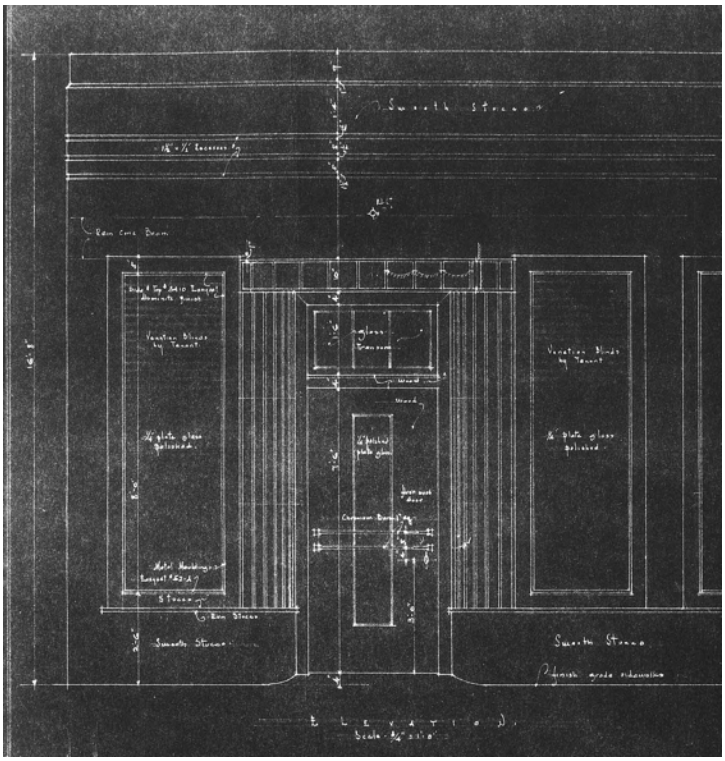


III. Architectural Information

101 North County Road is a one-story commercial building located on a prominent corner at the eastern edge of Palm Beach's historic main street. Situated at the intersection of North County Road and Royal Poinciana Way and designed by well-known Palm Beach architect Gustav Maass in 1936, 101 North County Road is a very good example of the Art Moderne style of architecture.

The Art Moderne style flourished between 1930 and 1945 and was highlighted at the 1933 World's Fair in Chicago. Influenced by the technology that followed WWI and following the "less is more" standard of design, it drew from the streamlined aerodynamic shapes of planes and cars. Also referred to as Streamline Moderne, the Art Moderne style, with its simple geometric forms and simplicity in decorative details was becoming popular as the more decorative Art Deco style was falling out of favor. Art Moderne architecture features flat roofs, asymmetric shapes, smooth surface finishes, curvilinear features, and horizontal elements.

101 North County Road is a one-story commercial building with a rectangular form surfaced with stucco and a flat roof with a parapet. Designed in the Art Moderne style, the building features a curved corner which is a defining characteristic of the style, following the flow of automobile movement around the corner. The curved corner along with the recessed horizontal banding at the roofline of the building are character defining features of the style and reflect the aerodynamic shapes that were the inspiration of Art Moderne architecture and design. The curved and fluted window and door surrounds are additional architectural details of the Art Moderne style that add to the architectural character of the building.



Detail Drawing of Entrance Bay on South County Road
Gustav Maass, 1936

Originally designed to house four businesses with three entrances facing South County Road and one facing the corner, the building over the years has undergone alterations to meet the changing needs of the businesses it housed. Exterior alterations consisted of the installation of awnings, signage and lighting, and window and door changes. In addition to new window and doors being installed in existing openings, the east façade, which was originally utilitarian in nature, was

altered in 2004 to provide improved access into the building from the parking spaces to the east by creating two entrances with fluted decorative details similar to the other openings of the building. In 2019, two additional window openings with fluted decorative details were added to the east end of the south façade. Changes to storefronts are common in commercial buildings to accommodate the needs and uses of businesses. The alterations to 101 North County Road accomplished this while retaining the historic and architectural integrity of Gustav Maass' original design.

South Facade

Corner

East Facade

IV. Historical Information

The Art Moderne commercial building at 101 North County Road is located at the eastern end of the town's historic main street commercial corridor within the Floral Park Subdivision. Floral Park was platted in 1912 and developed by brothers John R. and Edward R. Bradley. The area was initially developed in relationship to Henry Flagler's 1895 FEC railroad bridge, which linked the mainland of West Palm Beach to Palm Beach. During the early twentieth century, Floral Park included dwellings, stores, hotels, restaurants, offices, and municipal buildings. Due to the fighting in Europe during World War I, domestic tourism increased. Flagler's railroad and grand hotels attracted wealthy tourists to the island and the area along Main Street became the hub of civic and commercial activity.

From the late 1920s through the mid 1930s, the land boom began to decline steeply, the stock market crashed, and the Great Depression ensued. Some of Palm Beach's wealthiest were unaffected by these events, but many were forced to suspend taking winter holidays, which hurt the hotels and town merchants. Although Main Street served as the central shopping, dining, and commercial area of town in Palm Beach's early years, it wasn't until the late 1930s that many of the notable resources that now comprise the area came together to transform the area into a "gateway" to Palm Beach. In 1938, the Flagler Memorial Bridge was completed, providing automobile traffic to and from the mainland to the area.[1] The landscaped medians were also designed and constructed at this time and the name was changed from Main Street to Royal Poinciana Way.[2] The bridge, medians, and the Palm Beach Main Post Office, which opened in 1937, just north of 101 North County Road, were all developed as part of the country's New Deal policies and projects.

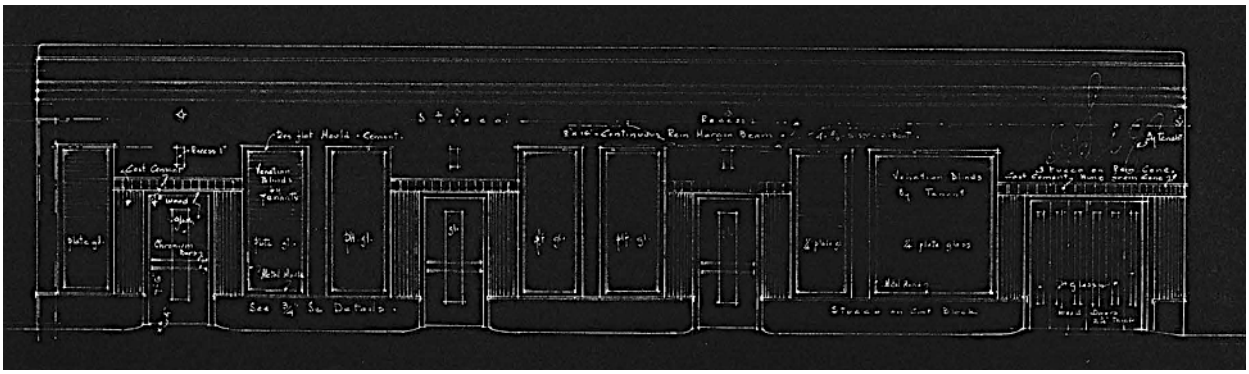
In 1936, while the Town's main post office was under construction, architect Gustav Maass was commissioned by developer Michael Rubekas to design a commercial building directly north of the new post office.[3] Maass designed the building in the Art Moderne style with a curved corner at the intersection of Royal Poinciana Way and North County Road. The building opened in 1936 with the

[1] Prior to construction of the Flagler Memorial Bridge, the only bridge providing automobile traffic to Palm Beach was the Royal Park Bridge built in 1911.

[2] "What's in a Name" Palm Beach Post-Times. May 27, 1938. "The most attractive suggestion in Palm Beach has been the one that the double street be called Royal Poinciana Way in tribute to the old hotel and to the grounds where this tree is prevalent, and as a balance to the other bridge street, Royal Palm Way."

[3] The property previously had a one-story Mission Revival style structure that housed Wagoner's Pharmacy from 1929 to 1936 when the building was demolished.

Post Office Soda Bar and Grill operating in the corner space of 101 North County Road until 1942.



North County Road Elevation
Gustav Maass, 1936

Traffic increased significantly with the opening of the Flagler Memorial Bridge and in 1941 County Road was widened to accommodate the additional traffic flowing from Royal Poinciana Way.[4] That same year, John Volk was hired to redesign the buildings on the west side of the 100 block of North County Road, across the street from 101 North County Road, to accommodate the increased width of the road. The buildings were redesigned to feature Art Moderne elements including curved corners, echoing the design of 101 North County Road across the street.

101 North County Road, designed by Gustav Maass in 1936, is the first building on the right.
John Volk's 1941 redesign of the west side of the street is on the left.
Historic Photo from Images of America: Palm Beach

[4] Palm Beach Avenue was also changed to County Road, which had been its name prior to 1921. For many years there had been discussion about widening County Road. As early as 1918, J.T. Havens had offered to give the Town a strip of land on Main Street and County Road for the purpose of widening the street, but it was not accepted.

At the conclusion of World War II, tourism quickly rebounded and many businesses in the Floral Park area thrived. Although the "winter season" was still the busiest time in Palm Beach, by the mid-1940s, tourists and residents began staying longer and many of the stores and restaurants in the area remained open throughout the year. Following the Post Office Soda Bar and Grill, 101 North County Road was the home of the Casablanca Restaurant and the Casablanca Liquor Store from 1943 to 1959 and then Samoa Polynesian Restaurant and Lounge from 1960 to 1964. Later tenants included Croft Antiques (1966-1971), Herzfeld and Stern brokerage firm (1972-1982), the Church Mouse (1975-1988), and Casablanca Café Americain (1992-2002). In 2003, the building was purchased by realtor Wade Shavell who converted the restaurant to a real estate office. 101 North County Road is currently the home of Serena and Lily, a home furnishings retailer, who opened their Palm Beach location in 2019.

V. Architects Biography

Gustav A. Maass, Jr.

Gustav Adam Maass, Jr. was born in New Orleans in 1893, the third of eight children of German immigrants. His father was a mechanical engineer. Maass grew up in New Orleans and Birmingham, Alabama. He received a degree in architecture from the University of Pennsylvania in 1917 and worked during World War I in the U.S. Civil Service at League Island Navy Yard in Philadelphia. After the war Maass returned to Birmingham, where he designed a variety of structures, including a Masonic Temple, power plants, schools, churches, and houses. Later Maass worked for the firm of Warren, Knight and Davis designing public and commercial buildings. There he met and married Helen Hensley.

In 1921, Maass came to West Palm Beach and became associated with the firm of Harvey and Clarke. Harvey and Clarke were the architects for the Seaboard Railway and as one of their associates Maass designed the Seaboard Railway Stations in Delray Beach, Deerfield Beach, and the Homestead. Maass designed many buildings in Delray Beach in the 1920s and his Art Deco style was reflected in commercial buildings along Atlantic Avenue.

Perhaps Maass is best known for his association with John L. Volk. The two formed a partnership that lasted from 1927 to 1935 and was headquartered in Phipps Plaza. During this time the two famous architects designed homes for Jacob H. Marx, J.H. Behrens, Charles M. Hayes, and Charles Hall among others.

Following his partnership with John L. Volk, in 1935 Maass started his own successful firm in Palm Beach. Over the course of his career, Maass designed projects in Palm Beach, Delray Beach, Boca Raton, and West Palm Beach. Maass died on April 22, 1964.

VI. Statement of Significance

101 North County Road is significant as a very good example of the Art Moderne style of architecture as designed by prominent Palm Beach architect Gustav Maass. Constructed to provide additional commercial space due to increased demand during a notable period of civic improvements along the Town's historic main street corridor, the well-known building reflects the Town's history and architecture during the late 1930s.

VII. Criteria For Designation

Section 54-161 of the Town of Palm Beach Landmarks Preservation Ordinance outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are the criteria which relate to this property and justification for designation:

(1) "Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town."

The Art Moderne commercial building at 101 North County Road was developed at the eastern end of Palm Beach's historic main street during a time of significant development in this important part of Town. The construction of the Flagler Memorial Bridge, landscaped medians, and the Palm Beach Main Post Office during the late 1930s all contributed to the area being transformed into a gateway to Palm Beach. 101 North County Road's location at the northeast corner of Royal Poinciana Way and North County Road, two of the Town's main thoroughfares, contributed to it being one of the most well-known buildings from the time it was constructed until today. In addition, the building's architecture influenced the design of the buildings on the west side of North County Road. 101 North County Road has remained a notable building providing valuable commercial space for numerous shops, restaurants, and offices since 1936.

(3) "Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship."

101 North County Road is a very good example of Art Moderne style architecture as designed by prominent Palm Beach architect Gustav Maass. The 1936 building embodies distinctive Art Moderne characteristics including a smooth stucco exterior, flat roof, curvilinear features, and horizontal elements. The building's curved corner and recessed horizontal banding at the roofline are character defining features of the style that reflect the aerodynamic shapes that were the inspiration of Art Moderne architecture. The curved and fluted window and door surrounds are additional details that add to the Art Moderne character of the building.

(4) "Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or has influenced his age."

Gustav Maass was a prominent architect who lived and worked in Palm Beach for over forty years. In the 1920s, Maass was best known for his Mediterranean Revival style designs. From the 1930s to the 1960s, Maass adapted to the changing tastes and lifestyles of his clients and designed residential and commercial buildings in many architectural styles. 101 North County Road is a very good representation of Maass' interpretation of the Art Moderne style of architecture.

VIII. Selected Bibliography

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RESOLUTION NO. 037-2023

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 101 N COUNTY RD 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.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark, and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being designated as a landmark is hereby ratified, approved, and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as 101 N County Rd and the property to be landmarked is legally described as follows:

FLORAL PARK LTS 76 THRY 78 (LESS 2 15 FT N COUNTY RD R/W)

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 5th day of April, 2023.

_____
Danielle H. Moore, Mayor

_____
Julie Araskog, Town Council Member

_____
Edward A. Cooney, Town Council Member

ATTEST:

_____
Lewis S.W. Crampton, Town Council Member

_____
Bobbie Lindsay, Town Council Member

_____
Kelly Churney, Acting Town Clerk

_____
Margaret A. Zeidman, Town Council Member

ARTICLE IV. - DESIGNATION PROCEDURE

Sec. 54-161. - Criteria for landmarks and landmark sites.
Sec. 54-162. - Creation of historic districts.
Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.
Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.
Sec. 54-165. - Voluntary restrictive covenants.
Secs. 54-166—54-195. - Reserved.

Sec. 54-161. - Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

(1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.

(2) Is identified with historic personages or with important events in national, state or local history.

(3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.

(4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

(Code 1982, § 16-38)

Sec. 54-162. - Creation of historic districts.

(a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:

(1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.

(2) Is identified with historic personages or with important events in national, state or local history.

(3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.

(4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.

(5) Constitutes a unique area of architecture, landscaping and planning.

(b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such

property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

(1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.

(2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.

(3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.

(4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.

(5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.

(6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.

(7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.

(8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

(a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:

(1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.

(2)

Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.

(3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.

(4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.

(5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.

(6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.

(7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.

(8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.

(9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.

(10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.

(11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.

(12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.

(b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.

(c)

Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

Sec. 54-165. - Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. - Reserved.

Catherine W. Shavell
528 South Country Club Drive
Atlantis, Florida 33462

6 March 2023

Landmark Preservation Commission

To Whom it May Concern.

I am so pleased to hear that 101 N. County Road, Palm Beach, is being Considered for Landmark Status. As I expressed to both Sarah Pardue + Emily Stillings during our very nice phone Conversations, it is both an honor + a privledge.

Our family, My brother, Wade, My Parents, Steven + Patricia + I Purchased 101 N. in 2003 to be used as Wade's Real Estate Office.

One of the many reasons the building is so special is its unusual architecture + its placement in the town. I am delighted that it is being recognized + will enjoy learning more as you Continue your research. You have my full support,

My best,

Cathy Shavell

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda
Appeals

Agenda Title
Appeal of ARCOM Decision RE: ARC-22-231 7 LA COSTA WAY

Presenter

ATTACHMENTS:

- **Appeal Letter and Supplemental Backup 03.03.23**

SNIFFEN & SPELLMAN, P.A.

Sender's direct line: 561-721-4004
Sender's e-mail: flynch@sniffenlaw.com

March 3, 2023

HAND DELIVERED

Ms. Pat Gayle-Gordon
Acting Town Clerk
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RECEIVED
MAR 03 2023
Town Clerk's Office

Re: ARC-22-231 ("Application")
7 La Costa Way ("Subject Property")
La Costa Trust ("Applicant")
Candace Hamm ("Appellant")

Dear Ms. Gayle-Gordon:

Please be advised that this firm represents the Appellant, the owner of the property located immediately east of the Subject Property.

The Appellant hereby appeals the decision of the Architectural Review Commission ("ARCOM") made at the January 25, 2023 ARCOM meeting.

Attached hereto please find:

1. the Applicant's original plan submitted for the December 16, 2022 ARCOM meeting,
2. the transcript of the December 16, 2022 ARCOM meeting,
3. the Applicant's revised plan submitted for the January 25, 2023 ARCOM meeting,
4. the transcript of the January 25, 2023 ARCOM meeting, and
5. the transcript of the February 22, 2023 ARCOM meeting.

The basis for this appeal is that ARCOM failed to:

A. make a recommendation on the variances requested in the Application, specifically:

REPLY TO:
605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401
PHONE: 561.721.4000
FAX: 561.721.4001

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301
PHONE: 850.205.1996
FAX: 850.205.3004

WWW.SNIFFENLAW.COM

"**Variance 2:** A variance to provide an overall landscaped open space of 36% in lieu of the 35% existing and the 50% minimum required for a lot over 20,000 SF.

Variance 3: A variance for a two-story lot coverage of 35.2% in lieu of the 25% maximum allowed for a lot in the R-B Zoning District that is great than 20,000 SF in area."

Variance 1 of the Application was withdrawn at to the December 16, 2022 ARCOM meeting.

B. consider the requirement of Town Code Section 18-205, specifically:

(a) The architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction only after consideration of whether the following criteria are complied with:

(2) The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.

The Application sought to renovate an existing 1-story residence, including: the replacement of all existing doors and windows; the relocation of mechanical equipment to the existing flat roof; associated rooftop screening for relocated equipment; and updates to landscape, hardscape and pool. No changes were being proposed to the existing footprint or existing volume of the residence. Because of the existing improvements on the Property was deficient in overall landscaped open space and exceeded the maximum allowable lot coverage, the variances are required.

At its January 25, 2023 meeting, ARCOM approved the Application, subject to further review of an entry gate and additional landscaping but failed to make any recommendation on both of the variances. The Appellant believes that it was fundamental error on the part of ARCOM for failing to consider the impact the variances would have on the plan it approved and requests that the ARCOM approval be overturned and that the Application be returned to ARCOM in its entirety to enable ARCOM to consider the impacts of the variances on the Application.

The Applicant's property is bordered on three sides by a public street, to the west by North Lake Way, on the north by South Woods Road and on the south by La Costa Way. The Applicant has elected to relocate his generator and garbage receptacle to the only side of his property that has a neighbor, Mrs. Hamm, again placing the noise, odor and pest impacts of those facilities directly on Mrs. Hamm. Similarly, while drainage is indicated to meet code, drainage is proposed in the driveway adjacent to Mrs. Hamm's home and any drainage in excess of that required to be maintained on the Applicant's property by code will flow onto Mrs. Hamm's property, potentially undermining the site wall on her property. Last, but not least, the Applicant has placed all eight (8) air conditioning units serving the Applicant's property on the Applicant's roof, which is closest to Mrs. Hamm's home. All of this serves to add to the noise to which Mrs. Hamm will be subjected. Again, there are three sides to the Applicant's property and all of this

equipment is proposed for the only side of the property that has a neighbor. ARCOM failed to consider the impacts on Mrs. Hamm that the relocation of all the Applicant's mechanical equipment and drainage will create, in derogation of Code Section 18-205 (a)(2).

Please place this appeal on the next available town council agenda.

Thank you for your consideration of this matter.

Sincerely,

FRANCIS X. J. LYNCH

FXJL/kh
Enclosures

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-22-021 (ARC-22-022) 160 SEAVIEW AVE (COMBO) – VARIANCES

The applicant, Coral Beach Corporation (Angela Feldman, President) and Seaview Holdings, Inc. (David Feldman, Director), has filed an application requesting Town Council review for variances to exceed the point of measurement elevation higher than allowed to be measured from and to reduce the required street side yard setback for a new guest house on combined parcels at 160 and 170 Seaview Avenue. ARCOM will perform design review of the application. [*The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Architectural Review Commission.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-22-032 (HSB-23-003) 594 N COUNTY RD (COMBO)—VARIANCES The applicant, George Marucci, has filed an application requesting Town Council review and approval for variances (1 and 2) to reduce both side yard setback requirements for two, one-story additions to a historically significant one-story building. The Landmarks Preservation Commission will perform the design review. *[The Landmarks Preservation Commission deferred this project to the April 19, 2023, meeting.]* ***This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Landmarks Preservation Commission.***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-22-088 (ARC-22-126) 240 OLEANDER AVE (COMBO) – VARIANCES The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Town Council review and approval for variances (1) for development on a lot which is deficient in minimum lot area and (2) deficient in lot depth in the RC zoning district and (3) to exceed the maximum allowed lot coverage, in conjunction with the construction of a new two-story single-family residence. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission will hear the project to their March 29, 2023, meeting.]*

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans**
- **Plans**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ARC-22-126 (ZON-22-088) 240 OLEANDER AVE (COMBO)

MEETING: March 29, 2023

ARC-22-126 (ZON-22-088) 240 OLEANDER AVE (COMBO). The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Architectural Commission review and approval for the demolition of an existing two-story apartment building and the construction of a new two-story single-family residence with final hardscape, landscape and pool, requiring variances due to deficient lot area and depth in the R-C zoning district and not provide required garage enclosure for two vehicles. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-22-088 (ARC-22-126) 240 OLEANDER AVE (COMBO) – VARIANCES. The applicant, PTMJM Florida Investment Properties, LLC (Patricia Lambrecht), has filed an application requesting Town Council review and approval for variances (1) for development on a lot which is deficient in minimum lot area and (2) deficient in lot depth in the RC zoning district and (3) to eliminate the two-car garage enclosure requirement by only providing a one-car garage, in conjunction with the construction of a new two-story single-family residence. The Architectural Commission will perform design review of the application.

Applicant: PTMJM Florida Investment Properties, LLC (Patricia Lambrecht)
Professional: B1 Architect LLC | Environment Design Group
Representative: Maura Ziska, Esq.

HISTORY:
The application was originally scheduled at the August 24, 2022 ARCOM agenda and deferred several times. At the November 18, 2022 ARCOM meeting, the item was presented. A motion to deny the application was made but failed for lack of second, after which the item was deferred to the January 25, 2023 meeting. Commission members requested a substantial redesign of the residence as the proposed Bermuda style was not considered to be compatible with the streetscape and because the house was viewed as being too large with oversized proportions. Several suggestions were made including the addition of a porch, incorporating a garage on the east and west sides, proposing an architectural design which is more compatible with the street, adding additional off-street parking, and creating more of a garden. At the January 25, 2023 meeting, the item was deferred to the February 22, 2023 ARCOM meeting at the request of the applicant.

THE PROJECT:

The applicant has submitted plans, entitled "ARCOM Final Submittal 240 OLEANDER AVENUE", as prepared by **B1 Architect LLC** dated March 7, 2023.

The following is the scope of work:

- Demolition of an existing two-story 3-unit apartment building.
- Construction of a new two-story residence requiring variances.
- Site wide landscape and hardscape improvements.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **VARIANCE 1:** Sec. 134-948(1)a.: A variance for a lot area of 8,500 SF in lieu of the 10,000 sq. ft. required, in conjunction with the construction of a new single-family dwelling in the R-C Zoning District.
- **VARIANCE 2:** Sec. 134-948(3)a.: A variance for a lot depth of 85 ft in lieu of the 100 ft required, in conjunction with the construction of a new single-family dwelling in the R-C Zoning District.
- ~~**VARIANCE 3:** Sec. 134-2179(b)(1): A variance to provide one required off-street parking space in an enclosed garage where two garage parking spaces are required for new construction on a lot over 75 feet in width.~~ *Variance request is no longer required.*

Site Data			
Zoning District	R-C Medium Density Residential	**Lot Size (SF)**	Required: 10,000 SF Existing/Proposed: 8,500 SF ***Variance Requested***
Lot Width	Required: 75 ft Existing/Proposed: 100 ft	**Lot Depth:**	Required: 100 ft Existing/Proposed: 85 ft ***Variance Requested***
Lot Coverage	Permitted: 30% Proposed: 29.8%	**Perimeter Open Space**	Required: 50% Proposed: 72.68%
Landscape Open Space (LOS)	Required: 45% Proposed: 48.09%	**Front Yard Open Space**	Required: 40% Proposed: 67%
Building Height	Permitted: 22'-0" Proposed: 19'-6"	**Overall Building Height**	Permitted: 30'-0" Proposed: 25'-6"
Crown of Road	2.39 ft NAVD	**Enclosed Garage Parking**	Required: 2 Spaces Previously Proposed: 1 Space Currently Proposed: 2 Spaces ~~***Variance Requested***~~
Finish Floor Elevation	7'-0"		
Fill	Permitted: 2.3' Proposed: 2.3'		

Surrounding Properties	
North	1959 *251 Oleander Place* 4-unit Condominium

South	1924 Two-story residence 1925 Two-story residence
East	1959 6-unit Condominium
West	1928 Two-story residence

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A review of the project indicates that the application, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code.

The subject property is mid-block parcel containing an existing two-story 3-unit condominium built in 1952 and designed by Maurice Weintraub. The proposal includes the demolition of the existing building and the construction of a new two-story residence requiring variances. The lot area is 8,500 which is substandard in size for the R-C zoning district that requires 10,000 SF of lot area (variance #1) for development of the site with a single-family residence. Additionally, the lot is deficient in lot depth (variance #2).

The patterning of the immediate area consists of several multifamily buildings of varying age and architectural styles. The neighboring property to the west is a single-family residence, along with four others (237 Oleander, 233 Oleander, 221 Oleander, and 217 Oleander) on the block.

Based on feedback from the November 18, 2022 ARCOM meeting, the applicant has performed a total redesign of the proposed residence incorporating comments made by the commission. The current proposal now consists of a new, two-story single-family residence with 3,685 square feet of air-conditioned space designed in the Mediterranean style, two separate single car garage enclosures on the east and west side of the building (eliminating the need for previously required variance request #3) and two curb cuts. The home is sited in an "H" shape with a central front walkway leading from the sidewalk through a courtyard garden to an unenclosed covered porch. The swimming pool is centered in the rear of the home partially within a rear courtyard. The proposal now features two driveways and two garages flaking on either side of the residence, which will provide more off-street parking and eliminates the previously requested variance to forgo two required off-street parking spaces.

Based on feedback from the February 22, 2023 meeting the applicant has submitted a new design with less symmetry and an enhanced Mediterranean style. The proposal still features two driveways and two garages flaking on either side of the residence, which will provide more off-street parking.

Approval of the project will require three separate motions to be made by the Commission: (1) for the demolition of the existing three-unit structure, (2) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (3) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property.

WRB:JGM:BMF

RECEIVED
By yfigueroa at 2:24 pm, Mar 07, 2023

B1 ARCHITECT
ARCHITECTURE PLANNING INTERIOR DESIGN

March 6, 2023

To: Town of Palm Beach
Architectural Review Board Members and Planning Department Staff
RE: Request for ARCOM Approval for New Residence located at 240 Oleander Avenue

Dear Board Members and Planning Staff,

Our office, B1 Architect, LLC represents PTMJM Florida Investment Properties LLC (the "Applicant"), the owner of the above referenced parcel located at 240 Oleander Ave. Please consider this letter to serve as the letter of intent in support of the owner's request for ARCOM approval for the construction of a new single-family residence.

The property is located in RC Medium Density Residential District and is approximately 8,500 square feet in size. An existing two story -3 Unit apartment complex will be demolished, and replaced by a new two story single family residence. The property is not designated a landmark and is not included on a list of properties under consideration as a landmark structure.

The Applicant proposes a new 4,536 s.f. single family residence, which will include 4 bedrooms, 2 car garage, office, and swimming pool. The Mediterranean architectural style of the new residence includes exterior features like stucco finish painted with White Snow SW 9541, Ludowici Palm Beach Mission terracotta barrel tile, decorative lime washed wood post, beams, front door, and garage doors, aluminum windows, doors and wood shutters are painted in Gateway Gray SW 7644 with black railings on the balconies.

The proposed new home complies with requirements for setbacks, height, and green space. Designed in harmony with the proposed developments of land in the area, the proposed building is not excessively similar to any structure nor excessively dissimilar to the architecture within the area. The proposed building is appropriate in relation to the established character of other structures, especially the multi-unit apartment buildings, within the immediate area,

Variances are being requested due to the existing non-conforming lot, which has special circumstances to the land which are not the result of the applicant. The existing lot is only 85' deep as opposed to the required 100'. This lack of depth also results in an additional variance requested for a non-conforming total lot size of 8,500 s.f. in lieu of the 10,000 s.f. that is required. Granting of these variances is consistent with the previous approvals and rights commonly enjoyed by other properties on this street.

Relief is being requested for:

Section 18-205, Criteria for a building permit. The plan for the proposed building or structure is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality. The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value. The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan. The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance: a. Apparently visibly identical front or side elevations; b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements. The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features: Height of building or height

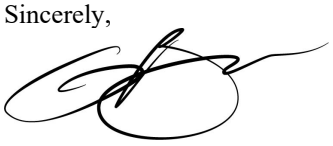
of roof. b. Other significant design features including, but not limited to, materials or quality of architectural design. c. Architectural compatibility. d. Arrangement of the components of the structure. e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners. f. Diversity of design that is complimentary with size and massing of adjacent properties. g. Design features that will avoid the appearance of mass through improper proportions. h. Design elements that protect the privacy of neighboring property. The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys). The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.

Section 18-206, The criteria for a demolition permit. The property is not designated a landmark and is not included on a list of properties within the planning, zoning and building department placed under consideration as a landmark structure.

Section 134-201, Finding prior to authorization, Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. The special conditions and circumstances do not result from the actions of the applicant. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district. Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. Granting of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

We feel that our design is in keeping with the intent of the code and design guidelines in terms of use, neighborhood context, character, scale, massing and design. We believe our elevations are well articulated and believe that the approval of this new well designed home will be a great improvement to the area and ask that the Board approve our application as submitted.

Sincerely,



Gregory Bonner, A.I.A,
B1 Architect LLC

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-22-122 (HSB-22-011) 141 AUSTRALIAN AVE (COMBO)—VARIANCES. The applicant, Gregory James Pamel, has filed an application requesting Town Council review and approval for Variances to (1) reduce the required side (east) yard setback, (2) to reduce the required rear (north) yard setback, (3) to exceed the overall building height for an accessory structure, and (4) to exceed the maximum Cubic Content Ratio (CCR), and (5) to allow a two story accessory structure where only one story is permitted, for the demolition and reconstruction of a two-story accessory structure in the rear yard in conjunction with the proposed renovations to an existing Historically Significant two-story building. The Landmarks Preservation Commission will perform design review of the application. ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Landmarks Preservation Commission.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-22-140 (ARC-22-216) 248 COLONIAL LN (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE. The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for development of a lot which is deficient in lot depth and lot area in the R-B zoning district and for variances (1) to eliminate the two-car garage enclosure requirement, (2) to locate a generator in a setback which is higher than allowed from neighboring grade and (3) to not completely screen a generator with a masonry wall, in conjunction with the construction of a new two-story residence. The Architectural Review Commission will perform design review of the application. *[The Architectural Review Commission will hear the project to their March 29, 2023, meeting.]*

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans - Architectural**
- **Plans - Landscape**
- **Plans -Street Photos**
- **Public Comment - Rich**
- **Public Comment - Lieb**
- **Public Comment - Raphael**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ARC-22-216 (ZON-22-140) 248 COLONIAL LN (COMBO)

MEETING: MARCH 29, 2023 (ARCOM)

ARC-22-216 (ZON-22-140) 248 COLONIAL LN (COMBO). The applicant, 306 Livingston Street Holdings I, LLC (Matthew Mirones), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence including variances (1) to not provide required garage enclosure for two vehicles, ~~(2 and 3) and locate a generator in a setback which is higher than allowed and not adequately screened~~, in the R-B zoning district. This is a combination project that shall also be reviewed by Town Council as it pertains to the Special Exception w/ Site Plan Review and Variance relief for approval.

Applicant: 306 Livingston Street Toldings I, LLC (Matthew Mirones)
Professional: Wadia Associates (Robert Pilla)
Representative: Maura Ziska, Esq.

HISTORY:
At the October 2022 meeting, the applicant presented a Mediterranean style home to the Commission. While the asymmetrical design received some positive response, overall, the Commission indicated that the house presented too massive for the lot and that a Mediterranean style home was inappropriate for the street. The commission directed the applicant to restudy the style of home, the massing, materials, and enhancement of the landscaping. At the February meeting, the residence's style was changed from Mediterranean Revival to Colonial Revival, while the general footprint of the house and program of the site were retained. The Commission deferred the item for one month, requesting modifications to the height, rear roof design, and considerations to how the home relates to the street. The applicants resubmitted plans on March 6, 2023.

THE PROJECT:
The applicant has submitted plans, entitled "248 COLONIAL LANE", as prepared by **Wadia Associates**, dated March 6, 2023.

The following is the scope of work:

- New two-story single-family residence with pool and final hardscape and landscape.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project and shall be reviewed by the Town Council.

a. **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-893 (c) and Sec. 134-329 Special Exception with Site plan Review. to allow the construction of a residence on a non-conforming platted lot which is 82' feet in width in lieu of the 100' minimum width required and lot area (8,360 SF) in lieu of the minimum lot area (10,000 SF) in the R-B Zoning District.

b. **VARIANCE 1:** Sec 134-2179 (b): A variance to forgo requirement to provide two off-street parking spaces in an enclosed garage.

Special Exceptions to the lot size and depth and a Variance to the parking requirement for a parking garage for the proposed single-family home are requested. The previously requested variance to the location of the generator within the setback is no longer requested as the design has been modified to place the generator within the Code required development perimeters.

STAFF ANALYSIS:

Zoning

Below is a summary of the subject application with regards to Zoning Code compliance and Variance and/or Special Exception requests:

Site Data			
Zoning District	R-B	**Future Land Use**	SINGLE FAMILY
Lot Size (SF)	Min. Required: 10,000 SF Proposed: 8,360 SF ***Special Exception Requested***	**Crown of Road**	3.32' NAVD
Lot Depth	Min. Required: 100 FT Proposed: 82 FT ***Special Exception Requested***	**Lot Width**	105'
Rear Yard Setback	Required: 10' (1st) / 15' (2nd) Proposed: 11.66' / 16.66'	**Front Yard Setback**	Required: 25' (1st) / 30' (2nd) Proposed: 25' / 28.33'
Building Height	Max. Permitted: 22' Proposed: 20'	**Overall Building Height**	Max. Permitted: 30' Proposed: 29.5'
Finished Floor Elevation	Min. Required: 7' NAVD Proposed: 7.19' NAVD	**Zero Datum for Point of Measurement**	7' NAVD
FEMA Flood Zone	AE-6	**Base Flood Elevation**	6' NAVD (+1' Freeboard)
Lot Coverage	Permitted: 40%/30% Proposed: 27% (2,228 SF)	**Angle of Vision**	Max. Permitted: 100° Proposed: 95.8°

Cubic Content Ratio (CCR)	Maximum: 34,944 CF Proposed: 34,667 CF	**Enclosed Square Footage**	3,407 Sq. Ft.
Native Planting	Complies	**Landscape Open Space (LOS)**	Required: 45% (3,672 SF) Proposed: 38.75% (3,160 SF)
Perimeter Open Space	Required: 50% (1,881 SF) Proposed: 61.8% (2,276 SF)	**Front Yard Open Space**	Required: 40% (1,050 SF) Proposed: 54.6% (1,432 SF)

Surrounding Properties / Zoning	
North	1950/1964 One-story residences/ R-B
South	2021 One-story residence/ R-B
East	1945 One-story residence/ R-B
West	1950 Two-story residence/ R-B

The subject application is presented to the Architectural Commission (ARCOM) for consideration of compliance with the code Sec. 18-205, which pertains to ARCOM's review criteria. The application is presented to the Town Council for consideration of compliance with zoning code Sec. 134-201 as it pertains to variance relief and zoning code Sec. 134-229 as it pertains to Special Exception review. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of Town zoning code:

a. **SPECIAL EXCEPTION W/ SITE PLAN REVIEW:** Sec. 134-893 (c) and Sec. 134-329 Special Exception with Site plan Review. to allow the construction of a residence on a non-conforming platted lot which is 82' feet in width in lieu of the 100' minimum width required and lot area (8,360 SF) in lieu of the minimum lot area (10,000 SF) in the R-B Zoning District.

The zoning code prescribes a minimum lot area and lot dimensions for parcels in each Zoning District. In the R-B Zoning District, those minimum required dimensions are 100' Width x 100' Depth and a minimum lot area of 10,000 SF. This parcel only provides 82' ft of lot depth, and a lot area of 8,360 SF. Because the existing structure on site is being demolished, any new construction must meet current regulations and vest any nonconformities. Therefore, a special exception from Town Council is required to redevelop the non-conforming parcel.

b. **VARIANCE 1:** Sec 134-2179 (b): A variance to forgo requirement to provide two off-street parking spaces in an enclosed garage.

Per the zoning code, residential parcels which are 75 ft or greater in width are required to provide two, 9' x 18' parking spaces inside of an enclosed garage. In this application, the applicant is only proposing to provide one off street parking space in an enclosed garage. The condition of having a one-car garage on Colonial Ln is not unprecedented, and some homes on the street provide no parking spaces in an enclosed garage.

Based on feedback from the October 2022 ARCOM meeting, the applicant redesigned the proposed style from Mediterranean Revival to Colonial Revival. Material and finish inspiration is borrowed from other homes on Colonial Lane. The residence utilizes a cedar shake roof and a combination

of stucco siding on the first floor and plank siding on the second. Shutter and bay window design inspiration come from elements of the existing structure on site. While the overall site programming remains similar to the previous proposal, the applicant has stepped back the west side of the house to mitigate the presence of the structure on the street. The proposed landscape plan has been slightly modified as well. The landscape buffer along the south rear property line has been enhanced to provide more screening of the proposed structure from the rear neighbor.

At the February meeting, the commission gave direction to restudy the height and street presence and to simplify the rear second story and rear facing roof design. The applicant resubmitted revised drawings on March 6, 2023.

Approval of the project will require two (2) separate motions to be made by the Architectural Commission: (1) for the overall design of the project in accordance with the criteria contained in Code Section 18-205, subject to any imposed conditions, and (2) that the implementation of the proposed variance will/will not cause negative architectural impact to the subject property.

WRB:JGM:BMF

RECEIVED
By yfigueroa at 9:14 am, Mar 06, 2023

WADIA ASSOCIATES
RESIDENTIAL ARCHITECTURE OF DISTINCTION

February 6, 2023

To: Town of Palm Beach
Architectural Review Commission members, Town Council members and Planning Department Staff
RE: Request for ARCOM Approval for New Residence located at 248 Colonial Lane.
ARC-22-216 / ZON-22-140.

We have enjoyed working with the owners of 248 Colonial Lane to design a cottage replacing an existing 2,209sf structure which falls short of their daily requirements. The proposed home will comprise of 3,410 sf on two floors and will be in keeping with the regulatory parameters of the land.

Our proposal is to be designed in the colonial style with materials and finishes borrowed from Colonial Lane. These include a terra cotta, cedar shake style roof and a combination of stucco and siding for the façade complimented by double hung windows and shutters. The design of the shutters is derived from a detail on the existing home as is the apron of the bay window and front entry canopy.

CRITERIA FOR BUILDING PERMIT 18-205

1. The plan for this proposed residence is in conformity with good taste and design and in general contributes to the image of the town and neighborhood as a place of beauty, spaciousness, balance, charm and high quality.

2. The plan for the proposed building or structure is reasonably protected against external and internal noise and other factors that would tend to make the environment less desirable.

3. The proposed building exterior design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.

4. The proposed residence is in harmony with the proposed developments on land in the general area and with the comprehensive plan for the town.

5. The proposed residence is not excessively similar to any other structure existing or within 200 feet of the proposed site in respect to one or more of the following features of the exterior design and appearance:

a) This proposal does not have apparently visible identical front or side elevations.

b) This proposal does not have substantially identical size and arrangement of either doors, windows, porticos or other opening or breaks in the elevation facing the street, including reverse arrangement.

c) We do not have other significant identical features of design such as, but not limited to, material roof line and height of other design elements.

6. The proposed residence is not excessively dissimilar in relation to any other structures existing or within 200 feet of the proposed site in respect to one or more of the following features:

a) Height of building or height of roof.

WADIA ASSOCIATES, LLC
375 S. COUNTY ROAD ~ PALM BEACH, FLORIDA 33480 ~ 561.282.9449
134 MAIN STREET ~ NEW CANAAN, CONNECTICUT 06840 ~ 203.966.0048
WWW.WADIAASSOCIATES.COM
DWADIA@WADIAASSOCIATES.COM

b) Other significant design features including, but not limited to, materials or quality of architectural design.

c) Architectural compatibility.

d) Arrangements of components of the structure.

e) Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.

f) Diversity of design that is complimentary with the size and massing of adjacent properties.

g) Design features that will avoid the appearance of mass through improper proportions.

h) Design elements that protect the privacy of a neighboring property.

7. N/A

8. The proposed residence is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).

9. The proposed development is in conformity with the standards of this code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.

10. The projects' location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features. The proposed residence does not negatively impact any existing natural features.

SPECIAL EXCEPTION 134-229

SPECIAL EXCEPTION W/ SITE PLAN REVIEW: Sec. 134-893 (c) and Sec. 134-329 Special Exception with Site plan Review. to allow the construction of a residence on a non-conforming platted lot which is 82' feet in width in lieu of the 100' minimum width required and lot area (8,360 SF) in lieu of the minimum lot area (10,000 SF) in the R-B Zoning District.

1. This proposed use, a single family residence, is a permitted use in the RB Zoning District with special exception approval for a non-conforming lot 18 feet short of the required lot depth.

2. The design, location and operation of the proposed residence will not adversely affect public health, safety, welfare or morals.

3. The proposed single family residence will not cause substantial injury to the value of other properties in the neighborhood as there are other residences in this residential district.

4. The proposed single family residence will be compatible with the neighborhood and purpose of the district as it is permitted.

5. The proposed single family residence will comply with all requirements set forth in Article VI of the Zoning Code, if applicable.

6. The proposed single family residence will comply with the comprehensive plan, if applicable.

7. The proposed single family residence will not result in substantial economic, noise, glare, or odor impacts on properties within the district.

8. Current ingress and egress, parking, loading areas, automotive and pedestrian safety and convenience and traffic flow will not be impacted as a result of the proposed residence.

9. There are no signs being proposed.

10. Utility service will remain unchanged or be improved, thus there will be no negative impact on health and safety.

11. Refuse and service areas will remain unchanged, thus there will no negative impact on automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

12. N/A – Town serving

13. N-A – We are preserving an existing Gumbo Limbo tree in the front yard of the property.

14. The proposed single family residence will not place a greater burden on police or fire protection services as there is currently a residence on the subject property.

SITE PLAN REVIEW 134-329

1. The owner of the property, 306 Livingston Street Holdings I, LLC (Matthew Mirones), is in control of the property. A single family residence is a permitted use in the RB Zoning District.

2. The proposed single family residence is the least intense example of development and will not have a negative impact on the neighborhood, which is a residential neighborhood.

3. Ingress, egress, utilities and refuse collection will be via Colonial Lane, which is capable of handling traffic and other such uses in a residential neighborhood.

4. N/A

5. The proposed site plan and landscape plan provides for buffers and screening from neighboring properties.

6. The proposed drainage plan meets the Town of Palm Beach' s drainage requirements.

7. The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.

8. The recreation facilities are private and will be screened from the neighboring properties by landscaping.

9. N/A

10. N/A

11. The proposed two story residence has been designed to coexist harmoniously with the surrounding structures. It will not present a hindrance on the street or neighborhood.

VARIANCES 134-201

VARIANCE 1: Sec 134-2179 (b) Residential districts. In the R-B zoning districts, one and two-family dwellings shall provide the required parking set forth in section 134-2176. The following number of those required off-street parking spaces shall be located in an enclosed garage: (1) Lots which are 75 feet or more in width shall provide two parking spaces.

1. The special condition peculiar to this property and residence is that proposed home is on a one way street in a neighborhood with very smaller lots with many homes that have no garages or only one-car garages.

2. The special conditions and circumstances do not result from the applicant. The applicant intends to construct a residence for their family that will be architecturally-appealing to the neighborhood and a two-car garage would be too overwhelming for the street.

3. The granting of the variance will not confer on the applicant a special privilege. There are many homes in the neighborhood with one car or no garages.

4. The hardship, which runs with the land, is in order to design a modest new home that will be sensitive to the neighborhood, a two-car garage is overly burdensome on this non-conforming lot.

5. The variance requested is the minimum necessary to make reasonable use of the land considering the applicant's intention to have a one-car garage and to construct a visually-appealing residence for their family.

6. Granting the variance will be in harmony with the general intent and purpose of this chapter. Allowing a one-car garage will enable the applicant to achieve his goal of a modest home with substantial greenspace.

Sincerely,

Dinyar Wadia

From: Jordan Hodges
To: Antonette Fabrizi
Subject: FW: 248 Colonial Lane ARC-22-216 (ZON-22-140)
Date: Tuesday, March 21, 2023 8:04:26 AM

Antonette,

Please provide to ARCOM members and save to the record.

Thanks,

Jordan Hodges
Design|Preservation Planner
Town of Palm Beach
Planning, Zoning & Building
360 S. County Road
Palm Beach, FL 33480
561.227.6414 | www.townofpalmbeach.com

-----Original Message-----
From: Tom Rich <TRich@fdrich.com>
Sent: Monday, March 20, 2023 6:06 PM
To: Jordan Hodges <jhodges@TownOfPalmBeach.com>; Antonette Fabrizi <afabrizi@TownOfPalmBeach.com>
Subject: 248 Colonial Lane ARC-22-216 (ZON-22-140)

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Dear Representatives of the Town of Palm Beach:

I understand that on behalf of ARCOM you are reviewing the current plans for the redevelopment of 248 Colonial Lane, Palm Beach. I am writing to let you know that I support the expansion of this home including, in particular, the addition of a second floor. For reference, I have resided at 1123 N. Lake Way (corner of Colonial Lane) since 2010 and I regularly walk and drive by this property.

I have carefully reviewed the entire submission package that was prepared by Wadia & Associates and their team of consultants and engineers and find the overall plan and design to be not only appropriate in scale for the size of the lot but very attractive. It's a delicate design which along with the proposed site and landscape plans successfully captures the essence of a home that may have been built in the North End in years past. I wish there were more designs like this one. Moreover, I understand the design sufficiently meets the zoning regulations and complies with regulatory constraints.

As to the house that is there now, while it may be somewhat representative of an era, in my opinion, it's functionally obsolete and totally unremarkable. My feeling is that the proposed plan will be a significant improvement to the street and neighborhood.

Thank you very much for giving me the opportunity to express my support. I am happy to discuss further if necessary.

Thomas L. Rich
203 918-4839

Sent from my iPad

From: Matthew Sippel
To: Antonette Fabrizi; Jordan Hodges
Cc: Joseph Lieb
Subject: 248 Colonial Lane
Date: Tuesday, March 21, 2023 12:12:36 PM

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Dear Town of Palm Beach,

I write on behalf of Joseph Lieb and myself, both residents at 242 Colonial Lane.

We have received the plans for the property referenced above to build a proposed new house, which would be directly adjacent to our house. We recognize that the house has two stories and fully support the plans.

The house looks absolutely beautiful and we are excited at the prospect of having such an upgrade to our neighborhood. It will make a wonderful addition to the other two story homes already present on Colonial Lane.

If we can be of any assistance to you in facilitating this process, please let us know.

Thank you for your consideration,

Matthew Sippel and Joseph Lieb

From: Mara Raphael
To: Antonette Fabrizi; Jordan Hodges
Subject: Support for two story on 248 Colonial Lane
Date: Wednesday, March 22, 2023 5:50:14 PM

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Dear ARCOM members,

I am writing in support of the proposed project at 248 Colonial lane. The home is across the street from our property at 255 Colonial Lane and I love the idea of a beautiful new home to gaze out at. I have seen the plans and think the design works well with the other homes on the street and in the neighborhood.

We are thrilled that the owners of 248 Colonial want to invest in our street by building a two story home. There are many two stories on Colonial lane and I have never thought of it as a one story street. I am personally quite excited about the idea of a tasteful new home on our street.

Thanks so much!
Mara Raphael

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-002 (ARC-22-241) 624 ISLAND DR (COMBO)—VARIANCES The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Town Council review and approval Variances (1) to exceed the maximum amount of lot coverage and (2) to exceed the maximum amount of Cubic Content Ratio (CCR) in the R-B zoning district in conjunction with the enclosure of an existing open-air courtyard of a two-story residence with a new skylight. The Architectural Commission will perform design review of the application. ***[This project shall be deferred to the May 10, 2023, meeting pending review by the Architectural Review Commission at the April 26, 2023, meeting.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-033 (ARC-23-024) 1540 S. OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)—VARIANCES. The applicant, 1540 S Ocean LLC (Steven Kirsch, Managing Director) has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the construction of a new plunge pool, deck, and landscaping for an existing 136 square foot beach cabana at 1540 S Ocean Blvd and 114 Ocean View Road and for a variance (1) to the minimum frontage and variance (2) to the established ocean bulkhead line setback. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission will review the project to their March 29, 2023, meeting.]*

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ARC-23-024 (ZON-23-033) 1540 S OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)
ZON-23-033 (ARC-23-024) 1540 S OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)

ARCOM MEETING: MARCH 29, 2023
TOWN COUNCIL MEETING: APRIL 12, 2023

ARC-23-024 (ZON-23-033) 1540 S. OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO). The applicant, 1540 S Ocean LLC (Steven Kirsch, Managing Director) has filed an application requesting Architectural Commission review and approval to construct a new plunge pool, deck, and landscaping for an existing 136 square foot one (1) story cabana structure including variances at 1540 S Ocean Blvd and 114 Ocean View Road. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-23-033 (ARC-23-024) 1540 S. OCEAN BLVD AND 114 OCEAN VIEW RD (COMBO)—VARIANCES. The applicant, 1540 S Ocean LLC (Steven Kirsch, Managing Director) has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the construction of a new plunge pool, deck, and landscaping for an existing 136 square foot beach cabana at 1540 S Ocean Blvd and 114 Ocean View Road and for a variance (1) to the minimum frontage and variance (2) to the established ocean bulkhead line setback. The Architectural Commission will perform design review of the application.

Applicant: 1540 S Ocean LLC (Steven Kirsch, Managing Director)
Professional: Dailey Janssen Architects, P.A.
Representative: Roger P. Janssen, AIA

The subject property consists of two parcels totaling 0.77 acres (0.66 Palm Beach acre) and is located on both 114 Ocean View and 1540 South Ocean Boulevard. The property owner will be required to combine the two (2) properties that both include beach parcels through a Unity of Title. The address assumed at completion will be 1540 South Ocean Boulevard. The properties have a Future Land Use designation of Single Family with compatible Zoning classifications of Estate Residential (R-A) and Beach Area (BA).

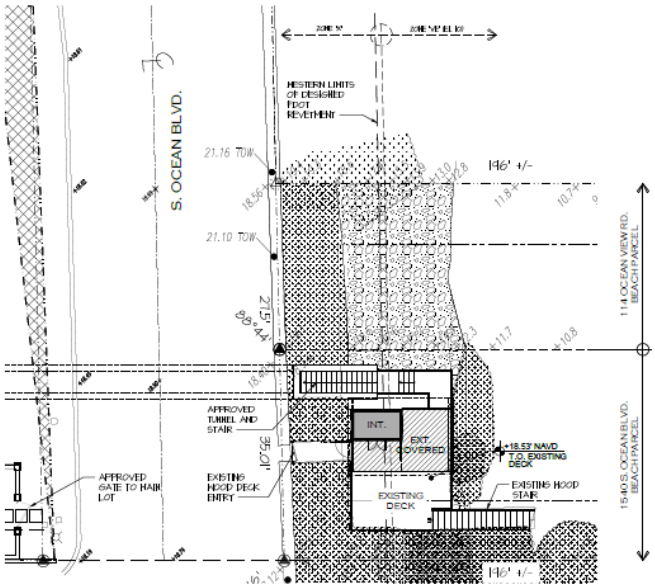
Subject Location

HISTORY:

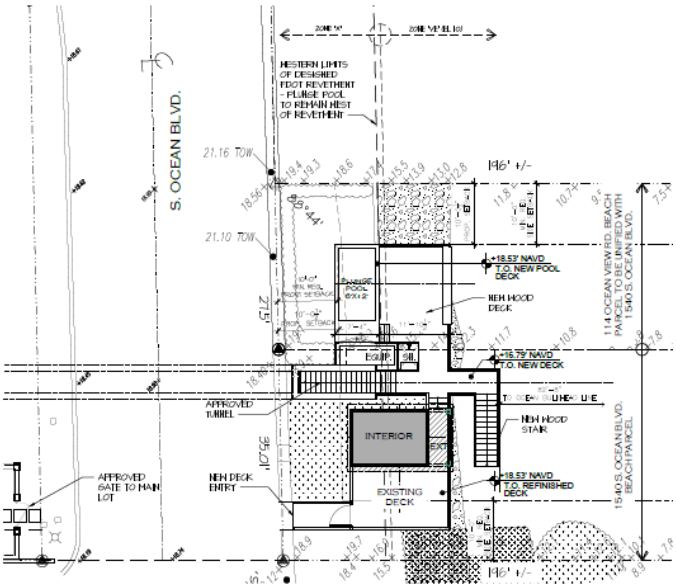
The redevelopment of the subject properties began with the approval of the Site Plan with a Special Exception on a non-conforming platted lot to build a 10,284 SF, two-story residence at 1540 South Ocean Boulevard on July 21, 2021, by Town Council (Z-21-00358). On April 13, 2022, ZON-22-024 (ARC-22-028) was approved by the Town Council granted Site Plan Approval with a Special Exception for the existing beach cabana to allow the construction of a tunnel under South Ocean Boulevard connecting the main parcel at 1540 South Ocean Boulevard to the beach parcel and for architectural changes to the beach cabana. The application required variances to the side yard and ocean bulkhead setback, that were granted. Subsequently, the owner purchased the property at 114 Ocean View Road and in July 2022 received approval to demolish the existing 4,029 square foot two (2) story home. On November 15, 2022, The Town Council granted approval of ZON-22-138 (ARC-22-138) to construct a new 5,245 square foot two (2) story guest house connected to the previously approved main house at 1540 South Ocean Boulevard. Most recently, the property owner purchased the beach parcel abutting the existing beach parcel to the north and has submitted an application for improvements that unify both beach parcels.

THE PROJECT:

The subject application is a proposal to modify the previously approved plans for the existing one (1) story cabana by combining the two (2) beach parcels (114 Ocean Way and 1540 South Ocean Boulevard) and adding a new plunge pool, deck, and landscaping.



PREVIOUSLY APPROVED BEACH PARCEL SITE PLAN



PROPOSED BEACH PARCEL SITE PLAN

The application was reviewed by the Public Works Department and the applicant has been made aware that the proposed decking is subject to a revetment easement with the Florida Department of

Transportation (FDOT). As such, the application will require review and approval by FDOT prior to the issuance of a building permit.

STAFF ANALYSIS

Zoning

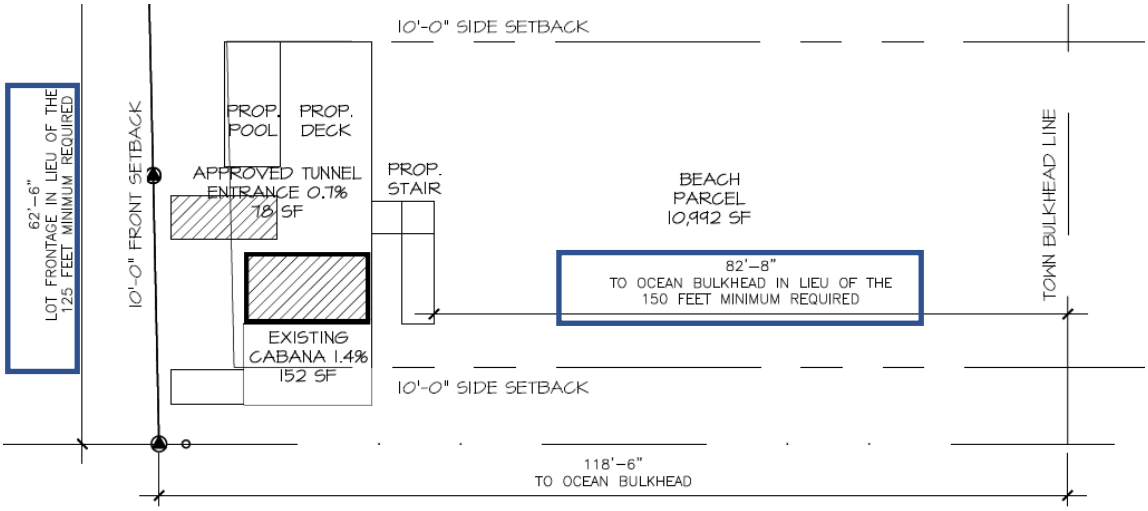
Below is a summary of the subject application with regards to Zoning Code compliance and variance requests.

Site Data			
Zoning District	Beach Area (BA) adjacent to R-A	**Lot Size**	Existing: 5,597 SF Proposed: 10,992 SF
Future Land Use	Single-Family	**Lot Width**	Required: 125 FT Existing: 35.01 FT Proposed: 62.51 FT ***(variance requested)***
Rear Yard Setback	Required: 150 FT Existing: 90 FT 10 IN Proposed: 82 FT- 8 IN ***(variance requested)***	**Front Yard Setback**	Required: 20 FT Existing 2 FT-1 IN Proposed: 10 FT
Crown of Road (COR)	Existing: 18 FT – 7 IN Proposed: NC	**FEMA Zone**	X/VE 10
Overall Building Height	Required: 16 FT ABV C.O.R. Existing 12 FT – 7 IN Proposed: 11 FT – 3 IN	**Finished Floor Elevation**	Existing 18.53 FT Proposed: NC
Surrounding Properties / Zoning			
North	Beach/BA		
South	Beach/BA		
East	Atlantic Ocean		
West	Single-family home/R-A		

In addition to the Special Exception to allow modifications to an existing beach cabana pursuant to Code Sections 134-840 and 134-1472, the applicant is requesting two (2) variances that are described below. Please note, that these two (2) variances were also requested and received approval by the Town Council with the previous application for architectural changes to the beach cabana and the construction of the tunnel ZON-22-024 (ARC-22-028).

- Sec. 134-1702. Structures adjacent to ocean bulkhead. No structure of any nature that is to be constructed on land situated southward of Southern Boulevard (State Road No. 80) shall be constructed closer than 150 feet from the designated ocean bulkhead line established in Chapter 62. Variance request is to allow a setback of 103 feet from the ocean blackhead line in lieu of the 150 feet required minimum.

- Sec. 134-1475. Height, width and length limit for properties adjacent to properties in districts other than R-B. Variance request is to allow the existing beach cabana on a lot with a frontage of 62.5 feet in lieu of the 125 required minimum.



Variance Requests

The project was reviewed at the February ARCOM and deferred for one month, with Commissioners requesting restudy of the roof design, gable details, and fenestration. The applicants resubmitted for the March meeting, with the cabana design now featuring a cross gable roof, octagonal windows, and decorative gable vent details in response to comments.

Approval of the subject project will require two (2) separate motions to be made by the Architectural Review Commission: (1) that the overall design of the project is in accordance with the criteria provided below, subject to any imposed conditions, and (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impact to the subject property.

WRB:JGM:JHD

RECEIVED
By yfigueroa at 2:33 pm, Mar 06, 2023

DJA DAILEY JANSSEN ARCHITECTS, P.A.

ROGER PATTON JANSSEN, A.I.A.

March 06, 2023

Town of Palm Beach Planning, Zoning and Building Department

1540 S. Ocean Blvd. Letter of Intent – ARC-23-024 (ZON-23-033)

We are pleased to submit the accompanying drawings and information for the Second Submittal of the proposed beach parcel improvments at 1540 S. Ocean Blvd.

A. LANDMARK PRESERVATION COMMISSION
Not applicable, this property is not landmarked.

B. ARCOM
Proposal to modify the existing 136 square foot one-story cabana structure and add a new plunge pool, deck and landscaping on the beach parcel east of S. Ocean Boulevard.

C. SPECIAL EXCEPTION (with site plan review – see below)
Sec. 134-840 and Sec. 134-1472. To allow modification to the existing beach cabana that requires the following variances (see item E below)

D. SITE PLAN REVIEW
To allow modification to the existing beach cabana that requires the following variancse (see item E below)

E. VARIANCES

a. **Variance 1: Sec. 134-1476. Height, width and length limit of properties in districts other than R-B. Variance request to allow the existing beach cabana on a lot with a frontage of 62.5 feet in lieu of the 125 feet required.**
Hardship: The frontage of the property is an existing condition which is less than the minimum allowed lot frontage.

b. **Variance 2: Sec. 134-1702. Structures adjacent to the ocean bulkhead. Variance request to allow the proposed wood stair to have a setback of 82 feet 8 inches from the ocean bulkhead line in lieu of the 150 feet minimum required.**
Hardship: The west property line of the beach parcel is 118 feet 6 inches from the ocean bulkead line making all proposed work closer to the bulkead line than the 150 feet minimum required.

Please let us know if you need additional information.

Respectfully Submitted,

Roger P. Janssen, AIA
Dailey Janssen Architects, P.A.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-005 (HSB-22-017) 128 SEABREEZE AVE (COMBO) – SITE PLAN REVIEW AND VARIANCES. The applicant, Jennifer Palumbo and Keith Palumbo, as Trustees of the Keith R. Palumbo 2007 Trust u/a/d August 10, 2007, have filed an application requesting Town Council review and approval for the rehabilitation of the primary residence and reconstruction of the detached two-story accessory structure with site wide landscape and hardscape improvements, including Variances for (1) Cubic Content Ratio, (2) increased lot coverage, (3) decreased landscaped open space, (4) the construction of a two-story accessory structure, and (5-9) to vest non-confirming building setbacks, requiring Special Exception with Site Plan Review due to the demolition of more than 50% of the two Historically Significant structures. The Landmarks Preservation Commission will perform the design review component of the application. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved this project with conditions at the March 22, 2023, meeting. Carried 7-0.]*

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans - Architectural**
- **Plans - Landscape**
- **Plans - Civil**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-23-005 (HSB-22-017) 128 SEABREEZE AVE (COMBO)

MEETING: APRIL 04, 2023

ZON-23-005 (HSB-22-017) 128 SEABREEZE AVE. (COMBO) – SITE PLAN REVIEW AND VARIANCES. The applicant, Jennifer Palumbo and Keith Palumbo, as Trustees of the Keith R. Palumbo 2007 Trust u/a/d August 10, 2007, have filed an application requesting Town Council review and approval for the rehabilitation of the primary residence and reconstruction of the detached two-story accessory structure with site wide landscape and hardscape improvements, including variances for (1) Cubic Content Ratio, (2) increased lot coverage, (3) decreased landscaped open space, (4) the construction of a two-story accessory structure, and (5-9) to vest non-confirming building setbacks, requiring Special Exception with Site Plan Review due to the demolition of more than 50% of the two Historically Significant structures. The Landmarks Preservation Commission will perform the design review component of the application.

HSB-22-017 (ZON-23-005) 128 SEABREEZE AVE. (COMBO). The applicant, Jennifer Palumbo and Keith Palumbo, as Trustees of the Keith R. Palumbo 2007 Trust u/a/d August 10, 2007, have filed an application requesting a Landmarks Preservation Commission approval for the demolition and reconstruction of a porte cochere and rear two-story accessory structure, fenestration alterations, roof alterations, and landscape and hardscape alterations for the Historically Significant property, requiring nine (9) variances for Cubic Content Ratio, increased lot coverage, decreased landscaped open space, the construction of a two-story accessory structure, and decreased building setbacks, requiring Special Exception with Site Plan Review due to the demolition of more than 50% of the two Historically Significant structures. This is a combination project that shall also be reviewed by Town Council as it pertains to the zoning relief/approval.

Applicant: Jennifer Palumbo and Keith Palumbo
Design Professional: LaBerge & Menard Inc. (Chris Kidle)
Representative: Chris Kidle

HISTORY:
The property at 128 Seabreeze Ave was constructed circa 1922 by an unknown architect and builder. This property is an example of the Mediterranean Revival style of architecture which can be found on the Sea Streets and throughout Palm Beach. Permits for various repairs and

maintenance activities have been made throughout the years, with a remodel in 1991. A variance request for a covered awning on the rear of the home was denied by Town Council in 1994.
This item was originally presented at the February 17, 2023 LPC meeting and after discussion was deferred for one month with design direction provided by the Commission. Some of the commission's main concerns included incorporating a flat roof on the accessory structure, removing the French doors on the front façade, maintaining the existing arch and incorporating a front door, and adding a barrel tile awning over the French doors on the rear. The commission also suggested that the applicant should consider landmarking the property.

At the March 22, 2023 LPC meeting, the application was approved as presented (7-0) with conditions to score the arched entry way, leaving fireplace niche, and realigning windows on west elevation. The commission voted (7-0) that implementation of the variances would not cause negative architectural impact to the property.

Figure 1: Subject property location arial.

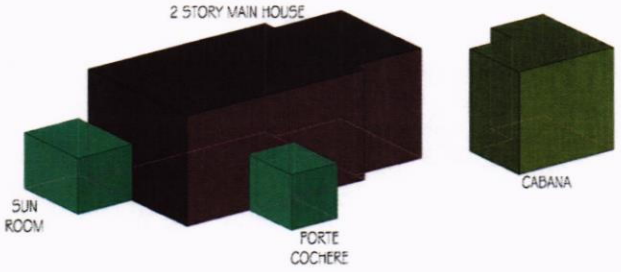
THE PROJECT:
The applicant has submitted plans "128 SEABREEZE RENOVATION" as prepared by LaBerge & Menard, Inc., dated March 01, 2023.

The following is the scope of work for the Project:

- Renovate existing home and garage.
- New windows and doors.
- Modifications to fenestrations.
- Demolition and reconstruction of porte cochere due to structural issues.
- Demolition and reconstruction of accessory structure due to structural issues.
- New landscape and hardscape.

The following Special Exception, Site Plan Review, and/or Variance(s) are required for the application:

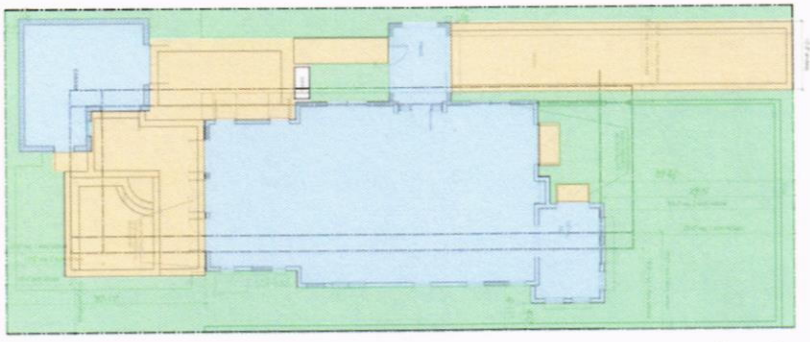
- Variance 1: Sec. 134-893(b)(13) a.1.: A variance for a Cubic Content Ratio of 6.1 in lieu of the 4.38 maximum Cubic Content Ratio allowed in the RB zoning district.



2 STORY MAIN HOUSE	= 1,443 SQ FT @ 19'-10"	= 27,849 CU. FT.
SUN ROOM	= 177 SQ FT @ 10'-0"	= 1,770 CU. FT.
PORTE COCHERE	= 118 SQ FT @ 10'-0"	= 1,180 CU. FT.
CABANA	= 356 SQ FT @ 18'-6"	= 6,590 CU. FT.
	TOTAL CUBIC CONTENT	= 37,389 CU. FT.

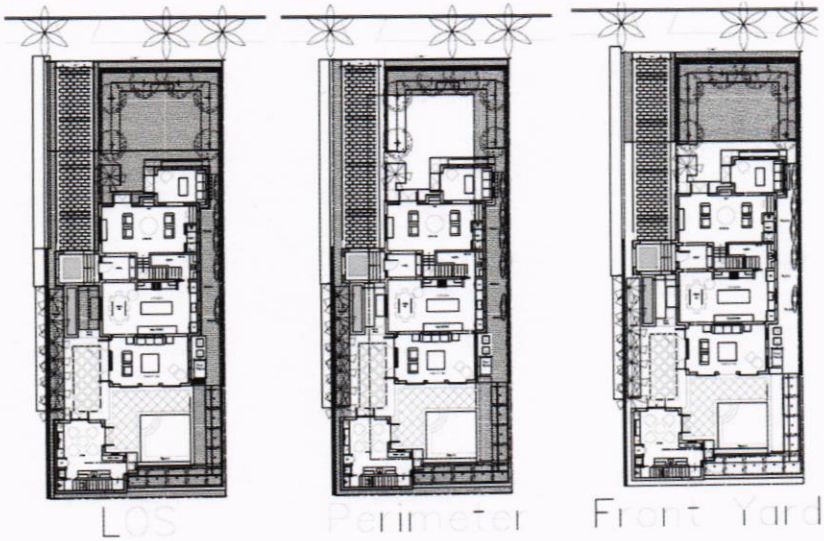
As it pertains to Variance #1, the applicant is seeking a variance to exceed the maximum allowed Cubic Content Ratio. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming. Because the applicant proposes to demolish more than 50% of an elevation or roof area, the zoning code requires that the property comes up to current code or reestablish any nonconformities with any required variances. Therefore, the applicant must seek a CCR variance for the proposed renovations and reconstruction of the accessory structure.

- Variance 2: Sec. 134-893(b)(11) b.: A variance for a lot coverage amount of 33% in lieu of the 30% maximum lot coverage allowed in the RB zoning district.



As it pertains to Variance #2, the applicant is seeking a variance to exceed the maximum amount of lot coverage allowed. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming. Because the applicant proposed to demolish more than 50% of an elevation or roof area, the zoning code requires that the property comes up to current code or reestablish any nonconformities with any required variances. Therefore, the applicant must seek a lot coverage variance for the proposed renovations and reconstruction of the accessory structure. Staff will note that according to data provided by the applicant, the proposed lot coverage is less than existing, however, still nonconforming.

- Variance 3: Sec.134-893(b)(12) a.: A variance for landscape open space of 43% in lieu of the 45% minimum landscape open space required in the RB zoning district.



As it pertains to Variance #3, the applicant is seeking a variance to provide landscape open space which is deficient in required area. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming. Because the applicant proposes to demolish more than 50% of an elevation or roof area, the zoning code requires that the property comes up to current code or reestablish any nonconformities with any required variances. Therefore, the applicant must seek a landscape open space variance for the proposed renovations and reconstruction of the accessory structure. Staff will note that according to data provided by the applicant, the proposed landscape open space area is greater than what is existing, however, still nonconforming.

- Variance 4: Sec. 134-891(b): A variance for a 2-story unattached accessory structure in lieu of the 1 story unattached accessory structure permitted for a lot under 20,000 square feet.

  As it pertains to Variance #4, the applicant is seeking a variance to reconstruct a two-story accessory structure on a lot which is less than 20,000 sq. ft. in the R-B Zoning District. . This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming with an existing two-story accessory structure. Because the applicant proposes to completely demolish the existing accessory structure, the existing nonconforming status of the structure is forfeited. Therefore, the applicant must seek a variance to reconstruct a two-story accessory structure.

- Variance 5: Sec. 134-893(b)(7) a.: A variance for a reduced one-story west side yard setback of 2'–3½" in lieu of the 12'-6" required for the one-story portion of the primary residence.

  As it pertains to Variance #5, the applicant is seeking a variance for a reduced one-story side yard setback. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming. Because the applicant proposes to demolish more than 50% of an elevation or roof area, the zoning code requires that the property comes up to current code or reestablish any nonconformities with any required variances. Therefore, the applicant must seek a one-story side-yard setback variance to reestablish the west side yard setback after demolition and reconstruction of the porte cochere.

- Variance 6: Sec. 134-893(b)(7) b.: A variance for a reduced two-story west side yard setback of 14.6' in lieu of the 15' required for the two-story portion of the primary residence.

  As it pertains to Variance #6, the applicant is seeking a variance for a reduced two-story side yard setback. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming. Because the applicant proposes to demolish more than 50% of an elevation or roof area, the zoning code requires that the property comes up to current code or reestablish any nonconformities with any required variances. Therefore, the applicant must seek a side yard setback variance to reestablish the existing nonconforming two-story west side-yard setback.

- Variance 7: Sec. 134-893(b)(7) b.: A variance for a reduced east side yard setback of 4' in lieu of the 15' required for the two-story residence.

  As it pertains to Variance #7, the applicant is seeking a variance for a reduced two-story side yard setback. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming. Because the applicant proposes to demolish more than 50% of an elevation or roof area, the zoning code requires that the property comes up to current code or reestablish any nonconformities with any required variances. Therefore, the applicant must seek a side yard setback variance to reestablish the existing nonconforming east two-story side-yard setback.

- Variance 8: Sec. 134-893(b)(7) b.: A variance for a reduced west side yard setback of 1'-5" in lieu of the 15' required for a two-story accessory structure.

  As it pertains to Variance #8, the applicant is seeking a variance to reconstruct a two-story accessory structure. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming with an existing two-story accessory structure. Because the applicant proposes to completely demolish the existing accessory structure, the existing nonconforming status of the structure is forfeited. Therefore, the applicant must seek a variance to reestablish the nonconforming west side-yard setback.

- Variance 9: Sec. 134-893(b)(9) b.: A variance for a reduced rear yard setback of 2'-1" in lieu of the 15' required for a two-story accessory structure.

  As it pertains to Variance #9, the applicant is seeking a variance to reconstruct a two-story accessory structure. This property was developed prior to current zoning regulations and is therefore considered to be existing non-conforming with an existing two-story accessory structure. Because the applicant proposes to completely demolish the existing accessory structure, the existing nonconforming status of the structure is forfeited. Therefore, the applicant must seek a variance to reestablish the nonconforming south rear-yard setback.

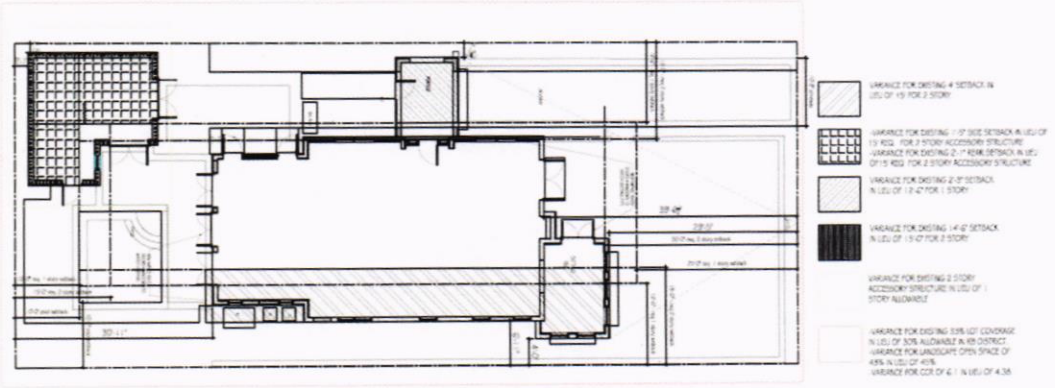


Figure 2: Variance Diagram

- Special Exception with Site Plan Review: Sec. 134-893(c): Special Exception with Site Plan Review for modifications to structures on existing platted lots deficient in lot area (6,125 SF in lieu of 10,000 SF) to reestablish vestments due to the demolition of more than 50% of existing structures.

  As it pertains to the requested Special Exception with Site Plan Review, the applicant is seeking renovations and modifications to an existing improved parcel which is deficient in lot width and area. The proposal will result in more than 50% demolition of existing elevations and/or roof area, therefore nonconformities must be vested. The zoning code for the R-B zoning district requires that platted lots which are deficient in required lot dimensions be reviewed by the Town Council as a Special Exception with Site Plan Review.

Site Data			
Zoning District	R-B	**Future Land Use**	SINGLE-FAMILY
Lot Size	Required: 10,000 Sq. Ft. Existing: 6125 Sq. Ft. ***Special Exception w/ Site Plan Review***	**Crown of Road**	12.49' NAVD
Lot Depth	122.5'	**Lot Width**	50'
Rear Yard Setback	Required: 10' & 15' Existing & Proposed: 2.1' (2nd story) ***Variance Requested***	**Front Yard Setback**	Required: 25' & 30' Existing & Proposed: 29.4' (1st story)
Building Height	Permitted: 22' Existing: 19.8' Proposed: 19.8'	**Overall Building Height**	Permitted: 30' Existing: 23.7' Proposed: 24.7
Finished Floor Elevation	12.57' NAVD	**Zero Datum for Point of Measurement**	12.57' NAVD
FEMA Flood Zone	ZONE X	**Base Flood Elevation**	N/A

Lot Coverage	Permitted: 30% Existing: 36.9% Proposed: 33.5% ***Variance Requested***	**Angle of Vision**	Maximum: 100° Existing/Proposed: 57.12°
Cubic Content Ratio (CCR)	Maximum: 4.38 Existing: 6.14 Proposed:6.1 ***Variance Requested***	**Enclosed Square Footage**	3,465 SF
Landscape Open Space	Required: 45% Existing: 41% Proposed: 43% ***Variance Requested***	**Front Yard Landscape Open Space**	Required: 40% Existing: 83% Proposed: 83%%
Perimeter Open Space	Required: 50% (of overall LOS) Existing: 52% Proposed: 52%	**Amount of Fill Added to Site**	None
Surrounding Properties / Zoning			
North	1935 2-Story Residence / R-B Zoning		
South	1923 2-Story Residence & 1925 2-Story Residence / R-B Zoning		
East	1927 2-Story Residence / R-B Zoning		
West	1925 2-Story Residence / R-B Zoning		

STAFF ANALYSIS

The application is presented to the Council to consider whether all the criteria in sections 134-229, 134-329, and 134-201 have been met. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the above-mentioned sections of the Town zoning code.

As demonstrated in the chart above, the site exists with several nonconforming elements. Because the subject application proposed to demolish more than 50% of a proposed roof area or wall elevation, the zoning code mandates that the site comes into compliance with current regulations. Due to the existing nonconformities, the applicant is seeking variance requests and special exception with site plan review to establish the existing nonconforming aspects of the site.

The subject application proposes renovate, repair, and modify the existing Historically Significant Building residence. The applicant seeks to demolish and reconstruct the existing porte cochere to match the existing conditions, citing wood rot and termite damage as causing the need to do so. The existing flat portion of the roof is proposed to be replaced with a hip roof with barrel tile. Modifications to fenestration are proposed throughout the main house and guest house, with existing units to be replaced with impact rated units. The applicant also seeks to demolish and rebuild the existing garage/guest house structure in its existing footprint (eliminating the garage), also due to wood rot and termite damage.

Responding to the comments of the LPC commission, the applicant returned with modifications to the previously proposed plan. At the front elevation, the shed roof entry is now proposed to remain with the incorporation of a new front door with arched transom; the muntins at the one-story

projection have been modified as well. At the porte cochre, the applicant has revised the style of the gate. At the detached cabana structure, the windows front/north façade have been modified and the door has been changed to reflect the style of a historic carriage door. On the east and west elevations of the main structure, slight modifications have been made to fenestration size and location and muntin patterns. On the south elevation, an aluminum painted trellis is proposed above the French doors at the swimming pool. The application was approved by the Landmarks Preservation Commission (7-0) for design and (7-0) for variance recommendations.

Approval of the project will require two separate motions to be made by Town Council: (1) for the Special Exception with Site Plan Review, and (2) for the granting of the variances.

WRB:JGM:BMF

RECEIVED
By yfigueroa at 2:15 pm, Mar 01, 2023

LETTER OF INTENT

HSB-22-017 and ZON-23-005: We are pleased to submit the accompanying drawings for our project at 128 Seabreeze Avenue, Palm Beach, FL. The proposed work includes the following:

1. The Owner requests approval to demolish the porte cochere and reconstruct to match the existing conditions. The porte cochere is wood framed and stucco, in poor structural condition from wood rot and termite damage. This would also allow easy access to the rear yard for construction.

2. The Owner also requests approval to replace the existing flat roof portion of the roof, with a barrel tile roof

3. Approval for fenestration changes throughout main home and guest house is also requested.

4. The owner also requests approval to rebuild existing garage/guest house in the existing footprint, due to structural issues from rot in the wood framing, as well as termite damage.

Please note the following as it relates to this application:

Sections 134-201, 134-226, 134-227 and 134-893(e). Applicant is requesting site plan approval with variances as follows:

The following zoning relief is requested:

1. **Variance 1: Sec. 134-893(b)(13) a.1.:** A variance for a Cubic Content Ratio ("CCR") of 6.1 in lieu of the 4.38 maximum Cubic Content Ratio allowed in the RB zoning district. Existing CCR is 6.1.
2. **Variance 2: Sec. 134-893(b)(11) b.:** A variance for a lot coverage amount of 33% existing and proposed in lieu of the 30% maximum lot coverage allowed in the RB zoning district.
3. **Variance 3: Sec.134-893(b)(12) a.:** A variance for landscape open space of existing and proposed 43% in lieu of the 45% minimum landscape open space required in the RB zoning district.
4. **Variance 4: Sec. 134-891(b):** A variance for an existing and proposed 2-story unattached accessory structure in lieu of the 1 story unattached accessory structure permitted for a lot under 20,000 square feet.
5. **Variance 5: Sec. 134-893(b)(7) a.:** A variance for a reduced one-story west side yard setback existing and proposed of 2'–3½" in lieu of the 12'-6" required for the one-story portion of the primary residence.
6. **Variance 6: Sec. 134-893(b)(7) b.:** A variance for a reduced two-story west side yard setback existing and proposed of 14.6' in lieu of the 15' required for the two-story portion of the primary residence.
7. **Variance 7: Sec. 134-893(b)(7) b.:** A variance for a reduced east side yard setback of 4' existing and proposed in lieu of the 15' required for the two-story residence.

8. **Variance 8: Sec. 134-893(b)(7) b.:** A variance for a reduced west side yard setback of 1'-5" existing and proposed in lieu of the 15' required for a two-story accessory structure.
9. **Variance 9: Sec. 134-893(b)(9) b.:** A variance for a reduced rear yard setback of 2'-1" existing and proposed in lieu of the 15' required for a two-story accessory structure.
10. **Special Exception with Site Plan Review: Sec. 134-893(c).:** Special Exception with Site Plan Review for modifications for two existing platted lots deficient in lot area (6,125 in lieu of 10,000 SF) to reestablish vestments due to demolition of existing structures by more than 50%.

The site plan should be approved because the Applicant is proposing to simply demolish and reconstruct the porte cachere and two-story rear accessory structure. No expansion or intensification are proposed, so no negative impact will result.

The hardship that runs with the property is that the existing home was built pursuant to a different zoning code, which permitted the structures that currently exist. Applicant is merely proposing to renovate, where applicable, and reconstruct where necessary to fortify, beautify and preserve the existing home.

Granting of the variances will not be contrary to the public's interest because no negative impact to the neighbors will result. The applicant proposes to preserve and improve the existing historic home, so this is a positive for the neighborhood as opposed to demolishing the entire structure and building a mcmansion.

See Site History attached hereto as Exhibit "A."

Criteria for Site Plan Review

1. The single-family residential use is being preserved.
2. The proposed renovation enhances life/safety issues because the existing home is in poor condition and in need of the proposed submitted renovation, so the public's health, safety, welfare and morals will be protected and even enhanced.
3. The proposed renovation will not cause injury to the values of the other properties in the neighborhood as the building is being updated and greatly improved. The character of the neighborhood is being enhanced and preserved.
4. The proposed renovation will be compatible with the intended purpose of the district in which it is to be located because the existing home is a great fit in the neighborhood and it is proposed to be updated and preserved.
5. The proposed uses comply with very longstanding and historic current uses.
6. The proposed renovation complies with all elements of the comprehensive plan. No change from the current uses are proposed.

7. The proposed renovation will not result in substantial economic, noise, glare or other impact or odor impacts on adjoining properties, and other properties in the district; inasmuch as, the same uses have existed for many, many years and the current use is not changing.
8. Adequate ingress and egress to the property and loading are provided and not changing.
9. The Applicant is the fee simple owner and person in control of the subject property.
10. The Applicant intends to continue with the current intended use of the property.
11. Ingress and Egress to the subject property will be via Seabreeze Avenue.
12. See attached plans for proposed construction of the renovations.

Criteria for Special Exceptions

1. The proposed uses are all grandfathered, non-conforming uses in the R-B Zoning District.
2. The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected. The proposed renovation will not adversely impact the public or neighborhood but alternatively will enhance the neighborhood.
3. The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located. The proposed renovation will have no negative impact on the value of other properties in the neighborhood and should increase the neighboring property values due to the high end details proposed for the renovation.
4. The use will be compatible with adjoining development and the intended purpose of the R-B Zoning District in which it is to be located. The proposed renovation will be compatible with the neighborhood as the uses are all single-family residential.
5. The uses will comply with yard, other open space, and any special requirements set out in Article VI for the particular use involved. The building will comply with all other yard, other open space and any special requirements set forth in Article VI of the Zoning Code.
6. The uses will comply with all elements of the comprehensive plan including a reduction in density due to the reduction in the number of hotel rooms.
7. The uses will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district. The proposed renovation will not result in substantial economic, noise, glare, or odor impacts on the adjoining properties and properties in the district, as the renovation enhances the current residence and makes it more compliant with life/safety codes.
8. The proposed uses will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations. The proposed

renovation will bring the building into compliance with all codes and the single-family use will remain the same.

Criteria for Authorizing a Variance (The following rationale and criteria apply to all variance requests # 1 through # 9 because all non-conformities are existing, and no enlargement or intensification is proposed)

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

   The hardship and special conditions applicable to this property are that the building was constructed pursuant to a different code and is non-compliant with current codes. The Applicant is proposing to simply renovate the home, which includes demolition and reconstruction of the porte cachere an rear two-story accessory structure, so nothing proposed changes any of the existing non-conformities.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

   The special conditions existed upon construction of the building and were not created by the Applicant. The Applicant is proposing to make this very old residence safer and to also greatly enhance the aesthetics of this historically significant building.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

   No special privileges will be conferred on the Applicant if the variances are granted because the applicant is not proposing to add any non-conforming work or additions to the home.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

   Literal interpretation of the ordinances would deprive Applicant of the right to beautify the home and make it safe and to preserve and enhance the charm of this older historically significant home.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

   The requested relief is the minimum necessary because the Applicant proposes to keep the home in its current location and size and to not add on to it at all.

6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:

    a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and

    b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:

        i. Be granted only for the continuation of the same hotel or residential use; and,

        ii. Require the Applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

    N/A

7. Show how the granting of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

    The granting of these variances are in harmony with the intent and purpose of the Zoning Code because the requested renovation is an improvement to this historically significant home and it will preserve the home for the future while continuing to enhance the beauty and charm of the neighborhood. No new height and no new additions are proposed.

EXHIBIT "A"
Site History

1.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-013 (ARC-22-231) 7 LA COSTA WAY (COMBO) —SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Town Council review and approval variances (1) for a reduced 2nd story street rear-yard setback for a new second story roof top terrace, (2) a variance to provide deficient landscape open space, and (3) a variance to exceed 2-story lot coverage maximum, all as part of a renovation to an existing nonconforming one-story residence. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission Recommended: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.][The Architectural Review Commission approved this project at their February 22, 2023, meeting. Carried 7-0.]* ***[This project was deferred to the April 4, 2023, Town Council meeting pending an appeal.]***

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Architectural Commission (ARCOM)

TO: ARCOM Chairperson and Members

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO)

MEETING: February 22, 2023

ARC-22-231 (ZON-23-013) 7 LA COSTA WAY (COMBO). The applicant, La Costa Way Trust (Cooper Andrew TR), has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing nonconforming one-story residence including new windows and doors, new rooftop equipment with screening, new rooftop terrace and new hardscape and landscape, requiring variances for lot coverage, landscape open space, and setbacks. This is a combination project that shall also be reviewed by town council as it pertains to zoning relief/approval.

Applicant: La Costa Way Trust (Andrew Cooper TR)
Professional: Smith and Moore Architects (Daniel Kahan)

HISTORY:
The application was last reviewed at the January 2023 ARCOM meeting. The commission approved the project as presented, with the condition that the applicant restudy the proposed vehicular gates and for modifications to the landscape plans, specifically regarding the tree plantings along N Lake Way and La Costa Way.

THE PROJECT:
The applicant has submitted plans, entitled "7 La Costa Way, Palm Beach, Florida", as prepared by **Smith and Moore Architects, Inc**, dated February 6, 2022.

The following is the scope of work:

- ~~Replacement of all existing doors and windows.~~
- ~~Relocation of mechanical equipment to the existing flat roof with associated screening.~~
- ~~New roof access stair.~~
- ~~New roof terrace with associated screening.~~
- Updates to landscape, hardscape, and swimming pool.

Site Data			
Zoning District	R-B	**Lot Size (SF)**	35,959 SF

Future Land Use	SINGLE FAMILY	**Native Planting**	*Complies*
Lot Coverage	Permitted: 25% (8,990 SF) Existing: 35% (12,672 SF) Proposed: N/C ~~***Variance requested for rooftop terrace***~~	**2nd Story Street Rear-Yard Setback**	~~Required: 35'~~ ~~Existing: N/A~~ ~~Proposed: 9.8'~~ ~~***Variance requested for rooftop terrace.***~~
Landscape Open Space (LOS)	Required: 50% (17,979.5 SF) Existing: 33.5% (12,027 SF) Proposed: 36.5% (13,117 SF) ***Variance requested to establish nonconformity.***	**Front Yard Open Space**	Required: 40% (2,117.6 SF) Existing: 54.5% (2,862 SF) Proposed: 57.8% (3,062 SF) *Complies*
Surrounding Properties / Zoning			
North	1981 One-story residence/ R-B		
South	1996 One-story residence & 1993 One-story residence / R-B		
East	1993 One-story residence/ R-B		
West	2015 Two-story residence/ R-B		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code:

- ~~***VARIANCE 1: Sec. 134-1577(a) & Sec. 134-893(b)(1)d. & Sec. 134-793(a)(5):*** *A variance for a 2nd story street (north) rear yard setback of 9.8 ft in lieu of the 35 ft street rear yard setback required, to provide a new second floor roof terrace.*~~

- ***VARIANCE 2: Sec. 134-893(b)(1)e. & Sec. 134-843(12)a.:*** *A variance to provide an overall landscaped open space of 36% in lieu of 35% existing and the 50% landscaped open space required for a 35,000+ sq ft lot in the R-B Zoning District, when doing a complete renovation of the hardscape and landscape on site.*

- ~~***VARIANCE 3: Sec. 134-893(b)(1)e. & Sec. 134-843(11)b.:*** *A variance for a two story lot coverage of 35% in lieu of the 25% two story lot coverage maximum allowed for a two story structure on a 35,000+ sq. ft. lot in the R-B Zoning District, to provide a second floor roof terrace.*~~

The original design by Denis La Berge for a new one-story residence was approved in 1995, with a variance granted by the town council for a driveway vehicular gate setback. When the home was originally approved, it was compliant with the lot, yard and area regulations of the R-B zoning district. In 1997, changes were made to the zoning regulations (Ord. 01-97) of the lot, yard and area regulations of the R-B zoning district which affected properties over 20,000 sq. ft. Subsequently, the zoning change caused this property to become nonconforming to lot coverage and landscape open space requirements. While the applicant is improving the existing nonconforming landscape open space percentages, they need to establish a variance for the deficiency because more than half

of the landscape and hardscape area of the site is being removed and renovated as a part of this application.

The Architectural Commission approved the project as presented at the January hearing, with instructions for the applicant to restudy the design of the vehicular gates, and for further study of the landscape plan to incorporate a Gumbo Limbo tree and enhance the landscaping along the N Lake Way corridor. The applicant has decided to forgo any changes to the vehicular gate and will retain the vehicle gates as they currently exist. Along North Lake Way, behind the property hedge, the applicant proposes Gumbo Limbo trees, Live Oak trees, and Foxtail palms. New Gumbo Limbo trees are also proposed on the north side of the residence between the existing house and North Lake Way.

Variance Request

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- ~~***VARIANCE 1: Sec. 134-1577(a) & Sec. 134-893(b)(1)d. & Sec. 134-793(a)(5):*** *A variance for a 2nd story street (north) rear yard setback of 9.8 ft in lieu of the 35 ft street rear yard setback required, to provide a new second floor roof terrace.*~~
- ***VARIANCE 2: Sec. 134-893(b)(1)e. & Sec. 134-843(12)a.:*** *A variance to provide an overall landscaped open space of 36% in lieu of 35% existing and the 50% landscaped open space required for a 35,000+ sq ft lot in the R-B Zoning District, when doing a complete renovation of the hardscape and landscape on site.*
- ~~***VARIANCE 3: Sec. 134-893(b)(1)e. & Sec. 134-843(11)b.:*** *A variance for a two story lot coverage of 35% in lieu of the 25% two story lot coverage maximum allowed for a two story structure on a 35,000+ sq. ft. lot in the R-B Zoning District, to provide a second floor roof terrace.*~~

Code section	Required/Allowed	Proposed	Variance
~~*Sec. 134-893(b)(1)d. (Sec. 134-793(a)(5))*~~	~~*35 ft 2nd story rear street* yard setback~~	~~*9.8 ft*~~	~~*25.2 ft*~~
Sec. 134-893(b)(1)e. (Sec. 134-843(12)a.)	*50 % Landscape Open Space (17,979 Sq. Ft.)*	*36.5% (13,117 Sq. Ft.)*	*4,862 Sq. Ft.*
~~*Sec. 134-893(b)(1)e. (Sec. 134-843(11)b.)*~~	~~*25%*~~	~~*35%*~~	~~*10%*~~

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property.

WRB:JGM:BMF

RECEIVED
By yfigueroa at 1:13 pm, Feb 06, 2023

SMITH AND MOORE ARCHITECTS, INC.

Harold Smith • Jonathan Moore • Peter Papadopoulos • Daniel Kahan

Re: 7 La Costa Way
Palm Beach, FL 33480

September 30, 2022
UPDATED: January 3, 2023
UPDATED: February 6, 2023

LETTER OF INTENT (LOI)
ARC-22-231 (ZON-23-013)

PROPOSED RENOVATION TO A ONE-STORY HOUSE IN THE R-B DISTRICT

Please find for review the attached drawings for our project at 7 La Costa Way in the R-B Zoning District of Palm Beach. The proposal is for a renovation to an existing 1-story residence, including: the replacement of all existing doors and windows; the relocation of mechanical equipment to the existing flat roof; associated rooftop screening for relocated equipment; a new roof access stair; a new roof terrace with associated screening; and updates to landscape, hardscape and pool. No changes are being proposed to the existing footprint or existing volume of the residence. We believe the proposal is in accordance with the following guidelines:

Post-Deferral Resubmittal
At the January 25, 2023 ARCOM Meeting, the project was approved as presented, with the request that the landscape plan and design for new gates return to ARCOM in February. The enclosed submittal includes an updated landscape plan reflecting adjustments made according to the comments of the commission. The proposed vehicle gates, which are replacing existing gates have been removed from this application altogether. The existing gates will be retained.

ARCHITECTURAL REVIEW IN ACCORDANCE WITH SECTION 18-205 AND 18-206:

Sec. 18-205. - Criteria for building permit.

1. The plan for this proposed residence is in conformity with good taste and design and in general contributes to the image of the town and neighborhood as a place of beauty, spaciousness, balance, charm and high quality.
2. The plan for the proposed building or structure is reasonably protected against external and internal noise and other factors that would tend to make the environment less desirable.
    a. The plans show that major entertaining spaces are centrally located on the site placing these spaces far as possible from neighboring properties.
    b. The pool area is located at the rear of the residence.

1500 South Olive Avenue • West Palm Beach, Florida 33401
Telephone (561) 835-1888 • Fax (561) 832-7015
www.smithmoorearchitects.com • Florida AAC No. 001285

   c. The proposed generator and pool equipment are located in a walled enclosure on the North side of the house.
3. The proposed building exterior design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.
4. The proposed residence is in harmony with the proposed developments on land in the general area and with the compressive plan for the town.
5. The proposed residence is not excessively similar to any other structure existing or within 200 feet of the proposed site in respect to one or more of the following features of the exterior design and appearance:

   a. This proposal does not have apparently visible identical front or side elevations.
   b. This proposal does not have substantially identical size and arrangement of either doors, windows, porticos or other opening or breaks in the elevation facing the street, including reverse arrangement.
   c. We do not have other significant identical features of design such as, but not limited to, material roof line and height of other design elements.
6. The proposed residence is not excessively dissimilar in relation to any other structures existing or within 200 feet of the proposed site in respect to one or more of the following features:
   a. Height of building or height of roof.
   b. Other significant design features including, but not limited to, materials or quality of architectural design.
   c. Architectural compatibility.
   d. Arrangements of components of the structure.
   e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
   f. Diversity of design that is complimentary with the size and massing of adjacent properties.
   g. Design features that will avoid the appearance of mass through improper proportions.
   h. Design elements that protect the privacy of a neighboring property.
7. The proposed addition or accessory structure is subservient in style and massing to the principal or main structure. This is not applicable; however, the design keeps the garage wing subservient to the principal mass.
8. The proposed residence is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
9. The proposed development is in conformity with the standards of this code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved. The proposed design meets the zoning code without requiring variances.
10. The projects 'location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features. The proposed residence does not negatively impact any existing natural features.

Sec. 134-201 – Criteria for Variances

Variance 1: Sec. 134-1577(a) & Sec. 134-893(b)(1)d. & Sec. 134-793(a)(5): A variance for a 2nd story street (north) rear yard setback of 9.8 feet in lieu of the 35 foot street rear-yard setback required, to provide a new second floor roof terrace.

THIS VARIANCE REQUEST HAS BEEN ELIMINATED DUE TO THE REMOVAL OF THE ROOF DECK FROM THE PROJECT.

Variance 2: Sec. 134-893(b)(1)e. & Sec. 134-843(12)a.: A variance to provide an overall landscaped open space of 36% in lieu of the 35% existing and the 50% minimum required for a lot over 20,000 SF.

Variance 3: Sec. 134-893(b)(1)e. & Sec. 134-843(11)b.: A variance for a two-story lot coverage of 35.2% in lieu of the 25% maximum allowed for a lot in the R-B Zoning District that is greater than 20,000 SF in area.

THIS VARIANCE REQUEST HAS BEEN ELIMINATED DUE TO THE REMOVAL OF THE ROOF DECK FROM THE PROJECT.

1) The property is located in the R-B Zoning District and has an area over 20,000 SF in area, thus subject to stricter regulations. The residence was constructed in 1996 and the zoning code has changed to require less lot coverage for a lot of this size. Although no additional footprint is being added, a variance is being required. Further the lot is bordered by 3 streets which is a unique and special circumstance.
2) The applicant was not the cause of the special conditions of the property or residence. The non-conformities and irregularities of the lot were existing prior to the applicant owning the property.
3) The granting of the variances will not confer on the applicant a special privilege that is denied to the neighboring properties. Most neighboring properties with older homes are subject to the same constraints.
4) The hardship which runs with the land, is that the property is oversized in the and the zoning code has changed to make the regulations stricter on larger lots in the R-B Zoning District. Further, the lot is irregular in shape and bordered by 3 streets which makes designing additions challenging.
5) The variances requested are the minimum necessary to make reasonable use of the land considering the nonconforming and irregular aspects of the lot and house. The proposed renovation will improve the site and livability of the property.
6) The granting of the variances will not be injurious to the neighborhood. A renovated single family residence will be beneficial to the neighborhood.

Sincerely,

Daniel Kahan
Principal Architect

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TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-014 (ARC-22-243) 302 SEABREEZE AVE (COMBO) — SITE PLAN REVIEW AND VARIANCE The applicant, Sean Rooney, has filed an application requesting town council review and approval for development of a new two-story single-family structure on a parcel, comprised of platted lots, which is deficient in lot width and lot area in the R-B zoning district requiring Site Plan Review, and a variance to provide one garage parking spot in lieu of the two required. The Architectural Commission will perform design review of the application. [*The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Architectural Review Commission.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-017 (COA-23-001) 1100 S OCEAN BLVD—MAR A LAGO (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, Mar A Lago Inc., has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for modifications to a private club Special Exception Use including the construction of a new one-story approximately 250 SF guardhouse guardhouse to an existing Landmarked structure. The Landmarks Preservation Commission will perform the design review. ***[This project shall be deferred to the May 10, 2023, Town Council meeting per Council direction at the March 15, 2023, meeting.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-019 (COA-23-002) 363 COCOANUT ROW—THE VINETA HOTEL (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES The applicant, 363 Cocoanut Row Popco LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the interior and exterior renovation to an existing Landmarked four-story hotel structure for (1) For modifying the existing four-story hotel use including a reduction of rooms from 57 keys to 41 in the R-C district and (2) For outdoor café seating use. Additionally, the applicant is seeking review and approval for Variances (1) to modify and increase a nonconforming hotel use and accessory restaurant uses in the R-C district under Sec. 134-201(a)(6) of the Town Zoning Code, (2) to exceed the maximum overall building height in order to construct rooftop projections (stair and elevator bulkheads), (3) to exceed the maximum overall building height in order to construct rooftop projections (third floor trellis), (4) to exceed the maximum height of rooftop mechanical equipment for air conditioners and (5) commercial kitchen exhaust scrubber on a rooftop, in conjunction with the renovation of an existing Landmarked four-story hotel and accessory restaurant uses. The Landmarks Preservation Commission will perform the design review. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the landmarked property. Carried 7-0.] [Landmarks Preservation Commission approved the project with the lighting to return to the March 22, 2023, meeting. Carried 7-0.] [Town Council deferred the matter to the March 15, 2023, meeting.] [The Town Council approved v*ariances 3, 4, and 5 with the condition that adequate screening will be placed on all sides of the mechanical equipment, and the screening will be approved by the landmarks preservation commission; the remainder of the project will return to the April 4, 2023, meeting.]

TIME CERTAIN 2:00 PM

Presenter

ATTACHMENTS:

- **Proposal Presentation 04.04.23**
- **PZB Staff Memorandum 03.15.23**
- **Plans - 03.15.23**
- **Plans 1 - 03.15.23**
- **Plans 2 - 03.15.23**
- **Plans 3 -03.15.23**
- **Proposed Route Map 03.15.23**
- **Public Comment - Courtlandt**
- **Public Comment - Foster, Lynn**
- **Public Comment - Gross**
- **Public Comment - JJMilan Trustee**
- **Public Comment - Foster**
- **Public Comment - Kepner**
- **Public Comment - From TC Mtg- 03.15.23**
- **Public Comment - From TC Mtg- 02.15.23**

PALM BEACH TOWN COUNCIL
PROPOSAL 04.04.23

The Vineta Hotel Renovation

363 Cocoanut Row, Palm Beach, FL 33480

OETKER COLLECTION

Masterpiece Hotels

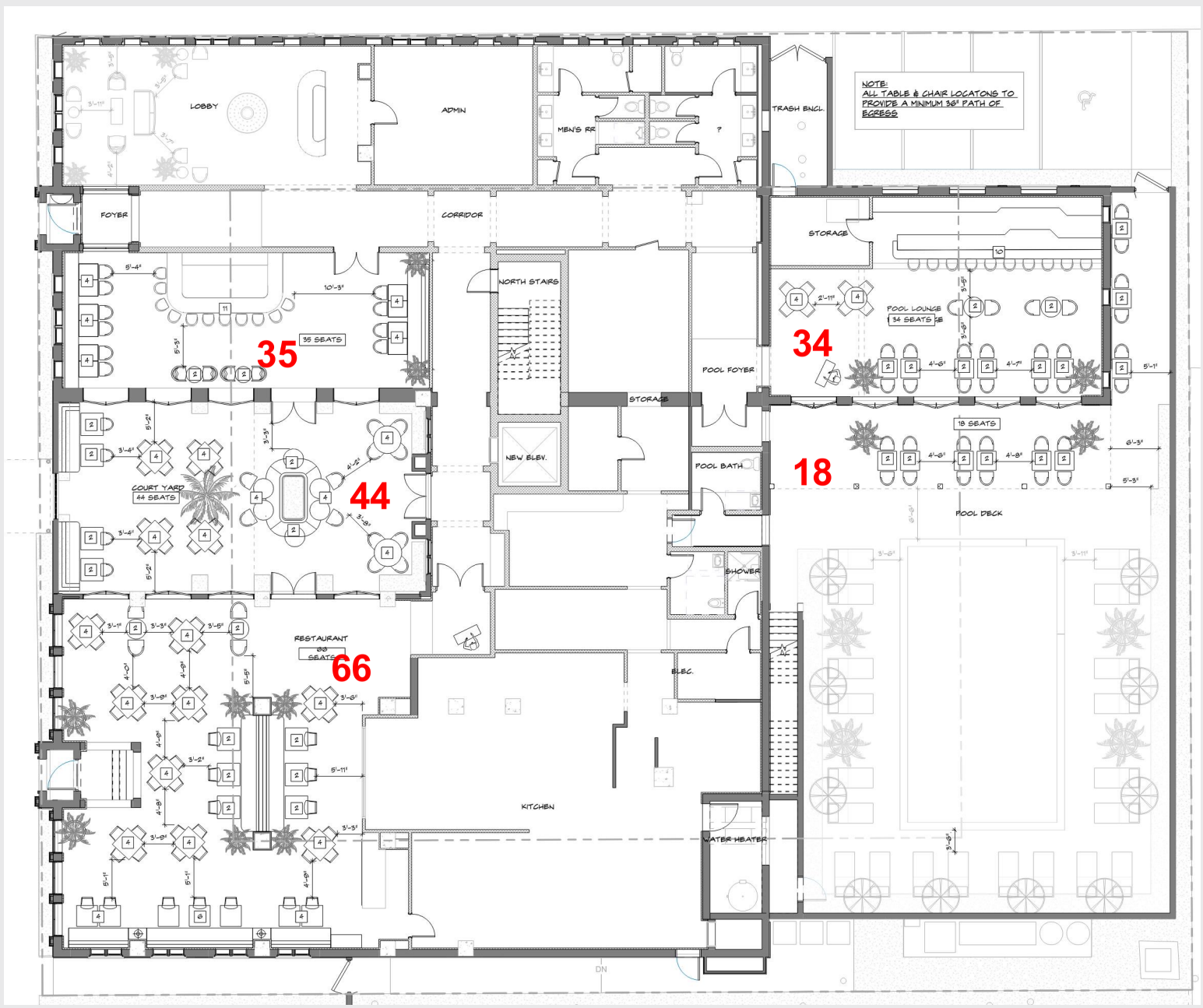
SEAT COUNT

PROPOSED
February 15

Adding the seating credit of 84 to the approved seating of 113 we initially proposed a seating plan as follows:

- 66 - Restaurant
- 44 - Courtyard (outdoor)
- 35 - Lobby Lounge
- 34 - Pool Lounge (indoor)
- 18 - Pool Lounge Deck (outdoor)

Total number of seats 197

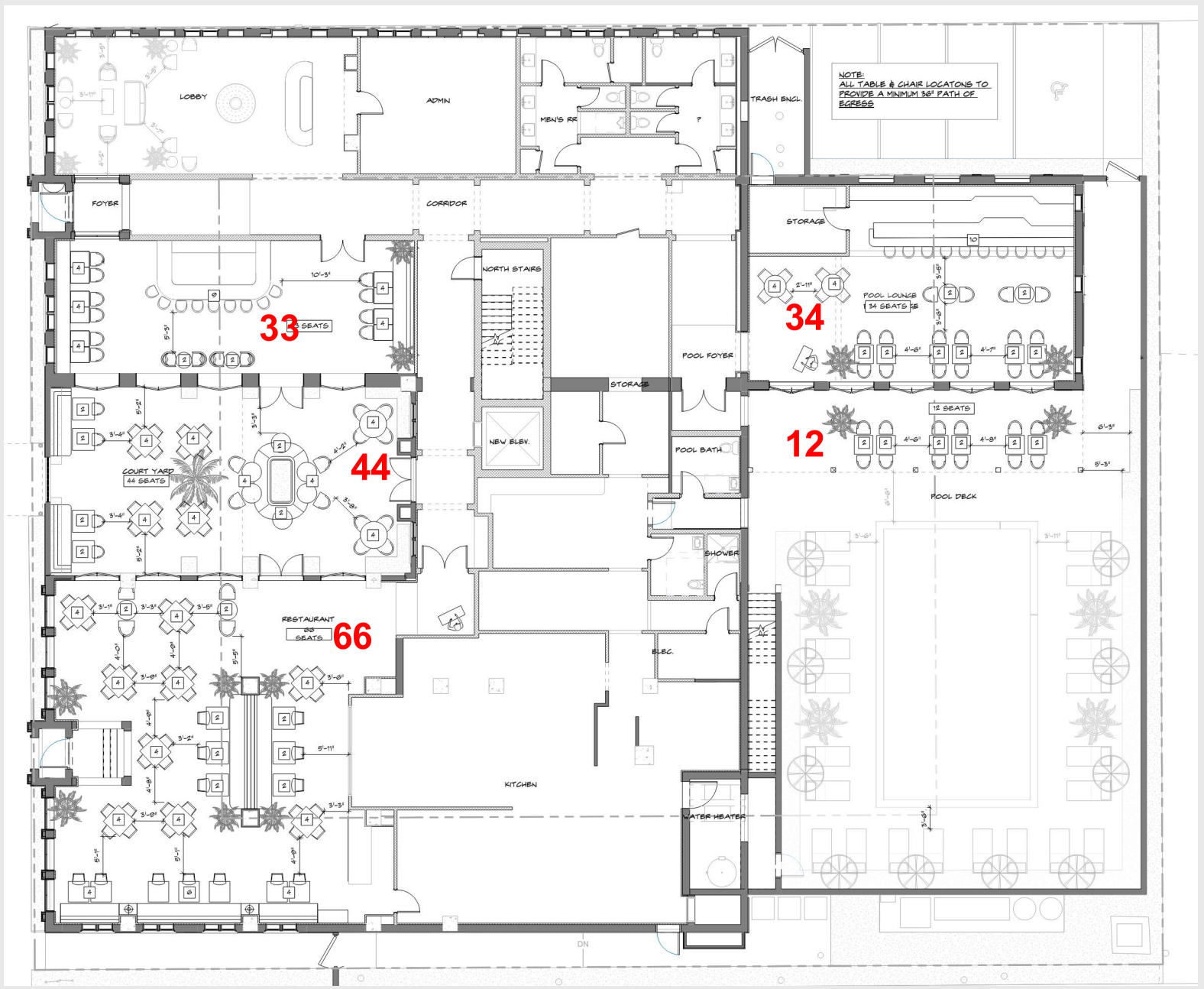


PROPOSED REDUCTION
March 15

Taking the concerns of the neighbors into account, we propose to reduce the seat count by removing **2** seats from the lobby lounge and **6** seats from the Pool Lounge (Outdoor).

- 66 - Restaurant
- 44 - Courtyard (outdoor)
- 33 - Lobby Lounge
- 34 - Pool Lounge (indoor)
- 12 - Pool Lounge (outdoor)

Total number of seats 189
REDUCTION OF 8

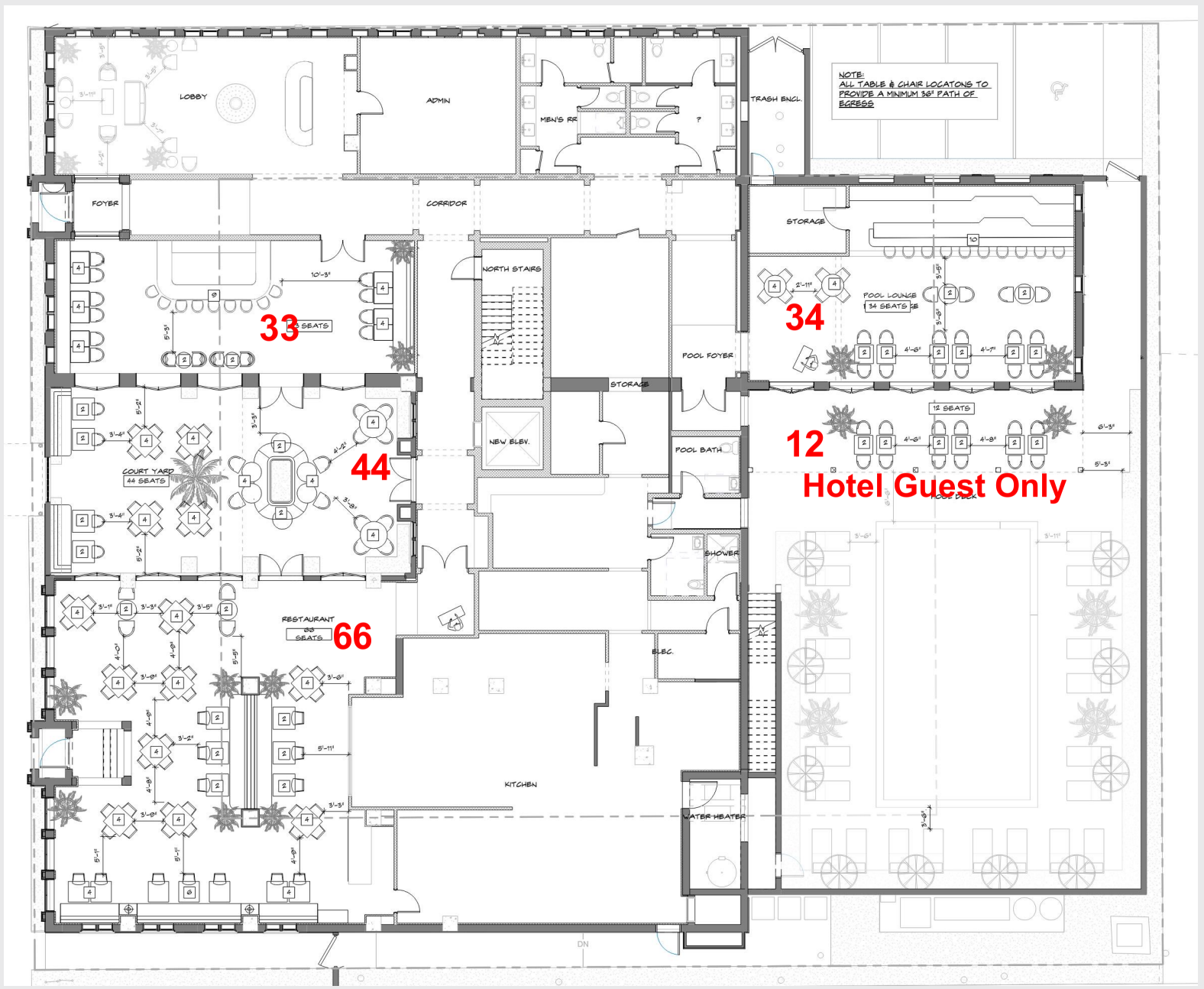


PROPOSED ADDITIONAL REDUCTION March 15

Taking the concerns of the neighbors into account, we propose to reduce the seat count by removing **2** seats from the lobby lounge and **6** seats from the Pool Lounge (Outdoor). Proposing making all **12** remaining Pool Lounge Outdoor seats **HOTEL GUEST ONLY.**

- 66 - Restaurant
- 44 - Courtyard (outdoor)
- 33 - Lobby Lounge
- 34 - Pool Lounge (indoor)

Total number of seats 177
REDUCTION OF 20



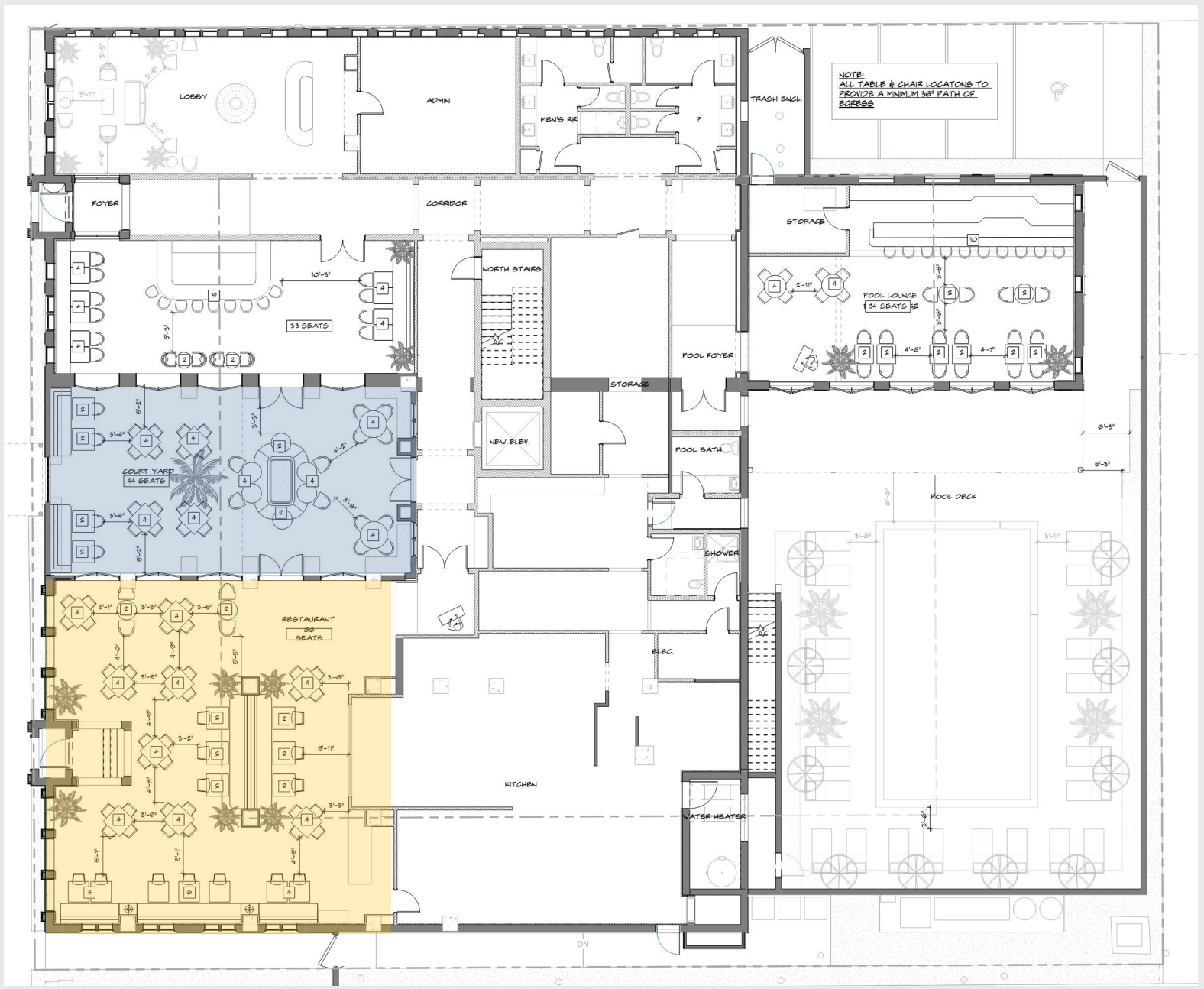
SEAT COUNT BY THE HOUR

THE VINETA – SEAT COUNT

7AM to 11AM

- 66 - Restaurant
- 42 - Courtyard (outdoor)

Total number of seats 108



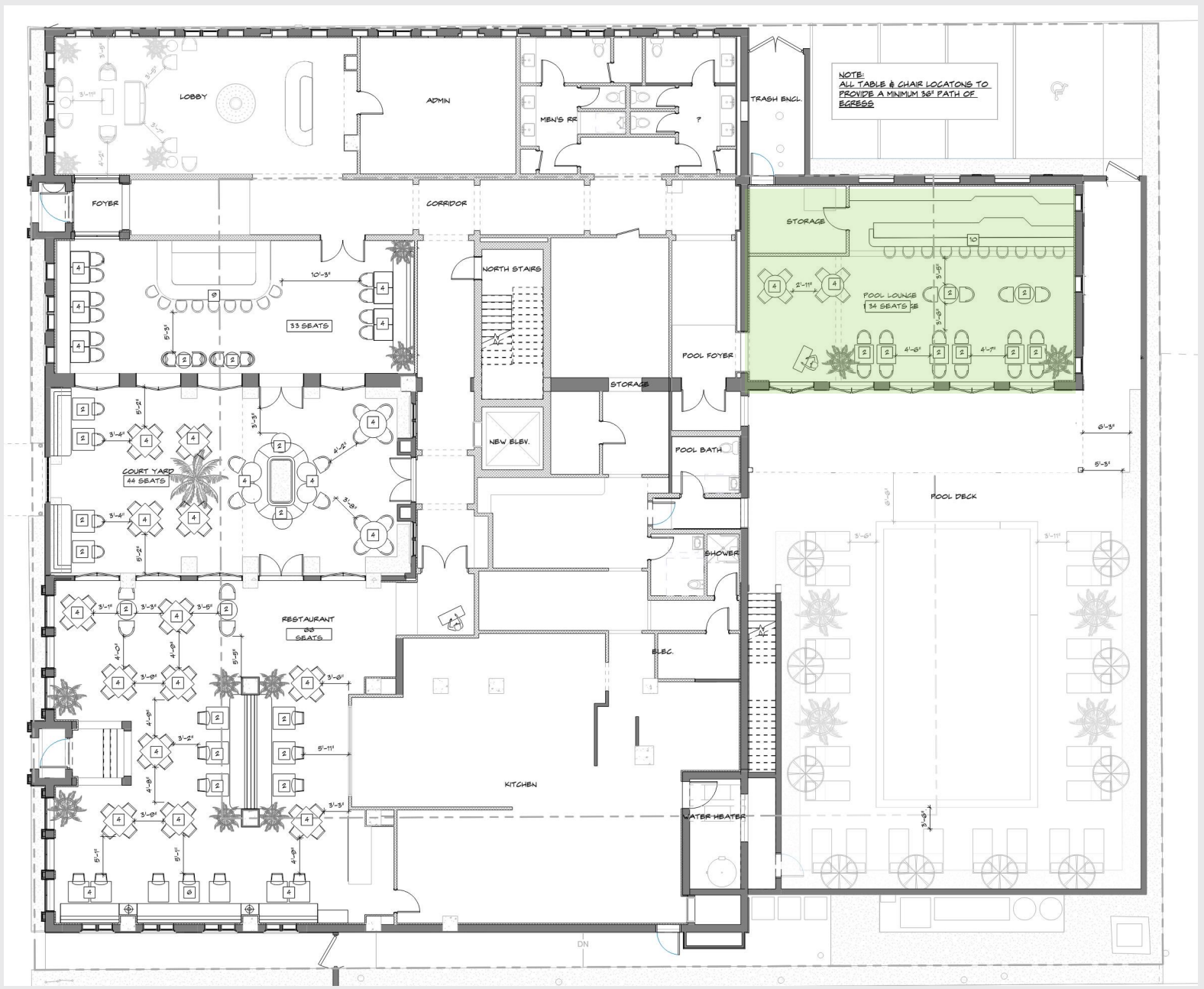
OETKER COLLECTION
Masterpiece Hotels

THE VINETA – SEAT COUNT

11AM - 12 Noon

32 – Pool Lounge

Total number of seats 32

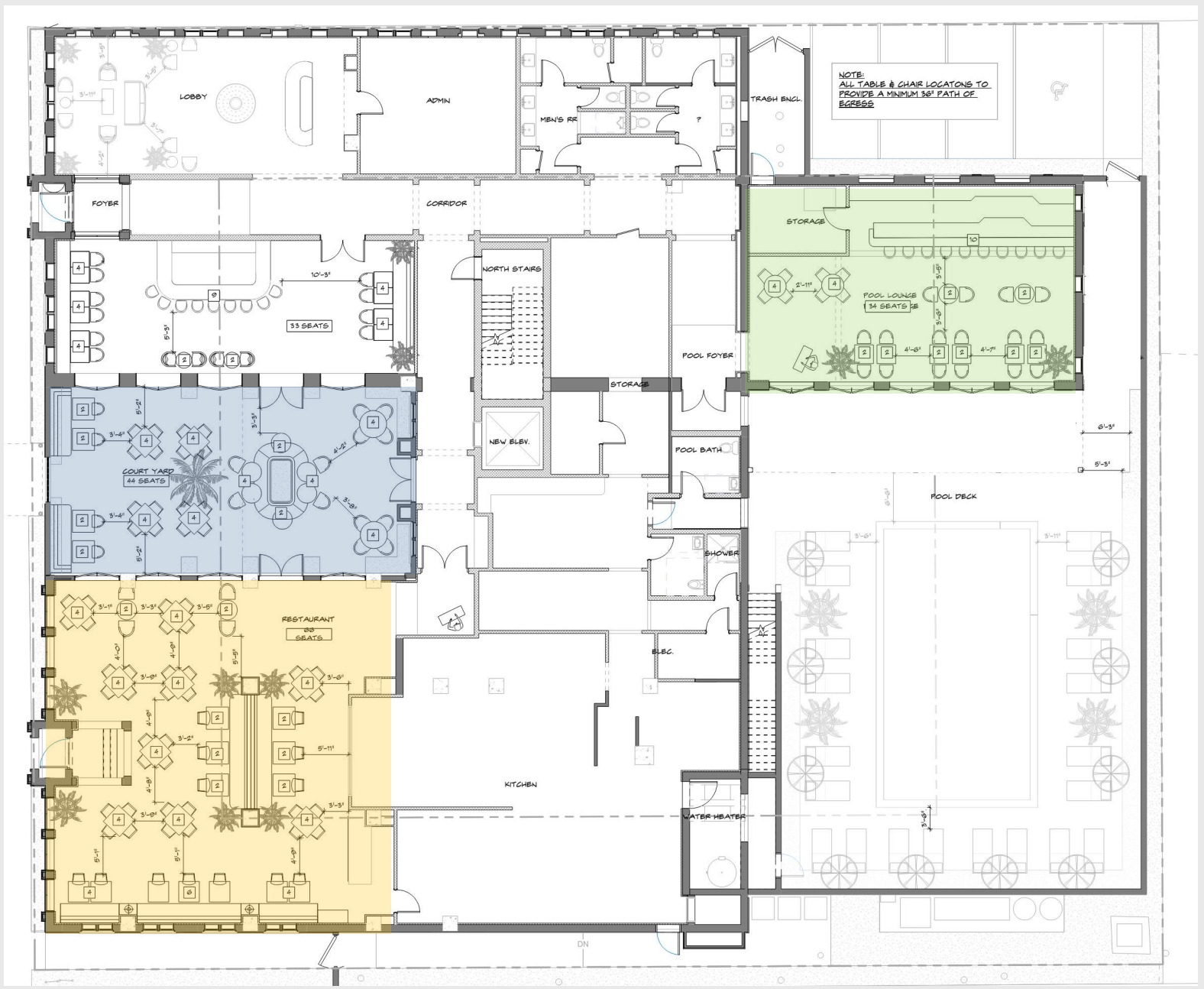


OETKER COLLECTION
Masterpiece Hotels

12 Noon to 3PM

- 66 - Restaurant
- 42 - Courtyard (outdoor)
- 32 – Pool Lounge

Total number of seats 140

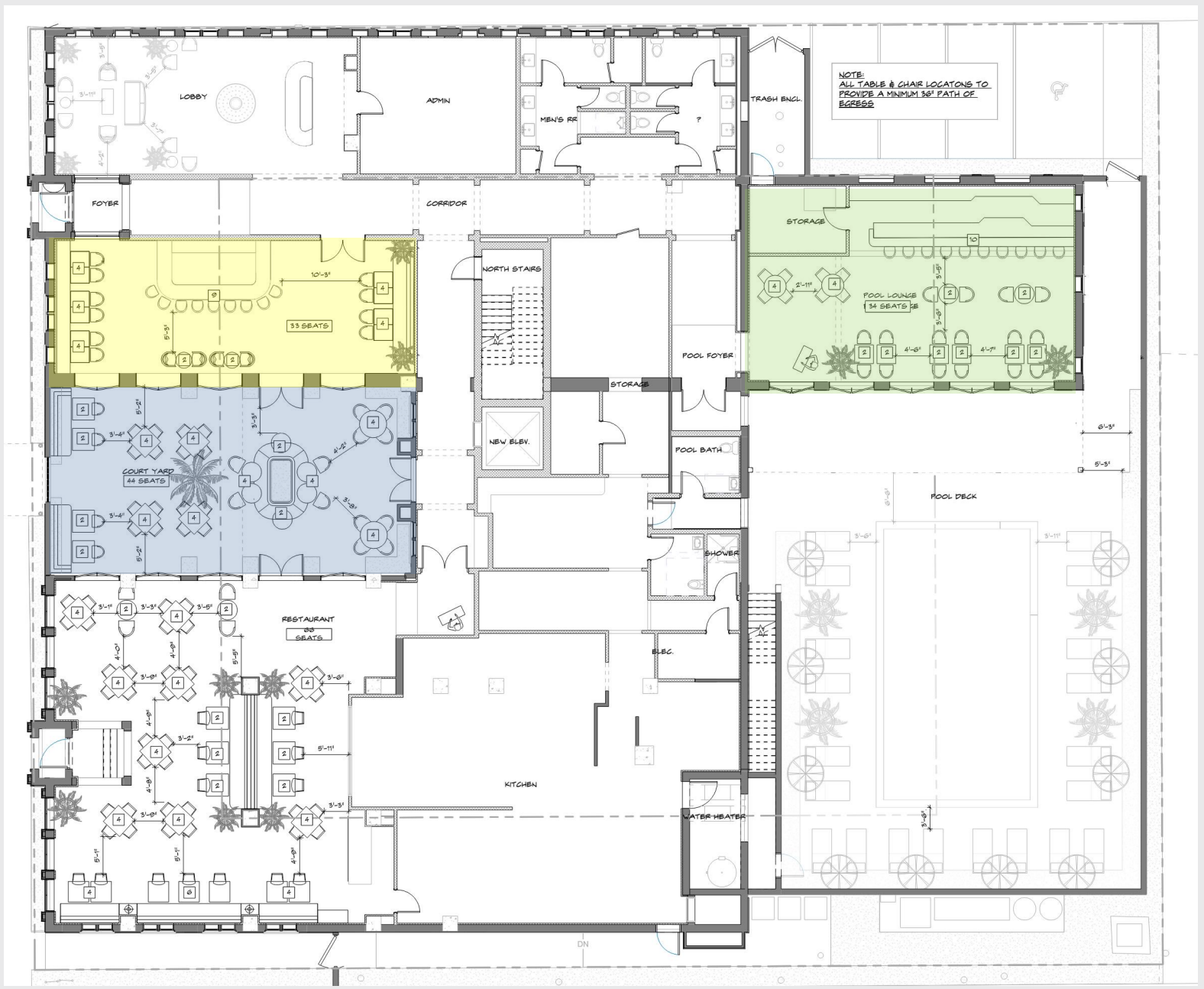


THE VINETA – SEAT COUNT

3PM – 4PM

- 42 - Courtyard (outdoor)
- 30 – Lobby Lounge
- 32 – Pool Lounge

Total number of seats 104



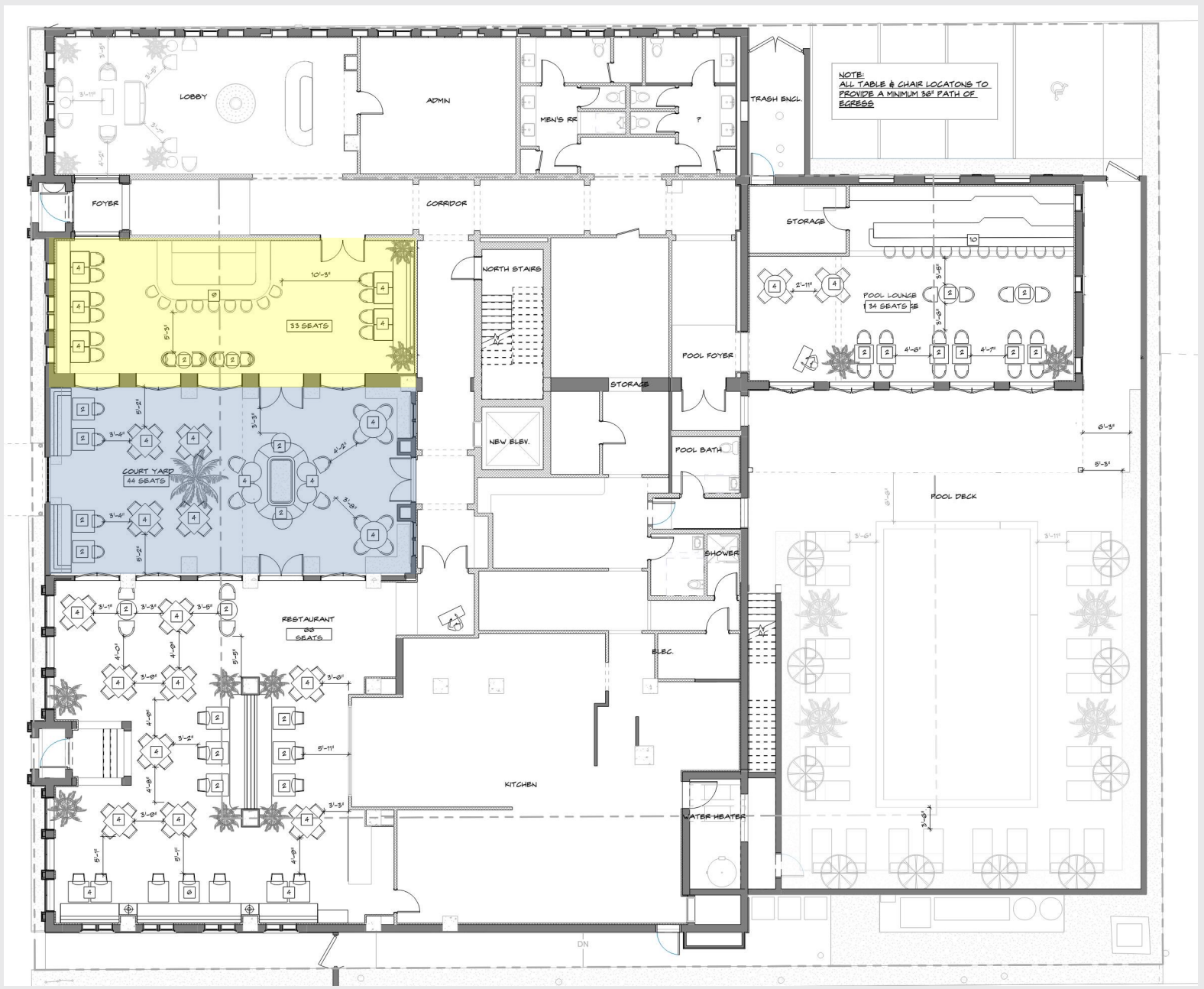
OETKER COLLECTION
Masterpiece Hotels

THE VINETA – SEAT COUNT

4PM – 6PM

- 42 - Courtyard (outdoor)
- 30 – Lobby Lounge

Total number of seats 72



OETKER COLLECTION
Masterpiece Hotels

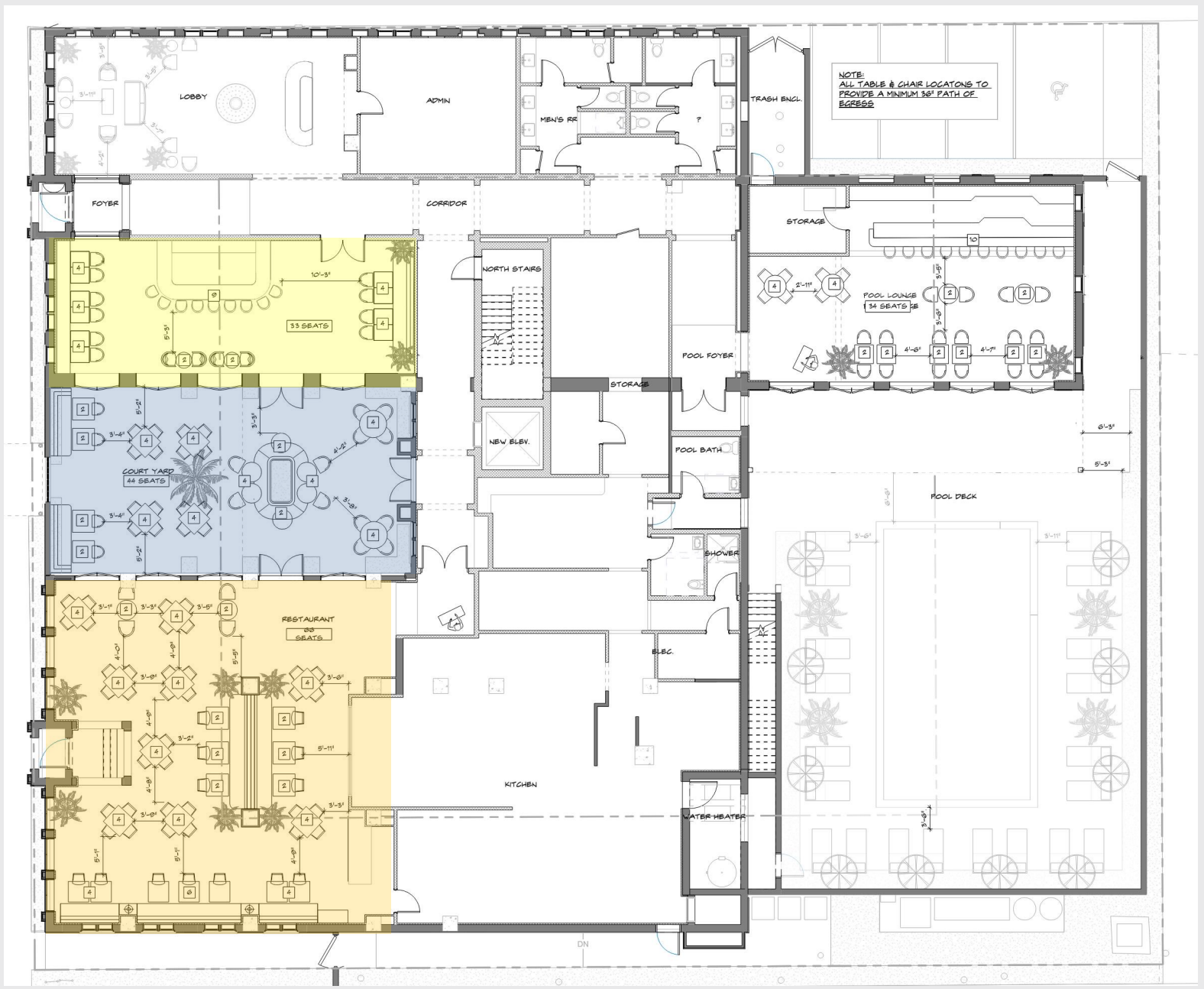
6PM – 10PM

- 66 - Restaurant
- 42 - Courtyard (outdoor)
- 30 – Lobby Lounge

Total number of seats 138

Between 6pm and 10pm the bar will not be at full capacity when the courtyard and restaurant are. Guests first have a drink and then have move to the courtyard or restaurant for dinner.

Also 10% - 20% of hotel guests are expected to eat dinner at the hotel.

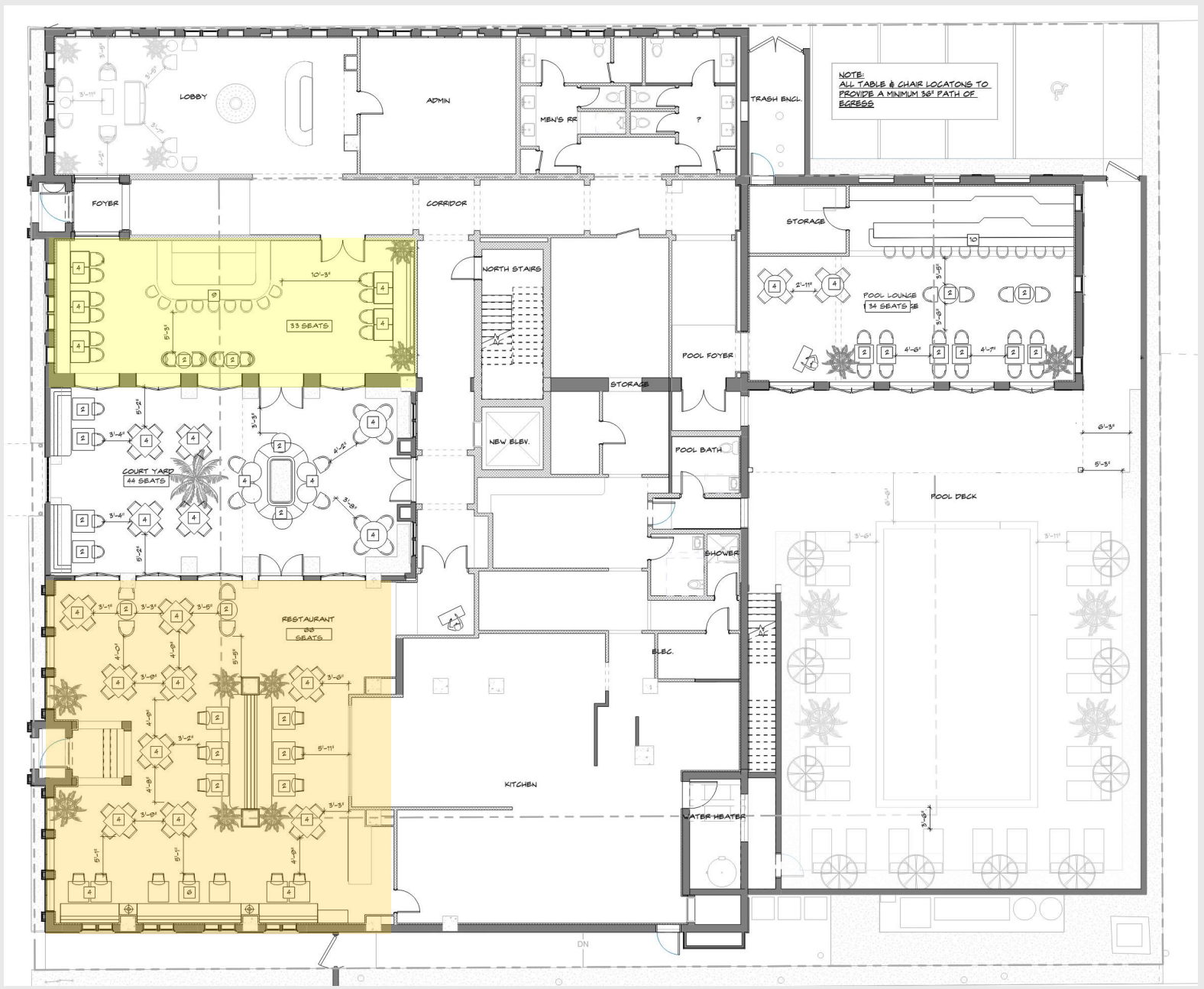


THE VINETA – SEAT COUNT

10PM – 1:30AM

66 - Restaurant
30 – Lobby Lounge

Total number of seats 96



OETKER COLLECTION
Masterpiece Hotels

SEATING OVERVIEW BY HOUR

	OPEN																		
	CLOSED																		
	# OF SEATS	OUTLET	BY HOUR																
			07.00 - 08.00	08.00 - 09.00	09.00 - 10.00	10.00 - 11.00	11.00 - 12.00	12.00 - 13.00	13.00 - 14.00	14.00 - 15.00	15.00 - 16.00	16.00 - 17.00	17.00 - 18.00	18.00 - 19.00	19.00 - 20.00	20.00 - 21.00	21.00 - 22.00	22.00 - 23.00	23.00 - 00.00	00.00 - 01:30
	66	Restaurant	66	66	66	66	0	66	66	66	0	0	0	66	66	66	66	66	66	66
	44	Courtyard	42	42	42	42	0	42	42	42	42	42	42	42	42	42	42	0	0	0
	33	Lobby Lounge	0	0	0	0	0	0	0	0	30	30	30	30	30	30	30	30	30	30
	34	Pool Lounge Indoor	0	0	0	0	32	32	32	32	32	0	0	0	0	0	0	0	0	0
	12	Pool Lounge Outdoor																		
Total	189		108	108	108	108	32	140	140	140	104	72	72	138	138	138	138	96	96	96

NOTE:
No breakfast will be served in the Pool Lounge. (Hotel guests could be served breakfast outside - 12 seats.)
Slight reduction of the seats in each outlet except thxe restaurant.
The Pool Lounge will be closed for dinner.
The Lobby Lounge will not open until 3PM.

THANK YOU

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-23-019 (COA-23-002) 363 COCOANUT ROW THE VINETA HOTEL (COMBO)

MEETING: MARCH 15, 2023

ZON-23-019 (COA-23-002) 363 COCOANUT ROW—THE VINETA HOTEL (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, 363 Cocoanut Row Popco LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the interior and exterior renovation to an existing Landmarked four-story hotel structure for (1) For modifying the existing four-story hotel use including a reduction of rooms from 57 keys to 41 in the R-C district and (2) For outdoor café seating use. Additionally, the applicant is seeking review and approval for Variances (1) to modify and increase a nonconforming hotel use and accessory restaurant uses in the R-C district under Sec. 134- 201(a)(6) of the Town Zoning Code, (2) to exceed the maximum overall building height in order to construct rooftop projections (stair and elevator bulkheads), (3) to exceed the maximum overall building height in order to construct rooftop projections (third floor trellis), (4) to exceed the maximum height of rooftop mechanical equipment for air conditioners and (5) commercial kitchen exhaust scrubber on a rooftop, in conjunction with the renovation of an existing Landmarked four-story hotel and accessory restaurant uses. The Landmarks Preservation Commission will perform the design review.

LPC NOTICE:
COA-23-002 (ZON-23-019) 363 COCOANUT ROW—THE VINETA HOTEL (COMBO). The applicant, 363 Cocoanut Row Popco LLC, has filed an application requesting a Certificate of Appropriateness for the review and approval of the interior and exterior renovation of an existing Landmarked four-story hotel structure including alterations to the façades, a reduction of rooms from 57 keys to 41, the reconstruction of historic door and window locations and associated hardscape/landscape and rooftop projections requiring height variances for rooftop allowances. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: 363 Cocoanut Row Popco LLC
Professional: Keith Spina / Spina Orourke + Partners
Representative: Timothy Hanlon

THE PROJECT:

The applicant has submitted plans, entitled "The Vineta Hotel 363 Cocoanut Row", as prepared by **Spina Orourke + Partners**, dated December 12, 2022.

The applicants are proposing the following scope of work at the property:

- Rehabilitation and renovation of the existing four-story 32,758 SF landmarked hotel and external sitework improvements.
- Façade renovations and alterations to the primary and secondary street facing façades and all of the other elevations.
- Substantial interior demolition and alterations including enlargement of the existing hotel room conditions on floors 2-4, and interior layout changes to the ground floor to accommodate the revised and expanded food and beverage program.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **SPECIAL EXCEPTION with SITE PLAN REVIEW:** Sections 134-201, 134-226, 134-227 Site Plan Review and Approval with Special Exception Request and Variances to allow continued use as a hotel, restaurant, nightclub, and swimming pool.

- **SPECIAL EXCEPTION:** Section 134-1109(22): For restaurant use (renovation).

- **SPECIAL EXCEPTION:** Sec. 134-2106: Special Exception for outdoor café seating.

- **VARIANCE 1**: Sec. 134-201(a)(6): A variance to modify a nonconforming hotel use to permit the expansion of the restaurant, nightclub and pool area uses with 197 combined seats. Originally, 113 seats were permitted for the dining room use. Additional seats do not require parking as a result of credit for the elimination of 16 hotel rooms.

- **VARIANCE 2**: Sec. 134-948(8)d: A variance to exceed the maximum allowable height for new rooftop construction specifically to replace an elevator and stair bulkhead on the rooftop of a nonconforming four-story building with a height of 47.6 ft in lieu of the 23.5 ft maximum building height allowed.

- **VARIANCE 3**: Sec. 134-948(8)d: A variance to exceed the maximum allowable height for new rooftop construction specifically a rooftop trellis on a nonconforming third floor of a nonconforming four-story building with a height of 33’0” in lieu of 23’6” maximum height and 26’6” maximum building height permitted.

- **VARIANCE 4**: Sec. 134-1607(1).: A variance to exceed the maximum allowable height for the installation of rooftop air conditioning units (five) at a height of 108” (9’) above the maximum height permitted in lieu of the 48” (4’) maximum height allowed.

- **VARIANCE 5**: Sec. 134-1607(1): A variance to exceed the maximum allowable height for a roof top commercial kitchen exhaust scrubber at a height of 84” (7’) above the maximum height permitted in lieu of the 36” (3’) maximum height allowed.

The applicants have included a detailed Letter of Intent providing a project narrative, comprehensive descriptions of all current requests including required Code relief, and have provided responses to pertinent variance, special exception, and site plan review criteria.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

A preliminary review of the proposed project indicates that the proposed **hotel use** is **not a permitted use** within the **MULTIFAMILY MODERATE USE** land designation of the Future Land Use Map of the Comprehensive Plan, but it is a **legally permitted nonconforming use**. Basically, any new or expanded commercial hotel use could be considered a conflict with the direction of the Comp Plan.

Nonconforming buildings or structures may be restored within the time frame outlined in the land development regulations. Additionally, the structure is a Landmarked structure which aligns with the Town's objective to protect its inheritance of structures and neighborhoods having historic or architectural merit.

Site Data			
Zoning District	R-C	**Lot Size**	18,750 SF
Future Land Use	MULTIFAMILY MODERATE	**Total Building Size**	32,758 SF
C-O-R	1.75 NAVD (Intersection)	**Flood Zone**	AE 6' NAVD
Finished Floor Elevation	3'-10" (3.76' NAVD) Must be flood-proofed	**Designated Landmark *Nat'l Register**	01/08/91
Year of Construction:	1925	**Architect:**	Unknown 1937 Renovations Volk
Project			
Lot Coverage	Existing: 66.4% Proposed: N/C Permitted: 30%	**Landscape Open Space (LOS)**	Existing: 5.96%% Proposed: 7.09% Required: 35%
Existing Parking Space	4	**Proposed Parking Space**	4
Existing Room Count	57	**Proposed Room Count**	41
Existing Dining Seats	113	**Proposed Dining Seats**	197
Surrounding Properties / Zoning			
North	Two-story condominium / R-C		
South	Two-story townhouse / R-C		
East	Two-story townhouse / R-C		
West	Three-story condominium / R-C		

STAFF ANALYSIS

The applicant is proposing substantial alterations and additions to the fabled and landmarked hotel building and to the site, including the rehabilitation and complete renovation and alteration of the historic hotel designed in the Mediterranean Revival style of architecture and is a pristine example of commercial architecture of Palm Beach. Located at the southeast corner of Cocoanut Row and Australian Avenue the three-story hotel is sited with a turreted tower feature in the northwest corner of the structure and two front projecting wings separated by a central open air courtyard fronting Cocoanut Row. The hotel originally opened as the "Lido-Venice" in 1926; in 1928 the hotel changed its name to the "Vinita" where it operated for the next 51 years. As part of the application today, the Chesterfield Hotel is proposed to be renamed back to the "Vineta".

ARCHITECTURE AND HISTORIC PRESERVATION

The Vineta Hotel was designed by an unknown architect in 1925 and opened in 1926 as the Lido-Venice"; the structure underwent renovations in 1927 by notable Palm Beach architect John Volk. The Chesterfield Hotel was designated as a Landmark by the Town of Palm Beach in 1991 and is currently licensed as a 57-room hotel with a 113 dining seats and nightclub use. Much of the proposal aims to restore missing architectural details and elements to the structure, based on documentary and original Mediterranean Revival glory while undergoing much needed upgrades in an effort to modernize the hotel for today's discerning guests as it pertains to the room sizes, amenities, and infrastructure.

Primary (along Cocoanut) and secondary (along Australian) facades are proposed to be modified and in accordance with historical documentation, of notable significance is the expansion of the arched windows along the south portion of the east façade (former Leopard Lounge) occupying the ground level along Cocoanut Row. The applicant is proposing to open up the bottom of the infilled opening and recreate the triple arched fenestration of full-length French doors, allowing much more natural light into the dining room and improvement transparency at the ground level.

The proposal includes significant site alterations as well, including the addition of landscape open space from 5.96% to 7.09% although there is discrepancy in the plans that show no improvement. And in this regard, staff maintains that greater effort should be made to introduce landscape open space to a double-digit sum and should include substantial hedge material along the south and east sides of the property (and within the courtyard) to mitigate potential impacts of sound/noise upon neighbors while providing a visual buffer.

VARIANCE REQUESTS

The renovations include the number of rooms being decreased from 57 to 41. There are currently five (5) variances identified in the applicant's Letter of Intent. Of the variances requested, most are directly associated with the modernization efforts of updating a nearly 100-year-old hotel building; including variance(s) from height limitations of necessary mechanical improvements on the rooftop of a nonconforming four-story building such as elevator and stair replacements, AC and kitchen exhaust equipment's, and other modern commercial needs. Some of these improvements are for the benefit of the surrounding area including relocating loud outdated AC equipment from the exterior ground level to the roof, installing proper commercial kitchen scrubber cleaner used to mitigate smoke and grease from commercial kitchen exhaust air streams and an improved trash enclosure.

VARIANCE 1: Sec. 134-387 of the Code identifies that no nonconforming use shall be **enlarged, increased, intensified, substituted, or extended to occupy a greater area than it occupied,** without seeking relief under the variance criteria for granting of a variance pertaining to the

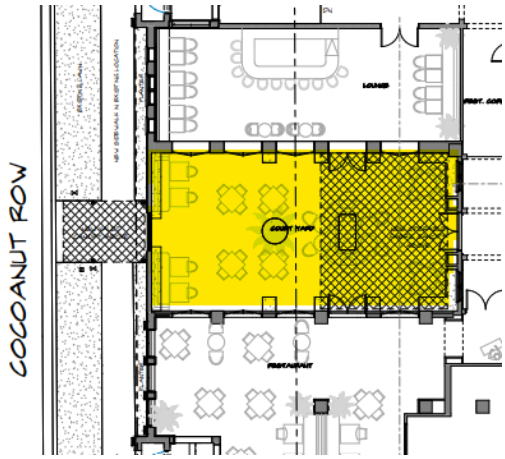
regulation of nonconforming uses (hotel uses in the R-C district). The hardship that runs with the property is that the current hotel is a Town and federally landmarked building first constructed in 1925. The use is not permitted by right or by special exception in the R-C zoning district, so it is virtually impossible to renovate and perform necessary improvements to the hotel, which is in great need of update, renovation, restoration, and enhancement, without the need to obtain variances. The hotel has been in operation for nearly 100 years and quite simply the zoning code for the R-C zoning district was not drafted to apply to a hotel—nor for any structure greater than two-stories in height.

As it pertains to Variance #1, the alteration of the nonconforming use outlines the need to be approved through the variance process, as opposed to a Special Exception use as is more typical for commercial endeavors when located within commercial districts. It is staff's opinion that the interior alterations and modifications to the hotel use, including the transference of the room keys to dining seats fall under variance #1. Review and analysis of variance #1 to alter the nonconforming use is fundamentally linked to the following three aspects: ROOM COUNT AND SEATING, LICENSING, and OPERATIONAL CONDITIONS.

ROOM COUNT AND SEATING

While the number of room keys is being decreased from 57 to 41, the number of approved restaurant and bar seats is being increased over the 113 currently licensed seats through the principle of equivalency outlined in the zoning code as it pertains to parking credits. The reduction of room keys of 16 yields 84 additional seats. This is calculated by taking the parking requirement of 1.75 spaces per room to obtain 28 for new parking requirements. Then apply a restaurant use parking requirement of parking spaces per 3 seats (28*3) to obtain 84 credit seats. So, 113 licensed seats +84 credit for reduced room count = 197 permitted seats. This translates to a 78% increase of dining capacity seats based on the prior license. Again, the transference of the room keys to dining seats fall under variance #1, but the above number represents the maximum allowable amount the applicant would be authorized for without the need for a parking requirement variance. There is historical documentation in the form of menus, reviews, websites, and archival photographs depicting and supporting Leopard Lounge seating in the front courtyard serving breakfast, lunch and dinner service; afternoon high tea service offered in the library, courtyard and Leopard Lounge for hotel guests and paid visitors; an outdoor pool bar lounge with afternoon lunch menus; and a banquet room hosting weekly meetings such as the Rotary Club, etc. Regardless of the historical anecdotal evidence to seating throughout the facility, PZB staff adhered to the documented license of 113 seats for the dining room.

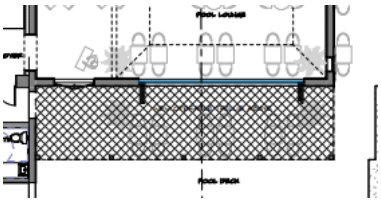
As outlined above, the established 113 licensed seats +84 credit for reduced room count = 197 permitted seats. These 197 seats are dispersed in the following manner along the ground floor of the hotel: 35 within a lounge located north of the courtyard, 66 within the main dining room of the formerly Leopard Lounge space, 44 within the open-air courtyard and finally 52 in and around the pool bar towards the eastern portion of the site—16 of which are proposed outside. The use of 60 exterior seats for the pool bar and courtyard outdoor seating requires Town Council review and approval as a separate Special Exception (outdoor café seating) to weigh any potential negative impacts on the exterior seating as it the neighboring property owners.



The Landmarks Preservation Commission has reviewed and approved the architectural changes as related to the proposed outdoor seating locations, vis a vis the front courtyard and the pool deck area. In both instances, additional openings are proposed. Within the front courtyard, the applicant is proposing new French door openings along the north and south interior elevations. This new fenestration alteration will unify the interior spaces of the main dining room and lounge both proposed to the north and south of the courtyard and likely allow both spaces to capitalize on the open-air nature of the courtyard for al fresco dining or cocktails. A total of 35 seats are proposed within a lounge located north of the courtyard, 66 within the main dining room of the formerly Leopard Lounge space, and 44 within the open-air courtyard.

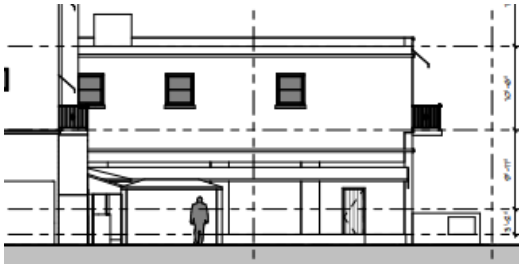
EXISTING COURTYARD ELEVATION

PROPOSED COURTYARD ELEVATION

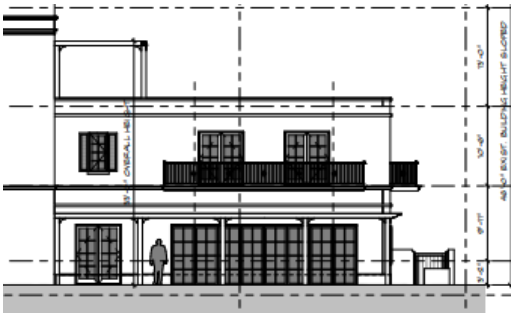


Within the rear pool deck area, the applicant is proposing a new operable NANA wall storefront system. This new fenestration alteration will allow the interior pool lounge to 'open up' onto the open-air pool deck area and provide for access to outdoor dining and drinking. A total of 52 seats are proposed in and around the pool bar towards the eastern portion of the site—16 of which are proposed outside.

EXISTING POOL BANQUET ROOM ELEVATION



PROPOSED POOL LOUNGE ROOM ELEVATION



For all of the outdoor café seating—a total of 60 outdoor seats—the Town Council will review and approved them in accordance with the Special Exception criteria. And as previously mentioned, there was historical evidence of outdoor dining service in both of these areas.

LICENSING

The approval of the application as proposed (and variance #1) would require the applicant to submit new applications for licenses. Currently the hotel has four licenses (business tax receipts, 'BTR's).

License #	Use	Permitted	Notes
00020370	*Hotel*	*57 rooms*	*none*
00001910	*Dining Room*	*113 seats*	*none*
00030606	*Nightlcub w/dancefloor*	*1,200 SF*	
00030607	*Pool*		

The following licenses would be required should the application be approved as proposed.

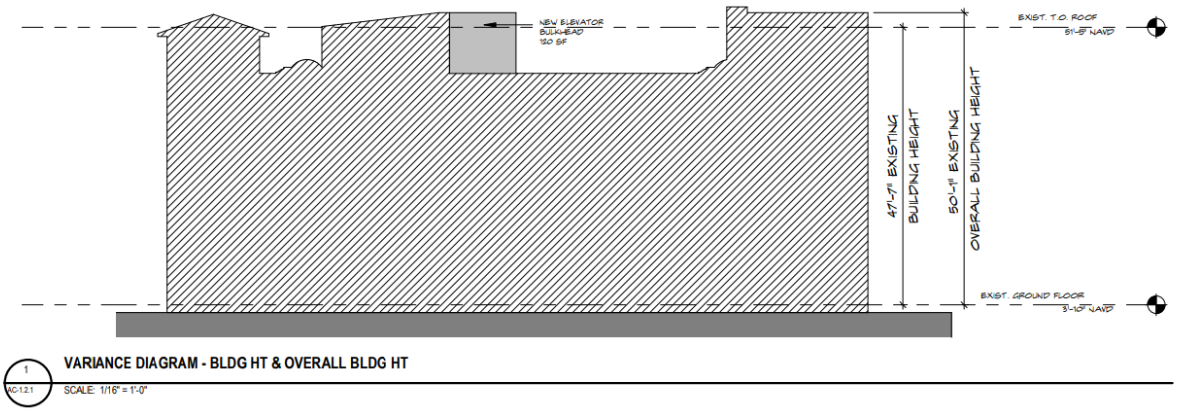
License #	Use	Permitted	Notes
NEW	*Hotel*	*41 rooms*	*Site plan identifying the 41 rooms*
NEW	*Dining Room*	*66 seats + 44 Total 110*	*+ outdoor seats*
NEW	*Lobby Lounge*	*35 seats*	*+ outdoor seats*
NEW	*Outdoor Café main dining*	*44 seats max*	*For main dining room and lounge*
NEW	*Nightlcub w/dancefloor*	*Main dining room only (interior)*	*Limit hours*
NEW	*Pool Lounge*	*36 seats + 16 Total 52*	*Limit hours*

NEW	*Outdoor Café pool lounge*	*16 seats max*	*Limit hours*
	Pool		

DECLARATION OF USE / OPERATIONAL CONDITIONS
Should the Town Council find merit in the application and that the proposal is consistent with the granting of a Special Exceptions and Variances, the applicant will need to submit a Declaration of Use with binding operational conditions to be listed in Development Order limiting the uses, to hours, days, events, music, number of seats, special events, etc., at a future meeting date. As the introduction of the 'Pool Bar' is formally a new food and beverage operation, staff would recommend at minimum the following operational conditions:

- First, the nightclub use should be expressly confined to the interior space of the main dining room only; and
- Second, the front courtyard outdoor café seating should be limited to service hours till 10pm; and
- Third, the Outdoor Café pool lounge seating should be limited to service hours till 9pm; and
- Fourth, no outdoor music.

VARIANCE 2: Sec. 134-948(8)d: A variance to exceed the maximum allowable height for new rooftop construction specifically to replace an elevator and stair bulkhead on the rooftop of a nonconforming four-story building with a height of 47.6 ft in lieu of the 23.5 ft maximum building height allowed.

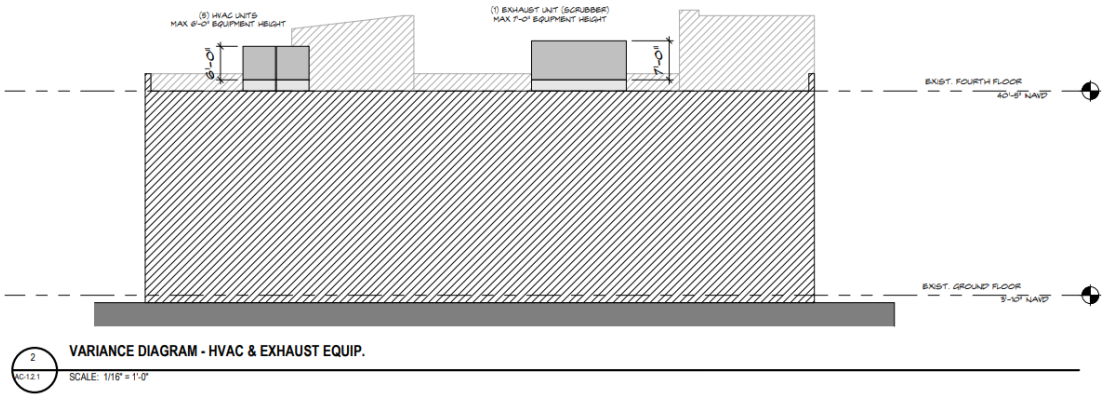


VARIANCE 3: Sec. 134-948(8)d: A variance to exceed the maximum allowable height for new rooftop construction specifically a rooftop trellis on a nonconforming third floor and of a nonconforming four-story building with a height of 33'0" in lieu of 23'6" maximum height and 26'6" maximum building height permitted.

As it pertains to Variance #2 and #3 to exceed maximum height of rooftop trellis on a nonconforming third floor and to replace an elevator and stair bulkhead on the nonconforming building, staff has no objections to the request as it technical in nature as the Code does not contemplate nonconforming buildings in zoning districts as it pertains to rooftop improvements when the zoning limits the number of stories below that existing edifice.

VARIANCE 4: Sec. 134-1607(1).: A variance to exceed the maximum allowable height for the installation of rooftop air conditioning units (five) at a height of 108" (9') above the maximum height permitted in lieu of the 48" (4') maximum height allowed.

VARIANCE 5: Sec. 134-1607(1): A variance to exceed the maximum allowable height for a roof top commercial kitchen exhaust scrubber at a height of 84" (7') above the maximum height permitted in lieu of the 36" (3') maximum height allowed.



As it pertains to Variance #4 and #5 to exceed maximum height of mechanical equipment (AC and Scrubber) on the existing roof. Staff has no objections to the request as it is the logical placement of such equipment, provided that the existing parapet wall or other screening methods adequately mitigate any negative visual impact when viewing the building from within the r-o-w or across the street. The placement of the equipment is setback from the immediate edges of the building and should be visually obscured. Staff would recommend that the applicant install sound attenuating material to ensure that the mechanical noise level does not become disruptive to the residential neighbors abutting the subject property to the south and to the east in the form of a noise barrier that offers soundproofing.

TRAFFIC STUDY AND VALET OPERATIONS

As directed by Town Council at the February 15, 2023, meeting, the applicant's traffic consultant, Simmons and White, is currently working with the Town's traffic consultant and Town staff on a revised traffic and valet parking plan that will be presented at the Town Council meeting on March 15, 2023.

WRB:JGM:JHD

TC Development Review Meeting Redlines.rvt
Autodesk Docs://The Vineta/The Vineta.rvt
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The Vineta Hotel

363 Cocoanut Row, Palm Beach, FL 33480

SCOPE OF WORK

THE PROPOSED WORK INCLUDES THE RENOVATION OF THE EXISTING 4-STORY 32,758 SQUARE FOOT HOTEL. THE SCOPE OF WORK INCLUDES THE COMPLETE EXTERIOR AND INTERIOR RENOVATION INCLUDING THE REDUCTION OF ROOMS FROM 57 KEYS TO 41, THE RECONSTRUCTION OF HISTORIC DOOR AND WINDOW LOCATIONS AND ASSOCIATED HARDSCAPE/LANDSCAPE. THERE ARE NO PROPOSED MODIFICATIONS TO THE NUMBER OF EXISTING PARKING SPACES.

SHEET	NAME
COVER	COVER

AC-0.1.0	VICINITY LOCATION MAP
AC-0.2.0	SUBJECT PROPERTY IMAGES
AC-0.2.1	SUBJECT PROPERTY IMAGES
AC-0.2.2	SUBJECT PROPERTY IMAGES
AC-0.2.3	SUBJECT PROPERTY IMAGES
AC-0.2.4	SUBJECT PROPERTY IMAGES
AC-0.2.5	SUBJECT PROPERTY IMAGES
AC-0.3.0	ADJACENT PROPERTY IMAGES
AC-0.3.1	ADJACENT PROPERTY IMAGES
AC-0.3.2	ADJACENT PROPERTY IMAGES
AC-0.3.3	ADJACENT PROPERTY IMAGES
AC-0.3.4	ADJACENT PROPERTY IMAGES
AC-1.0.0	ZONING LEGEND
AC-1.1.0	EXISTING OVERALL SITE PLAN
AC-1.1.1	PROPOSED OVERALL SITE PLAN
AC-1.2.0	ZONING DIAGRAMS
AC-1.2.1	VARIANCE DIAGRAMS
AC-1.3.0	HISTORIC REFERENCE IMAGES
AC-1.3.1	HISTORIC REFERENCE IMAGES
AC-1.3.2	HISTORIC REFERENCE IMAGES
AC-2.1.0	EXISTING FLOOR PLAN - GROUND FLOOR
AC-2.1.1	DEMOLITION FLOOR PLAN - GROUND FLOOR
AC-2.1.2	PROPOSED FLOOR PLAN - GROUND FLOOR
AC-2.2.0	EXISTING FLOOR PLAN - SECOND FLOOR
AC-2.2.1	DEMOLITION FLOOR PLAN - SECOND FLOOR
AC-2.2.2	PROPOSED FLOOR PLAN - SECOND FLOOR
AC-2.3.0	EXISTING FLOOR PLAN - THIRD FLOOR
AC-2.3.1	DEMOLITION FLOOR PLAN - THIRD FLOOR
AC-2.3.2	PROPOSED FLOOR PLAN - THIRD FLOOR
AC-2.4.0	EXISTING FLOOR PLAN - FOURTH FLOOR & ROOF PLAN
AC-2.4.1	DEMOLITION FLOOR PLAN - FOURTH FLOOR & ROOF PLAN
AC-2.4.2	PROPOSED FLOOR PLAN - FOURTH FLOOR & ROOF PLAN
AC-3.1.0	EXISTING HIGH ROOF PLAN
AC-3.1.1	DEMOLITION HIGH ROOF PLAN
AC-3.1.2	PROPOSED HIGH ROOF PLAN
AC-4.1.0	OVERALL DEMOLITION ELEVATIONS
AC-4.1.1	OVERALL DEMOLITION ELEVATIONS
AC-4.1.2	DEMOLITION ELEVATION DIAGRAMS
AC-4.2.1	EXISTING & PROPOSED WEST ELEVATION
AC-4.2.2	COLORED WEST ELEVATIONS
AC-4.3.1	EXISTING & PROPOSED NORTH ELEVATION
AC-4.3.2	COLORED NORTH ELEVATIONS
AC-4.4.1	EXISTING & PROPOSED EAST ELEVATION
AC-4.4.2	COLORED EAST ELEVATIONS
AC-4.5.1	EXISTING & PROPOSED SOUTH ELEVATION
AC-4.5.2	COLORED SOUTH ELEVATIONS
AC-4.6.1	EXISTING & PROPOSED COURTYARD ELEVATIONS
AC-4.6.2	COLORED COURTYARD ELEVATIONS
AC-4.7.1	EXTERIOR RENDERINGS
AC-4.7.2	EXTERIOR RENDERINGS
AC-4.7.3	EXTERIOR RENDERINGS
AC-4.7.4	EXTERIOR RENDERINGS
AC-4.7.5	EXTERIOR RENDERINGS
AC-4.7.6	EXTERIOR RENDERINGS
AC-4.7.7	EXTERIOR RENDERINGS
AC-4.7.8	EXTERIOR RENDERINGS
AC-5.1.0	BUILDING & YARD SECTION DIAGRAM
AC-5.1.1	BUILDING & YARD SECTION DIAGRAM
AC-6.1.0	EXTERIOR MATERIAL & FINISH SHEET
AC-6.2.0	EXTERIOR DETAILS - TYPICAL
AC-6.2.1	EXTERIOR DETAILS - VALET CANOPY
AC-6.3.0	EXTERIOR DOOR & WINDOW DETAILS
AC-6.4.0	EXTERIOR WALL AND GATE PLAN AND DETAILS
AC-6.5.0	EXTERIOR SIGNAGE PLAN AND DETAILS
AC-7.1.0	EXISTING SEATING PLAN
AC-7.1.1	PROPOSED SEATING PLAN

L1.1	EXISTING GENERAL SITE PHOTOS
L2.0	EXISTING VEGETATION INVENTORY & ACTION PLAN
L4.0	CONSTRUCTION SCREENING PLAN
L5.0	CONSTRUCTION STAGING PLAN
L6.0	TRUCK LOGISTICS PLAN
L7.1	EXISTING VS PROPOSED SITE DATA
L8.0	LANDSCAPE PLAN
L8.2	PLANT SCHEDULE
L8.3	PLANTING DETAILS & SPECIFICATIONS

CIVIL 1	CONCEPTUAL DRAINAGE PLAN

REVISED FINAL SUBMITTAL 03-03-2023

LPC# COA-23-002 (JANUARY 2023) ZONING# ZON-23-019 (FEBRUARY 2023)

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RENOVATION OF
The Vineta Hotel
363 Cocoanut Row, Palm Beach, FL 33480

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Project no: 22028
Date: 12.23.2022
Drawn by: Author
Project Manager: Checker

COVER

COVER

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VICINITY LOCATION MAP

VICINITY LOCATION MAP

AC-0.1.0

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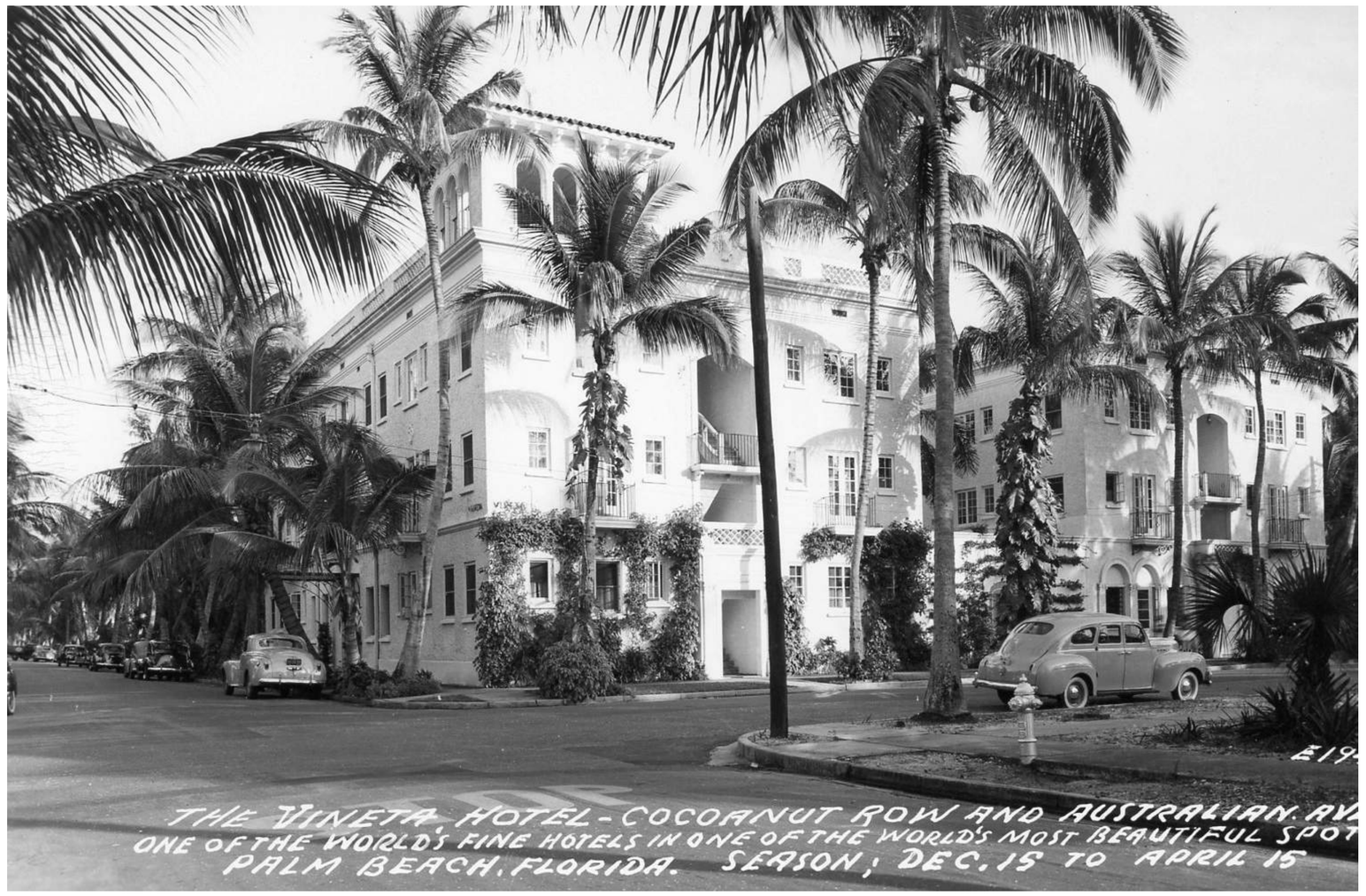
HISTORIC PHOTO

HISTORIC PHOTO

HISTORIC PHOTO



HISTORIC PHOTO

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HISTORIC REFERENCE IMAGES

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Autodesk Docs://The Vineta/The Vineta.rvt
11/28/2022 11:42:09 AM
133 of 1057

TC Development Review Meeting Backup 4-04-2023
Autodesk Docs://The Vineta/The Vineta.rvt

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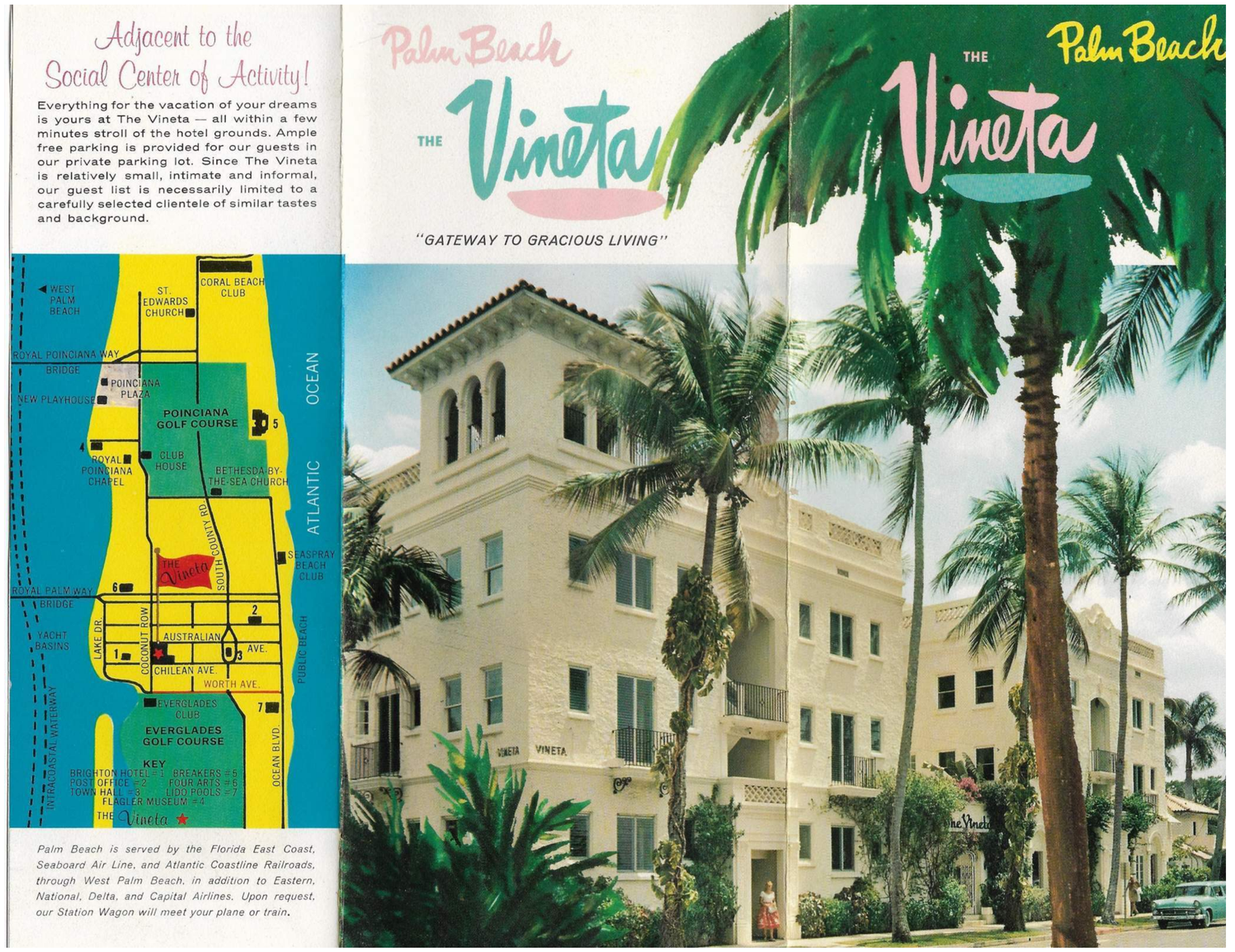

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HISTORIC REFERENCE IMAGES

AC-1.3.1

134 of 1057
11/28/2022 11:42:10 AM

HISTORIC REFERENCE IMAGES

AC-1.3.2

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RENOVATION OF
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PARTIAL WEST ELEVATION

PARTIAL WEST ELEVATION

PARTIAL NORTH ELEVATION

PARTIAL WEST ELEVATION

SUBJECT PROPERTY IMAGES

AC-0.2.0

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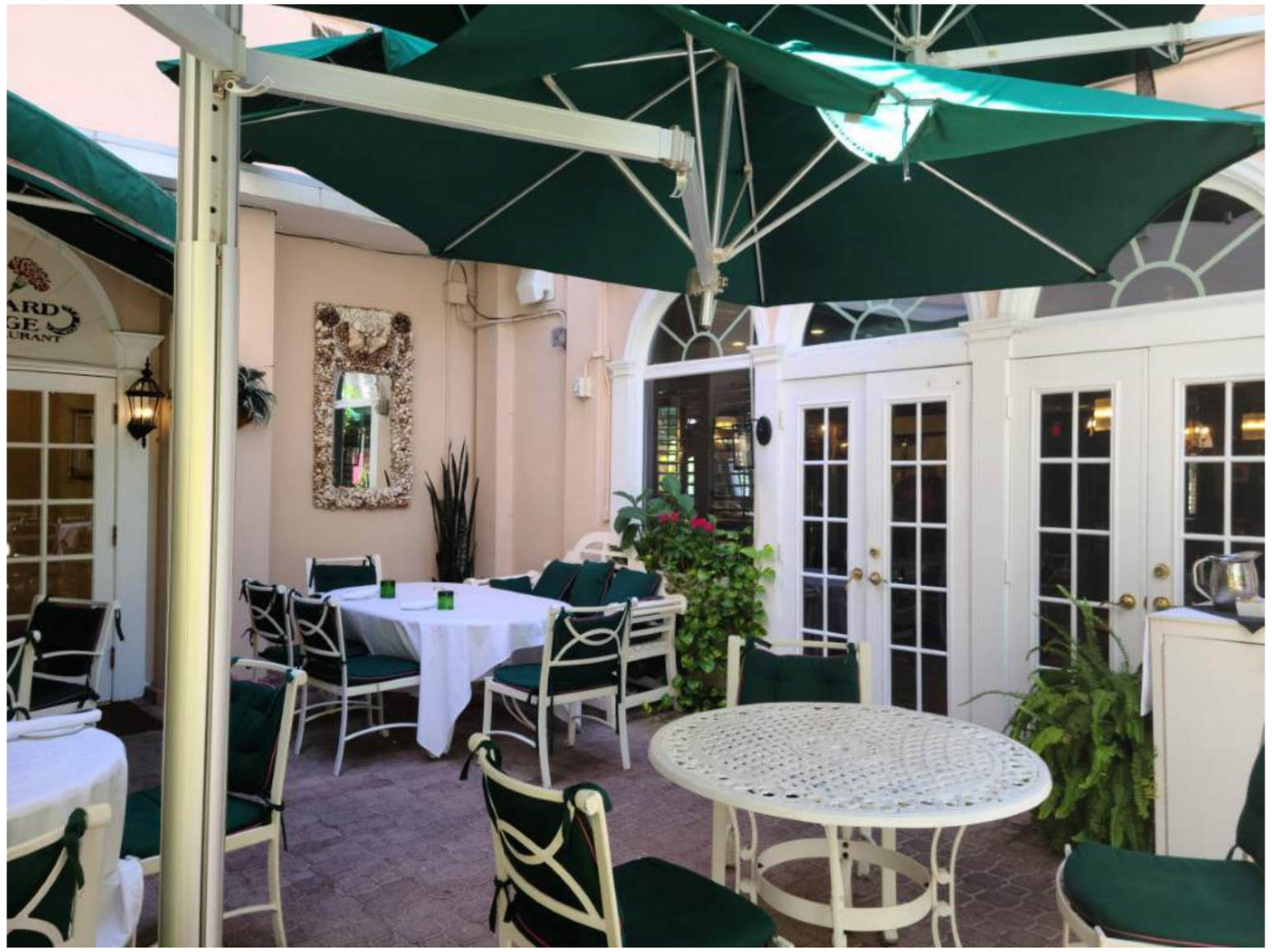
PARTIAL NORTH ELEVATION

COURTYARD PARTIAL ELEVATION

COURTYARD PARTIAL ELEVATION



COURTYARD PARTIAL ELEVATION

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RENOVATION OF
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SUBJECT PROPERTY IMAGES

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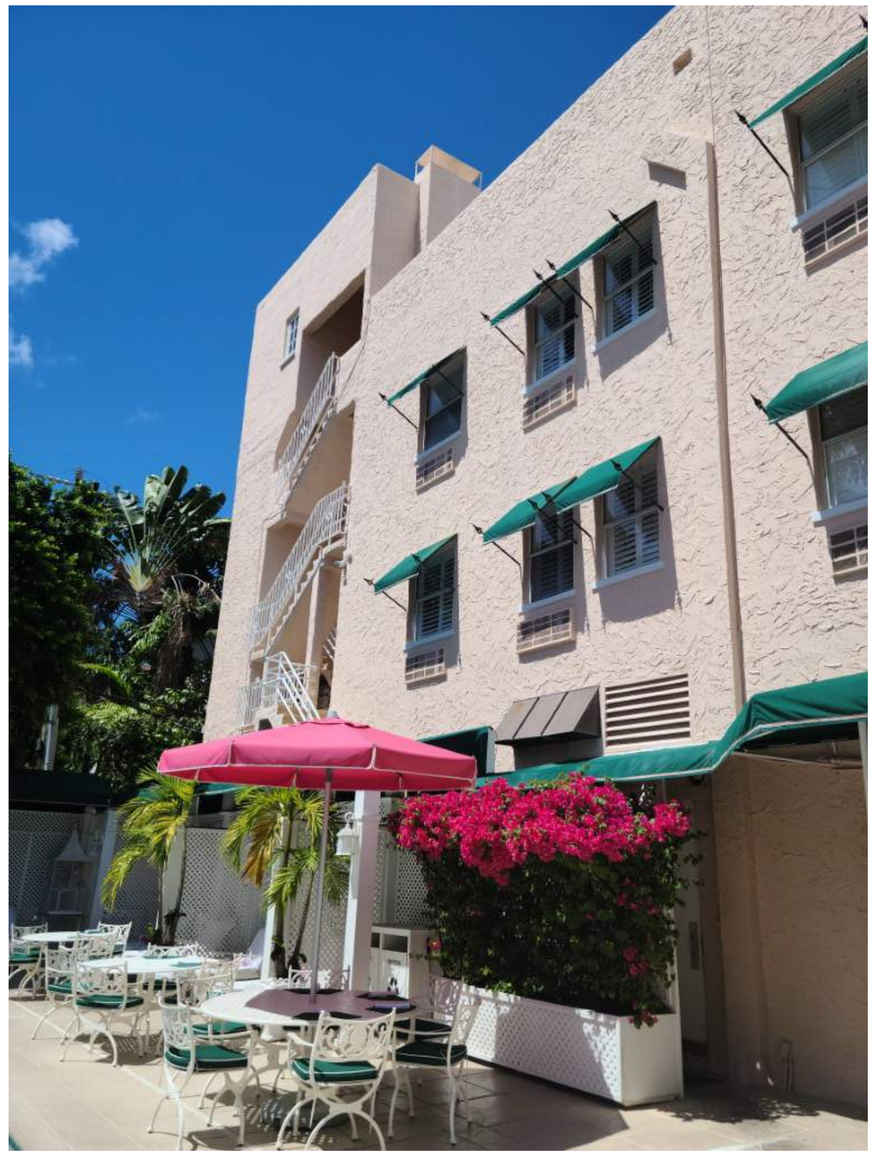
PARTIAL EAST ELEVATION



PARTIAL EAST ELEVATION

POOL DECK

PARTIAL SOUTH ELEVATION

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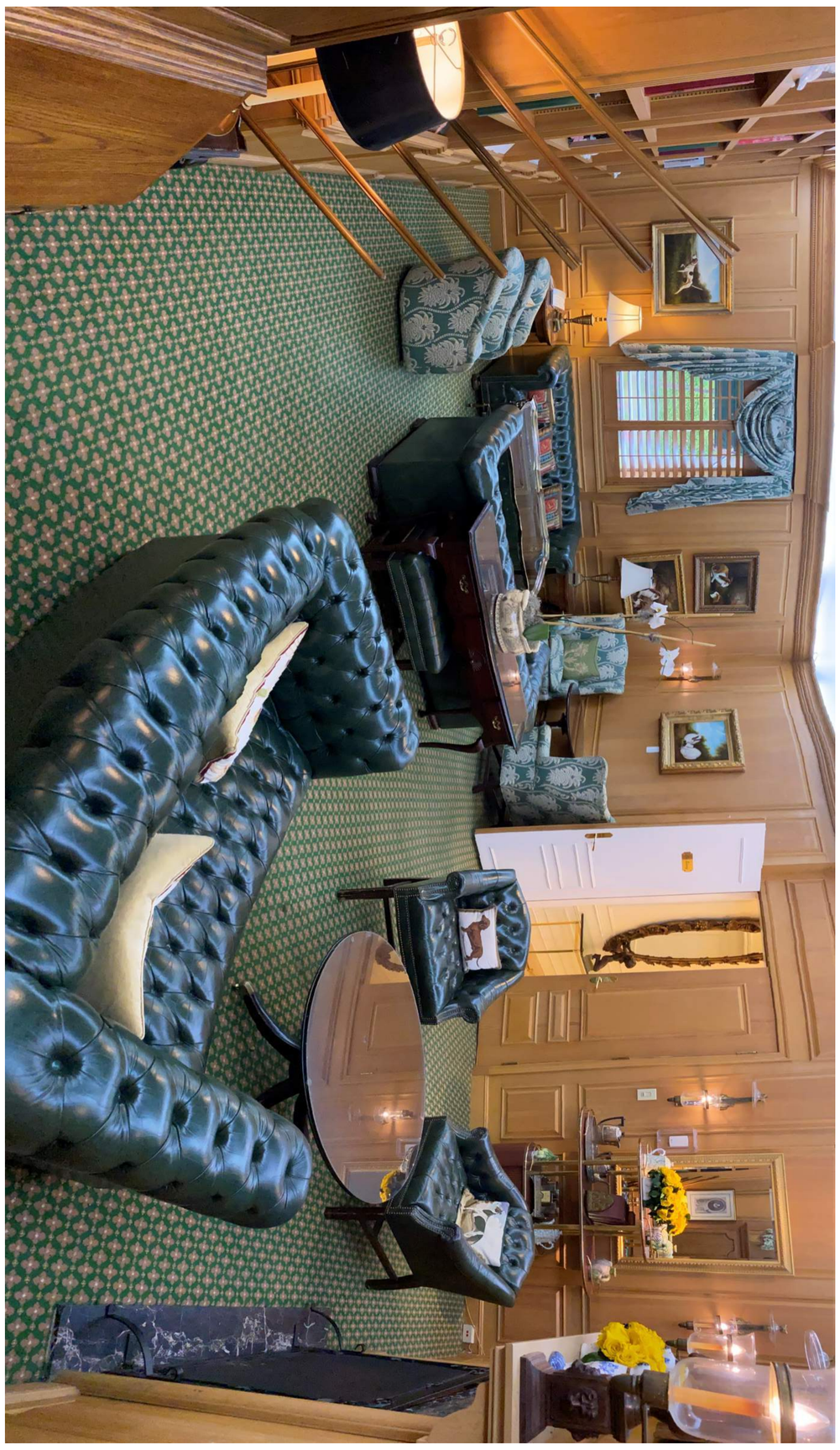
EXISTING CIGAR LOUNGE

EXISTING TEA LOUNGE



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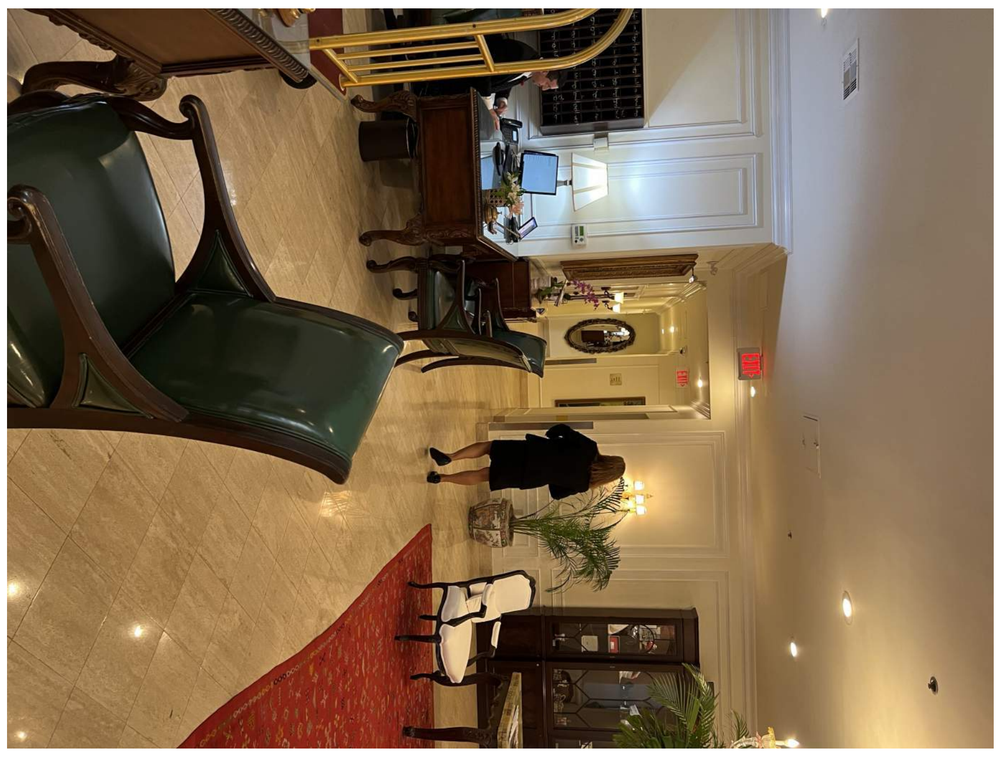

EXISTING LOBBY

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RENOVATION OF
The Vineta Hotel

363 Cocoanut Row, Palm Beach, FL 33480

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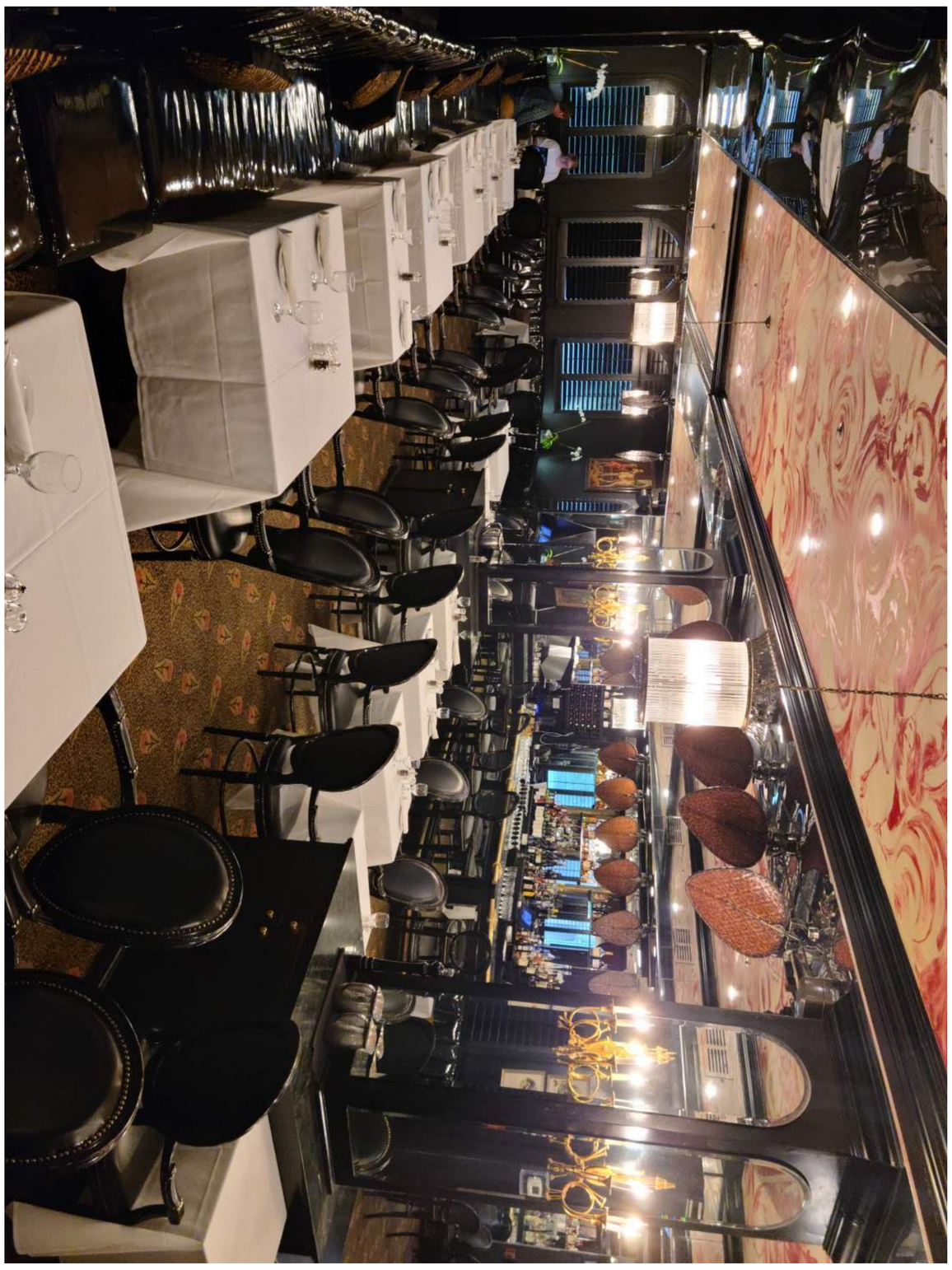
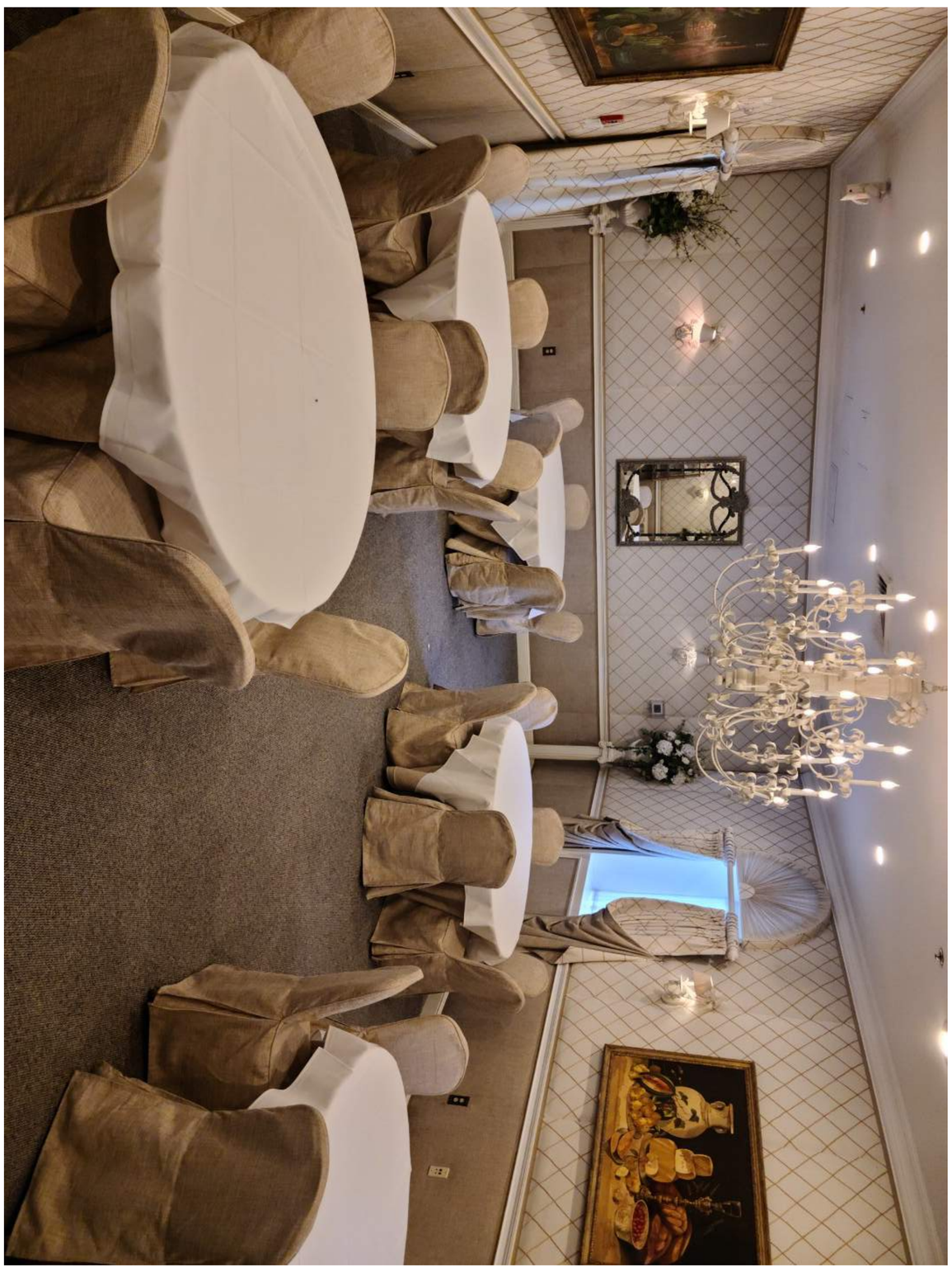
EXISTING LEOPARD LOUNGE & RESTAURANT



EXISTING POOL LOUNGE



SUBJECT PROPERTY IMAGES

AC-0.2.4

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RENOVATION OF
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363 Cocoanut Row, Palm Beach, FL 33480

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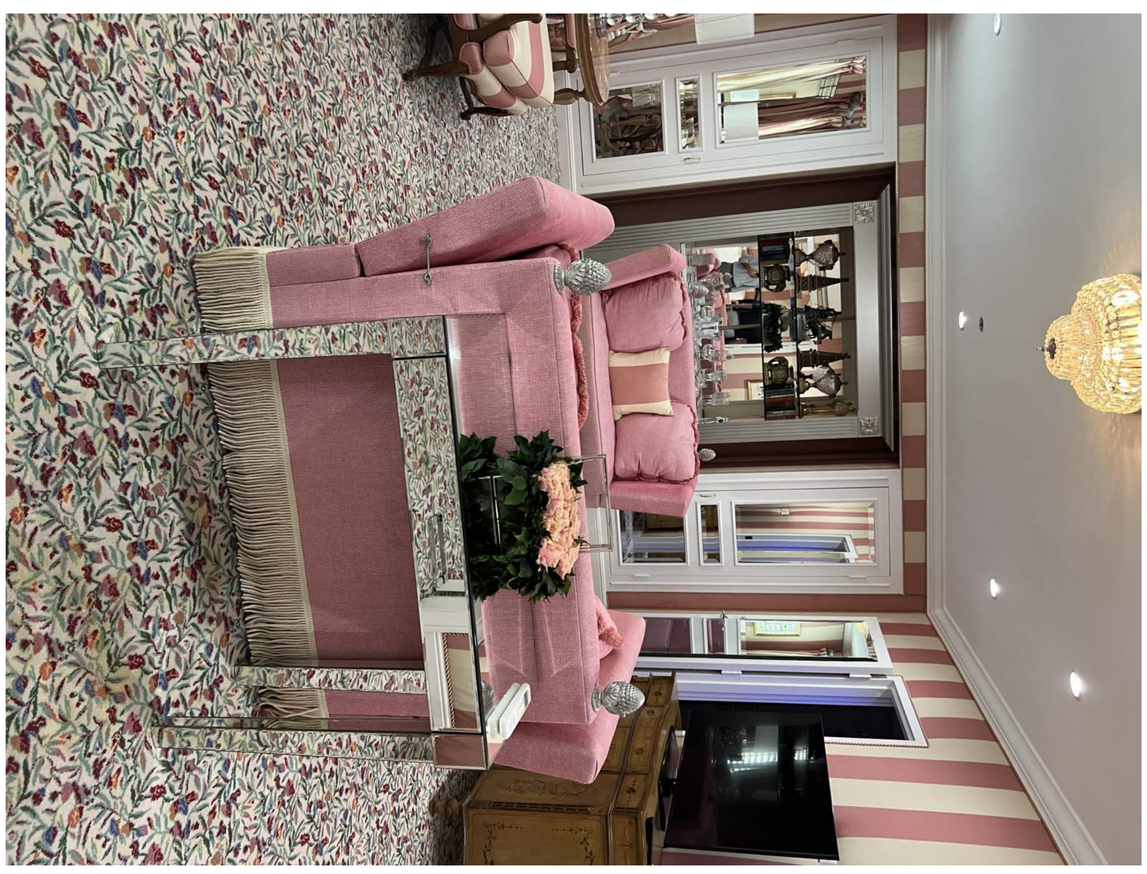
EXISTING FOURTH FLOOR HOTEL ROOM

EXISTING FOURTH FLOOR HOTEL ROOM



EXISTING TYPICAL HOTEL ROOM

EXISTING CORRIDOR

SUBJECT PROPERTY IMAGES

AC-0.2.5

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The Vineta Hotel

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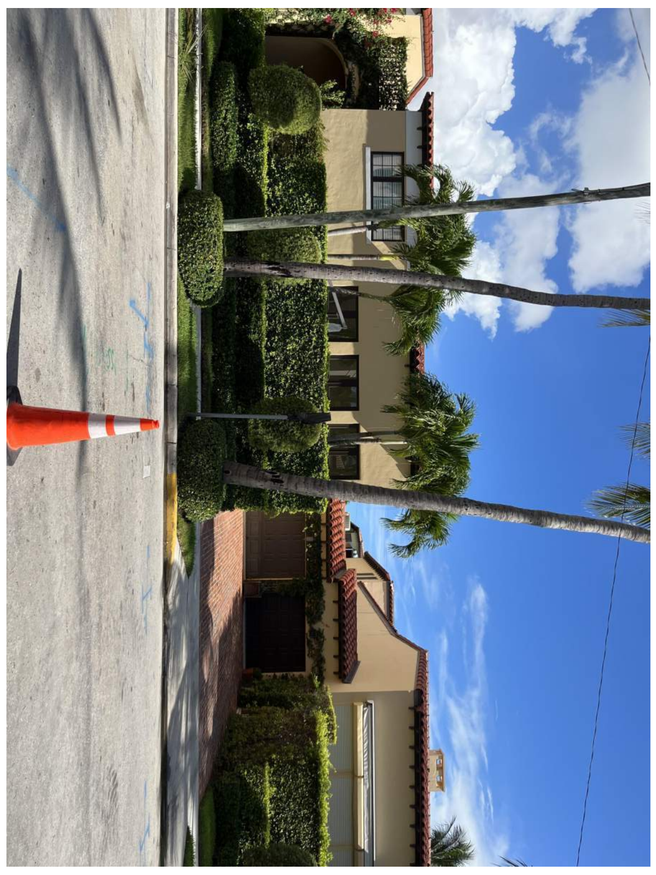
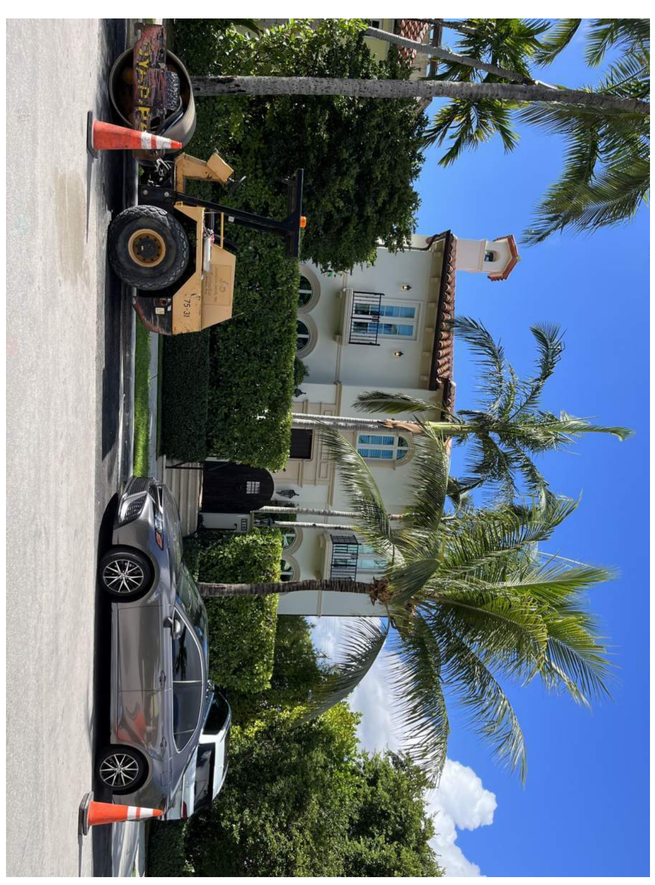
300 AUSTRALIAN AVE

322 AUSTRALIAN AVE

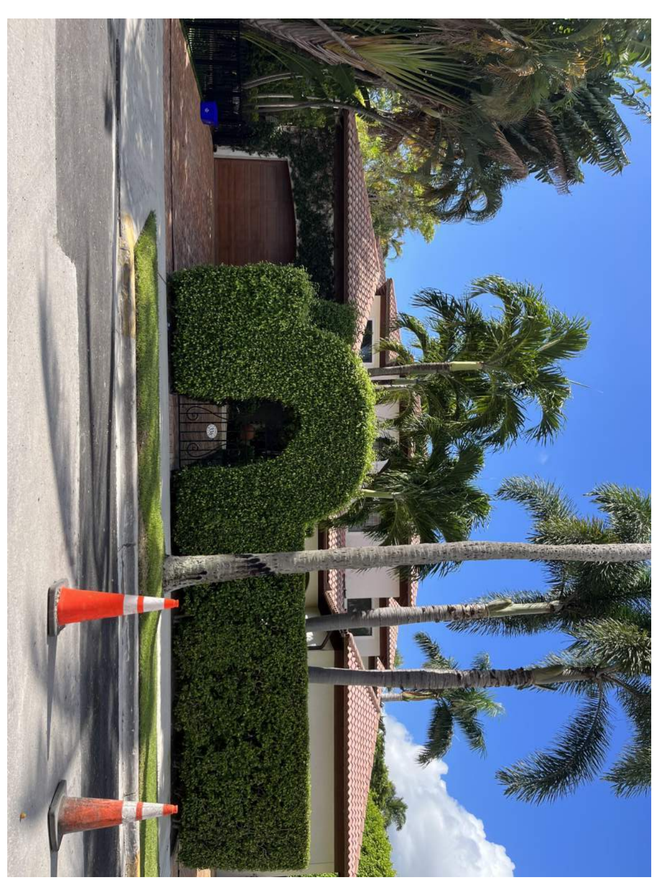
336 AUSTRALIAN AVE



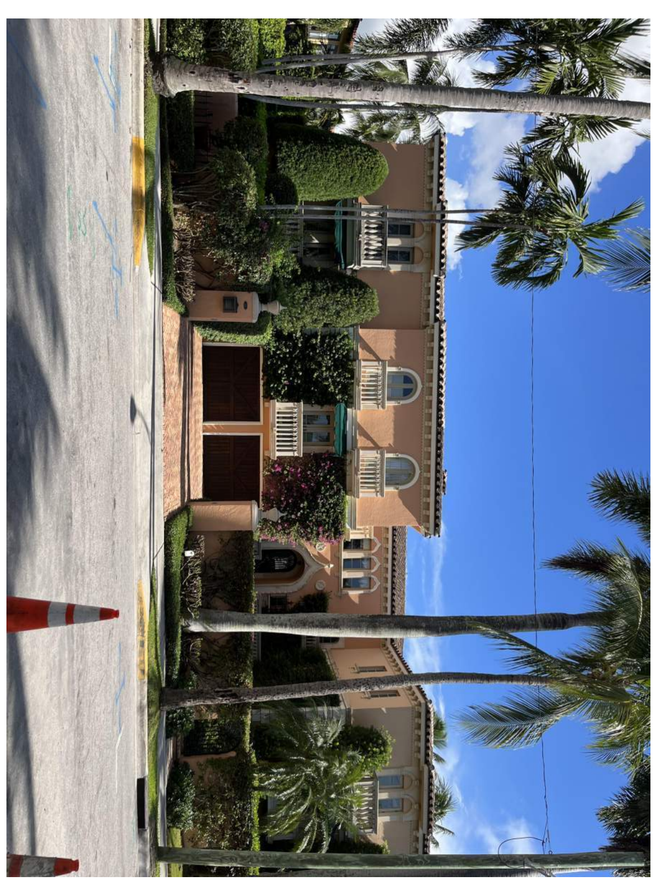
310 AUSTRALIAN AVE



335 AUSTRALIAN AVE



331 AUSTRALIAN AVE



303 AUSTRALIAN AVE

415 AUSTRALIAN AVE

303 AUSTRALIAN AVE

ADJACENT PROPERTY IMAGES

AC-0.3.0

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403 BRAZILIAN AVE

319 BRAZILIAN AVE

345 BRAZILIAN AVE

315 BRAZILIAN AVE

416 BRAZILIAN AVE

412 BRAZILIAN AVE

401 BRAZILIAN AVE

331 BRAZILIAN AVE

346 BRAZILIAN AVE

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RENOVATION OF
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ADJACENT PROPERTY IMAGES

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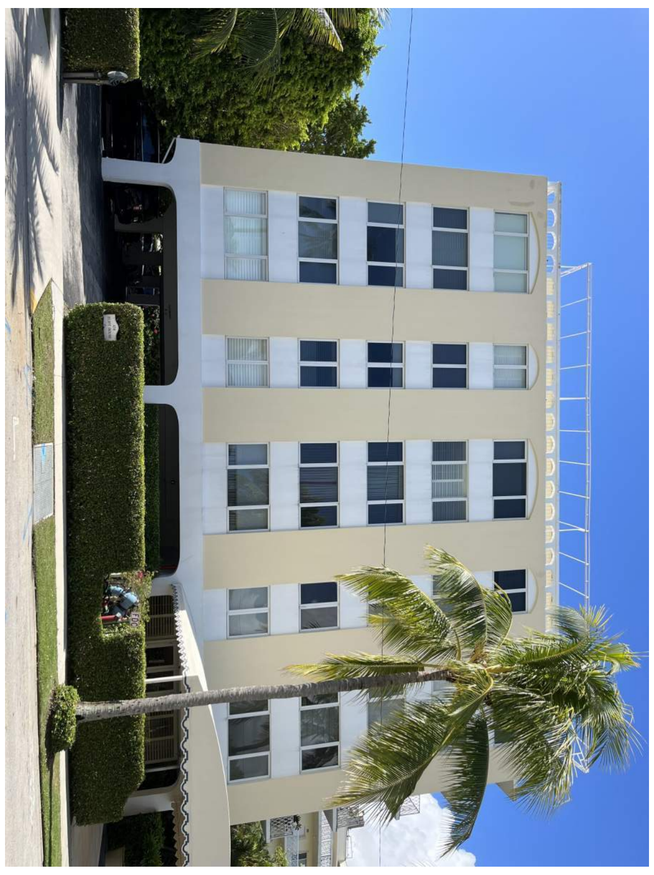
143 of 167

434 CHILEAN AVE



401 CHILEAN AVE

317 CHILEAN AVE

419 CHILEAN AVE

353 CHILEAN AVE

419 CHILEAN AVE

408 CHILEAN AVE

349 CHILEAN AVE

401 CHILEAN AVE

ADJACENT PROPERTY IMAGES

AC-0.3.2

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331 COCOANUT ROW

351 COCOANUT ROW

339 COCOANUT ROW

370 COCOANUT ROW

335 COCOANUT ROW

401 COCOANUT ROW

350 COCOANUT ROW

340 COCOANUT ROW

330 COCOANUT ROW

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FL Lic # AA0003399

SPINA O'ROURKE + PARTNERS
Architecture • Interior Design

Keith M. Spina # AR13419

RENOVATION OF
The Vineta Hotel
363 Cocoanut Row, Palm Beach, FL 33480

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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

ADJACENT PROPERTY IMAGES

AC-0.3.3

11/28/2022 11:41:58 AM

401 PERUVIAN AVE

420 PERUVIAN AVE

350 PERUVIAN AVE

405 PERUVIAN AVE

417 PERUVIAN AVE

401 PERUVIAN AVE

357 PERUVIAN AVE

341 PERUVIAN AVE

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ADJACENT PROPERTY IMAGES

AC-0.3.4

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Autodesk Docs://The Vineta/The Vineta.rvt
11/28/2022 11:42:03 AM
146 of 1057

Town of Palm Beach

Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Zoning Legend

Line #				
1	**Property Address:**	363 COCOANUT ROW, PALM BEACH, FL 33480		
2	**Zoning District:**	R-C (MEDIUM DENISTY RESIDENTIAL)		
3	**Structure Type:**	HOTEL		
4		Required/Allowed	Existing	Proposed
5	Lot Size (sq ft)	20,000 SF	18,750 SF	N/C
6	Lot Depth	100'-0"	150'-0"	N/C
7	Lot Width	100'-0"	125'-0"	N/C
8	Lot Coverage (Sq Ft and %)	5,625 SF (30%)	12,460 SF (66.4%)	12,398 (66.12%)
9	Enclosed Square Footage (Basement, 1st Fl, 2nd Fl., Accesory Structues, etc)	TBD	TBD	N/C
10	Cubic Content Ratio (CCR) (R-B ONLY)	N/A	N/A	N/A
11	*Front Yard Setback (Ft.)	25'-0" (W)	0'-0" (W)	N/C
12	* Side Yard Setback (1st Story) (Ft.)	20'-0" (N) /20'-0" (S)	0'-0" (N) / 5'-3" (S)	N/C
13	* Side Yard Setback (2nd Story) (Ft.)	N/A	N/A	N/A
14	*Rear Yard Setback (Ft.)	30'-0" (E)	8'-4" (E)	N/C
15	Angle of Vision (Deg.)	N/A	N/A	N/A
16	Building Height (Ft.)	23'-6" FLAT	47'-7" FLAT	47'-7" FLAT
17	Overall Building Height (Ft.)	26'-6" FLAT	50'-1" FLAT	50'-1" FLAT
18	Crown of Road (COR) (NAVD)	TBD	TBD	N/C
19	Max. Amount of Fill Added to Site (Ft.)	N/A	N/A	N/A
20	Finished Floor Elev. (FFE)(NAVD)	TBD	TBD	N/C
21	Zero Datum for point of meas. (NAVD)	TBD	TBD	N/C
22	FEMA Flood Zone Designation	AE 6	N/C	N/C
23	Base Flood Elevation (BFE)(NAVD)	7.00 NAVD	N/C	N/C
24	Landscape Open Space (LOS) (Sq Ft and %)	6,562 SF (35%)	1,118 SF (5.96%)	1,330 SF (7.09%)
25	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A
26	Front Yard LOS (Sq Ft and %)	?? SF (40%)	N/A	N/A
27	**Native Plant Species %	*Please refer to separate landscape legend.*		

** Indicate each yard area with cardinal direction (N,S,E,W)*

*** Provide Native plant species calculation per category as requited by Ord. 24-2021 on separate table*

If value is not applicable, enter N/A

If value is not changing, enter N/C

REV BF 20220304

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ZONING LEGEND

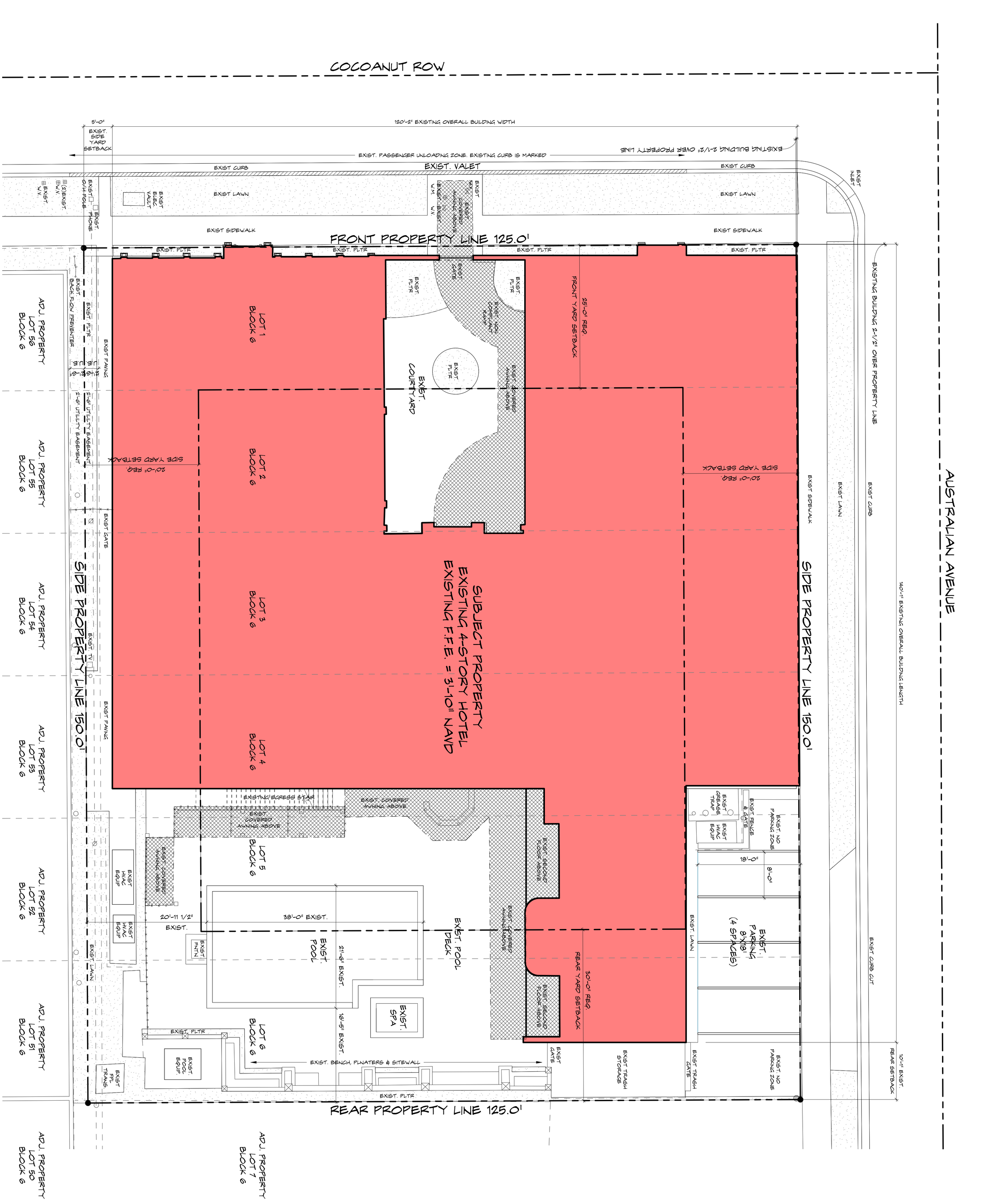
AC-1.0.0

TC Development Review Meeting Backup 4-04-2023
Autodesk Docs://The Vineta/The Vineta.rvt
12/8/2022 10:46:57 AM

1 AC-1.1.0

SITE PLAN - EXISTING

SCALE: 1/8" = 1'-0"



EXISTING OVERALL SITE PLAN

AC-1.1.0

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Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

Revisions:

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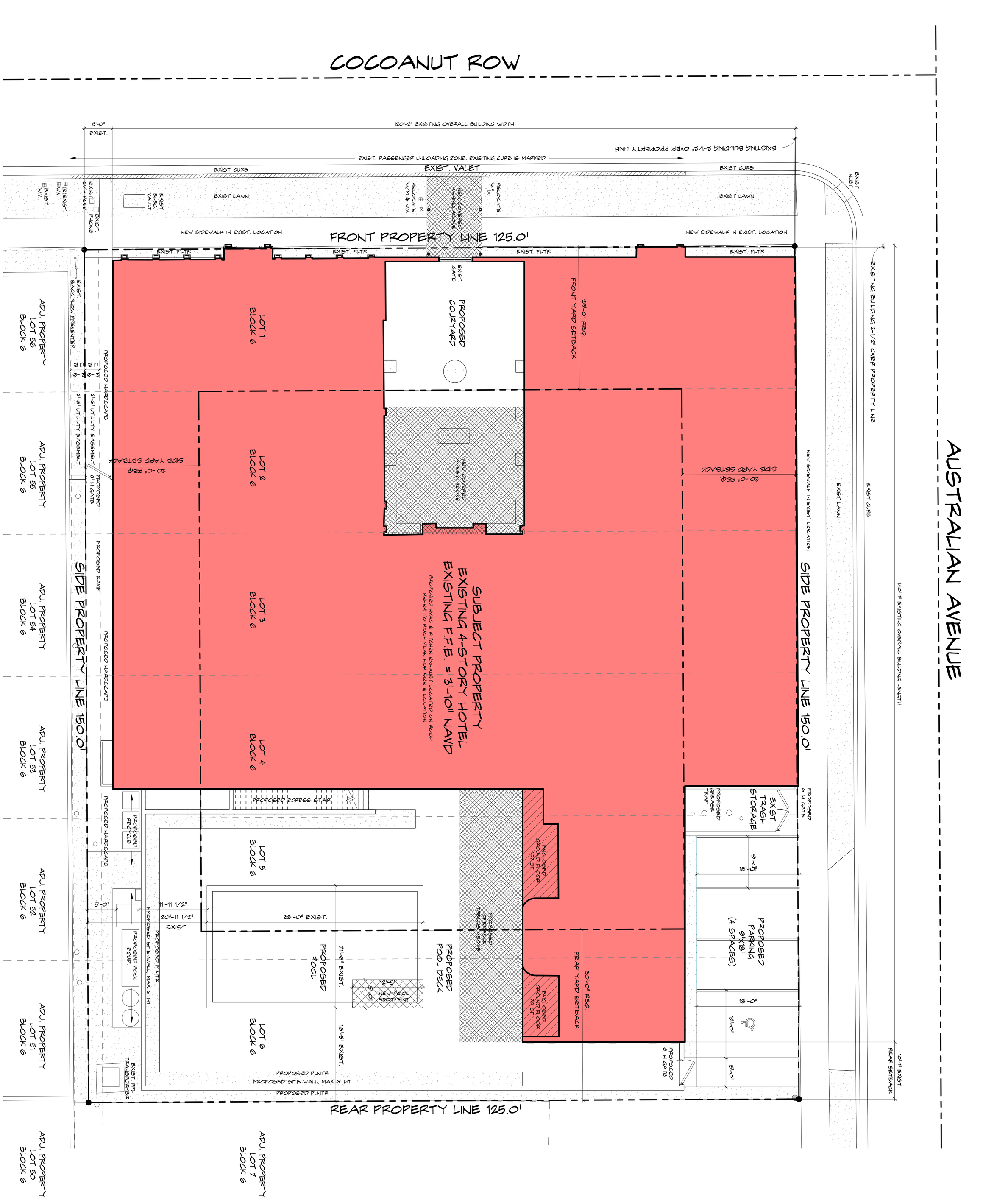
1 AC-1.1.1

SITE PLAN - PROPOSED

SCALE: 1/8" = 1'-0"



PROPOSED OVERALL SITE PLAN

AC-1.1.1

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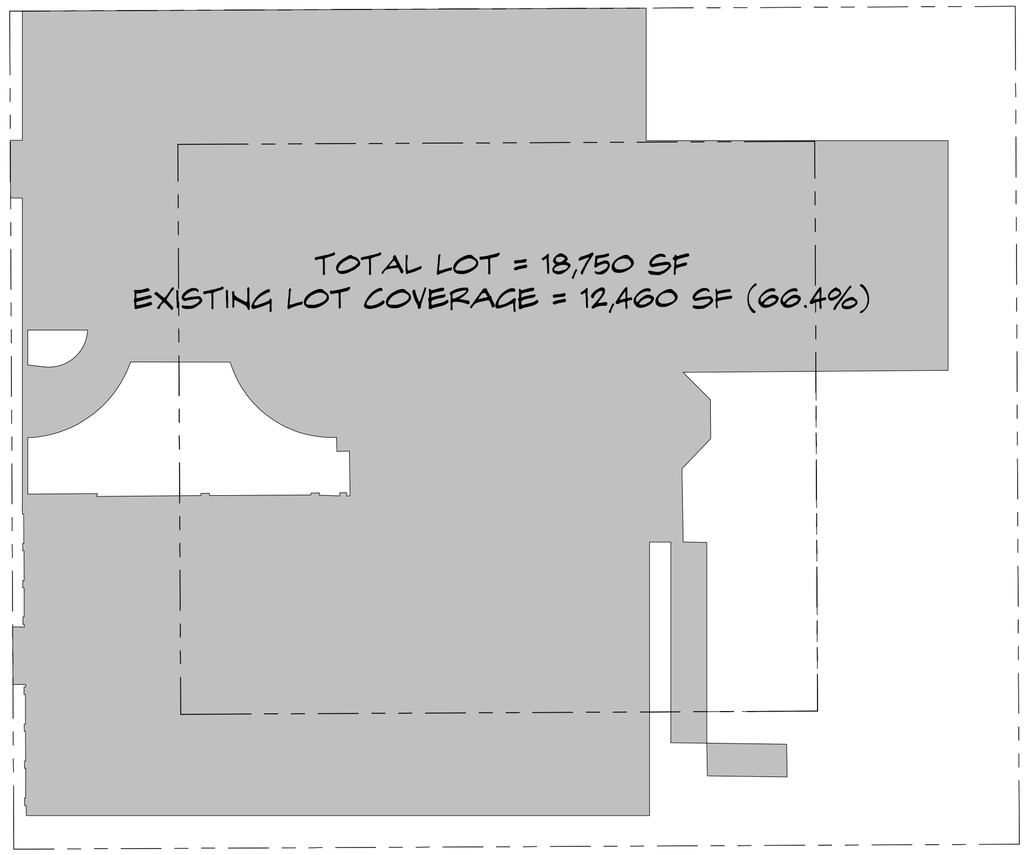
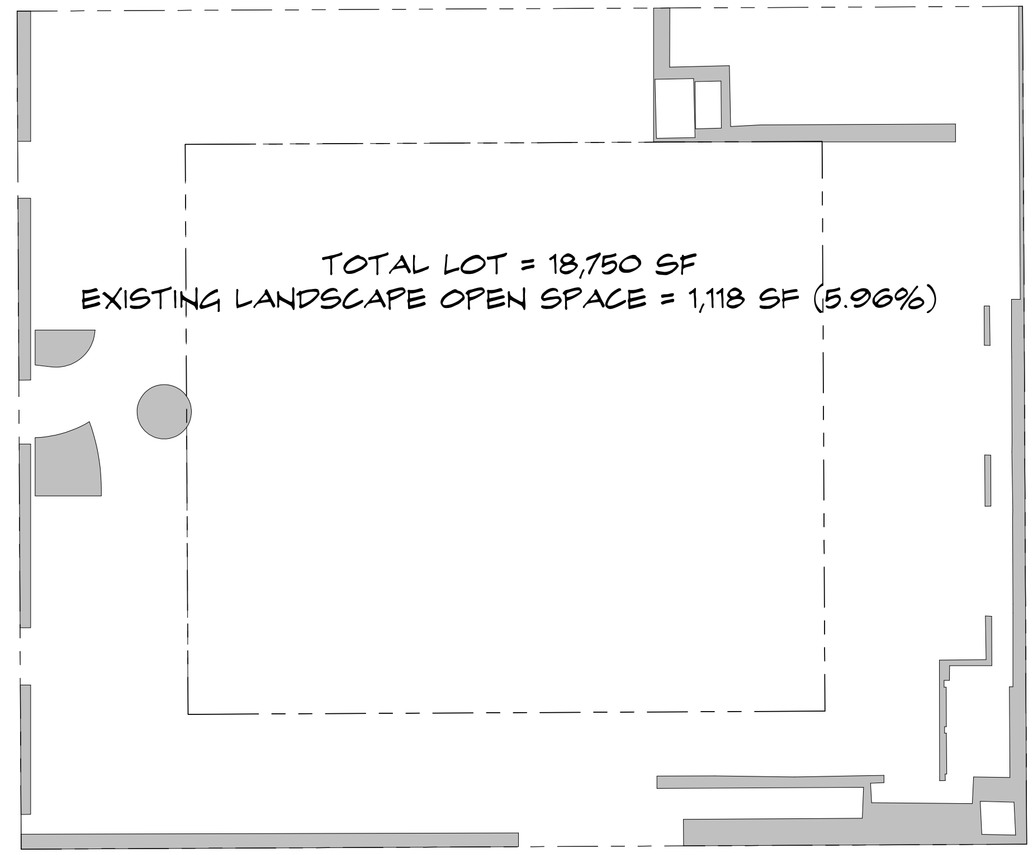


3 AC-1.2.0 **LOT COVERAGE - EXISTING**
SCALE: 1/16" = 1'-0"



1 AC-1.2.0 **LANDSCAPE OPEN SPACE - EXISTING**
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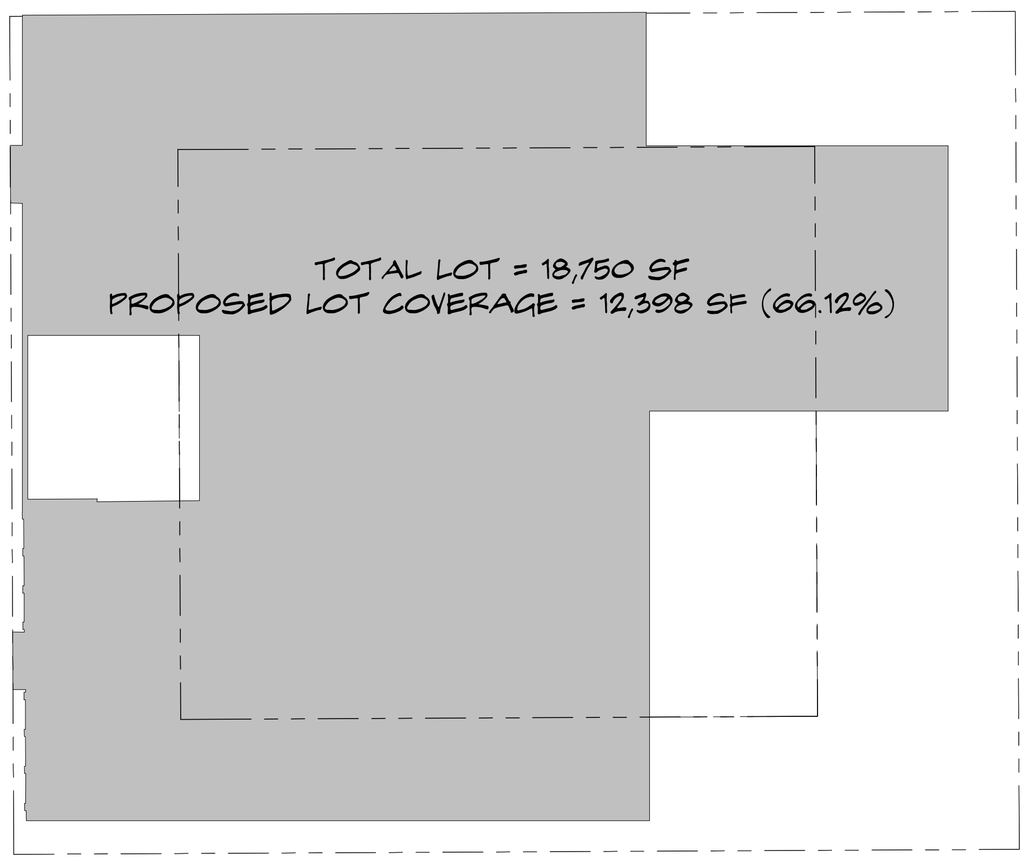
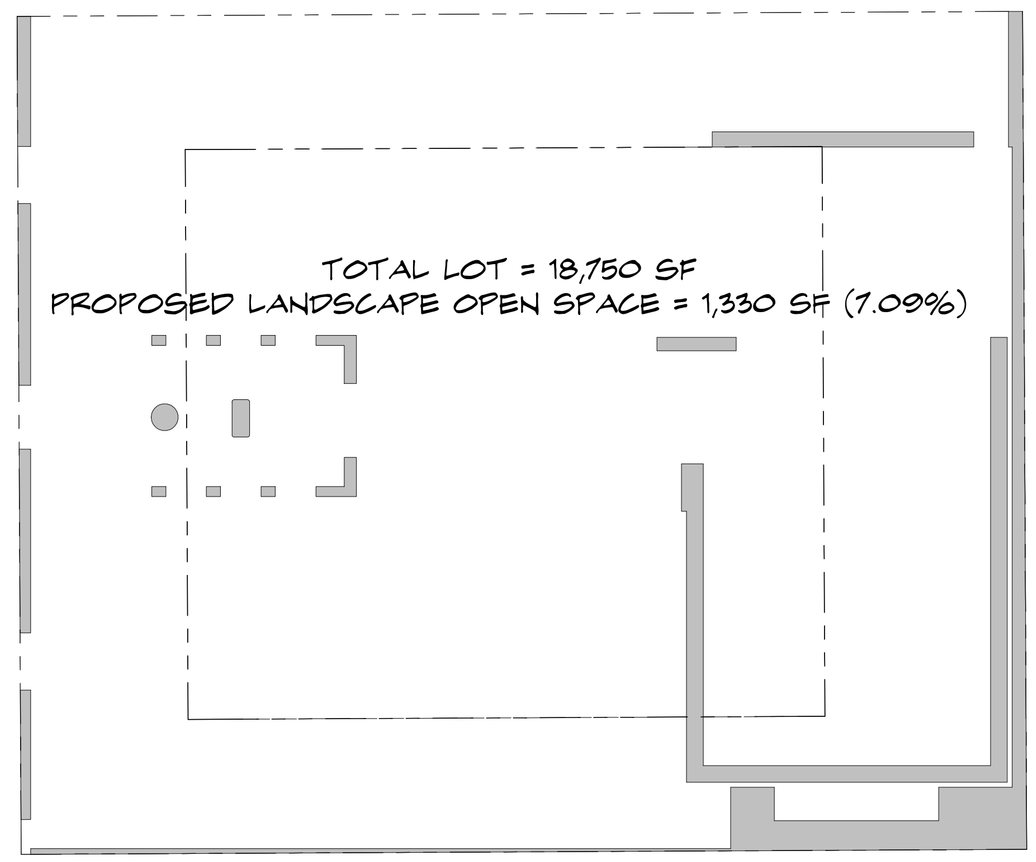


4 AC-1.2.0 **LOT COVERAGE - PROPOSED**
SCALE: 1/16" = 1'-0"



2 AC-1.2.0 **LANSCAPE OPEN SPACE - PROPOSED**
SCALE: 1/16" = 1'-0"

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N W E S

ZONING DIAGRAMS

AC-1.2.0

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150 of 1057

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VARIANCE WITHDRAWN

APPROVED AT FEBRUARY 2023 MEETING

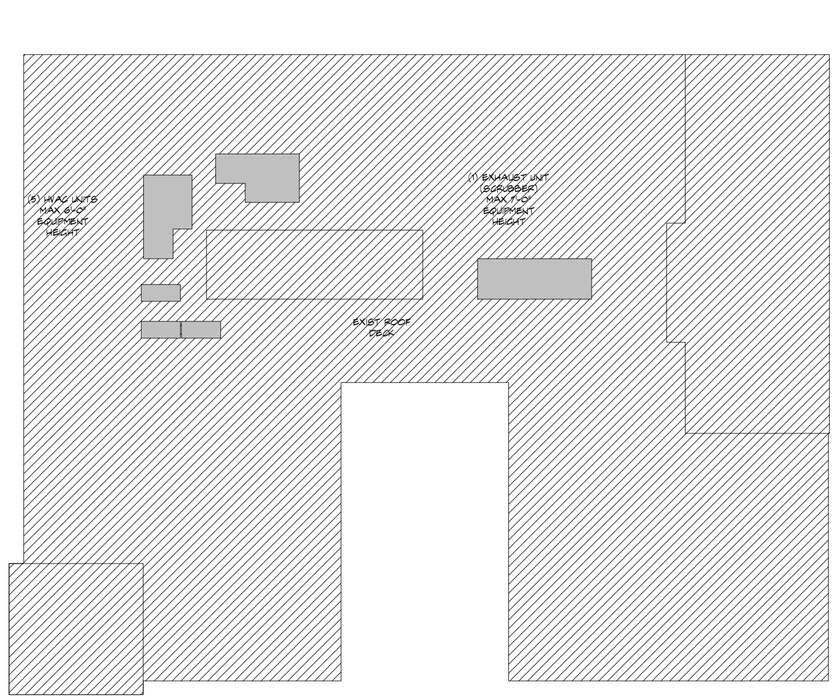
~~VARIANCE 1: SECTION 134-948(8)(D) AND (E):~~ ~~A VARIANCE TO ALLOW NEW CONSTRUCTION OFA COVERED TRELLIS ON AN EXISTING NONCONFORMING THIRD FLOOR WITH A BUILDING HEIGHT & OVERALL BUILDING HEIGHT OF 33'0" IN LIEU OF 23'6" MAXIMUM HEIGHT AND 26'6" MAXIMUM BUILDING HEIGHT PERMITTED.~~
~~REFER TO EXTERIOR ELEVATIONS~~

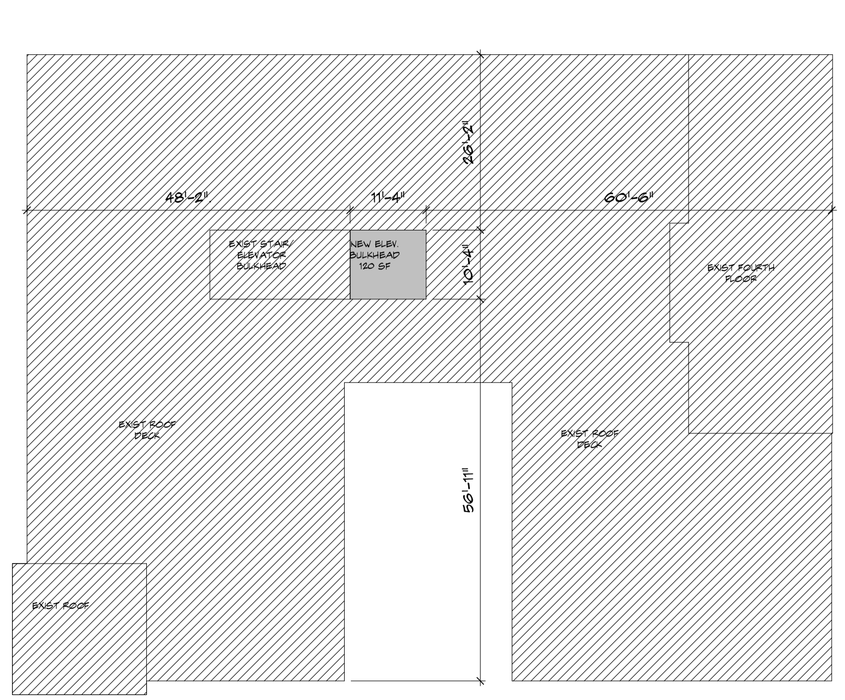
VARIANCE 2: SECTION 134-948(8)(D) AND (E): A VARIANCE TO ALLOW NEW CONSTRUCTION OF AN ELEVATOR BULKHEAD ON AN EXISTING NONCONFORMING FOURTH FLOOR WITH A HEIGHT OF 47'6" AND OVERALL BUILDING HEIGHT OF 50'11" TO MATCH THE EXISTING HEIGHT AND OVERALL HEIGHT IN LIEU OF 23'6" MAXIMUM HEIGHT AND 26'6" MAXIMUM BUILDING HEIGHT PERMITTED.
REFER TO DIAGRAM 1 BELOW

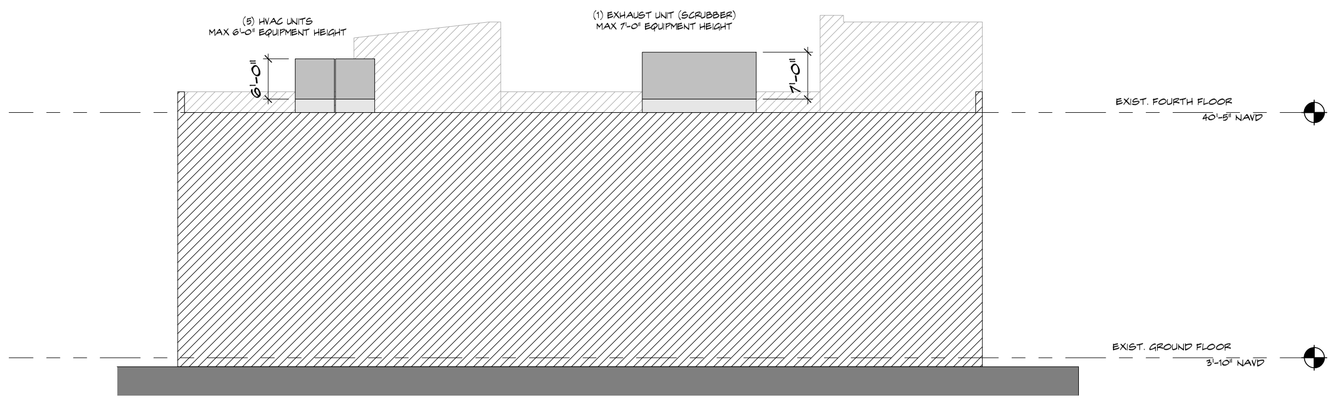
VARIANCE 3: SECTION 134-1607(1): A VARIANCE TO PERMIT THE INSTALLATION FIVE AIR CONDITIONING UNITS ON THE ROOF AT A HEIGHT OF 9' ABOVE THE MAXIMUM HEIGHT PERMITTED IN LIEU OF 4' MAXIMUM HEIGHT PERMITTED FOR AIR CONDITIONING UNITS.
REFER TO DIAGRAM 2 BELOW

VARIANCE 4: SECTION 1607(1): A VARIANCE TO PERMIT ONE KITCHEN EXHAUST AIR SCRUBBER AT A HEIGHT OF 7' IN LIEU OF 3' MAXIMUM PERMITTED.
REFER TO DIAGRAM 2 BELOW

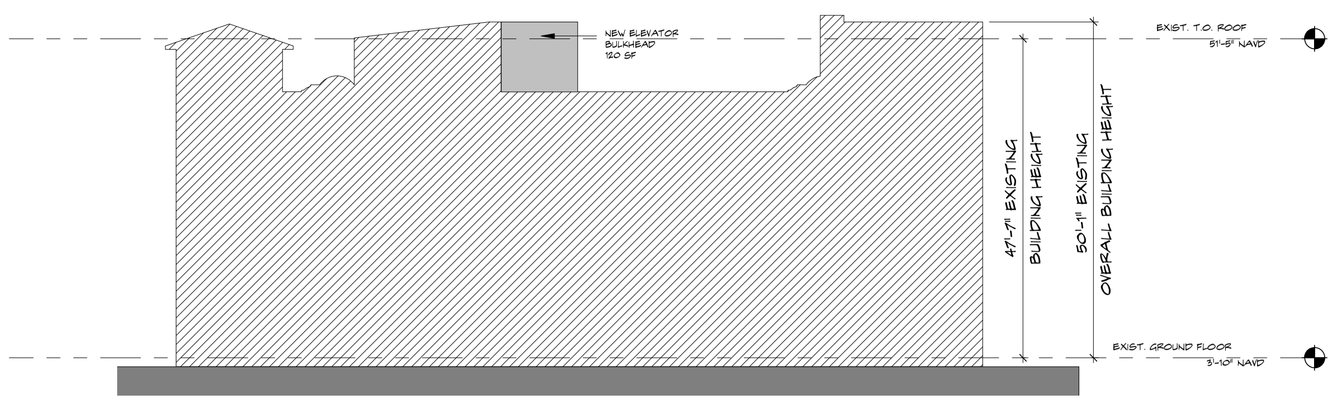
VARIANCE 5: SECTION 134-201(A)(6) AND 134-387: A VARIANCE TO PERMIT THE EXPANSION OF THE RESTAURANT, NIGHTCLUB AND POOL AREA USES WITH 197 COMBINED SEATS. ORIGINALLY, 113 SEATS WERE PERMITTED FOR THE DINING ROOM USE. ADDITIONAL SEATS DO NOT REQUIRE PARKING AS A RESULT OF CREDIT FOR THE ELIMINATION OF 16 HOTEL ROOMS.
NO DIAGRAM FEASIBLE. REFER TO SHEETS AC-7.1.0 & AC-7.1.1 FOR SEATING PLANS







2 AC-1.2.1 **VARIANCE DIAGRAM - HVAC & EXHAUST EQUIP.**
SCALE: 1/16" = 1'-0"



1 AC-1.2.1 **VARIANCE DIAGRAM - BLDG HT & OVERALL BLDG HT**
SCALE: 1/16" = 1'-0"

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Project Manager: Checker

VARIANCE DIAGRAMS

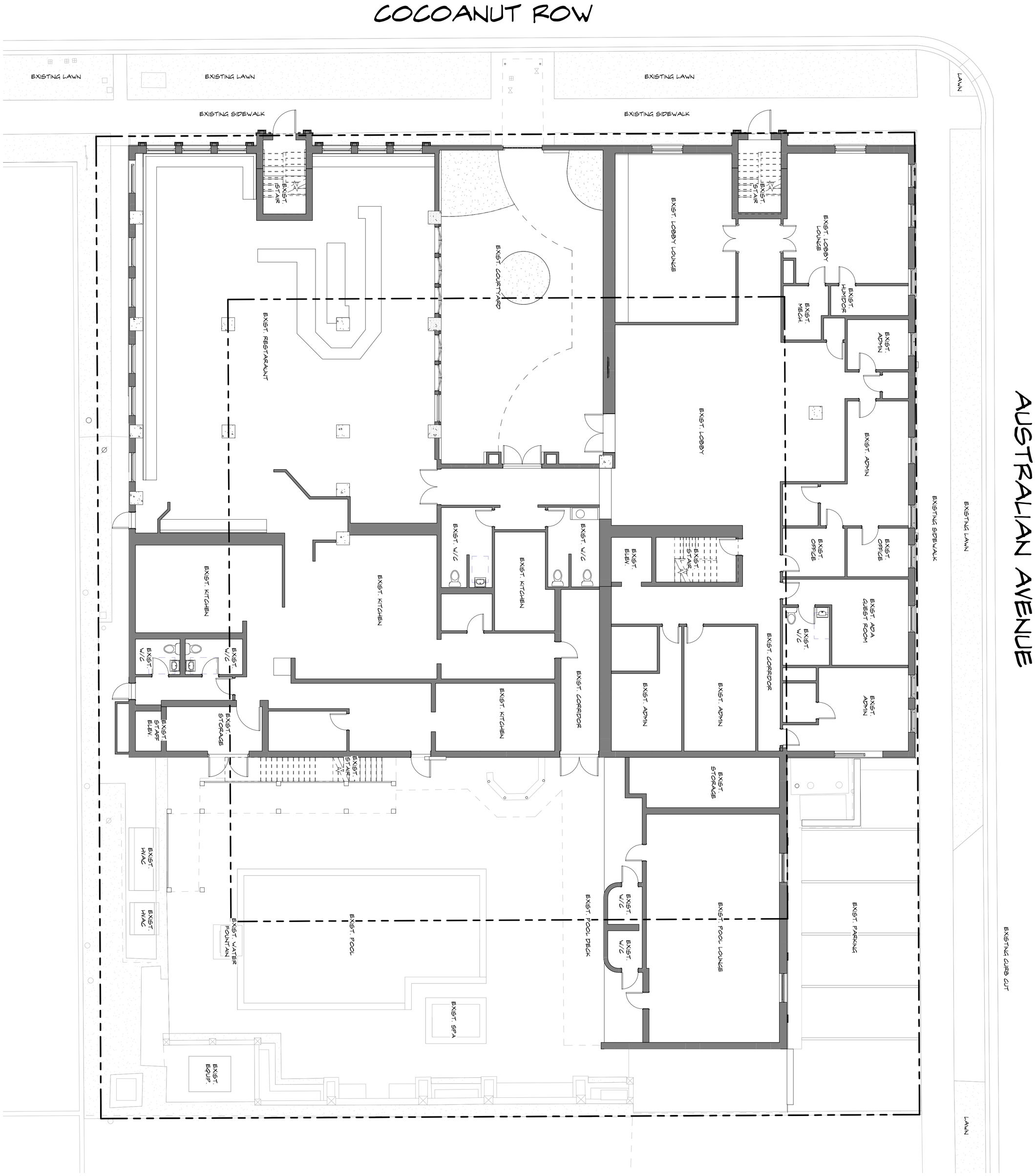
AC-1.2.1

12/8/2022 11:47:18 PM
J:\Dropbox\Projects\2022\22028 The Vineta\Drawings\Architectural\Vineta_Variance Diagrams.dwg

1 AC-2.1.0

Overall Existing Ground Floor Plan

SCALE: 1/8" = 1'-0"



EXISTING FLOOR PLAN - GROUND FLOOR

AC-2.1.0

N E S W

Project no: 22028
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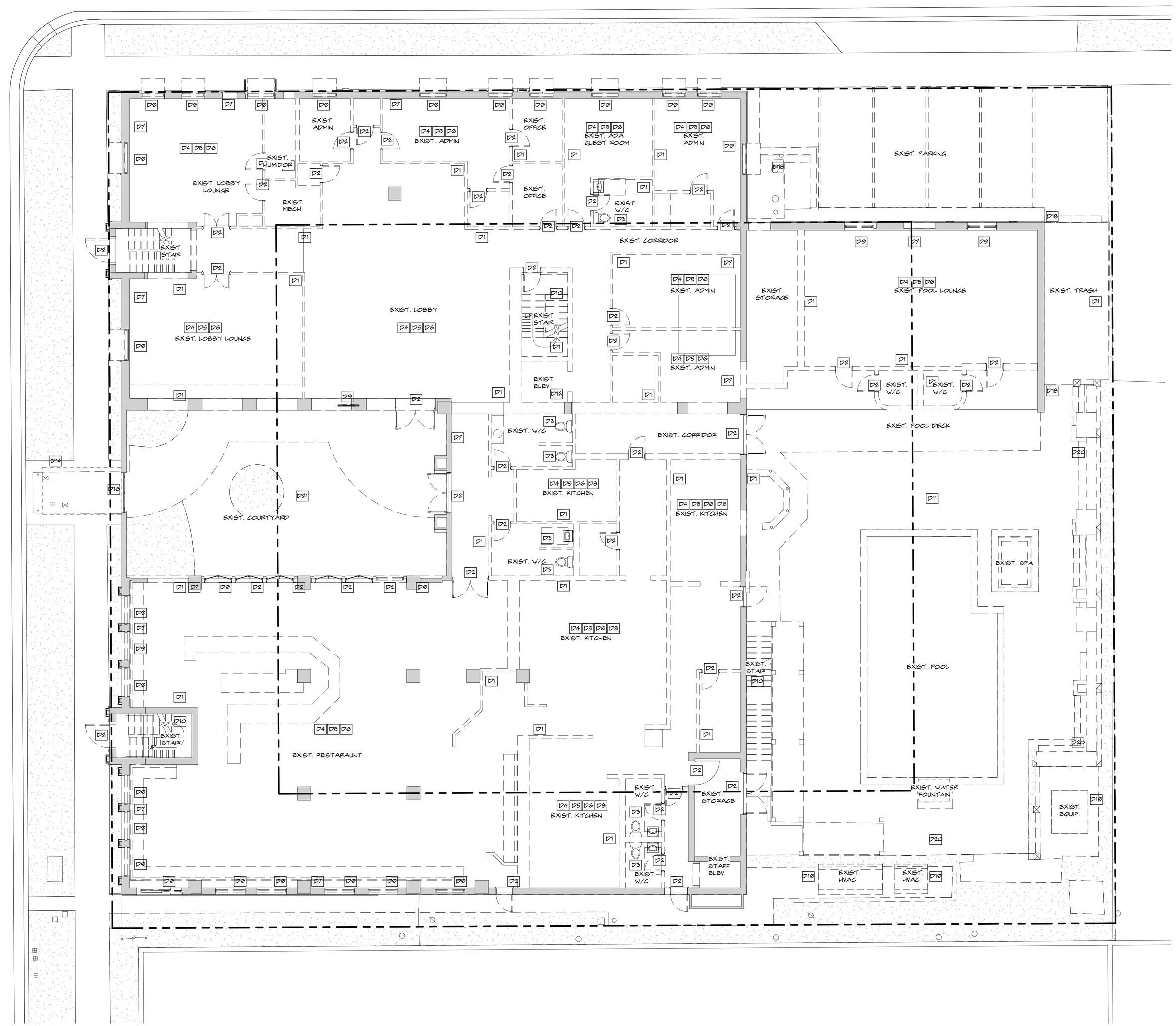

1 AC-2.1.1 **Demolition Ground Floor Plan**
SCALE: 1/8" = 1'-0"

DEMOLITION LEGEND

EXISTING ELEMENT TO REMAIN

ELEMENT TO BE REMOVED

DRAWING IS INTENDED TO CONVEY CONCEPTUAL MATERIAL REMOVAL AND DOES NOT REFLECT A FINAL DEMOLITION PLAN FOR CONSTRUCTION. THIS DRAWING IS SUBJECT TO CHANGE DURING DEVELOPMENT OF CONSTRUCTION DOCUMENTS

DEMOLITION KEY NOTES

D1 REMOVE EXISTING WALL OR PORTION OF AS SHOWN ON PLAN. REMOVAL SHALL INCLUDE ANY AND ALL GYPSUM BOARD, BATT INSULATION, BASE AND TRIM STUDS, TOP AND BOTTOM RUNNERS AND ANY EXISTING BRACING AND BLOCKING THAT MAY BE PRESENT.

D2 REMOVE EXISTING DOOR, FRAME, HARDWARE, AND ALL RELATED ACCESSORIES.

D3 REMOVE ALL EXISTING PLUMBING FIXTURES AND RELATED ACCESSORIES.

D4 REMOVE ALL INTERIOR FINISHES, ALL MILLWORK, ELECTRICAL FIXTURES AND ALL RELATED ACCESSORIES

D5 REMOVE EXISTING AC EQUIPMENT, DUCTWORK AND ALL RELATED ACCESSORIES, SEE MECHANICAL DEMOLITION DRAWINGS.

D6 REMOVE ALL EXISTING CEILING AND CEILING FIXTURES

D7 REMOVE EXIST. WALL AS REQUIRED BY NEW OPENING

D8 REMOVE ALL KITCHEN EQUIPMENT

D9 REMOVE EXISTING WINDOW, FRAME, HARDWARE, ALL RELATED ACCESSORIES, AND SILLS

D10 REMOVE EXISTING CONCRETE STAIR

D11 REMOVE EXISTING POOL DECK, WOOD PERGOLA, WATER FAUNTAIN, POOL AND SPA

D12 REMOVE EXISTING ELEVATOR

D13 REMOVE EXISTING FLOOR SLAB / BALCONY

D14 REMOVE EXISTING AWNING

D15 REMOVE EXISTING RAILING, BALCONY OR LANDING TO REMAIN

D16 REMOVE EXISTING GATE

D17 REMOVE EXISTING WALL RECESSED HVAC UNIT

D18 REMOVE EXISTING WOOD TRASH ENCLOSURE/ WOOD WALL & GATE

D19 REMOVE EXISTING POOL EQUIPMENT AND ALL RELATED ACCESSORIES

D20 REMOVE EXISTING EXTERIOR CONCRETE WALL, PLANTERS AND BENCHES

D21 REMOVE EXISTING DECK, ELECTRICAL FIXTURES AND ALL RELATED ACCESSORIES

D22 REMOVE EXISTING GUTTER

D23 REMOVE EXISTING ASPHALT OR PAVING

D24 REMOVE EXISTING FOUNTAIN

D25 REMOVE EXISTING SPA

D26 REMOVE EXISTING DECK AS REQUIRED BY NEW POOL FOOTPRINT

D27 REMOVE EXISTING GREASE TRAP

D28 REMOVE EXISTING ELECTRICAL PANELS

D29 REMOVE EXISTING EXHAUST DUCT AND CHASE

D30 REMOVE EXISTING MECHANICAL EQUIPMENT

D31 REMOVE EXISTING ROOFING, DECK AND ROOF DRAINS

D32 REMOVE EXISTING BARREL TILE SCREEN AND PARAPET AS REQUIRED TO REPAIR

D33 REMOVE EXISTING BARREL TILE AND SHEATHING

D34 REMOVE EXISTING FLOOR OR ROOF FRAMING AS REQUIRED BY NEW ELEVATOR AND STAIRS. REFER TO STRUCTURAL DRAWINGS

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DEMOLITION FLOOR PLAN - GROUND FLOOR

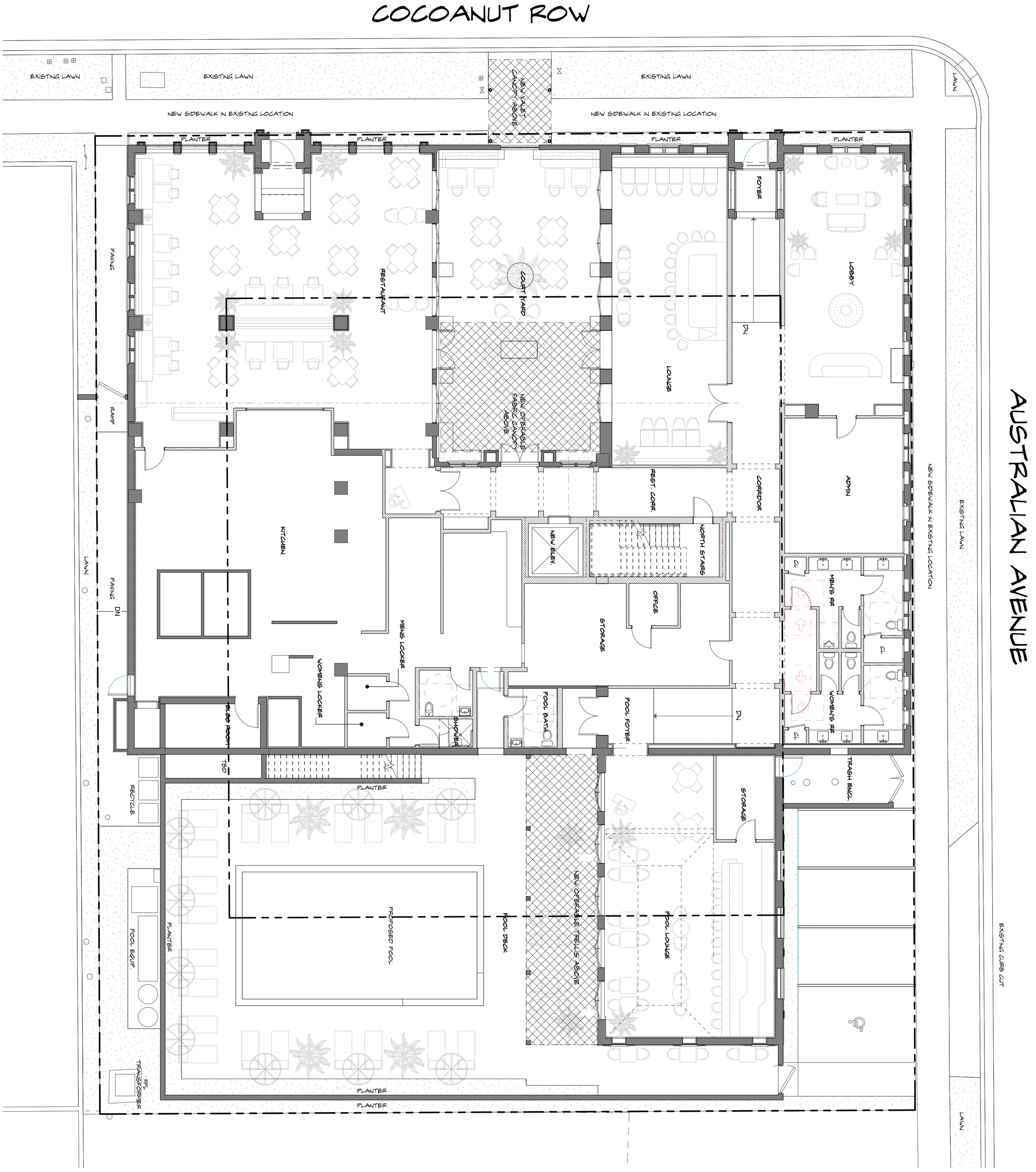
AC-2.1.1

12/8/2022 2:42:34 PM

1 AC-2.1.2

Proposed Ground Floor Plan

SCALE: 1/8" = 1'-0"



PROPOSED FLOOR PLAN - GROUND FLOOR

AC-2.1.2

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

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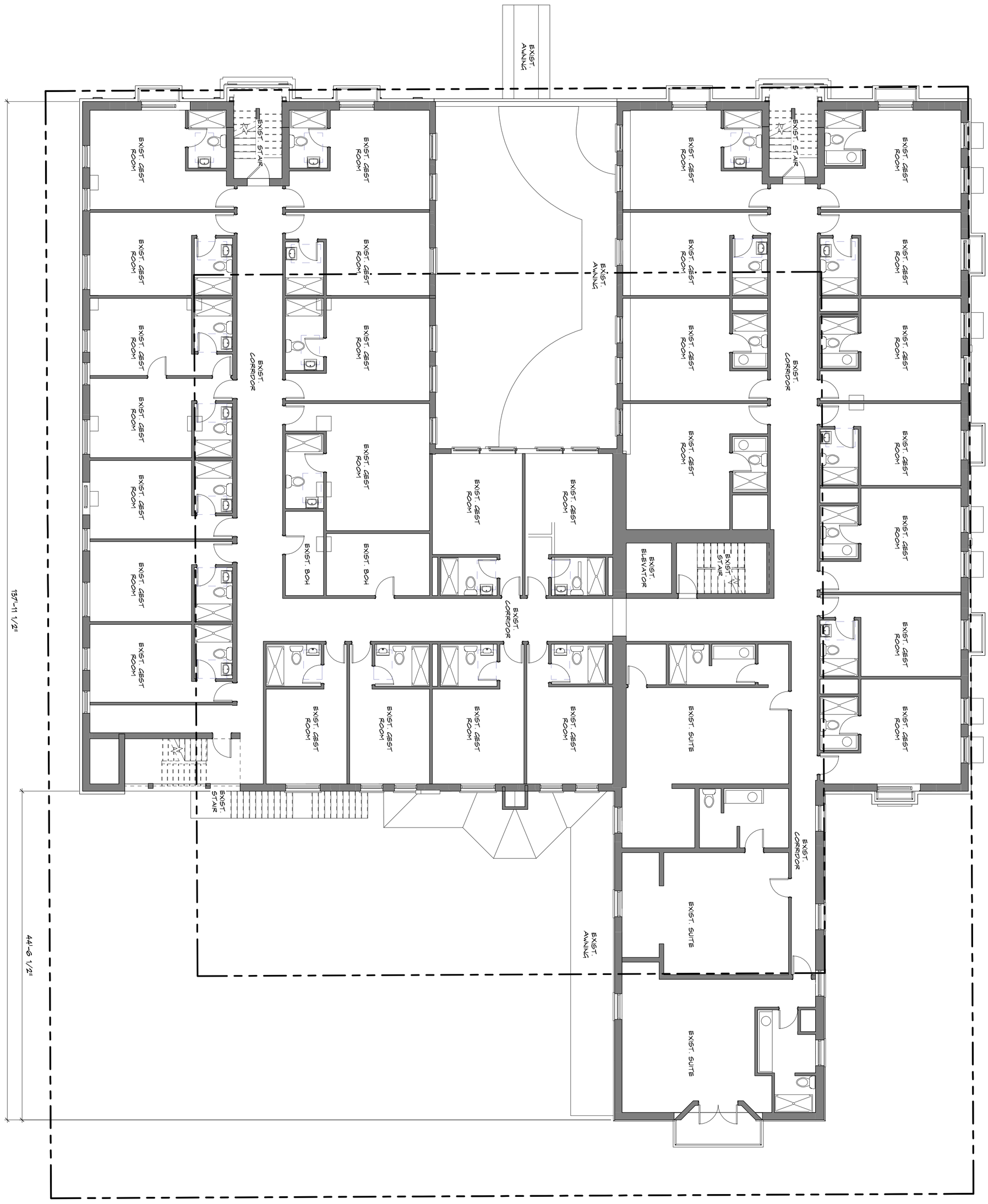
1 AC-2.2.0

Existing Second Floor Plan

SCALE: 1/8" = 1'-0"



EXISTING FLOOR PLAN - SECOND FLOOR

AC-2.2.0

Project no: 22028
Date: 10.24.2022
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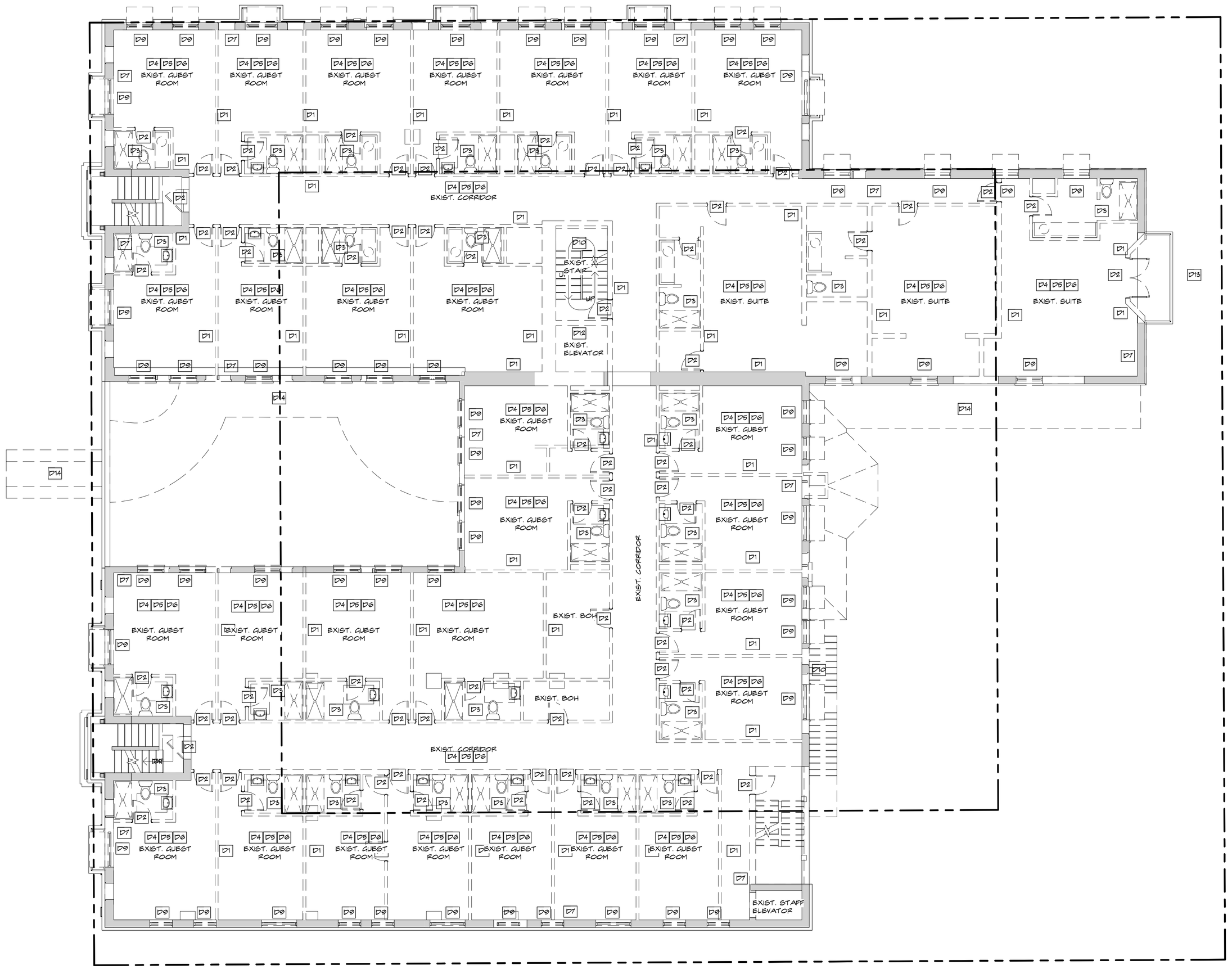

1 AC-2.2.1 **Demolition Second Floor Plan**
SCALE: 1/8" = 1'-0"

DEMOLITION LEGEND

EXISTING ELEMENT TO REMAIN

ELEMENT TO BE REMOVED

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DEMOLITION KEY NOTES

D1 REMOVE EXISTING WALL OR PORTION OF AS SHOWN ON PLAN. REMOVAL SHALL INCLUDE ANY AND ALL GYPSUM BOARD, BATT INSULATION, BASE AND TRIM STUDS, TOP AND BOTTOM RUNNERS AND ANY EXISTING BRACING AND BLOCKING THAT MAY BE PRESENT.

D2 REMOVE EXISTING DOOR, FRAME, HARDWARE, AND ALL RELATED ACCESSORIES.

D3 REMOVE ALL EXISTING PLUMBING FIXTURES AND RELATED ACCESSORIES.

D4 REMOVE ALL INTERIOR FINISHES, ALL MILLWORK, ELECTRICAL FIXTURES AND ALL RELATED ACCESSORIES

D5 REMOVE EXISTING AC EQUIPMENT, DUCTWORK AND ALL RELATED ACCESSORIES, SEE MECHANICAL DEMOLITION DRAWINGS.

D6 REMOVE ALL EXISTING CEILING AND CEILING FIXTURES

D7 REMOVE EXIST. WALL AS REQUIRED BY NEW OPENING

D8 REMOVE ALL KITCHEN EQUIPMENT

D9 REMOVE EXISTING WINDOW, FRAME, HARDWARE, ALL RELATED ACCESSORIES, AND SILLS

D10 REMOVE EXISTING CONCRETE STAIR

D11 REMOVE EXISTING POOL DECK, WOOD PERGOLA, WATER FAUNTAIN, POOL AND SPA

D12 REMOVE EXISTING ELEVATOR

D13 REMOVE EXISTING FLOOR SLAB / BALCONY

D14 REMOVE EXISTING AWNING

D15 REMOVE EXISTING RAILING, BALCONY OR LANDING TO REMAIN

D16 REMOVE EXISTING GATE

D17 REMOVE EXISTING WALL RECESSED HVAC UNIT

D18 REMOVE EXISTING WOOD TRASH ENCLOSURE/ WOOD WALL & GATE

D19 REMOVE EXISTING POOL EQUIPMENT AND ALL RELATED ACCESSORIES

D20 REMOVE EXISTING EXTERIOR CONCRETE WALL, PLANTERS AND BENCHES

D21 REMOVE EXISTING DECK, ELECTRICAL FIXTURES AND ALL RELATED ACCESSORIES

D22 REMOVE EXISTING GUTTER

D23 REMOVE EXISTING ASPHALT OR PAVING

D24 REMOVE EXISTING FOUNTAIN

D25 REMOVE EXISTING SPA

D26 REMOVE EXISTING DECK AS REQUIRED BY NEW POOL FOOTPRINT

D27 REMOVE EXISTING GREASE TRAP

D28 REMOVE EXISTING ELECTRICAL PANELS

D29 REMOVE EXISTING EXHAUST DUCT AND CHASE

D30 REMOVE EXISTING MECHANICAL EQUIPMENT

D31 REMOVE EXISTING ROOFING, DECK AND ROOF DRAINS

D32 REMOVE EXISTING BARREL TILE SCREEN AND PARAPET AS REQUIRED TO REPAIR

D33 REMOVE EXISTING BARREL TILE AND SHEATHING

D34 REMOVE EXISTING FLOOR OR ROOF FRAMING AS REQUIRED BY NEW ELEVATOR AND STAIRS. REFER TO STRUCTURAL DRAWINGS

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561.684.6844 • Fax 561.684.5594
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FL LIC # AA0003399

SPINA O'ROURKE + PARTNERS
Architecture • Interior Design
Keith M. Spina # AR13419

RENOVATION OF
The Vineta Hotel
363 Cocoanut Row, Palm Beach, FL 33480

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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

DEMOLITION FLOOR PLAN - SECOND FLOOR

AC-2.2.1

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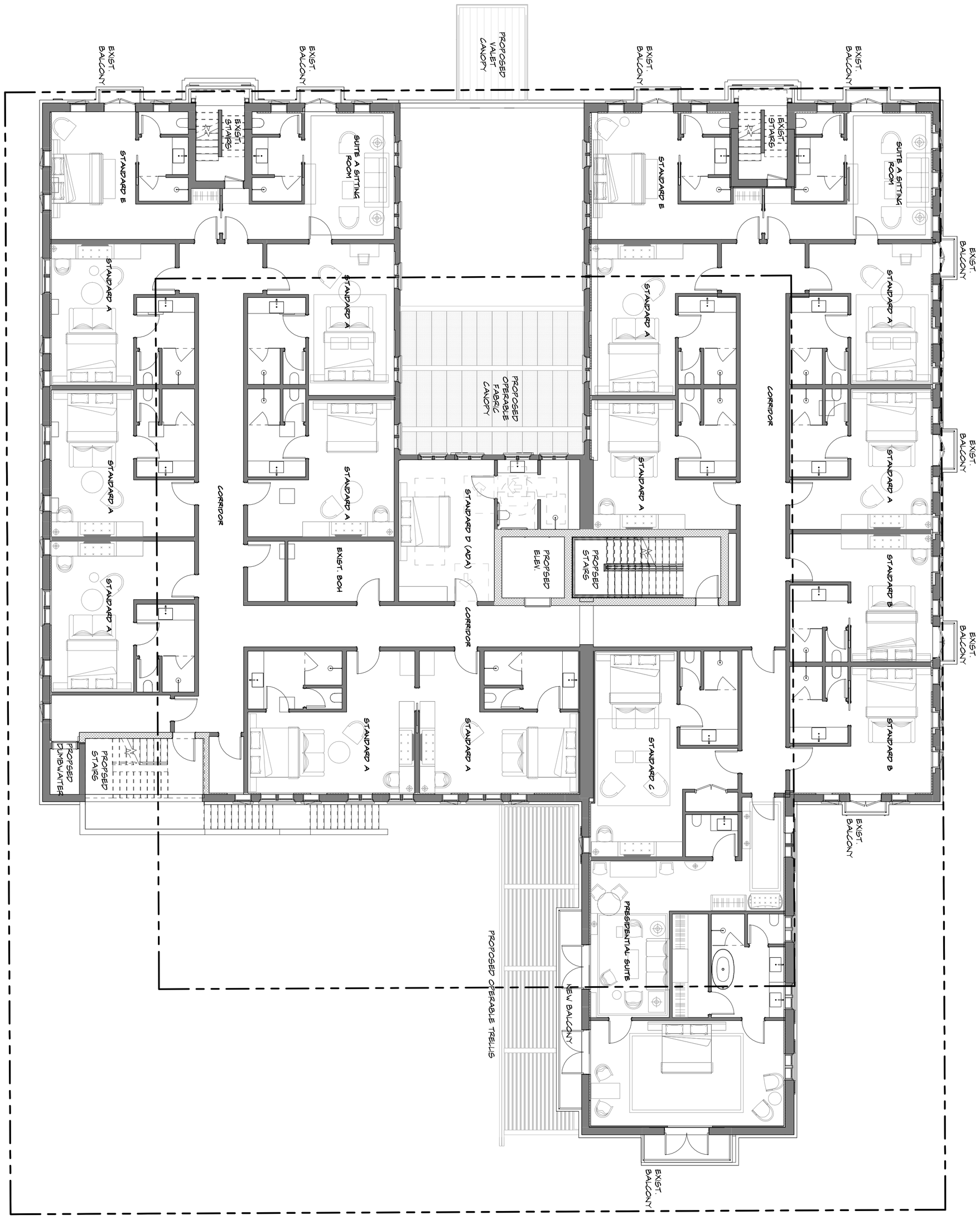
1/50.1" P 95%

1 AC-2.2.2

Proposed Second Floor Plan

SCALE: 1/8" = 1'-0"



ROOM KEY COUNT		
	EXISTING	PROPOSED
SECOND FLOOR	31	20
THIRD FLOOR	28	19
FOURTH FLOOR	2	2
TOTAL	61	41

PROPOSED FLOOR PLAN - SECOND FLOOR

AC-2.2.2

Project no: 22028
Date: 10.24.2022
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Project Manager: Checker

Revisions:

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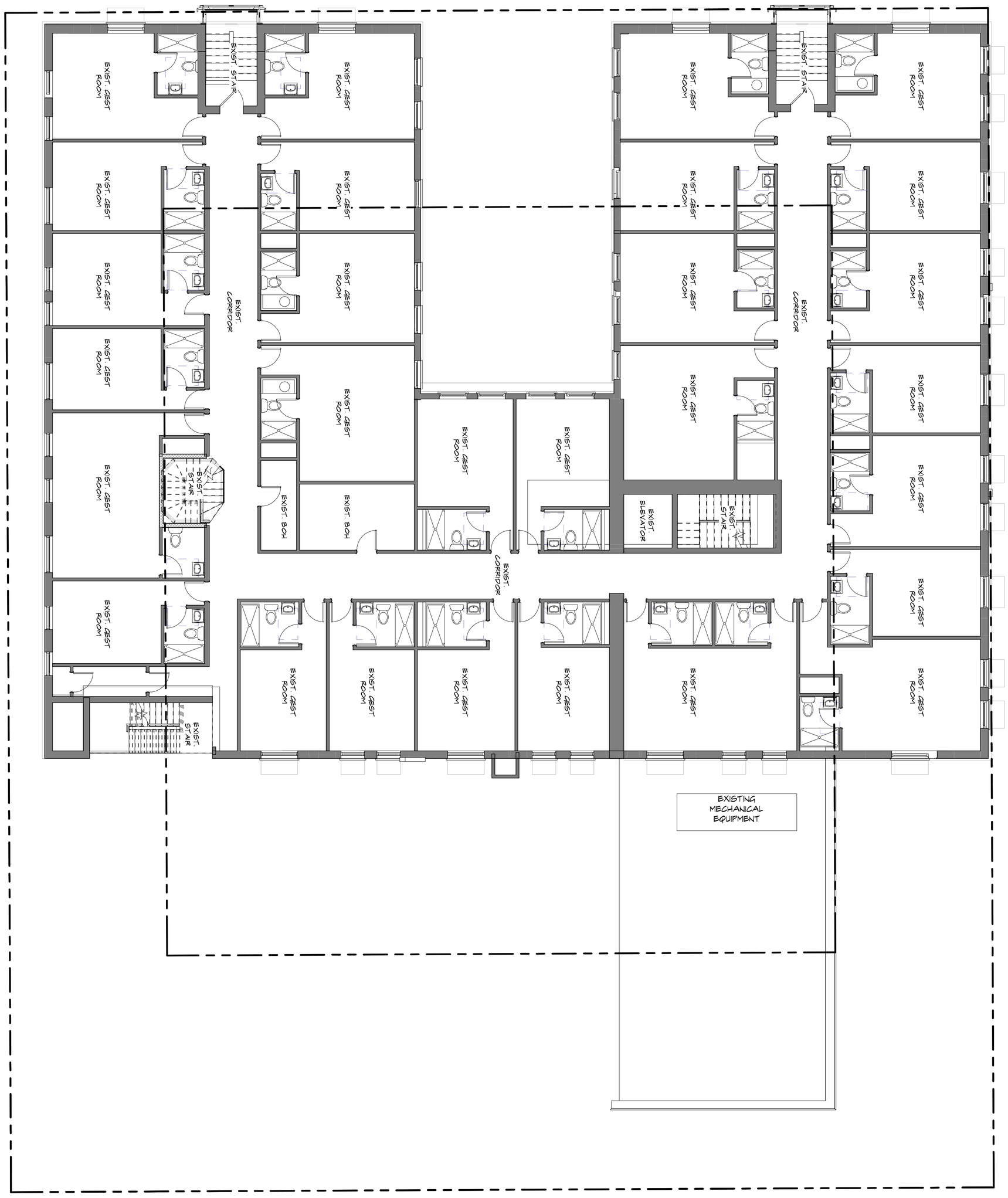
1 AC-2.3.0

Existing Third Floor Plan

SCALE: 1/8" = 1'-0"



EXISTING FLOOR PLAN - THIRD FLOOR

AC-2.3.0

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Date: 10.24.2022
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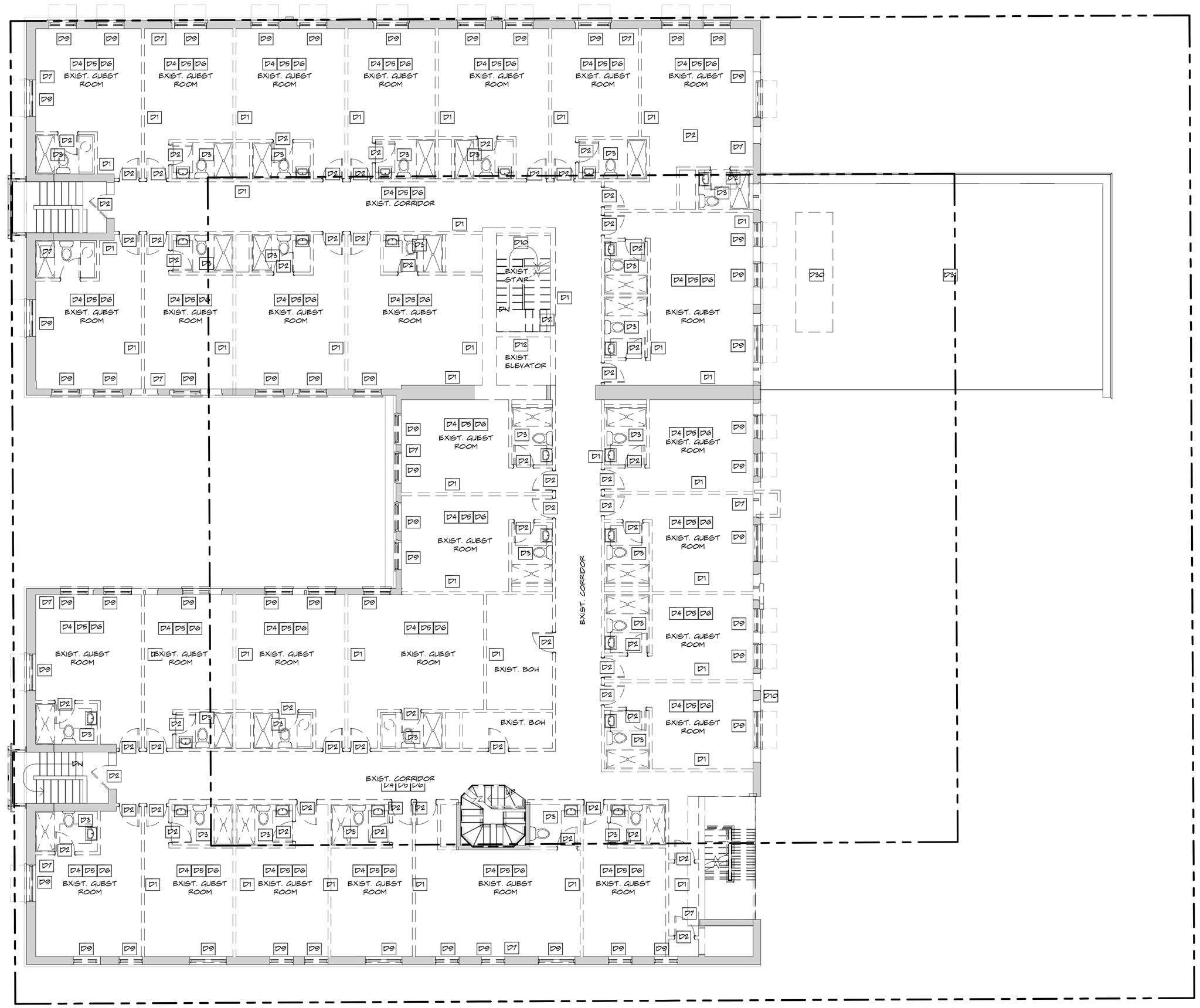

1 AC-2.3.1 **Demolition Third Floor Plan**
SCALE: 1/8" = 1'-0"

DEMOLITION LEGEND

EXISTING ELEMENT TO REMAIN

ELEMENT TO BE REMOVED

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RENOVATION OF
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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

N W E S

DEMOLITION FLOOR PLAN - THIRD FLOOR

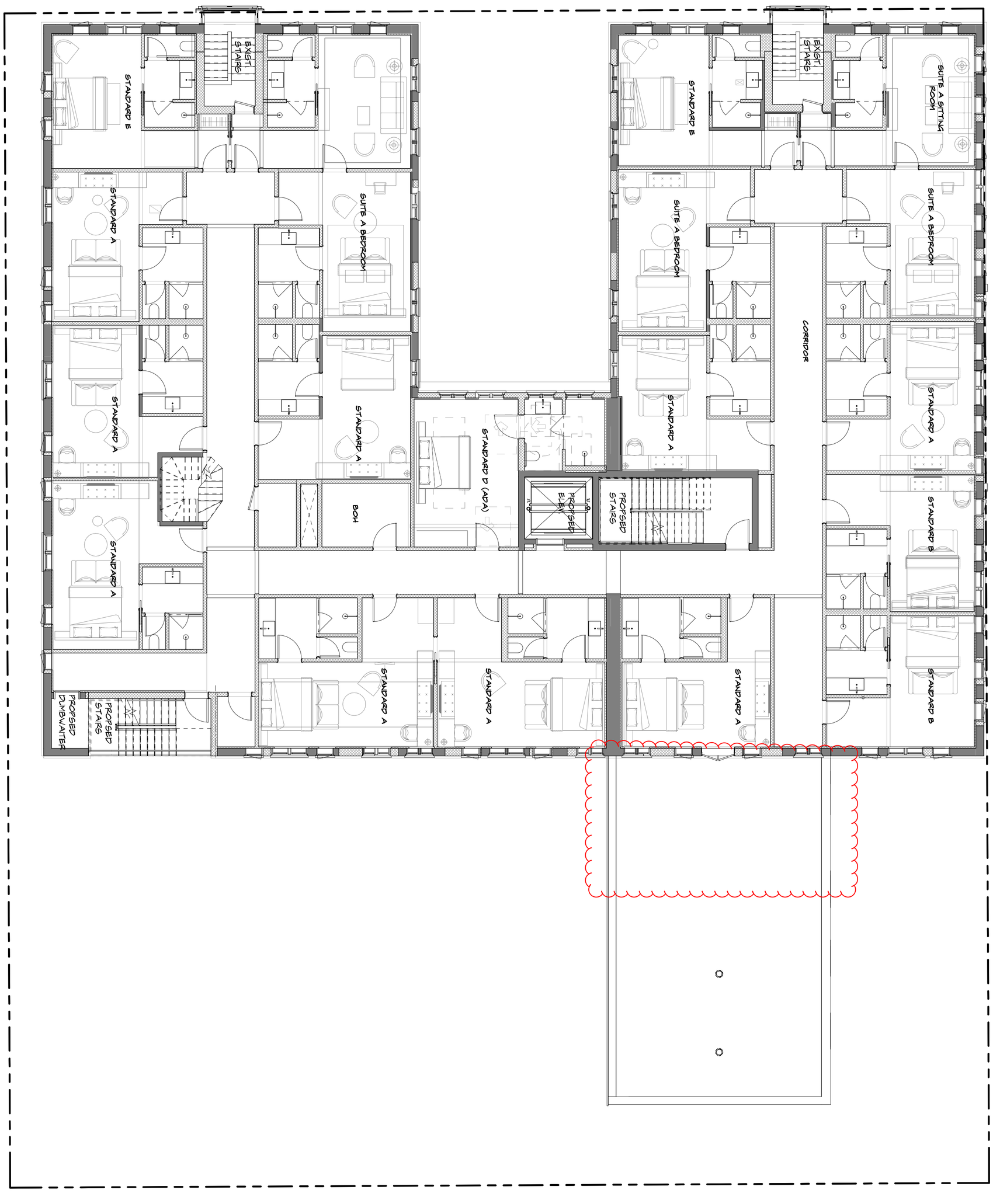
AC-2.3.1

TC Development Review Meeting Backup 4-04-2023
Autodesk Docs://The Vineta/The Vineta.rvt
159 of 1057
12/8/2022 2:42:50 PM

1 AC-2.3.2

Proposed Third Floor Plan

SCALE: 1/8" = 1'-0"



ROOM KEY COUNT

	EXISTING	PROPOSED
SECOND FLOOR	31	20
THIRD FLOOR	28	19
FOURTH FLOOR	2	2
TOTAL	61	41

PROPOSED FLOOR PLAN - THIRD FLOOR

AC-2.3.2
CONSTRUCTION DOCUMENTS

Project no: 22028
Date: 02.21.2023
Drawn by: Author
Project Manager: NF

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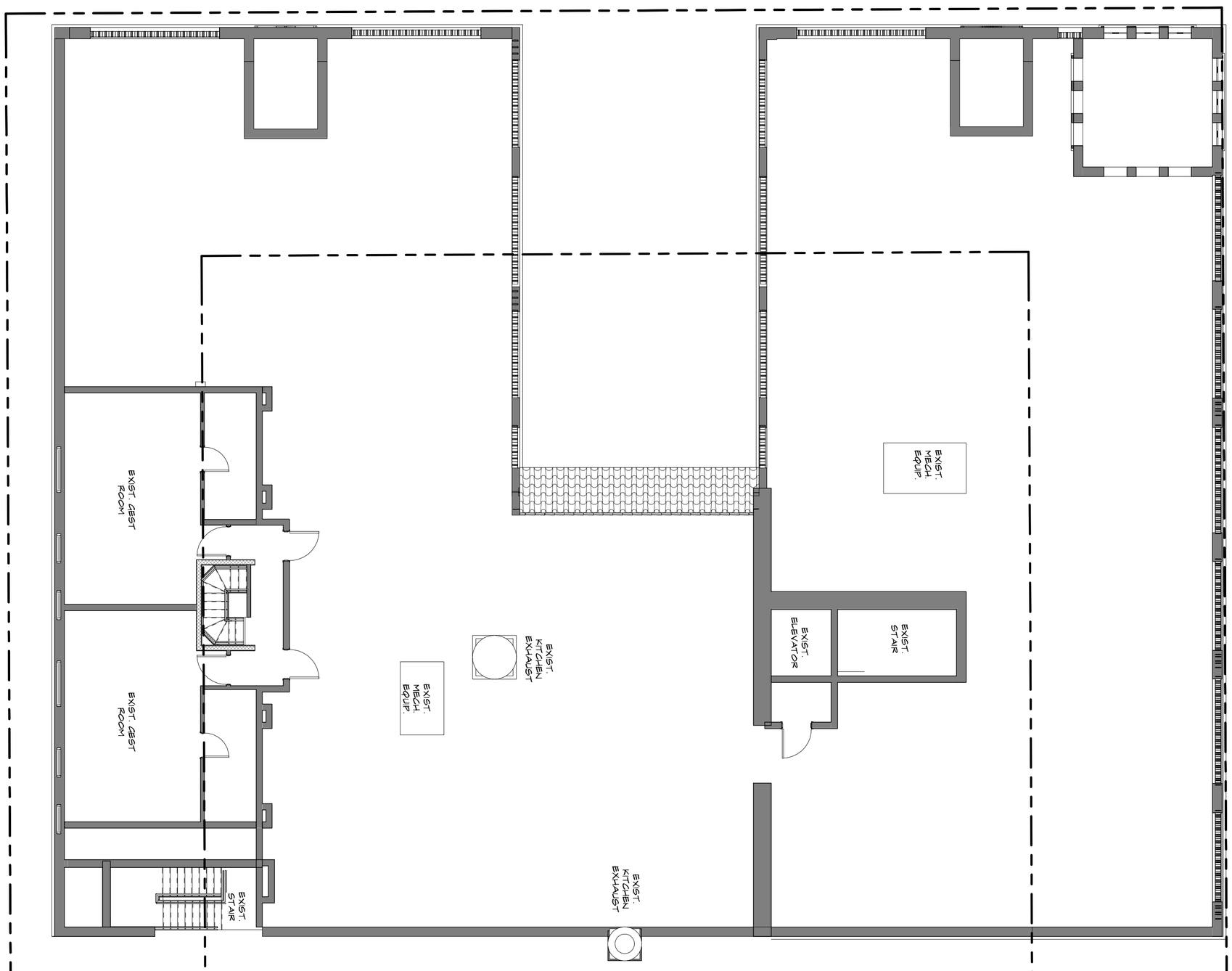
1 AC-2.4.0

Existing Fourth Floor & Roof Plan

SCALE: 1/8" = 1'-0"



EXISTING FLOOR PLAN - FOURTH FLOOR & ROOF PLAN

AC-2.4.0

Project no: 22028
Date: 10.24.2022
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Project Manager: Checker

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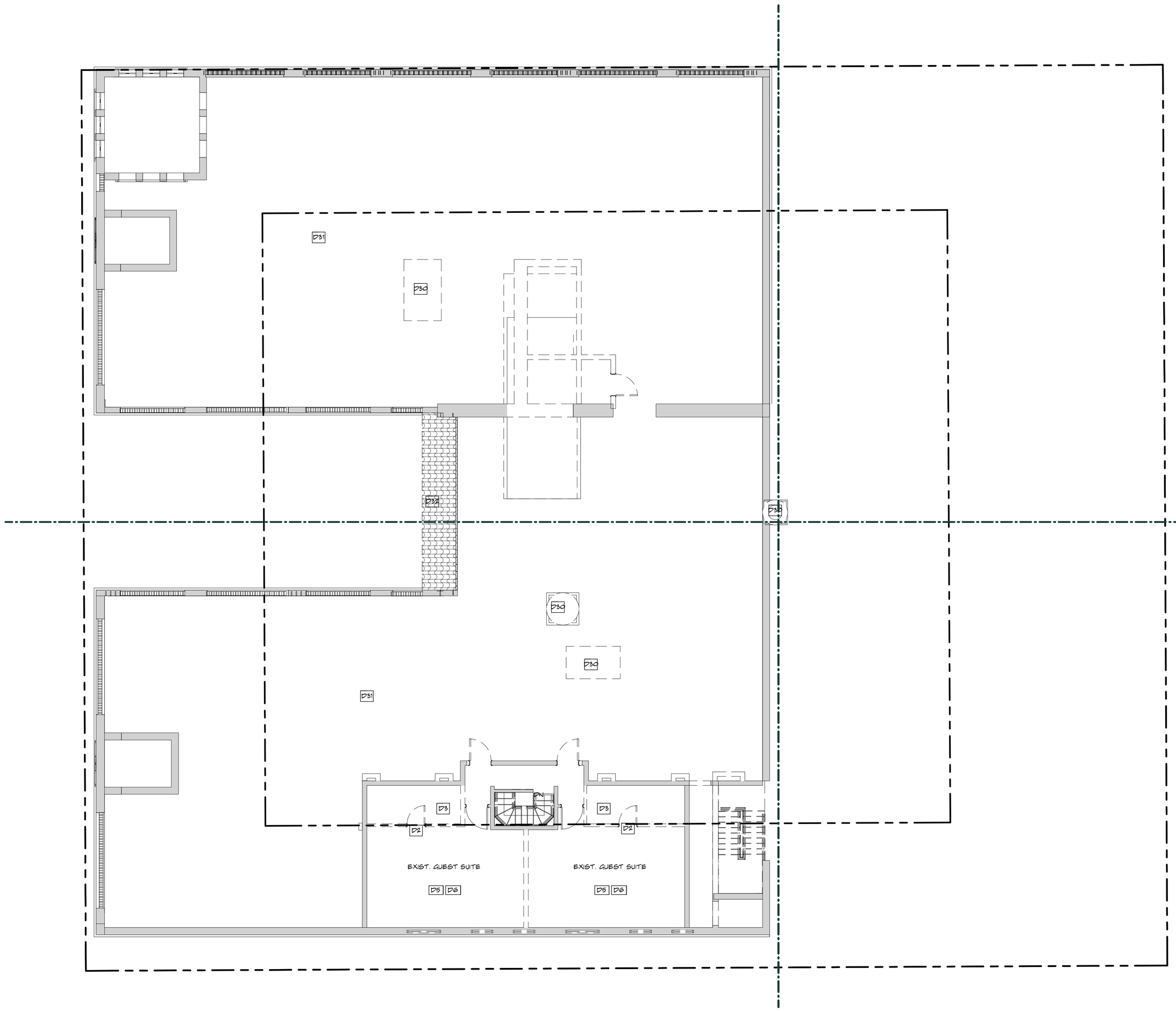

1 AC-2.4.1 **Demolition Fourth Floor & Roof Plan**
SCALE: 1/8" = 1'-0"

DEMOLITION LEGEND

EXISTING ELEMENT TO REMAIN

ELEMENT TO BE REMOVED

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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

N W E S

DEMOLITION FLOOR PLAN - FOURTH FLOOR & ROOF PLAN

AC-2.4.1

TC Development Review Meeting Backup 4-04-2023
Autodesk Docs://The Vineta/The Vineta.rvt
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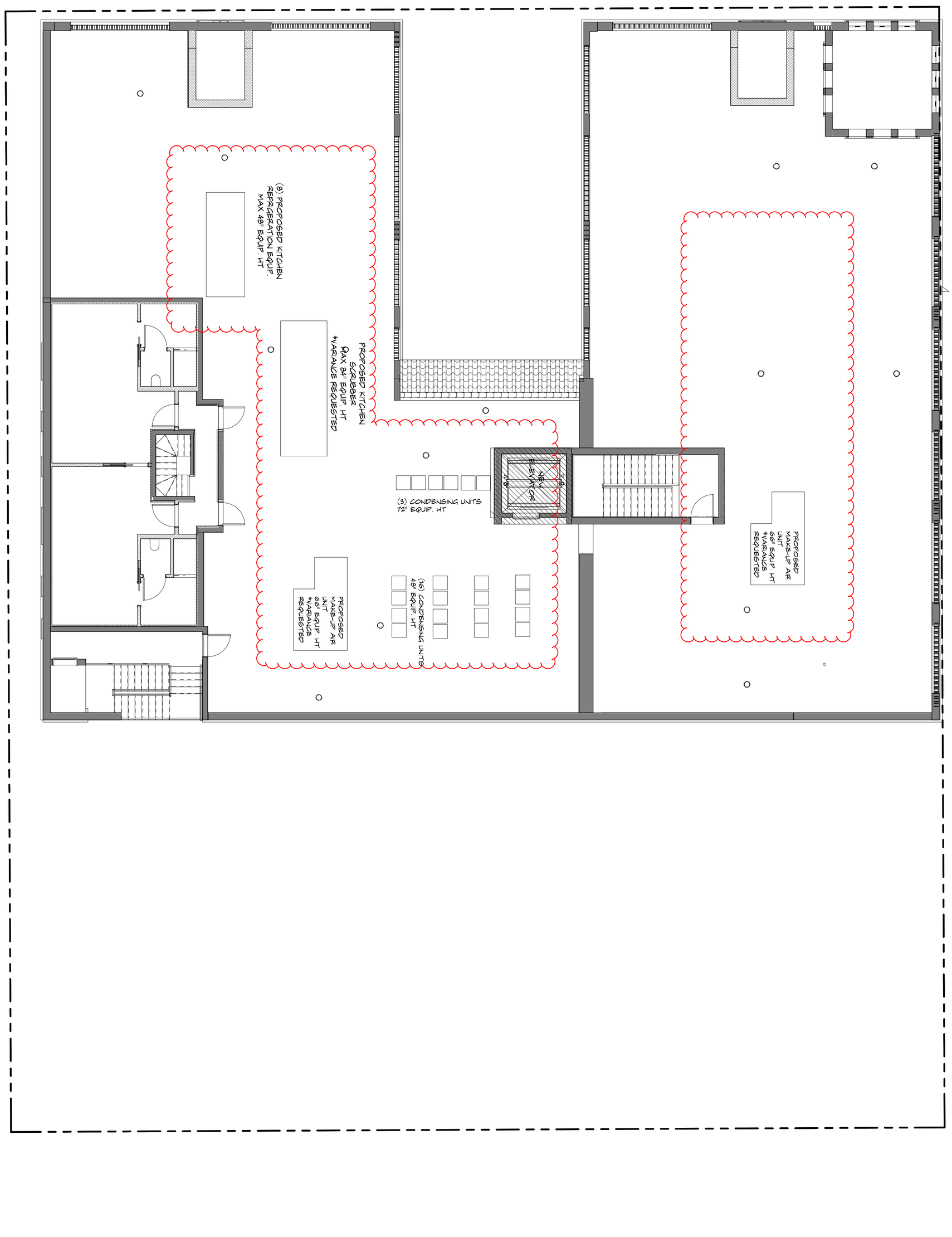
1 AC-2.4.2

Proposed Fourth Floor & Roof Plan

SCALE: 1/8" = 1'-0"



ROOM KEY COUNT

	EXISTING	PROPOSED
SECOND FLOOR	31	20
THIRD FLOOR	28	19
FOURTH FLOOR	2	2
TOTAL	61	41

PROPOSED FLOOR PLAN - FOURTH FLOOR & ROOF PLAN

AC-2.4.2
CONSTRUCTION DOCUMENTS

Project no: 22028
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Project Manager: NF

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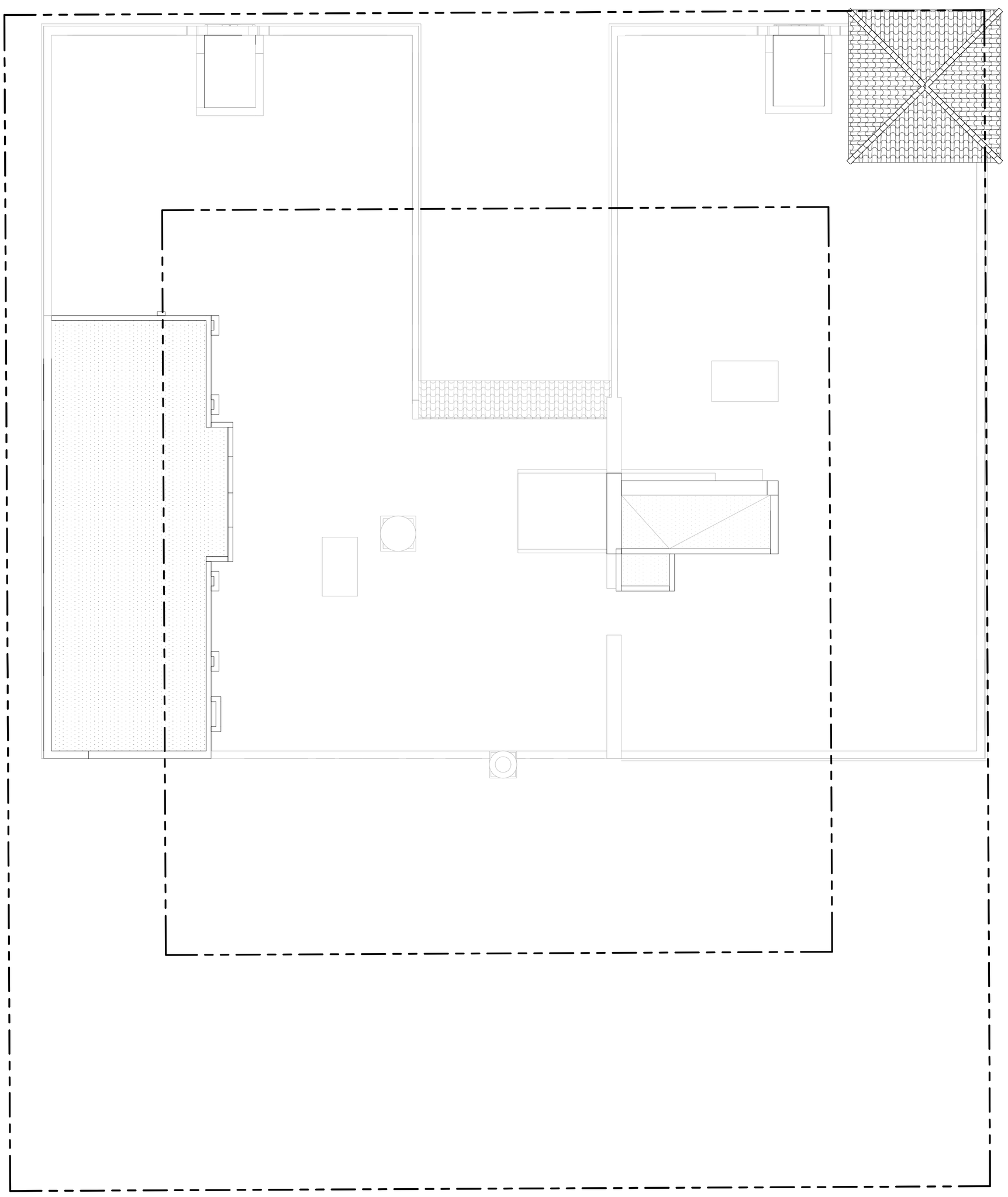
1 AC-3.1.0

Existing High Roof Plan

SCALE: 1/8" = 1'-0"



EXISTING HIGH ROOF PLAN

AC-3.1.0

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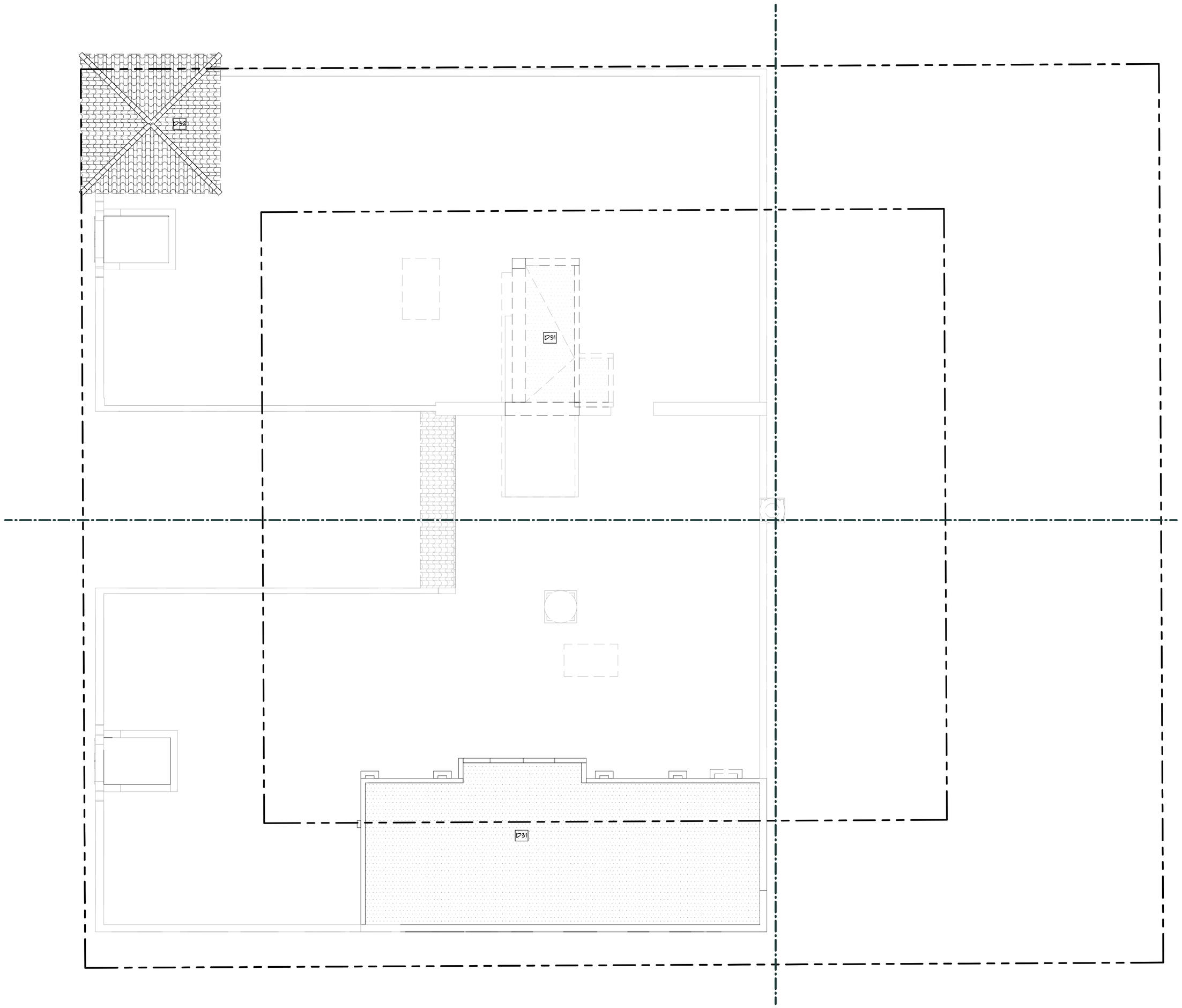

1 AC-3.1.1 **Demolition Roof Plan**
SCALE: 1/8" = 1'-0"

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Revisions:

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N W E S

DEMOLITION HIGH ROOF PLAN

AC-3.1.1

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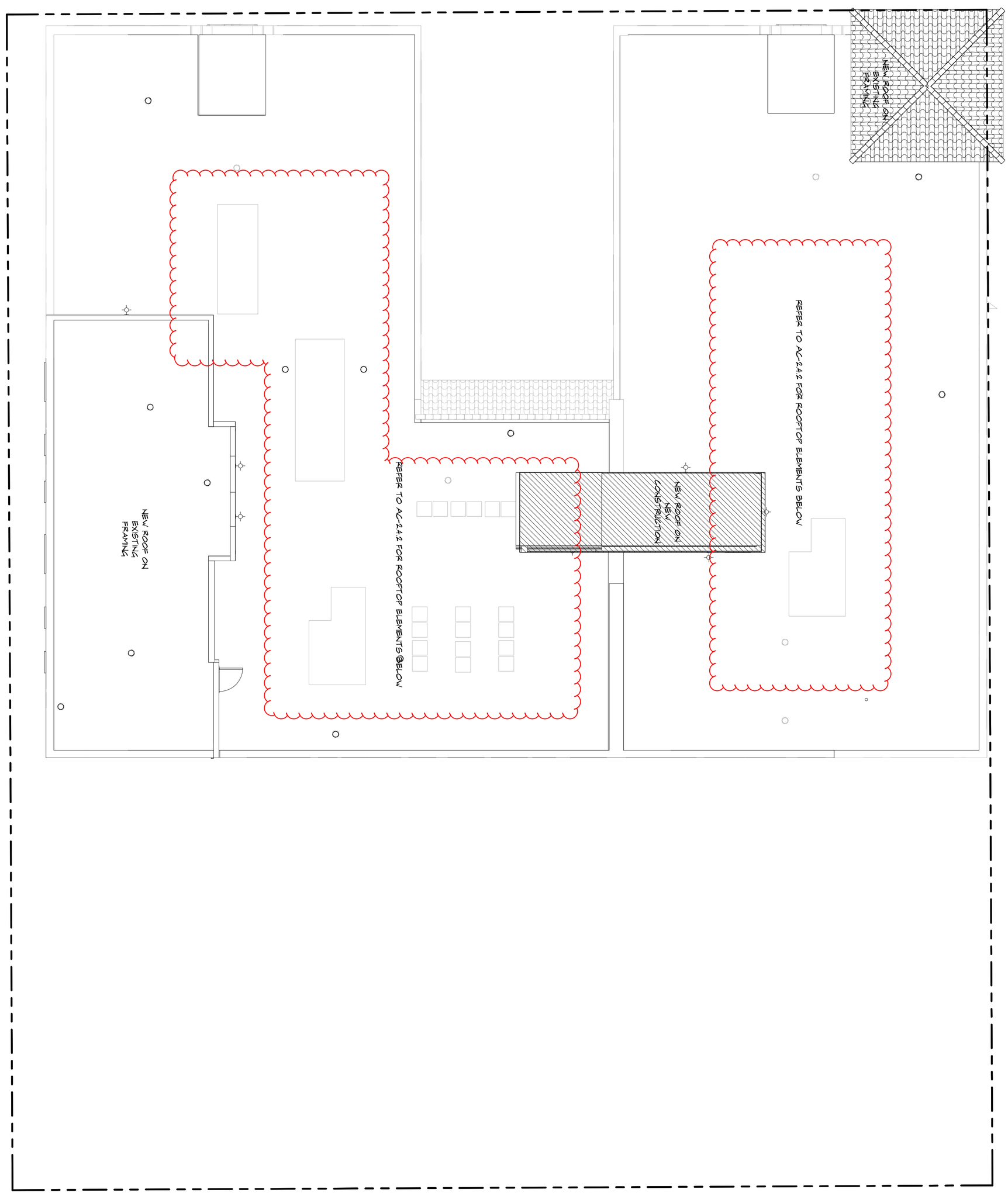
165 of 1057

Proposed Roof Plan

1 AC-3.1.2

SCALE: 1/8" = 1'-0"



PROPOSED HIGH ROOF PLAN

AC-3.1.2

CONSTRUCTION DOCUMENTS

Project no: 22028
Date: 02.21.2023
Drawn by: Author
Project Manager: NF

Revisions:

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RENOVATION OF
The Vineta Hotel

363 Cocoanut Row, Palm Beach, FL 33480

SPINAOROURKE + PARTNERS
Architecture • Interior Design
Keith M. Spina # AR13419

285 Banyan Blvd
West Palm Beach Florida 33401
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spinaorourke.com
FL Lic # AA26002399

TC Development Review Meeting Redraw - 4-04-2023
Autodesk Docs://The Vineta/The Vineta.rvt

1 AC-4.1.0 **DEMOLITION ELEVATION - EAST**
SCALE: 1/8" = 1'-0"

2 AC-4.1.0 **DEMOLITION ELEVATION - WEST**
SCALE: 1/8" = 1'-0"

DEMOLITION LEGEND

EXISTING ELEMENT TO REMAIN

ELEMENT TO BE REMOVED

DRAWING IS INTENDED TO CONVEY CONCEPTUAL MATERIAL REMOVAL AND DOES NOT REFLECT A FINAL DEMOLITION PLAN FOR CONSTRUCTION. THIS DRAWING IS SUBJECT TO CHANGE DURING DEVELOPMENT OF CONSTRUCTION DOCUMENTS

DEMOLITION KEY NOTES

D1 REMOVE EXISTING WALL OR PORTION OF AS SHOWN ON PLAN. REMOVAL SHALL INCLUDE ANY AND ALL GYPSUM BOARD, BATT INSULATION, BASE AND TRIM STUDS, TOP AND BOTTOM RUNNERS AND ANY EXISTING BRACING AND BLOCKING THAT MAY BE PRESENT.

D2 REMOVE EXISTING DOOR, FRAME, HARDWARE, AND ALL RELATED ACCESSORIES.

D3 REMOVE ALL EXISTING PLUMBING FIXTURES AND RELATED ACCESSORIES.

D4 REMOVE ALL INTERIOR FINISHES, ALL MILLWORK, ELECTRICAL FIXTURES AND ALL RELATED ACCESSORIES

D5 REMOVE EXISTING AC EQUIPMENT, DUCTWORK AND ALL RELATED ACCESSORIES, SEE MECHANICAL DEMOLITION DRAWINGS.

D6 REMOVE ALL EXISTING CEILING AND CEILING FIXTURES

D7 REMOVE EXIST. WALL AS REQUIRED BY NEW OPENING

D8 REMOVE ALL KITCHEN EQUIPMENT

D9 REMOVE EXISTING WINDOW, FRAME, HARDWARE, ALL RELATED ACCESSORIES, AND SILLS

D10 REMOVE EXISTING CONCRETE STAIR

D11 REMOVE EXISTING POOL DECK, WOOD PERGOLA, WATER FAUNTAIN, POOL AND SPA

D12 REMOVE EXISTING ELEVATOR

D13 REMOVE EXISTING FLOOR SLAB / BALCONY

D14 REMOVE EXISTING AWNING

D15 REMOVE EXISTING RAILING, BALCONY OR LANDING TO REMAIN

D16 REMOVE EXISTING GATE

D17 REMOVE EXISTING WALL RECESSED HVAC UNIT

D18 REMOVE EXISTING WOOD TRASH ENCLOSURE/ WOOD WALL & GATE

D19 REMOVE EXISTING POOL EQUIPMENT AND ALL RELATED ACCESSORIES

D20 REMOVE EXISTING EXTERIOR CONCRETE WALL, PLANTERS AND BENCHES

D21 REMOVE EXISTING DECK, ELECTRICAL FIXTURES AND ALL RELATED ACCESSORIES

D22 REMOVE EXISTING GUTTER

D23 REMOVE EXISTING ASPHALT OR PAVING

D24 REMOVE EXISTING FOUNTAIN

D25 REMOVE EXISTING SPA

D26 REMOVE EXISTING DECK AS REQUIRED BY NEW POOL FOOTPRINT

D27 REMOVE EXISTING GREASE TRAP

D28 REMOVE EXISTING ELECTRICAL PANELS

D29 REMOVE EXISTING EXHAUST DUCT AND CHASE

D30 REMOVE EXISTING MECHANICAL EQUIPMENT

D31 REMOVE EXISTING ROOFING, DECK AND ROOF DRAINS

D32 REMOVE EXISTING BARREL TILE SCREEN AND PARAPET AS REQUIRED TO REPAIR

D33 REMOVE EXISTING BARREL TILE AND SHEATHING

D34 REMOVE EXISTING FLOOR OR ROOF FRAMING AS REQUIRED BY NEW ELEVATOR AND STAIRS. REFER TO STRUCTURAL DRAWINGS

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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

OVERALL DEMOLITION ELEVATIONS

AC-4.1.0

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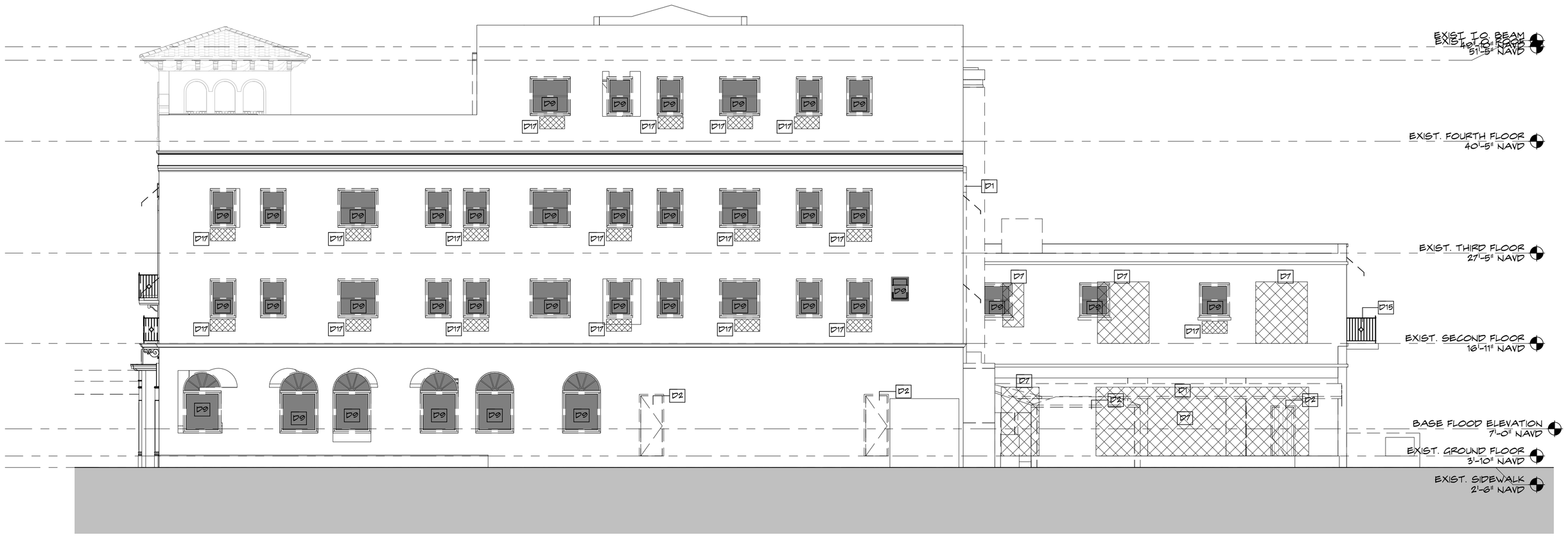
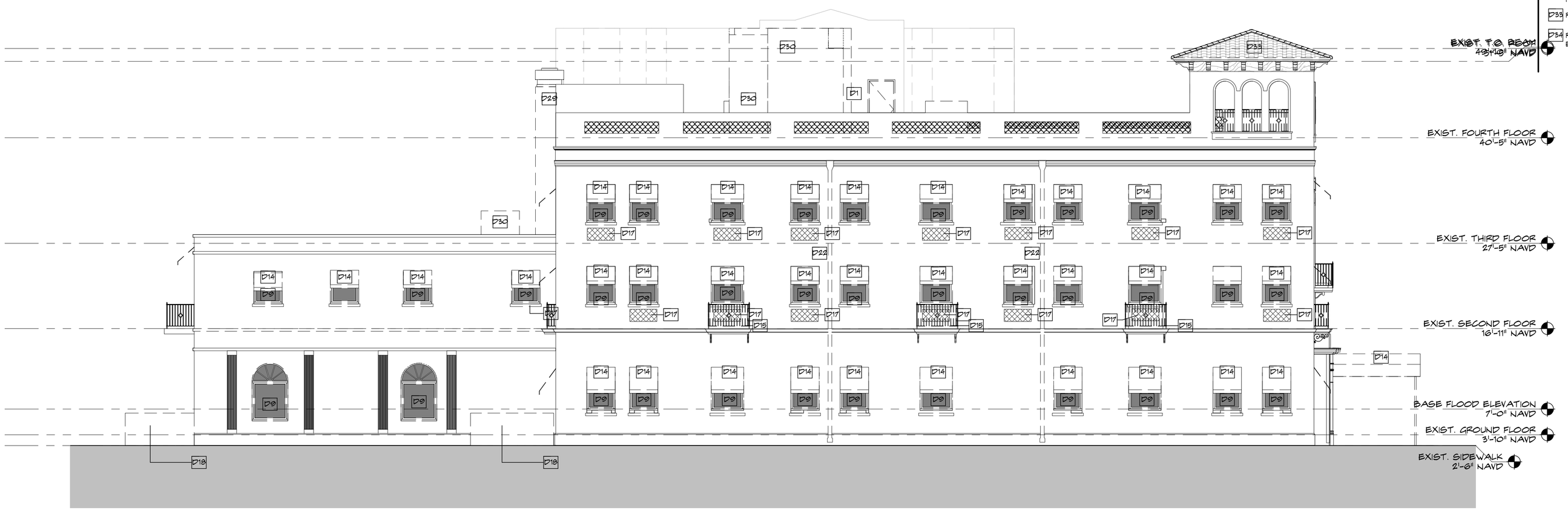


2 AC4.1.1 **DEMOLITION ELEVATION - SOUTH**
SCALE: 1/8" = 1'-0"



1 AC4.1.1 **DEMOLITION ELEVATION - NORTH**
SCALE: 1/8" = 1'-0"

DEMOLITION LEGEND

EXISTING ELEMENT TO REMAIN

ELEMENT TO BE REMOVED

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D25 REMOVE EXISTING SPA

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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

OVERALL DEMOLITION ELEVATIONS

AC-4.1.1

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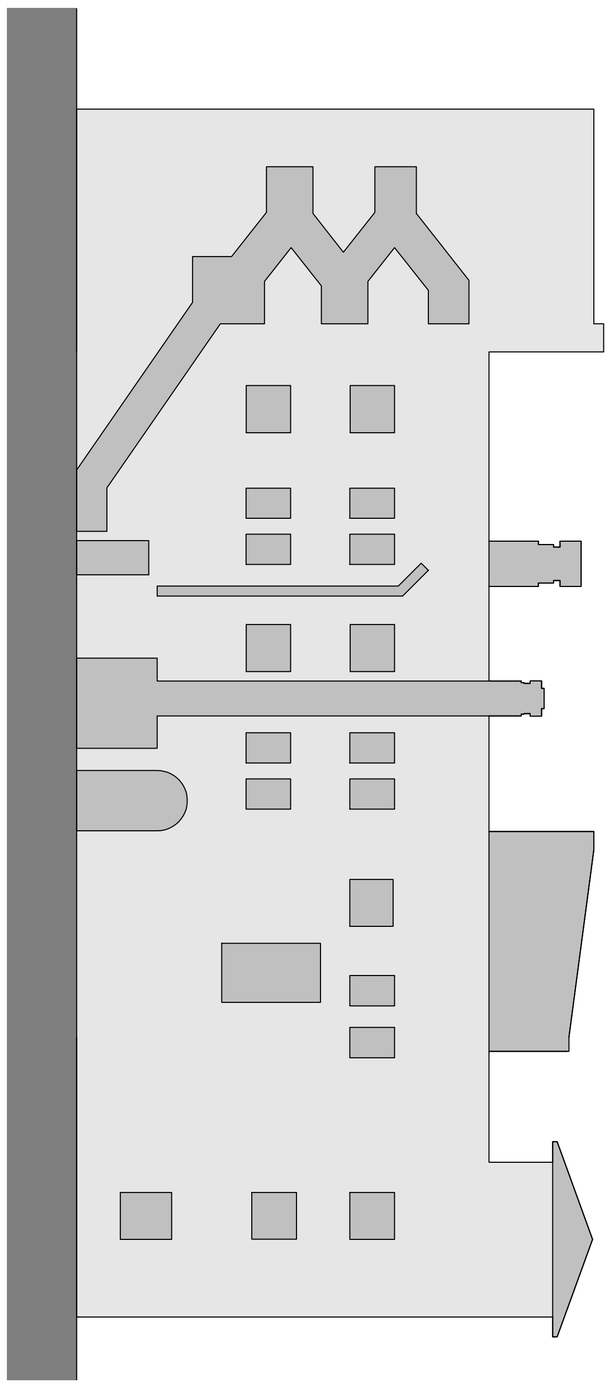
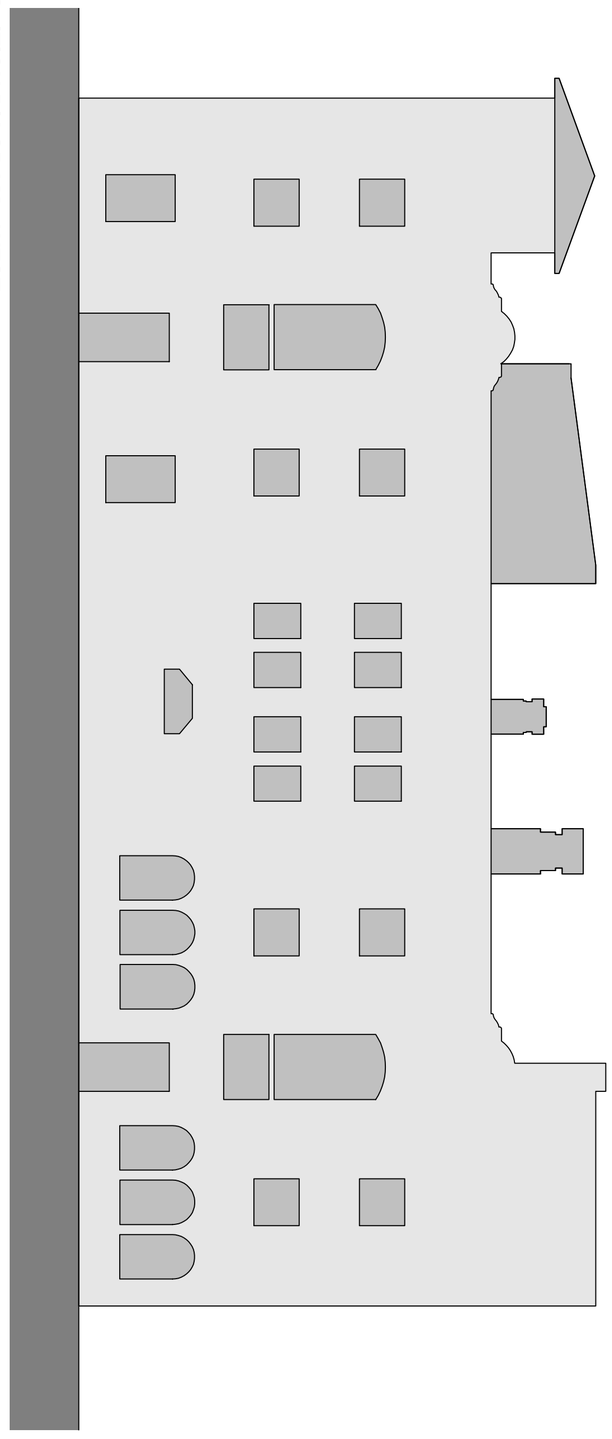


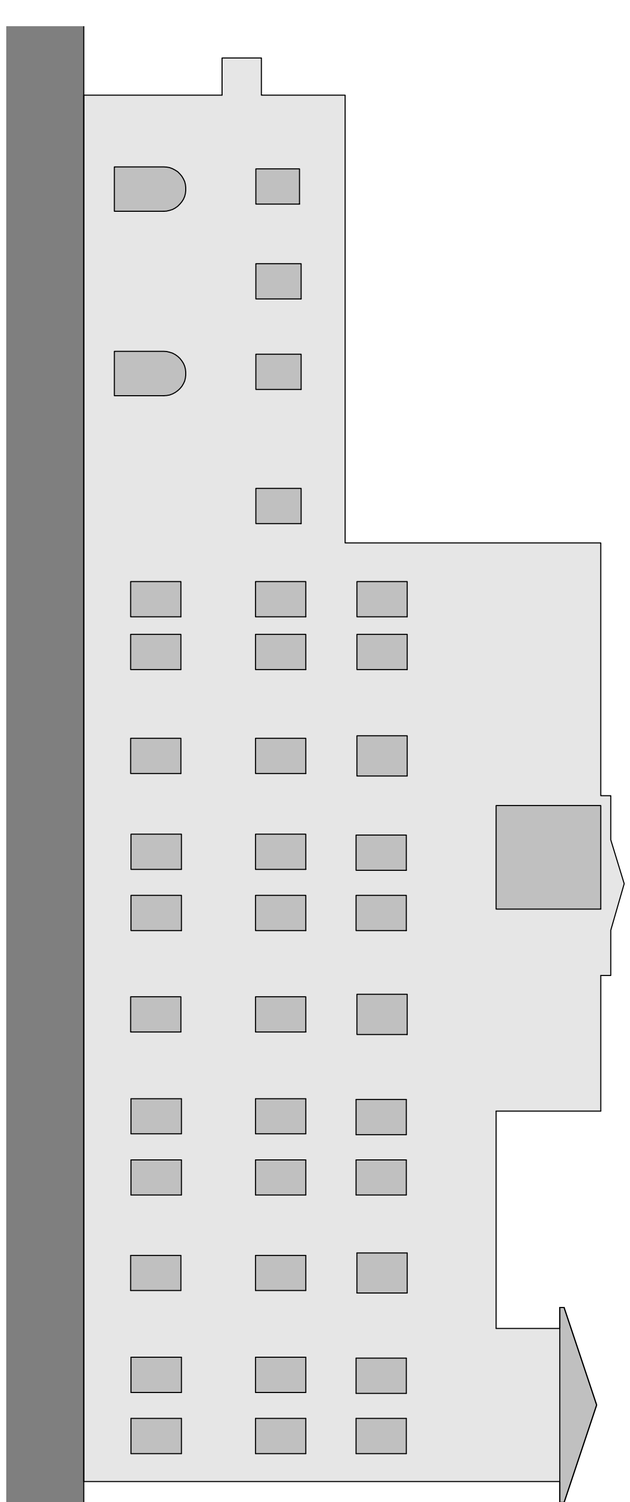
3 AC-4.1.2 **DEMOLITION DIAGRAM - EAST**
SCALE: 3/32" = 1'-0"

22.6% DEMOLITION



1 AC-4.1.2 **DEMOLITION DIAGRAM - WEST**
SCALE: 3/32" = 1'-0"

20.5% DEMOLITION



2 AC-4.1.2 **DEMOLITION DIAGRAM - NORTH**
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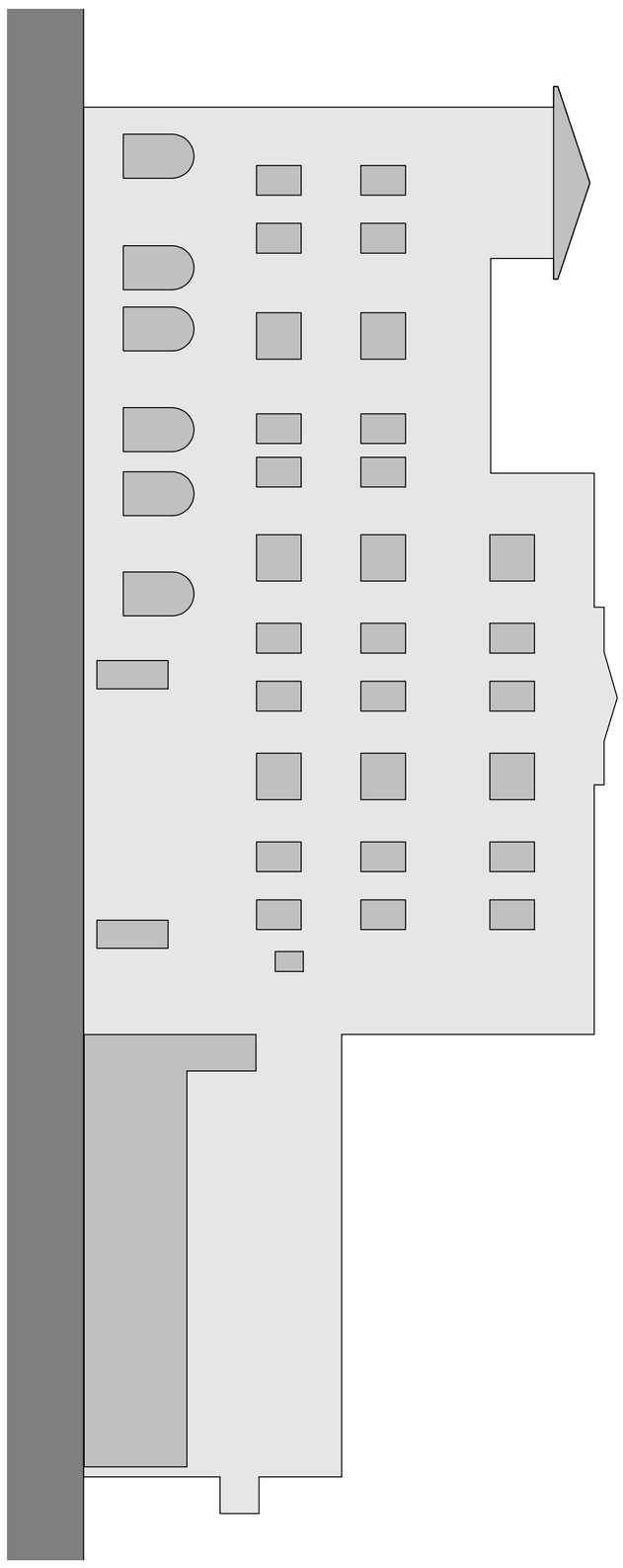
14.8% DEMOLITION



4 AC-4.1.2 **DEMOLITION DIAGRAM - SOUTH**
SCALE: 3/32" = 1'-0"

20.4% DEMOLITION

DEMOLITION ELEVATION DIAGRAMS

AC-4.1.2

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

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RENOVATION OF
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TC Development Review Meeting Backup 4-04-2023
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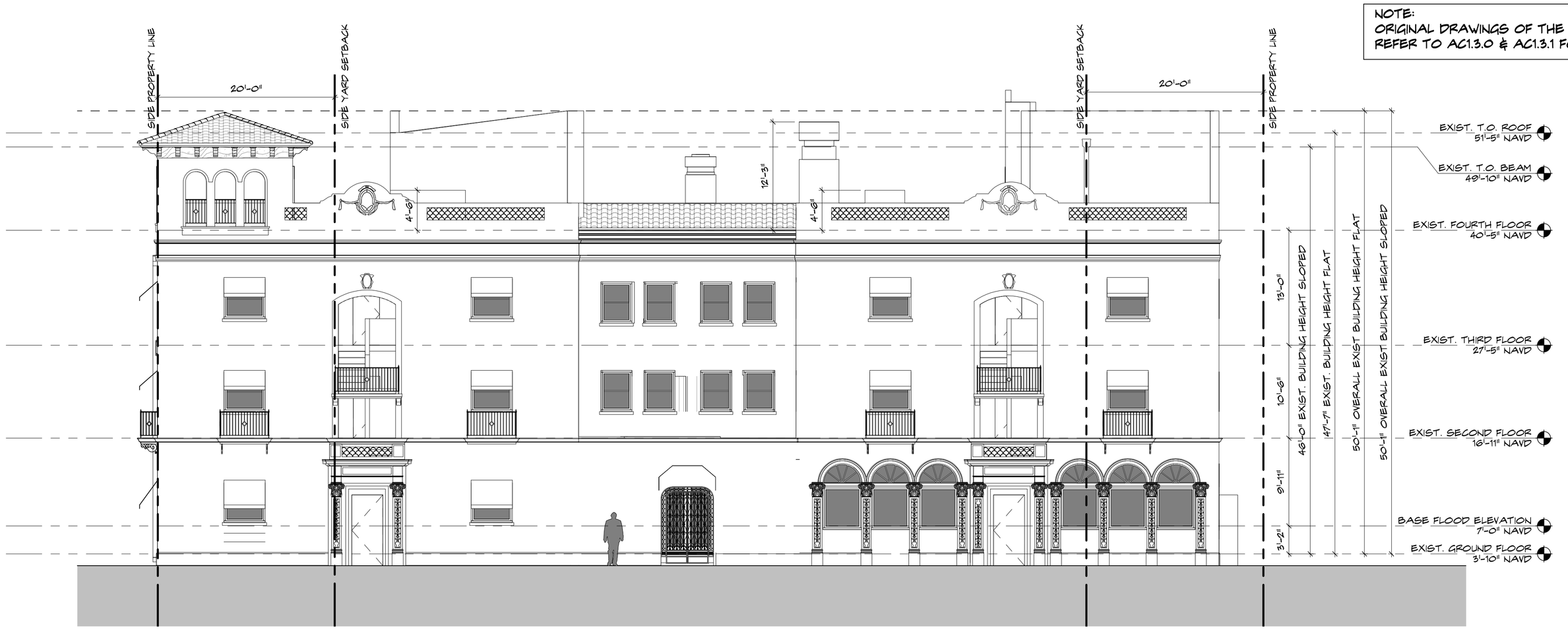
EXTERIOR MATERIAL LEGEND

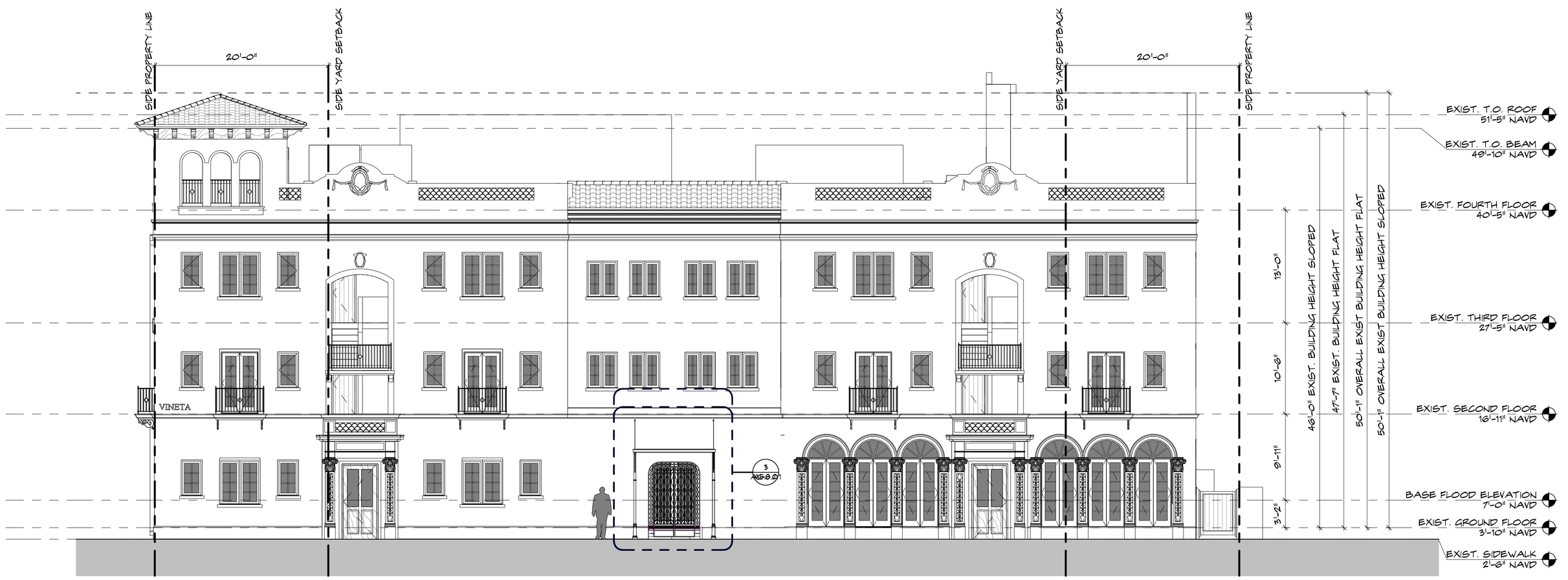
BUILDING BODY & TRIM STUCCO, PTD TIMID WHITE BY BENJAMIN MOORE	TYPICAL DOORS & WINDOWS ALUMINUM ACADIA GREEN BY BENJAMIN MOORE
ROOF TILE 2-PIECE TERRA COTTA HAND PRESSED	FRONT DOORS MAHOGANY STAINED

OVERALL MATERIALS ONLY. REFER TO SHEET AC-6.1.0 FOR ALL EXTERIOR MATERIALS

NOTE:
ORIGINAL DRAWINGS OF THE HOTEL ARE UNAVAILABLE.
REFER TO AC1.3.0 & AC1.3.1 FOR HISTORIC REFERENCE IMAGES



2 AC-4.2.1 **Existing West Elevation**
SCALE: 1/8" = 1'-0"



1 AC-4.2.1 **Proposed West Elevation**
SCALE: 1/8" = 1'-0"

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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

EXISTING & PROPOSED WEST ELEVATION

AC-4.2.1

12/8/2022 2:43:20 PM
170 of 1057

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EXTERIOR MATERIAL LEGEND

BUILDING BODY & TRIM STUCCO, FTD TIMID WHITE BY BENJAMIN MOORE	TYPICAL DOORS & WINDOWS ALUMINUM ACADIA GREEN BY BENJAMIN MOORE
ROOF TILE 2-PIECE TERRA COTTA HAND PRESSED	FRONT DOORS MAHOGANY STAINED

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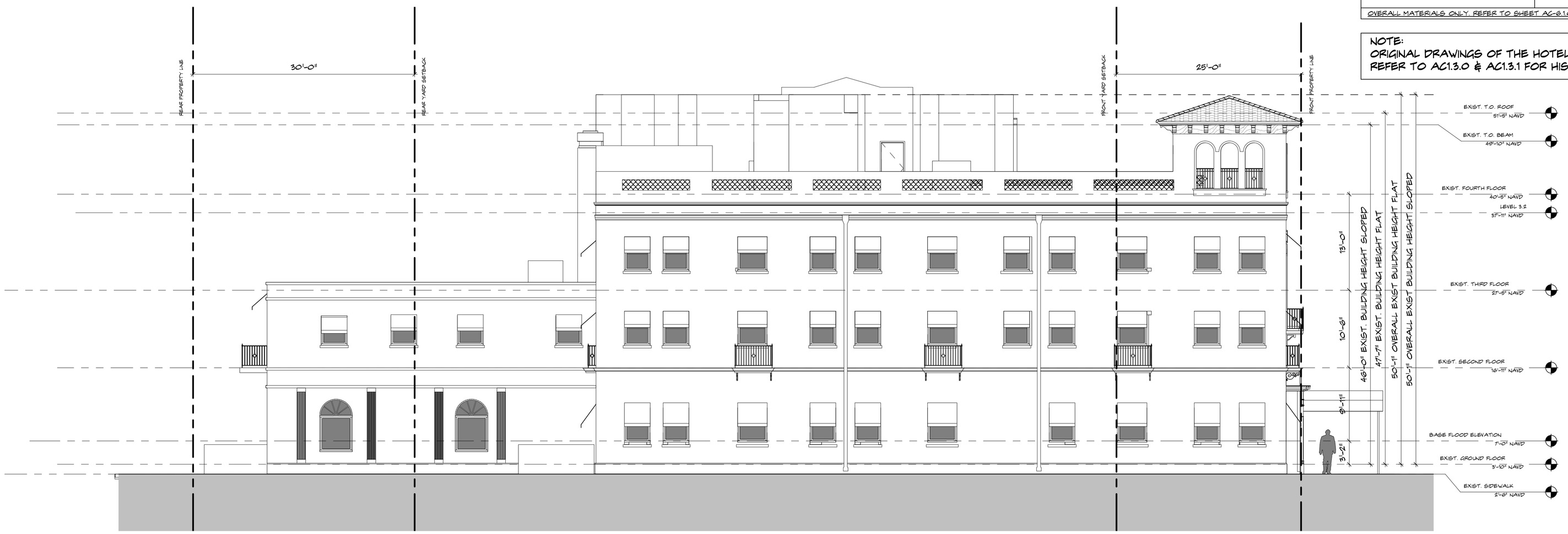

1 / AC-4.3.1 — **Existing North Elevation**
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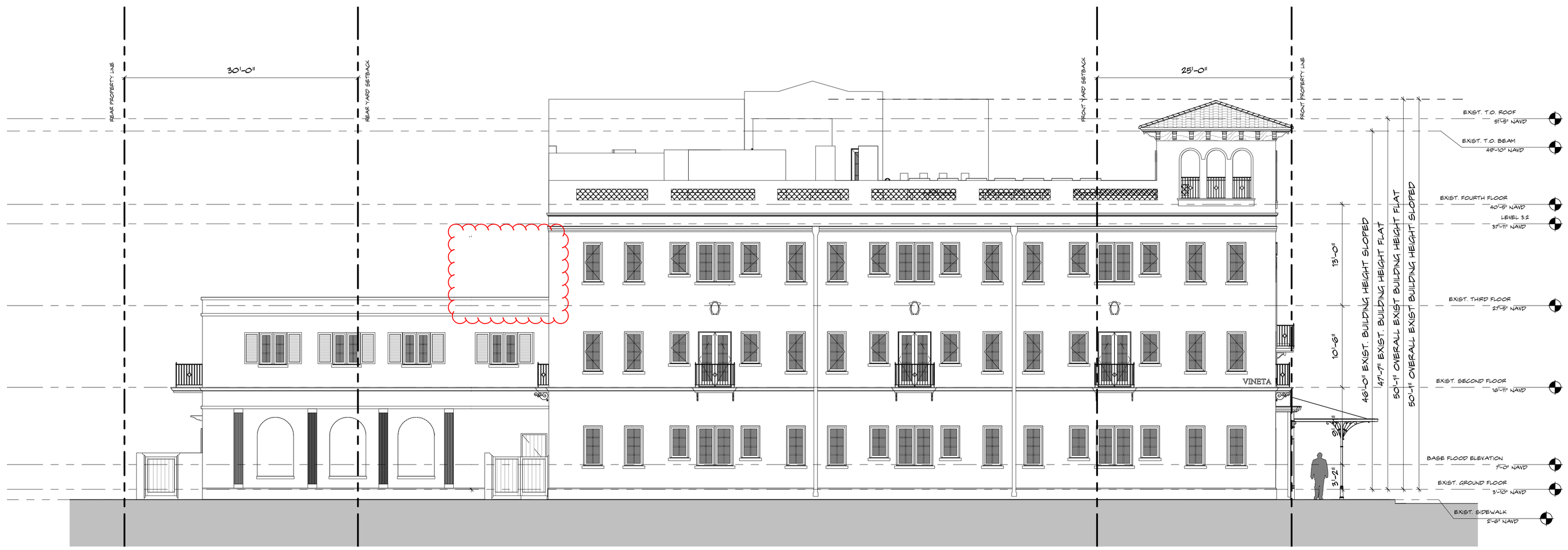

2 / AC-4.3.1 — **Proposed North Elevation**
SCALE: 1/8" = 1'-0"

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Revisions:

Project no: 22028
Date: 10.24.2022
Drawn by: Author
Project Manager: Checker

EXISTING & PROPOSED NORTH ELEVATION

AC-4.3.1

2501 JP 1.21
12/8/2022 11:41:13 PM

EXTERIOR MATERIAL LEGEND

BUILDING BODY & TRIM STUCCO, PTD TIMID WHITE BY BENJAMIN MOORE	TYPICAL DOORS & WINDOWS ALUMINUM ACADIA GREEN BY BENJAMIN MOORE
ROOF TILE 2-PIECE TERRA COTTA HAND PRESSED	FRONT DOORS MAHOGANY STAINED

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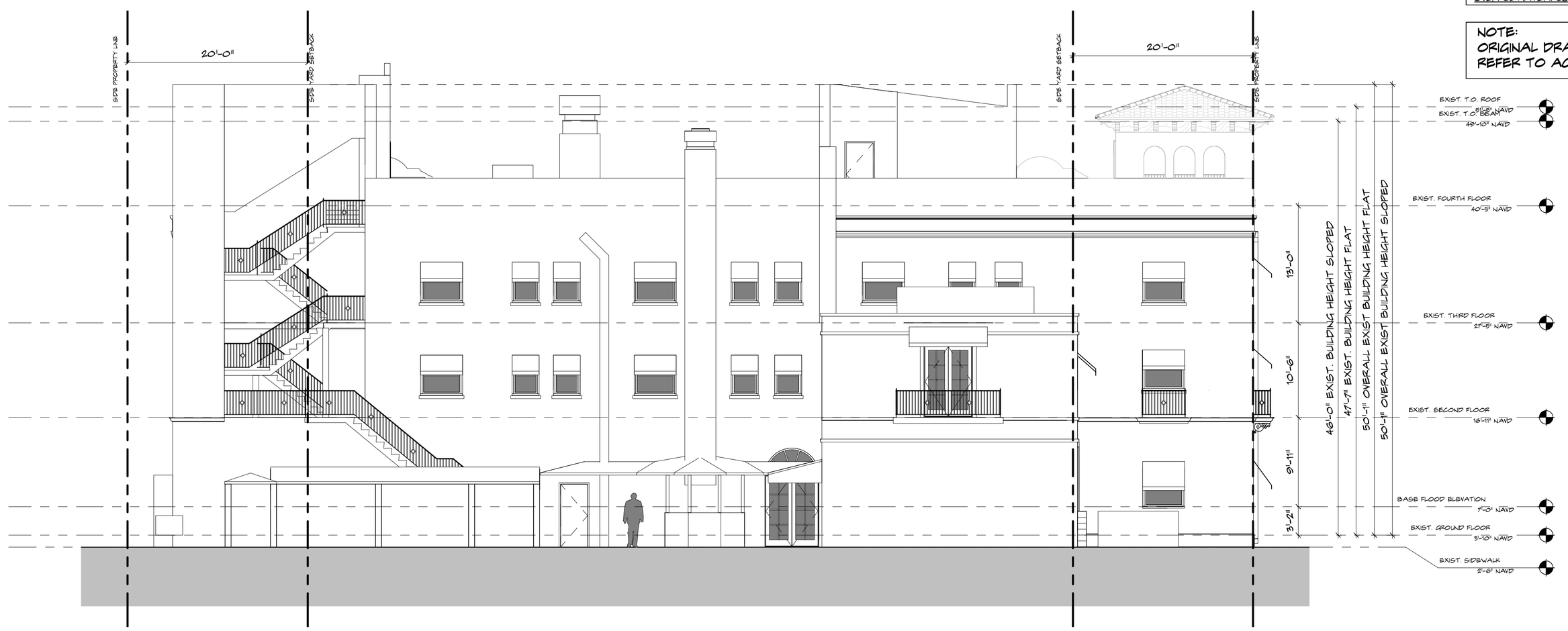

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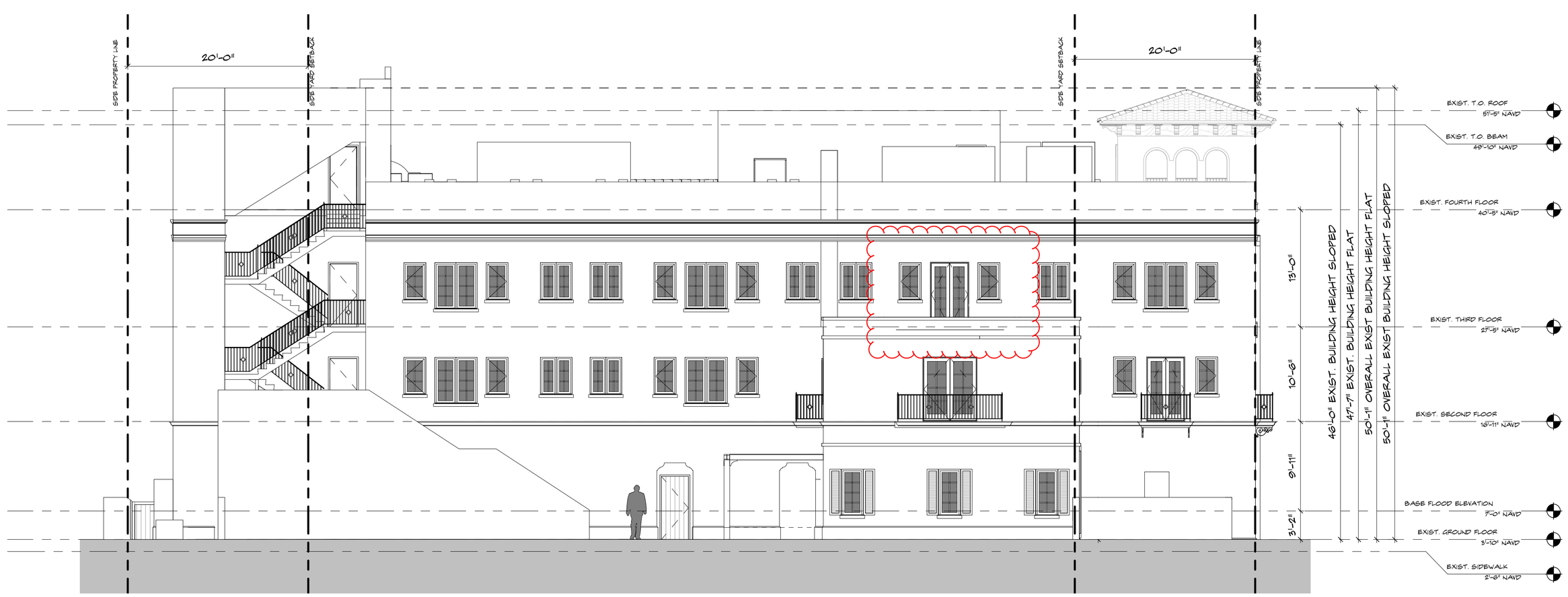

2 AC-4.4.1 **Proposed East Elevation**
SCALE: 1/8" = 1'-0"

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EXISTING & PROPOSED EAST ELEVATION

AC-4.4.1

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12/8/2022 11:41:16 PM
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TC Development Review Meeting Redrop 4-04-2023
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EXTERIOR MATERIAL LEGEND

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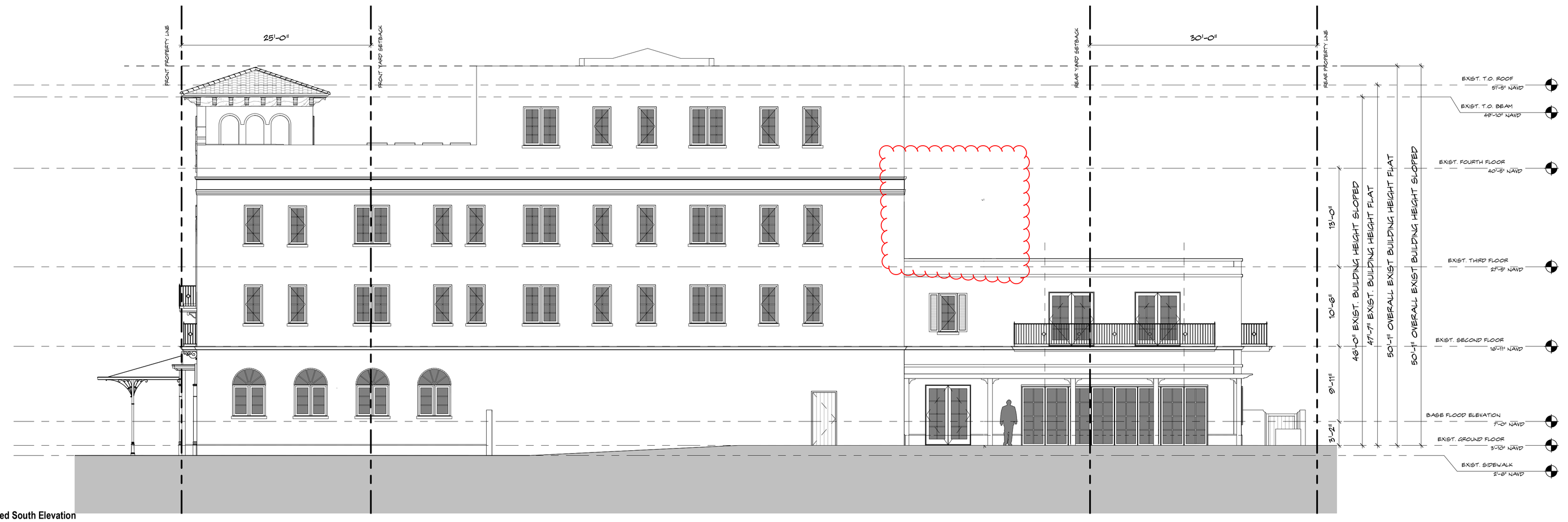
2 AC-4.5.1 **Existing South Elevation**
SCALE: 1/8" = 1'-0"



1 AC-4.5.1 **Proposed South Elevation**
SCALE: 1/8" = 1'-0"

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Drawn by: Author
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EXISTING & PROPOSED SOUTH ELEVATION

AC-4.5.1

12/8/2022 11:41:19 PM
173 of 1057

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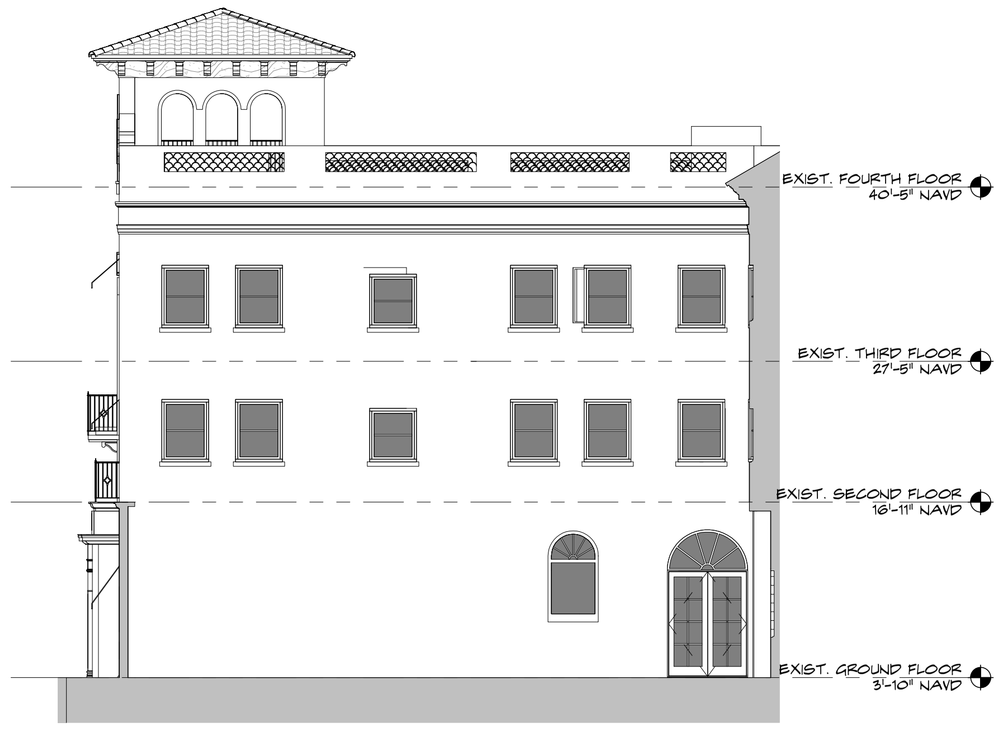

1 AC-4.6.1 **Existing Courtyard North Elevation**
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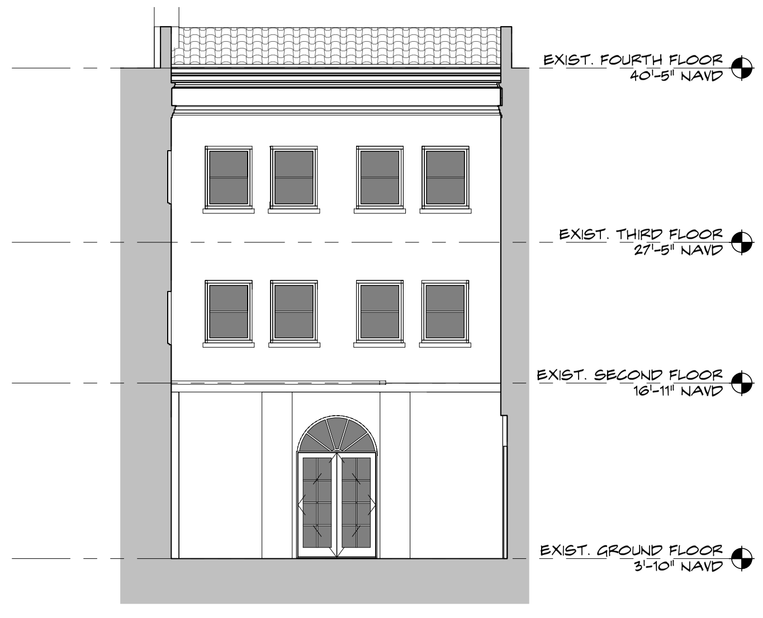
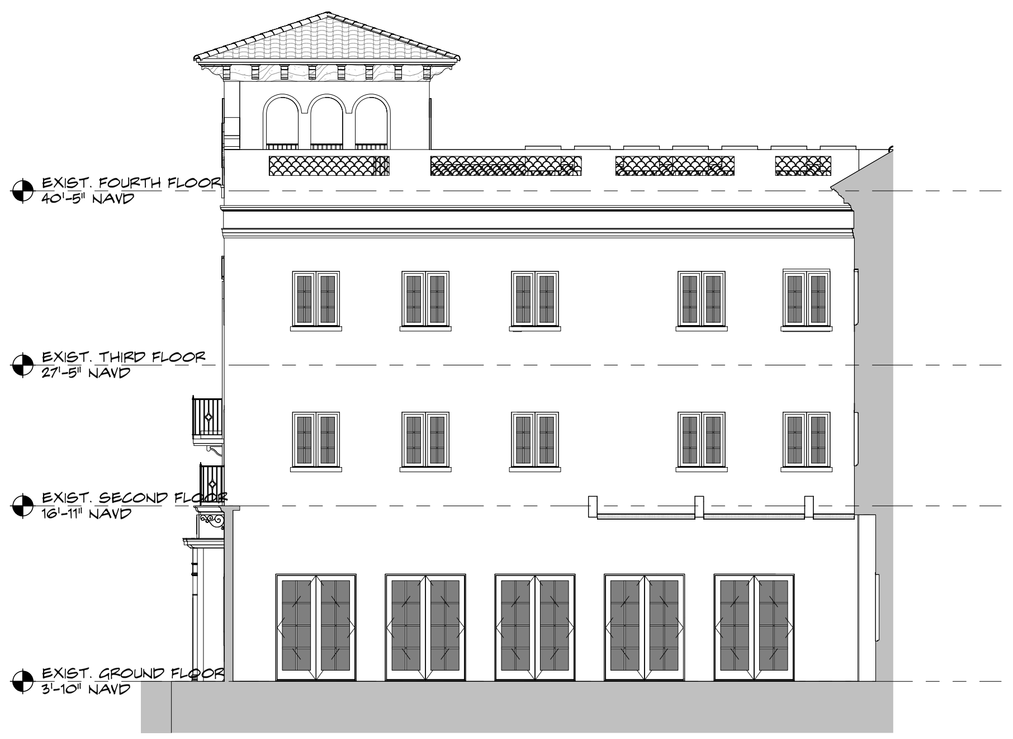
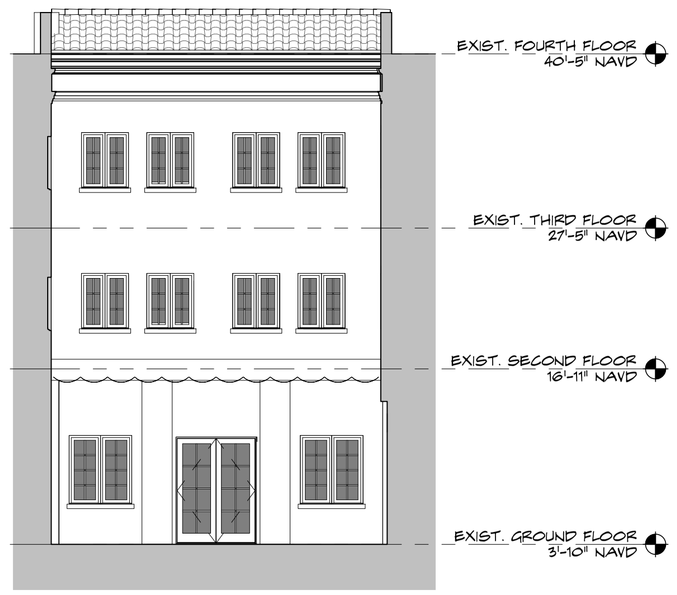


2 AC-4.6.1 **Existing Courtyard East Elevation**
SCALE: 1/8" = 1'-0"

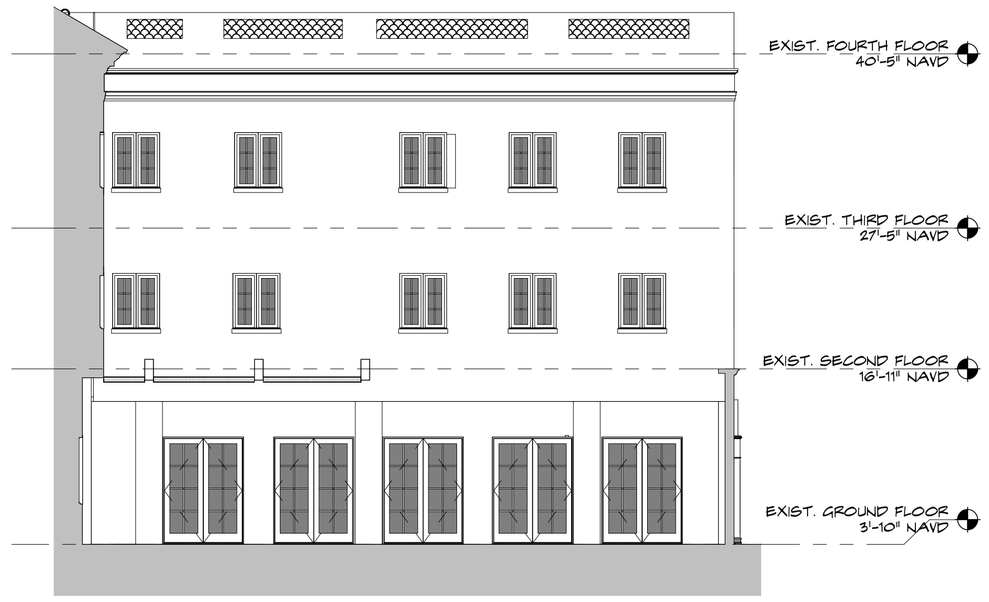
3 AC-4.6.1 **Existing Courtyard South Elevation**
SCALE: 1/8" = 1'-0"



4 AC-4.6.1 **Proposed Courtyard North Elevation**
SCALE: 1/8" = 1'-0"



5 AC-4.6.1 **Proposed Courtyard East Elevation**
SCALE: 1/8" = 1'-0"



6 AC-4.6.1 **Proposed Courtyard South Elevation**
SCALE: 1/8" = 1'-0"

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RENOVATION OF
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EXISTING & PROPOSED COURTYARD ELEVATIONS

AC-4.6.1

12/8/2022 2:44:08 PM

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View from NW Corner - Existing

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EXTERIOR RENDERINGS

AC-4.7.1

1/5/2023 10:56:24 AM

View from NW Corner - Proposed

EXTERIOR RENDERINGS

AC-4.7.2

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View from SW Corner - Existing

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EXTERIOR RENDERINGS

AC-4.7.3

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1/5/2023 10:56:25 AM

View from SW Corner - Proposed

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EXTERIOR RENDERINGS

AC-4.7.4

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View from NE Corner - Existing

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EXTERIOR RENDERINGS

AC-4.7.5

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View from NE Corner - Proposed

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EXTERIOR RENDERINGS

AC-4.7.6

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Valet Drop-Off - Existing

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EXTERIOR RENDERINGS

AC-4.7.7

1/5/2023 10:56:27 AM

Valet Drop-Off - Proposed

EXTERIOR RENDERINGS

AC-4.7.8

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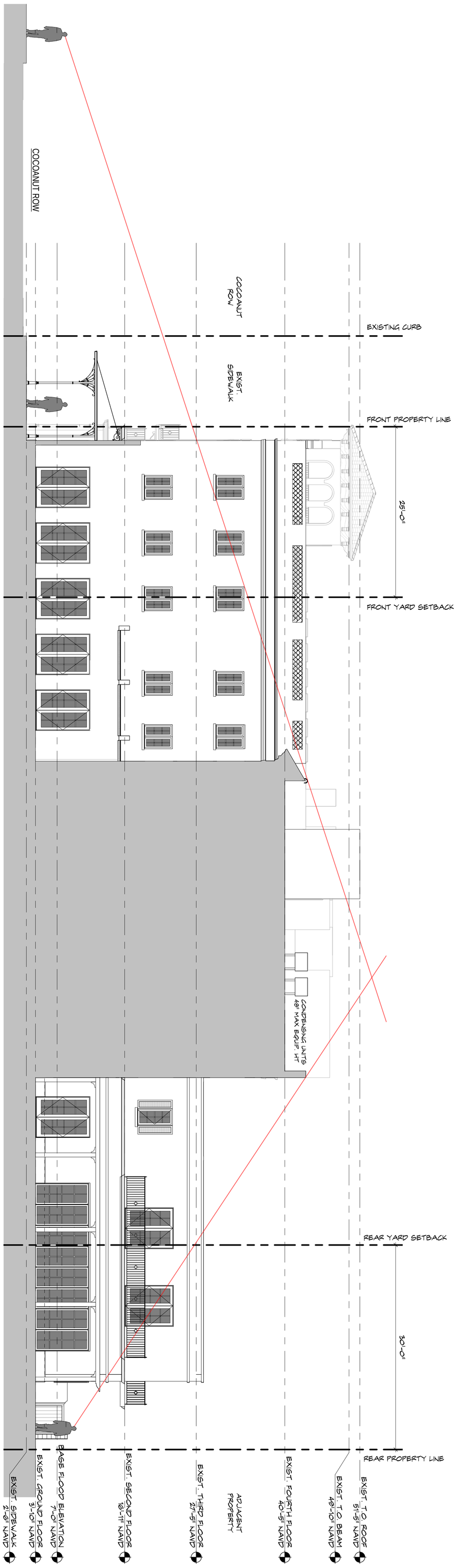
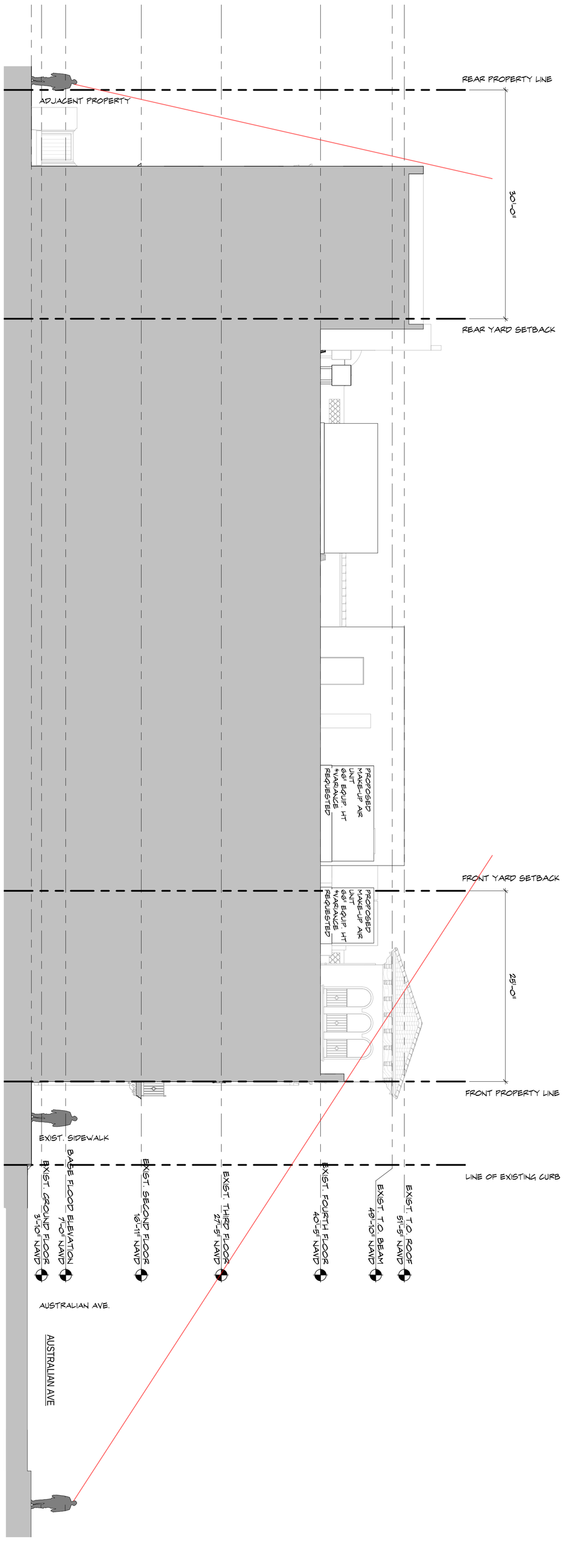


1 AC-5.1.0 **CONCEPTUAL BUILDING & YARD SECTION 01**
SCALE: 1/8" = 1'-0"



2 AC-5.1.0 **CONCEPTUAL BUILDING & YARD SECTION 02**
SCALE: 1/8" = 1'-0"

BUILDING & YARD SECTION DIAGRAM

AC-5.1.0

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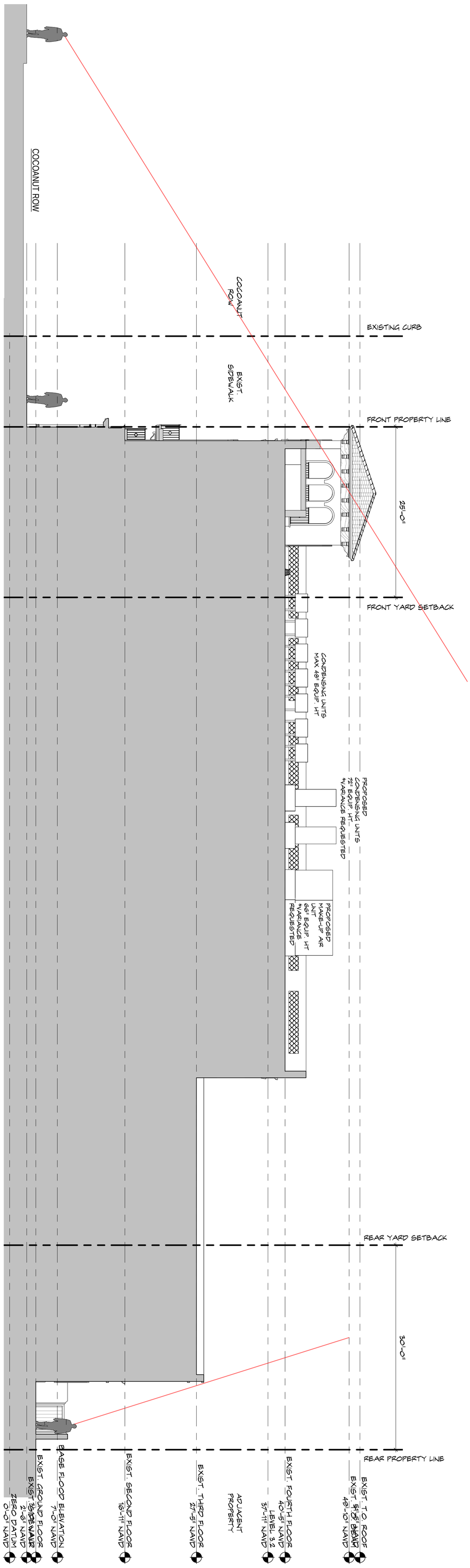
1 AC-5.1.1

CONCEPTUAL BUILDING & YARD SECTION 03

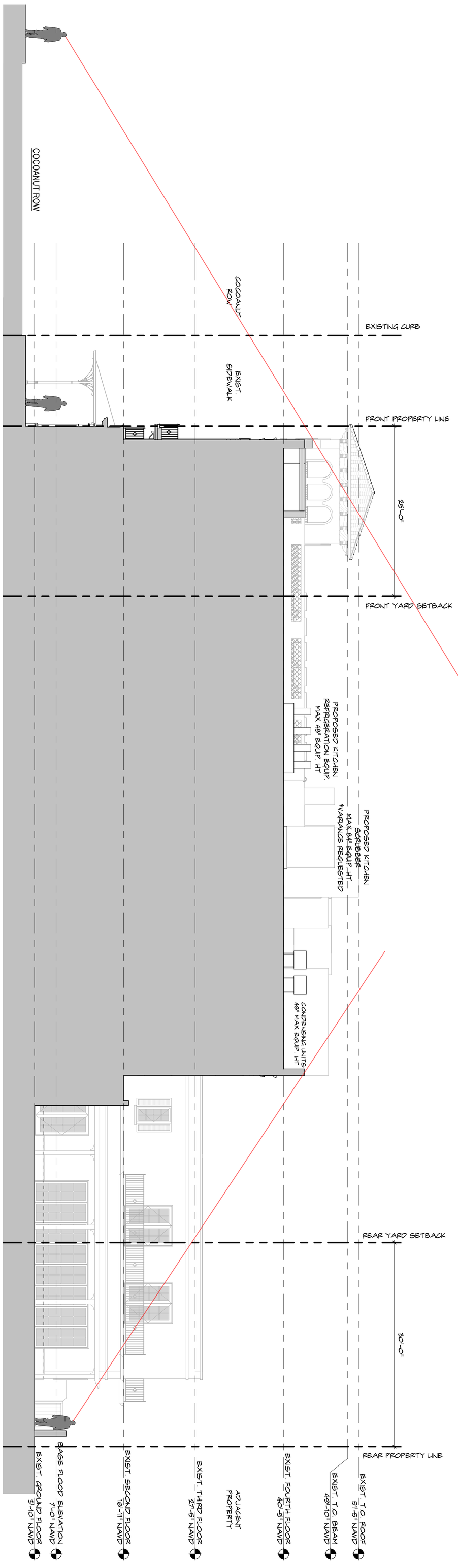
SCALE: 1/8" = 1'-0"



2 AC-5.1.1

CONCEPTUAL BUILDING & YARD SECTION 04

SCALE: 1/8" = 1'-0"



BUILDING & YARD SECTION DIAGRAM

AC-5.1.1

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EXTERIOR MATERIALS

BUILDING BODY & TRIM
STUCCO, PTD
TIMID WHITE BY BENJAMIN MOORE

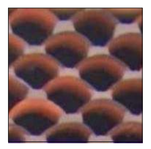
ROOF TILE
2-PIECE TERRA COTTA
HAND PRESSED
VINTAGE FINISH

FRONT DOORS
MAHOGANY
STAINED

TYPICAL DOORS & WINDOWS
ALUMINUM
ACADIA GREEN BY BENJAMIN MOORE

EXTERIOR SHUTTERS
ALUMINUM
ACADIA GREEN BY BENJAMIN MOORE

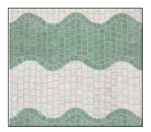
EXTERIOR METALWORK
RAILINGS, BRACKETS, GATES,
AWNINGS & SIGNAGE
BRONZE, KYNAR FINISH



BARREL TILE SCREEN AT ROOF PARAPET
2-PIECE TERRA COTTA
HAND PRESSED
FINISH TO MATCH ROOF

BARREL TILE SCREEN AT ENTRY DOORS
2-PIECE TERRA COTTA
HAND PRESSED
PAINTED TO MATCH BUILDING

COURTYARD HARDSCAPE
TERRACOTTA
CUSTOM PATTERN & COLOR
TO BE SELECTED



POOL DECK HARDSCAPE
STONE MOSAIC
CUSTOM PATTERN & COLOR
TO BE SELECTED

1 AC-6.1.0 **PROPOSED MATERIALS**
SCALE: 3/8" = 1'-0"

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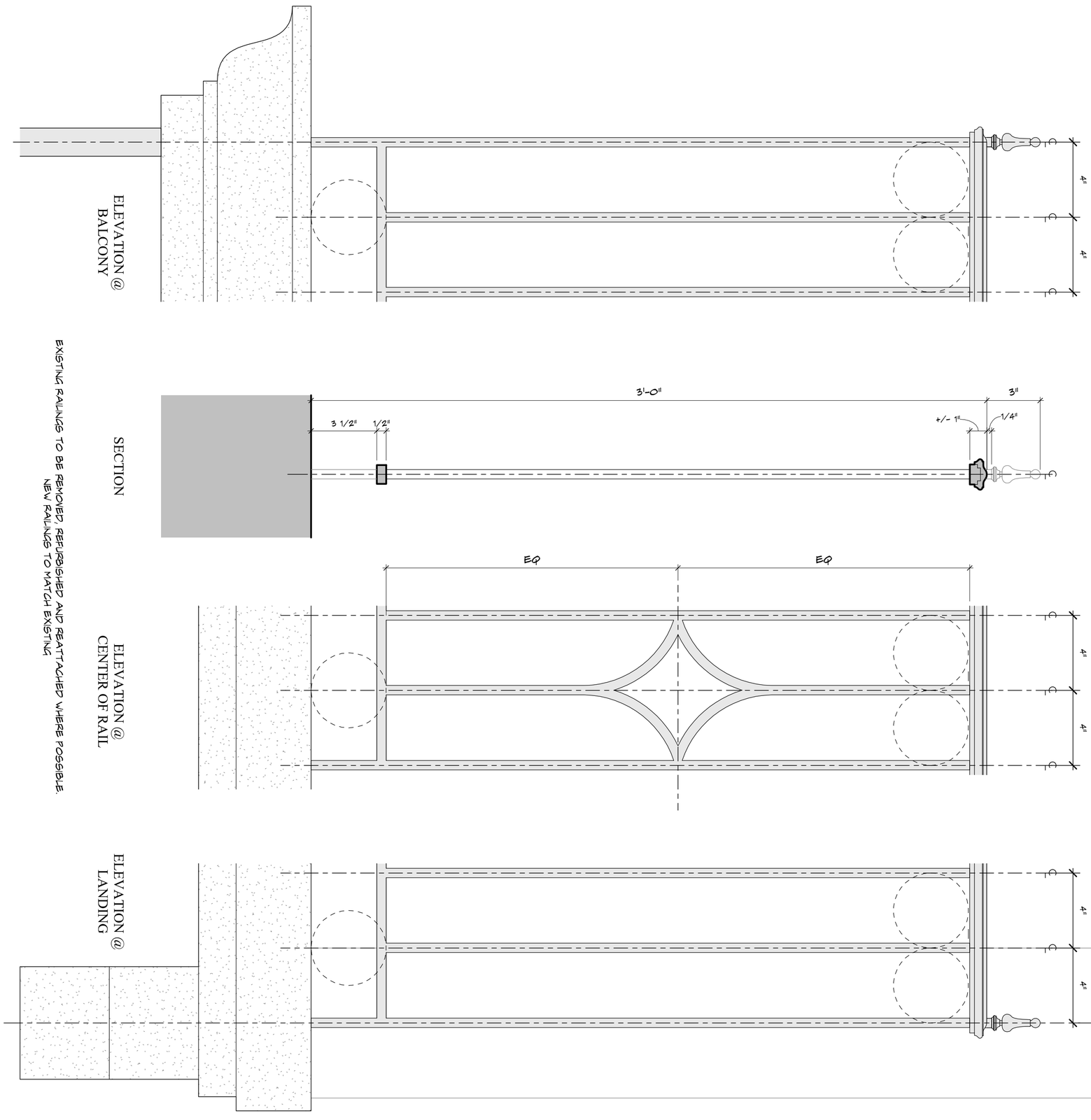
EXTERIOR MATERIAL & FINISH SHEET

AC-6.1.0

12/8/2022 10:48:58 AM



1 AC-6.2.0 **TYPICAL RAILING DETAIL**
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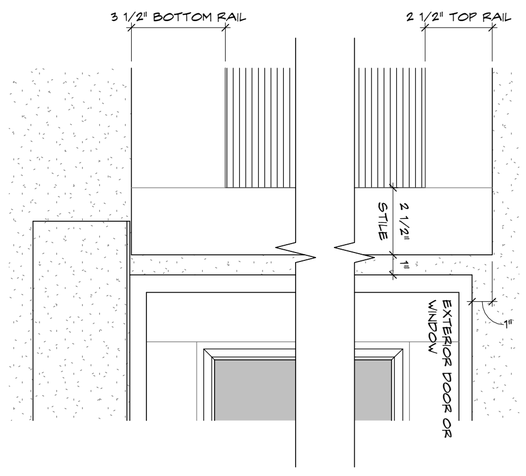

5 AC-6.2.0 **EXTERIOR SHUTTER DETAIL**
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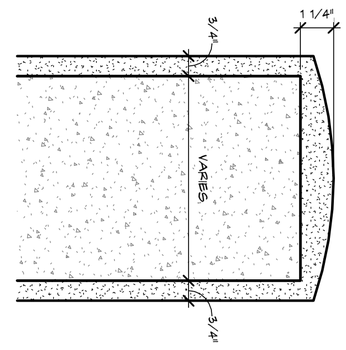

3 AC-6.2.0 **SITE WALL CAP DETAIL**
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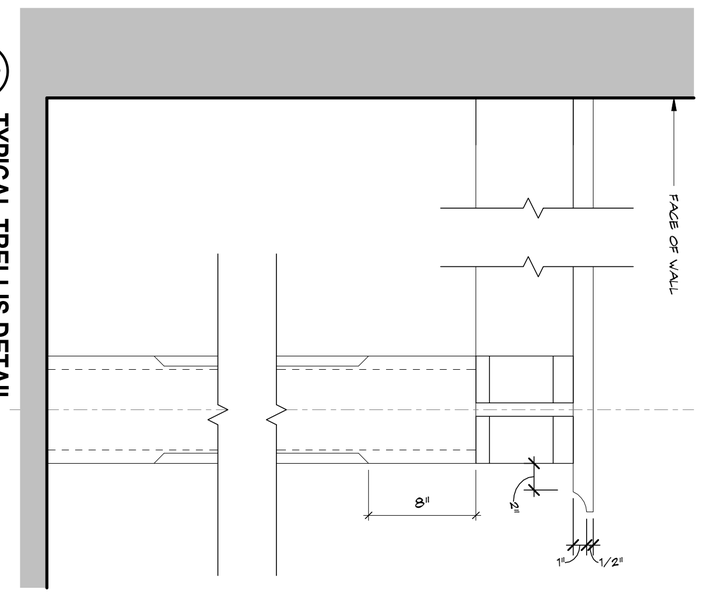
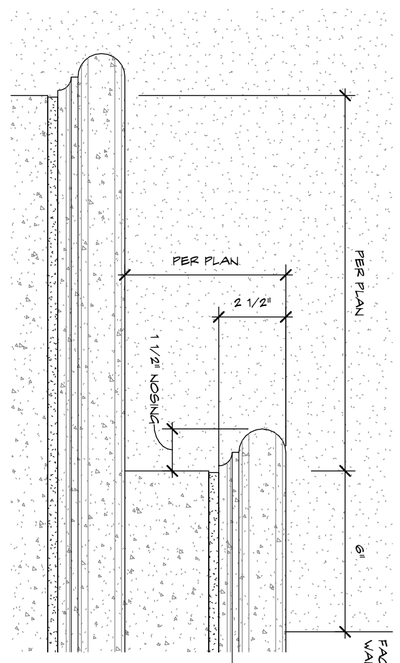


2 AC-6.2.0 **TYPICAL TRELLIS DETAIL**
SCALE: 1 1/2" = 1'-0"



4 AC-6.2.0 **TYPICAL STEP DETAIL**
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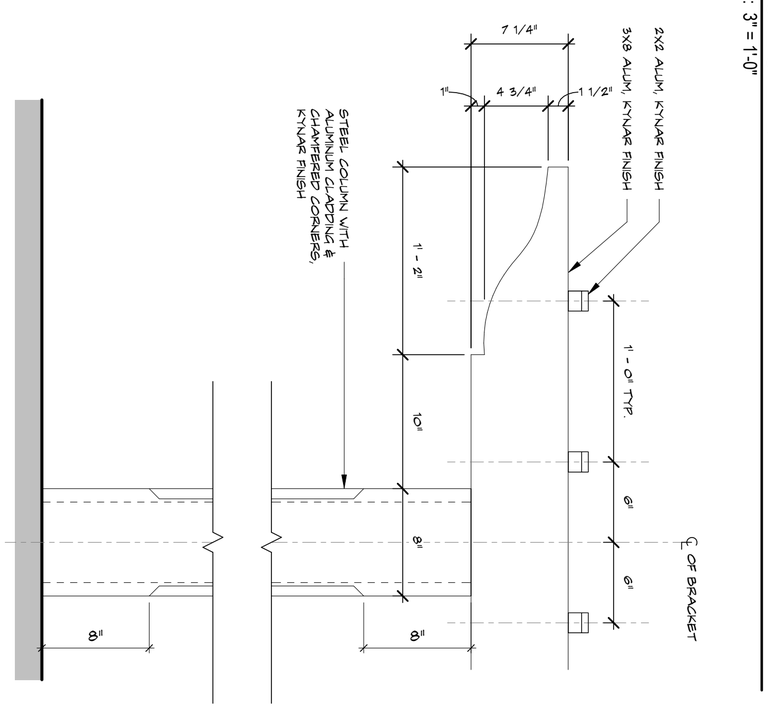
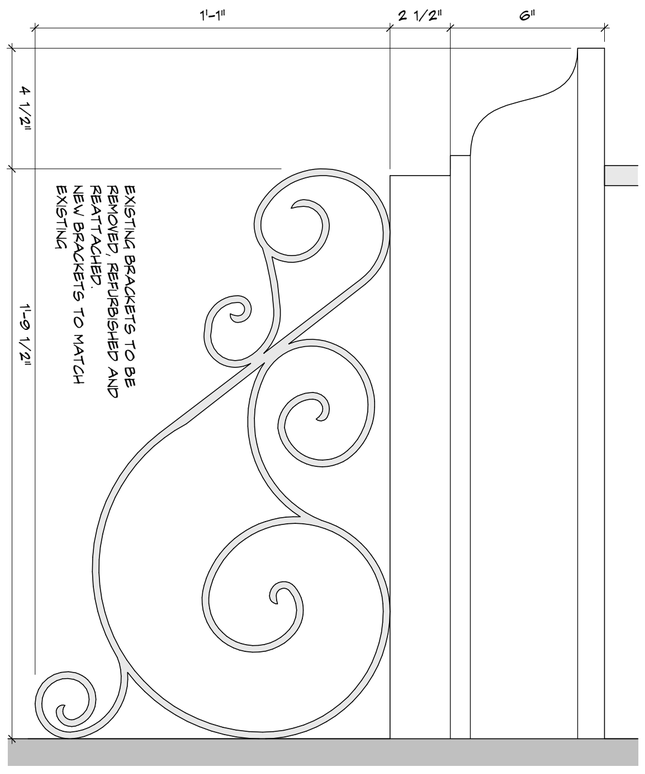


6 AC-6.2.0 **BALCONY BRACKET DETAIL**
SCALE: 3" = 1'-0"



EXTERIOR DETAILS - TYPICAL

AC-6.2.0

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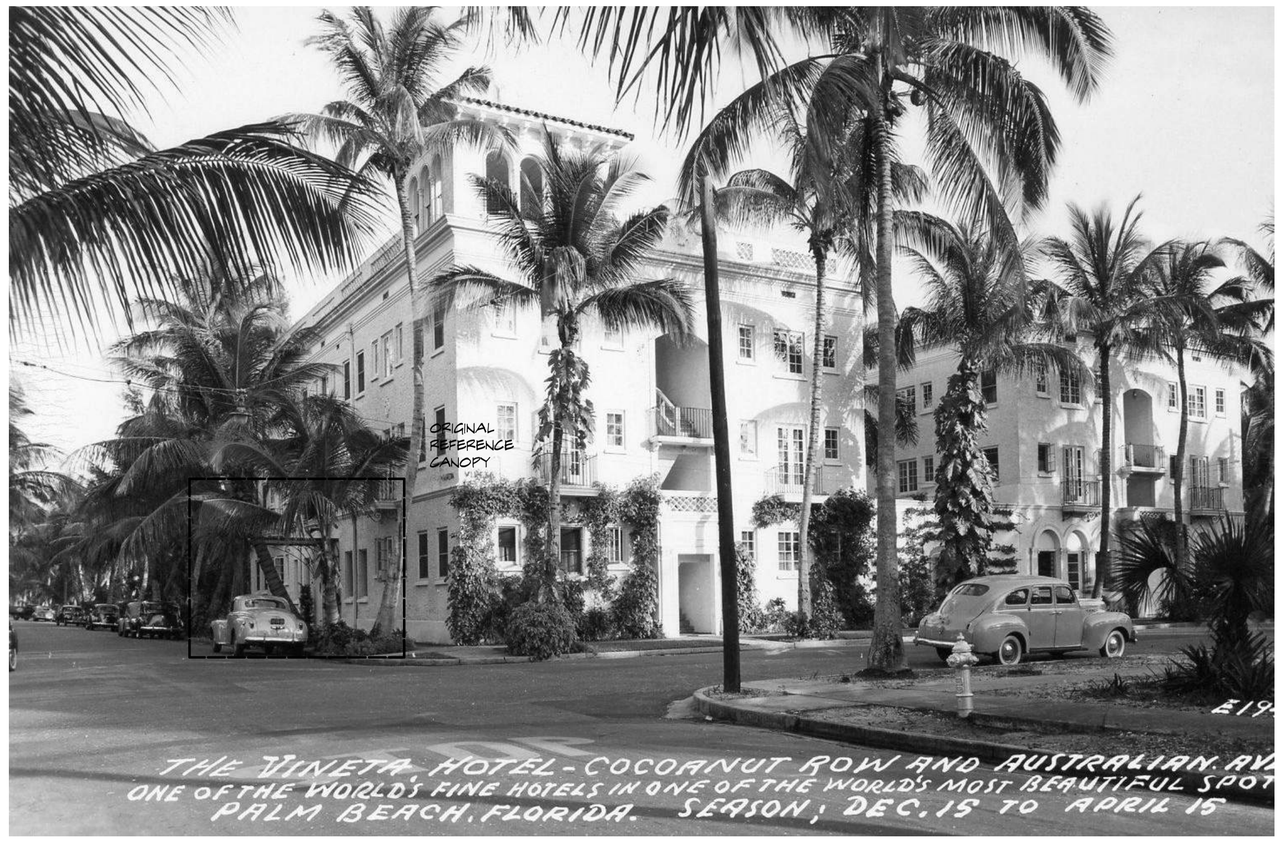
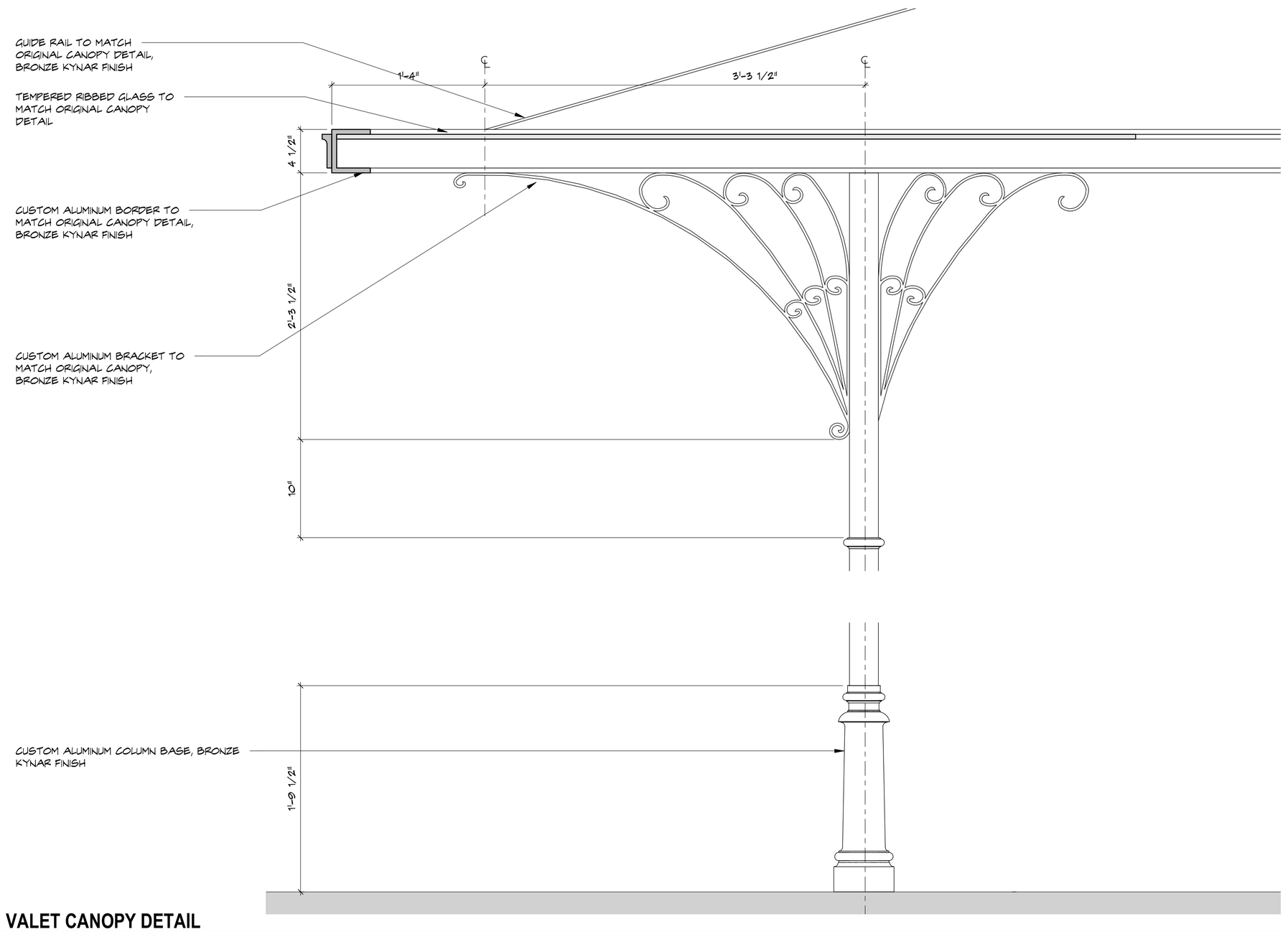
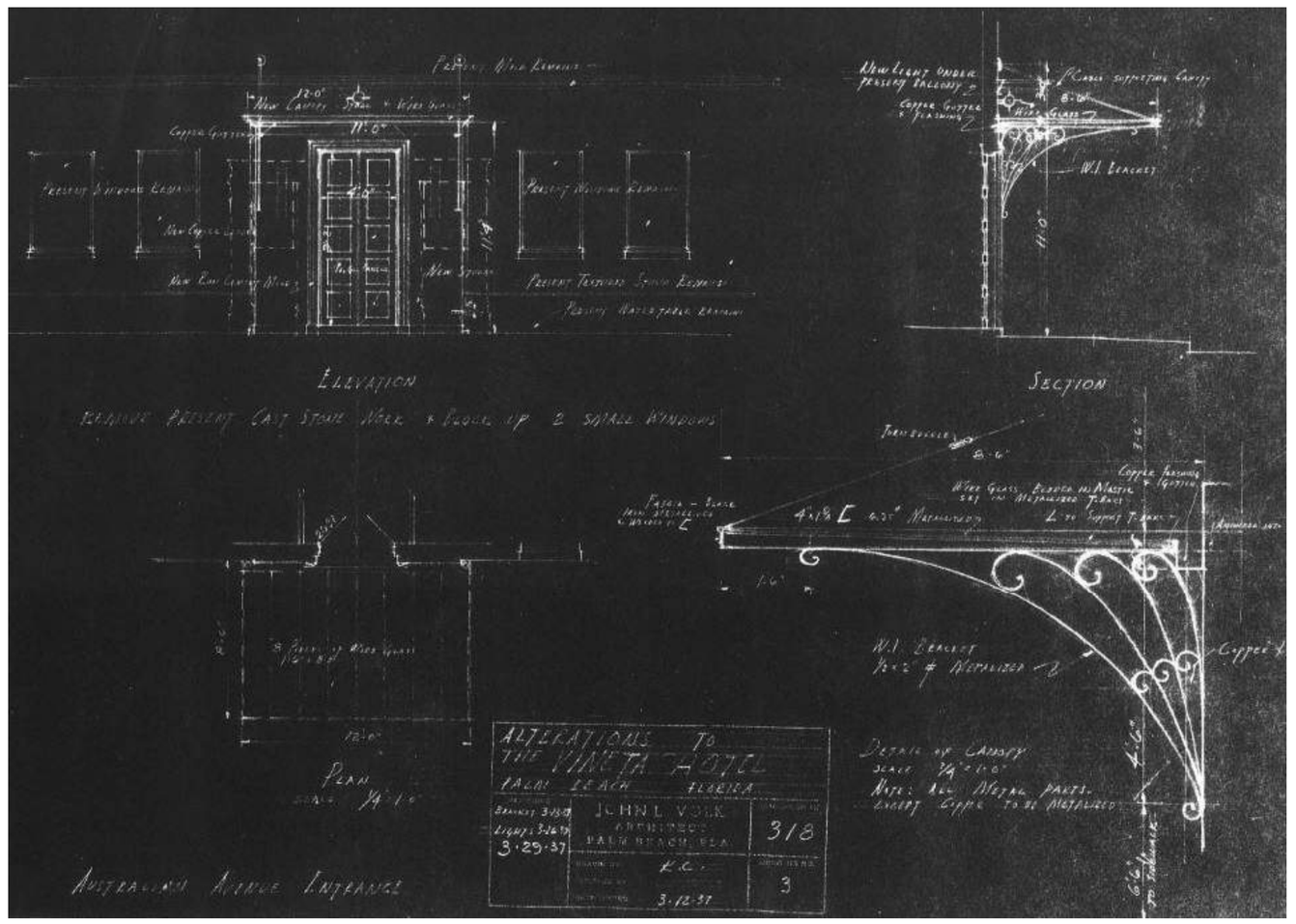


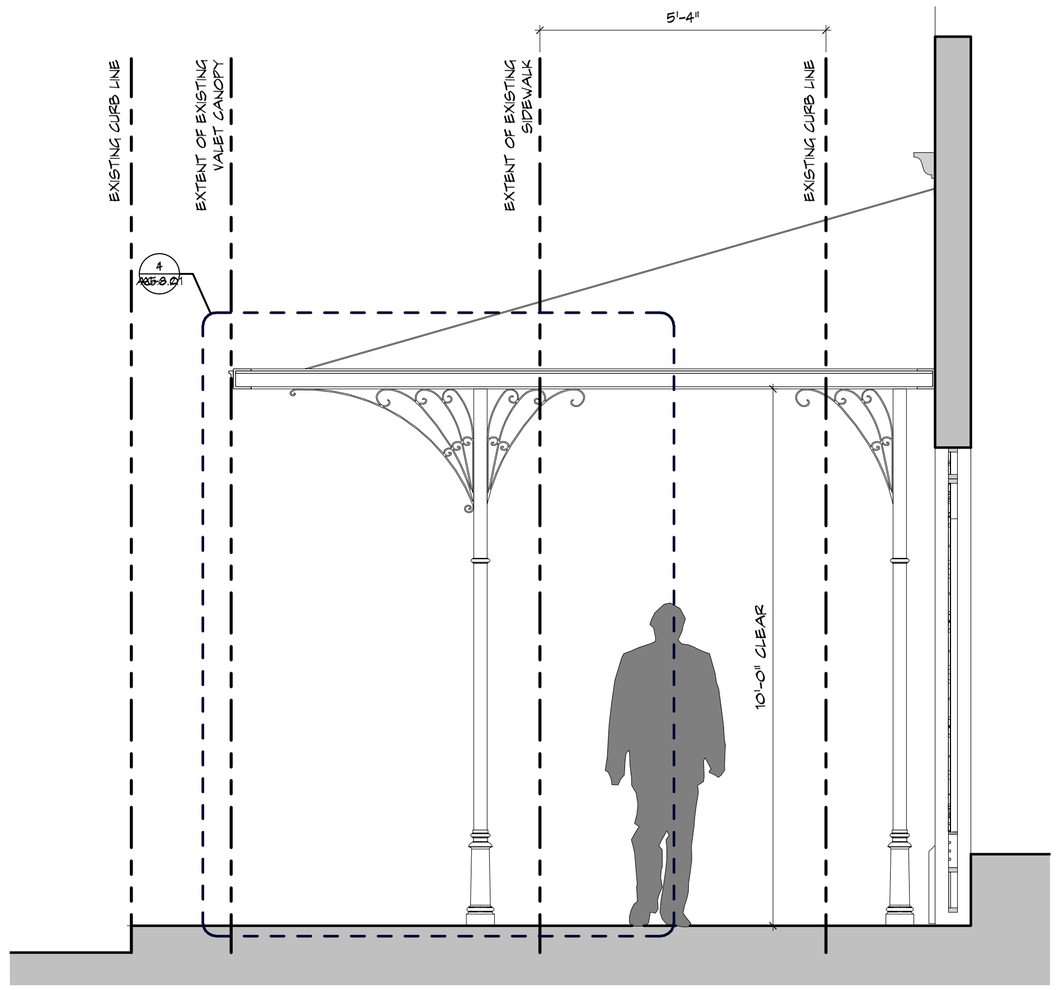
3 AC-6.2.1 **VALET CANOPY - HISTORIC REFERENCE IMAGES**
SCALE: 12" = 1'-0"



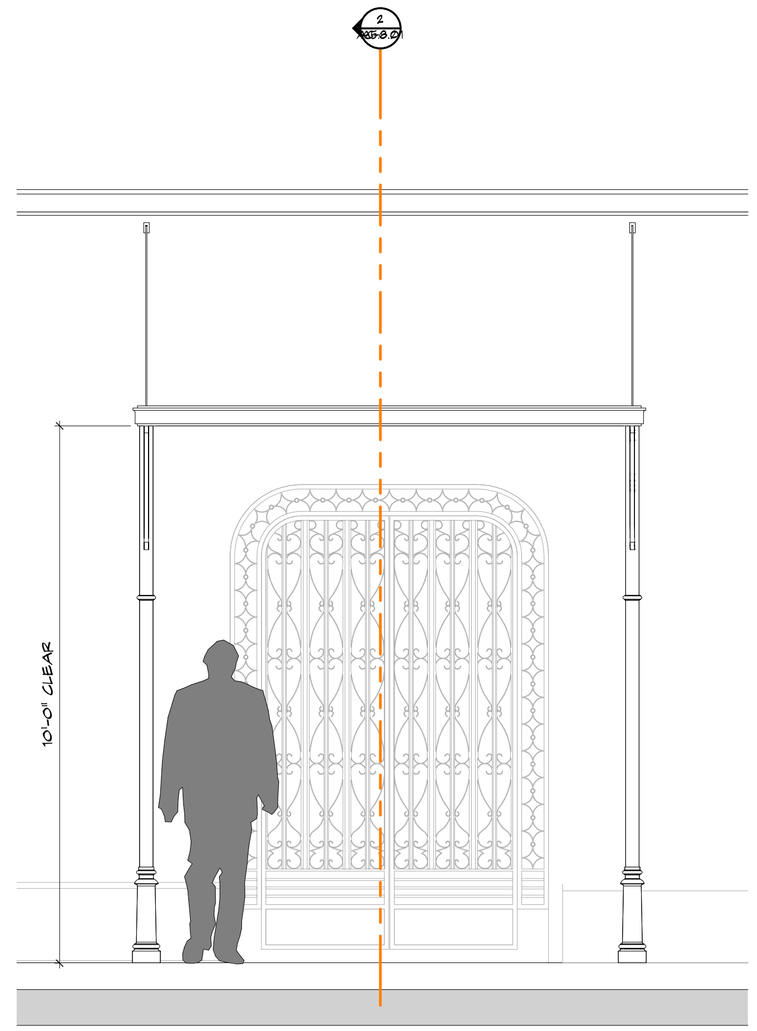
4 AC-6.2.1 **VALET CANOPY DETAIL**
SCALE: 1 1/2" = 1'-0"



5 AC-6.2.1 **VALET CANOPY - HISTORIC REFERENCE DETAILS**
SCALE: 12" = 1'-0"



2 AC-6.2.1 **VALET CANOPY SECTION**
SCALE: 1/2" = 1'-0"



1 AC-6.2.1 **VALET CANOPY - WEST ELEVATION**
SCALE: 1/2" = 1'-0"

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EXTERIOR DETAILS - VALET CANOPY

AC-6.2.1

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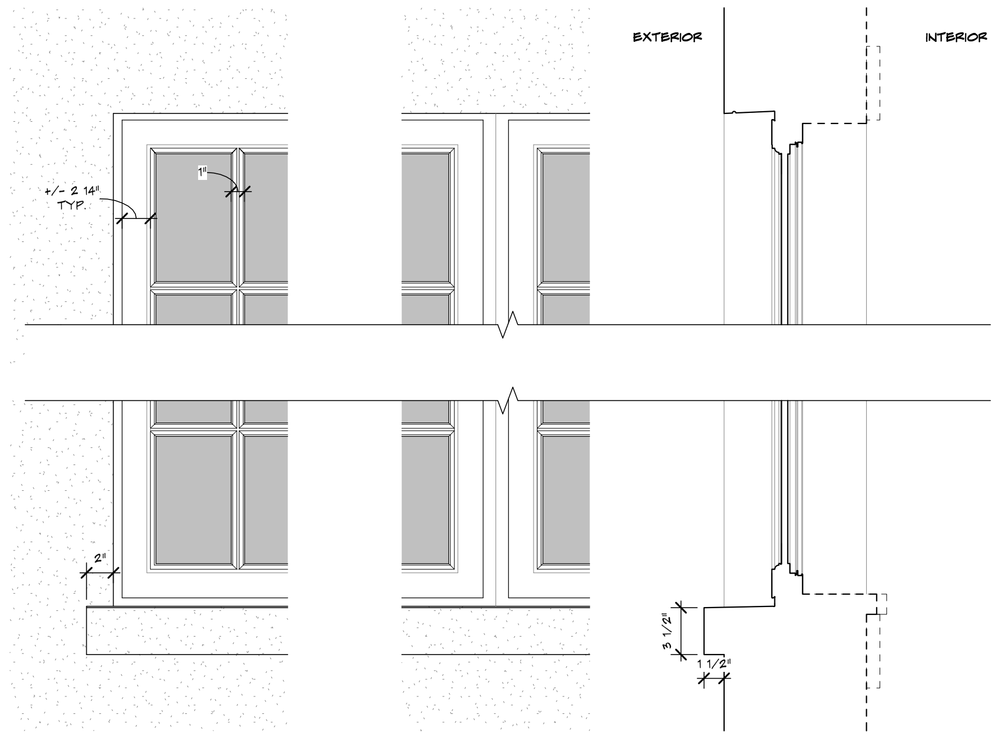
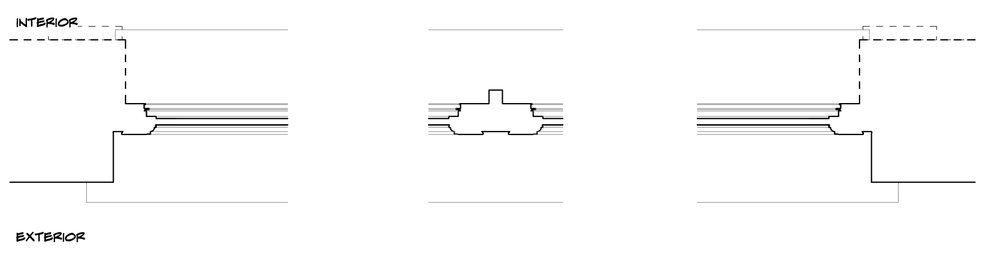
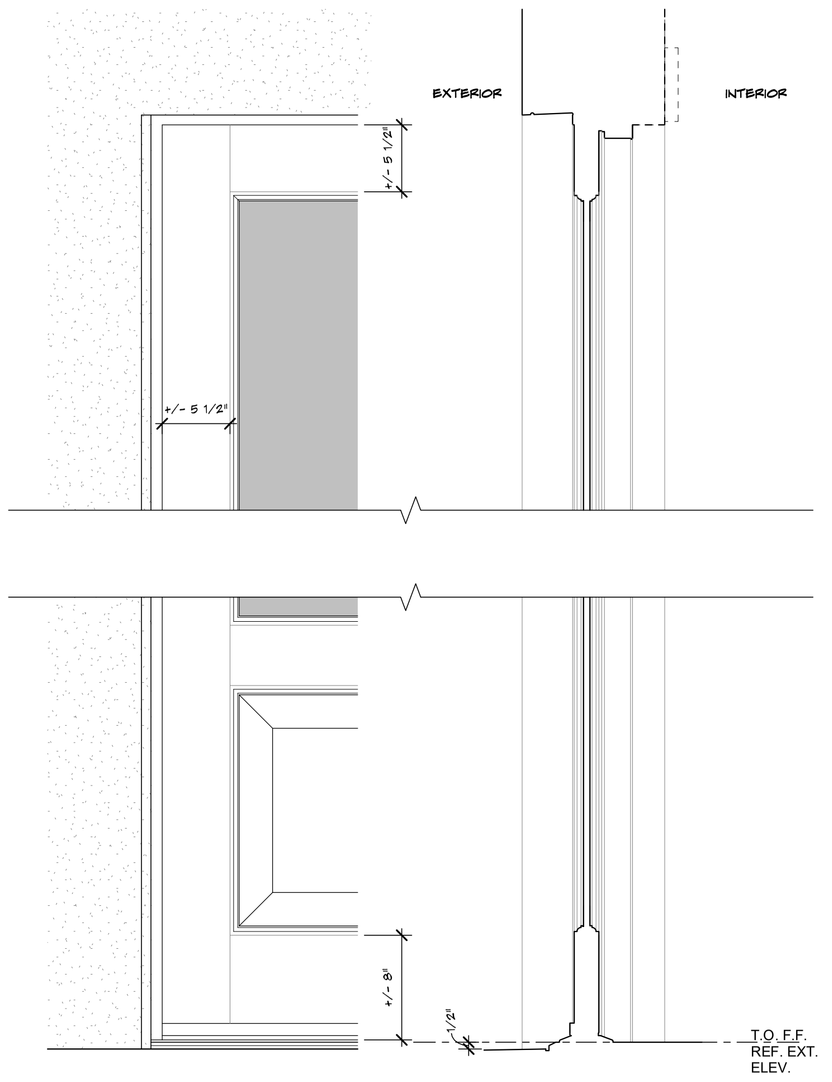


ELEVATION | ELEVATION TYPICAL MULL | SECTION

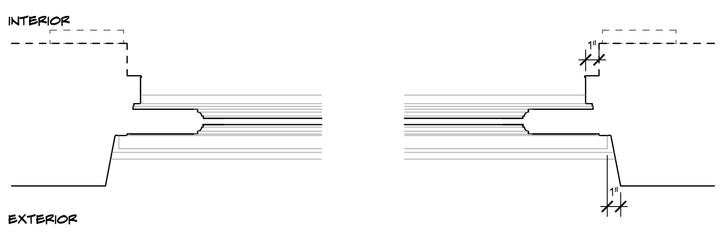


PLAN

2 AC-6.3.0 **TYPICAL WINDOW DETAIL**
SCALE: 1 1/2" = 1'-0"

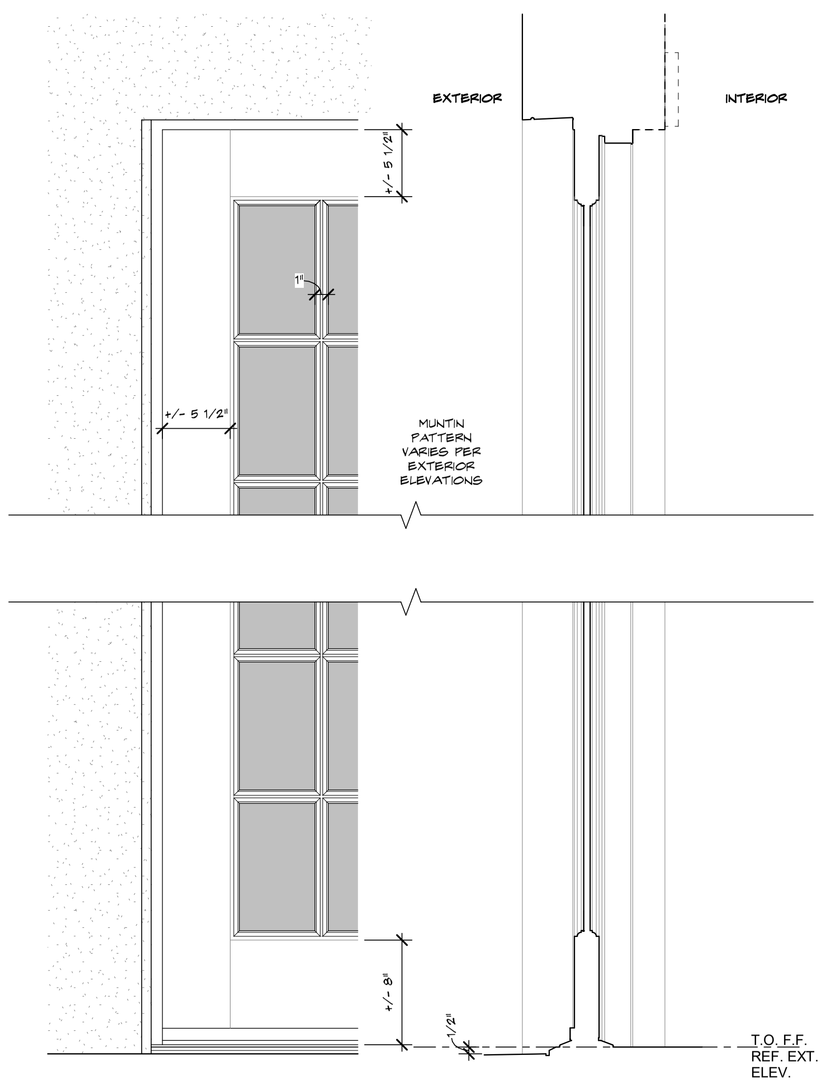


ELEVATION | SECTION



PLAN

3 AC-6.3.0 **EXTERIOR FRONT DOOR DETAIL**
SCALE: 1 1/2" = 1'-0"



ELEVATION | SECTION

PLAN

1 AC-6.3.0 **TYPICAL EXTERIOR DOOR DETAIL**
SCALE: 1 1/2" = 1'-0"

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Architecture • Interior Design
Keith M. Spina # AR13419

RENOVATION OF
The Vineta Hotel
363 Cocoanut Row, Palm Beach, FL 33480

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EXTERIOR DOOR & WINDOW DETAILS

AC-6.3.0

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GATE KEY NOTES

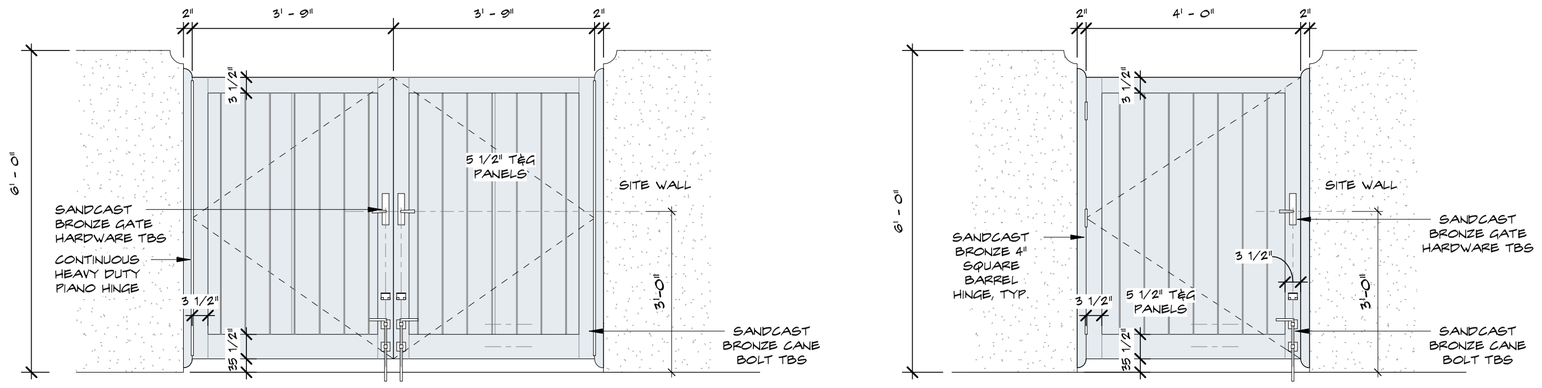
01 NEW SITE WALL 6' HIGH MAX ABOVE ADJACENT GRADE

02 EXISTING HISTORIC GATE TO BE REFURBISHED

03 NEW PEDESTRIAN GATE. REFER TO GATE LEGEND & ENLARGED DETAILS

04 NEW TRASH ENCLOSURE GATE. REFER TO GATE LEGEND & ENLARGED DETAILS

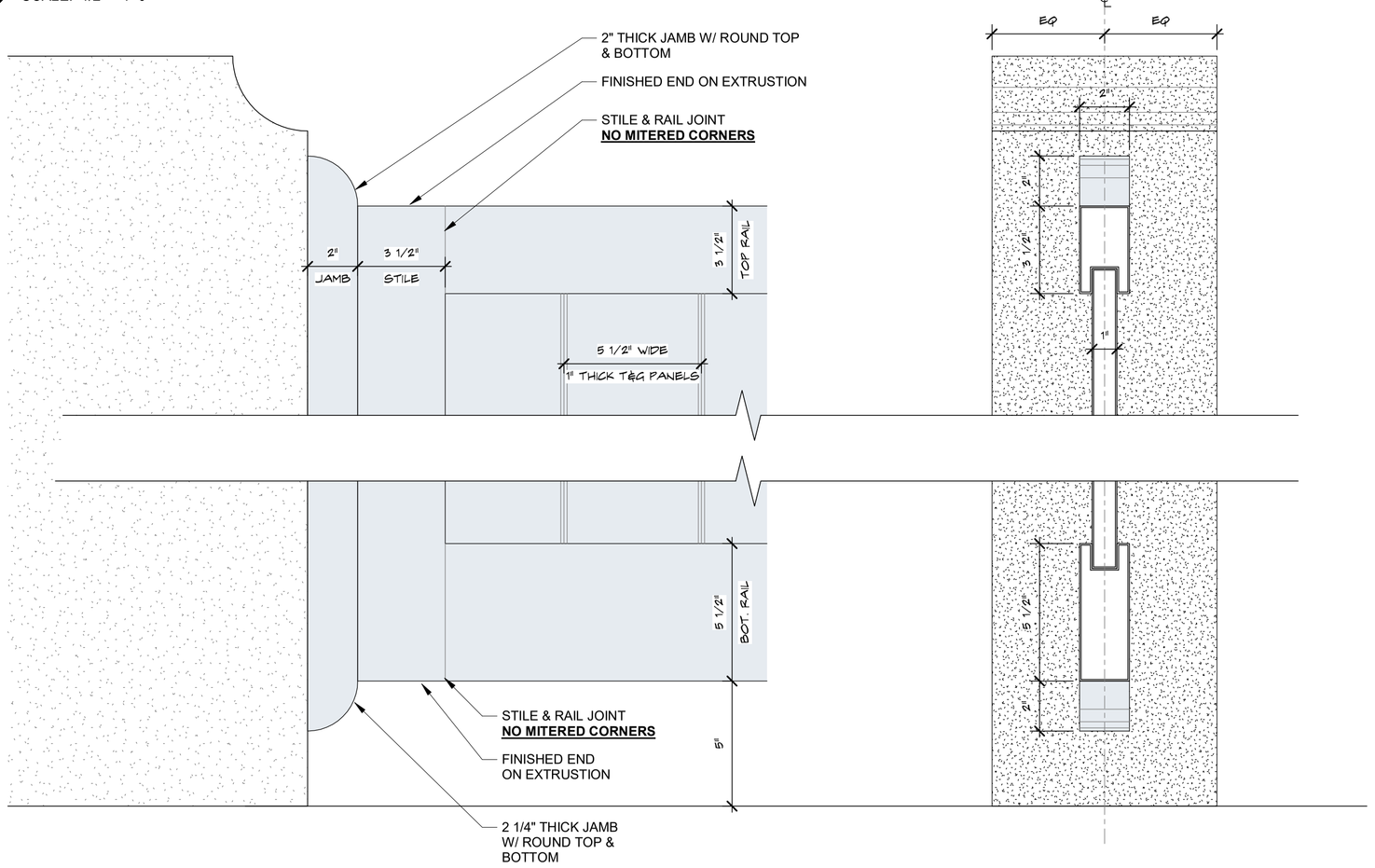
NOTE:
1. ALL CONNECTS TO BE WELDED AND/OR CONCEALED. NO EXPOSED ANCHORS WILL BE ACCEPTED.
2. ALL GATES & FRAMES TO RECEIVE KYNAR FINISH. CUSTOM COLOR TBS.



TRASH ENCLOSURE GATE

TYPICAL PEDESTRIAN GATE

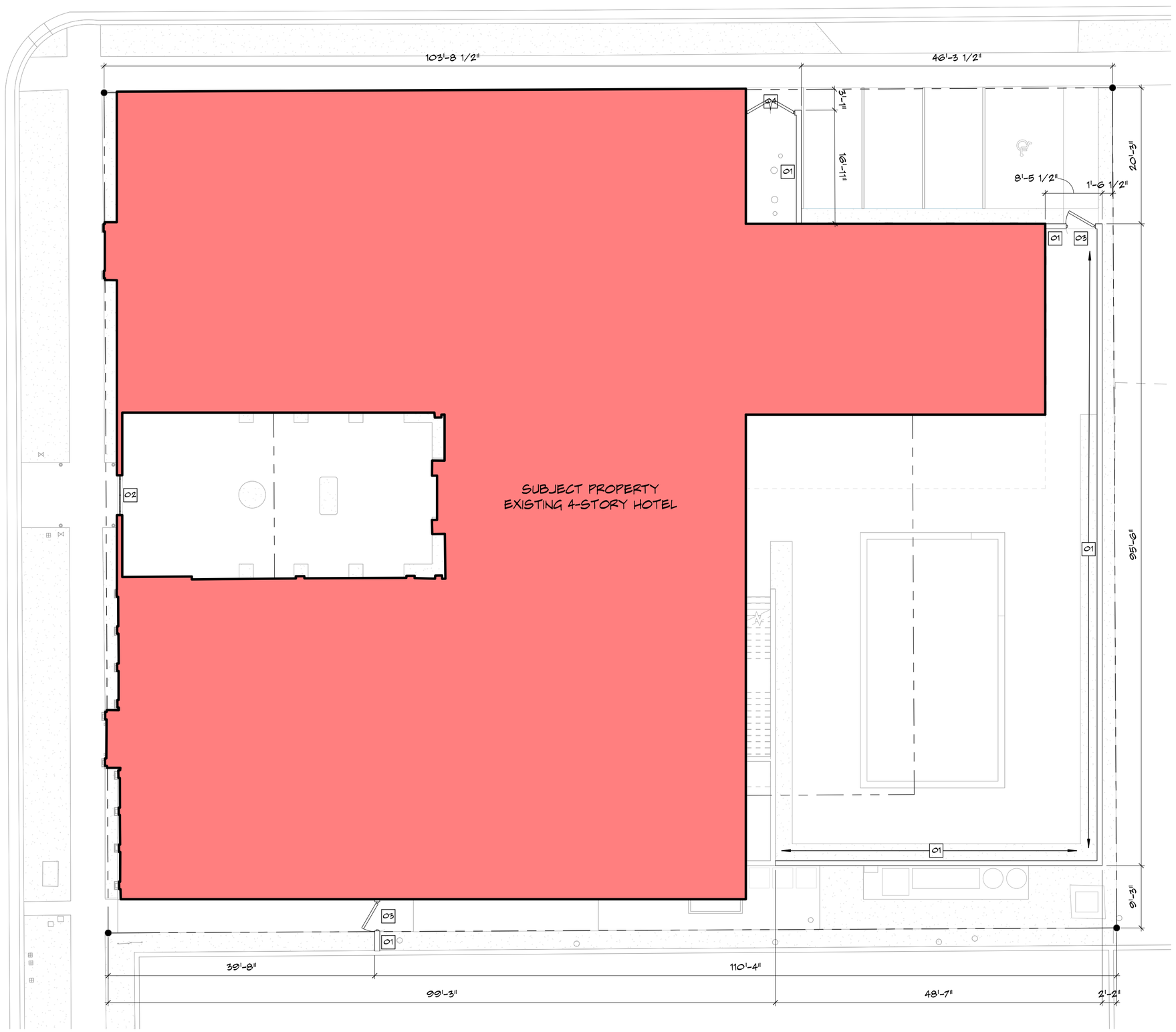
A AC-6.4.0 **EXTERIOR GATE LEGEND**
SCALE: 1/2" = 1'-0"



ELEVATION

SECTION

B AC-6.4.0 **EXTERIOR GATE DETAILS**
SCALE: 3" = 1'-0"



1 AC-6.4.0 **FENCE, WALL AND GATE PLAN**
SCALE: 3/32" = 1'-0"

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RENOVATION OF
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N E S W

EXTERIOR WALL AND GATE PLAN AND DETAILS

AC-6.4.0

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189 of 1057
12/8/2022 10:49:04 AM

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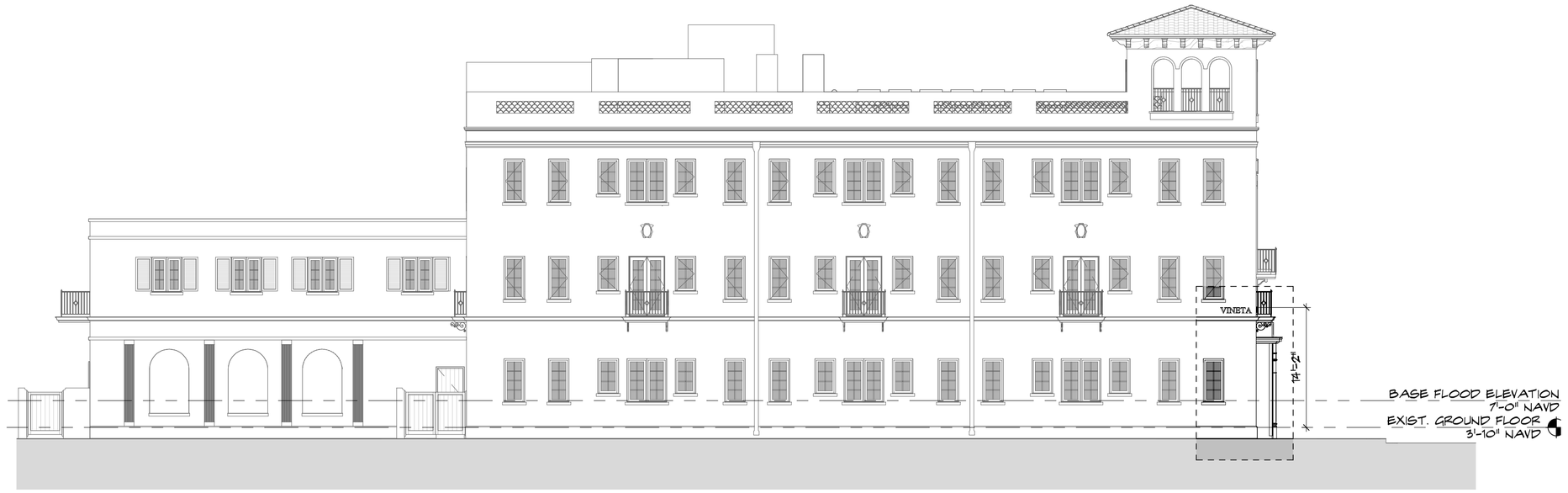
Autodesk Docs://The Vineta/The Vineta.rvt

2 AC-6.5.0 **Proposed West Elevation**
SCALE: 3/32" = 1'-0"



1 AC-6.5.0 **Proposed North Elevation**
SCALE: 3/32" = 1'-0"

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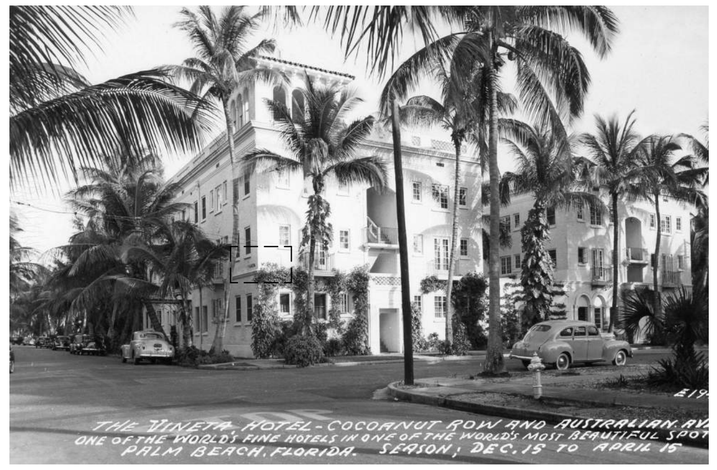
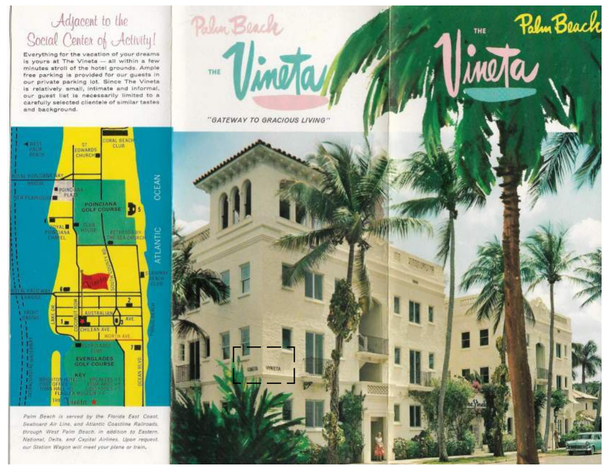
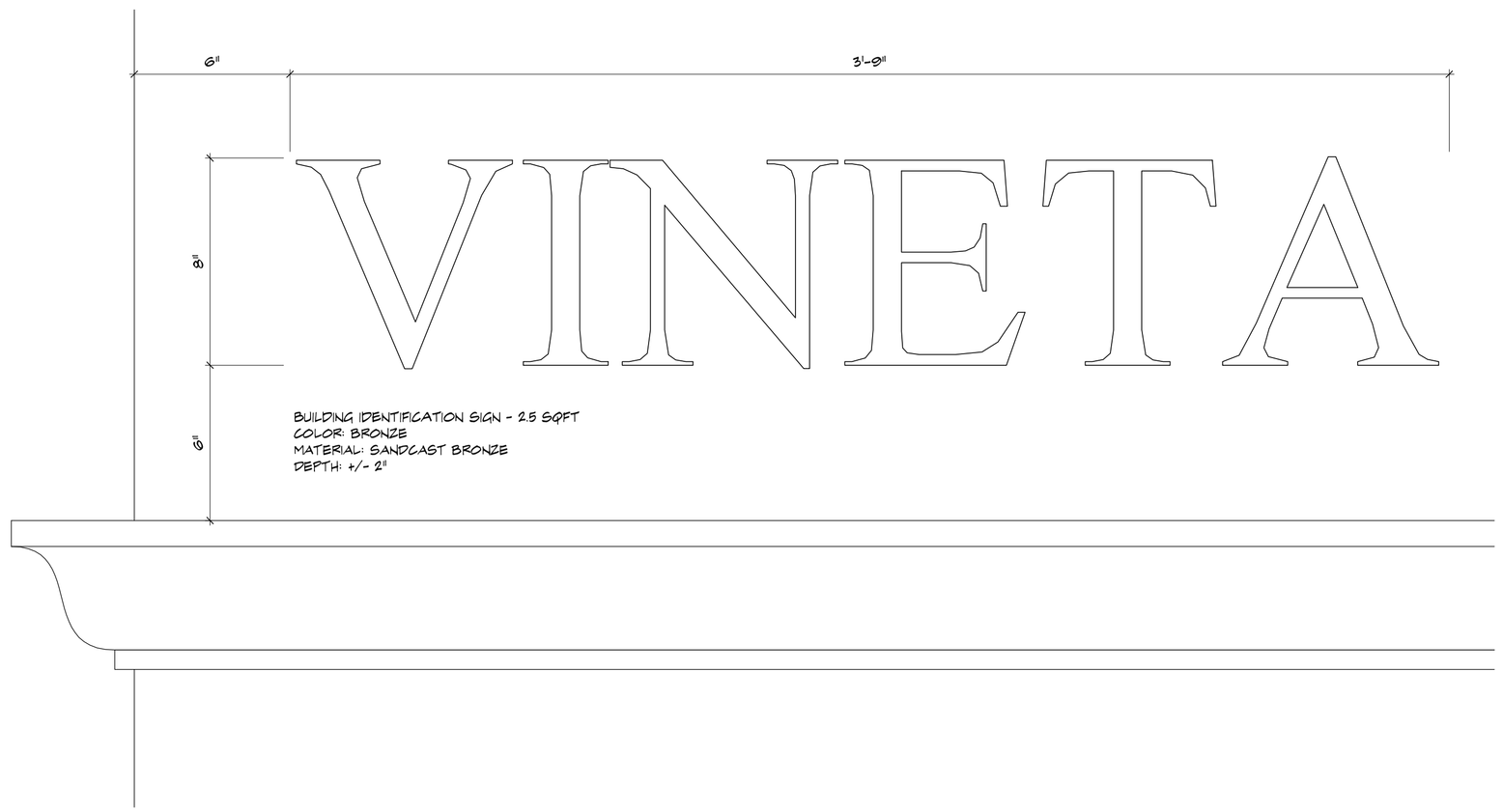
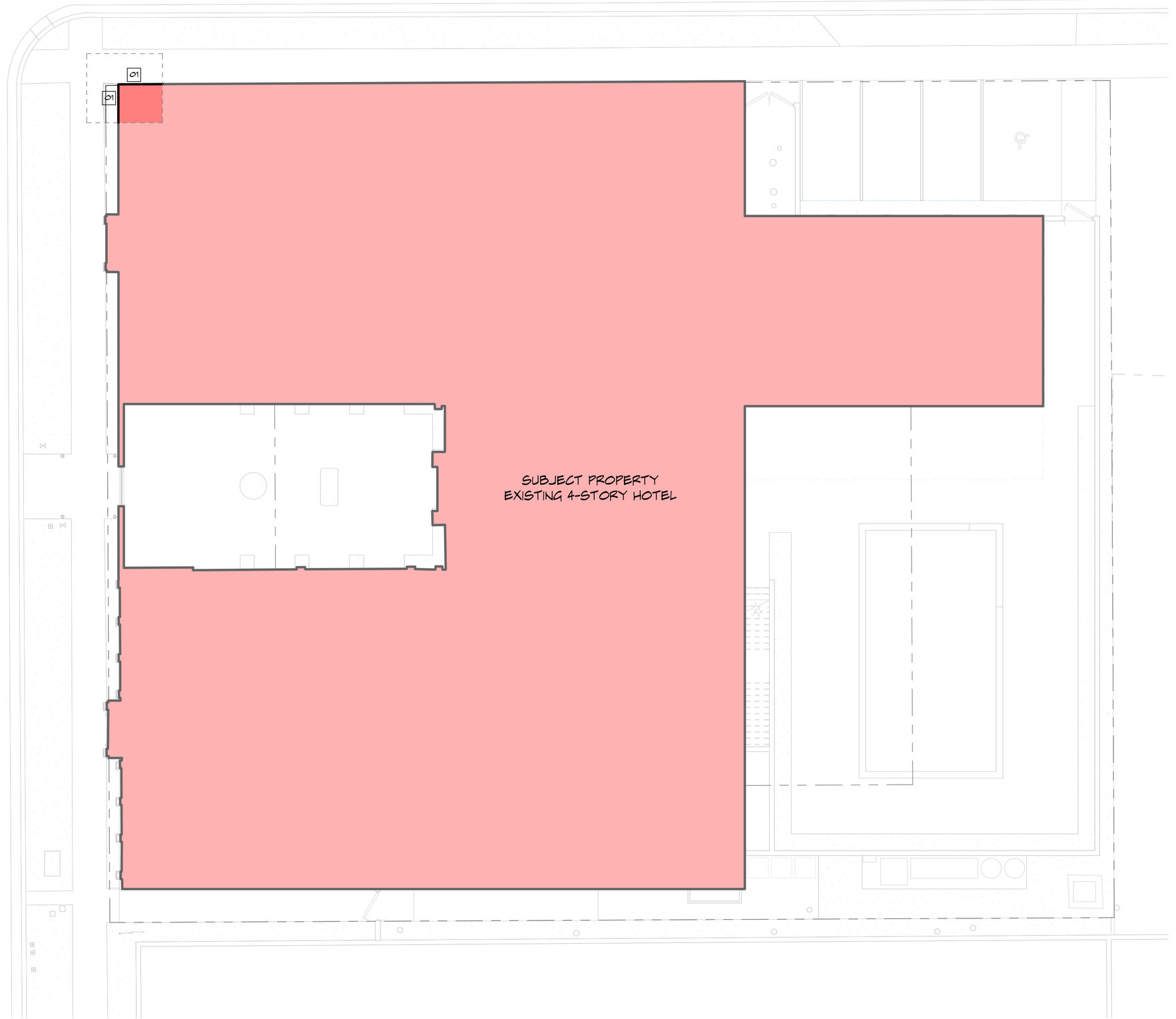




3 AC-6.5.0 **HISTORIC SIGN IMAGES**
SCALE: 12" = 1'-0"



4 AC-6.5.0 **BUILDING IDENTIFICATION SIGN DETAIL**
SCALE: 3" = 1'-0"



A AC-6.5.0 **FENCE, WALL AND GATE PLAN**
SCALE: 3/32" = 1'-0"

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EXTERIOR SIGNAGE PLAN AND DETAILS

AC-6.5.0

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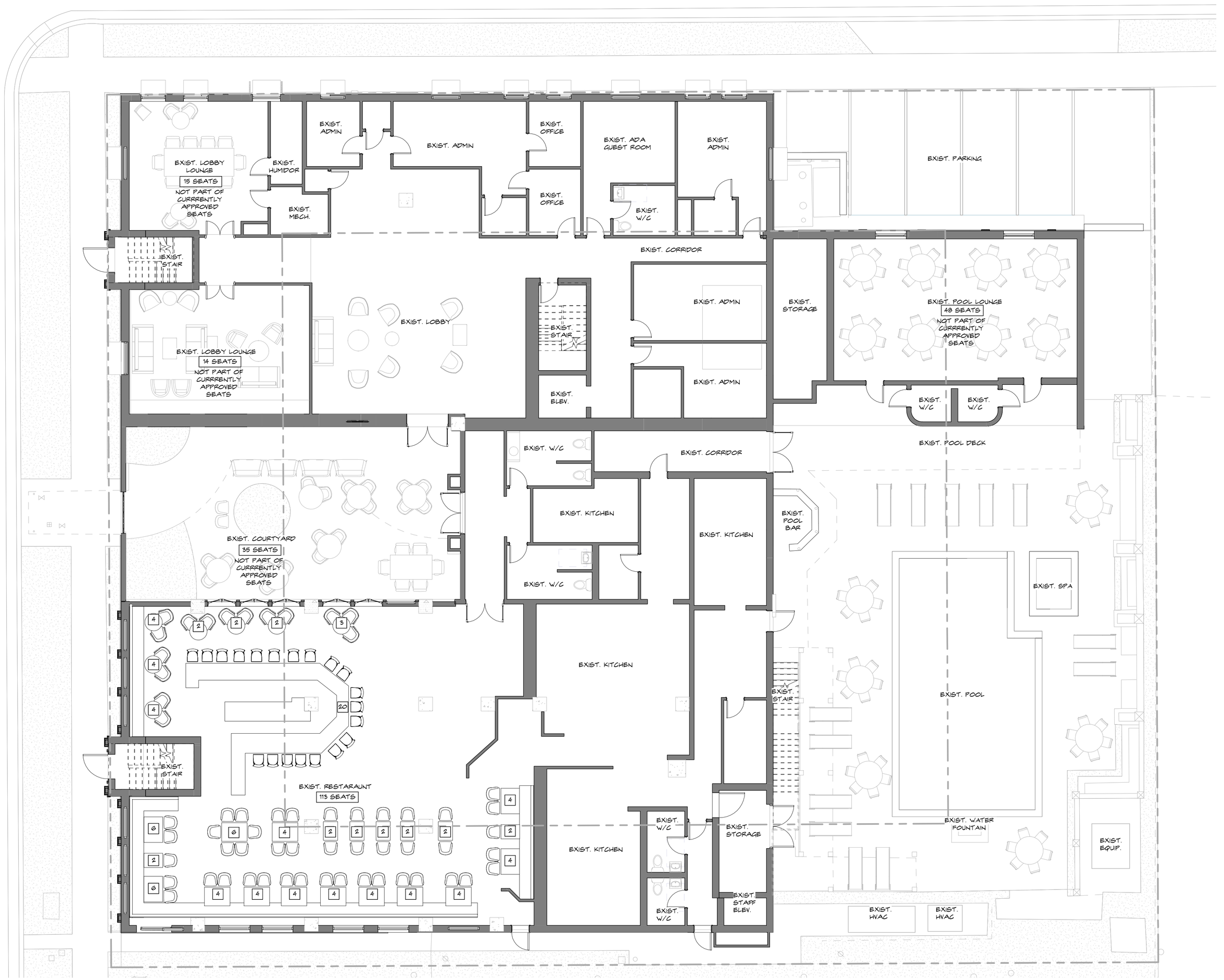
SEATING COUNT		
	EXISTING	PROPOSED
INDOOR		
LOBBY LOUNGE	-	33
RESTAURANT	113	68
POOL LOUNGE (INDOOR)	-	34
SUBTOTAL	113	135
OUTDOOR		
COURTYARD	-	44
POOL LOUNGE (OUTDOOR)	-	12
SUBTOTAL	-	56
TOTAL	**113**	**191**

PARKING CREDIT		
	EXISTING	PROPOSED
HOTEL ROOMS	57	41
16 ROOMS REDUCTION X 1.75 SPACES PER ROOM = 28 SPACE CREDIT		
28 SPACES X 3 SEATS PER SPACE = 84 SEAT CREDIT (SEE ABOVE)		

Existing Courtyard - 35 Seats

Historic Courtyard - 40 Seats



1 AC-7.1.0 **Existing Seating Plan**
SCALE: 1/8" = 1'-0"

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RENOVATION OF
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EXISTING SEATING PLAN

AC-7.1.0

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TC Development Review Meeting Redline 4-04-2023
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SEATING COUNT		
	EXISTING	PROPOSED
INDOOR		
LOBBY LOUNGE	-	33
RESTAURANT	113	68
POOL LOUNGE (INDOOR)	-	34
SUBTOTAL	113	135
OUTDOOR		
COURTYARD	-	44
POOL LOUNGE (OUTDOOR)	-	12
SUBTOTAL	-	56
TOTAL	113	190

PARKING CREDIT		
	EXISTING	PROPOSED
HOTEL ROOMS	57	41
16 ROOMS REDUCTION X 1.75 SPACES PER ROOM = 28 SPACE CREDIT		
28 SPACES X 3 SEATS PER SPACE = 84 SEAT CREDIT (SEE ABOVE)		

Dining Chair Type A

Bistro Chair
Style only not colour

Bistro Base Style

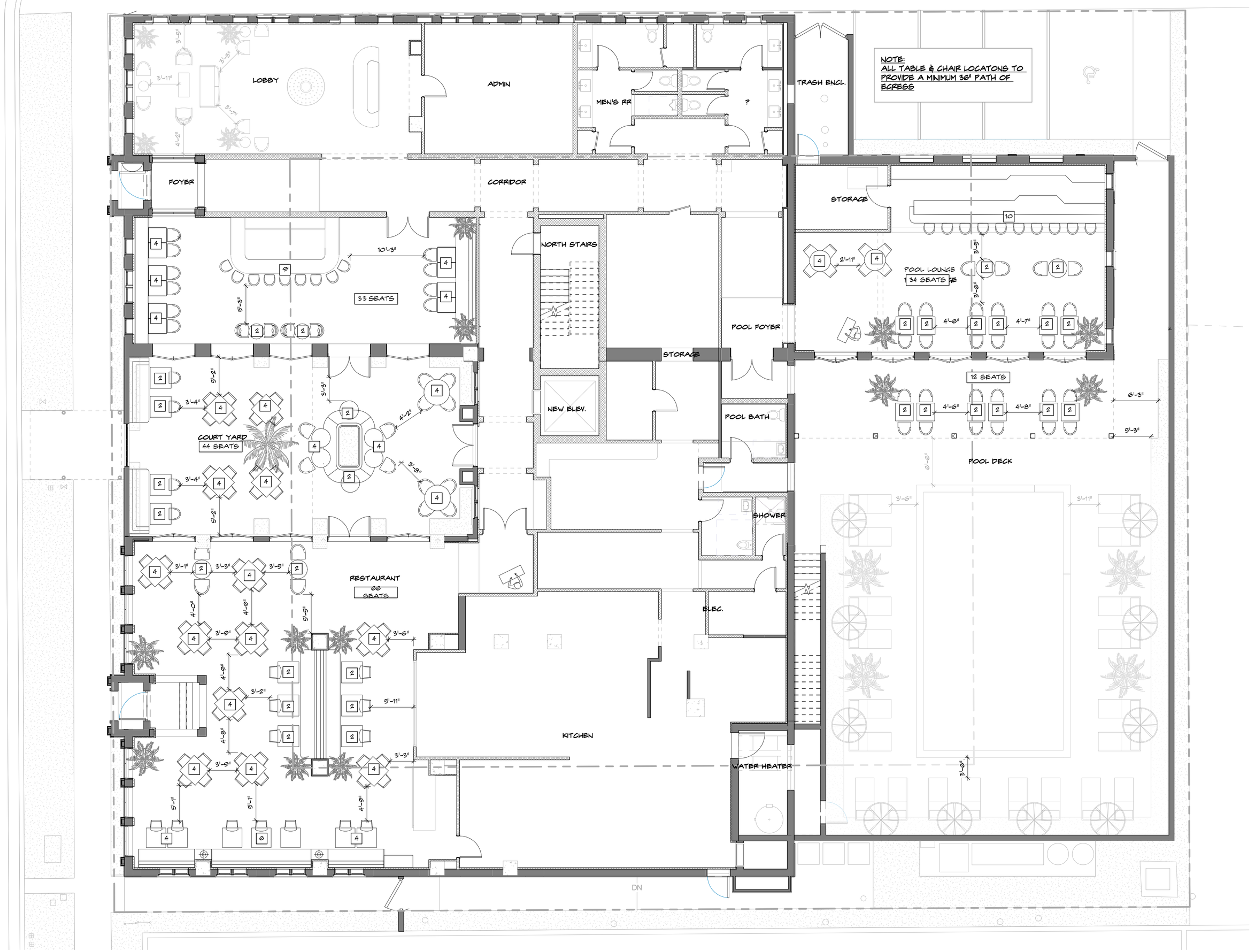
Proposed Courtyard Furniture

Dining Chair
(To 2 Tops)

Dining Chair
(To 4 Tops)

Dining Table
Verdigris metal top with
central white base

Proposed Pool Lounge Furniture



1 AC-7.1.1 **Proposed Seating Plan**
SCALE: 1/8" = 1'-0"

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RENOVATION OF
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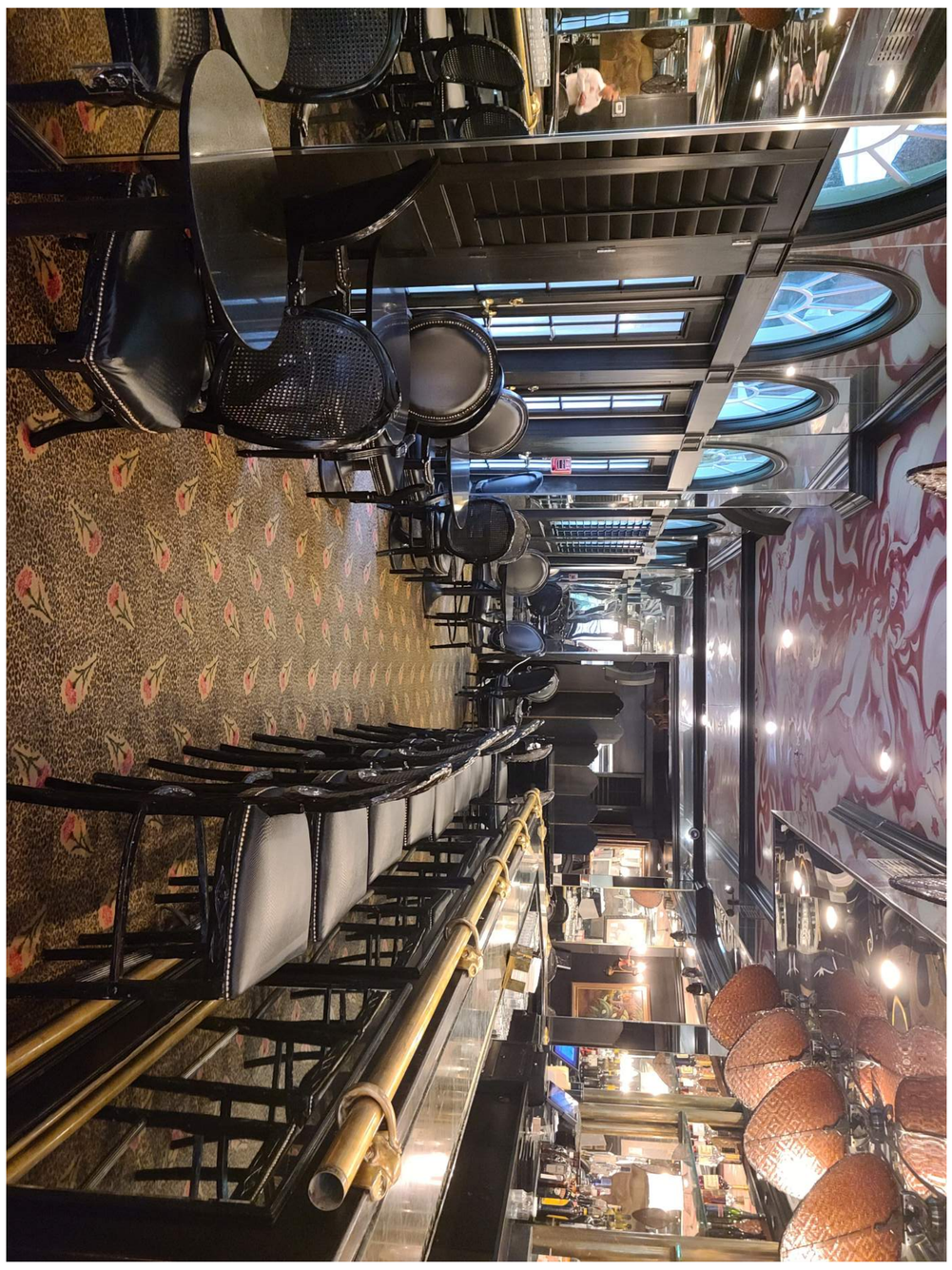
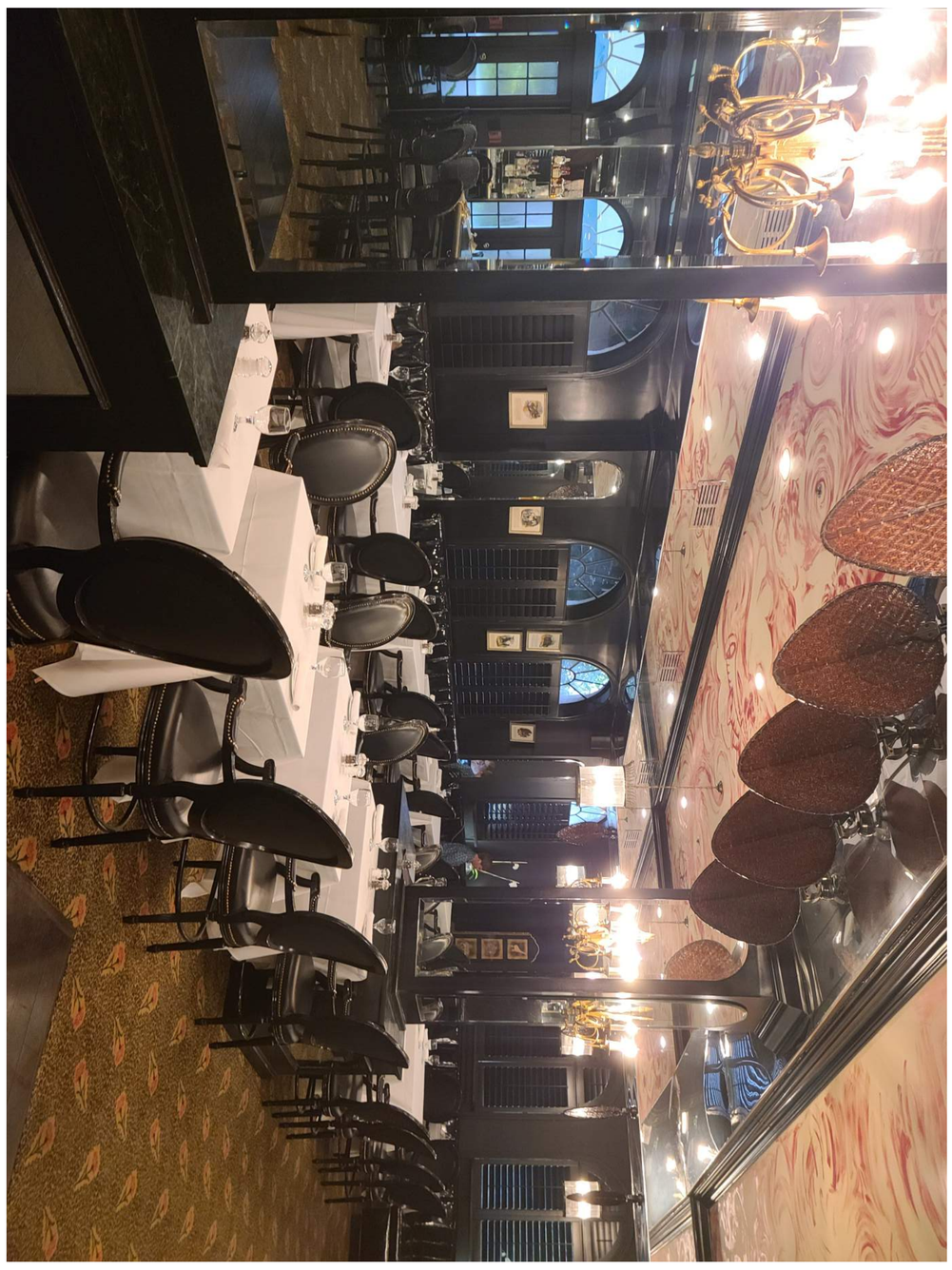
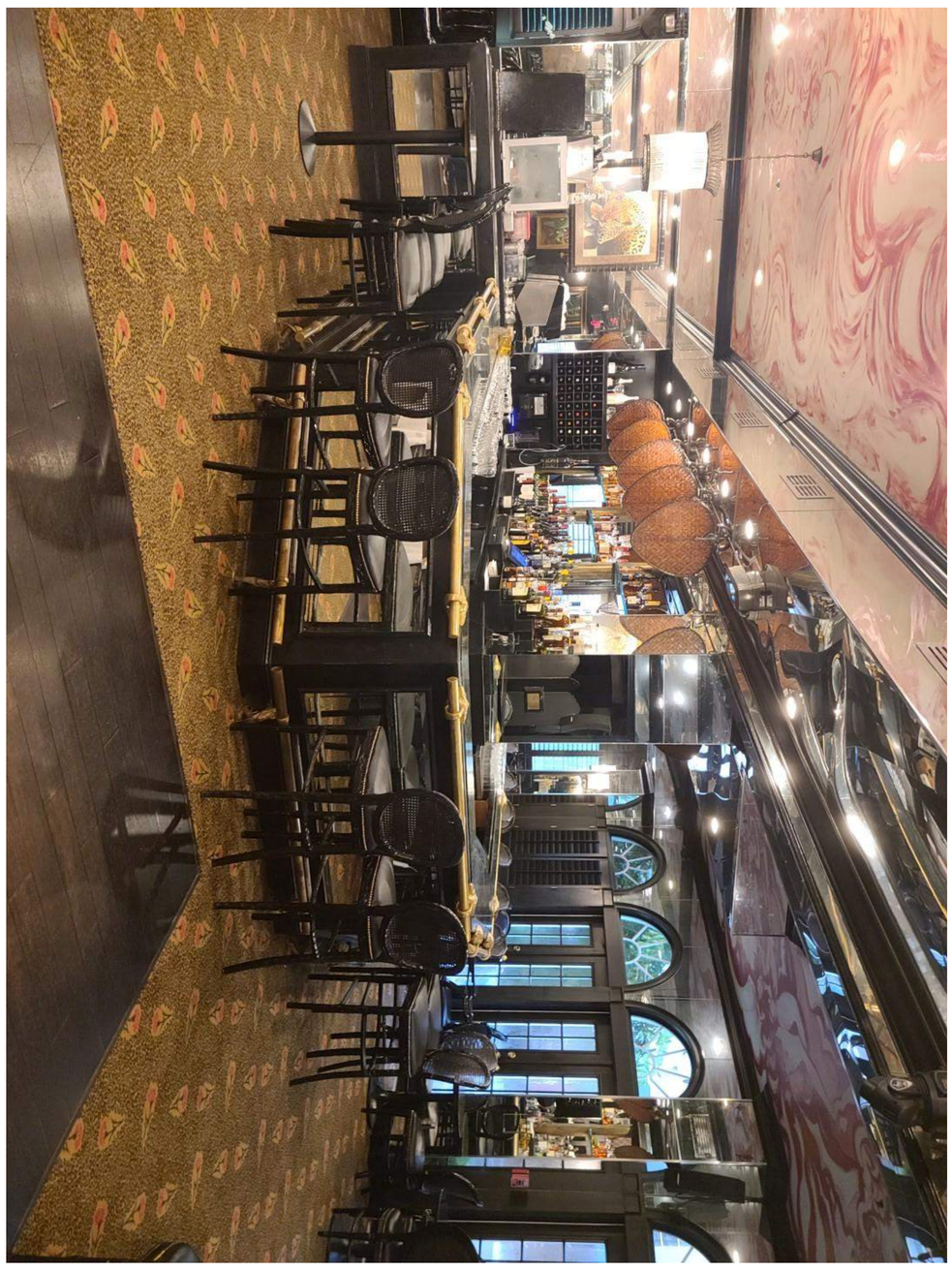
PROPOSED SEATING PLAN

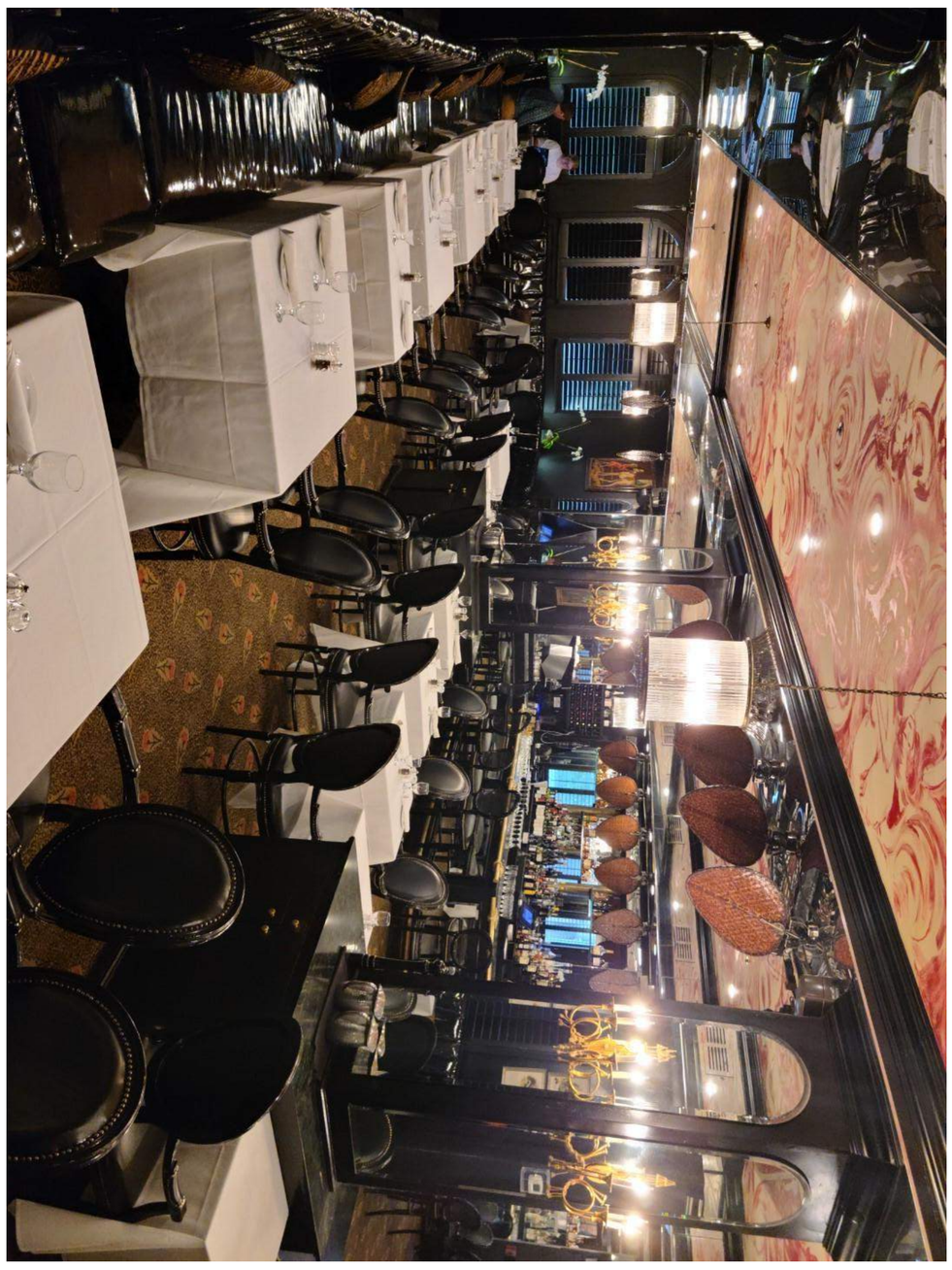
AC-7.1.1

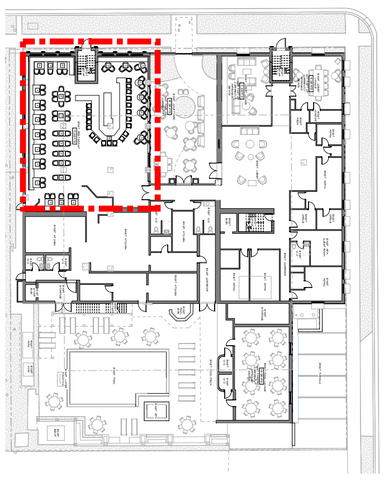
1/12/2023 9:22:23 AM











EXISTING
RESTARAUNT &
BAR
113 SEATS

EXISTING SEATING PHOTOGRAPHS

AC-7.0.1

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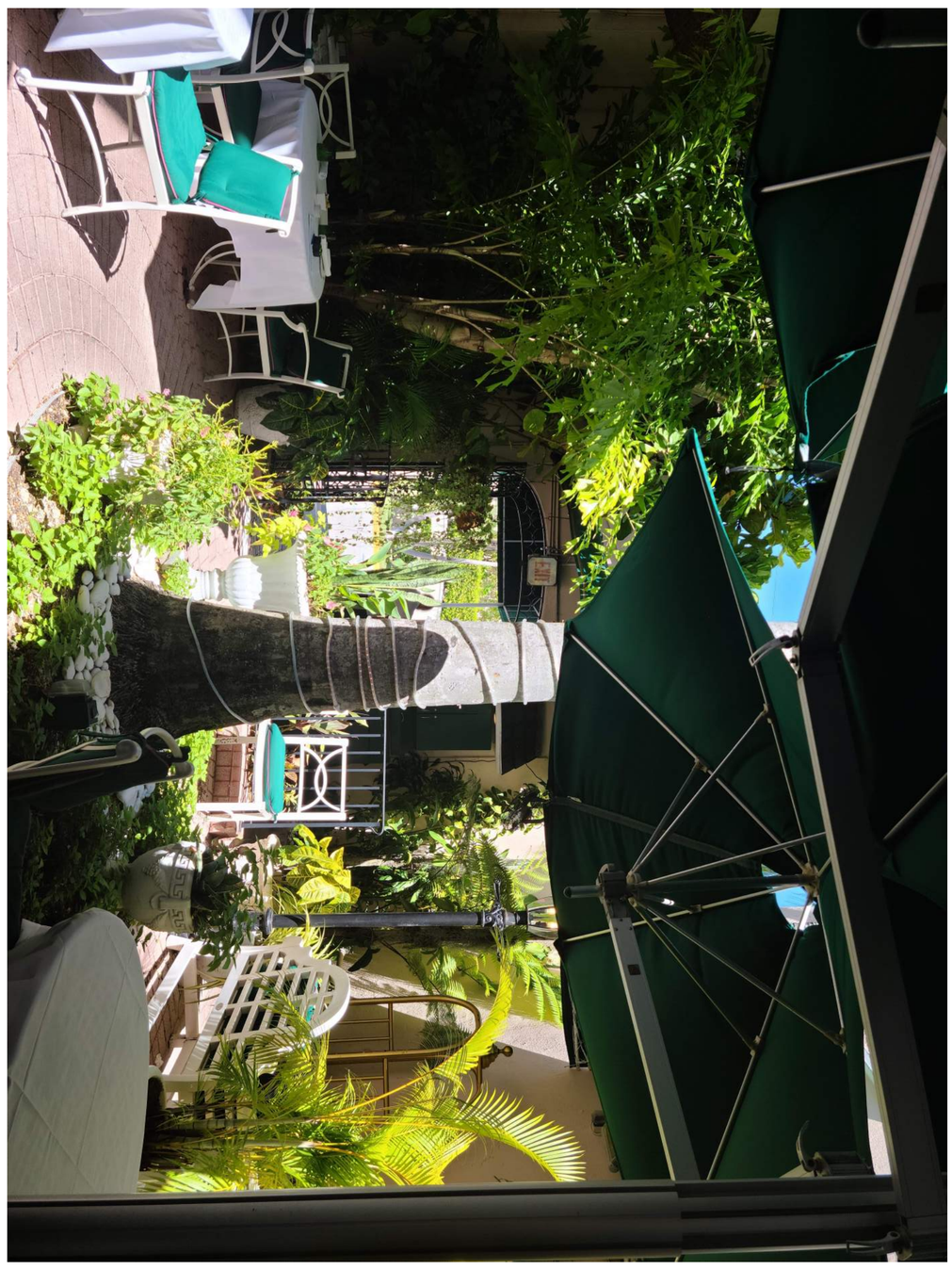

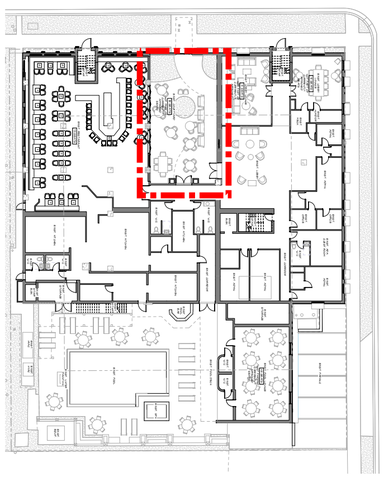

EXISTING
COURTYARD
35 - 40 SEATS

EXISTING SEATING PHOTOGRAPHS

AC-7.0.2

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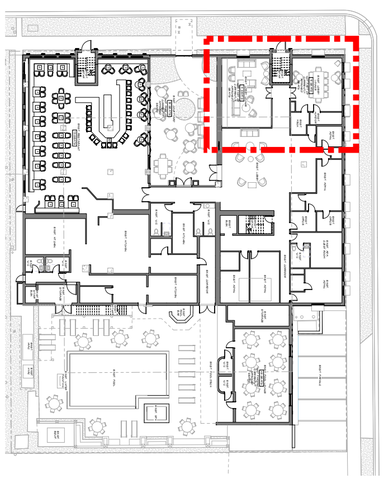

EXISTING
TEA ROOM &
BOARD ROOM
29 SEATS

EXISTING SEATING PHOTOGRAPHS

AC-7.0.3

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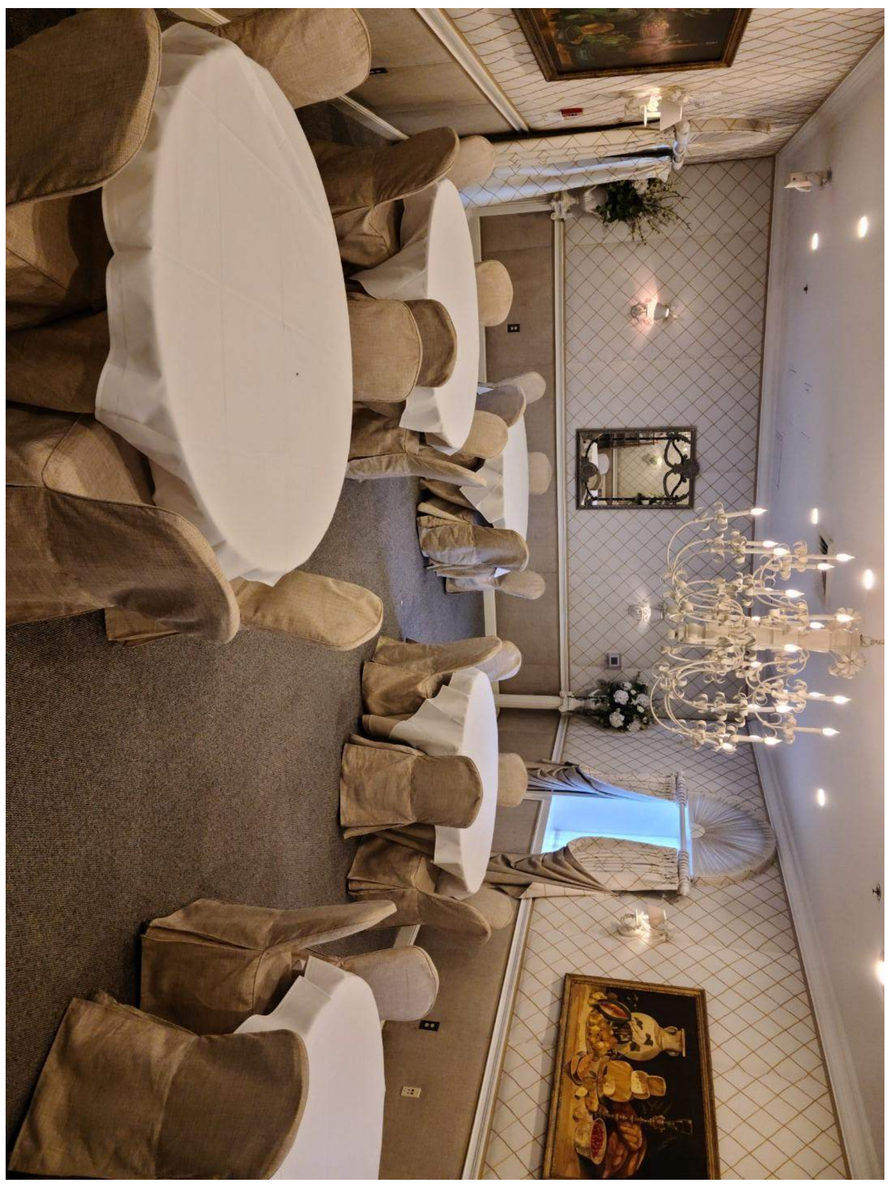

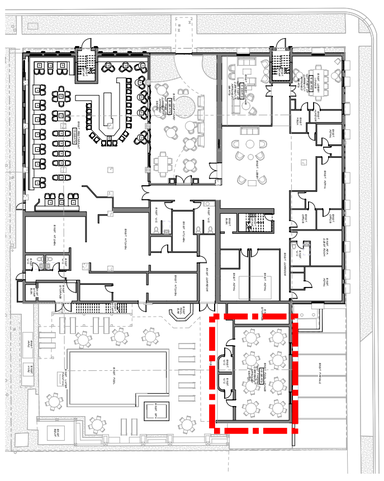

EXISTING
POOL LOUNGE
48 SEATS

EXISTING SEATING PHOTOGRAPHS

AC-7.0.4

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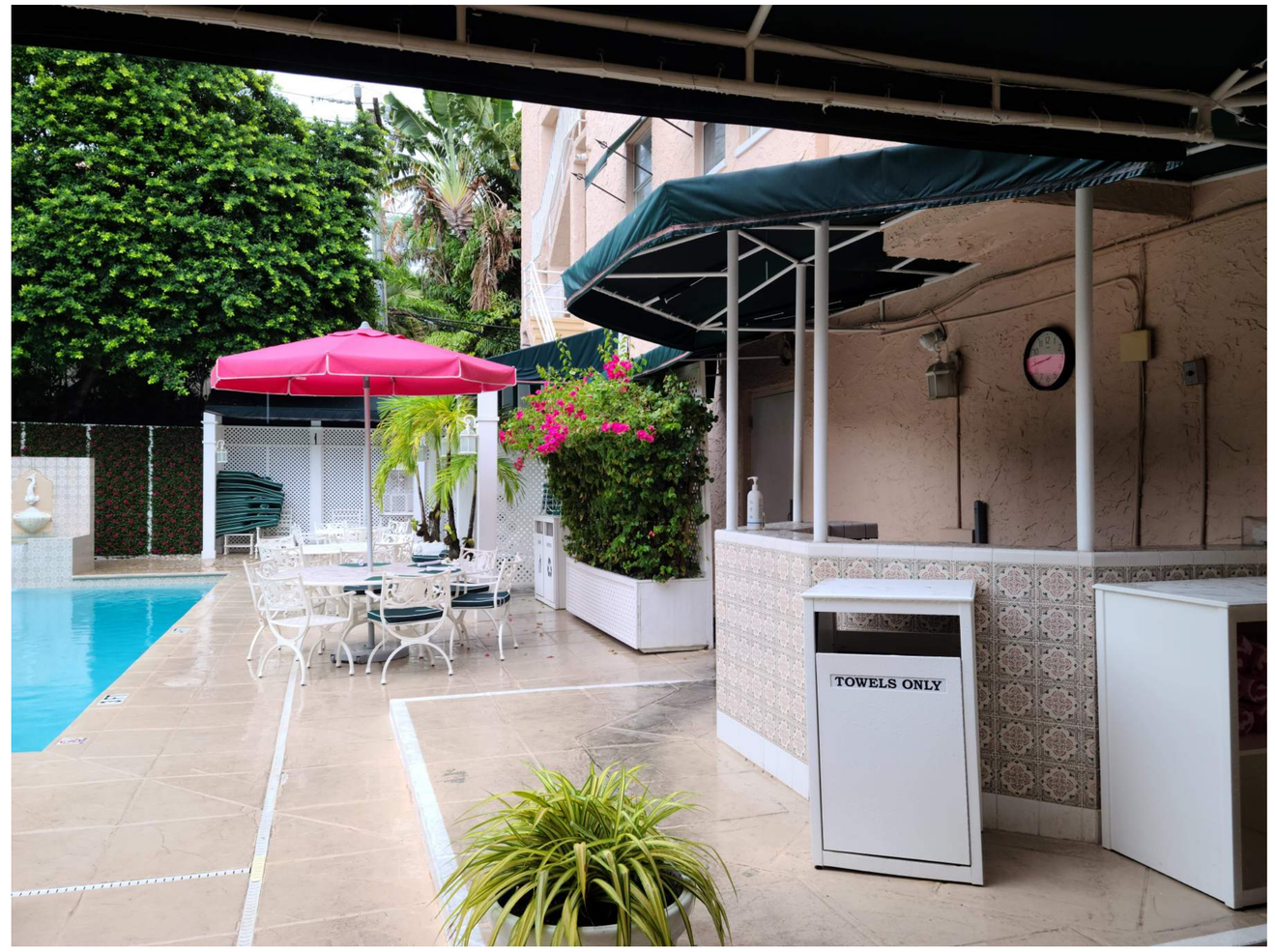
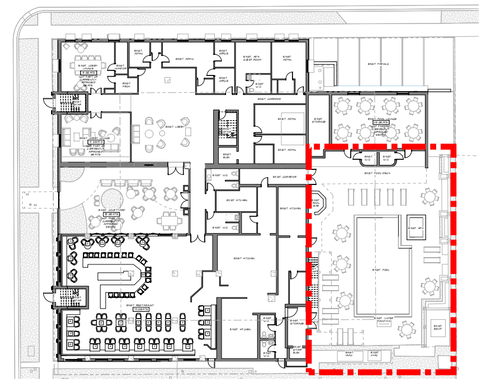


EXISTING
POOL DECK &
OUTDOOR BAR
45 SEATS



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EXISTING SEATING PHOTOGRAPHS

AC-7.0.5

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197 of 1057
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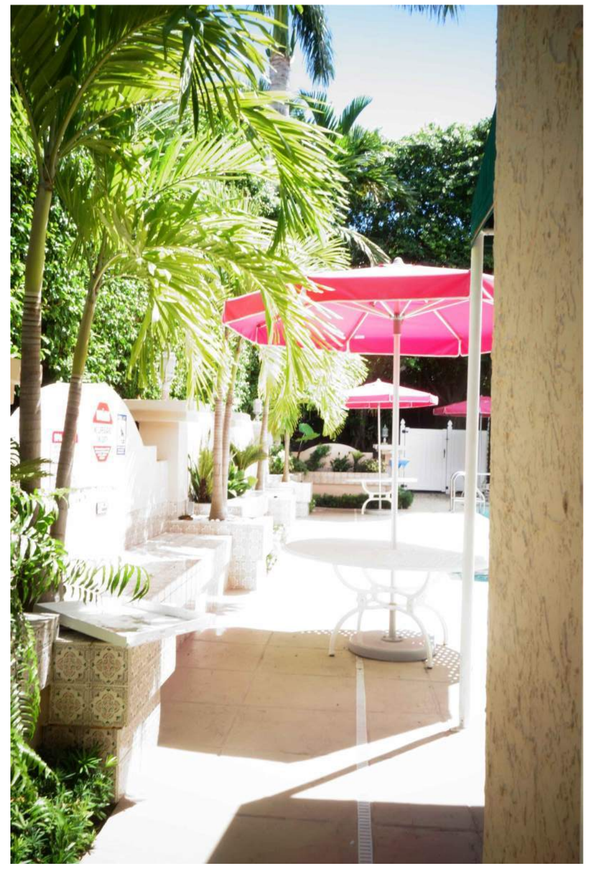
TC Development Review Meeting Backup 4-04-2023

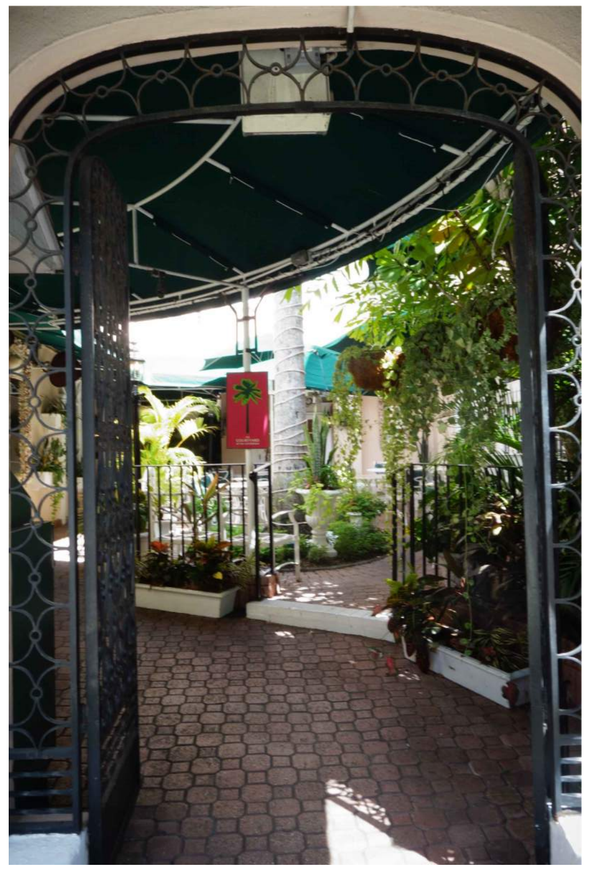
View to North Exterior

View to West Exterior



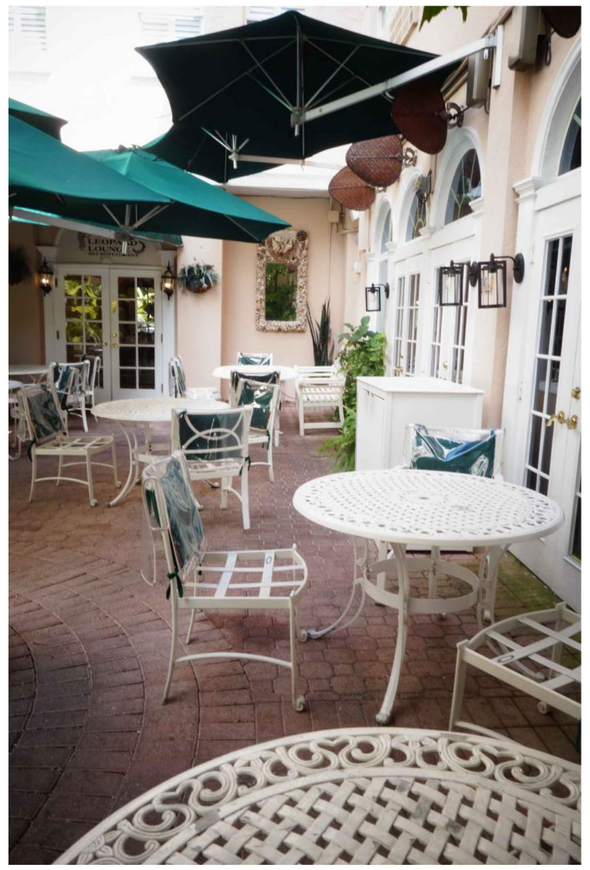
View to Existing Pool Deck

View to Existing Pool Deck



View to Existing Front Entry

View to Existing Courtyard



View to Existing Courtyard

ENVIRONMENT DESIGN GROUP
139 North County Road SR20-B Palm Beach, Fl 33480
Phone 561.832.4600 Mobile 561.313.4424
Landscape Architecture
Land Planning
Landscape Management
Dustin M. Mizell, MLA RLA #6666784
Dustin@environmentdesigngroup.com

The Vineta
363 Cocoanut Row
Palm Beach
FLORIDA

JOB NUMBER: # 22190.00 LA
DRAWN BY: Lauren Freeman
DATE: 10.24.2022
11.07.2022
11.28.2022

SHEET L1.0

ZON-23-019
COA-23-002

Existing Site Photos

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TC Development Review Meeting Backup 4-04-2023

AUSTRALIAN AVENUE

℄

℄ COCOANUT ROW

150.0'

150.0'

FICUS SPP
FICUS HEDGE

FICUS SPP
FICUS HEDGE

ALSOPHILA AUSTRALIS
AUSTRALIAN FERN TREE

ADONIDIA MERRILLI
ADONIDIA PALMS

WODYETIA BIFURCATA
FOXTAIL PALM

CARYOTA MITIS
FISHTAIL PALM

COCOS NUCIFERA
COCONUT PALMS
TYPICAL

FICUS SPP
FICUS HEDGE

FICUS SPP
FICUS HEDGE

FICUS SPP
FICUS HEDGE

CYPRESS SEMPERVIRENS
ITALIAN CYPRESS

CHRYSOBALANUS ICACO
COCOPLUM

FICUS SPP
FICUS HEDGE

PODOCARPUS MACROPHYLLUS 'PRINGLES'
DWARF PODOCARPUS

ADONIDIA MERRILLII
DOUBLE ADONIDIA PALMS
TYPICAL

PODOCARPUS MACROPHYLLUS 'PRINGLES'
DWARF PODOCARPUS

MIX OF SANSEVIERIA SPP &
PHILODENDRON SPP

PODOCARPUS MACROPHYLLUS 'PRINGLES'
DWARF PODOCARPUS

MIX OF
SCHEFFLERA ARBORICOLA
VARIEGATED SCHEFFLERA &
PHILODENDRON SPP

PTYCHOSPERMA MACARTHURII
MACARTHUR PALM

ENVIROMENT DESIGN GROUP
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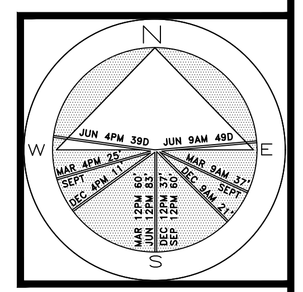
Landscape Management
Dustin M. Mizell, MLA RLA #6666784
Dustin@environmentdesigngroup.com

The Vineta
363 Cocoanut Row
Palm Beach
FLORIDA



JOB NUMBER: # 22190.00 LA
DRAWN BY: Lauren Freeman
DATE: 10.24.2022
11.07.2022
11.28.2022

SHEET L2.0

64 sf.
AREA IN SQ.FT.

ZON-23-019
COA-23-002

Existing Vegetation Inventory & Action Plan

SCALE IN FEET 0' 8' 16' 24'

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AUSTRALIAN AVENUE

℄

℄ COCOANUT ROW

150.0'

150.0'

FICUS SPP
FICUS HEDGE
TO BE REMOVED

FICUS SPP
FICUS HEDGE
TO BE REMOVED

ALSOPHILA AUSTRALIS
AUSTRALIAN FERN TREE
TO BE REMOVED

ADONIDIA MERRILLI
ADONIDIA PALMS
TO BE REMOVED

WODYETIA BIFURCATA
FOXTAIL PALM
TO REMAIN

CARYOTA MITIS
FISHTAIL PALM
TO BE REMOVED

COCOS NUCIFERA
COCONUT PALMS - TYPICAL
TO REMAIN

FICUS SPP
FICUS HEDGE
TO BE REMOVED

FICUS SPP
FICUS HEDGE
TO BE REMOVED

FICUS SPP
FICUS HEDGE
TO BE REMOVED

CYPRESS SEMPERVIRENS
ITALIAN CYPRESS
TO BE REMOVED
CHRYSOBALANUS ICACO
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MIX OF
SCHEFFLERA ARBORICOLA
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PHILODENDRON SPP
TO BE REMOVED

PTYCHOSPERMA MACARTHURII
MACARTHUR PALM
TO BE REMOVED

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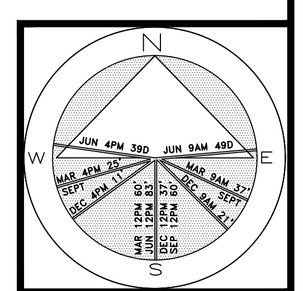

JOB NUMBER: # 22190.00 LA
DRAWN BY: Lauren Freeman
DATE: 11.07.2022
11.28.2022

SHEET L3.0

64 sf.
AREA IN SQ.FT.

ZON-23-019
COA-23-002

Existing Vegetation Inventory & Action Plan

SCALE IN FEET 0' 8' 16' 24'

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AUSTRALIAN AVENUE

NOTE:
WINDOW SCREENING TO BE PROVIDED PER TOPB ZONING CODE.

ALL TRANSPARENT WINDOWS AND DOORS IN VACANT BUILDINGS OR BUILDINGS UNDER CONSTRUCTION LOCATED WITHIN COMMERCIAL ZONING DISTRICTS OF THE TOWN, WHICH WINDOWS AND/OR DOORS CAN BE VIEWED FROM THE PUBLIC STREETS AND SIDEWALKS AND WHICH EXPOSE THE INTERIORS OF SUCH BUILDINGS, SHALL SCREEN THE VACANT INTERIOR OF THE BUILDING IN WHICH THEY ARE LOCATED AND PROVIDE AN ATTRACTIVE DISPLAY FOR THOSE WHO CAN OBSERVE THE WINDOW FROM THE PUBLIC STREETS AND SIDEWALKS OF THE TOWN.

CONSTRUCTION SCREENING ALONG RIGHTS-OF-WAY SHOULD HAVE PRINTED/SILK SCREENED FACADE IMAGE OF BUILDING FOR ENTIRE HEIGHT OF BUILDING.

6' HT. CHAIN-LINK CONSTRUCTION FENCE WITH SCREENING

6' HT. X 20' WIDE CHAIN-LINK ROLLING GATE WITH SCREENING

6' HT. CHAIN-LINK CONSTRUCTION FENCE WITH SCREENING

A/C

A/C

A/C

EXISTING PARKING

6' HT. CHAIN-LINK CONSTRUCTION FENCE WITH SCREENING

EXISTING FICUS SPP FICUS HEDGE TO REMAIN

EXISTING TRASH

EXISTING TRASH

EXISTING WODYETIA BIFURCATA FOXTAIL PALM TO REMAIN

EXISTING SPA

EXISTING COCOS NUCIFERA COCONUT PALMS TO REMAIN

EXISTING POOL

EXISTING EQUIPMENT

EXISTING EQUIPMENT

EXISTING EQUIPMENT

6' HT. X 7' WIDE CHAIN-LINK ROLLING GATE WITH SCREENING

COCOANUT ROW

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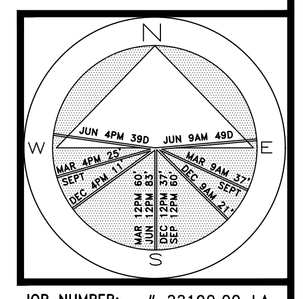

JOB NUMBER: # 22190.00 LA
DRAWN BY: Lauren Freeman
DATE: 09.09.2022
10.24.2022
11.07.2022
11.28.2022

SHEET L4.0

64 sf.
AREA IN SQ.FT.

ZON-23-019
COA-23-002

Construction Screening Plan

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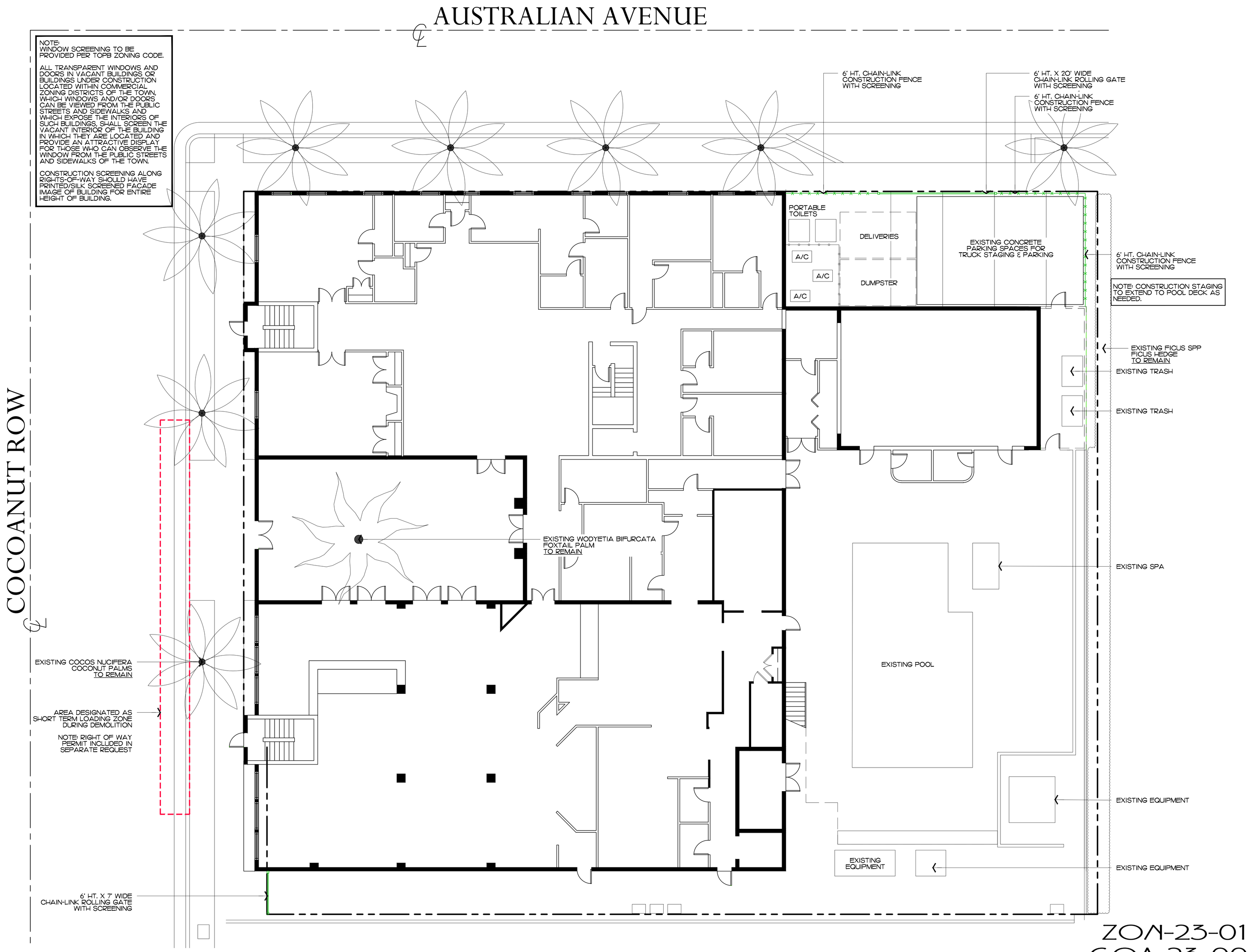

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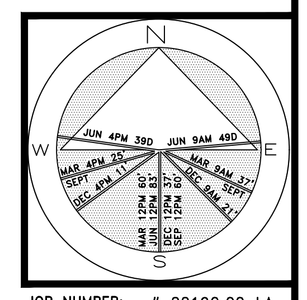

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DATE: 09.09.2022
10.24.2022
11.07.2022
11.28.2022

SHEET L5.0

ZON-23-019
COA-23-002

Construction Staging Plan

SCALE IN FEET 0' 8' 16' 24'

64 sf.
AREA IN SQ.FT.

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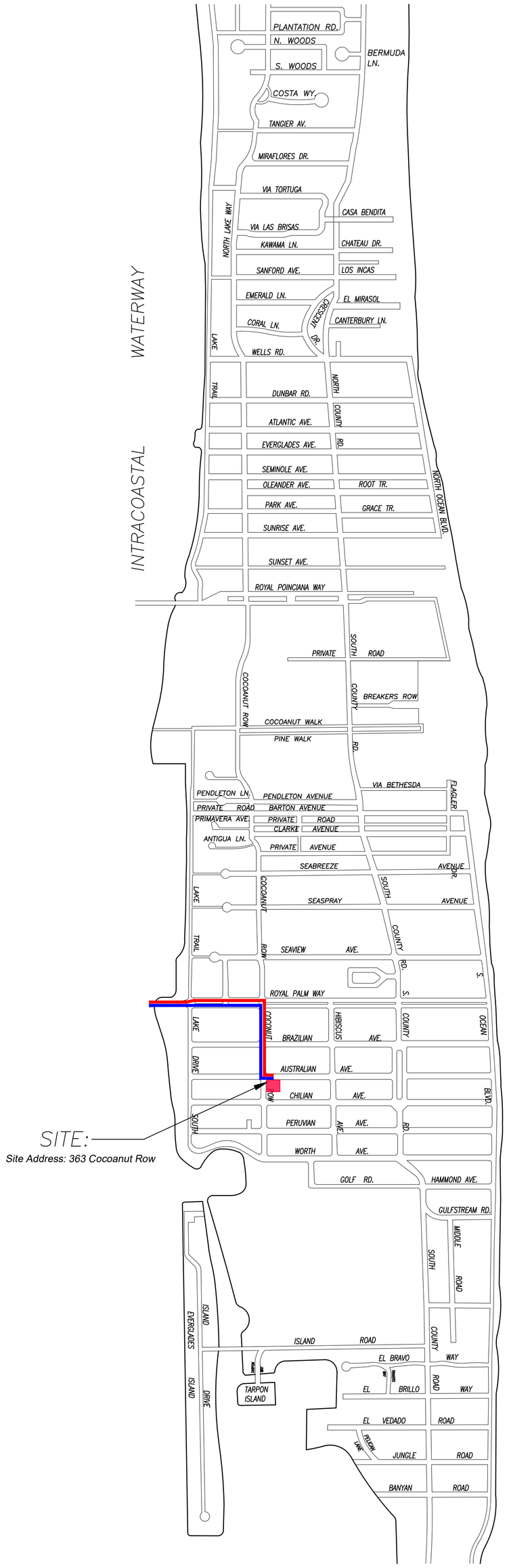

SITE:
Site Address: 363 Cocoanut Row

1 PROPOSED TRUCK INGRESS / EGRESS ROUTES MAP

SCHEDULE: BY OTHERS

LARGEST TRUCK ->
- 10-15 DUMP TRUCKS FOR DEBRIS REMOVAL
- TRAILER FOR EXCAVATOR / DEMOLITION
- LANDSCAPE TRUCKS ->
  - SOD
  - IRRIGATION

NOTE: SEE SEPARATE "CONSTRUCTION STAGING PLAN" SHEET FOR INFORMATION ON LOCATIONS FOR PARKING, MATERIAL STORAGE, DELIVERIES, DUMPSTER, PORTABLE TOILETS, TIRE CLEANING AREA, SILT FECE, ETC.

PROPOSED INGRESS TRUCK ROUTE

PROPOSED EGRESS TRUCK ROUTE

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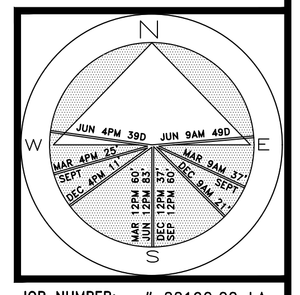

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SHEET L6.0

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Truck Logistics Plan

SCALE: NOT TO SCALE

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AUSTRALIAN AVENUE

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COCOANUT ROW

℄

PROPOSED GATE 6' HT.

LAWN

SIDEWALK

150.0'

EXISTING TRASH STORAGE & GREASE TRAP

EXISTING PARKING

20' REQ. SIDE YARD SETBACK

PROPOSED GATE 6' HT.

PROPOSED PATH

25' REQ. FRONT YARD SETBACK

30' REQ. REAR YARD SETBACK

ENCLOSED GROUND FLOOR

ENCLOSED GROUND FLOOR

PROPOSED OPERABLE TRELLIS (ABOVE)

LAWN

SIDEWALK

W.V.

NEW COVERED AWNING (ABOVE)

125.0'

PROPOSED COURTYARD

LANDSCAPE AREA

LANDSCAPE AREA

FOUNDATION PLANTING TYPICAL

W/M W.V.

LAWN

FOUNDATION PLANTING

FOUNDATION PLANTING

PROPOSED POOL DECK

PROPOSED POOL 19'-6" X 36'-0"

125.0'

20' REQ. SIDE YARD SETBACK

PROPOSED POOL DECK

EX. ELEC. VAULT

PROPOSED SITE WALL 6' HT. MAX.

EX. PHONE

EX. O/H POLE

EX. W.V.

EX. W.V.

EX. W.V.

2'-6" U.E.

EX. B.F.P.

2'-6" U.E.

150.0'

EXISTING FPL TRANSFORMER

PROPOSED PATH

PROPOSED GATE 6' HT.

PROPOSED RAMP

PROPOSED PATH

PROPOSED RECYCLING STORAGE AREA

PROPOSED POOL EQUIPMENT

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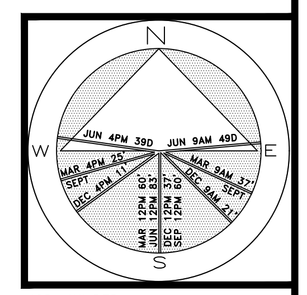

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DRAWN BY: Lauren Freeman
DATE: 11.07.2022
11.28.2022

SHEET L7.0

64 sf.

AREA IN SQ.FT.

ZON-23-019
COA-23-002

Site Plan

SCALE IN FEET 0' 8' 16' 24'

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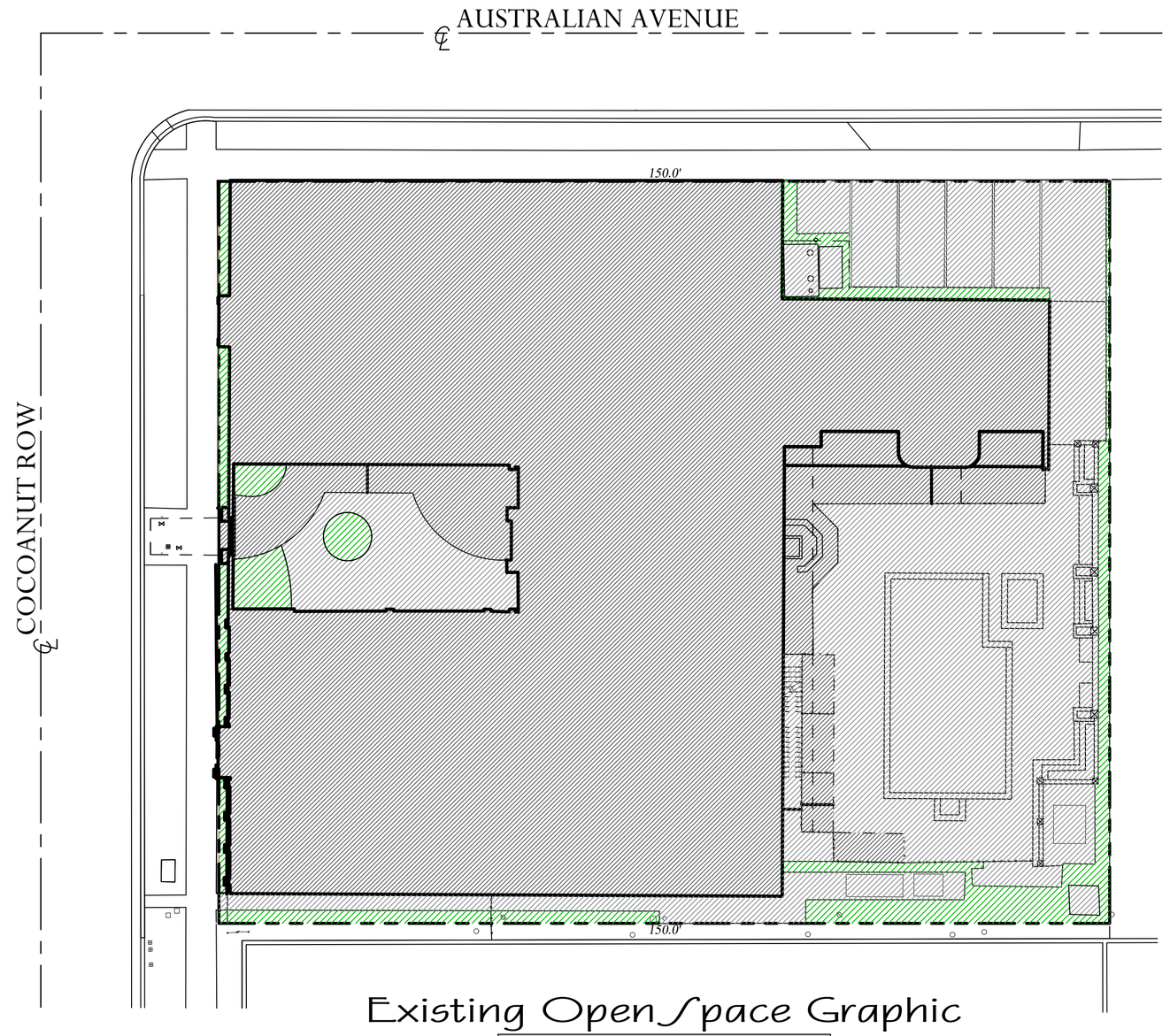
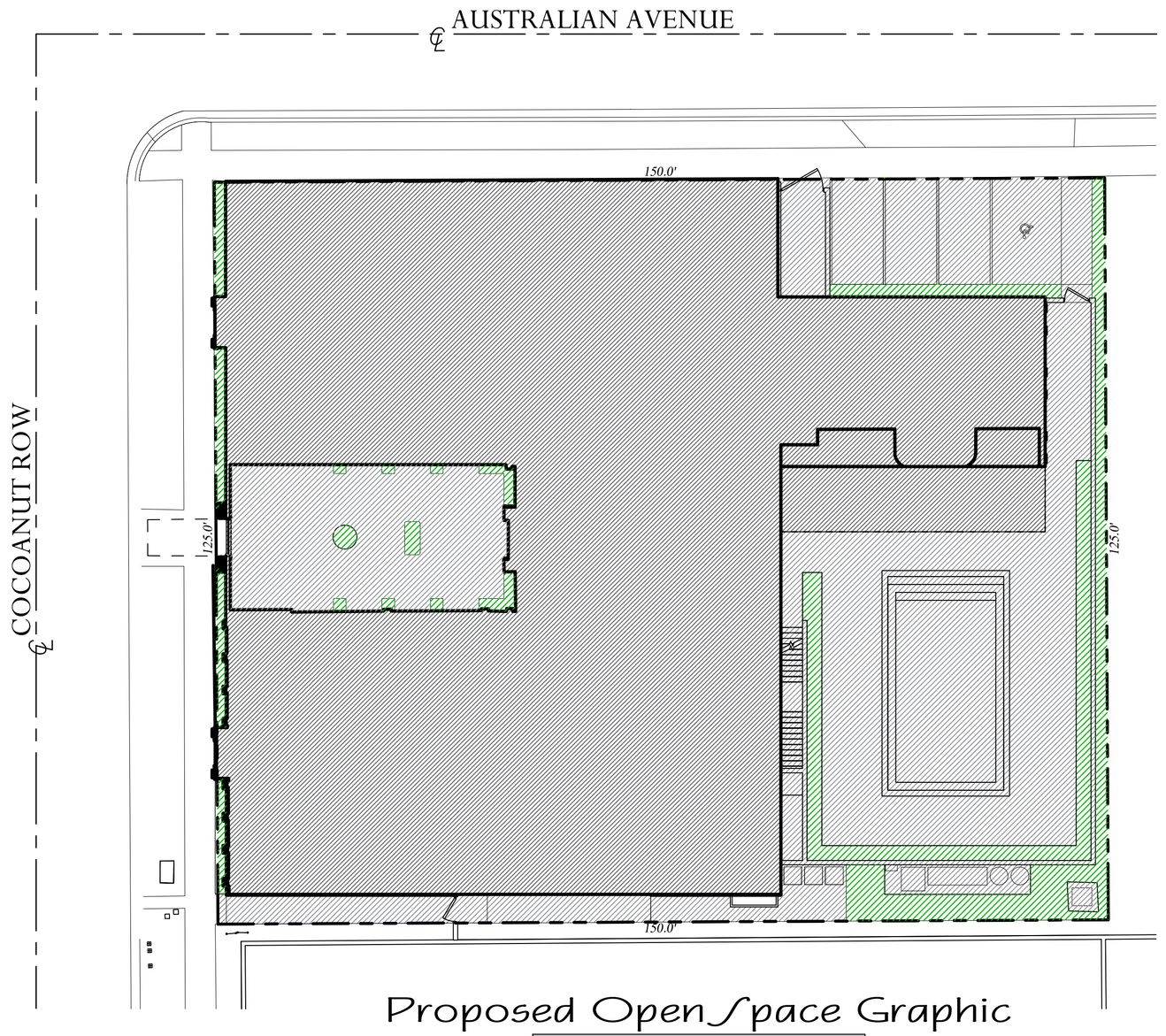
Legend

- IMPERVIOUS AREA (HOUSE/STRUCTURE)
- IMPERVIOUS AREA (HARDSCAPE)
- PERVIOUS AREA / OPEN SPACE



Existing Open Space Graphic



Proposed Open Space Graphic

Existing Site Data

DESCRIPTION	REQUIRED		EXISTING	
LOT ZONE			R-C - MEDIUM DENSITY RESIDENTIAL	
LOT AREA	20,000 S.F. MINIMUM		18,750 S.F.	
OPEN / PERMEABLE SPACE	MINIMUM 35%	6,563 S.F.	5.96%	1,118 S.F.

Proposed Site Data

DESCRIPTION	REQUIRED		PROPOSED	
LOT ZONE			R-C - MEDIUM DENSITY RESIDENTIAL	
LOT AREA	20,000 S.F. MINIMUM		18,750 S.F.	
OPEN / PERMEABLE SPACE	MINIMUM 35%	6,563 S.F.	7.09%	1,330 S.F.

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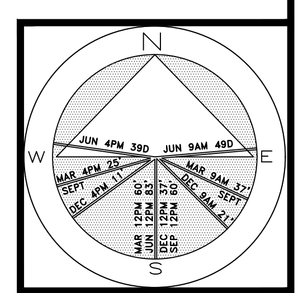

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DRAWN BY: Lauren Freeman
DATE: 10.24.2022
11.07.2022
11.28.2022
12.28.2022

SHEET L7.1

ZON-23-019
COA-23-002

Existing Vs. Proposed Site Data

SCALE IN FEET: 1/16"=1'-0"

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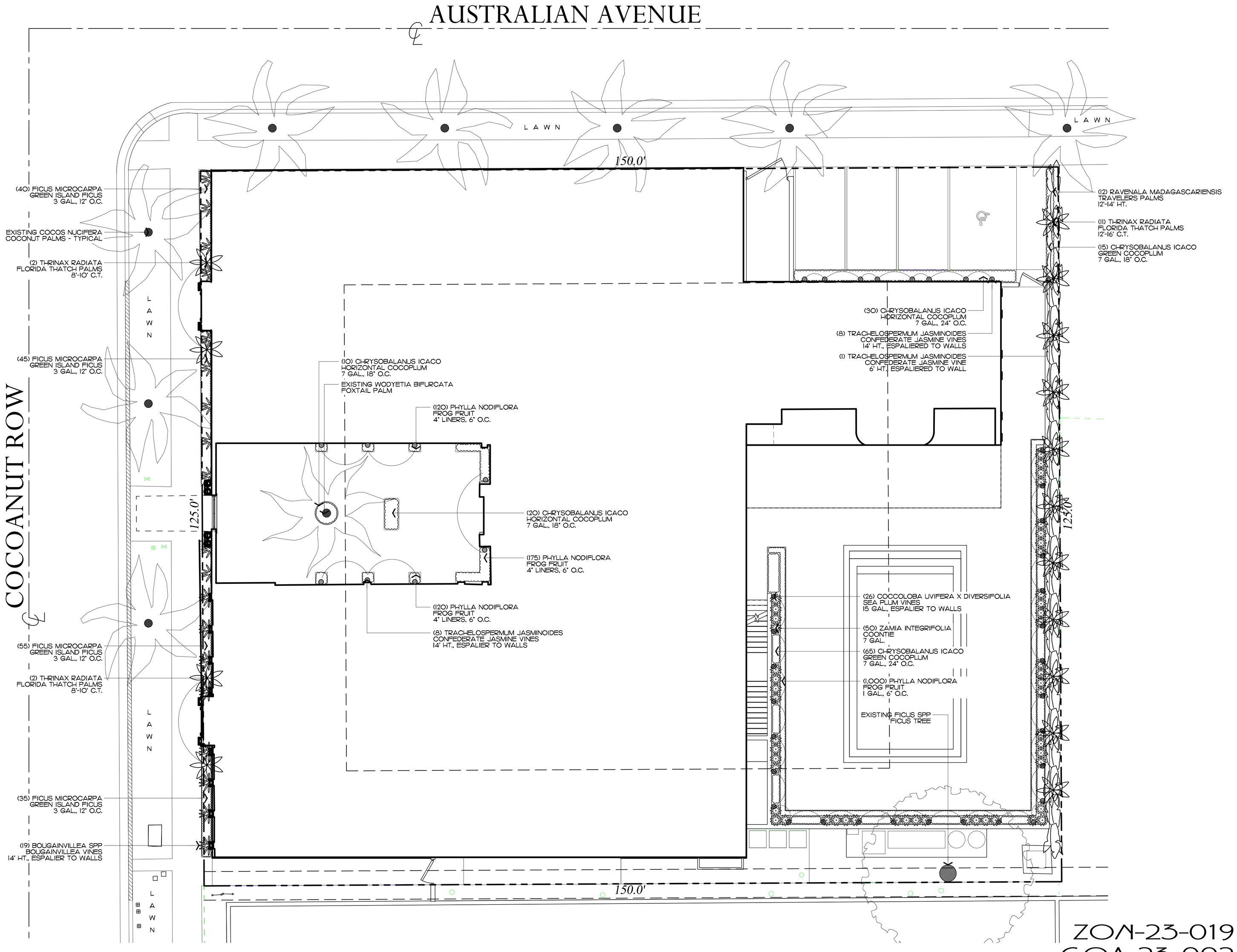

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DATE: 10.24.2022
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SHEET L8.0

ZON-23-019
COA-23-002

Landscape Plan

SCALE IN FEET 0' 8' 16' 24'

64 sf.
AREA IN SQ.FT.

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TC Development Review Meeting Backup 4-04-2023

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The Vineta
3663 Cocoanut Row
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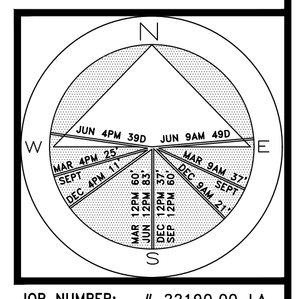
FLORIDA



JOB NUMBER: # 22190.00 LA
DRAWN BY: Lauren Tyseman
DATE: 10.24.2022
11.07.2022
11.28.2022

SHEET L8.1

64 sf.
AREA IN SQ.FT.

ZON-23-019
COA-23-002

Rendered Landscape Plan

SCALE IN FEET 0' 8' 16' 24'

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207 of 1057

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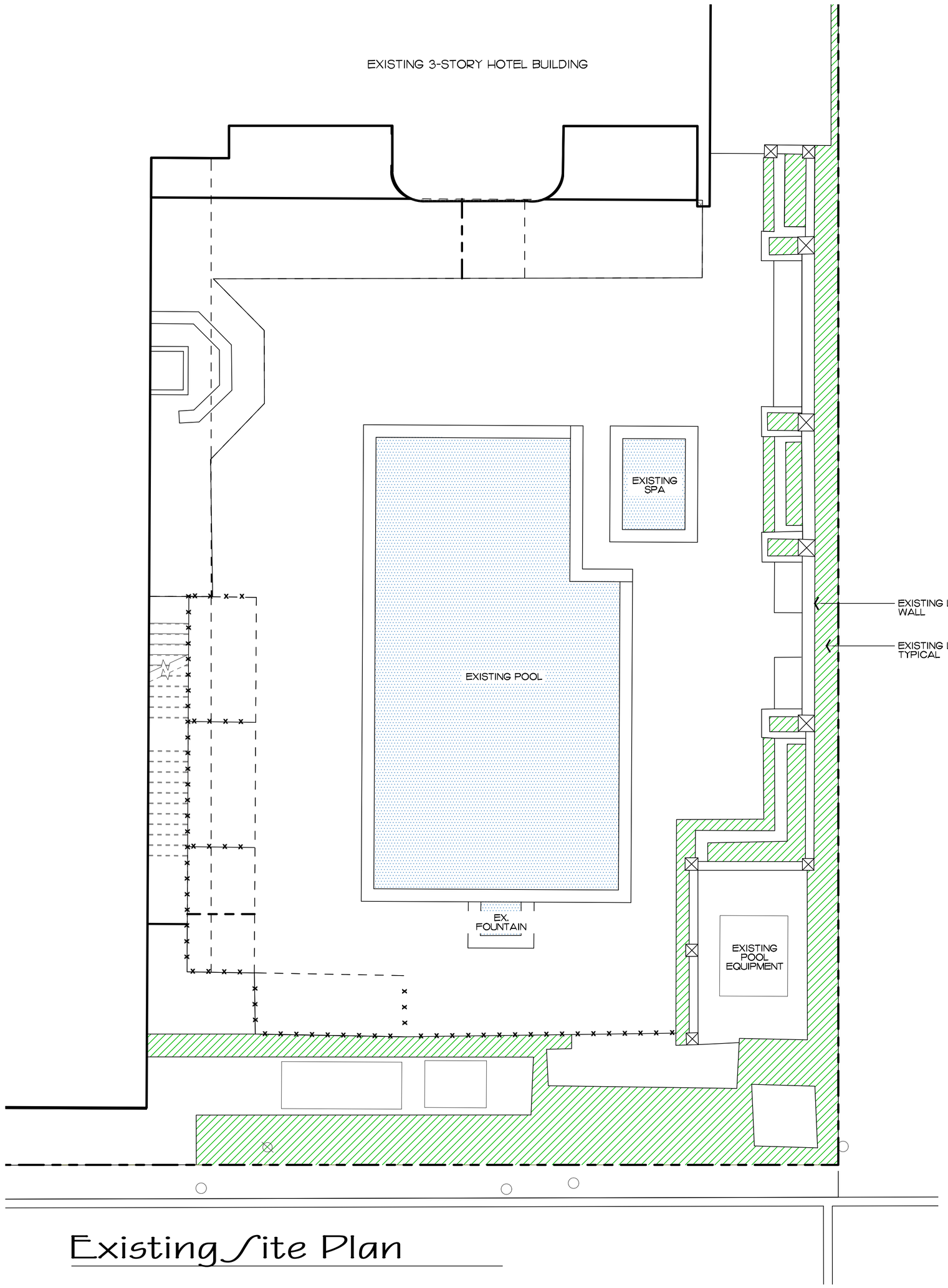
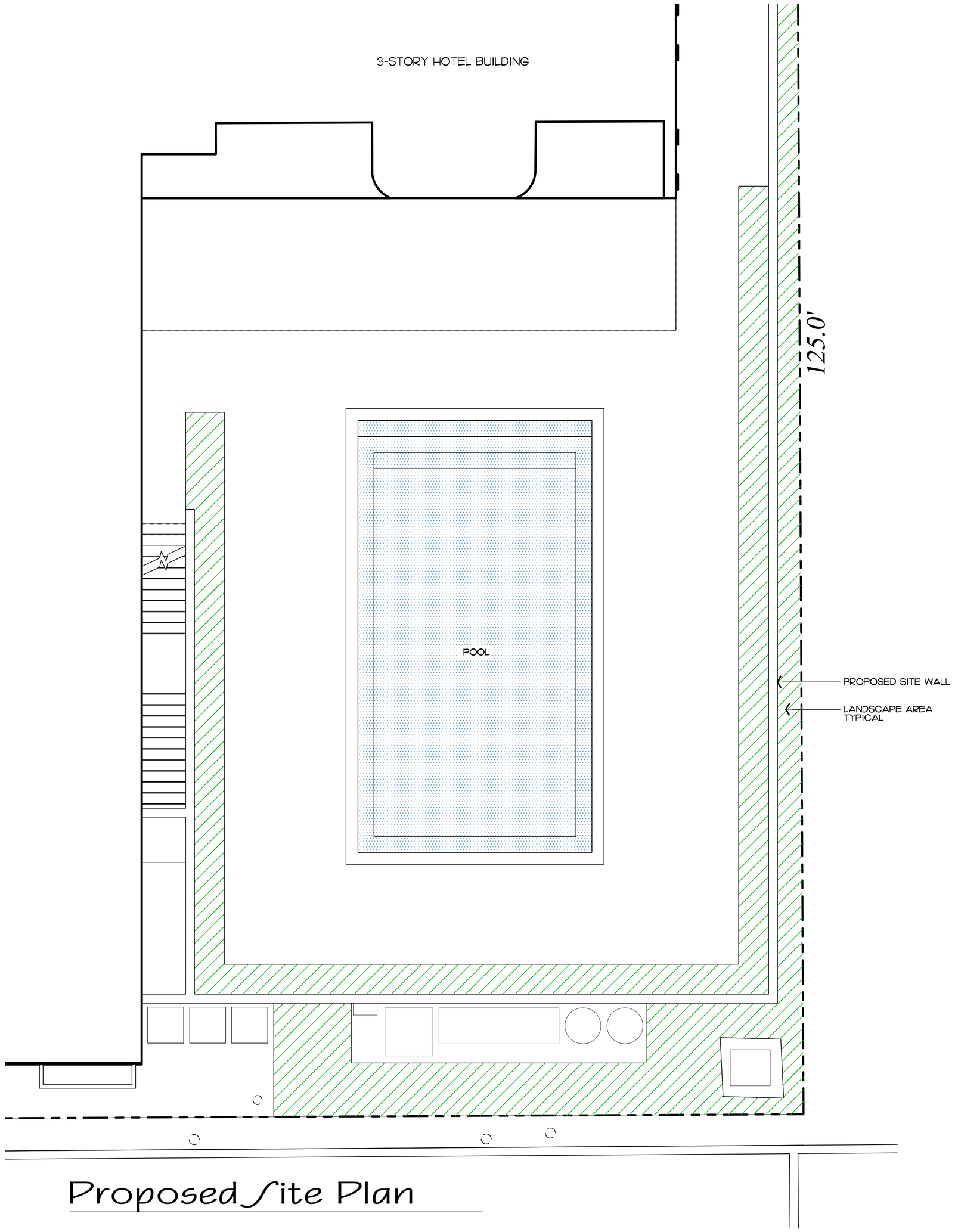


Existing Site Plan



Proposed Site Plan

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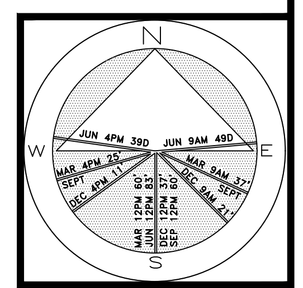

JOB NUMBER: # 22190.00 LA
DRAWN BY: Lauren Freeman
DATE: 02.23.2023

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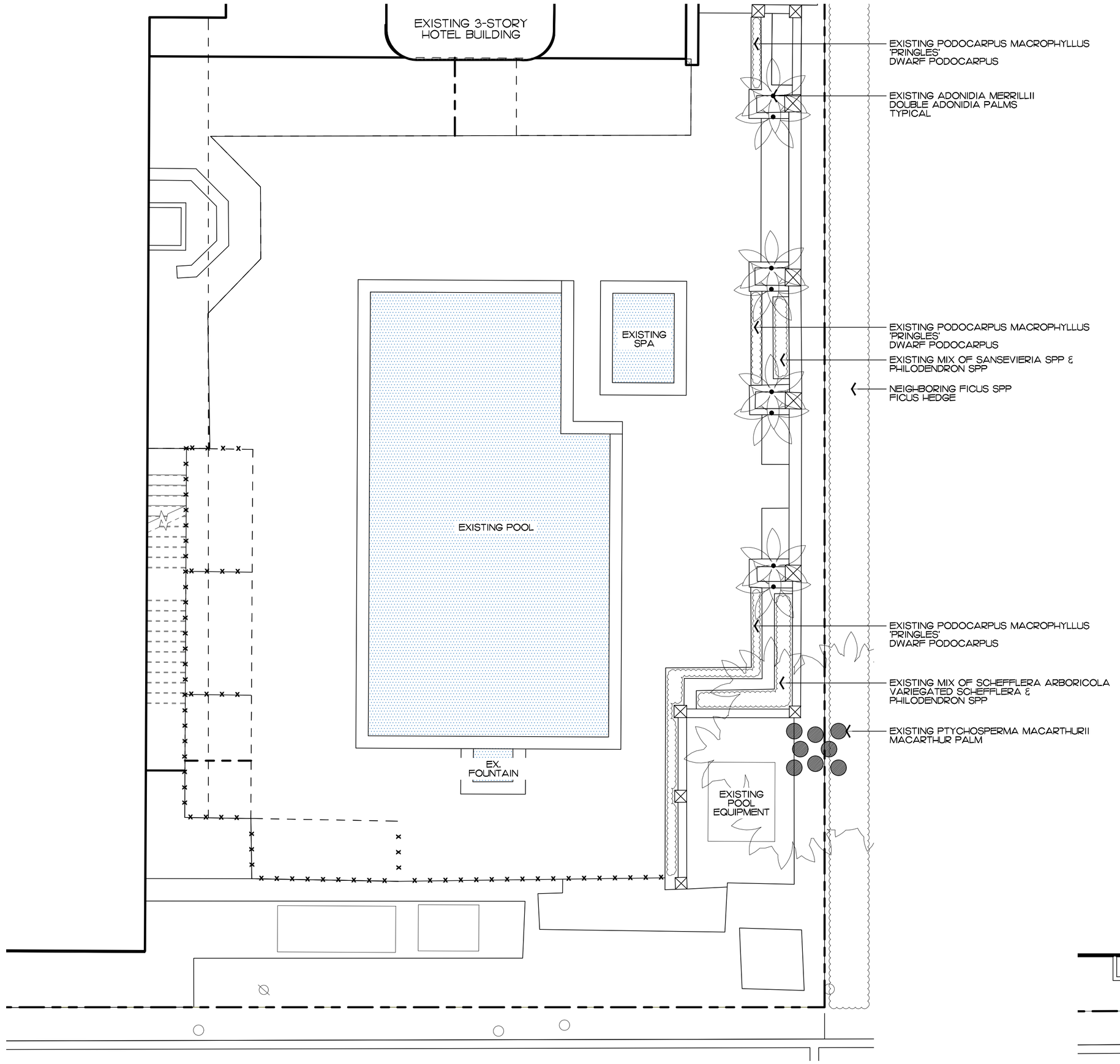
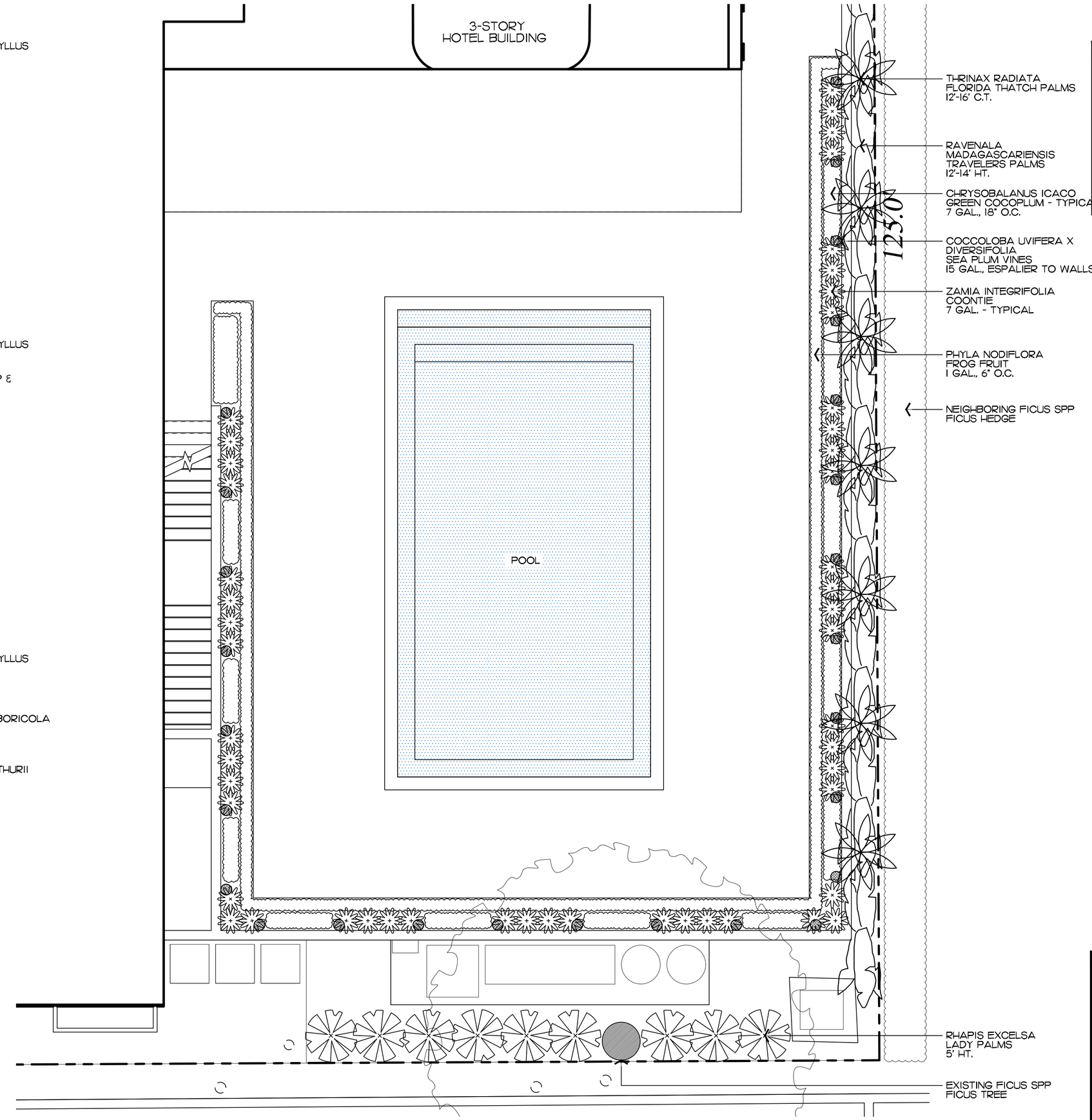
Existing Vs. Proposed Pool Garden Site Plan

SCALE IN FEET: 3/16"=1'-0"

208 10.07



Existing Landscape Plan



Proposed Landscape Plan

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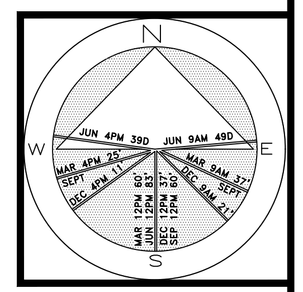

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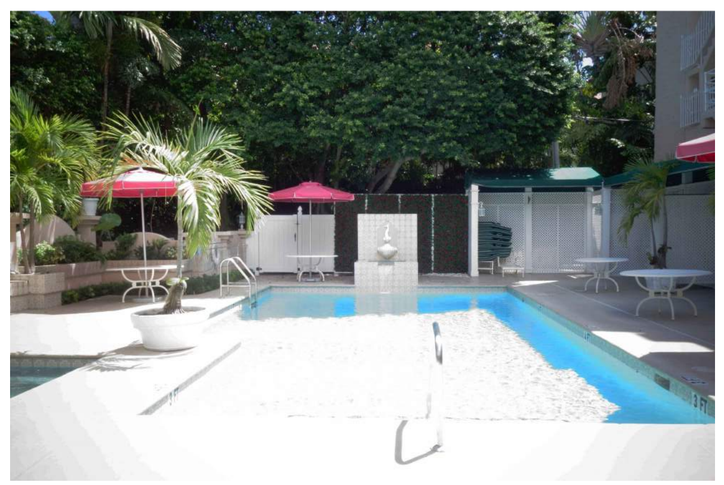
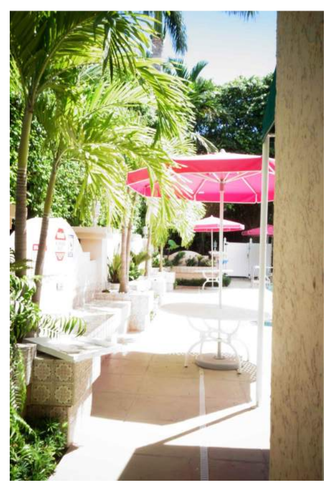


Existing View to Pool Deck



Existing View to East Buffer

Proposed View to East Interior Elevation

Proposed View to South Interior Elevation

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COA-23-002
ZON-23-019

Existing Vs. Proposed Pool Garden Landscape Plan

SCALE IN FEET: 3/16"=1'-0"

Palms

SYMBOL/KEY	PLANT NAME	QTY.	DESCRIPTION	NATIVE
	THRINAX RADIATA FLORIDA THATCH PALM	4 11	8'-10' C.T. 12'-16' C.T.	YES YES
	RAVENALA MADAGASCARIENSIS TRAVELERS PALMS	12	12'-14' HT.	NO
	TOTAL: NATIVE SPECIES:	27 15 (56%)		

Shrubs

SYMBOL/KEY	PLANT NAME	QTY.	DESCRIPTION	NATIVE
	CHRYSOBALANUS ICACO HORIZONTAL COCOPLUM	140	7 GAL., 24" O.C.	YES
	ZAMIA INTEGRIFOLIA COONTIE	50	7 GAL., 24" O.C.	YES
	TOTAL: NATIVE SPECIES:	190 190 (100%)		

Vines, & Groundcovers

SYMBOL/KEY	PLANT NAME	QTY.	DESCRIPTION	NATIVE
	BOUGAINVILLEA SPP BOUGAINVILLEA VINE	19	14' HT., ESPALIER TO WALLS	NO
	COCCOLOBA UVIFERA X DIVERSIFOLIA SEAPLUM VINE	26	15 GAL., ESPALIER TO WALLS	YES
	FICUS MICROCARPA GREEN ISLAND FICUS	200	3 GAL., 12" O.C.	NO
	PHYLLA NODIFLORA FROG FRUIT	1,415	4" LINERS, 6" O.C.	YES
	TRACHELOSPERMUM JASMINOIDES CONFEDERATE JASMINE VINE	1 16	6' HT., ESPALIER TO WALLS 14' HT., ESPALIER TO WALLS	NO
	TOTAL: NATIVE SPECIES:	1,677 1,441 (85.9%)		

Lawn & Mulch

SYMBOL/KEY	PLANT NAME	QTY.	DESCRIPTION
LAWN	DIAMOND ZOYSIA LAWN	AS NEEDED	SOD PALLETS
PLANTING BED	SHREDDED EUCALYPTUS MULCH	AS NEEDED	MULCH ALL BEDS 3" MIN. DEPTH

Native Landscape Legend

PROPERTY ADDRESS:	363 COCOANUT ROW	
	REQUIRED	PROPOSED
LOT SIZE (SQ FT)	20,000 S.F. MIN.	18,750 S.F.
LANDSCAPE OPEN SPACE (LOS) (SQ FT AND %)	6,563 S.F. (MIN 35%)	1,118 S.F. (5.96%)
NATIVE TREES %	N/A - NO TREES ADDED	N/A - NO TREES ADDED
NATIVE PALMS %	35%	56%
NATIVE SHRUBS %	35%	100%
NATIVE VINES / GROUND COVER %	35%	85.9%

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SHEET L8.2

ZON-23-019
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Plant Schedule

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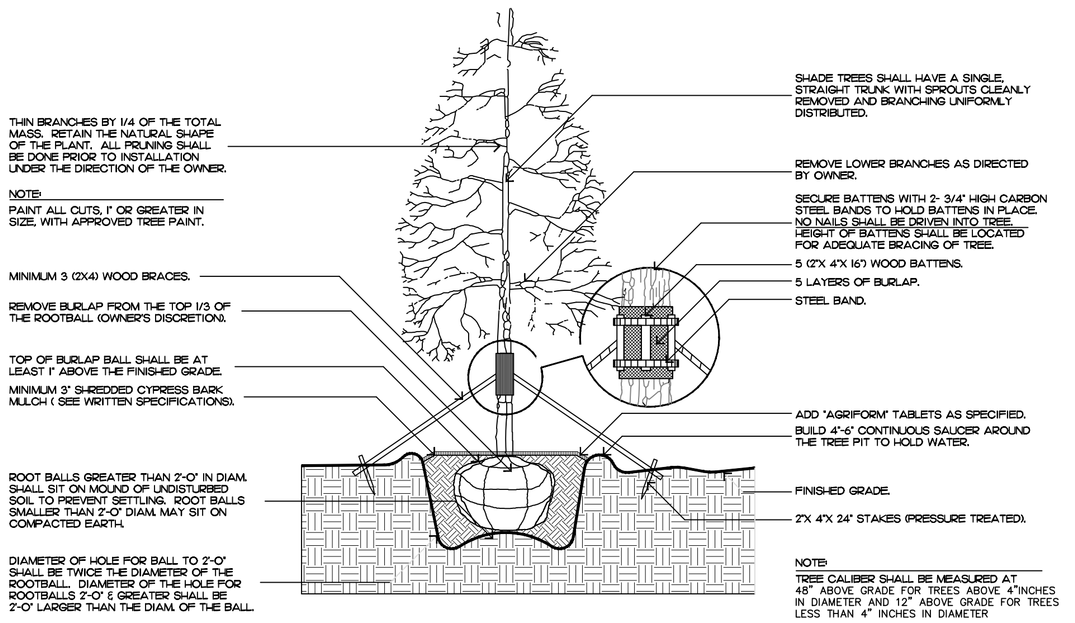
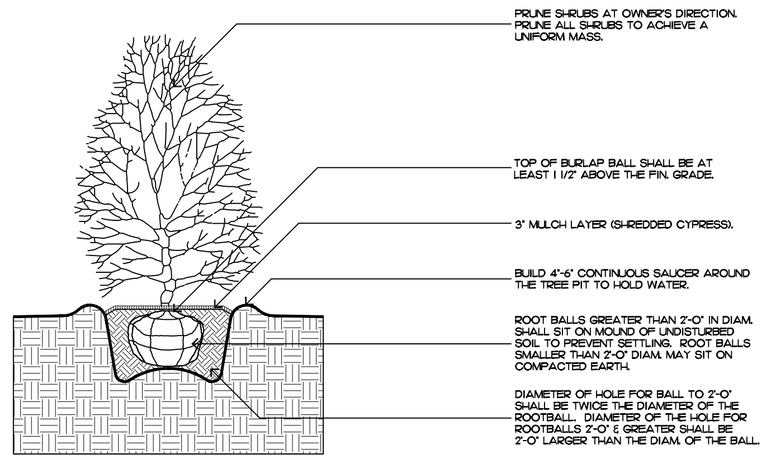


FILL MATERIAL SHALL CONSIST OF AT LEAST 1/3 NATIVE SOIL FROM THE HOLE DUG FOR THE PLANT. SEE SPECIFICATIONS FOR BACKFILL MIXTURE.

tree planting



FILL MATERIAL SHALL CONSIST OF AT LEAST 1/3 NATIVE SOIL FROM THE HOLE DUG FOR THE PLANT. SEE SPECIFICATIONS FOR BACKFILL MIXTURE.

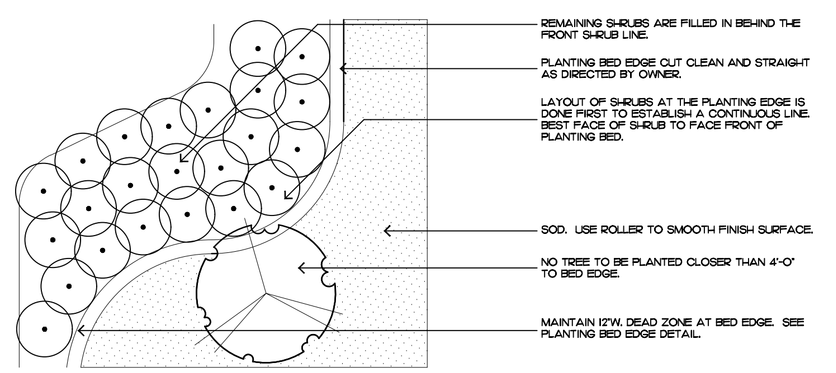
shrub planting

FILL MATERIAL SHALL CONSIST OF AT LEAST 1/3 NATIVE SOIL FROM THE HOLE DUG FOR THE PLANT. SEE SPECIFICATIONS FOR BACKFILL MIXTURE.

irregular and multi-stem tree

FILL MATERIAL SHALL CONSIST OF AT LEAST 1/3 NATIVE SOIL FROM THE HOLE DUG FOR THE PLANT. SEE SPECIFICATIONS FOR BACKFILL MIXTURE.

palm tree planting



shrub & ground cover layout

Planting Notes

COMMERCIAL FERTILIZER:

FERTILIZER SHALL BE COMPLETELY ORGANIC, IT SHALL BE UNIFORM IN COMPOSITION, DRY AND FREE FLOWING. THIS FERTILIZER SHALL BE DELIVERED TO THE SITE IN THE ORIGINAL UNOPENED BAGS, EACH BEARING THE MANUFACTURER'S STATEMENT OF ANALYSIS, AND SHALL MEET THE FOLLOWING REQUIREMENTS:

SIX PERCENT (6%) NITROGEN
SIX PERCENT (6%) PHOSPHOROUS
SIX PERCENT (6%) POTASSIUM

FERTILIZER SHALL BE APPLIED TO ALL SHRUBS (1/3 LB. PER 3 GAL. POT, 1/4 LB. PER 1 GAL. POT) AND GROUNDCOVER. THE SAME FERTILIZER MIXTURE SHALL BE USED ON SOD AT A RATE OF 15 LBS. PER 1000 SQUARE FEET. A FOURTEEN PERCENT (14%) NITROGEN, FOURTEEN PERCENT (14%) PHOSPHOROUS AND FOURTEEN PERCENT (14%) POTASSIUM IS REQUIRED ON ALL TREES AND SHRUBS OVER 5'-0" IN HEIGHT (1/2 LB. PER 5'-0" OF SPREAD). AGRIFORM TABLETS WITH TWENTY PERCENT (20%) NITROGEN, TEN PERCENT (10%) PHOSPHOROUS, FIVE PERCENT (5%) POTASSIUM IN 21 GRAM SIZES SHALL BE APPLIED ALONG WITH THE FERTILIZER PROCESS (1 WITH 1 GAL. PLANTS, 2 WITH 3 GAL. PLANTS AND 2 TABLETS PER 1" OF TREE TRUNK CALIPER). BACK FILL HALFWAY UP THE ROOT BALL. PLACE ABOUT ONE INCH (1") FROM ROOT TIPS. MAGNESIUM SULFATE SHALL BE APPLIED TO ALL PALMS AT INSTALLATION AT A RATE OF 1/2 LB. PER INCH OF TRUNK CALIPER. MANGANESE SHALL BE APPLIED AT THE SAME RATE.

MULCH:

MULCH MATERIAL SHALL BE SHREDDED CYPRESS MULCH OR APPROVED EQUAL, MOISTENED AT THE TIME OF APPLICATION TO PREVENT WIND DISPLACEMENT. MULCH SHALL BE APPLIED TO A MINIMUM 3" DEPTH IN PLANTING BEDS.

SOD:

THE SOD SHALL BE FREE FROM WEEDS, FUNGUS, INSECTS AND DISEASES OF ANY KIND, CLEAN, STRONGLY ROOTED, UNIFORMLY SIZED STRIPS, MACHINE STRIPPED NOT MORE THAN TWENTY-FOUR (24) HOURS PRIOR TO LAYING.

SUBSTITUTIONS:

NO SUBSTITUTION OF PLANT MATERIAL TYPES OR SIZES WILL BE ALLOWED WITHOUT WRITTEN AUTHORIZATION FROM THE OWNER. CONTAINER GROWN MATERIAL WILL NOT BE ACCEPTED AS SUBSTITUTE FOR B&B MATERIAL UNLESS PREVIOUSLY APPROVED. INTENDED SUBSTITUTIONS SHALL BE SPELLED OUT IN BID.

MEASUREMENTS:

SHADE TREES: HEIGHT SHALL BE MEASURED FROM GROUND TO THE AVERAGE BRANCH HEIGHT OF CANOPY. SPREAD SHALL BE MEASURED TO THE END OF THE BRANCHING EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH. SINGLE TRUNK TREES SHALL BE FREE OF "V" CROTCHES THAT COULD BE POINTS OF WEAK LIMB STRUCTURE OR DISEASE INFESTATION.

SHRUBS: HEIGHT SHALL BE MEASURED FROM THE GROUND TO THE AVERAGE POINT WHERE MATURE PLANT GROWTH STOPS. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE SHRUB MASS. MEASUREMENT AREA NOT TO INCLUDE ANY TERMINAL GROWTH.

PALMS: CLEAR TRUNK (C.T.) - SHALL BE MEASURED FROM THE GROUND AT TIME OF INSTALLATION TO THE POINT WHERE THE MATURE AGED TRUNK JOINS THE IMMATURE OR GREEN PORTION OF THE TRUNK OR HEAD.

OVERALL HEIGHT (O.A.) - SHALL BE MEASURED FROM THE GROUND AT THE TIME OF INSTALLATION TO THE AVERAGE FROND HEIGHT.

PALMS WITH MARRED OR BURNED TRUNKS WILL NOT BE ACCEPTED.

PLANTING SOIL AND BACKFILL:

PLANTING SOIL FOR USE IN PREPARING BACKFILL FOR PLANT PITS SHALL BE A FERTILE, FRIABLE AND NATURAL TOPSOIL, WITHOUT MIXTURE OF SUBSOIL MATERIALS, AND SHALL BE FREE FROM HEAVY CLAY, STONES, LIME, LUMPS, SHELLS, PLANTS, ROOTS OR OTHER FOREIGN MATERIALS, WEEDS, OR NOXIOUS GRASSES (SUCH AS BERMUDA OR NUT GRASS). IT SHALL NOT CONTAIN TOXIC SUBSTANCES WHICH MAY BE HARMFUL TO THE PLANT GROWTH.

BACKFILL FOR SOD AREAS SHALL BE SUBJECT TO LESSER STANDARDS AT THE DISCRETION AND DECISION OF THE OWNER.

EXISTING TOPSOIL SHALL BE USED IN ALL PLANT MATERIAL PITS EXCEPT SABAL PALMS WHERE THE SOIL SHALL CONSIST OF CLEAN SAND.

PLANTING SOIL FOR USE IN BEDS FOR ANNUALS AND/OR PERENNIALS SHALL CONTAIN ONE-THIRD (1/3) POTTING SOIL OR A BLENDED TOPSOIL, TILL INTO TOP 10" - 12" OF SOIL WITH A TIME-RELEASE FERTILIZER.

PLANT MATERIALS:

PALMS, TREES, SHRUBS, GROUNDCOVERS AND VINES

PLANT SPECIES AND SIZE SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. NOMENCLATURE SHALL CONFORM TO "STANDARDIZED PLANT NAMES", 1942 EDITION. ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH "GRADES AND STANDARDS FOR NURSERY PLANTS PARTS I & II", LATEST EDITION PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES. UNLESS SPECIFIED OTHERWISE, ALL PLANTS SHALL BE FLORIDA GRADE NUMBER 1 OR BETTER AS DETERMINED BY THE FLORIDA DIVISION OF PLANT INDUSTRY. SPECIMEN MEANS AN EXCEPTIONALLY HEAVY, SYMMETRICAL TIGHTLY KNIT PLANT, SO TRAINED OR FAVORED IN ITS DEVELOPMENT THAT FIRST APPEARANCE IS UNQUESTIONABLE AND OUTSTANDINGLY SUPERIOR IN FORM, NUMBER OF BRANCHES, COMPACTNESS AND SYMMETRY. ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND FREE OF DISEASE AND INSECT EGGS AND LARVAE AND SHALL HAVE ADEQUATE ROOT SYSTEMS. TREES FOR PLANTING ROWS SHALL BE UNIFORM IN SIZE AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE OWNER. WHERE REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL BE NORMAL FOR THE VARIETY AND FLORIDA NUMBER 1. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE OWNER.

CONTAINER GROWN STOCK:

1. ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS OF GOOD QUALITY AND BE IN A HEALTHY GROWING CONDITION.
2. AN ESTABLISHED CONTAINER GROWN PLANT SHALL BE TRANSPLANTED INTO A CONTAINER AND GROWN IN THAT CONTAINER SUFFICIENTLY LONG ENOUGH FOR THE NEW FIBROUS ROOTS TO HAVE DEVELOPED SO THAT THE ROOT MASS WILL RETAIN ITS SHAPE AND HOLD TOGETHER WHEN REMOVED FROM THE CONTAINER.

WARRANTY:

WARRANTY PLANTS, SHRUBS AND GROUNDCOVERS FOR A PERIOD OF NINETY (90) DAYS; TREES & PALMS FOR ONE YEAR (1) AGAINST UNHEALTHY CONDITION, EXCEPT AS MAY RESULT FROM NEGLECT BY OWNER, DAMAGE BY OTHERS, AND UNUSUAL PHENOMENA BEYOND INSTALLER'S CONTROL. REPLACE AT TIME REQUESTED BY THE OWNER OR LANDSCAPE ARCHITECT.

MAINTENANCE:

MAINTAIN LANDSCAPE WORK UNTIL THE LETTER OF SUBSTANTIAL COMPLETION BY THE GENERAL CONTRACTOR. INCLUDE WATERING, WEEDING, CULTIVATING, RESTORATION OF GRADE, MOWING AND TRIMMING GRASS, PRUNING TREES AND SHRUBS, PROTECTION FROM INSECTS AND DISEASES, FERTILIZATION AND SIMILAR OPERATIONS AS NEEDED TO ENSURE NORMAL GOOD HEALTH FOR LIVE PLANT MATERIAL.

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SHEET L8.3

ZON-23-019
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Planting Details & Specifications

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211 of 1057

TC Development Review Meeting Backup 4-04-2023

NOTES:

1.) THIS DESIGN IS CONCEPTUAL AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.

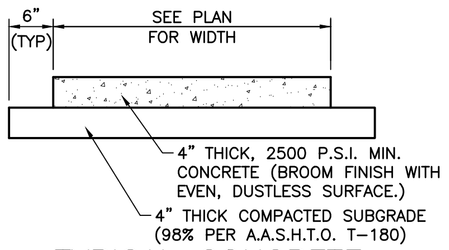
2.) ALL WATER AND WASTEWATER CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF WEST PALM BEACH, TOWN OF PALM BEACH, AND THE PALM BEACH COUNTY HEALTH DEPARTMENT.

3.) CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL DEMOLITION MATERIAL IN ACCORDANCE WITH ALL APPLICABLE GOVERNING AGENCY STANDARDS.

4.) LOCATIONS OF WATER AND SANITARY SEWER SERVICES, DRAINAGE STRUCTURES AND PIPES AND OTHER STRUCTURES TO BE COORDINATED WITH LANDSCAPE DESIGN DURING PREPARATION OF FINAL CIVIL ENGINEERING PLANS.

5.) CONSTRUCTION AND DEMOLITION TO COMPLY WITH N.F.P.A. 241.

6.) POOL DECK AREA TO BE REVIEWED & APPROVED OR PREPARED BY A FLORIDA LICENSED POOL PROFESSIONAL.



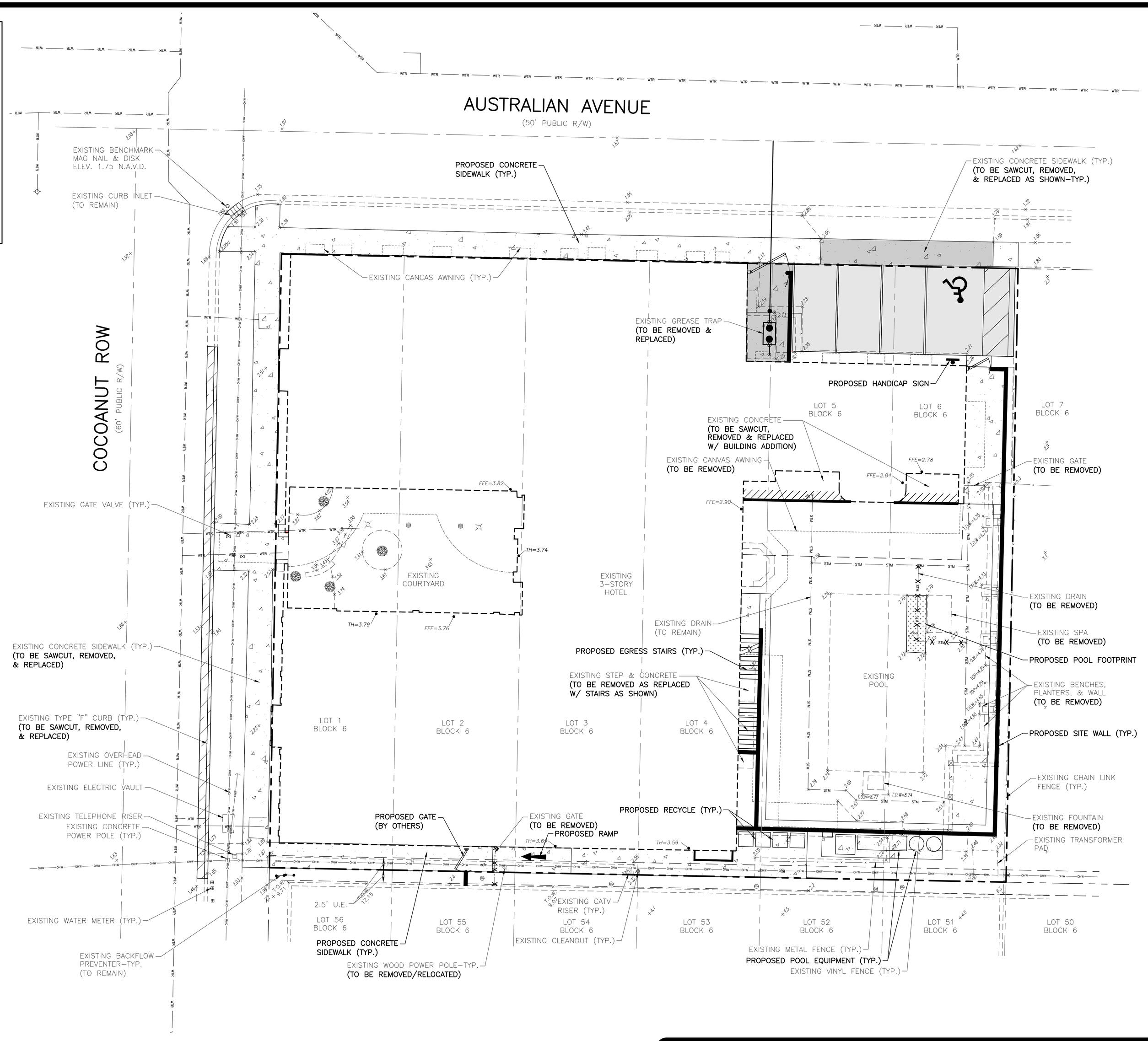
TYPICAL CONCRETE SIDEWALK DETAIL

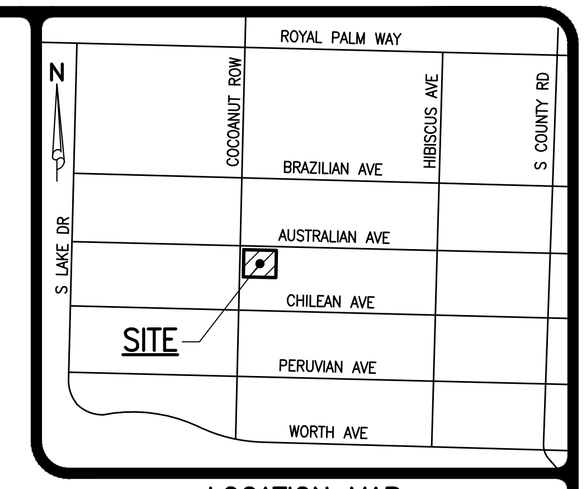
NOT TO SCALE

ALTERNATE CONCRETE PAVEMENT:
SURFACE – 5" THICK, 4,000 PSI MIN.

SUBGRADE – 12" STABILIZED SUBGRADE, COMPACT TO 98% PER A.A.S.H.T.O. T-180 (LBR 40)

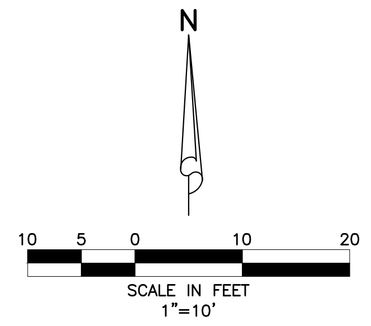
NOTE: CONTRACTOR SHALL NOTIFY ENGINEER IN WRITING AS TO WHICH PAVEMENT SECTION WILL BE USED. CONTRACTOR SHALL SUPPLY JOINTING PLAN FOR REVIEW AND APPROVAL IF CONCRETE SURFACE IS CHOSEN.





LOCATION MAP

NOT TO SCALE



LEGEND

- PROPOSED STORM SEWER AND CATCH BASIN
- DIRECTION OF FLOW
- DIRECTION OF SWALE
- H.P. PROPOSED HIGH POINT
- 13.96 EXISTING GRADE ELEVATION
- PROPOSED ASPHALT OR CONCRETE
- PROPOSED CONCRETE
- PROPOSED CONCRETE PAVEMENT
- PROPOSED DETECTABLE WARNING SURFACE
- SAWCUT, REMOVE, & REPLACE EXISTING PAVEMENT, CONCRETE, CURB, ETC.
- EXISTING OVERHEAD POWER LINE & POWER POLE
- STM EXISTING STORM DRAINAGE PIPE
- WTR EXISTING WATER MAIN
- SAN EXISTING SEWER MAIN
- FM EXISTING FORCE MAIN

10/20/2022

NOTE: ALL ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988 BASED ON A SURVEY PREPARED BY WALLACE SURVEYING, CORP. (561)640-4551.

REVISIONS

SIMMONS&WHITE
ENGINEERING | PLANNING | CONSULTING | SINCE 1982
Authorization No. 3452
2581 Metrocentre Blvd West • Suite 3 • West Palm Beach, Florida 33407 • (561) 478-7848

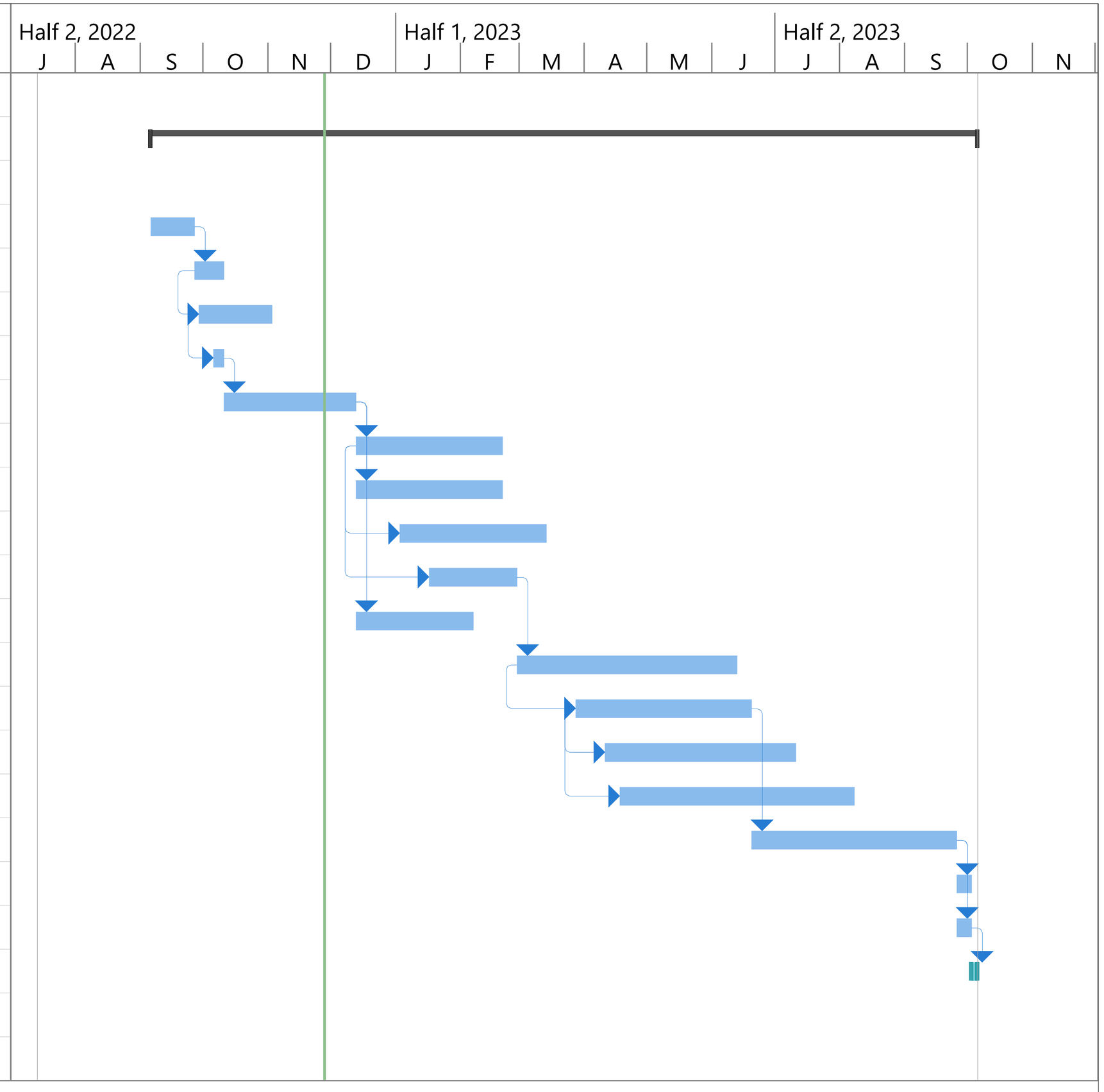
DESIGN	DRAWN	CHECKED	APPROVED	DATE
D.C.	B.L.			

THE VINETA HOTEL
SECTION 27, TOWNSHIP 43S., RANGE 43E.
TOWN OF PALM BEACH, FLORIDA
CONCEPTUAL PAVING, DRAINAGE, WATER AND WASTEWATER PLAN

JOB NO.	DRAWING NO.	SHEET	OF
22-173	22173C01	1	1

Y:\AUTOCAD_FILES\2022\22-173\CONCEPTUAL\22173C01.dwg 10/20/2022 10:32 AM Brandon Longo

ID	Task Mode	Task Name
1		
2		**The Chesterfield Palm Beach Hotel**
3		
4		Removal of Hotel Furniture
5		Removal of all Interior Doors
6		Removal of all Flooring Material*
7		MEP Safe Off
8		Wall & Ceiling Drywall Removal
9		New Elevator Shaft
10		New Stairwell Shaft
11		New Guest Room Configerations Framing
12		New Lobby Framing
13		New Windows
14		MEP Rough-In
15		Wall & Ceiling Drywall
16		Wall and Floor Finishes
17		MEP Trim-Out
18		Main Floor Finishes & Equipment
19		TCO
20		Final Clean / Punch
21		CO
22		
23		



Project: Project1
Date: Mon 11/28/22

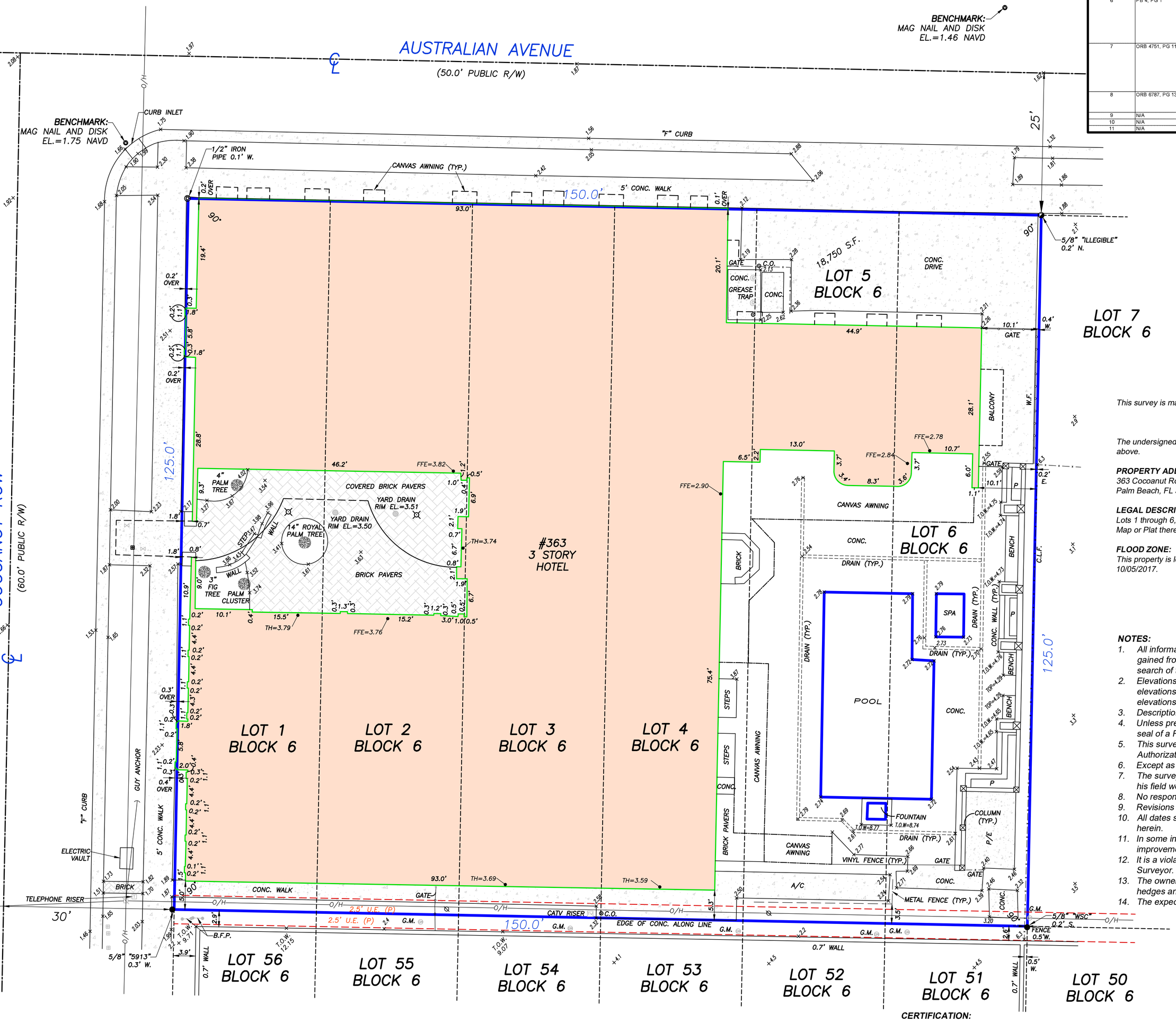
Task	Inactive Summary	External Tasks
Split	Manual Task	External Milestone
Milestone	Duration-only	Deadline
Summary	Manual Summary Rollup	Progress
Project Summary	Manual Summary	Manual Progress
Inactive Task	Start-only	
Inactive Milestone	Finish-only	

Boundary Survey For:

363 COCOANUT ROW PROPCO LLC, A DELAWARE LIMITED LIABILITY COMPANY

LEGEND

A	= ARC LENGTH
A/C	= AIR CONDITIONING
A.E.	= ACCESS EASEMENT
A.K.A.	= ALSO KNOWN AS
ASPH.	= ASPHALT
B.F.P.	= BACKFLOW PREVENTOR
BLDG.	= BUILDING
B.M.	= BENCHMARK
B.O.C.	= BACK OF CURB
B.O.W.	= BACK OF WALK
(C)	= CALCULATED
CATV	= CABLE ANTENNA TELEVISION
C.B.	= CHORD BEARING
C.B.S.	= CONCRETE BLOCK STRUCTURE
C.C.C.L.	= COASTAL CONSTRUCTION CONTROL LINE
CH	= CHORD
C.L.F.	= CHAIN LINK FENCE
CLR.	= CLEAR
C.M.P.	= CORRUGATED METAL PIPE
CONC.	= CONCRETE
(D)	= DESCRIPTION DATUM
D.B.	= DEED BOOK
D.C.D.A.	= DOUBLE CHECK DETECTOR ASSEMBLY
D.E.	= DRAINAGE EASEMENT
D.H.	= DRILL HOLE
D/W	= DRIVEWAY
EL.	= ELEVATION
ENC.	= ENCROACHMENT
E.O.P	= EDGE OF PAVEMENT
E.O.W.	= EDGE OF WATER
ESM'T	= EASEMENT
F.D.C.	= FIRE DEPARTMENT CONNECTION
F.F.	= FINISHED FLOOR
FND.	= FOUND
F.O.C.	= FACE OF CURB
I.D.	= INSIDE DIAMETER
INV.	= INVERT
I.T.W.C.D.	= INDIAN TRAIL WATER CONTROL DISTRICT
L.A.E.	= LIMITED ACCESS EASEMENT
L.B.	= LICENSE BOARD
L.W.D.D.	= LAKE WORTH DRAINAGE DISTRICT
(M)	= FIELD MEASUREMENT
M.H.	= MANHOLE
M.H.W.L.	= MEAN HIGH WATER LINE
MIN.	= MINIMUM
M.L.W.L.	= MEAN LOW WATER LINE
N.A.V.D.	= NORTH AMERICAN VERTICAL DATUM
N.G.V.D.	= NATIONAL GEODETIC VERTICAL DATUM
N.P.B.C.I.D.	= NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT
N.T.S.	= NOT TO SCALE
O.A.	= OVERALL
O.D.	= OUTSIDE DIAMETER
O/H	= OVERHEAD UTILITY LINE
O.R.B.	= OFFICIAL RECORD BOOK
O/S	= OFFSET
P	= PLANTER
(P)	= PLAT DATUM
P.B.	= PLAT BOOK
P.B.C.	= PALM BEACH COUNTY
P.C.	= POINT OF CURVATURE
P.C.C.	= POINT OF COMPOUND CURVATURE
P.C.P.	= PERMANENT CONTROL POINT
PG.	= PAGE
P.I.	= POINT OF INTERSECTION
P/E	= POOL EQUIPMENT
P.O.B.	= POINT OF BEGINNING
P.O.C.	= POINT OF COMMENCEMENT
P.R.C.	= POINT OF REVERSE CURVATURE
P.R.M.	= PERMANENT REFERENCE MONUMENT
PROP.	= PROPOSED
P.T.	= POINT OF TANGENCY
PVM'T	= PAVEMENT
(R)	= RADIAL
R	= RADIUS
RGE.	= RANGE
R.P.B.	= ROAD PLAT BOOK
R.P.Z.	= REDUCED PRESSURE ZONE
R/W	= RIGHT OF WAY
(S)	= SURVEY DATUM
S.B.	= SETBACK
SEC.	= SECTION
S/D	= SUBDIVISION
S.F.	= SQUARE FEET
S.F.W.M.D.	= SOUTH FLORIDA WATER MANAGEMENT DISTRICT
S.I.R.W.C.D.	= SOUTH INDIAN RIVER WATER CONTROL DISTRICT
S.R.	= STATE ROAD
STA.	= STATION
STY.	= STORY
S/W	= SIDEWALK
T.O.B.	= TOP OF BANK
TH	= THRESHOLD
T.O.W.	= TOP OF WALL
TWP.	= TOWNSHIP
TYP.	= TYPICAL
U/C	= UNDER CONSTRUCTION
U.E.	= UTILITY EASEMENT
U.R.	= UNRECORDED
W.C.	= WITNESS CORNER
W.M.M.E.	= WATER MANAGEMENT MAINTENANCE EASEMENT
W.M.E.	= WATER MANAGEMENT EASEMENT
W.F.	= WOOD FENCE
Y/D	= YARD DRAIN
℄	= BASELINE
℄	= CENTERLINE
△	= CENTRAL ANGLE/DELTA
■	= CONCRETE MONUMENT FOUND (AS NOTED)
□	= CONCRETE MONUMENT SET (LB #4569)
●	= ROD & CAP FOUND (AS NOTED)
○	= 5/8" IRON ROD & CAP SET (LB #4569)
⊙	= IRON PIPE FOUND (AS NOTED)
◕	= IRON ROD FOUND (AS NOTED)
▲	= NAIL FOUND (AS NOTED)
◉	= NAIL & DISK FOUND (AS NOTED)
◎	= MAG NAIL & DISK SET (LB #4569)
	= PROPERTY LINE
	= UTILITY POLE
	= FIRE HYDRANT
	= WATER METER
	= WATER VALVE
	= LIGHT POLE

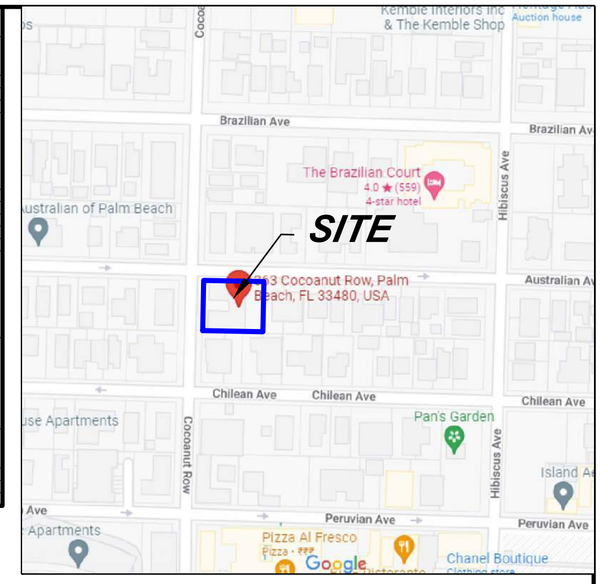


TITLE COMMITMENT REVIEW

CLIENT: 363 Cocoanut Row Propco LLC, a Delaware limited liability company. | COMMITMENT NO. : 10222819 | DATE: 04/21/22

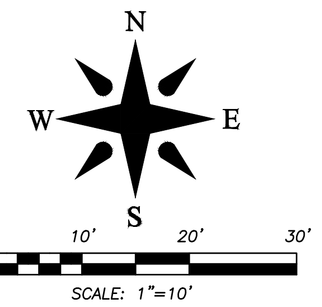
REVIEWED BY: | JOB NO. :

B2 ITEM NO.	DOCUMENT	DESCRIPTION	AFFECTS AND PLOTTED	AFFECTS AND NOT PLOTTABLE	DOES NOT AFFECT	NOT A SURVEY MATTER
1	N/A	INTENTIONALLY DELETED				
2	N/A	Standard exceptions.				•
3	N/A	INTENTIONALLY DELETED				
4	N/A	Standard exceptions.				•
5	N/A	INTENTIONALLY DELETED				
6	PB 4, PG 1	Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Revised Map of Royal Park Addition to Palm Beach, Florida	•			
7	ORB 4751, PG 1192	Deed of Scenic, Open Space and Architectural Façade Easement, from PV Hotels Corp. on behalf of Palm Court, Inc., to Preservation Foundation of Palm Beach County.		•		
8	ORB 6787, PG 1351	Certificate of Notification of Designation of Certain Properties as Landmarks.				•
9	N/A	INTENTIONALLY DELETED				
10	N/A	INTENTIONALLY DELETED				
11	N/A	Standard exceptions.				•



VICINITY SKETCH

(NOT TO SCALE)



This survey is made specifically and only for the following parties for the purpose of a permit on the surveyed property.

363 COCOANUT ROW PROPCO LLC, A DELAWARE LIMITED LIABILITY COMPANY

The undersigned surveyor assumes no responsibility or liability for any other purpose or to any other party other than stated above.

PROPERTY ADDRESS:
363 Cocoanut Row
Palm Beach, FL 33480

LEGAL DESCRIPTION:
Lots 1 through 6, Block 6, ***REVISED MAP OF ROYAL PARK ADDITIONAL TO PALM BEACH FLORIDA****, according to the Map or Plat thereof, as recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida.*

FLOOD ZONE:
This property is located in Flood Zone AE (EL 6) according to F.I.R.M. (Flood Insurance Rate Map) No. 12099C 0583F, dated 10/05/2017.

NOTES:

1. *All information regarding record easements, adjoiners, and other documents that might affect the quality of title to tract shown hereon was gained from commitment number 10222819, issued by Chicago Title Insurance Company, dated April 21, 2022. This office has made no search of the Public Records.*
2. *Elevations shown hereon, if any, are in feet and decimal parts thereof and are based on NAVD-88. The expected accuracy of the elevations shown hereon is 0.03' for the hard surface elevations (shown thus x 0.00) and 0.1' (shown thus x 0.0) for the soft surface elevations. Elevations shown hereon are U.S. survey feet unless otherwise noted.*
3. *Description furnished by client or client's agent.*
4. *Unless presented in digital form with electronic seal and electronic signature this survey must bear the signature and the original raised seal of a Florida licensed surveyor or mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.*
5. *This survey cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation. Certificate of Authorization Number LB4569.*
6. *Except as shown, underground and overhead improvements are not located. Underground foundations not located.*
7. *The survey sketch shown hereon does not necessarily contain all of the information obtained or developed by the undersigned surveyor in his field work, office work or research.*
8. *No responsibility is assumed by this surveyor for the construction of improvements, from building ties shown on this survey.*
9. *Revisions shown hereon do not represent a "survey update" unless otherwise noted.*
10. *All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein.*
11. *In some instances, graphic representations have been exaggerated to more clearly illustrate the relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.*
12. *It is a violation of Rule 5J-17 of the Florida Administrative Code to alter this survey without the express prior written consent of the Surveyor. Additions and/or deletions made to the face of this survey will make this survey invalid.*
13. *The ownership of fences, perimeter walls and/or hedges shown hereon are not known and thus are not listed as encroachments. Fences, hedges and/or perimeter walls are shown in their relative position to the boundary.*
14. *The expected horizontal accuracy of the information shown hereon is +/- 0.10'.*

CERTIFICATION:

I HEREBY ATTEST *that the survey shown hereon meets the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.*

DATE OF LAST FIELD SURVEY: 08/23/2022

Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357

REVISIONS:

Boundary Survey For:

363 COCOANUT ROW PROPCO LLC, A DELAWARE LIMITED LIABILITY COMPANY

WALLACE SURVEYING CORP, LICENSED BUSINESS # 4569
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

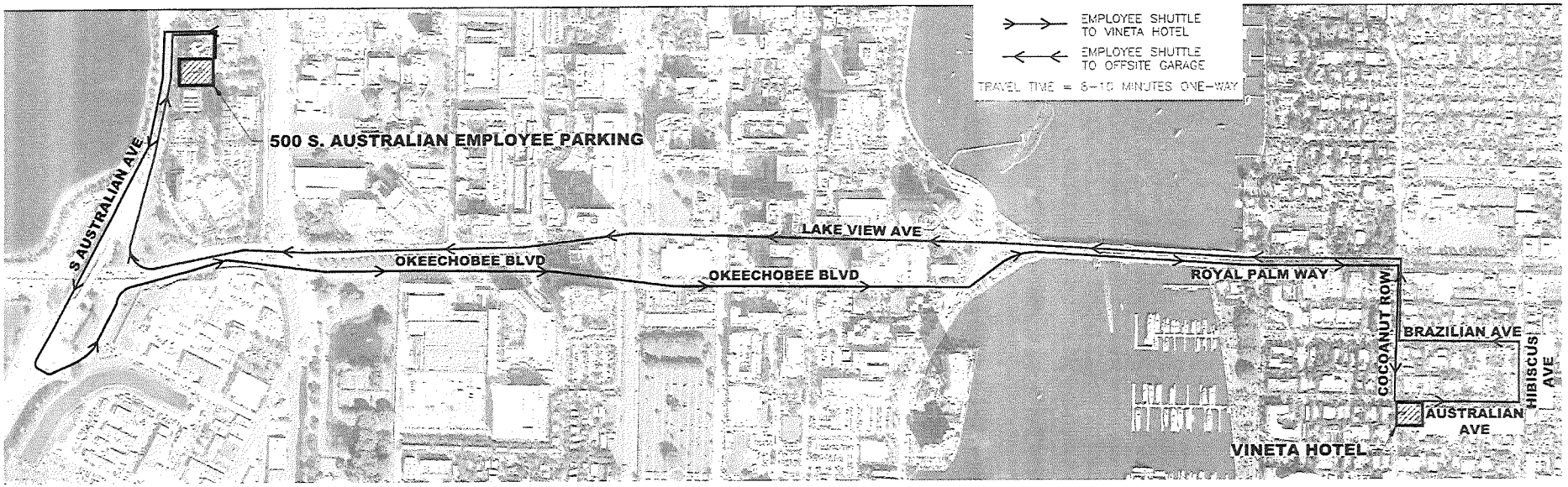
FIELD: J.D.	JOB No.: 15-1588	F.B. 336	PG. 18-20
OFFICE: D.R.	DATE: 08/23/2022	DWG. No.: 15-1588-1	
C'K'D.: C.W.	REF.: 15-1588.dwg	SHEET: 1 OF 1	

(c) Copyright Wallace Surveying Corporation, 2022

THANK YOU

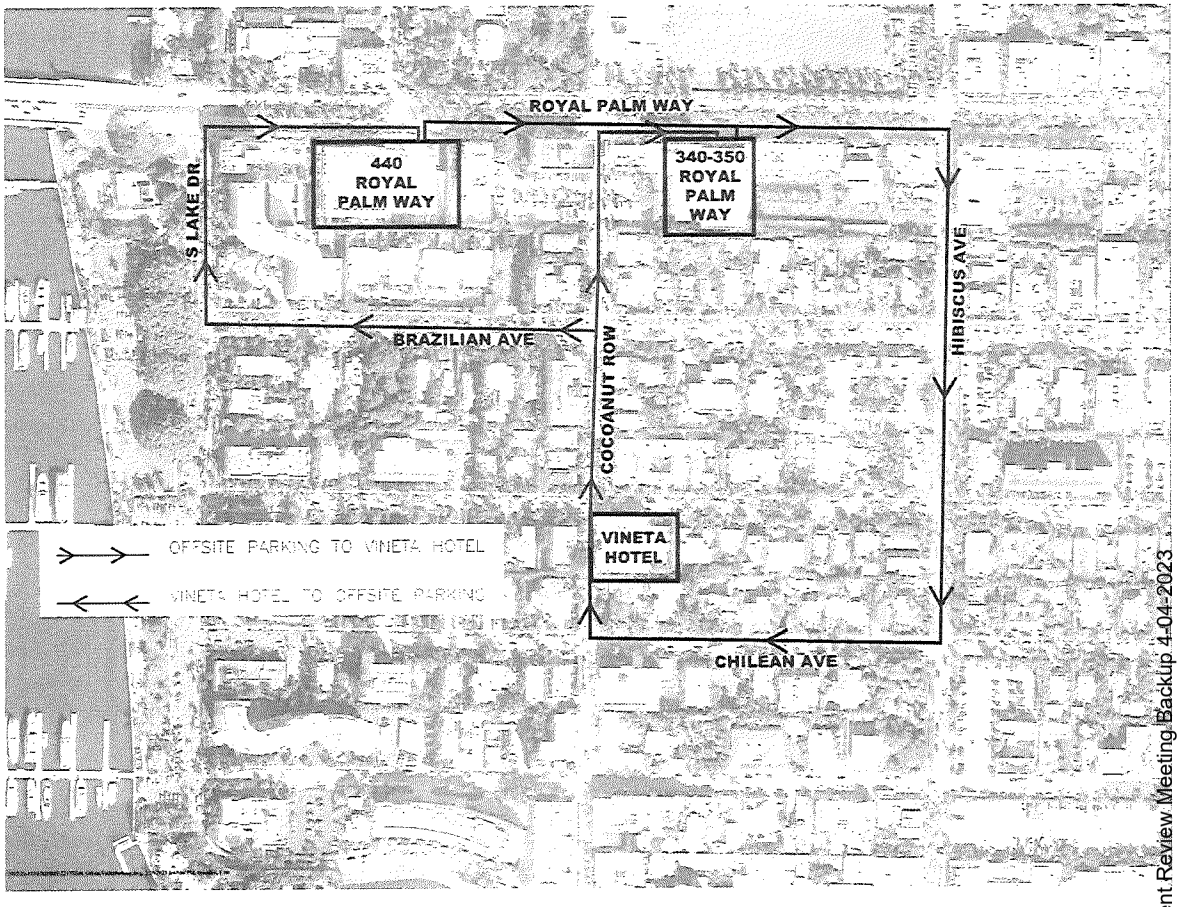
ROUTES

- Employee shuttle route to and from The Vineta Hotel. This will greatly reduce traffic in the surrounding neighborhood as compared to historic use.



ROUTES

- Routes optimized based on time of year, time of day & real-time traffic.



TC Development Review Meeting Backup 4-04-2023

Courtlandt G. Miller

TOWN OF PALM BEACH
MAR 16 2023
Town Manager's Office

March 15, 2023

Ladies and Gentlemen of
the Palm Beach Town Council,

I am Courtlandt Miller, the President of a 24-unit multi-residential co-operative located one block west of the Vineta and a resident of PB for over 33 years.

Among our shareholders, we have not had much discussion of the plans for the Vineta that would otherwise have led to a survey among our residents. Accordingly, my views today are mine alone.

About 10 Presidents of mid-town residential buildings met earlier this week with Duarte Bon de Souza representing the Oetker Group, the management company for the Vineta. We asked a number of questions of him to which he responded to all of them.

Frankly, we came away viewing the Oetker Group's plans for the hotel as an absolute gift to the community and their responsiveness to the concerns already communicated to the Group.

The biggest concern we had by far was on-street parking. They have committed that other than the handful of spaces on the north and west sides of the building, they will be using NO on-street parking. Both their employees and guests vehicles will be parked in WPB and in office buildings on Royal Palm Way with speed regulated EV vehicles running valets between the Hotel and the guest parking. This is an incredible response to the concerns of the impacted residents and one that should be applauded.

They are also reducing the number of hotel rooms from 57 to 41 rooms. With respect to seat density, the Chesterfield operated with 270 seats and they are asking to operate with 177 seats. The ratio of seats to rooms will slightly be reduced from 4.7 historical seats to 4.3.

The "nightclub" designation they acquired is solely related to the bar operating hours where the old Leopard Lounge regularly closed at 3AM. The Vineta bar area using that designation would have only 33 seats and close at 1AM or 2AM in the event any guests want to stay up that late.

Given the absolute world class hotels Oetker manages including the Hotel du Cap/Eden Roc in Antibes and the Bristol in Paris, it is inconceivable to me that the Vineta will not be a terrific new neighbor, one very sensitive to how Palm Beach works. I do believe that any issues that may arise will be swiftly addressed by Oetker.

I hope the Town Council strikes a fair balance between, on the one hand, the needs of the group trying to build and operate a $60-$70 million world class hotel with enough seats and amenities to turn a profit and, on the other hand, the residents and your concerns relating to congestion.

Given this exciting addition to the neighborhood, one could argue that the residences surrounding the hotel would actually increase in value similar to what we

455 Australian Avenue, Apt. 4B
Palm Beach, Florida 33480
561 543-6802

have seen in our building with the renovation of the Marina and Royal Park.

Very truly yours,

455 Australian Avenue, Apt. 4B
Palm Beach, Florida 33480
561 543-6802

Vineta: Proposed travel routes for hotel staff and valets

At the Town Council meeting on Wednesday March 15th, the valet company retained by the owners of the Vineta hotel proposed a traffic pattern showing valet and staff shuttle travel from West Palm Beach and the contracted parking spaces at 440 and 340-350 Royal Palm Way to and from the hotel. The proposed routes showed travel on the 400 block of Brazilian Avenue.

At a meeting at my home two days earlier with Tim Hanlon and Michael McCarty, I was told that NO traffic would flow down Brazilian. At the Town Council, however, the pattern diagram submitted by the valet company proposed travel down Brazilian. Faster travel time to the hotel is the only justification for traffic on Brazilian; no other reason exists.

Brazilian is virtually a two-way speedway providing quicker access to the center of town while avoiding traffic congestion. From the Vineta's point of view, using Brazilian is the fastest way to shuttle staff and provide valet service. Use of that street, however, will increase the danger, traffic, and parking pressure to the more than 100 souls in the 400 block of Brazilian between Cocoanut Row and South Lake Drive.

Happily, there are other ways for the Vineta to provide the valet and staffing services from these parking lots without using Brazilian Avenue. It can use the two legal "U-turn" spots through the median strip from Royal Palm Way at the Society of the Four Arts or at South Lake Drive. Cars or shuttles can also turn on the shorter north-south streets such as Cocoanut and Hibiscus and turn on the one-way east-west streets. By the nature of the design of those streets, travel speed will be reduced, and safety augmented.

Once the hotel reopens, there will be patrons who choose not to use hotel valet service but to self-park in the neighborhood. The Town Council has tools to mitigate this expected intensity of use, such as additional parking restrictions and further permitted-only parking within the neighboring streets. These changes should be implemented in advance of the Vineta's debut.

To forestall rising neighborhood concern on the Vineta's traffic flow proposal, the Town Council may wish to add to the April 4th agenda a requirement that the Vineta submit a revised traffic flow diagram showing no traffic on the 400 block of Brazilian by staff shuttle or valet services.

Respectfully yours,

Lynn Foster
424 Brazilian Avenue

From: elronhome@aol.com
To: Antonette Fabrizi
Subject: Re: Vaneta Hotel
Date: Tuesday, March 21, 2023 2:49:42 PM

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Dear Ms Fabrizzi,

Myy name is Ron Gross and I live at 420 Brazilian Avenue.

I have been following the reports of hearings related to the new Vaneta Hotel on Cocoanut Row and the traffic patterns suggested byy the valet companyy retained byy the owners of the hotel for employyee shuttle service to West Palm Beach and valet parking for guests of the hotel and restaurants on Royyal Palm Wayy. The proposed route has the 24/7 shuttle service and the valet parking using the 400 block of Brazilian Avenue to and from the destinations. I am in favor of the renovations proposed for the Vaneta Hotel, but veryy much opposed to the use of the 400 block of Brazzilian as a dedicated highwayy for the shuttle and valet services.

The 400 block of Brazilian Avenue is a quiet residential street and is now under pressure with the operation of the new marina. Adding traffic as a thruwayy for the Vaneta Hotel will destroyy the pleasant atmosphere of the street for it residents. There are other streets which now have commercial, business and institutional uses that can be utilized. I am veryy concerned about additional traffic, speed and safetyy on the 400 block of Brazilian related to the Vaneta and request that Town Council ask the valet companyy to present to Council for their approval an alternate route of travel for the shuttle and valet parking that does not use the 400 block of Brazilian.

Also of concern is parking on surrounding streets, including Brazilian, byy patrons of the restaurants at the Vaneta not using valet parking or the hotel's car service. Additional permit onlyy parking may be helpful.

Please forward myy thoughts to Town Council for their next scheduled hearing on the Vaneta.

Thank yyou,
Ron Gross

TOWN OF PALM BEACH

MAR 22 2023

Town Manager's Office

Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

Please do not grant a variance to allow more seats. Please work to reduce the traffic, congestion and density in Palm Beach.

Thank you for your attention.

Sincerely,

Seta A. Foster

Rudolph Foster

64 Via Mizner (owned) and 345 Pendleton Lane (owned)

From: Deborah Jones on behalf of Town Council
Subject: FW: Vineta Hotel Project
Date: Thursday, March 23, 2023 3:27:36 PM

Hello,

Please see the email below from Cristina Kepner.

Bcc: M&TC, All Town Managers, Wayne, Antonette, James, Kelly, Pat, Public Comment

Sincerely,
Deb

From: Cristina Kepner <cristinakepner@gmail.com>
Sent: Thursday, March 23, 2023 1:02 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Vineta Hotel Project

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Dear Members of the Town Council,

I am writing in strong support of the proposed Vineta Hotel project. Like many local residents, I was initially concerned as I tried to filter through the perceived issues versus the factual reality of the project. The facts:

- They have committed to removing guest and staff parking from our streets – potentially 60+ cars at a time. I live at 369 S. Lake Drive. Our parking lot runs between Australian and Chilean. The staff and valets of the Chesterfield routinely cut through our parking lot – both a danger and a nuisance to our residents. Leopard Lounge patrons parked all along our streets. The removal of street parking alone justifies a resounding endorsement of the project, including realistic seating capacity.
- The Chesterfield is simply an eyesore. The elegant preservation of this iconic Palm Beach building will enhance the neighborhood and town and, I am convinced, positively affect neighboring property values.
- The 113 seating number is fiction and pertained to only the dining and Leopard Lounge. The Chesterfield's seating capacity was effectively and historically well in excess of 200, the proposed 177 a significant reduction. Further reducing capacity is

the reduction in room count from 57 to 41. Compare these low numbers to the Brazilian Court. The new owners are making a significant investment in the property and should be permitted to have a reasonable rate of return on their investment – don't create obstacles to their success. Their success is the neighborhood's success.

- Reducing the seat count will limit accessibility to dining by hotel neighbors and Palm Beach residents, where securing dining reservations is already a challenge. Assuming two guests per room, the dining room could be substantially filled with hotel guests and their guests. A low seat count creates a hurdle to neighbors wishing to enjoy their new local restaurant.

I have spoken to many about the project and I can assure you that most support the Vineta, but like the usual silent majority, don't make the effort to make their views known. I urge you to approve the project with the requested seating – don't undermine a great addition to the neighborhood by impeding their ability to get a reasonable return on the millions that they are investing in our neighborhood. The Oetker group has demonstrated their commitment to insuring that the hotel will actually reduce the burden on the neighborhood by sensitivity to local street parking, state-of-the-art management of valets and the reduction in the historic seat capacity. I am confident, based on their reputation and their response to local concerns, that the neighbors will ultimately breathe a sigh of relief when they experience the differential over the Chesterfield experience. I urge the Town Council to give them the opportunity to demonstrate what good operators they are by not handcuffing them with reduced, uneconomic, seating and too many restrictions. The 113 seat count is unrealistically low for the property and the resultant reduction in profitability could translate into reduced investment in the property. How lucky are we to have attracted The Oetker Collection, whose reputation and expertise is world renown, to revitalize with care and sensitivity our derelict neighborhood hotel. Give them the opportunity to bring back the hotel to its historic Palm Beach standards and provide them with the 177 seats necessary to both support a viable, strong enterprise and provide enough capacity so that the neighbors can enjoy dining there as well.

My husband, David, is equally strong in his support.

Sincerely,

Cristina Hunter Kepner
369 South Lake Drive
Palm Beach, FL 33480

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-025 (COA-22-055) 210 VIA DEL MAR (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for reduced vehicular gate setbacks on a cul-de-sac street. The Landmarks Preservation Commission will perform the design review for modifications to the existing Landmarked residence and grounds. *[The Landmarks Preservation Commission deferred this project to the March 22, 2023, meeting.]* ***This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Landmarks Preservation Commission.***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-027 (ARC-23-012) 206 CARIBBEAN RD (COMBO)—SITE PLAN REVIEW. The applicant, 206 Caribbean LLC (Robert Frisbie, has filed an application requesting site plan review from the Town Council for construction of a new two-story single-family on an existing lot that is deficient in minimum required lot width and lot area in the R-B zoning district. The Architectural Commission shall perform design review of the application. *[The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project has been withdrawn by the applicant from the Architectural Review Commission and the Town Council meetings.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-028 (ARC-23-013) 177 CLARKE AVE. (COMBO)—VARIANCES.

The applicants, James Coleman Baker and Veronica Chen Baker, have filed an application requesting Town Council review and approval of variances including (1) Cubic Content Ratio, (2-4) to vest existing rear and side setback encroachments due to the demolition of more than 50% of the building, and (5) to allow a two-story accessory structure in support of the construction of a new two-story residence, alterations to an existing garage structure and landscape and hardscape improvements. The Architectural commission will review the design review component of the application. *[The Architectural Review Commission deferred the project to their March 29, 2023, meeting.]* ***[This project shall be deferred to the May 10, 2023, Town Council meeting pending review by the Architectural Review Commission.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-029 (ARC-23-014) 325 VIA LINDA (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, Three Palm Trees, LLC, has filed an application requesting Town Council review and approval for a Special Exception and Site Plan Approval to permit a reduction in the required setback for the proposed driveway gate and gateposts. The Architectural Commission will perform design review of the application. *[The Architectural Review Commission will review the project to their March 29, 2023, meeting.]*

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans**
- **Plans 1**
- **Plans 2**
- **Public Comment - MAVEC**
- **Public Comment - IGNACZAK**
- **Public Comment - SOROS**
- **Public Comment - MAVEC 2**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ARC-23-014 (ZON-23-029) 325 VIA LINDA (COMBO)
ZON-23-029 (ARC-23-014) 325 VIA LINDA (COMBO)

ARCOM MEETING: MARCH 29, 2023
TOWN COUNCIL MEETING: APRIL 4, 2023

ARC-23-014 (ZON-23-029) 325 VIA LINDA (COMBO). The applicant, Three Palm Trees, LLC, has filed an application requesting Architectural Commission review and approval of the construction of a new two-story residence with garage and basement, a two-story detached accessory structure with garage and basement, a pool pergola structure with awning, pool(s)/water feature(s), and associated landscape and hardscape including entry gate assemblies, site walls and an emergency generator. This is a combo project that will require Town Council review and approval for a Special Exception and Site Plan Approval to permit a reduction in the required setback for the proposed gate and gateposts. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-23-029 (ARC-23-014) 325 VIA LINDA (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, Three Palm Trees, LLC, has filed an application requesting Town Council review and approval for a Special Exception and Site Plan Approval to permit a reduction in the required setback for the proposed driveway gate and gateposts. The Architectural Commission will perform design review of the application.

Applicant: Three Palm Trees, LLC
Professional: Dailey Janssen Architects, P.A.
Representative: Maura A. Ziska, Esq

The subject property is located at the north-west corner of the 300 block of Via Linda and is comprised of two parcels, the main parcel being located north of Via Linda and east of the Lake Trail, and a small lake front parcel located between the Lake Trail and the Lake Worth Lagoon. The property has a Future Land Use designation of Single Family with compatible Zoning classifications of Low Density Residential (R-B).

Figure 1: Subject property location.

HISTORY:

The existing structure on the western side of the property was built in 1993. In 1995, 317 Via Linda, located immediately east of the home, was demolished. In 1996, the vacant parcel at 317 Via Linda, was joined to the 325 Via Linda parcel by a unity of title agreement and has served as a garden area for the estate. Numerous renovations and repairs have been made to the structure and site since it's construction.

An application for new construction was presented to the Architectural Commission at the February 2023 meeting. The project was deferred to the March 2023 meeting by the commission with comments to restudy the glazing on the west elevation, column spacing at west loggia, overall massing, the mansard roofs over the garages, landscaping at the rear of the property, and the style of the front door.

THE PROJECT:

The applicant has submitted plans, entitled "Proposed New Construction At: 325 Via Linda", as prepared by **DAILEY JANSSEN ARCHITECTS, P.A.**, dated March 6, 2023.

The following is the scope of work:

- Construction of a new two-story residence with garage and basement, a two-story detached accessory structure with garage and basement, a pool pergola structure with awning, pool(s)/water feature(s), and associated landscape and hardscape including entry gate assemblies, site walls and an emergency generator.

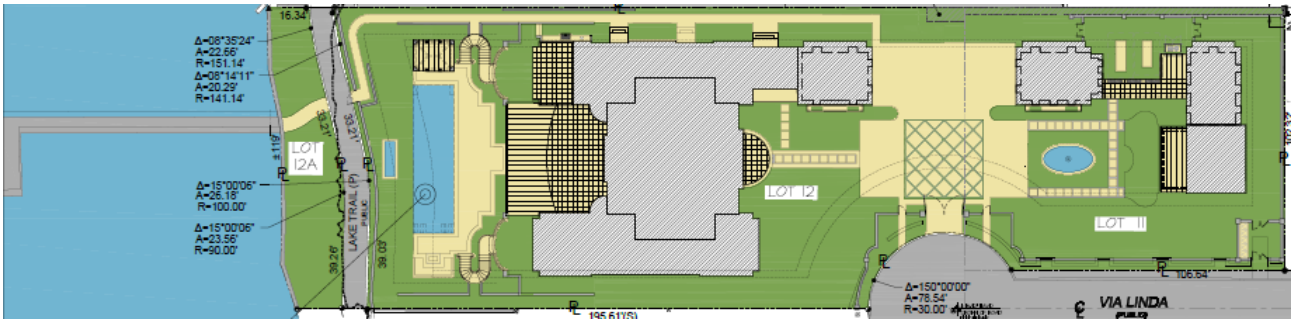
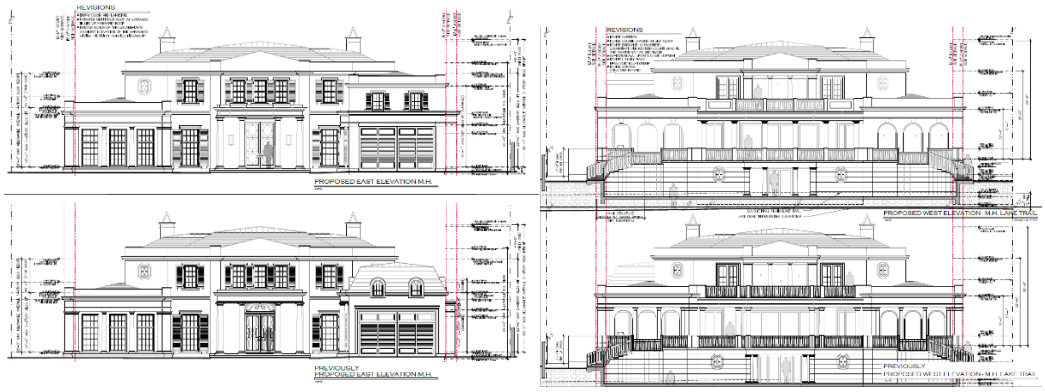


Figure 2: Subject application proposed site plan.



The following Special Exception, Site Plan Review and/or Variance(s) are required to complete the project:

- SPECIAL EXCEPTION WITH SITE PLAN APPROVAL: Sec. 134-1668: Special Exception with Site Plan Review for the installation of vehicular gate and columns with an 8 ft setback from the edge of pavement in lieu of the 18 ft required, on a cul-de-sac street.

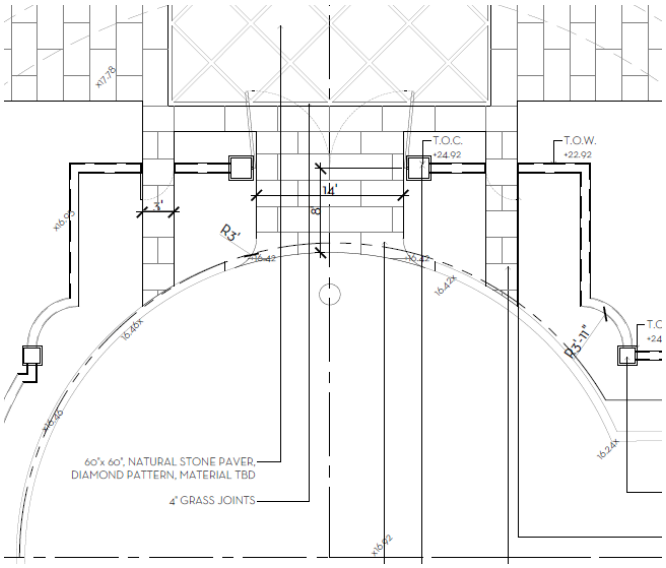


Figure 3: Diagram illustrating proposed vehicle loading area and driveway access.

STAFF ANALYSIS

Zoning

Below is a summary of the subject application with regards to Zoning Code compliance and/or variance requests.

Site Data			
Zoning District	R-B	**Future Land Use**	SINGLE-FAMILY
Lot Size	39,434 SF	**Crown of Road**	16.92’ NAVD
Lot Depth	+/- 360’	**Lot Width**	+/- 117’
Rear Yard Setback	Required: 25’ (Lake Trl Setback) Proposed: 25.5’	**Front Yard Setback**	Required: 30’ Proposed: 30.1’
Building Height	Permitted: 22’ Proposed: 22’	**Overall Building Height**	Permitted: 30’ Proposed: 29.66’
Finished Floor Elevation	7.0’ NAVD (Basement) 16.0’ NAVD (First level)	**Zero Datum for Point of Measurement**	18.42’ NAVD

FEMA Flood Zone	ZONE AE 6 & ZONE X	**Base Flood Elevation**	6' NAVD & None
Lot Coverage	Permitted: 30% Proposed: 29.8%	**Angle of Vision**	NA on cul-de-sac street
Cubic Content Ratio (CCR)	Maximum: 4.5 Proposed: 4.33	**Enclosed Square Footage**	28,227 SF
Landscape Open Space	Required: 45% Proposed: 46%	**Front Yard Landscape Open Space**	Required: 40% Proposed: 82%
Surrounding Properties / Zoning			
North	1969 2-Story Residence & 1966 2-Story Residence / R-B Zoning		
South	1952 2-Story Residence & 1954 1-Story Residence / R-B Zoning		
East	1954 1-Story Residence / R-B Zoning		
West	Lake Worth Lagoon		

This application is presented to the Architectural Commission to consider whether all of the criteria in Sec. 18-205 have been met. A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the Town zoning code.

The subject application is a proposal for the construction of a new two-story residence with garage and basement, a two-story detached accessory structure with garage and basement, a pool pergola structure with awning, pool(s)/water feature(s), and associated landscape and hardscape including entry gate assemblies, site walls and an emergency generator. The subject parcel is oversized for the district, at almost 40,000 Sq. Ft. in a zoning district where a minimum of 10,000 Sq. Ft. is required. However, oversized parcels are not uncommon along the Lake Trail and Lake Worth Lagoon in the R-B Zoning District. Special zoning regulations govern lots which are greater than 20,000 Sq. Ft. and are adjacent to Lake Worth, allowing for decreased setbacks and increased lot coverage which are not afforded to other oversized estate lots elsewhere in the R-B zoning district.

A basement is proposed for both the main structure and the accessory structure. Both basements meet the zoning code basement regulations, and therefore, are not considered an additional story. The basement of the accessory structure is located entirely below grade and is not visible from any side of the structure. The basement of the main structure is visible from the western elevation of the building. A dramatic change in grade as the lot approaches the lake creates this condition. The exposed basement is stepped down from the main massing of the house, and does not provide three levels in vertical alignment.

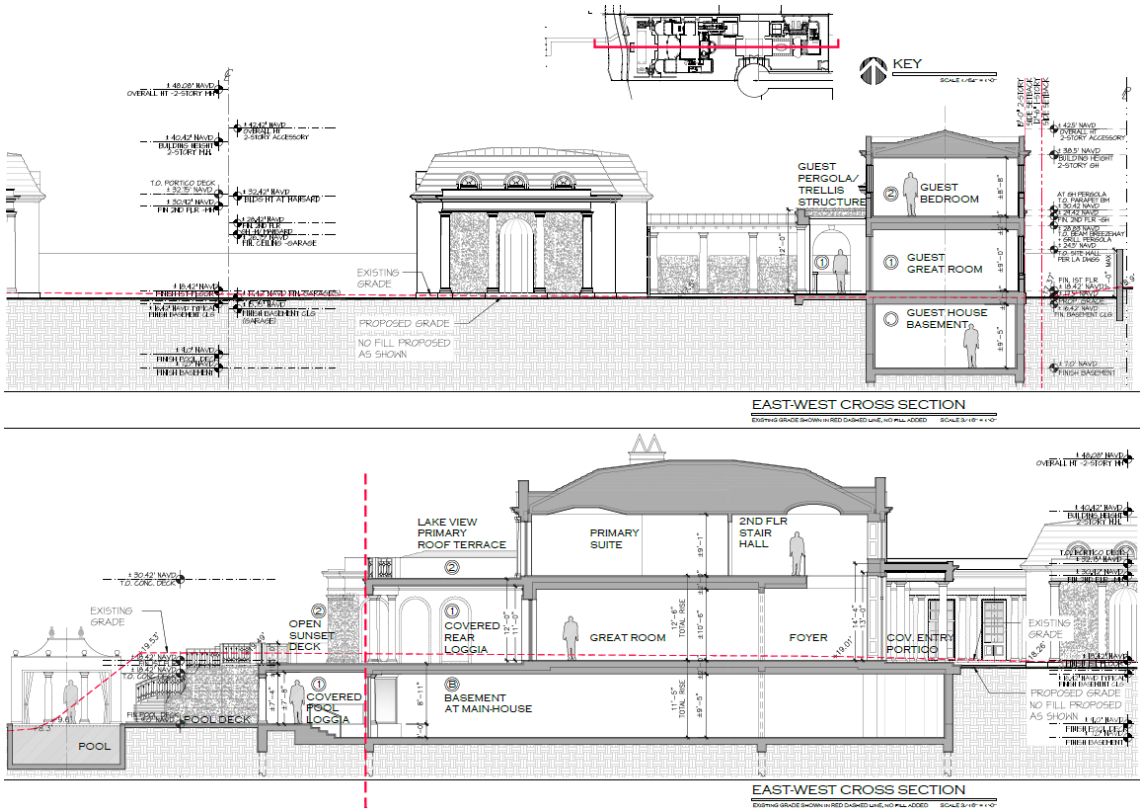


Figure 4: Proposed basement diagrams of the accessory structure (top) and main structure (bottom).

The following element requires review and approval for special exception from the Town Council:

- SPECIAL EXCEPTION WITH SITE PLAN APPROVAL: Sec. 134-1668: Special Exception with Site Plan Review for the installation of vehicular gate and columns with an 8 ft setback from the edge of pavement in lieu of the 18 ft required, on a cul-de-sac street.

The zoning code requires that when a vehicular driveway gate is installed, that a space no less than 9' x 18' is provided between the gate and the edge of roadway pavement, to allow for vehicle stacking. This size space is required so that a vehicle will be completely clear of the right-of-way while waiting for the gate to operate, without impeding the flow of traffic. However, the zoning code has a provision which allows a reduction in the length of the loading space for dead end or cul de sac streets. Because these are not through streets, a vehicle which is partially in the roadway while waiting for the gate to operate will not impede local traffic flow.

At the February 2023 meeting, the architectural commission deferred the project with comments to restudy the glazing on the west elevation, column spacing at west loggia, overall massing, the mansard roofs over the garages, landscaping at the rear of the property, and the style of the front door. The applicant has resubmitted plans responding to the commission's comments. At the main house, the entry door has been revised and lanterns have been added, the one-story bays at the rear elevation have been eliminated, the column spacing and associated posts and guardrails have been revised, and the basement entrance has been revised to coordinate with column spacing revisions.

At the guest house and garages, the mansard roofs have been eliminated and a parapet with pitched roof is now introduced and the colonnades at the south garages elevations have been reduced. Per the request of a neighbor, a dormer at the guest house north elevation has been eliminated. Landscaping has also been revised.

Approval of the project will require one motion to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions.

WRB:JGM:BMF

RECEIVED
By yfigueroa at 1:54 pm, Mar 06, 2023

DJA DAILEY JANSSEN ARCHITECTS, P.A.

ROGER PATTON JANSSEN, A.I.A.

Date: October 24, 2022 (Pre-App Submittal)
November 7, 2022 (First-Submittal)
November 28, 2022 (Second-Submittal)
December 15, 2022 (Third-Submittal)
January 12, 2023 (Final Drop Off)
March 6, 2023 (Final Drop Off)

LETTER OF INTENT RELATED TO PROPOSED NEW CONSTRUCTION AT
325 VIA LINDA PALM BEACH, FLORIDA, 33480

We are pleased to submit the accompanying drawings for a pre-application review of our project at 325 Via Linda. The site is currently occupied by a 2-story residence proposed to be demolished in entirety, see addendum for site history report. This project is for the proposed construction of a 2-story residence with garage and basement, including a 2-story Guest House (detached accessory structure) with garage and basement, a pool pergola structure (Cabana Folly) with canvas awning, pool(s)/water feature(s), associated hardscape and landscape with entry gates and site walls (and emergency generator). The proposed total footprint equal 11,762 SF and total square footage of new construction of 28,252 SF, including proposed dock and seawall alternations to be submitted under a separate permit.

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

Not applicable

B) ARCOM 18-205

We are submitting a design that we consider tastefully designed, with harmonious and balanced elevations and to be built with the highest quality materials.

1. New 2-story Palm Beach Regency Style Residence with garage and basement, 2-story guest house (detached accessory structure) with garage and basement, and pool pergola/structure with awning (cabana folly).
2. New swimming pool and water feature(s).
3. New hardscape and landscape, including entry gates and site walls (+ emergency generator)
4. Dock and seawall alterations, by others under separate permit.

C) ARCOM 18-206

The property is not designated a landmark and is not included on a list of properties within the planning, zoning and building department placed under consideration as a landmark structure, and will meet all criteria for demolition permit.

D) SPECIAL EXCEPTION 134-229

SPECIAL EXCEPTION WITH SITE PLAN APPROVAL: Sec. 134-1668: Special Exception with Site Plan Review for the installation of vehicular gate and columns with an 8 ft setback from the edge of pavement in lieu of the 18 ft required, on a cul-de-sac street.

Section 134-1668. – Gateposts and gates located in front, street side and rear street yard areas.

A request for a special exception to add two swinging gates on Via Linda, which is a dead-end street/ cul-de-sac. The proposed gates would be 8'-0" from the street pavement in lieu of the 18-foot minimum required. (The current residence has two swinging gates per driveway agreements O.R.B. 4745, PG. 1751 & O.R.B. 14916, PG. 198 as noted on our survey.)

Pursuant to Section 134-1668 of the Code, driveway gates closer than 18 feet from the street pavement are permitted if the property is located on a dead-end street/ cul-de-sac, with Special Exception approval by the Town Council.
The driveway gates are proposed to be operated so as to not adversely affect public health, safety, welfare or morals. Since the property is on a dead-end street/cul-de-sac used mostly by the residents of the street, the use of the gate will not create an unsafe condition as there will not be any traffic build up from cars travelling past the property.
The proposed driveway gates will not adversely affect the value of other properties in the neighborhood as it is not relevant to the neighboring property values.
The proposed driveway gate s will be compatible with the neighborhood as other property owners in the neighborhood have similar gates with non-conforming setbacks.
The proposed driveway gates will comply with all other yard, other open space and any special requirements set forth in Article VI of the Zoning Code.
The proposed driveway gate s will comply with the comprehensive plan, if applicable.
The proposed driveway gates will not result in substantial economic; noise, glare, or odor impacts on adjoining properties and properties generally in the district.
N/A
N/A
N/A
N/A
N/A
N/A
The proposed driveway gate s will not place a greater burden on police or fire protection services since the property is on a dead-end street/ cul-de-sac and is not heavily travelled and the use of the gates will not create an unsafe traffic condition as they are setback a significant distance from the street.

E) SITE PLAN REVIEW 134-329

SPECIAL EXCEPTION WITH SITE PLAN APPROVAL: Sec. 134-1668: Special Exception with Site Plan Review for the installation of vehicular gate and columns with an 8 ft setback from the edge of pavement in lieu of the 18 ft required, on a cul-de-sac street.

The proposed site plan will not adversely affect the public interest and we certify that the specific zoning requirements governing the individual use have been meet.

Details same as item D above per Section 134-1668.

F) VARIANCES 134-201

Not Applicable

Respectfully Submitted,

Roger P. Janssen, AIA
Dailey Janssen Architects, P.A.

Mr. & Mrs. BRUCE V. MAVEC
309 VIA LINDA
PALM BEACH, FL 33480

TOWN OF PALM BEACH

Planning, Zoning & Building Department

360 South County Road Palm Beach, FL 33480 February 6, 2023

We are writing a letter as the adjacent neighbor to the proposed building activities on 325 Via Linda. The plans include a guest house on the eastern lot line which is next to our property, and the proposed structure is a two story residence.

We understand that the code does not preclude a two story structure, but the fact that all the homes on Via Linda are single story and modest in height sets a neighborhood standard of scale and over all visibility between residences.

We respectfully request that the Department strongly encourage the owners of the proposed structures to install sufficient plantings to fully screen the new residences from the adjoining residents. If it is practical, the guest residence could be designed as a one story residence on a larger footprint.

Palm Beach is a unique haven that offers many green and beautiful neighborhoods, and one important aspects of those neighborhoods is the consistent context of the home designs. The existing harmony of our neighborhood is one of the important reasons we purchased where we did, so our interest is to maintain the viewscape and the secluded vista of our well designed garden.

When we can maintain that natural beauty and provide accommodation to new users of property, everyone wins and the most unique and valuable asset the community offers can be retained by all.

The other aspect of the project that may affect the neighborhood is the flow of traffic in the Cul-du-Sac. Our short dead end needs the flow around the cul-de-sac to accommodate trucks and other large vehicles which have no other way to exit the street. The circle is large, but consideration needs to be given to assure a design that will not block necessary flow on a narrow street.

Thank you for your consideration.

Sincerely,

Ellen S. Mavec Bruce V. Mavec

From: Jordan Hodges
To: Antonette Fabrizi
Cc: James Murphy; Sarah Pardue
Subject: FW: 325 Via Linda
Date: Friday, February 10, 2023 11:23:18 AM

Antonette,

Please save the email below to the 325 Via Linda record and forward to ARCOM members prior to the February hearing.

Thanks,

Jordan Hodges
Design | Preservation Planner
Town of Palm Beach
Planning, Zoning & Building
360 S. County Road
Palm Beach, FL 33480
561.227.6414 | **www.townofpalmbeach.com**

From: Lara Ignaczak <lignaczak@mac.com>
Sent: Friday, February 10, 2023 11:18 AM
To: James Murphy <jmurphy@TownOfPalmBeach.com>; Sarah Pardue <spardue@TownOfPalmBeach.com>; Jordan Hodges <jhodges@TownOfPalmBeach.com>
Cc: Tony Ignaczak <ari@qc-inc.com>
Subject: 325 Via Linda

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Dear Mr. Murphy, Ms Purdue and Mr Hodges,

My husband and I are residents of Palm Beach and live at 320 Polmer Park Rd. We are writing to let you know we have reviewed the plans of our future neighbors at 325 Via Linda and fully support the project. We requested the removal of a 2nd story window on the back of the guest house that looks directly into our backyard and the neighbors graciously agreed to remove the window.

We really like the design direction of the house and gardens and believe the home will fit beautifully into the neighborhood. We hope you and your staff will agree and approve the proposed project.

If you have any questions for us, please feel free to reach out.

Thank you,
Lara Ignaczak
Tony Ignaczak

Lara Ignaczak
111 Verdant Lawn Farm
Charlottesville, VA 22901

320 Polmer Park Rd.
Palm Beach, FL 33480
434-227-7273
lignaczak@mac.com

Peter Soros
326 Via Linda
Palm Beach, FL 33480

February 15, 2023

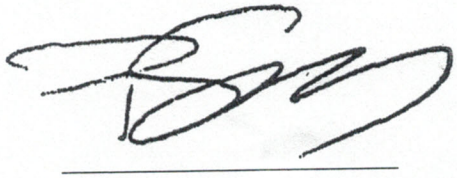
Dear Mr. Murphy, Ms. Purdue and Mr. Hodges,

I am the owner of record of 326 Via Linda and my mother, Daisy Soros, is the resident. We both believe that the plans for 325 Via Linda will fit beautifully into the neighborhood and will be viewed as a positive upgrade.

If you have any questions, please feel free to contact me.

Thank you.

Sincerely



Peter Soros

From:	Jordan Hodges
To:	Antonette Fabrizi
Cc:	Sarah Pardue
Subject:	FW: Thank you for the visit
Date:	Wednesday, February 15, 2023 3:12:21 PM

Antonette,

Please save to the record and forward to ARCOM for the February meeting.

Jordan Hodges
Design | Preservation Planner
Town of Palm Beach
Planning, Zoning & Building
360 S. County Road
Palm Beach, FL 33480
561.227.6414 | **www.townofpalmbeach.com**

From: Roger Janssen <roger@daileyjanssen.com>
Sent: Wednesday, February 15, 2023 3:10 PM
To: Jordan Hodges <jhodges@TownOfPalmBeach.com>
Cc: Molly Mitchell <molly@daileyjanssen.com>; Karen Thomas <karent@ktapc.com>
Subject: FW: Thank you for the visit

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Jordan, please email below form Mr Mavec re 325 Via Linda.

From: Bruce Mavec <bvmavec@royalgroup.com>
Sent: Saturday, February 4, 2023 1:02 PM
To: Roger Janssen <roger@daileyjanssen.com>
Subject: Thank you for the visit

Roger,
Thank you for your time and assistance re the Kanders Residence project. We appreciate the effort to minimize the impact on adjoining properties. We are fortunate to be at a high point which offers unique and special views, and your best efforts to maintain Mario's design in our garden is appreciated.

Best, Bruce

Bruce V. Mavec
309 Via Linda
Palm Bach, FL 33480

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-23-032 (ARC-23-022) 125 WORTH AVE (COMBO)–SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, 125 Worth Partners LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the substantial demolition exceeding 50% exterior building elevations for the renovation and expansion of the existing four story nonconforming commercial building (with underground parking) including multi-story additions and façade alterations proposing in accordance with the Worth Avenue Design Guidelines and a Special Exception to permit retail and office uses greater than 4,000 SF gross leasable area in the C-WA district. Additionally, the applicant is seeking review and approval for Variances (1) to reduce the required parking; (2) to modify and expand nonconforming four-story building; (3) to exceed the maximum overall building height in order to construct a new rooftop and rooftop projections; (4) to exceed the maximum allowable lot coverage for the fourth level; (5) to reduce the required front yard setback, (6) to eliminate the requirement for an on-site loading space, (7) to retain and increase the existing nonconforming lot coverage for the first, second and third levels; (8) to retain the existing nonconforming building length; (9) to retain the existing nonconforming landscape open space; and (10) to further increase the existing nonconforming floor area due in association with the voluntary demolition of portions of the nonconforming building exceeding 50% of exterior wall square footage, in conjunction with the renovation of an existing four-story office and retail building. *[The Architectural Review Commission has moved this project forward to the Town Council for zoning review prior to the architectural design review at their February 22, 2023, meeting.] [Town Council deferred this project to the April 4, 2023, Town Council meeting.]*

TIME CERTAIN 11:00 AM

Presenter

ATTACHMENTS:

- **Letter of Intent - April TCM - 04.04.23**
- **Plans - April TCM - 04.04.23**
- **Plans - April TCM - 04.04.23**
- **Plans - April TCM - 04.04.23**
- **Memorandum Dated 03.28.23 From John Randolph, Town Attorney**
- **Worth Avenue Design Guidelines**
- **Memorandum Dated: March 6, 2023, From Wayne Bergman Regarding 125 Worth Ave - Recap of Recent Land Use Applications**
- **PZB Staff Memorandum - Dated 03.15.23**
- **Letter of Intent - Mar TCM - 03.15.23**
- **Plans - Mar TCM - 03.15.23**
- **Public Comment - Kirkland House**
- **Public Comment - Goodman**
- **Public Comment - Leonard**
- **Public Comment - From TC Mtg. 03.15.23**
- **Public Comment - From ARCOM Mtg.**

LETTER OF INTENT
125 WORTH AVENUE REVITALIZATION

PROJECT NARRATIVE

The Development Review Application for 125 Worth Avenue requests Site Plan approval for the revitalization, renovation, and expansion of the 48-year-old nonconforming commercial building located at 125 Worth Avenue in the Worth Avenue Zoning District (C-WA). The building will be completely renovated architecturally in order to meet the standards for renovation as set forth in the Worth Avenue Design Guidelines. The application addresses how the project meets the Worth Avenue Design Guidelines in Exhibit B. The applicant is requesting to demolish a portion of the existing fourth story and add additional office space subject to a finding that the project meets the Worth Avenue Design Guidelines. Existing structural columns and roof structure will remain. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances as follows:

- SPECIAL EXCEPTION #1: Per Section 134-1165 (b) (2) A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with section 134-233;
- SPECIAL EXCEPTION #2: Per Section 134-1159 (a) (9) Permitted uses cited under permitted uses in section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area;
- SPECIAL EXCEPTION #3: Per Section 134-1163 (5) Front Yard, Within the C-WA district, arcades or colonnades may be constructed subject to approval as a special exception over the sidewalks in the required front yard setback, provided they meet the requirements of Section 134-1164 (e), which states, within the C-WA district, arcades or colonnades may be constructed, subject to approval as a Special Exception, over sidewalks or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. The design of such arcades or colonnades shall be based upon the Worth Avenue Design Guidelines and shall be subject to review and approval by the Architectural Commission;
- VARIANCE #1: Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces;
- VARIANCE #2: Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines;
- VARIANCE #3: Per Section 134-419, a Variance to allow for an expansion of an existing nonconforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing;
- VARIANCE #4: Per Section 134-1163(9) c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code and Worth Avenue Design Guidelines;
- VARIANCE #5: Per Section 134-1163(5), a Variance from a Front-Yard Setback Requirement of 5' to the proposed 0';
- VARIANCE #6: Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space;
- VARIANCE #7: Per Section 134-1163(9) c, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design

Guidelines;

- VARIANCE #8: Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150' maximum allowable by the Zoning Code;
- VARIANCE #9: Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 9.56% in lieu of the 25% minimum allowable by the Zoning Code; and
- VARIANCE #10: Per Section 134-1163(12), a Variance for Floor Area of 20,963 square feet on the ground floor, 22,146 square feet on the second floor, and 21,324 square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

APPLICABLE CODE SECTIONS

The following Town Municipal Code Sections apply to the 125 Worth Avenue Revitalization Application:

- Architectural Review: Section 18-205 & Section 18-206;
- Special Exception: Section 134-226 through 229 & Section 134-233;
- Site Plan Review: Section 134-329;
- Variance(s): Section 134-201;
- Section 134-419: Buildings and Structures: Restoration, Demolition, Enlargement, Extension, Expansion, Reconstruction, Alteration, or Repair;
- Section 134-1163: C-WA Worth Avenue District: Lot, Yard, and Area Requirements--Generally;
- Section 134-1164: C-WA Worth Avenue District: Lot, Yard, and Area Requirements--Exemptions;
- Section 134-2176: Off-Street Parking Schedule;
- Section 134-2211: Off-Street Loading; and
- Worth Avenue Design Guidelines (May 1991, Revised February 1998): Section VIII: Special Allowances for the East-End Development Area.

REQUEST FOR SITE PLAN REVIEW.

Zoning Code Section 134-329. Review by Town Council.

Within 30 days of receipt of the application for site plan review, the town council shall review and consider the application. Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

(1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.

Applicant Response: **The subject property, 125 Worth Avenue (Parcel Control Number: 50-43-43-23-05-016-0380), is privately owned by 125 Worth Partners LLC, which has complete ownership and control of the property and is responsible for its maintenance. This property does not contain any common facilities or common land that could become a future liability for the Town of Palm Beach.**

(2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.

Applicant Response: **The purpose of the project is to revitalize an existing four-story retail/office building. The revitalization will include the addition of office space to the existing fourth floor of the building while preserving the existing retail uses of the ground floor. In addition to these changes, the property will be completely upgraded with new building systems (HVAC, elevator, mechanical) and the facades of the existing building will be enhanced to improve its appearance, specifically those neighboring properties, and become a gift to the high street of Palm Beach—Worth Avenue. These changes will inimitably benefit the surrounding properties.**

(3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

Applicant Response: **Pedestrian and vehicular traffic flow and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site. The existing underground parking facility and the existing surface parking spaces along the eastern property line will continue to be utilized for vehicular access to and from Worth Avenue.**

(4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

Applicant Response: **Off-street parking in this building is located both at the surface level and in a two-level underground parking garage. This will not change as a result of this property's renovation except for the deletion of some unneeded surface parking, which is unsightly and inconsistent with the Worth Avenue Design Guidelines as discussed below. The Applicant is also providing a shared parking study to demonstrate that adequate parking will be provided.**

(5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

Applicant Response: **The proposed 125 Worth Avenue Revitalization Site Plan includes a new approach to the site's landscape architecture including increased use of native plant species, ground level lush landscaping, and the landscaping of the rooftop of the building to enhance the views from the surrounding, taller multi-family buildings that look down at 125 Worth Avenue.**

(6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.

Applicant Response: **The proposed drainage plan will utilize the existing drainage systems that exist today at 125 Worth Avenue. The increase of pervious areas and landscaping will aid in preventing stormwater from releasing onto any of the adjacent properties. Please see Exhibit F, Drainage Statement, of the Letter of Intent.**

(7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

Applicant Response: **The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.**

(8) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

Applicant Response: **This is a privately-owned commercial building and does not contain any recreational facilities.**

(9) Such other standards as may be imposed by this chapter for the particular use or activity involved.

Applicant Response: **The Town's Zoning Code does not impose any special standards on mixed-use projects. Worth Avenue Design Guideline standards are discussed in Exhibit B.**

(10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low-profile scale of commercial architecture.

Applicant Response: **This building already contains four stories. The creation of additional office amenity space on the fourth floor will not increase existing height and the fourth-floor appearance will be greatly improved. The fourth floor will not be conspicuous from the ground due to the height of the building and the step- back of the fourth story in relation to the lower floors.**

(11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

Applicant Response: **As noted, the proposed expansion of the fourth story will not increase existing overall building height, and the expansion will be more aesthetically pleasing than the existing fourth floor structure. The proposed office space on the fourth floor will not be visible from the centerline of the abutting roadways because the proposed structure has a greater setback than the existing third floor.**

REQUEST FOR SPECIAL EXCEPTION FOR A THIRD STORY AND OTHER SPECIAL ALLOWANCES BUILT IN ACCORDANCE WITH THE WORTH AVENUE DESIGN GUIDELINES.

Zoning Code Section 134-229. Requirements for Granting.

SPECIAL EXCEPTION #1: Per Section 134-1165 (b) (2) A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with section 134-233.

The requirements for granting a special exception use under this chapter are as follows:

(1) The use is a permitted special exception use as set forth in article VI of this chapter.

Applicant Response: **Article VI, Section 134-1163 (8) regulates height and overall height within the Worth Avenue Zoning District (C-WA). Subsection (d) of the aforementioned Section of the Zoning Code states the following: "Refer to Worth Avenue Design Guidelines for special exception requirements providing for special allowances to coverage, height, building length and gross floor area limitations." 125 Worth Avenue is located within the East End-Development Area of the Worth Avenue Development Areas as outlined in Section V of the Worth Avenue Design Guidelines. Section VIII, Special Allowances for the East-End Development Area, of the Worth Avenue Design Guidelines provides for Special Allowances if the Property Owner is eligible provided the following standards are met:**

- **Substantial Exterior Renovation or Restoration: Improvements costing more than 15% or more of the appraised value of the structure (Please see attached Appraisal and Revitalization Cost Estimate); and**
- **Appropriate Exterior Renovation or Restoration: Improvements which are consistent with the Design Guidelines described in Section VI and VII, and recommended for approval by the Architectural Commission (ARCOM).**

The Special Allowances allow for a third story in the East-End Development Area.

(2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential or non-residential uses above the ground floor.**

(3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

Applicant Response: **The third story is an existing condition today and will not have any adverse impact on surrounding properties or the neighborhood in which it will occur.**

(4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

Applicant Response: **The third story is an existing condition today and is both consistent with the C-WA Zoning District regulations and is currently compatible with the surrounding properties of the site.**

(5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

Applicant Response: **The existing building at 125 Worth Avenue is legally nonconforming and as a result certain variances will be required in the revitalization of the subject property.**

(6) The use will comply with all elements of the comprehensive plan.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property which are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(7) The use will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

Applicant Response: **The third story is an existing condition on the site and is not and will not result in substantial economic, noise, glare or odor impacts on adjoining properties and properties generally in the district.**

(8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Applicant Response: **Pedestrian and vehicular traffic flow, ingress, and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site. The existing underground parking facility and the existing surface parking spaces along the eastern property line will continue to be utilized for vehicular access to and from Worth Avenue.**

(9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

Applicant Response: **All signage and lighting proposed for the 125 Worth Avenue Revitalization meets all standards of the Town Zoning Code and specifically the C-WA Zoning District.**

(10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

Applicant Response: **The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.**

(11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

Applicant Response: **The 125 Worth Avenue Revitalization Site Plan includes adequate refuse and service areas.**

(12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and are harmonious with the surrounding properties as well as town-serving in their existing conditions today. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

Applicant Response: **This standard is not applicable to 125 Worth Avenue as there are no historic/specimen trees located on the subject property.**

(14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor. The proposed uses will be compatible with the neighborhood as they are in their existing condition and will not create a greater burden than other uses in the C-WA Zoning District.**

REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR USES WHICH CONTAIN GREATER THAN 4,000 SQUARE FEET GROSS LEASABLE AREA (GLA).

Zoning Code Section 134-229. Requirements for Granting.

SPECIAL EXCEPTION #2: Per Section 134-1159 (a) (9) Permitted uses cited under permitted uses in Section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area.

The requirements for granting a special exception use under this chapter are as follows:

(1) The use is a permitted special exception use as set forth in article VI of this chapter.

Applicant Response: **Section 134-1159 (a) (9) allows "Permitted uses cited under permitted uses in Section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area" via a Special Exception Use. The proposed uses for the 125 Worth Avenue site are the same uses and tenant-types existing on the site today.**

(2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

Applicant Response: **The proposed uses and tenants are existing uses and tenant- types on the site and have not caused substantial injury to the value of other property in the neighborhood where it is located. The proposed 125 Worth Avenue Revitalization Plan will undoubtedly have a positive impact to all property values in the neighborhood where it is located.**

(4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

Applicant Response: **The 125 Worth Avenue Revitalization plans for both retail and office uses (mixed-use) on the site. The mixed-use nature of the program qualifies it for shared parking to occur on the site which is both consistent with the C-WA Zoning District regulations and will be compatible with the surrounding properties of the site.**

(5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

Applicant Response: **The existing building at 125 Worth Avenue is legally nonconforming and as a result certain variances will be required in the revitalization of the subject property.**

(6) The use will comply with all elements of the comprehensive plan.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(7) The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

Applicant Response: **The proposed uses are existing on the site today and do not and will not result in substantial economic, noise, glare or odor impacts on adjoining properties and properties generally in the district.**

(8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Applicant Response: **Pedestrian and vehicular traffic flow, ingress, and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site.**

(9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

Applicant Response: **All signage and lighting proposed for the 125 Worth Avenue Revitalization meets all standards of the Town Zoning Code and specifically the C-WA Zoning District.**

(10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

Applicant Response: **The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.**

(11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

Applicant Response: **The 125 Worth Avenue Revitalization Site Plan includes adequate refuse and service areas.**

(12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties as well as town-serving. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

Applicant Response: **This standard is not applicable to 125 Worth Avenue as there are no historic/specimen trees located on the subject property.**

(14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor. The proposed uses**

will be compatible with the neighborhood as they are in their existing condition and will not create a greater burden than other uses in the C-WA Zoning District.

REQUEST FOR AN ARCADE OVER THE SIDEWALK IN THE REQUIRED FRONT YARD SETBACK.

Zoning Code Section 134-1163 (5) Front Yard. Lot, yard and area requirements--Generally.

SPECIAL EXCEPTION #3: Per Section 134-1163 (5) Front Yard, Within the C-WA district, arcades or colonnades may be constructed subject to approval as a special exception over the sidewalks in the required front yard setback, provided they meet the requirements of Section 134-1164 (e), which states, within the C-WA district, arcades or colonnades may be constructed, subject to approval as a Special Exception, over sidewalks or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. The design of such arcades or colonnades shall be based upon the Worth Avenue Design Guidelines and shall be subject to review and approval by the Architectural Commission.

The requirements for granting a special exception use under this chapter are as follows:

(1) The proposed arcade does not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance.

Applicant Response: **The proposed arcade does not project nearer than three feet to the face of the street curbline. The proposed arcade projects exactly ten feet from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade. The proposed arcade does not have any support located nearer than three feet to the face of the curb. The proposed arcade maintains a vertical clearance of 12'—6".**

(2) The design of the arcade shall be based upon the Worth Avenue Design Guidelines and shall be subject to review and approval by the Architectural Commission.

Applicant Response: **In designing the proposed arcade at 125 Worth Avenue, our design team referenced the following sections of the Worth Avenue Design Guidelines:**

- **Section VI. Worth Avenue Design Guidelines, C. Street Frontages, E. Arcades, Colonnades or Recessed Walkways; and**
- **Section VII Guidelines for Individual Development Areas, East-End Development Area, Arcades Design Guidelines.**

REQUEST FOR VARIANCE TO ALLOW FOR A REDUCTION IN REQUIRED PARKING SPACES.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #1: Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **The Town of Palm Beach Zoning Code's Off-Street Parking Standards are antiquated and do not reflect actual conditions of the site. The 125 Worth Avenue building is more than 96% leased and during a recent site visit at 2:00pm on a Wednesday in December 2022, a total of 31 cars were parked on site. The attached ULI Shared Parking Study more accurately reflects present-day industry off-street parking standards rather than those of 40 years ago.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any other property owner in the C-WA zoning district with similar circumstances could request the same relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **A literal interpretation of the ordinance would prevent the applicant from utilizing the existing and proposed uses within the building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings do not meet today's Zoning Code Off-Street Parking and Loading Standards. The project is thus compatible and consistent with existing development.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The proposed parking is essentially the existing, legal, nonconforming supply of required off-street parking spaces.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and

b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:

1. Be granted only for the continuation of the same hotel or residential use; and
2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The approval of the reduced parking on site will allow the applicant to utilize the legally nonconforming square footage of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and an activated public realm.**

REQUEST FOR VARIANCE TO ALLOW FOR PROPOSED BUILDING HEIGHT AND OVERALL BUILDING HEIGHT.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #2: Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **When this building was constructed in 1973, the existing building height was included. This request is not to increase the existing building height.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any other property owner in the C-WA Zoning District with similar circumstances could request the same relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **A literal interpretation of the ordinance would prevent the applicant from utilizing the grandfathered fourth story of this building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings consist of four stories, and the structure proposed on the fourth story is stepped back to avoid any more visual impact.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The proposed development will not increase the height of the existing structure on the fourth floor. The setback of the fourth floor will reduce visible impact.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and

b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:

1. Be granted only for the continuation of the same hotel or residential use; and
2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The revitalization plans do not propose an increase in building height so the existing height condition will be the condition of the revitalized structure.**

REQUEST FOR VARIANCE TO ALLOW FOR EXPANSION OF AN EXISTING NONCONFORMING BUILDING.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #3: Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **When this building was constructed in 1973, a fourth story was included. This request is to expand the floor area of that existing structure by replacing it with office amenity space. The fourth floor will be set back to minimize visibility and impact on surrounding properties.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The Applicant purchased the building in its present configuration with a limited amount of floor area on the fourth story. There is precedent for expanding legally nonconforming buildings as long as the existing roof and structural columns remain.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any other property owner in the C-WA zoning district with similar circumstances could request the same relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **A literal interpretation of the ordinance would prevent the applicant from utilizing the grandfathered fourth story of this building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings consist of four stories, and the structure proposed on the fourth story is stepped back to avoid any visual impact. The visible aesthetic of the roof from taller adjacent buildings will be greatly enhanced because the unsightly existing roof will be replaced with beautiful architecture, gardens, and a trellis. The project is thus compatible and consistent with existing development.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The proposed development will not increase the height of the existing structure on the fourth floor. The setback of the fourth floor will reduce visible impact.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
    1. Be granted only for the continuation of the same hotel or residential use; and
    2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The approval of the additional square footage on the existing fourth story will allow the applicant to utilize the legally non- conforming fourth story of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East-End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and green space.**

REQUEST FOR VARIANCE TO ALLOW FOR INCREASED LOT COVERAGE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #4: Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code and Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing lot coverage is legally nonconforming on the third floor.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally nonconforming floor area on the fourth story.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the visible bulk of the building from the street is not being changed, and the aesthetic of the roof will be greatly enhanced for those taller buildings from which the proposed office amenity space is visible.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED FRONT YARD SETBACK THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #5: Per Section 134-1163(5), a Variance from a Front Yard Setback Requirement of 5' to 0'.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing front-yard setback is nonconforming and the front yard setback is being reduced to accommodate the goals stated in the Worth Avenue Design Guidelines.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property. The existing front-yard setback is nonconforming and the front yard setback is being reduced to accommodate the goals stated in the Worth Avenue Design Guidelines.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non- conforming front-yard setback and would not accommodate the goals of the Worth Avenue Design Guidelines.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the visible bulk of the building from the street is not being changed. The street frontage will be enhanced with the addition of the arcade.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED OFF-STREET LOADING SPACES.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #6: Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing supply of off-street loading spaces is deficient, and the existing condition is not being decreased from its existing condition.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation and site plan of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally nonconforming building.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the existing supply of off-street loading spaces is being increased by the proposed supply of off-street loading spaces.**

REQUEST FOR VARIANCE TO ALLOW FOR GREATER LOT COVERAGE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #7: Per Section 134-1163(9)c, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing lot coverage is legally nonconforming on the second and third floor.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non- conforming floor area on the second and third stories.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the second and third stories exist on the site today and the visible bulk of the building from the street is not being changed, and the aesthetic of the roof will be greatly enhanced for those taller buildings from which the proposed office amenity space is visible. The existing lot coverage is legally nonconforming.**

REQUEST FOR VARIANCE TO ALLOW FOR EXISTING MAXIMUM BUILDING LENGTH THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #8: Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150' maximum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing building length is legally nonconforming and this building length is not being increased from its existing condition.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non- conforming floor area.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the existing condition of building length is the proposed condition.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #9: Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 9.56% in lieu of the 25% minimum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing landscaped open space is legally nonconforming and will be enhanced to accommodate the renovation of the building.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The variance is necessary because the existing building does not conform to the existing Zoning Code. The building has been nonconforming for many years prior to the applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and

b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:

1. Be granted only for the continuation of the same hotel or residential use; and
2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the visible bulk of the building is not being changed. The existing landscaped open space is legally nonconforming.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #10: Per Section 134-1163(12), a Variance for Floor Area of 20,963 square feet on the ground floor, 22,146 square feet on the second floor, and 21,324 square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing floor area is legally nonconforming on ground, second, and third floor in their existing condition.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non- conforming floor area of the building.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the ground, second, and third floors are legally nonconforming in their existing condition.**

SITE HISTORY

The following provides a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements.

DATE	NATURE OF REQUEST / ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
31-Jan-69	Application filed for building permit		Permit not issued by Town due to pending 'zoning in progress'. At issue was parking requirement of proposed new district (C-WA), which was more stringent than prior district (C-A).
6-Oct-69	Building permit issued to Mathews Corporation to construct a six story& basement parking and office structure; to meet old code parking requirement	Permit No. 74569	Permit indicates 107,800 SF, 65'8" height building
10-Apr-70	Building permit extension issued by Town		To June 1, 1970
19-Apr-72	ARCOM approved New building plans for office building	Application No. 35-72	49,500 SF of floor area and 166 parking spaces
1-Jun-72	Building permit issued to George Culverhouse for 3 level office building with 2 levels of parking and mechanical penthouse	Permit No. 51072	165 required parking spaces. C-A zoning district. Parking rate 1 /300 square feet of space.
6-Jul-72	Building permit re-issued to Stan E. Hall & Associates	Permit No. 51072	
14-Mar-73	Building permit re-issued to Lawrence J. Kucera	Permit No. 51072	
29-Mar-74	Certificate of Occupancy issued for building, main building only		
14-Jan-75	Request for variance	Variance #37-74	Denied by Town Council
9-Dec-75	Request for variance for permission to add another dentist to existing dentist's practice, on second floor.	Variance # 43-75	Approved by Town Council based on provision of additional parking

DATE	NATURE OF REQUEST / ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
1976	Town letters reference possible structural problems in the building		
9-Sep-80	Special exception request to move office (National City Bank) from first to third floor; temporary variance to stay in same office while other office is being prepared	Special Exception #19-80; Temporary variance # 30-80	Approved by Town Council
14-Oct-80	Special exception request to add 200 SF	Special Exception # 23-80	
13-Apr-82	Special exception request for expansion of office space	Special Exception #4-82	Approved by Town Council
11-May-82	Special exception for expansion of office space	Special Exception # May-82	Approved by Town Council
1984	Variance request for additional office space	Variance# 14--84	Approved by Town Council
November 13, 1984	Special exception request for E.F. Hutton to occupy an additional 1339 SF on the second floor	Special Exception # 26-84	Approved by Town Council
1989	Variance request for additional office space	Variance #10-1989	Approved by Town Council
1989	Town of Palm Beach Comprehensive Plan		Adopted by Town Council
9-Jun-92	Special exception request for bank expansion	Special Exception # 13-92	Approved by Town Council
3-Mar-93	Special exception request to expand bank by an additional 1,750 SF	Special Exception # 8-93	Approved by Town Council
5-May-94	Request change in occupancy by moving 600 SF from 2nd to 3rd floor	Special Exception # 8-93	Approved administratively
1994	Special exception request for office in excess of 2,000 SF	Special Exception # 6-94	Approved by Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
14-Feb-95	Variance request to transfer 739 SF for bank from 2nd to 1st floor. Total remains 9,981 SF	Variance #62-94	Approved by Town Council
8-Aug-95	Special exception request with variance to operate financial institution above 1st floor which exceeds 2,000 SF. Variance to eliminate 5 required parking spaces	Special Exception # 18-95	Approved by Town Council
14-May-96	Special exception request to add 1,214 SF onto existing 8,477 SF	Special Exception # 8-96	Approved by Town Council
1998	Variance with special exception request for additional office space	Variance# 4-98	Approved by Town Council
13-Oct-98	Special exception request to add 679 SF	Special Exception #25-98	Approved by Town Council
9-Feb-99	Special exception with variance request to expand Palm Beach National Bank on second floor and eliminate the requirement for 2 additional parking spaces. Total SF 12,396 SF	Special Exception # 4-90 with Variance	Approved by Town Council
May-99	Special Exception with variance request to allow expansion of bank on 2nd floor and eliminate requirement for 2 additional parking spaces.	Special Exception #5-99 with Variances	Approved by Town Council
2002	Variance request for additional office space	Variance# 11-2002	Approved by Town Council
11-Nov-02	Special exception request to allow new bank to occupy the same 12,395 SF as previous bank	Special Exception #23-2002	Approved by Town Council

DATE	NATURE OF REQUEST / ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT / NOTES
2004	Special exception request for more than 2,000 SF of office space	Special Exception # 14-2004	Approved by Town Council
7-Apr-08	Site plan review and variance request	Site Plan Review # 1-2008 with Variances	Denied by Town Council
10-Jun-09	Variance request to expand existing law firm on 3rd floor which is over 2000 SF	Variance # 12-2009	Approved by Town Council
22-Jun-10	Special Exception request to allow a new bank (BB&T) to occupy the same 12,396 SF currently occupied by Colonial Bank	Special Exception #8-2010	Approved by Town Council
11-Jul-12	Special Exception request to allow a proposed use (boat sales) not specifically enumerated in the code, for Ferretti Group	Special Exception #11- 2012	Approved by Town Council
15-Aug-12	Clarification of conditions relating to The Ferretti Group approval	Special Exception # 11-2012	Approved by Town Council
5-Mar-19	Request for Site Plan Review, Special Exceptions, and Variances for improvements to the building and expansion of the fourth floor	Z-19-00232	Application Withdrawn by Owner

SEATING PLAN

A seating plan is not applicable to this application as no restaurant uses are being proposed.

OPERATIONAL PLAN

The existing operations on site (no valet) will serve the proposed operations on site (same uses).

WORTH AVENUE DESIGN GUIDELINES JUSTIFICATION STATEMENT

The Worth Avenue Design Guidelines Justification Statement is attached to this document as Exhibit B.

PARKING PLAN

The Parking Plan and ULI Shared Parking Study are attached to this document as Exhibit C.

TRAFFIC CONCURRENCY REPORT & TRAFFIC STUDY

The 125 Worth Avenue Traffic Concurrency Report and Traffic Study prepared by Kimley-Horn & Associates are attached to this document as Exhibit D.

APPRAISAL

The 125 Worth Avenue Appraisal Report (dated December 21, 2022) prepared by Aucamp, Dellenback, and Whitney is attached to this document as Exhibit E.

DRAINAGE STATEMENT

The 125 Worth Avenue Drainage Statement prepared by Keshavarz & Associates is attached to this document as Exhibit F.

125 WORTH AVENUE REVITALIZATION COST ESTIMATE

The 125 Worth Avenue Revitalization Cost Estimate prepared by Gilbane is attached to this document as Exhibit G.

125 WORTH AVENUE ADDITIONAL CONCURRENCY: WATER, WASTEWATER, STORMWATER, SOLID WASTE

The 125 Worth Avenue Additional Concurrency (Water, Wastewater, Stormwater, Solid Waste) prepared by Keshavarz & Associates is attached to this document as Exhibit H.

EXHIBIT A: 125 WORTH AVENUE LEGAL DESCRIPTION

Lots 38 through 48, inclusive, Block 16, of the Revised Map of Royal Park Addition to Palm Beach, Florida, according to the plat thereof, recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida.

EXHIBIT B: 125 WORTH AVENUE
WORTH AVENUE DESIGN GUIDELINES JUSTIFICATION STATEMENT

In the late 1990s, the Town of Palm Beach adopted Design Guidelines for Worth Avenue to retain and enhance the Avenue's unique character. They are intended for use by the general public and reviewing bodies (LPC, ARCOM, and Town Council) in evaluating new construction as well as alterations, renovations, or other changes to existing structures along Worth Avenue. The guidelines are intended to encourage the maintenance and restoration of the architectural heritage of Worth Avenue and to encourage the creative use of modern variants of the Mediterranean-Revival, Neo-Classical, and other compatible architectural styles. They are further intended to promote the use of "Mizner-style" Mediterranean-type pedestrian characteristics such as arcades, shopping vias, courtyards and patios, fountains and sculptures, extensive landscaping, multi-level development, and especially the provision of upper-story residences.

All in all, investment undertaken on the Avenue should:

- Be compatible with its neighbors and the Avenue's historic fabric;
- Enhance the Avenue's quality and character; and
- Encourage the continued attraction of a mixture of shops, residences, and other uses meeting the Town's desires.

The ocean block of Worth Avenue contains more recently constructed buildings dominated by the two-story Esplanade shopping mall on the Southern side of the block and a four-story professional office building (125 Worth Avenue) on the Northern side of the block. Beyond a poorly designed façade and awning treatment on the Esplanade intended to give the appearance of individual structures, and an arcaded terrace on the office building, there has been little attempt to integrate this block into the more historically significant Western Worth Avenue block. Both buildings are large and massive, have only single entrances on Worth Avenue, and present little pedestrian appeal. (quote from the guidelines themselves). The proposed, substantial renovation and addition will be the first of its kind since the building's original construction.

From a regulatory standpoint, the guidelines serve two separate purposes including Town Council/LPC/ARCOM's use in evaluating new construction as well as alterations, renovations, or other changes to existing structures along Worth Avenue and the ability for the Town to approve special allowances for substantial or appropriate exterior renovations or restorations. This document serves as a response to how the 125 Worth Avenue Revitalization Proposal meets the Worth Avenue Design Guidelines by examining both the existing and proposed conditions of the subject property.

The 125 Worth Avenue Revitalization Proposal in general involves an exterior and interior renovation alongside the addition of retail and office spaces on the ground, second, third, and fourth floors. The proposal involves a mix of uses including commercial and office coupled with integrated landscaping that are reminiscent of historic Palm Beach. The guiding principles of the proposal embrace the following:

- Integrate the East-End Development Area into the older developed blocks to the west;
- Achieve the Urban Design Objectives of the East-End Development Area; and
- Establish the Avenue's distinctive landscape character in the East-End Development Area.

Worth Avenue Urban Design Goals

Protect and enhance the Avenue's market appeal for the benefit of the residents of the Town.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal contributes to the Avenue's role as an architectural statement expressing the Town's image. The existing building does not contribute to Worth Avenue's historic character and atmosphere and does not provide inducement for the quality uses preferred in the Town and for which the Avenue has been so attractive in the past. The existing condition is one that is suburban in nature and disconnected from the Avenue's charm and visual appeal. The Revitalization proposal corrects this condition by bringing order to architecture and urbanism that is reminiscent of historic Palm Beach.

Protect the unique character of the older areas of Worth Avenue and promote continuity and enhancement in newer areas.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal (rehabilitation) located on the east-end development area represents an opportunity to promote continuity and enhancement in the subject block with a connection to the western portion of the Avenue. The Revitalization proposal proves successful in the aforementioned opportunity by respecting existing development scale and architecture while carefully reinforcing, strengthening and enhancing its existing condition.

Strengthen pedestrian character and create new vias and other pedestrian linkages.

125 Worth Avenue Revitalization Proposal Response: The existing site condition of 125 Worth Avenue maintains an auto-centric environment and does not recognize the pedestrian as a priority within the site and its interface with the public realm of the Avenue. The 125 Worth Avenue Revitalization Proposal removes most of the surface level parking (auto-centric environment) and replaces it with active storefronts that prioritize the pedestrian experience, thus extending the pedestrian, village like character of the western portion of the Avenue.

Maintain and continue to create a diverse mix of activities.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal represents a diverse mix of residential, office, and retail uses that complement the Avenue's present specialty shopping reputation. As a result, by introducing a pedestrian scaled environment to the subject property, Worth Avenue can absorb growth and prosper in an appropriate manner.

Maintain high expectations for the quality of architecture along Worth Avenue.

125 Worth Avenue Revitalization Proposal Response: Unlike the existing condition, the 125 Worth Avenue Revitalization Proposal includes a new building that is influenced by the area climate, character of the landscape, and a concern for human size and scale. Moreover, the proposal stresses architectural traditions such as protection from the sun and glare, strong shade and shadow patterns, simplicity of materials and colors, and interesting visual elements.

Strengthen the Avenue's distinctive landscape character.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal continues to reinforce the Avenue's pedestrian-oriented character by the use of windows, open and enclosed stairways, planting areas, potted plants, decorative paving and tiles, ornamental lighting, and providing an abundance of shade, color, varied textures, and form.

Continue and expand the tradition of the Avenue's arcaded walkways.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal provides a modern adaptation of covered walkways which unify diverse building fronts, provide shade protection from the sun, and further serve as a consistent architectural element of pedestrian scale.

Strengthen the provision of consistent and compatible street spaces.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal's site plan gives priority to establishing complementary and supportive relationships with neighboring properties by respecting the edge conditions of the adjacent properties and introducing landscaped and pedestrian elements to the site.

Adherence to the Worth Avenue Design Guidelines

Relationship to Existing Development

Guideline: All development proposals should show evidence of coordination with the site plan, arrangement of building forms, landscape design, and façade patterns of neighboring properties.

Existing Conditions: The existing site plan 125 Worth Avenue represents a disconnected, suburban arrangement of building forms, landscape design, and façade patterns that are auto centric in nature.

Proposed Conditions: In contrast, the 125 Worth Avenue Revitalization Proposal respects the arrangement of building, open space, and landscape elements on the adjacent sites. The resultant site plan is more respectful of the site's urban condition along Worth Avenue.

Architectural Character

Guideline: All development proposals should demonstrate evidence they have considered the predominant scale and proportion of buildings in the area. Elevation sketches, photographic montages, and other graphic studies are encouraged.

Existing Conditions: The existing building and site plan combine to form an inappropriate architectural expression due to its foreign proportion, rhythm, and form. The existing condition neither protects nor enhances the Avenue's market appeal for the benefit of the residents of the Town.

Proposed Conditions: The 125 Worth Avenue Revitalization Proposal involves a major rehabilitation to the Worth Avenue façade of the building which will result in intimate proportions of building elements at the ground level that will be appreciated by pedestrians. The relationship between the height and width of the building and its architectural elements contributes to the appropriate proportion of buildings. In reforming the horizontal emphasis of the existing building to a more vertical expression, the proportion of the proposed building will be much more germane to the

vernacular of historic Palm Beach. Additionally, the proposed rhythm of the rehabilitated building with its ordered recurrent alternation of strong and weak architectural elements yields visual interest to the building true to the Mediterranean-Revival architectural style. At last, the proposed building and site plan coordinates the form and height of adjacent structures to demonstrate visual linkages moving from west to east across the site.

Street Character, Size and Bulk

Guideline: New development should preserve the existing character by reducing the apparent building width and bulk. Pedestrian interest should be strengthened by providing frequent shop, building, and via entrances along street frontages.

Existing Conditions: The existing building at 125 Worth Avenue maintains an awkward proportion, scale, and mass. Infrequent opening and entrances along the street frontages detract from pedestrian interest. Additionally, the existing building reads as one large building across the lot.

Proposed Conditions: The proposed building at 125 Worth Avenue repositions the existing building with respect to apparent building and storefront width, a varied roofscape, multi-story structures, and recesses and projections along all facades. By dividing the Worth Avenue elevation into smaller parts, the proposed building's apparent building and storefront widths are reduced in an effort to create pedestrian interest as well as break up the scale and mass of the building. The existing roof line which is one of a suburban vernacular has been transformed (in the proposed structure) to create an interesting silhouette against the sky reflective of the west-end of the Avenue. The verticality of the buildings is reduced via balconies and changes in the wall plane thus providing strong shadow and visual interest. The recessed features of the proposed structure create a sense of depth in the building wall and emphasize important architectural elements of the building such as entrances and bays.

Street Frontage

Guideline: Active building frontages, creating inviting indoor/outdoor spaces, are an essential ingredient to maintain and strengthen the Avenue's pedestrian character. Buildings should provide an opening at the ground level to allow pedestrian views of display windows. Frequent building entrances are encouraged. Side and rear building entrances should always be accompanied by a front entrance facing the Avenue.

Existing Conditions: The existing building frontage at 125 Worth Avenue maintains a confused street-edge along Worth Avenue. The spaces at the ground floor along Worth Avenue include long spatial gaps while the second and third story fenestration do not reflect successful non-residential Palm Beach building types.

Proposed Conditions: The proposed building at 125 Worth Avenue greatly increases the activation along the Worth Avenue frontage by minimizing black walls, increasing the height and area of storefronts, and organizing and increasing entrances to the building in an orderly fashion, so that one knows where the front door is to the building.

Building Setback Area

Guideline: The space between the building and the curb should be like an open or covered patio. It should provide pedestrians with a buffer from traffic on the Avenue, shaded protection from the sun, and a rich variety of experiences and choices.

Existing Conditions: The existing space between the building and curb is bifurcated by grade changes and separated sidewalk areas.

Proposed Conditions: The proposed building at 125 Worth Avenue reads much more like an open and covered patio. The continuous linear and rhythmic paving includes occasional street contrasts and accents including plantings and landscape. The proposed patterns of the building setback area are geometric rather than organic which is more appropriate for the Avenue.

Arcades, Colonnades or Recessed Walkways

Guideline: Arcades or covered walkways are an important part of Worth Avenue's architectural heritage. They provide relief from the sun, buffers from the street, and are a consistent architectural element scaled to human size. New buildings on the Avenue are encouraged to provide arcades or other forms of shaded base.

Existing Conditions: The existing walkway condition at 125 Worth Avenue does not integrate the entirety of the sidewalk in front of the building.

Proposed Conditions: The proposed building at 125 Worth Avenue includes recessed walkways as an integral part of the building's architectural character that is not separated from the sidewalk but rather a seamless portion of the overall sidewalk. The successful integration of these two elements creates useful outdoor space and provides protection from the sun in a functional manner. The framing of the sidewalk space does not include a superficial or decorative device but rather one of form and function of the structure itself.

Building Materials

Guideline: Restraint should be used in the number of different building materials selected. Simplicity is desired. Building materials similar to those in predominant use on the Avenue are encouraged. Avoid the use of new materials that are incompatible with other development. Highly reflective, shiny, or mirror-like materials should not be used.

Existing Conditions: Aside from the windows and doors of the existing building at 125 Worth Avenue, the building materials are generally acceptable. However, the architectural disorder of the facades and building in general reduce the success of the building materials.

Proposed Conditions: The proposed structure for 125 Worth Avenue includes walls that are painted stucco trimmed by natural Florida Keystone. The large, glazed areas of the building are divided into smaller parts by using mullions to express individual windows. The doors are finished in a dark metal reflective of successful shopfront frontages found along the Avenue. Finally, the building includes decorative metal railings. All of the proposed building materials are consistent with the recommendations of the Worth Avenue Design Guidelines.

Architectural Details

Guideline: Worth Avenue has a long history of quality in architectural design and building construction. This quality is reflected in buildings of varying architectural styles with varying architectural details which add interest to the area.

Existing Conditions: The existing building at 125 Worth Avenue lacks a clear architectural identity and appears to have been designed in an anticipated Mediterranean-Revival style that was not appropriately executed, thus resulting in a more Post-Modern like style.

Proposed Conditions: The proposed building at 125 Worth Avenue becomes an exercise of how to make the systems and order of the existing building better. The introduction of Mediterranean-Revival materials, shade and shadow, and entrance canopies combine to transform the style to Neoclassical design. This style maintains consistency with the Urban Design Objective of the East-End Development Area.

Color and Texture

Guideline: Building colors should emphasize light and muted colors. General color selection should show evidence of coordination with the predominant use of color on the Avenue, especially in the area of the project. As a general rule, keep color schemes simple.

Existing Conditions: Aside from the windows and doors, the remaining elements of the existing building meet the recommended color selection of the Worth Avenue Design Guidelines.

Proposed Conditions: The proposed white/off-white color scheme for the walls of the building reflects the recommended "soft Mediterranean color" of the Worth Avenue Design Guidelines. The proposed dark roof color will contrast nicely with the sky and define the structure against the sky. The metal-framed windows and doors will be a very dark color. At last, the landscaped accents of the office facades and trellises provides visual harmony of the building façade and the building block.

Building Equipment and Services

Guideline: Locate service and loading areas to minimize visibility from the Avenue, vias, courtyards, or other public spaces. Mechanical and electrical equipment, communications and service equipment, and other appurtenances should be concealed from view of the Avenue, other streets, vias, courtyards, and neighboring properties by walls, fences, parapets, dense evergreen foliage or by other suitable means.

Existing Conditions: The existing mechanical equipment is located on the rooftop of the building and does not afford a pleasant view from neighboring residential buildings that look down upon the existing rooftop.

Proposed Conditions: The proposed building's mechanical equipment will be completely concealed from view of the Avenue and neighboring properties. In addition, the proposed rooftop will be a beautified element with lush landscaping when viewed from neighboring residential buildings.

Parking Facilities

Guideline: Minimize the visual impact of parking structures and parking lots by locating them at the rear or interior portions of the building site. When parking structures must be located at the street edge, use of the ground level street frontage for shops, offices, or other commercial space. Parking access from alleys and side streets is desired.

Existing Conditions: The existing site plan includes surface parking areas on three sides of the structure which maintains a significant percentage of the Worth Avenue street frontage. An underground parking facility exists on the site as well.

Proposed Conditions: The proposed site plan removes most surface parking on the site and replaces these areas with active storefronts.

Renovations and Additions

Guideline: Building facades play a basic role in the visual makeup of the Avenue. Storefronts, awnings, signs, window displays, texture and color are all integral elements of the design. Collective improvement of these elements creates visual order.

Facadectomy

Existing Conditions: The existing façade of the building is tired and in need of visual order.

Proposed Conditions: The proposed building facades will be substantially renovated coupled with minor additions thus creating visual order while maintain an appropriate scale, proportion, and rhythm.

Style Change

Guideline: Some Worth Avenue buildings lack a clear identity, are void of distinguishing architectural features, or have been constructed in an architectural style that is not particularly compatible with the predominant architectural styles in the general development area.

Existing Conditions: The existing building at 125 Worth Avenue lacks a clear architectural identity and appears to have been designed in an anticipated Mediterranean-Revival style that was not appropriately executed, thus resulting in a more Post-Modern like style.

Proposed Conditions: The proposed building at 125 Worth Avenue becomes an exercise of how to make the systems and order of the existing building better. The introduction of Mediterranean-Revival materials, shade and shadow, and entrance canopies combine to transform the style to Neoclassical design. This style maintains consistency with the Urban Design Objective of the East-End Development Area.

Urban Design Objectives for the East-End Development Area

For the reasons stated herein, the 125 Worth Avenue Revitalization Proposal meets the following Urban Design Objectives for the East-End Development Area:

- To preserve, maintain, and enhance existing Mediterranean-Revival/Neo-Classical character of the area;

- To encourage the protection an enhancement of non-designated but potential Mediterranean-Revival/Neo-Classical historical structures;

- To encourage new development and remodeling to use Mediterranean-Revival, Neo-Classical architectural styles or other updated variants;

- To insure compatibility of new development with existing uses and these Guidelines through review and recommendation of the Landmarks Preservation Commission and review and approval of the Architectural Commission;

- To encourage the remodeling/rehabilitation of incompatible buildings and storefronts in the area, including the provision of multiple storefront entrances, and unification of display windows, awnings, colors, materials, and signage;

- To encourage the use of arcades or colonnades along Worth Avenue frontages; and

- To encourage the interconnection of additional vias, courtyards, patios, and other passageways both on and off-site.

EXHIBIT C: 125 WORTH AVENUE
PARKING PLAN AND ULI SHARED PARKING ANALYSIS

ULI Shared-Parking
Analysis For

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125 Worth Avenue
Mixed-Use Development
Palm Beach, FL 33480

December 8, 2022

Updated December 26, 2022

Updated February 14, 2023

Prepared by:

Frisbie Group, LLC

Introduction

As a part of the Zoning and ARCOM application for the proposed mixed-use development at 125 Worth Avenue in Palm Beach, Florida the following ULI Shared Parking Analysis per the Town of Palm Beach Zoning Ordinance. The subject property, 125 Worth Avenue, is located within the Town of Palm Beach C-WA Zoning District. Please refer to Exhibit A to this document, entitled "125 Worth Avenue Parking Plan", throughout this parking analysis.

Project Overview and Parking Demand

The proposed 125 Worth Avenue mixed-use development ("development") includes the following uses:

- Office (33,824 square feet); and
- Community Retail (17,035 square feet).

Spatially, the aforementioned use intensities are distributed within the proposed development area as shown on Exhibit A to this document.

In order to determine the minimum number of required parking spaces, one must refer to Section 134-2176, Off-Street Parking and Loading of the Town of Palm Beach Zoning Code. This schedule calls for the following required parking spaces for each use within the development as follows:

Use Category	Use	Spaces Required	Units of Measure
Office	Office	1	250 square feet of GLA
Retail	Retail	1	200 square feet of GLA

In applying this schedule, the minimum number of parking spaces associated with the development totals 220 spaces as follows:

Use Category	125 Worth Avenue Use	Spaces Required	Units of Measure	Units Proposed in Development	Total Number of minimum parking spaces required
Office	Office	1	250 Square Feet	33,824 Square Feet	135
Retail	Retail	1	200 Square Feet	17,035 Square Feet	85
Total Number of Required Parking Spaces per Town of Palm Beach Code					**220**

The development team completed an Urban Land Institute Shared Parking Model (included in this analysis) which revealed that shared parking reduction could be achieved, so the development shall apply the aforementioned parking reduction (per the aforementioned zoning code section). The application of the reduction of parking requirements yields the following parking requirements for the development:

Use Category	**125 Worth Avenue Use**	**Spaces Required**	**Units of Measure**	**Units Proposed in Development**	**Total Number of minimum parking spaces required**	**Total Number of maximum parking spaces required**
Office	Office	1	250 Square Feet	33,824 Square Feet	135	N/A
Retail	Retail	1	200 Square Feet	17,035 Square Feet	85	N/A
Total Number of Spaces for Development (without shared parking reduction)					***220***	**N/A**
Total Number of Spaces for Development (with ULI Shared Parking reduction) For Weekday and Weekend Peak					**76**	**187**

******ULI Shared Parking Study does not include the 85th percentile adjustment.***

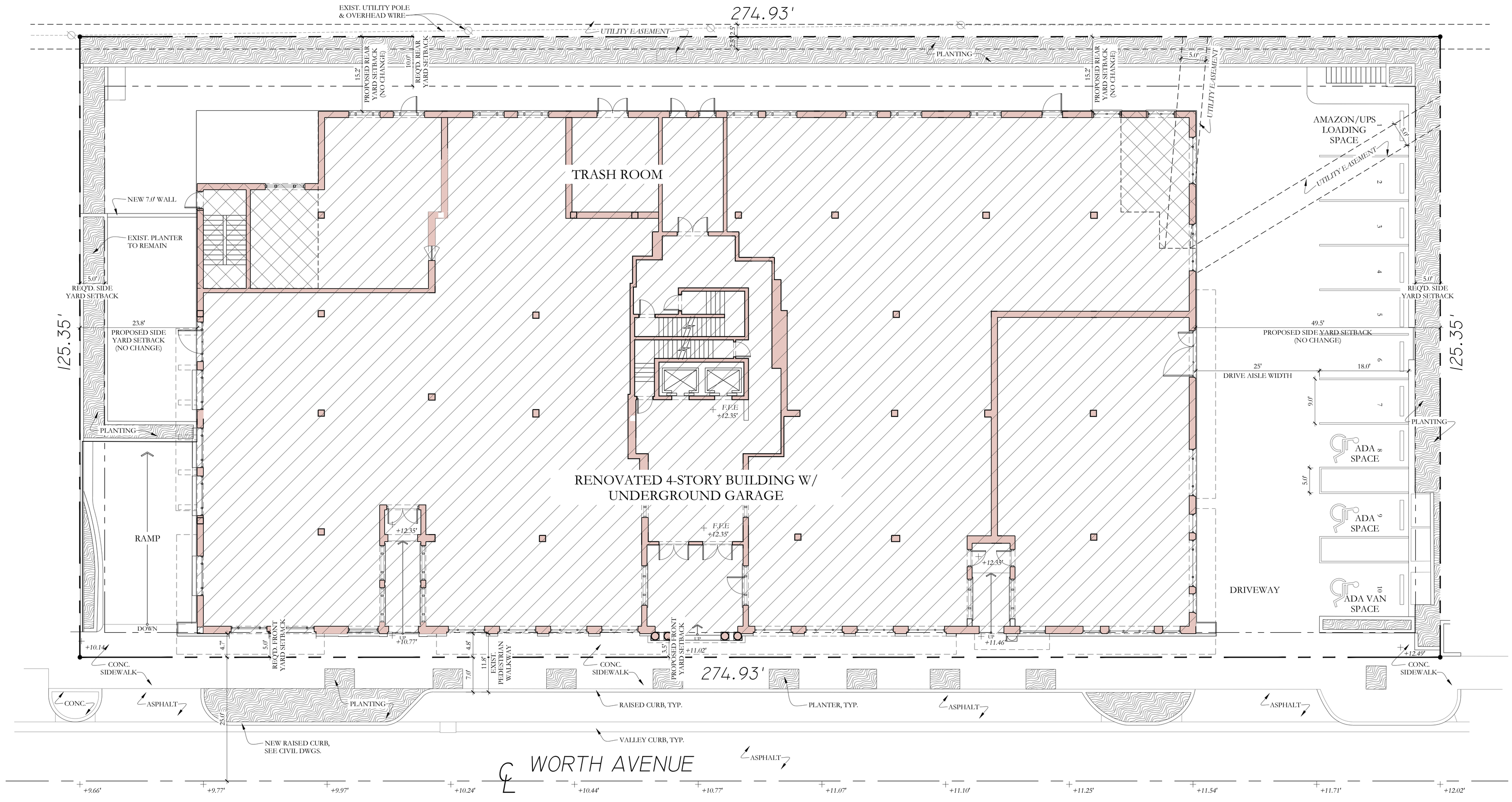
Conclusion

The parking analysis here shows that the Parking Plan (Exhibit A) for the 125 Worth Avenue mixed-use development ("development") attached to this analysis does not meet the applicable off-street parking requirements of the Town of Palm Beach. The Applicant has performed the ULI Shared Parking Analysis to evaluate actual parking needs.

The results of the ULI Shared Parking Analysis shows the average peak parking event occurs during many months of the year. The average peak parking event, or maximum demand for parking, requires a total of 164 parking spaces. The ULI Shared Parking Model recommends that the peak parking event be adjusted for the 85th percentile in accordance with the ULI shared parking guidelines. Once the 85th percentile adjustment is applied (164 spaces * .85 = 139 spaces in the worst-case scenario), the 125 Worth Avenue Parking Plan (Exhibit A) includes 14**1** parking spaces which will satisfy the average peak conditions at all times during the year per the ULI Shared Parking Study.

EXHIBIT A

125 Worth Avenue Parking Plan



1 PROPOSED SITE PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 1,327 SQ.FT.

EXISTING =19,993 SQ.FT.

TOTAL PARKING SPACE- 10

A TOTAL OF 10 PARKING SPACES ARE PROPOSED ON THE PROPOSED GROUND FLOOR, WHICH IS 24 SPACES LESS THAN THE EXISTING GROUND PARKING

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED SITE PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG

SHEET NO
A-001

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
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FAIRFAXANDSAMMONS.COM
LICENSE NO. AA26000846

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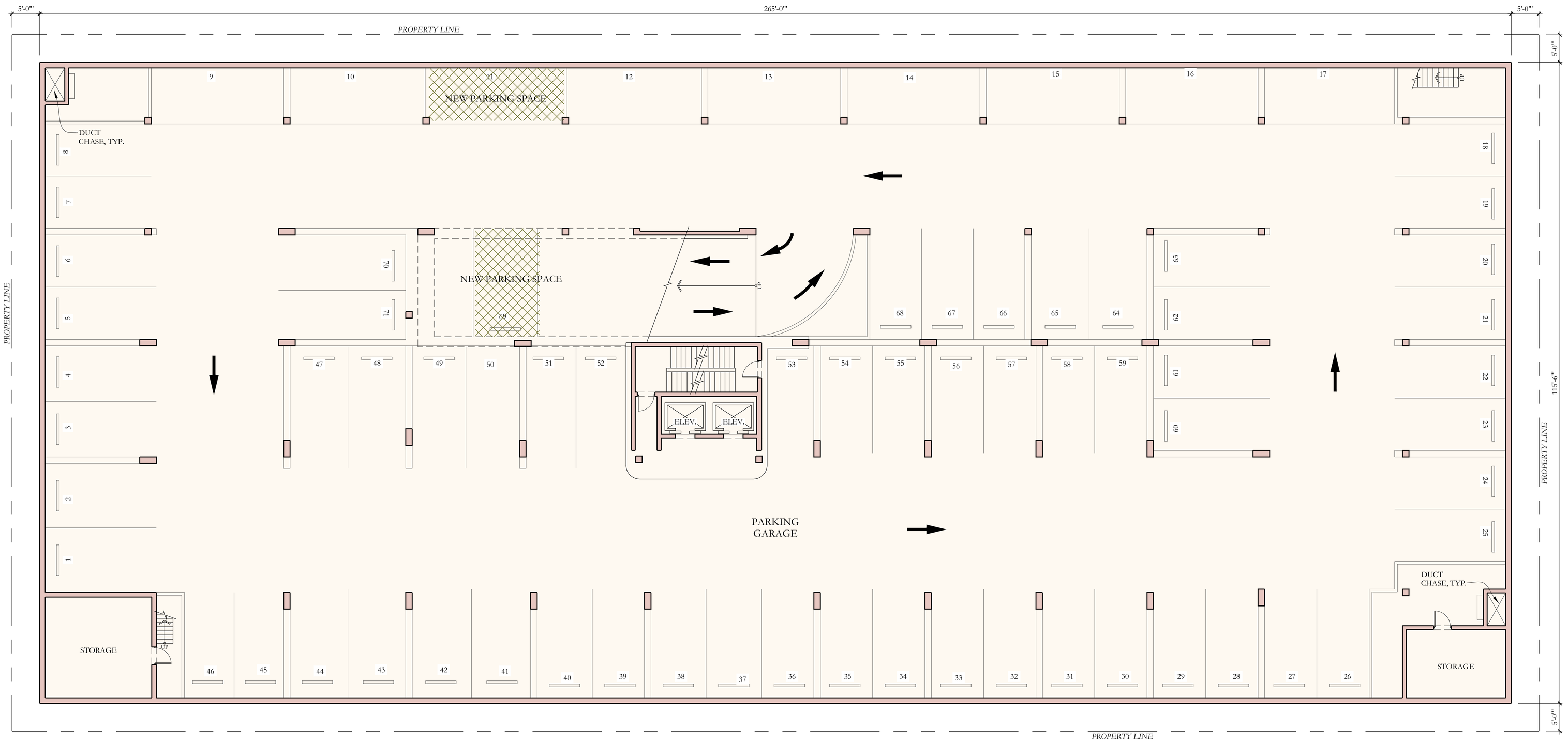
March 24, 2023
ARC-23-022
ZON-23-032



1 PROPOSED SUB-BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE FOR PROPOSED SUB-BASE **PLAN - 71**, Which is 2 more than the Existing Sub-base Plan.

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED SUB-BASEMENT FLOOR PLAN

DATE DEC. 27, 2022

SCALE 1" = 10'-0"

BY HM

SHEET NO A-100

FAIRFAX & SAMMONS
NEW YORK ~ PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
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LICENSE NO. AA26000648

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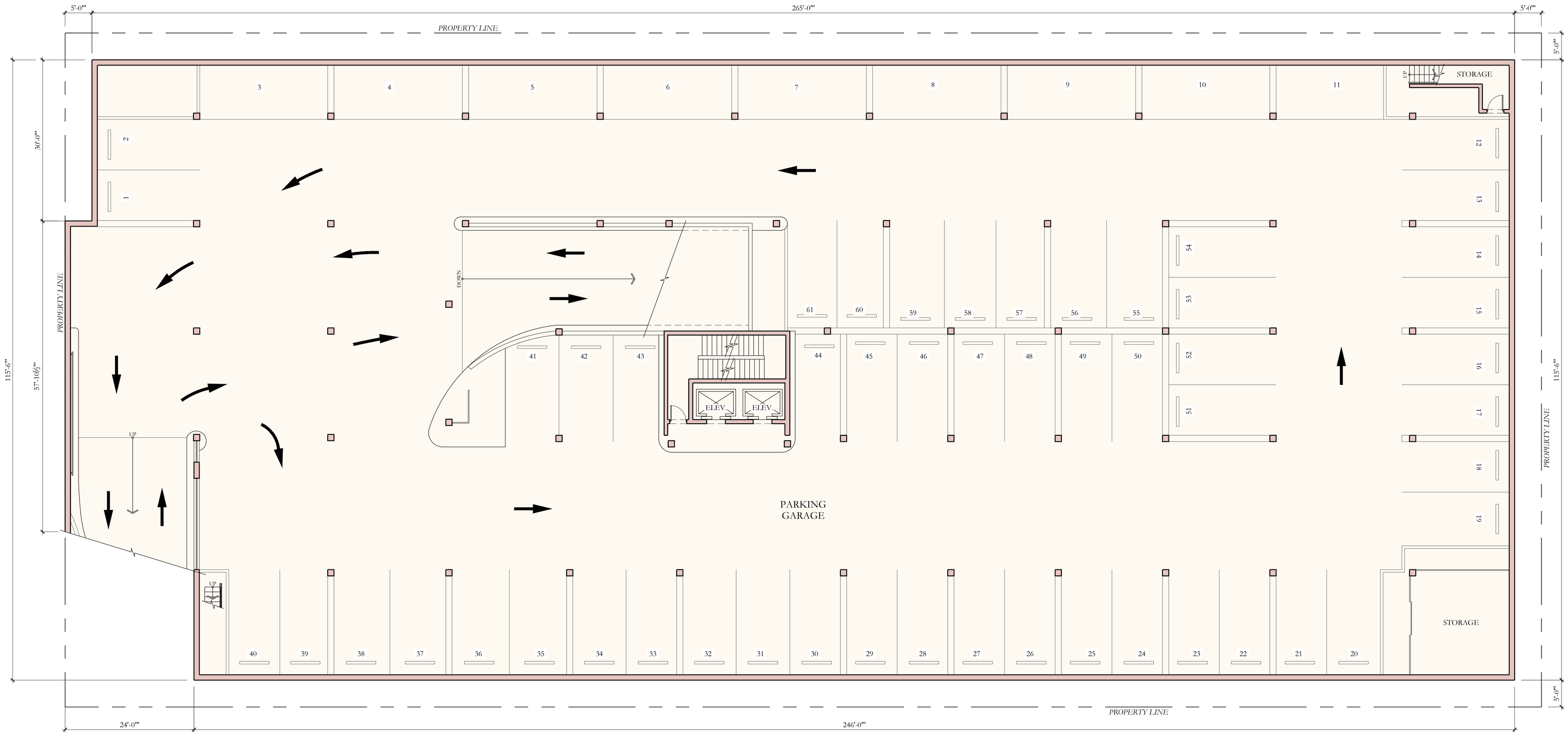
TC Development Review Meeting Backup - 04-2023

March 24, 2023
ARC-23-022
ZON-23-032



1 PROPOSED BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE- 61, Which is same as the Existing Basement Plan.

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED BASEMENT FLOOR PLAN

DATE
DEC. 27, 2022

SCALE
1" = 10'-0"

BY
HM

SHEET NO
A-101

FAIRFAX & SAMMONS
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TC Development Review Meeting Backup 4-04-2023

EXHIBIT B

ULI Shared Parking Methodology and Model

125 Worth Avenue Shared Parking Analysis

Total Monthly Required/Shared Spaces

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.
Weekday Peak	164.352398	165	168	168	169	170	162	164	168	169	173	187	151
Surplus/Deficit	*(23)*	*(24)*	*(27)*	*(27)*	*(28)*	*(29)*	*(21)*	*(23)*	*(27)*	*(28)*	*(32)*	*(46)*	*(10)*
Weekend Peak	49	50	54	53	55	55	53	56	54	55	59	76	62
Surplus/Deficit	*92*	*91*	*87*	*88*	*86*	*86*	*88*	*85*	*87*	*86*	*82*	*65*	*79*

Peak Month	Peak December
Max	187.387125
Average	56

Average Monthly Excess Parking

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	**Average**
Weekday	55.66472672	55.37	53.31217528	53.60624421	52.72403743	52.4299685	56.42291516	54.95257051	46.20489368	52.7	50.12804688	41	60	*53*
Weekend	112.5791855	112.3	110.2013147	110.4985485	109.606847	109.3096131	110.4228619	108.9366926	110.2013147	110	106.905347	98	105	*109*
														81

Total Parking Spaces Provided	**141**

% Occupancy at Peak

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	**Average**
Weekday	61%	61%	62%	62%	63%	63%	60%	61%	67%	63%	64%	71%	57%	63%
Weekend	20%	20%	22%	22%	22%	22%	22%	23%	22%	22%	24%	31%	25%	23%

% Over Necessary "Perceived Occupancy" Cushion

Month		Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	**Average**
% Cushion (High 95%)	Weekday	34%	34%	33%	33%	32%	32%	35%	34%	28%	32%	31%	24%	38%	32%
	Weekend	75%	75%	73%	73%	73%	73%	73%	72%	73%	73%	71%	64%	70%	72%
% Cushion (Mid 90%)	Weekday	29%	29%	28%	28%	27%	27%	30%	29%	23%	27%	26%	19%	33%	27%
	Weekend	70%	70%	68%	68%	68%	68%	68%	67%	68%	68%	66%	59%	65%	67%
% Cushion (Low 85%)	Weekday	24%	24%	23%	23%	22%	22%	25%	24%	18%	22%	21%	14%	28%	22%
	Weekend	65%	65%	63%	63%	63%	63%	63%	62%	63%	63%	61%	54%	60%	62%

January

					Weekday																		Weekend															
					AM						PM												AM						PM									
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																				**Ratio**																		
Office		33,824																																							
Visitor	0.3		100%	/ksfGFA	0	0.1015	2.02944	6.08832	10.1472	4.56624	1.52208	4.56624	10.1472	4.5662	1.52208	1.01472	0.50736	0	0	0	0	0	0	0.03	0	0.202944	0.608832	0.811776	0.913248	1.01472	0.913248	0.811776	0.608832	0.405888	0.202944	0.101472	0.050736	0	0	0	0	0	0
Time of Day Factor					0%	1%	20%	60%	100%	45%	15%	45%	100%	45%	15%	10%	5%	0%	0%	0%	0%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Employee	3.5		100%	/ksfGFA	3.55152	35.515	88.788	100.6264	118.384	118.384	106.5456	106.5456	118.384	118.38	106.5456	59.192	29.596	11.8384	8.28688	3.55152	1.1838	0	0	0.35	0	2.36768	7.10304	9.47072	10.65456	11.8384	10.65456	9.47072	7.10304	4.73536	2.36768	1.18384	0.59192	0	0	0	0	0	0
Time of Day Factor					3%	30%	75%	85%	100%	100%	90%	90%	100%	100%	90%	50%	25%	10%	7%	3%	1%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Community Retail		17,035																																							
Customer	2.9		56%	/ksfGLA	0.28	1.38	4.15	9.68	17.98	23.52	26.28	27.66	26.28	24.90	24.90	26.28	26.28	26.28	22.13	13.83	8.30	2.77	-	3.2	0.31	1.53	3.05	9.16	15.26	19.84	24.42	27.47	30.53	30.53	29.00	27.47	24.42	22.90	19.84	15.26	10.68	4.58	-
Time of Day Factor					1%	5%	15%	35%	65%	85%	95%	100%	95%	90%	90%	95%	95%	95%	80%	50%	30%	10%	0%		1%	5%	10%	30%	50%	65%	80%	90%	100%	100%	95%	90%	80%	75%	65%	50%	35%	15%	0%
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	-	0.8	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	-
Time of Day Factor					10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	95%	95%	90%	75%	40%	15%	0%		10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	100%	95%	85%	80%	75%	65%	45%	15%	0%
Residential - Rental		-																																							
Visitor	0.15		100%	/unit	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.15	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					0%	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%		0%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
Renter	1.5		100%	/unit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%		100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%
Total Needed					4.78	38.43	98.78	123.55	154.62	155.53	143.89	148.32	164.35	157.39	142.51	95.55	65.45	47.18	39.00	24.54	13.30	4.20	0.00		1.40	5.73	15.13	27.62	36.10	43.05	46.89	48.66	49.14	46.57	42.47	39.12	34.33	31.62	28.02	22.35	15.59	6.21	0.00
Weekday Peak	164.352			Excess	136.22	102.57	42.22	17.45	13.62	14.53	2.89	7.32	23.35	16.39	1.51	45.45	75.55	93.82	102.00	116.46	127.70	136.80	141.00		139.60	135.27	125.87	113.38	104.90	97.95	94.11	92.34	91.86	94.43	98.53	101.88	106.67	109.38	112.98	118.65	125.41	134.79	141.00
Weekend Peak	49																																								
Average Weekday Excess	55.6647																																								
Average Weekend Excess	112.579																																								

February

					Weekday																				Weekend																			
					AM							PM													AM							PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																				
Office		33,824																																											
Visitor	0.3		100%	/ksfGFA	0	0.1015	2.02944	6.08832	10.1472	4.5662	1.5221	4.5662	10.1472	4.5662	1.5221	1.01472	0.50736	0	0	0	0	0	0	0.03	0	0.2029	0.6088	0.811776	0.913248	1.01472	0.913248	0.811776	0.608832	0.405888	0.202944	0.1015	0.05074	0	0	0	0	0	0
Time of Day Factor					0%	1%	20%	60%	100%	45%	15%	45%	100%	45%	15%	10%	5%	0%	0%	0%	0%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Employee	3.5		100%	/ksfGFA	3.55152	35.515	88.788	100.626	118.384	118.38	106.55	106.55	118.384	118.38	106.55	59.192	29.596	11.8384	8.28688	3.55152	1.18384	0	0	0.35	0	2.3677	7.103	9.47072	10.65456	11.8384	10.65456	9.47072	7.10304	4.73536	2.36768	1.1838	0.59192	0	0	0	0	0	0
Time of Day Factor					3%	30%	75%	85%	100%	100%	90%	90%	100%	100%	90%	50%	25%	10%	7%	3%	1%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Community Retail		17,035																																										
Customer	2.9		57%	/ksfGLA	0.28	1.41	4.22	9.86	18.30	23.94	26.75	28.16	26.75	25.34	25.34	26.75	26.75	26.75	22.53	14.08	8.45	2.82	-	3.2	0.31	1.55	3.11	9.32	15.54	20.20	24.86	27.96	31.07	31.07	29.52	27.96	24.86	23.30	20.20	15.54	10.88	4.66	-
Time of Day Factor					1%	5%	15%	35%	65%	85%	95%	100%	95%	90%	90%	95%	95%	95%	80%	50%	30%	10%	0%		1%	5%	10%	30%	50%	65%	80%	90%	100%	100%	95%	90%	80%	75%	65%	50%	35%	15%	0%
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	-	0.8	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	-
Time of Day Factor					10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	95%	95%	90%	75%	40%	15%	0%		10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	85%	80%	75%	65%	45%	15%	0%
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.15	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					0%	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%		0%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
Renter	1.5		100%	/unit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%		100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%
Total Needed					4.79	38.46	98.86	123.73	154.94	155.95	144.36	148.81	164.82	157.83	142.95	96.02	65.92	47.65	39.40	24.79	13.45	4.25	0.00		1.40	5.76	15.18	27.78	36.37	43.41	47.33	49.15	49.69	47.12	42.99	39.61	34.77	32.03	28.37	22.62	15.78	6.30	0.00
Weekday Peak	164.82			Excess	136.21	102.54	42.14	17.27	13.94	14.95	3.36	7.81	23.82	16.83	1.95	44.98	75.08	93.35	101.60	116.21	127.55	136.75	141.00		139.60	135.24	125.82	113.22	104.63	97.59	93.67	91.85	91.31	93.88	98.01	101.39	106.23	108.97	112.63	118.38	125.22	134.70	141.00
Weekend Peak	50																																										
Average Weekday Excess	55.37065779																																										
Average Weekend Excess	112.2819517																																										

March

				Weekday																			**Weekend**																			
				AM										PM									AM								PM											
			Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																				**Ratio**																			
Office		33,824																																								
Visitor	0.30		100% /ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.50		100% /ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																								
Customer	2.90		64% /ksfGLA	0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	30.04	25.29	15.81	9.49	3.16	0.00	3.20	0.35	1.74	3.49	10.47	17.44	22.68	27.91	31.40	34.89	34.89	33.14	31.40	27.91	26.17	22.68	17.44	12.21	5.23	0.00
Time of Day Factor				0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.70		80% /ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor				0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																								
Visitor	0.15		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.50		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed				4.82	38.63	99.38	124.94	157.19	158.89	147.64	152.27	168.11	160.95	146.06	99.31	69.20	50.94	42.17	26.51	14.48	4.59	0.00		1.44	5.95	15.56	28.93	38.28	45.89	50.38	52.58	53.50	50.93	46.62	43.04	37.82	34.89	30.85	24.53	17.12	6.87	0.00
Weekday Peak	168.11		Excess	136.18	102.37	41.62	16.06	16.19	17.89	6.64	11.27	27.11	19.95	5.06	41.69	71.80	90.06	98.83	114.49	126.52	136.41	141.00		139.56	135.05	125.44	112.07	102.72	95.11	90.62	88.42	87.50	90.07	94.38	97.96	103.18	106.11	110.15	116.47	123.88	134.13	141.00
Weekend Peak	53.50																																									
Average Weekday Excess	53.31																																									
Average Weekend Excess	110.20																																									

April

					Weekday																			Weekend																			
					AM							PM													AM							PM											
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																									
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																									
Customer	2.9		63%	/ksfGLA	0.31	1.56	4.67	10.89	20.23	26.45	29.57	31.12	29.57	28.01	28.01	29.57	29.57	29.57	24.90	15.56	9.34	3.11	0.00	3.20	0.34	1.72	3.43	10.30	17.17	22.32	27.47	30.91	34.34	34.34	32.63	30.91	27.47	25.76	22.32	17.17	12.02	5.15	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																								
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.82	38.60	99.30	124.76	156.87	158.47	147.17	151.77	167.64	160.50	145.62	98.84	68.73	50.47	41.77	26.27	14.34	4.54	0.00		1.43	5.92	15.51	28.76	38.01	45.53	49.94	52.09	52.96	50.39	46.10	42.55	37.38	34.48	30.50	24.26	16.93	6.79	0.00
Weekday Peak	167.6			Excess	136.18	102.40	41.70	16.24	15.87	17.47	6.17	10.77	26.64	19.50	4.62	42.16	72.27	90.53	99.23	114.73	126.66	136.46	141.00		139.57	135.08	125.49	112.24	102.99	95.47	91.06	88.91	88.04	90.61	94.90	98.45	103.62	106.52	110.50	116.74	124.07	134.21	141.00
Weekend Peak	53																																									
Average Weekday Excess	53.61																																									
Average Weekend Excess	110.5																																									

May

					Weekday																				Weekend																			
					AM							PM														AM						PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*			*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	Ratio	Unit	Monthly Factor																						**Ratio**																			
Office		33,824																																										
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00			0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		66%	/ksfGLA	0.33	1.63	4.89	11.41	21.19	27.71	30.97	32.60	30.97	29.34	29.34	30.97	30.97	30.97	26.08	16.30	9.78	3.26	0.00		3.20	0.36	1.80	3.60	10.79	17.99	23.39	28.78	32.38	35.98	35.98	34.18	32.38	28.78	26.98	23.39	17.99	12.59	5.40	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00			0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00		0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00			0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50			0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00			1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.83	38.68	99.52	125.28	157.83	159.73	148.58	153.26	169.05	161.83	146.95	100.24	70.14	51.88	42.96	27.01	14.78	4.69	0.00			1.45	6.00	15.67	29.25	38.82	46.60	51.25	53.57	54.59	52.02	47.65	44.02	38.69	35.71	31.56	25.08	17.50	7.03	0.00
Weekday Peak	169.0455405			Excess	136.17	102.32	41.48	15.72	16.83	18.73	7.58	12.26	28.05	20.83	5.95	40.76	70.86	89.12	98.04	113.99	126.22	136.31	141.00			139.55	135.00	125.33	111.75	102.18	94.40	89.75	87.43	86.41	88.98	93.35	96.98	102.31	105.29	109.44	115.92	123.50	133.97	141.00
Weekend Peak	55																																										
Average Weekday Excess	52.72403743																																										
Average Weekend Excess	109.606847																																										

June

					Weekday																				Weekend																			
					AM							PM													AM							PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																									
Customer	2.9		67%	/ksfGLA	0.33	1.65	4.96	11.58	21.51	28.13	31.44	33.10	31.44	29.79	29.79	31.44	31.44	31.44	26.48	16.55	9.93	3.31	0.00	3.20	0.37	1.83	3.65	10.96	18.26	23.74	29.22	32.87	36.52	36.52	34.70	32.87	29.22	27.39	23.74	18.26	12.78	5.48	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.84	38.70	99.60	125.45	158.15	160.15	149.05	153.75	169.51	162.28	147.40	100.71	70.61	52.35	43.35	27.26	14.93	4.74	0.00		1.46	6.03	15.73	29.42	39.10	46.95	51.69	54.06	55.14	52.57	48.17	44.51	39.13	36.11	31.92	25.35	17.69	7.11	0.00
Weekday Peak	169.5148548			Excess	136.16	102.30	41.40	15.55	17.15	19.15	8.05	12.75	28.51	21.28	6.40	40.29	70.39	88.65	97.65	113.74	126.07	136.26	141.00		139.54	134.97	125.27	111.58	####	94.05	89.31	86.94	85.86	88.43	92.83	96.49	####	104.89	109.08	115.65	123.31	133.89	141.00
Weekend Peak	55																																										
Average Weekday Excess	52.4299685																																										
Average Weekend Excess	109.3096131																																										

July

					Weekday																			Weekend																			
					AM						PM													AM						PM														
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		95%	/ksfGFA	0.00	0.10	1.93	5.78	9.64	4.34	1.45	4.34	9.64	4.34	1.45	0.96	0.48	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.19	0.58	0.77	0.87	0.96	0.87	0.77	0.58	0.39	0.19	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.50		95%	/ksfGFA	3.37	33.74	84.35	95.60	112.46	112.46	101.22	101.22	112.46	112.46	101.22	56.23	28.12	11.25	7.87	3.37	1.12	0.00	0.00	0.35	0.00	2.25	6.75	9.00	10.12	11.25	10.12	9.00	6.75	4.50	2.25	1.12	0.56	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																									
Customer	2.90		64%	/ksfGLA	0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	30.04	25.29	15.81	9.49	3.16	0.00	3.20	0.35	1.74	3.49	10.47	17.44	22.68	27.91	31.40	34.89	34.89	33.14	31.40	27.91	26.17	22.68	17.44	12.21	5.23	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.70		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.50		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.64	36.85	94.83	119.60	150.76	152.74	142.24	146.71	161.68	154.80	140.66	96.30	67.70	50.35	41.75	26.34	14.43	4.59	0.00		1.44	5.82	15.18	28.41	37.70	45.24	49.80	52.07	53.12	50.67	46.49	42.98	37.79	34.89	30.85	24.53	17.12	6.87	0.00
Weekday Peak	161.68			Excess	136.36	104.15	46.17	21.40	9.76	11.74	1.24	5.71	20.68	13.80	0.34	44.70	73.30	90.65	99.25	114.66	126.57	136.41	141.00		139.56	135.18	125.82	112.59	103.30	95.76	91.20	88.93	87.88	90.33	94.51	98.02	103.21	106.11	110.15	116.47	123.88	134.13	141.00
Weekend Peak	53.12																																										
Average Weekday Excess	56.42																																										
Average Weekend Excess	110.42																																										

Weekday — **August**

Use	Ratio	Unit	Monthly Factor	Hour	AM 6	7	8	9	10	11	PM 12	1	2	3	4	5	6	7	8	9	10	11	12
Office		33,824																					
Visitor	0.3		95% /ksfGFA		0.00	0.10	1.93	5.78	9.64	4.34	1.45	4.34	9.64	4.34	1.45	0.96	0.48	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		95% /ksfGFA		3.37	33.74	84.35	95.60	112.46	112.46	101.22	101.22	112.46	112.46	101.22	56.23	28.12	11.25	7.87	3.37	1.12	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00
Community Retail		17,035																					
Customer	2.9		69% /ksfGLA		0.34	1.70	5.11	11.93	22.16	28.97	32.38	34.09	32.38	30.68	30.68	32.38	32.38	32.38	27.27	17.04	10.23	3.41	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00
Employee	0.7		80% /ksfGLA		0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00
Residential - Rental		-																					
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.67	36.97	95.21	120.46	152.37	154.84	144.59	149.18	164.03	157.02	142.88	98.64	70.04	52.69	43.73	27.57	15.17	4.84	0.00
Weekday Peak	164.0269233		Excess		136.33	104.03	45.79	20.54	11.37	13.84	3.59	8.18	23.03	16.02	1.88	42.36	70.96	88.31	97.27	113.43	125.83	136.16	141.00
Weekend Peak	56																						
Average Weekday Excess	54.95257051																						
Average Weekend Excess	108.9366926																						

Weekend

Ratio	AM 6	7	8	9	10	11	PM 12	1	2	3	4	5	6	7	8	9	10	11	12
0.03	0.00	0.19	0.58	0.77	0.87	0.96	0.87	0.77	0.58	0.39	0.19	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
0.35	0.00	2.25	6.75	9.00	10.12	11.25	10.12	9.00	6.75	4.50	2.25	1.12	0.56	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
3.20	0.38	1.88	3.76	11.28	18.81	24.45	30.09	33.85	37.61	37.61	35.73	33.85	30.09	28.21	24.45	18.81	13.16	5.64	0.00
	0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
	0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
	1.47	5.96	15.45	29.23	39.06	47.02	51.98	54.52	55.84	53.40	49.08	45.43	39.97	36.93	32.63	25.89	18.07	7.28	0.00
	139.53	135.04	125.55	111.77	####	93.98	89.02	86.48	85.16	87.60	91.92	95.57	####	104.07	108.37	115.11	122.93	133.72	141.00

September

					Weekday																				Weekend																			
					AM							PM													AM						PM														
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		100% /ksfGFA		0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100% /ksfGFA		3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																									
Customer	2.9		64% /ksfGLA		0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	30.04	25.29	15.81	9.49	3.16	0.00	3.20	0.35	1.74	3.49	10.47	17.44	22.68	27.91	31.40	34.89	34.89	33.14	31.40	27.91	26.17	22.68	17.44	12.21	5.23	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80% /ksfGLA		0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.82	38.63	99.38	124.94	157.19	158.89	147.64	152.27	168.11	160.95	146.06	99.31	69.20	50.94	42.17	26.51	14.48	4.59	0.00		1.44	5.95	15.56	28.93	38.28	45.89	50.38	52.58	53.50	50.93	46.62	43.04	37.82	34.89	30.85	24.53	17.12	6.87	0.00
Weekday Peak	168.106912		Excess		1.14	102.37	41.62	16.06	16.19	17.89	6.64	11.27	27.11	19.95	5.06	41.69	71.80	90.06	98.83	114.49	126.52	136.41	141.00		139.56	135.05	125.44	112.07	102.72	95.11	90.62	88.42	87.50	90.07	94.38	97.96	103.18	106.11	110.15	116.47	123.88	134.13	141.00
Weekend Peak	54																																										
Average Weekday Excess	46.20489368																																										
Average Weekend Excess	110.2013147																																										

October

					Weekday																				Weekend																			
					AM							PM													AM						PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																									
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																									
Customer	2.9		66%	/ksfGLA	0.33	1.63	4.89	11.41	21.19	27.71	30.97	32.60	30.97	29.34	29.34	30.97	30.97	30.97	26.08	16.30	9.78	3.26	0.00	3.20	0.36	1.80	3.60	10.79	17.99	23.39	28.78	32.38	35.98	35.98	34.18	32.38	28.78	26.98	23.39	17.99	12.59	5.40	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.83	38.68	99.52	125.28	157.83	159.73	148.58	153.26	169.05	161.83	146.95	100.24	70.14	51.88	42.96	27.01	14.78	4.69	0.00		1.45	6.00	15.67	29.25	38.82	46.60	51.25	53.57	54.59	52.02	47.65	44.02	38.69	35.71	31.56	25.08	17.50	7.03	0.00
Weekday Peak	169.0455405			Excess	136.17	102.32	41.48	15.72	16.83	18.73	7.58	12.26	28.05	20.83	5.95	40.76	70.86	89.12	98.04	113.99	126.22	136.31	141.00		139.55	135.00	125.33	111.75	102.18	94.40	89.75	87.43	86.41	88.98	93.35	96.98	102.31	105.29	109.44	115.92	123.50	133.97	141.00
Weekend Peak	55																																									
Average Weekday Excess	52.72403743																																									
Average Weekend Excess	109.606847																																									

November

					Weekday																				Weekend																			
					AM							PM													AM							PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		100% /ksfGFA		0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100% /ksfGFA		3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																									
Customer	2.9		72% /ksfGLA		0.36	1.78	5.34	12.45	23.12	30.23	33.79	35.57	33.79	32.01	32.01	33.79	33.79	33.79	28.46	17.78	10.67	3.56	0.00	3.20	0.39	1.96	3.92	11.77	19.62	25.51	31.40	35.32	39.25	39.25	37.29	35.32	31.40	29.44	25.51	19.62	13.74	5.89	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		90% /ksfGLA		1.07	1.61	4.29	8.05	9.12	10.20	10.73	10.73	10.73	10.73	10.73	10.20	10.20	10.20	9.66	8.05	4.29	1.61	0.00	0.80	1.23	1.84	4.91	9.20	10.43	11.65	12.27	12.27	12.27	12.27	12.27	11.65	10.43	9.81	9.20	7.97	5.52	1.84	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.98	39.00	100.45	127.21	160.77	163.38	152.59	157.41	173.05	165.69	150.81	104.19	74.09	55.82	46.40	29.39	16.15	5.17	0.00		1.62	6.37	16.54	31.26	41.62	50.02	55.23	57.87	59.23	56.66	52.12	48.26	42.47	39.25	34.71	27.60	19.26	7.73	0.00
Weekday Peak	173.053876		Excess		136.02	102.00	40.55	13.79	19.77	22.38	11.59	16.41	32.05	24.69	9.81	36.81	66.91	85.18	94.60	111.61	124.85	135.83	141.00		139.38	134.63	124.46	109.74	99.38	90.98	85.77	83.13	81.77	84.34	88.88	92.74	98.53	####	106.29	113.40	121.74	133.27	141.00
Weekend Peak	59																																										
Average Weekday Excess	50.12804688																																										
Average Weekend Excess	106.905347																																										

Peak December

					Weekday																				Weekend																			
					AM							PM														AM							PM												
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*Hour*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		100% /ksfGFA		0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100% /ksfGFA		3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		100% /ksfGLA		0.49	2.47	7.41	17.29	32.11	41.99	46.93	49.40	46.93	44.46	44.46	46.93	46.93	46.93	39.52	24.70	14.82	4.94	0.00	3.20	0.55	2.73	5.45	16.35	27.26	35.43	43.61	49.06	54.51	54.51	51.79	49.06	43.61	40.88	35.43	27.26	19.08	8.18	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		100% /ksfGLA		1.19	1.79	4.77	8.94	10.14	11.33	11.92	11.92	11.92	11.92	11.92	11.33	11.33	11.33	10.73	8.94	4.77	1.79	0.00	0.80	1.36	2.04	5.45	10.22	11.58	12.95	13.63	13.63	13.63	13.63	13.63	12.95	11.58	10.90	10.22	8.86	6.13	2.04	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					5.24	39.88	103.00	132.95	170.78	176.27	166.92	172.44	187.39	179.34	164.45	118.47	88.36	70.10	58.54	37.20	20.77	6.73	0.00		1.91	7.34	18.61	36.86	50.41	61.23	68.81	72.97	75.85	73.28	67.99	63.29	55.84	51.79	45.65	36.11	25.21	10.22	0.00
Weekday Peak	187.387125		Excess		135.76	####	38.00	8.05	29.78	35.27	25.92	31.44	46.39	38.34	23.45	22.53	52.64	70.90	82.46	103.80	120.23	134.27	141.00		139.09	133.66	122.39	104.14	90.59	79.77	72.19	68.03	65.15	67.72	73.01	77.71	85.16	89.21	95.35	104.89	115.79	130.78	141.00
Weekend Peak	76				119.85																																						
Average Weekday Excess	41.06253989																																										
Average Weekend Excess	97.66470232																																										

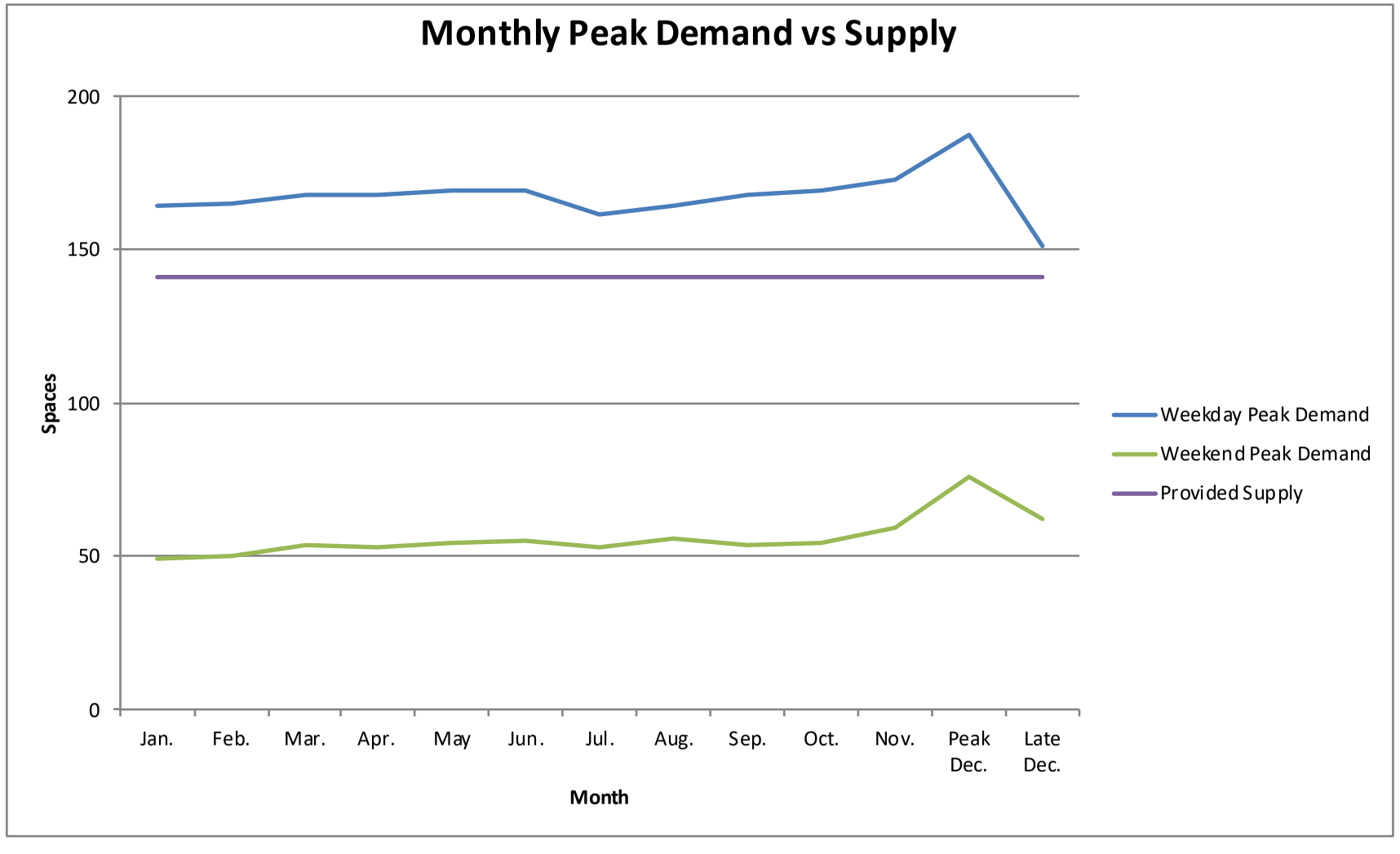
Late December

					Weekday																				**Weekend**																			
					AM						PM														AM						PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*Hour*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		80% /ksfGFA		0.00	0.08	1.62	4.87	8.12	3.65	1.22	3.65	8.12	3.65	1.22	0.81	0.41	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.16	0.49	0.65	0.73	0.81	0.73	0.65	0.49	0.32	0.16	0.08	0.04	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		80% /ksfGFA		2.84	28.41	71.03	80.50	94.71	94.71	85.24	85.24	94.71	94.71	85.24	47.35	23.68	9.47	6.63	2.84	0.95	0.00	0.00	0.35	0.00	1.89	5.68	7.58	8.52	9.47	8.52	7.58	5.68	3.79	1.89	0.95	0.47	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		80% /ksfGLA		0.40	1.98	5.93	13.83	25.69	33.59	37.55	39.52	37.55	35.57	35.57	37.55	37.55	37.55	31.62	19.76	11.86	3.95	0.00	3.20	0.44	2.18	4.36	13.08	21.80	28.35	34.89	39.25	43.61	43.61	41.43	39.25	34.89	32.71	28.35	21.80	15.26	6.54	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		90% /ksfGLA		1.07	1.61	4.29	8.05	9.12	10.20	10.73	10.73	10.73	10.73	10.73	10.20	10.20	10.20	9.66	8.05	4.29	1.61	0.00	0.80	1.23	1.84	4.91	9.20	10.43	11.65	12.27	12.27	12.27	12.27	12.27	11.65	10.43	9.81	9.20	7.97	5.52	1.84	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.31	32.08	82.87	107.25	137.64	142.15	134.73	139.14	151.10	144.66	132.76	95.91	71.82	57.21	47.91	30.65	17.10	5.56	0.00		1.66	6.08	15.44	30.51	41.48	50.28	56.41	59.74	62.04	59.99	55.75	51.93	45.83	42.52	37.55	29.78	20.78	8.38	0.00
Weekday Peak	151.10215		Excess		136.69	108.92	58.13	33.75	3.36	1.15	6.27	1.86	10.10	3.66	8.24	45.09	69.18	83.79	93.09	110.35	123.90	135.44	141.00		139.34	134.92	125.56	110.49	99.52	90.72	84.59	81.26	78.96	81.01	85.25	89.07	95.17	98.48	103.45	111.22	120.22	132.62	141.00
Weekend Peak	62																																										
Average Weekday Excess	60.21845494																																										
Average Weekend Excess	105.413665																																										

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	
Weekday Peak	164.35	164.82	168.11	167.64	169.05	169.51	161.68	164.03	168.11	169.05	173.05	187.387	151.102	167.529376
Surplus/Deficit	*(23)*	*(24)*	*(27)*	*(27)*	*(28)*	*(29)*	*(21)*	*(23)*	*(27)*	*(28)*	*(32)*	*(46)*	*(10)*	(27)
Weekend Peak	49	50	54	53	55	55	53	56	54	55	59	76	62	56
Surplus/Deficit	*92*	*91*	*87*	*88*	*86*	*86*	*88*	*85*	*87*	*86*	*82*	*65*	*79*	85

Peak Month	Peak Dec
Max	187.39
Average	164

Provided	141	141	141	141	141	141	141	141	141	141	141	141	141	

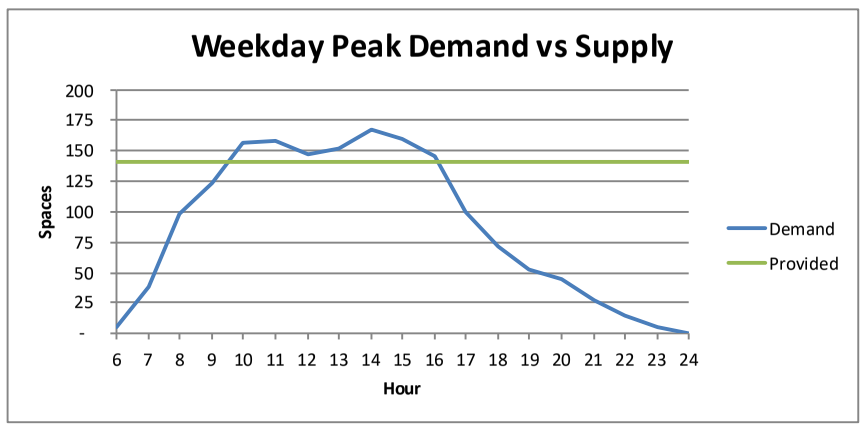


Weekday

Hour	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Demand	5	38	98	123	156	158	148	152	168	160	146	100	71	53	44	28	15	5	-
Provided	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141

Weekend

Hour	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Demand	2	6	16	30	40	48	52	55	56	54	49	46	40	37	33	26	18	7	-
Provided	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141



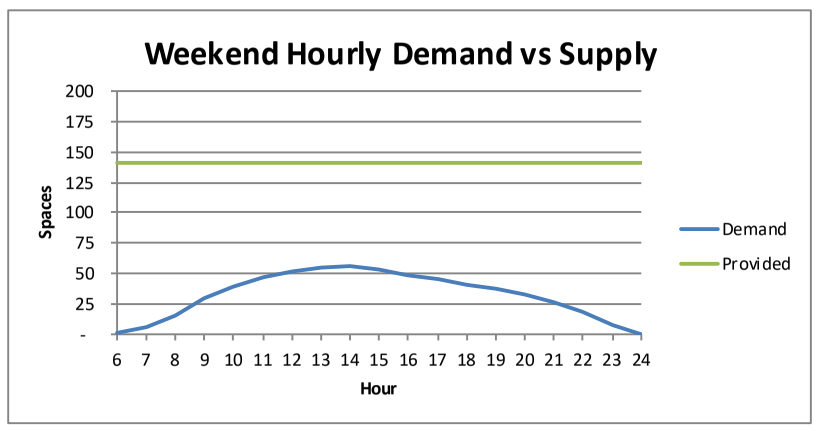


EXHIBIT D: 125 WORTH AVENUE
TRAFFIC CONCURRENCY REPORT & TRAFFIC STUDY

Subject: FW: 125 worth Avenue TPS Fees
Date: Thursday, December 22, 2022 at 3:27:25 PM Eastern Standard Time
From: Heggen, Chris
To: Josh Martin
Attachments: image001.jpg

Josh-

Hi! See below from Palm Beach County. I knew when you sent the updated square footages earlier this week that it would affect the amount of the review fee owed to the County, but we went ahead and submitted to get in the door. Would you be able to get an additional check for $299.20, payable to the Palm Beach county Board of County Commissioners, delivered to my attention and I'll hand-deliver it? Alternately, it can be mailed to the address provided in the e-mail below.

-Chris

Christopher W. Heggen, P.E. (FL)
Kimley-Horn | 1920 Wekiva Way, Suite 200, West Palm Beach, FL 33411
Direct: 561 840 0248 | Mobile: 561 707 6438
Celebrating 15 years as one of FORTUNE's 100 Best Companies to Work For

From: Alberto Lopez Tagle <ALopezTagle@pbcgov.org>
Sent: Thursday, December 22, 2022 3:11 PM
To: Heggen, Chris <Chris.Heggen@kimley-horn.com>
Cc: Hanane Akif <HAkif@pbcgov.org>
Subject: 125 worth Avenue TPS Fees

Hi Chris,

We just received a Check for $330.00 to cover the TPS review fees for 125 Worth Avenue. Unfortunately, based on your trips (286) that check is not sufficient. The fees are $2.20 per Net Daily Trip (https://discover.pbcgov.org/engineering/traffic/PDF/Traffic%20Documents/Final_Fee_Table_for_Publication.pdf)

Fees = 286 trips x $2.20 = $629.20

Please provide a check of **$299.20** payable to "Palm Beach County Board of County Commissioners" to cover the total of the TPS review fees. Please note projects are reviewed on a first come first serve basis and almost in all cases responded to within 30 working days.

You can either mail the check or drop it at our office (3rd floor lobby, drop off shelf for Traffic Division).

Address:

Traffic Division
2300 North Jog Road, 3rd Floor
West Palm Beach, FL 33411

Thank you,

Alberto Lopez Tagle
Technical Assistant III
Palm Beach County
Department of Engineering and Public Works
Division of Traffic
2300 Vista Parkway
West Palm Beach, FL 33411
561.684.4051 Office

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Kimley»Horn

December 21, 2022

Mr. Josh Martin
Frisbie Goup, LLC
221 Royal Poinciana Way, Suite #1
Palm Beach, FL 33480

Re: ***125 Worth Avenue – Traffic Impact Analysis***
Palm Beach, Florida
Kimley-Horn #140769004

Dear Josh:

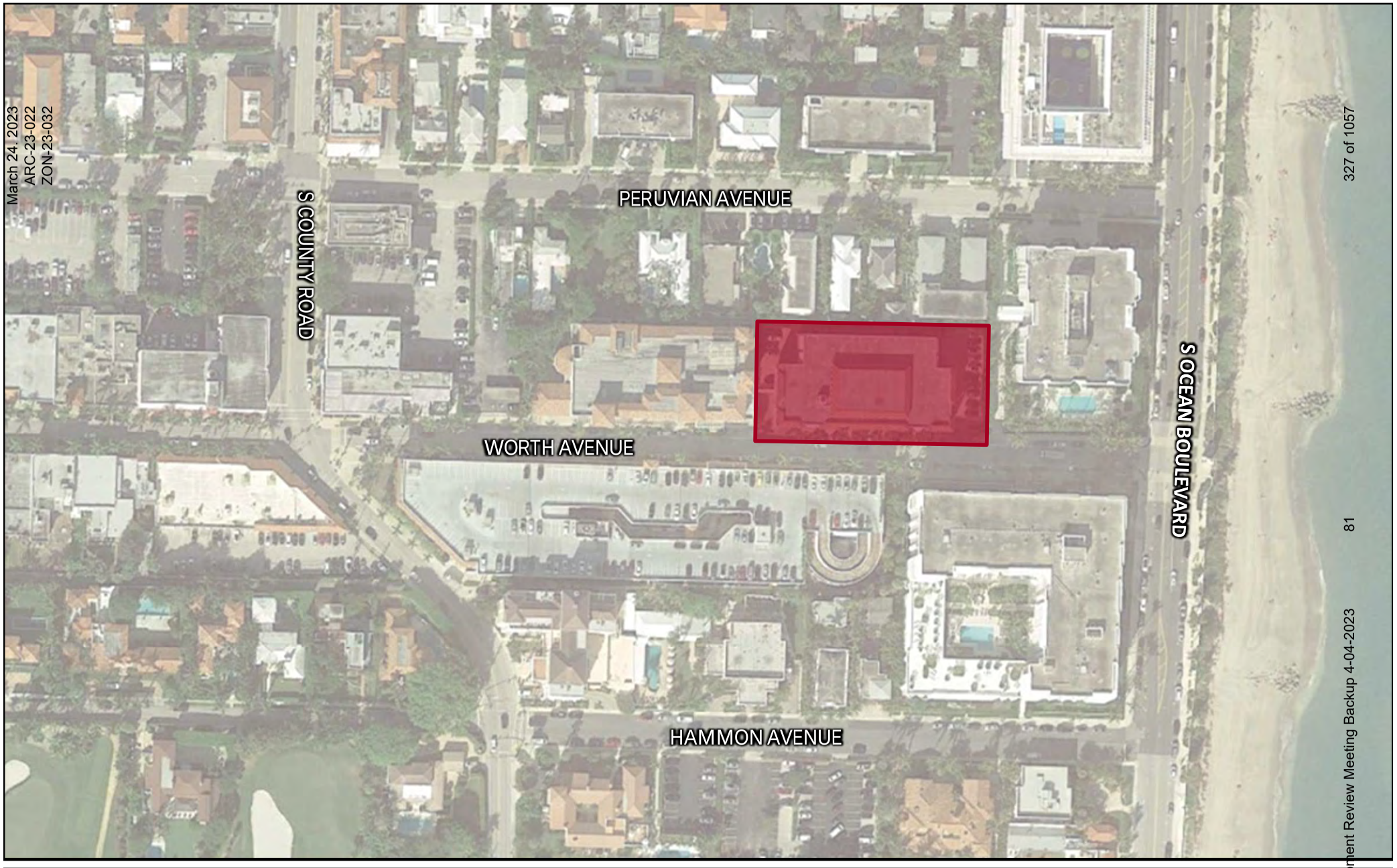
Kimley-Horn and Associates, Inc. was retained to provide a traffic impact evaluation for proposed modifications to the above-referenced site. The site is located at 125 Worth Avenue in the Town of Palm Beach, Florida, as shown in the attached Figure 1. The proposed plan of development includes modifications to the existing building and proposed changes in some building uses on site. The Property Control Number (PCN) for the site is 50-43-43-23-05-016-0380. For the purposes of the traffic impact evaluation, a buildout date of 2027 has been evaluated.

Currently, the building area for the site consists of 41,926 SF of office use and 10,501 square feet of commercial retail use. The proposed modifications will result in a change to the commercial retail square footage. Table 1 provides a summary of the existing and proposed building areas.

Table 1: Existing and Proposed Site Development

	Existing	Proposed	Net Change
Office	41,926 square feet	51,927 square feet	+10,001 square feet
Commercial Retail	10,501 square feet	21,294 square feet	+10,793 square feet

Traffic analyses have been performed to quantify the impacts of the proposed changes. Guidance on credit against project traffic is published by Palm Beach County and outlined in *Chapter A* under *Section 3* of the *Article 12 - Traffic Performance Standards* as defined in the Palm Beach County Unified Land Development Code (ULDC). Because the existing land uses have been operational for more than five years, credit was taken in this analysis for significance calculations. The radius of development influence and significant impact calculations have been conducted using the differential between proposed and existing net new external trips. The site plan is attached for reference.



LEGEND

PROJECT SITE

FIGURE 1
SITE LOCATION
125 WORTH AVENUE

Kimley»Horn

140769004

Development Review Meeting Backup 4-04-2023 81 327 of 1057

TRIP GENERATION ANALYSIS

The daily and peak hour trip generation potential for the proposed redevelopment plan was calculated based on trip generation rates published by Palm Beach County. The Palm Beach County trip generation rates are primarily based on *Trip Generation, 11th Edition*, published by the Institute of Transportation Engineers (ITE).

As shown in Table 2, the proposed redevelopment results in a net increase of 286 net new external daily trips, an increase of 20 net new external AM peak hour trips (+16 in, +4 out), and 36 net new external PM peak hour trips (+15 in, +21 out), which was used for significance determination under Test 1 and Test 2 analyses. The table summarizing the Palm Beach County Traffic Division's trip generation rates and equations have been attached for reference. Internal capture calculations are also attached for reference.

Table 2: Trip Generation Comparative Analysis

Land Use	Intensity			Daily Trips	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
Existing Scenario >5 Years										
General Office (10k - 250k SF GFA)	41.926 KSF			454	64	56	8	60	10	50
Stip Retail Plaza (<40 KSF)	10.501 KSF			572	25	15	10	69	35	34
			Subtotal	*1,026*	*89*	*71*	*18*	*129*	*45*	*84*
Internal Capture	Daily	AM	PM							
General Office (10k - 250k SF GFA)	20.7%	6.3%	6.7%	94	4	2	2	4	1	3
Stip Retail Plaza (<40 KSF)	16.4%	16.0%	5.8%	94	4	2	2	4	3	1
Subtotal	18.3%	*9.0%*	*6.2%*	*188*	*8*	*4*	*4*	*8*	*4*	*4*
Pass-By Capture										
General Office (10k - 250k SF GFA)	10.0%			36	6	5	1	6	1	5
Stip Retail Plaza (<40 KSF)	63.0%			301	13	8	5	41	20	21
			Subtotal	*337*	*19*	*13*	*6*	*47*	*21*	*26*
Driveway Volumes				838	81	67	14	121	41	80
Net New External Trips				501	62	54	8	74	20	54
Proposed Scenario										
General Office (10k - 250k SF GFA)	51.927 KSF			563	79	70	9	75	13	62
Stip Retail Plaza (<40 KSF)	21.294 KSF			1,159	50	30	20	140	70	70
			Subtotal	*1,722*	*129*	*100*	*29*	*215*	*83*	*132*
Internal Capture	Daily	AM	PM							
General Office (10k - 250k SF GFA)	20.8%	7.6%	9.3%	117	6	3	3	7	1	6
Stip Retail Plaza (<40 KSF)	10.1%	12.0%	5.0%	117	6	3	3	7	6	1
Subtotal	*13.6%*	*9.3%*	*6.5%*	*234*	*12*	*6*	*6*	*14*	*7*	*7*
Pass-By Capture										
General Office (10k - 250k SF GFA)	10.0%			45	7	7	0	7	1	6
Stip Retail Plaza (<40 KSF)	63.0%			656	28	17	11	84	40	44
			Subtotal	*701*	*35*	*24*	*11*	*91*	*41*	*50*
Driveway Volumes				1,488	117	94	23	201	76	125
Net New External Trips				787	82	70	12	110	35	75
roposed Net External Trips - Existing Net External Trip				286	20	16	4	36	15	21
Radius of Development Influence:				0.5 miles						

Land Use	Daily	AM Peak Hour	PM Peak Hour	Pass By
General Office (10k - 250k SF GFA)	10.84 trips/1,000 SF	1.52 trips/1,000 SF (88% in, 12% out)	1.44 trips/1,000 SF (17% in, 83% out)	10.0%
Stip Retail Plaza (<40 KSF)	54.45 trips/1,000 SF	2.36 trips/1,000 SF (60% in, 40% out)	6.59 trips/1,000 SF (50% in, 50% out)	63.0%
Stip Retail Plaza (<40 KSF)	#N/A	#N/A	#N/A	63.0%
High-Turnover Sit-Down Rest.	107.2 trips/1,000 SF	9.57 trips/1,000 SF (55% in, 45% out)	9.05 trips/1,000 SF (61% in, 39% out)	43.0%

SOURCE: Palm Beach County Traffic Division: Palm Beach County Trip Generation Rates (based on *ITE Trip Generation Manual, 11th Edition*)

ROADWAY VOLUME DISTRIBUTION

As defined in Article 12 of the Palm Beach County ULDC, the radius of development influence is the links within a half mile from the site. It was assumed that 100% of the trips will enter the site from the east (arriving from S Ocean Boulevard) and 100% of the trips will exit to the west (departing towards South County Road) because Worth Avenue is a one-way street. The net new trips that are subject to the traffic evaluation were then assigned to the existing roadway network based on the trip distribution. Figure 2 illustrates the trip distribution for the site.

ROADWAY LINK ANALYSIS - TEST 1 & 2 ANALYSES

Based upon criteria published in *Article 12* of the *Unified Land Development Code (ULDC)*, significantly impacted thoroughfare roadways are to be evaluated in comparison to LOS D thresholds. For the purposes of the Test 1 analysis, the roadway links within the radius of development influence are significantly impacted if project generated trips are greater than one percent (1%) of the adopted LOS D threshold. Additionally, three local roadways in the immediate vicinity of the site that are local non-Thoroughfare roadway under the jurisdiction of the Town of Palm Beach, were are not subject to TPS review but are included in the significant impact tables for Town of Palm Beach review. As indicated in Table 3 and Table 4, none of the roadway segments are projected to be significantly impacted by project traffic.

Because the project traffic impact on these segments results in a significant impact under Test 1 criteria, none fo the segments will be significantly impacted under the Test 2, Five Year Buildout, standards. Therefore, no Test 2 analysis has been undertaken.

Table 3: Test 1 AM Peak Hour Significance Analysis

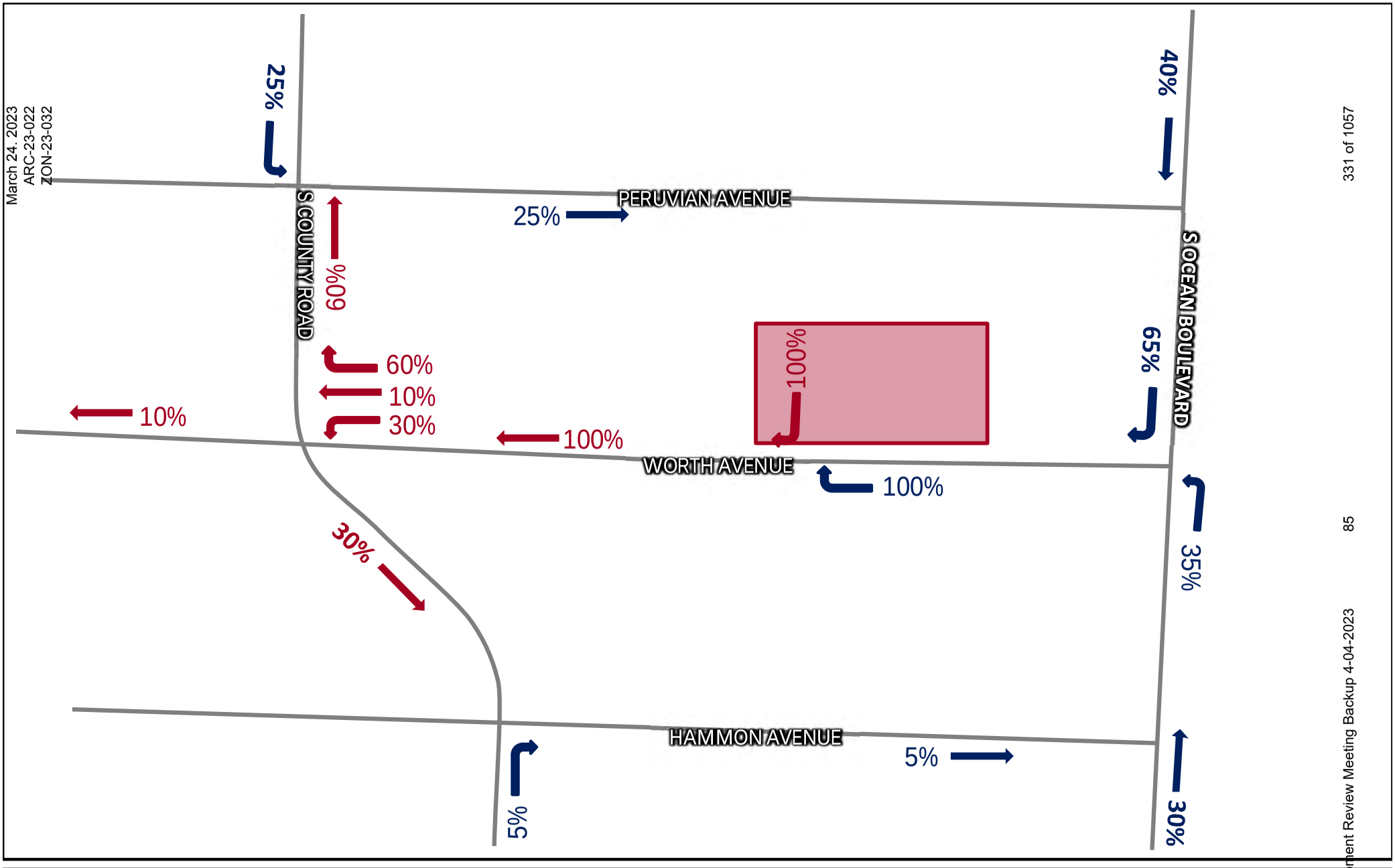
	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS										
					NORTHBOUND					SOUTHBOUND					
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
NORTH/SOUTH ROADS	S Ocean Boulevard														
	Royal Palm Way	Peruvian Avenue	2L	1,140	0%	out	0	0.00%	No	45%	in	7	0.61%	No
	Peruvian Avenue	Worth Avenue	2L	1,140	0%	out	0	0.00%	No	65%	in	10	0.88%	No
	Worth Avenue	Hammon Avenue	2L	1,140	35%	in	6	0.53%	No	0%	out	0	0.00%	No
	Hammon Avenue	South County Road	2L	1,140	25%	in	4	0.35%	No	0%	out	0	0.00%	No
	S County Road														
	Royal Palm Way	Peruvian Avenue	2L	880	60%	out	2	0.23%	No	25%	in	4	0.45%	No
	Peruvian Avenue	Worth Avenue	2L	880	60%	out	2	0.23%	No	0%	in	0	0.00%	No
	Worth Avenue	Hammon Avenue	2L	880	0%	in	0	0.00%	No	30%	out	1	0.11%	No
	Hammon Avenue	S Ocean Blvd	2L	880	5%	in	1	0.11%	No	30%	out	1	0.11%	No

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					EASTBOUND					WESTBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
EAST/WEST ROADS	Peruvian Avenue													
	S County Road	S Ocean Blvd	1LO	972	25%	in	4	0.41%	No	--	--	--	--	--
	Worth Avenue													
	S Ocean Boulevard	Project Driveway	2LO	2,350	--	--	--	--	--	100%	in	16	0.68%	No
	Project Driveway	S County Road	2LO	2,350	--	--	--	--	--	100%	out	4	0.17%	No
	Hammon Avenue													
	S County Road	S Ocean Blvd	2L	810	5%	in	1	0.12%	No	0%	out	0	0.00%	No

Table 4: Test 1 PM Peak Hour Significance Analysis

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					NORTHBOUND					SOUTHBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
NORTH/SOUTH ROADS	S Ocean Boulevard													
	Royal Palm Way	Peruvian Avenue	2L	1,140	0%	out	0	0.00%	No	45%	in	7	0.61%	No
	Peruvian Avenue	Worth Avenue	2L	1,140	0%	out	0	0.00%	No	65%	in	10	0.88%	No
	Worth Avenue	Hammon Avenue	2L	1,140	35%	in	5	0.44%	No	0%	out	0	0.00%	No
	Hammon Avenue	South County Road	2L	1,140	25%	in	4	0.35%	No	0%	out	0	0.00%	No
	S County Road													
	Royal Palm Way	Peruvian Avenue	2L	880	60%	out	13	1.48%	Yes	25%	in	4	0.45%	No
	Peruvian Avenue	Worth Avenue	2L	880	60%	out	13	1.48%	Yes	0%	in	0	0.00%	No
	Worth Avenue	Hammon Avenue	2L	880	0%	in	0	0.00%	No	30%	out	6	0.68%	No
	Hammon Avenue	S Ocean Blvd	2L	880	5%	in	1	0.11%	No	30%	out	6	0.68%	No

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					EASTBOUND					WESTBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
EAST/WEST ROADS	Peruvian Avenue													
	S County Road	S Ocean Blvd	1LO	972	25%	in	4	0.41%	No	--	--	--	--	--
	Worth Avenue													
	S Ocean Boulevard	Project Driveway	2LO	2,350	--	--	--	--	--	100%	in	15	0.64%	No
	Project Driveway	S County Road	2LO	2,350	--	--	--	--	--	100%	out	21	0.89%	No
	Hammon Avenue													
	S County Road	S Ocean Blvd	2L	810	5%	in	1	0.12%	No	0%	out	0	0.00%	No



NORTH

LEGEND

PROJECT SITE

XX% PERCENT BY VOLUME

FIGURE 2
TRIP DISTRIBUTION
125 WORTH AVENUE

Kimley»Horn

140769004

FIGURE 3
DRIVEWAY VOLUMES
125 WORTH AVENUE

Kimley»Horn

140769004

DRIVEWAY ACCESS

Access to the project site is provided at the site driveway along Worth Avenue, which connects to subterranean parking. Figure 3 illustrates project driveway volumes on an inbound and outbound basis during both the AM peak hour and PM peak hour.

Worth Avenue is a lower speed, local roadway under jurisdiction of the Town of Palm Beach. As such, the access connection, turn lane criteria and driveway design criteria of the Town of Palm Beach will apply. Based on the nature of the uses, and the built condition already existing on site, no changes are proposed to the existing site driveway design and existing site access configuration from the current condition.

CONCLUSION

This analysis was prepared to address the requirements of the Palm Beach County Traffic Performance Standards and Town of Palm Beach standards when considering the traffic impacts of modifications to the site located at 125 Worth Avenue. The analysis was done taking into consideration the net change in vehicular trips that will be generated by the proposed modifications to the existing building.

The foregoing analysis demonstrates that the surrounding roadway network has sufficient capacity and is expected to operate acceptably with the proposed site modifications.

Please contact me via email at chris.heggen@kimley-horn.com or via phone at 561-840-0248 if you have any questions regarding the information provided herein.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Christopher W. Heggen, P.E.
Transportation Engineer

Florida Registration
Number 58636

Registry No. 35106

Attachments

K:\WPB_TPTO\1407\140769004 - 125 Worth Ave\TIA\2022-12-21 125 Worth TIA.docx

PAPA Banner

Location Address	125 WORTH AVE
Municipality	PALM BEACH
Parcel Control Number	50-43-43-23-05-016-0380
Subdivision	ROYAL PARK ADD TO P B IN
Official Records Book	29440 **Page** 149
Sale Date	OCT-2017
Legal Description	ROYAL PARK ADD LTS 38 TO 48 INC BLK 16

Owners
125 WORTH PARTNERS LLC

Mailing address
439 WORTH AVE
PALM BEACH FL 33480 4519

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2017	$30,700,000	29440 / 00149	WARRANTY DEED	125 WORTH PARTNERS LLC
OCT-2004	$13,650,000	17699 / 01403	WARRANTY DEED	WHALOU PROPERTIES III LLC
SEP-1993	$7,800,000	07897 / 00487	WARRANTY DEED	
JUL-1984	$14,100,000	04299 / 00808	WARRANTY DEED	
SEP-1982	$9,000,000	03801 / 01072	WARRANTY DEED	

1 2

No Exemption Information Available.

Number of Units	0	***Total Square Feet**	49401	**Acres**	0.7891
Use Code	1700 - OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES	**Zoning**	C-WA - COMMERCIAL WORTH AVE (50-PALM BEACH)		

Tax Year	2022	2021	2020
Improvement Value	$18,107,174	$15,588,259	$15,776,273
Land Value	$13,184,181	$10,059,665	$9,490,250
Total Market Value	$31,291,355	$25,647,924	$25,266,523

All values are as of January 1st each year

Tax Year	2022	2021	2020
Assessed Value	$28,212,716	$25,647,924	$25,266,523
Exemption Amount	$0	$0	$0
Taxable Value	$28,212,716	$25,647,924	$25,266,523

Tax Year	2022	2021	2020
Ad Valorem	$457,229	$416,140	$416,744
Non Ad Valorem	$94,634	$88,898	$86,493
Total tax	$551,863	$505,038	$503,237

Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Industrial	General Light Industrial	110	1000 S.F.	4.87	10%	88/12	0.74	14/86	0.65
	Manufacturing	140	1000 S.F.	4.75	10%	76/24	0.68	31/69	0.74
	Warehouse	150	1000 S.F.	1.71	10%	77/23	0.17	28/72	0.18
	Mini-Warehouse/SS	151	1000 S.F.	1.45	10%	59/41	0.09	47/53	0.15
	HCF Center Warehouse - Non Sort	155	1000 S.F.	1.81	10%	81/19	0.15	39/61	0.16
Residential	Single Family Detached	210	Dwelling Unit	10	0%	26/74	0.7	63/37	0.94
	Multifamily Low-Rise Housing upto 3 story (Apartment/Condo/TH)	220	Dwelling Unit	6.74	0%	24/76	0.4	63/37	0.51
	Multifamily Mid-Rise Housing 4-10 story (Apartment/Condo/TH)	221	Dwelling Unit	4.54	0%	23/77	0.37	61/39	0.39
	55+ SF Detached	251	Dwelling Unit	4.31	0%	33/67	0.24	61/39	0.30
	55+ SF Attached	252	Dwelling Unit	3.24	0%	34/66	0.2	56/44	0.25
	Congregate Care Facility	253	Dwelling Unit	2.21	0%	58/42	0.08	49/51	0.18
	Assisted Living Facility	254	Beds	2.6	0%	60/40	0.18	39/61	0.24
Ldg	Hotel	310	Rooms	7.99	10%	56/44	0.46	51/49	0.59
Rec	Golf Course	430	Holes	30.38	5%	79/21	1.76	53/47	2.91
	Health/Fitness Club	492	1000 S.F.	32.93	5%	51/49	1.31	57/43	3.45
Institutional	Elementary School	520	Students	2.27	0%	54/46	0.74	46/54	0.16
	Middle/Junior School	522	Students	2.1	0%	54/46	0.67	48/52	0.15
	High School	525	Students	1.94	0%	68/32	0.52	48/52	0.14
	Private School (K-8)	530	Students	3.17[a]	0%	56/44	1.01	46/54	0.26
	Private School (K-12)	532	Students	2.48	0%	63/37	0.79	43/57	0.17
	Church/Synagogue[b]	560	1000 S.F.	7.6	5%	62/38	0.32	44/56	0.49
	Day Care	565	Students	4.09	50%	53/47	0.78	47/53	0.79
	Library	590	1000 S.F.	72.05	10%	71/29	1	48/52	8.16
Med	Hospital	610	1000 S.F.	10.77	10%	67/33	0.82	35/65	0.86
	Nursing Home	620	Beds	3.06	10%	72/28	0.14	33/67	0.14
Office	General Office (10k-250k SF GFA)[h]	710	1000 S.F.	10.84	10%	88/12	1.52	17/83	1.44
	General Office (>250k SF GFA)[h]	710	1000 S.F.	Ln(T) = 0.87 Ln(X) + 3.05	10%	88/12	Ln(T) = 0.86Ln(X) + 1.16	17/83	1.44
	Small Office Building (<=10k SF GFA)	712	1000 S.F.	14.39	10%	82/18	1.67	34/66	2.16
	Medical Office (Stand-Alone)	720	1000 S.F.	T=42.97(X)-108.01	10%	79/21	3.10	30/70	3.93
	Medical Office (Near Hospital)	720	1000 S.F.	31.86	10%	81/19	2.68	25/75	2.84
	Government Office	730	1000 S.F.	22.59	10%	75/25	3.34	25/75	1.71

Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Retail	Nursery (Garden Center)	817	Acre	108.1	0%	50/50	2.82	50/50	8.06
	Nursery (Wholesale)	818	Acre	19.50	0%	50/50	0.23	50/50	0.36
	Landscape Services	PBC	Acre[c]	121.70	0%	40/60	34.4	58/42	15.1
	Shop Center (>150ksf)	820	1000 S.F.	37.01	24%	62/38	0.84	48/52	3.4
	Shop Plaza (40-150ksf) w/Sup Market	821	1000 S.F.	94.49	39%	62/38	3.53	48/52	9.03
	Shop Plaza (40-150ksf) w/out Sup Market	821	1000 S.F.	67.52	39%	62/38	1.73	49/51	5.19
	Strip Retail Plaza (<40ksf)	822	1000 S.F.	54.45	63%	60/40	2.36	50/50	6.59
	Automobile Sales (New)	840	1000 S.F.	27.84	15%	73/27	1.86	40/60	2.42
	Automobile Parts Sales	843	1000 S.F.	54.57	28%	55/45	2.51	48/52	4.9
	Tire Store	848	1000 S.F.	27.69	28%	64/36	2.61	43/57	3.75
	Supermarket	850	1000 S.F.	93.84	36%	59/41	2.86	50/50	8.95
	Pharmacy + DT	881	1000 S.F.	108.40	50%	52/48	3.74	50/50	10.25
Services	Drive-In Bank	912	1000 S.F.	100.35	47%	58/42	9.95	50/50	21.01
	Fine Dining Restaurant	931	1000 S.F.	83.84	44%	50/50	0.73	67/33	7.8
	High Turnover Sit-Down Rest.	932	1000 S.F.	107.2	43%	55/45	9.57	61/39	9.05
	Fast Food Restaurant w/o DT	933	1000 S.F.	450.49	45%	58/42	43.18	50/50	33.21
	Fast Food Restaurant + DT	934	1000 S.F.	467.48	49%	51/49	44.61	52/48	33.03
	Coffee/Donut Shop w/o DT	936	1000 S.F.	441.88[d]	45%	51/49	93.08	50/50	32.29
	Coffee/Donut Shop + DT	937	1000 S.F.	533.57	49%	51/49	85.88	50/50	38.99
	Coffee/Donut Shop + DT w/No Seat	938	DT Lanes	179	49%	50/50	39.81	50/50	15.08
	Gas Station w/Convenience Store[e]	FDOT	FP, 1000 S.F.	14.3*PM Trips	61%	50/50	Note f	50/50	12.3*FP+15.5*(X)
	Carwash (Automated)[g]	PBC	Lane	166.00	0%	50/50	11.97	50/50	13.65

Footnotes

a) Based on Daily to AM peak ratio for LUC 532 (Private School (K-12)

b) Weekend peak hour rate = 10.36 per 1,000 s.f. with a 48/52 directional split

c) Landscape Services acreage consists of overnight vehicle and equipment storage as well as areas (covered or uncovered) for chemicals, fertilizers, landscape materials (excluding plants) and other items needed for day-to-day operations. Not included are drive aisles, customer/employee parking, structures shared by nursery and landscape services, facilities that solely serve the onsite landscape activities or any nursery growing areas.

d) Based on Daily to PM ratio for ITE Code 937 (Coffee Donut Shop + DT)

e) FP=Fueling Position. Use both FP and Convenience Store size in estimating trips using the provided equation. Note that no internalization between the gas pumps and convenience store, as per ULDC Artice 12, should be applied to estimate the net trips.

f) Use PM rates

g) Daily rate taken from PBC trip gen. study. Peak hour rates derived by applying peak to daily ratios for gas station to daily carwash rate from older ITE TGM. New PBC rate study underway.

h) Based on PBC analysis of ITE TGM data plots

Modification History
3/2/2020: Added Landscape Services, modification history, edited formatting
7/25/2022: Updated with ITE TG Manual 11th ed information

EXISTING DEVELOPMENT

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook* , 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	227	227	56	8	10	50
Retail	286	286	15	10	35	34
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
	513	513	71	18	45	84

INTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	40	54	2	2	1	3
Retail	54	40	2	2	3	1
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	94	94	4	4	4	4
% Reduction	18.3%		9.0%		6.2%	

EXTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	187	173	54	6	9	47
Retail	232	246	13	8	32	33
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	419	419	67	14	41	80

PROPOSED DEVELOPMENT

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook* , 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	282	282	70	9	13	62
Retail	580	580	30	20	70	70
Restaurant	0	0	0	0	0	0
Cinema/Entertainment						
Residential						
Hotel						
	861	861	100	29	83	132

INTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	49	68	3	3	1	6
Retail	68	49	3	3	6	1
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	117	117	6	6	7	7
% Reduction	13.6%		9.3%		6.5%	

EXTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	233	214	67	6	12	56
Retail	512	531	27	17	64	69
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	744	744	94	23	76	125

EXHIBIT E: 125 WORTH AVENUE APPRAISAL REPORT

APPRAISAL REPORT
(APPRAISER FILE: 22-2242)

OFFICE/BANK/RETAIL PROPERTY

125 WORTH AVE
125 WORTH AVE
PALM BEACH, FLORIDA

FOR

FRISBIE GROUP, LLC
PALM BEACH, FL

AS OF

DECEMBER 21, 2022

AUCAMP, DELLENBACK & WHITNEY
APPRAISERS & CONSULTANTS

AUCAMP, DELLENBACK & WHITNEY

APPRAISERS & CONSULTANTS

December 23, 2022

Mr. Jake Leone
Frisbie Group, LLC
221 Royal Poinciana Way, Suite 1
Palm Beach, FL 33480

RE: Appraisal of Real Property
Office Property
125 Worth Ave
Palm Beach, Florida 33480
(Appraiser File: 22-2242)

Dear Mr. Leone:

As you requested, we made the necessary investigation and analysis to form an opinion of value for the above referenced real property. This report is an appraisal of the property.

To assist Frisbie Group, LLC in assistance related to business decisions regarding this property, this report provides an estimate of depreciated replacement cost for the subject real property building improvements. No other party may use or rely on this report for any purpose.

This assignment and report have been prepared in accordance with requirements of the relevant aspects of Uniform Standards of Professional Appraisal Practice (USPAP) developed by the Appraisal Standards Board of the Appraisal Foundation, with the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice.

The subject is located along the north side of Worth Ave within the municipality in the Town of Palm Beach, Palm Beach County, Florida. The Worth Ave corridor is a well-established "high-street" luxury retail destination. The site consists of 34,375 square feet (SF), or 0.79 acres.

In 1974, the subject was improved with a three-story office/bank/retail building containing 53,612 SF gross over a two-story underground parking garage containing 63,720 SF. The total size is 117,332 SF. The first floor of the building consists of retail/bank uses and the upper floors consist of office uses. The property also has a small amount of enclosed space on the 4th floor (rooftop) where the chiller is currently located. This space consists of 3,037 SF and is not rentable in "as is" condition, but is included in our size herein.

The subject has been renovated in recent years and the quality of materials is rated as good, the improvements have been maintained in good condition. The subject is currently 95% occupied by multiple tenants. Notable tenants include BB&T Bank, Truist, and Ferretti Group.

We estimate the property has a remaining economic life of 35 years, and the system indicates the property is 31% depreciated.

1900 NW CORPORATE BOULEVARD, SUITE 215E, BOCA RATON, FLORIDA 33431
561-998-9326, FAX 561-241-4759

Mr. Jake Leone
December 23, 2022

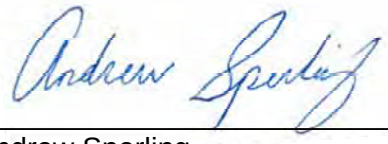
After careful and thorough investigation and analysis, we estimate the depreciated replacement cost for the subject improvements, subject to assumptions and contingent and limiting conditions as well as any extraordinary assumptions and hypothetical conditions, as explained in this report, as of December 21, 2022, is as follows:

SIXTEEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS
($16,150,000)

Aucamp Dellenback & Whitney has not performed services concerning this property during the past three years. Thank you for this opportunity to assist in meeting your appraisal needs.

Respectfully submitted,

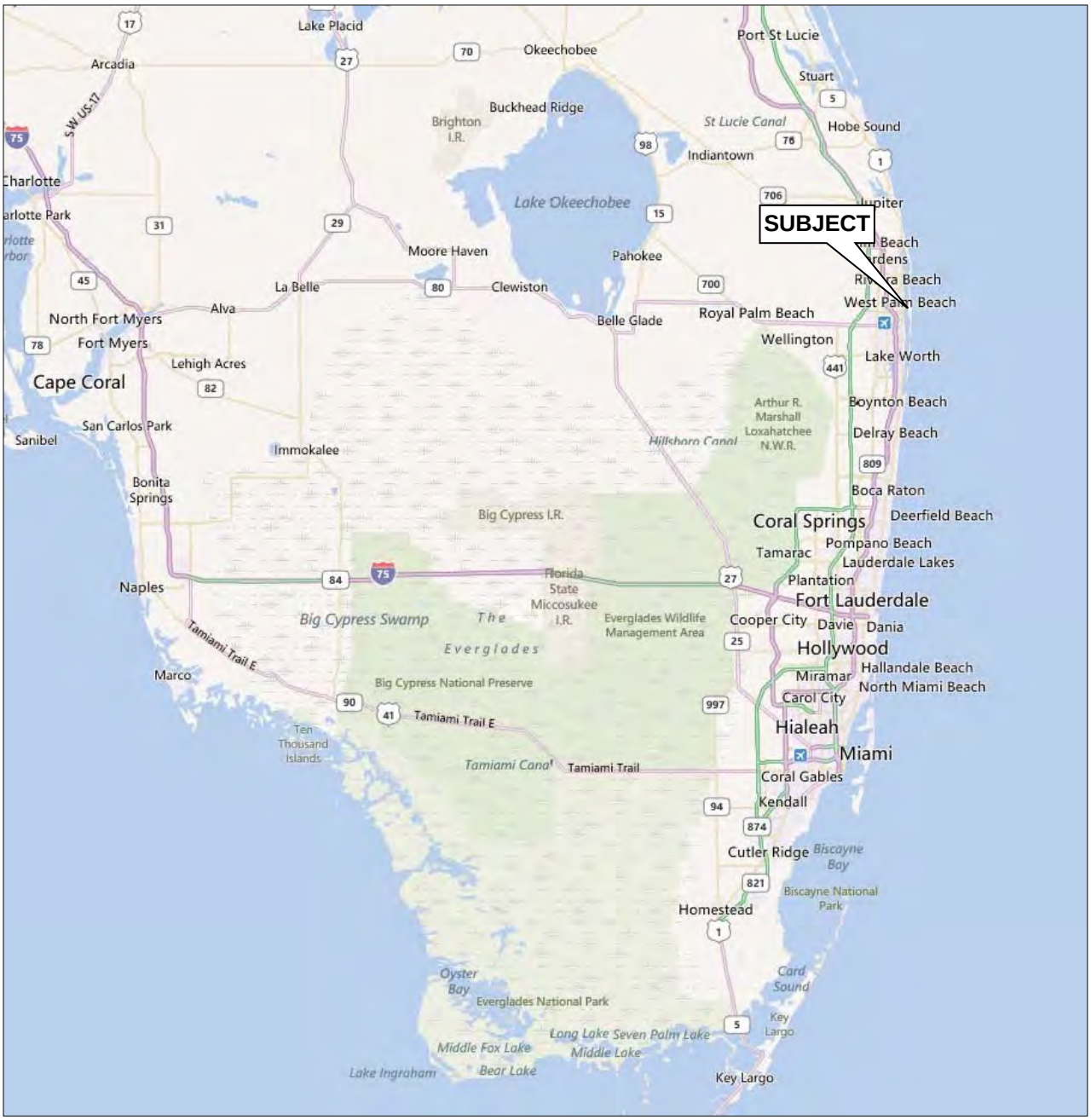
AUCAMP, DELLENBACK & WHITNEY



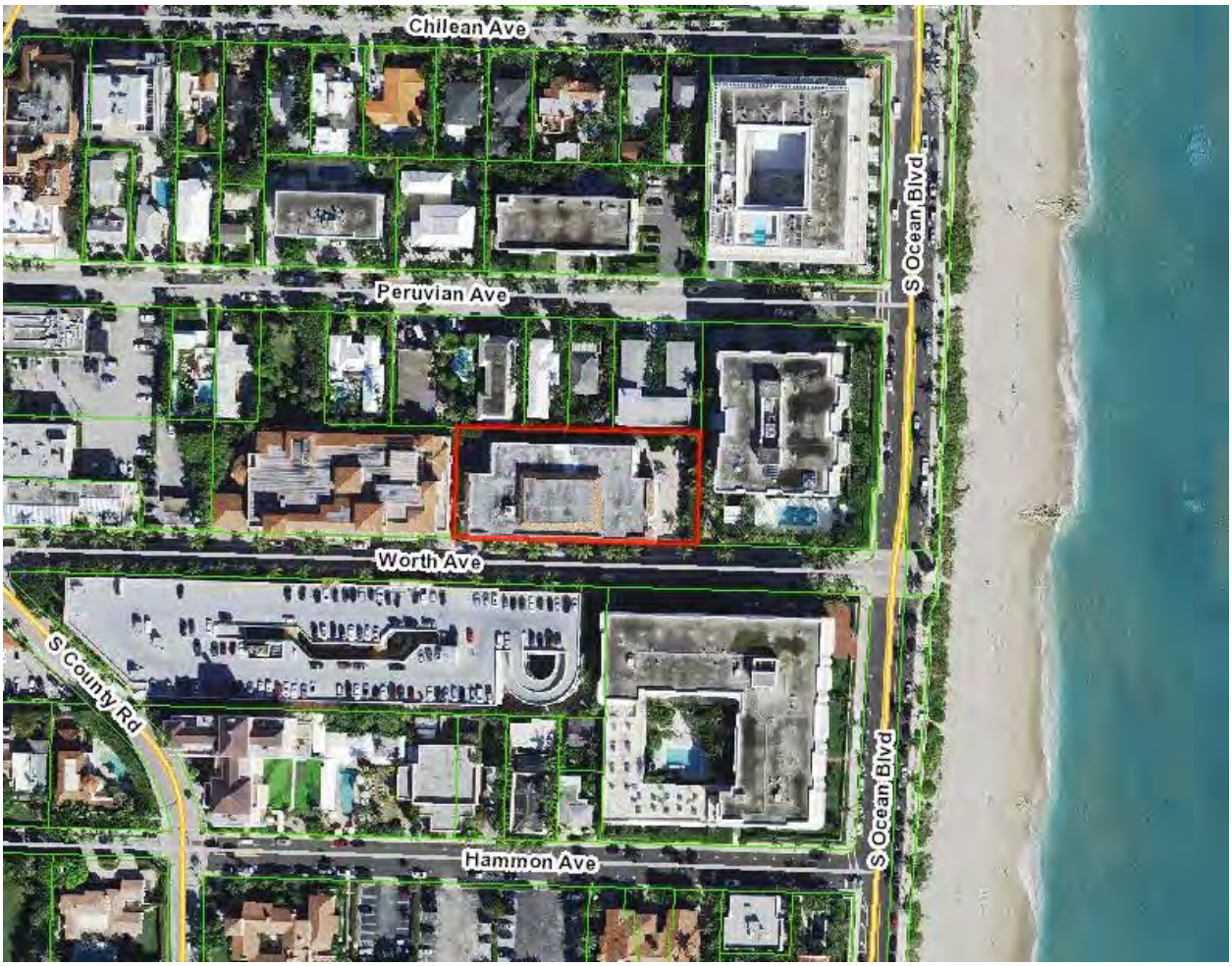
Andrew Sperling
State-certified General Real Estate Appraiser RZ4177
andrew@adw-appraisers.com

Jonathan Whitney, MAI
State-certified General Real Estate Appraiser RZ2943
jon@adw-appraisers.com

LOCATION MAP



AERIAL PARCEL MAP



SUBJECT PHOTOGRAPHS

Facing subject from Worth Ave (south and east elevations shown)

West and south elevations shown

East and north elevations shown

Covered area in rear of property (drive-thru area for first floor bank)

Facing east along Worth Ave with subject on the left

Facing west along Worth Ave with subject on the right

1st floor in subterranean parking garage

Entrance to 2nd floor in subterranean parking garage

2nd floor in subterranean parking garage

Elevator landing in subterranean parking garage

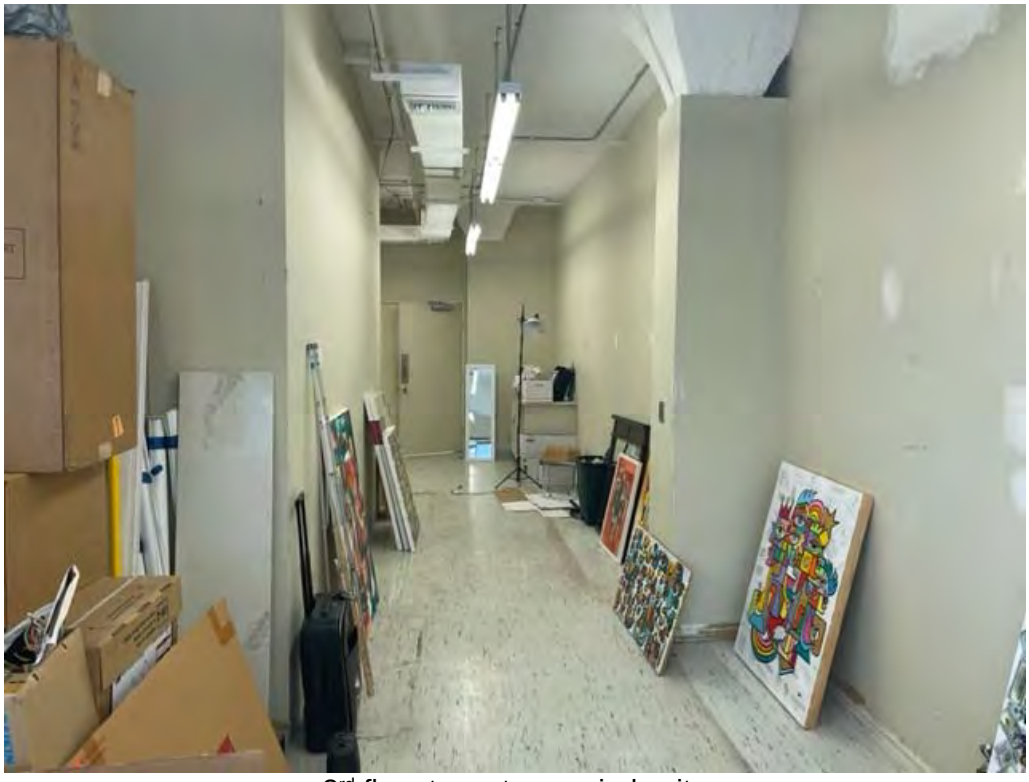
Main entrance to subject building

1st floor elevator landing

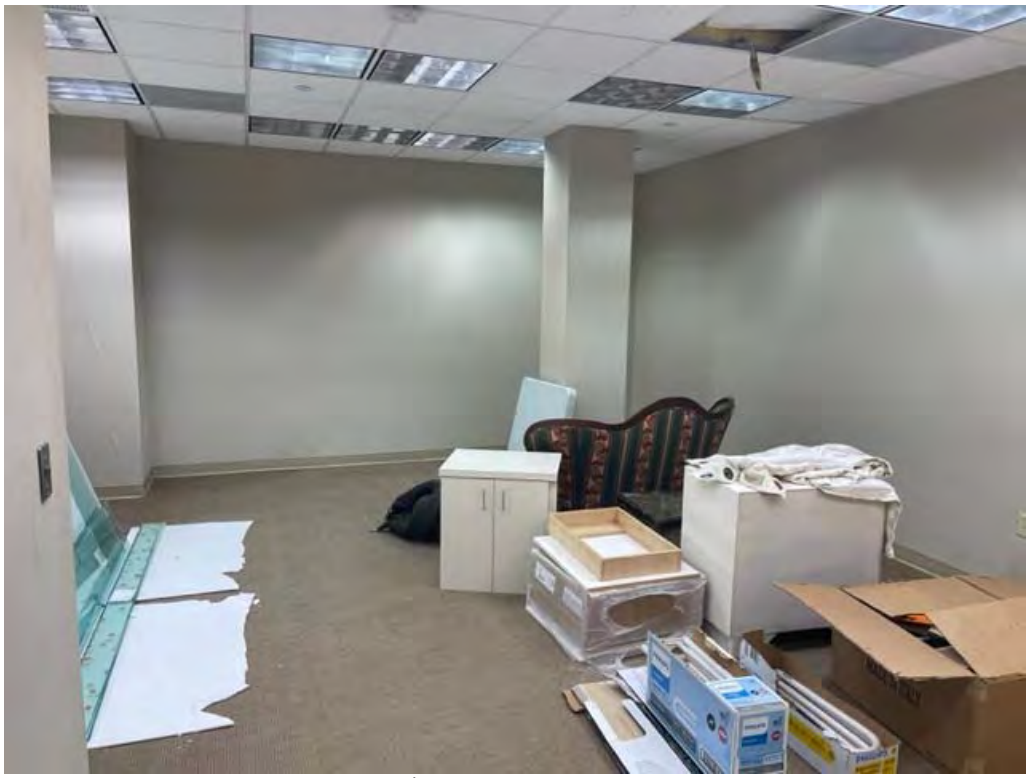
1st floor bank space (Truist)

1st floor retail bay

Typical upper floor interior hallway



3rd floor tenant-occupied suite



3rd floor vacant suite

3th floor office suite – Reception area shown

3th floor office suite – Typical private office

4th floor (rooftop) – Chiller shown

4th floor (rooftop) – Interior shown

Views from rooftop facing west

Views from rooftop facing east

Typical common area restroom

Typical common area restroom

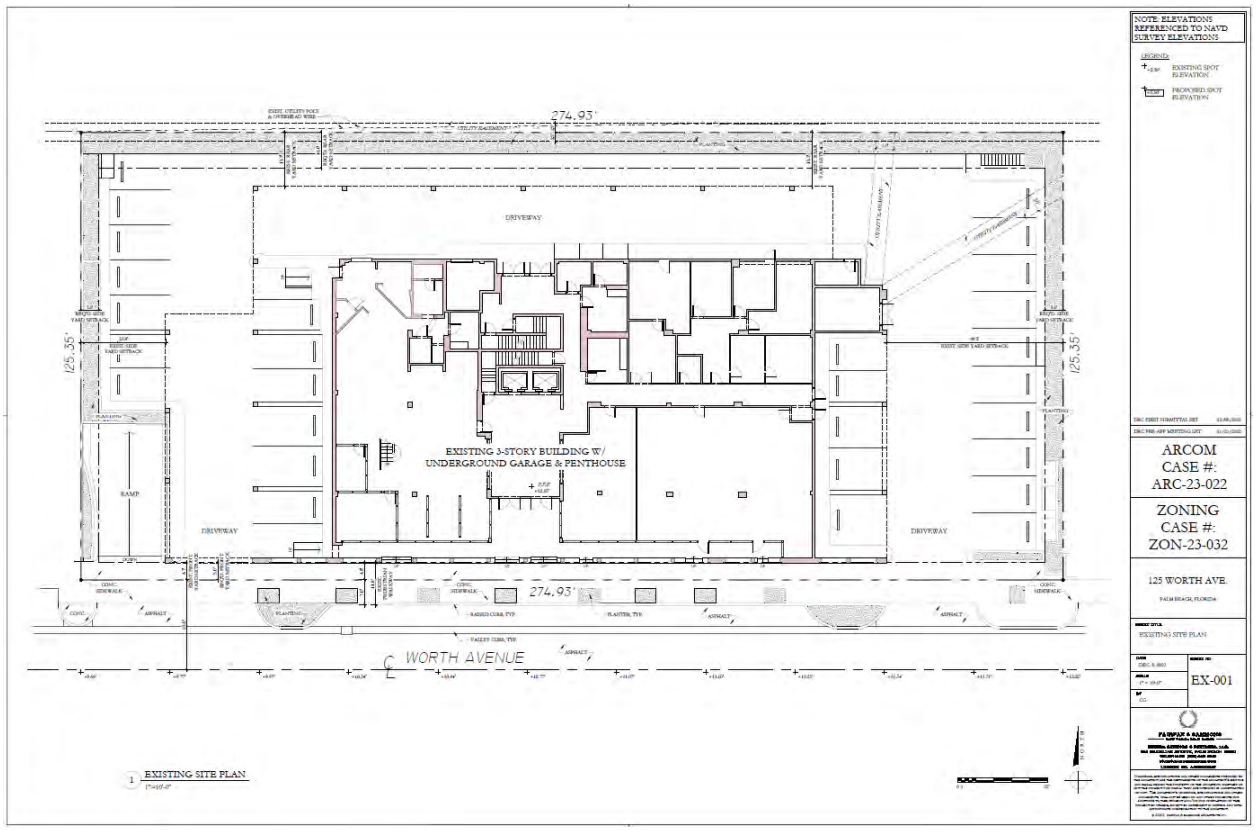
Site and Building Improvements

The subject is a three-story office/bank/retail building containing 53,612 SF gross (note: the leasable size is 52,804 SF). The property also has an two-story underground parking garage containing 63,720 SF. The total size is 117,332 SF. The property consists of a total of 165 spaces, of which approximately 131 spaces are located in the underground parking garage and the balance are located on the first floor. The property also has a small amount of enclosed space on the 4th floor (rooftop) where the chiller is currently located. This space consists of 3,037 SF and is not rentable in “as is” condition, but is included in our size estimate herein. The improvements were constructed in 1974 and have been renovated over the years. The first floor of the building consists of retail and bank uses and the upper floors consist of office uses. The subject’s quality of materials is rated as good, the improvements have been maintained in good condition.

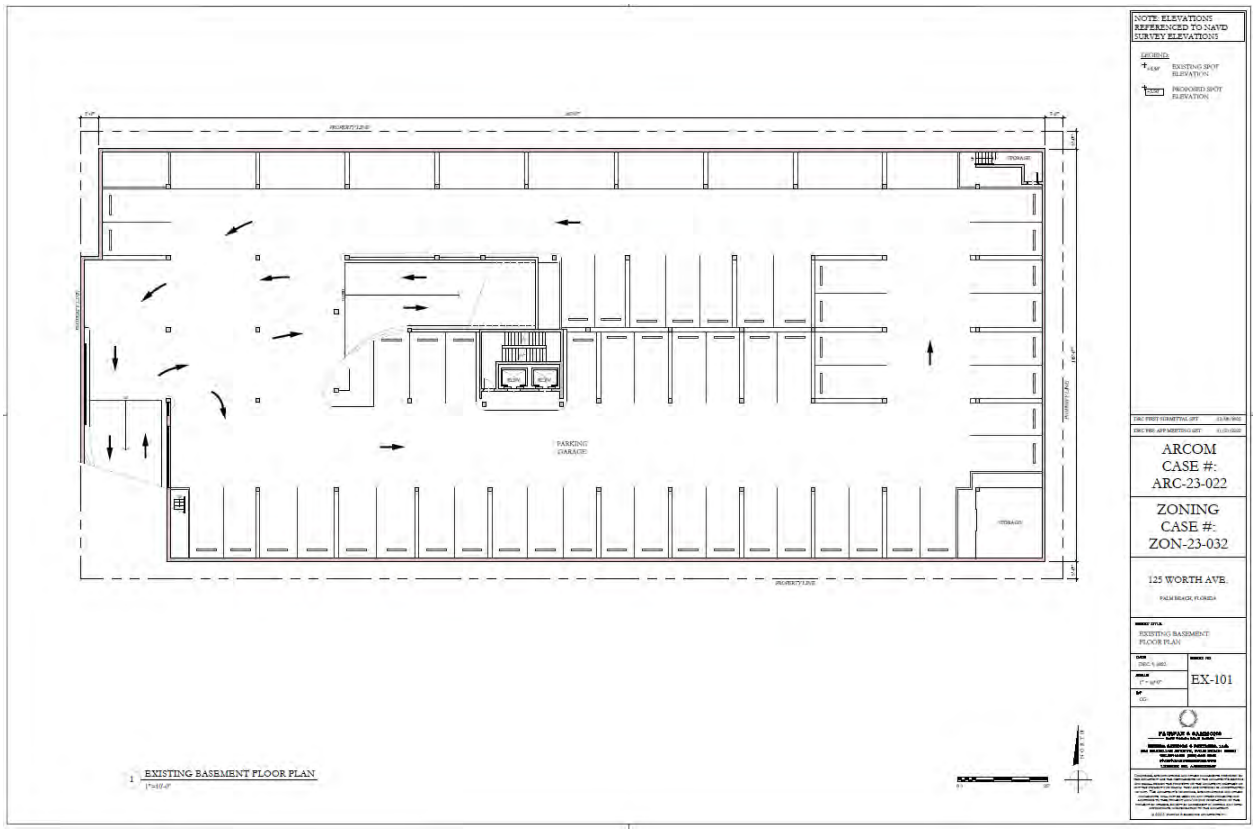
The structure of the office/bank/retail building includes concrete and glass walls, concrete and steel columns, reinforced concrete upper floor slabs, and a reinforced concrete slab roof with asphalt singles. The building has decorative moldings and bandings and the 2nd and 3rd floors have exterior balconies surrounding most of the building. The windows and doors are mostly fixed glass in aluminum frames. Story heights typically range in size between 12’ and 15’. The two-story subterranean parking garage includes concrete walls and concrete columns. The story height in the parking garage is about 8’. Further details concerning the building improvements can be found in the replacement cost reports shown on the following pages.

Our replacement cost analysis includes the structural components of the buildings as well as the interior improvements of the office/bank/retail building.

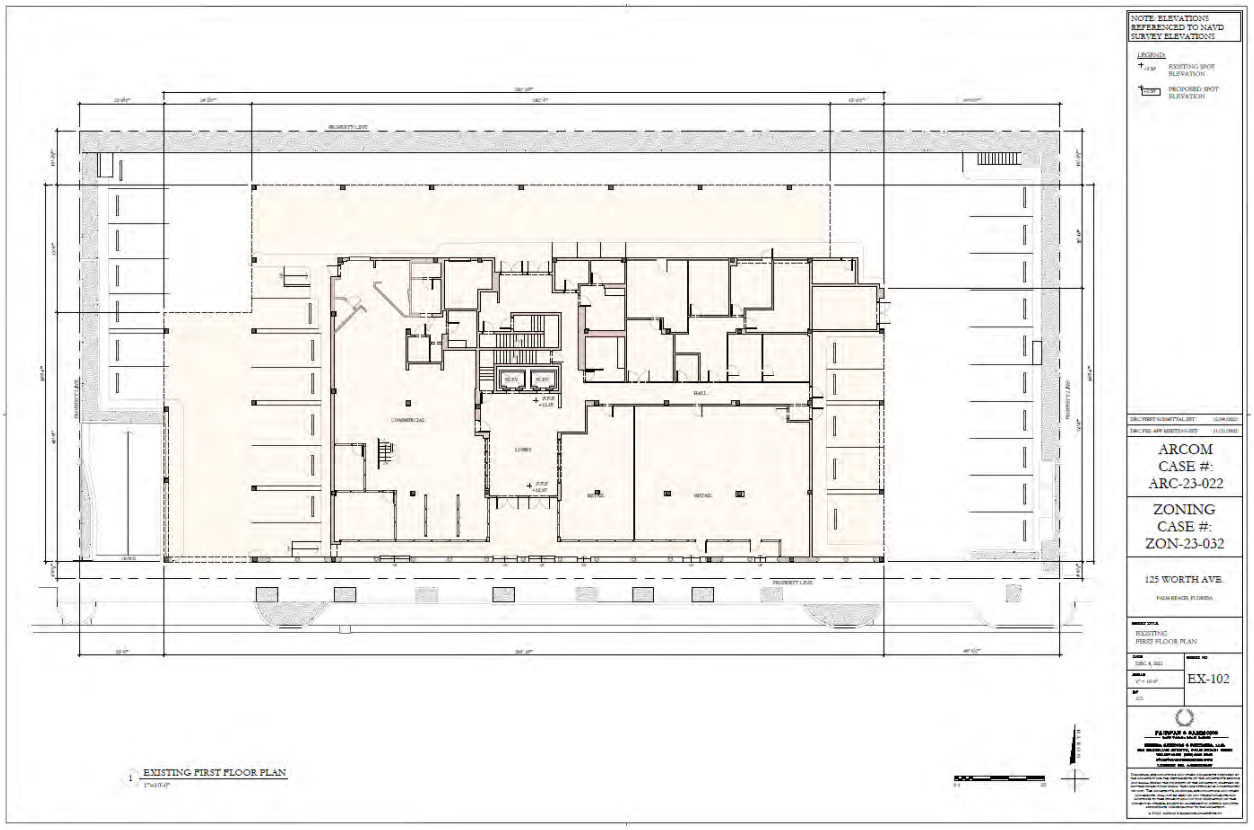
EXISTING SITE PLAN



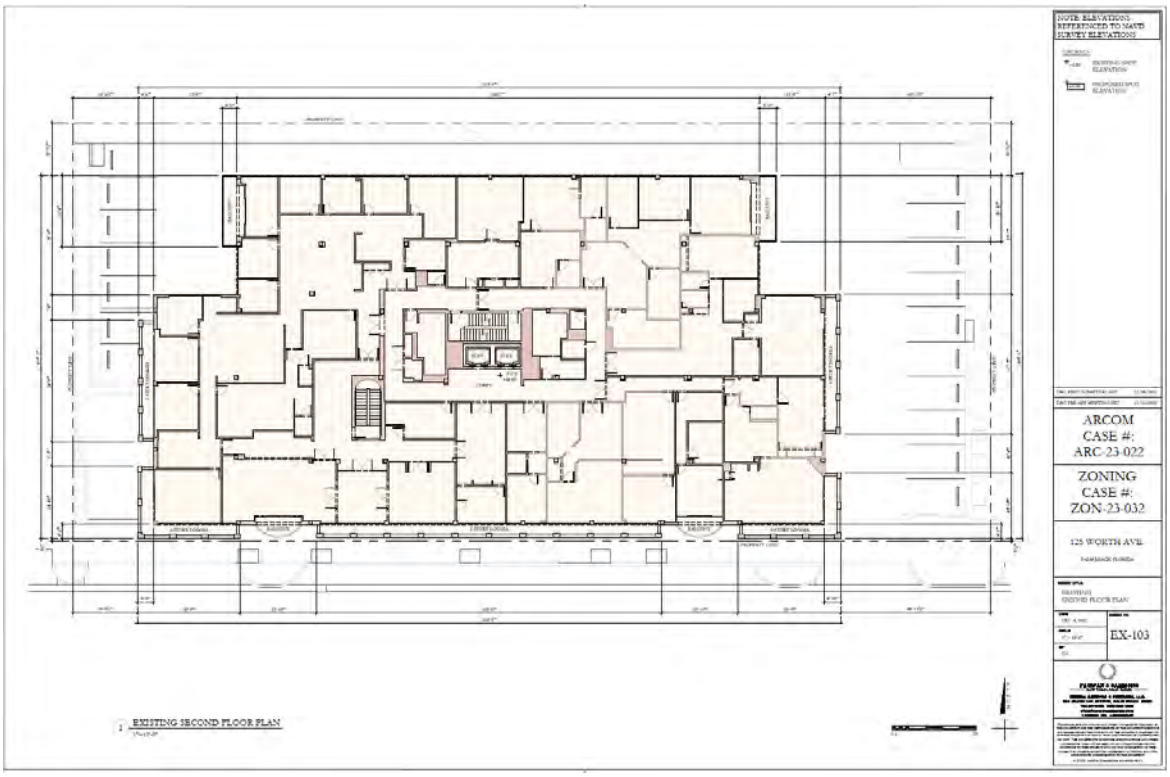
FLOOR PLAN (SUBTERRANEAN PARKING GARAGE)

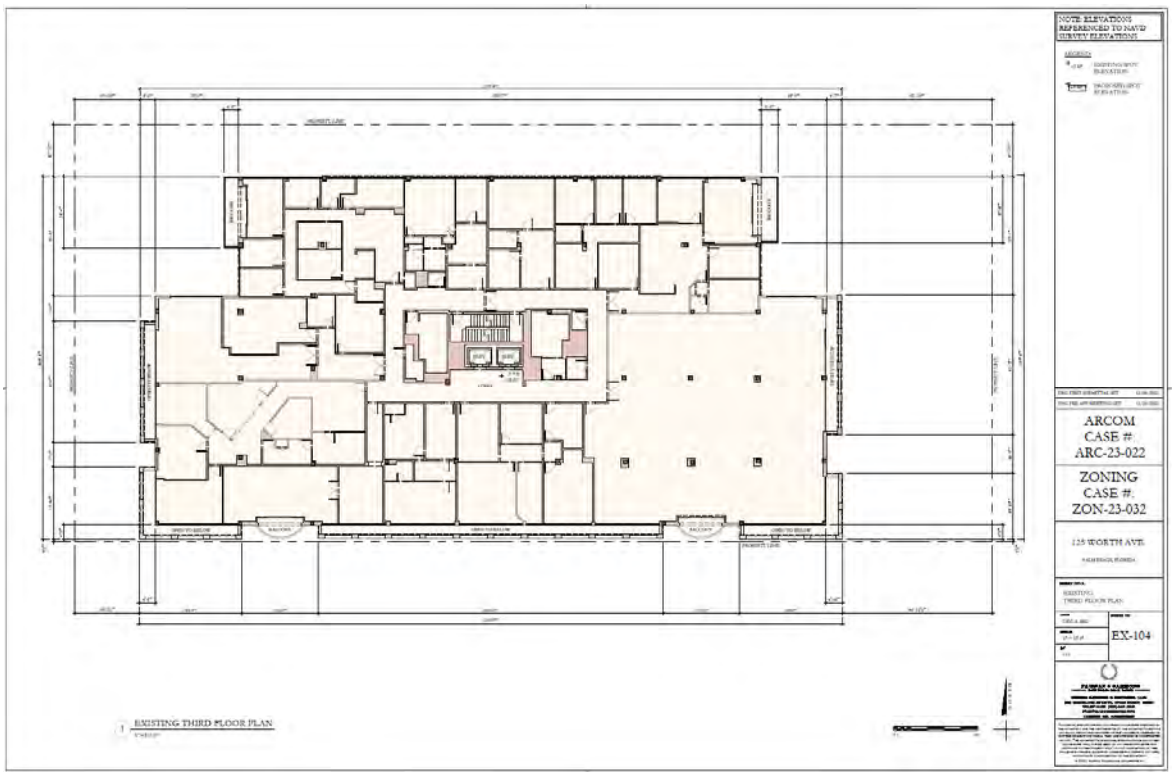


FLOOR PLAN (1st FLOOR)

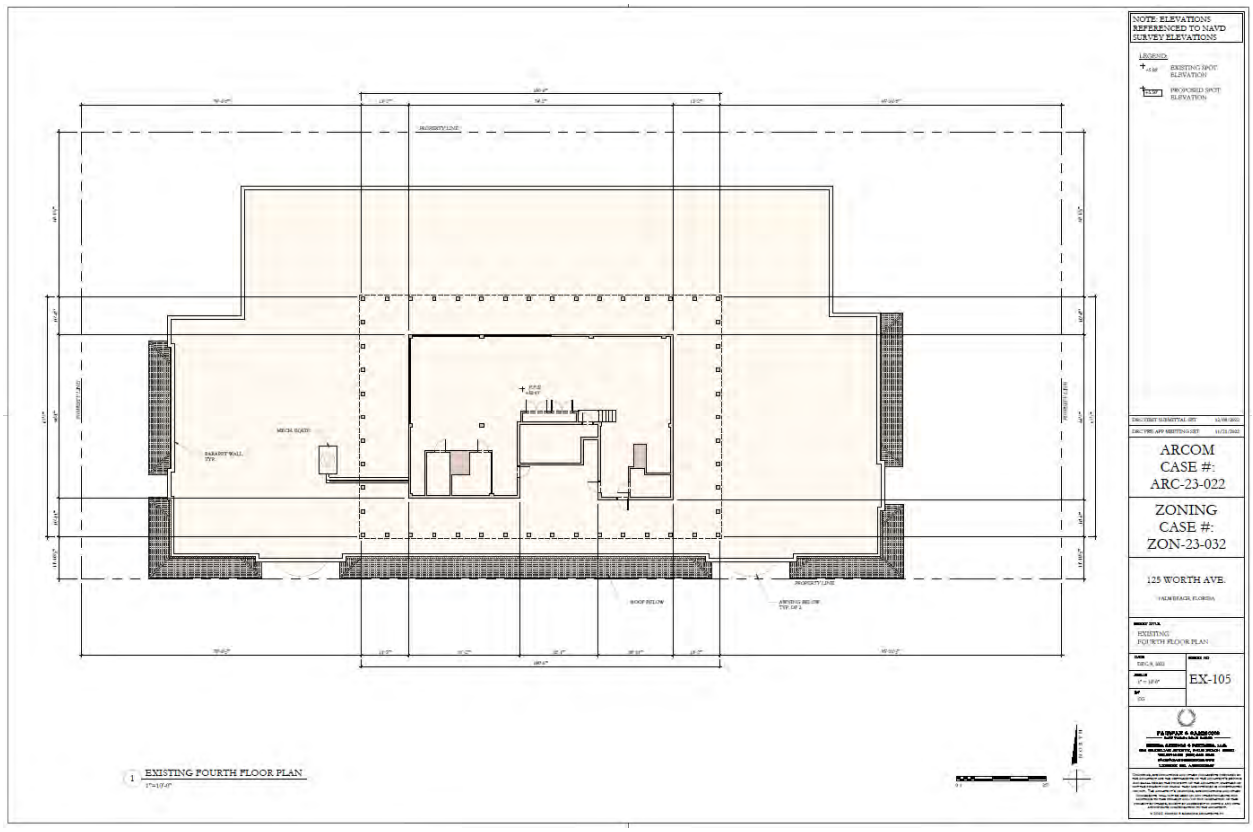


FLOOR PLANS (2nd & 3rd FLOORS)





FLOOR PLAN (4th FLOOR)



COST APPROACH

The client requested an estimate of insurable replacement cost, based on Commercial Express valuation service, produced by CoreLogic, a national construction cost estimation service. This product requests various inputs from the appraiser as well as provides system-generated assumptions consistent with the specified property type. No modifications were made to the system-generated assumptions with exception to the construction materials used, as appropriate. These modifications, labeled as user inputs in the following chart, are consistent with the materials known to be utilized to construct the subject property, through appraiser observation at inspection and-or reliable sources.

We do not guarantee that any estimate or opinion will result in the subject property being fully insured for any potential loss that may be sustained. This estimate may not be a reliable indication of replacement cost value for any date other than the effective date of this appraisal. No depreciation has been considered in the estimate herein.

The following pages show the detailed Commercial Express system-generated report (worksheets) of insurable replacement cost for the subject improvements and summarize our value conclusions. We conclude the replacement cost of the subject improvements is $23,410,000 (rounded), and the depreciated cost is **$16,150,000 (rounded).**

CoreLogic

Valuation Detailed Report

Property Express

12/23/2022

VALUATION

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

BUSINESS

Frisbie Group, LLC
125 WORTH AVE FL 33480
PALM BEACH, FL 33480 USA

LOCATION 1 - Frisnie Group, LLC

Frisnie Group, LLC
125 WORTH AVE FL 33480
PALM BEACH, FL 33480 USA

Location Adjustments

Climatic Region:	3 - Warm
High Wind Region:	2 - Moderate Damage
Seismic Zone:	1 - No Damage

BUILDING 125 - 125 Worth Ave

Section 1

SUPERSTRUCTURE

Occupancy:	2% Bank or Savings and Loan	Story Height:	15 ft.
	8% Office, Low-Rise		15 ft.
	33% Office, Low-Rise		12 ft.
	3% Office, Low-Rise, Shell		13 ft.
	54% Basement, Underground Parking		8 ft.
Construction Type:	100% Reinforced Concrete Frame (ISO 6)	Number of Stories:	3
Gross Floor Area:	117,332 sq.ft.	Gross Perimeter:	775 ft.
Construction Quality:	2.5 - Average/Superior		
Year Built:	1974		

Adjustments

Depreciation:	31%	Condition:	Good
	Effective Age: 35 years		

CoreLogic costs include labor and material, regional costs and overhead as of [illegible]. Costs represent general estimates which are not to be considered a detailed quantity survey. These costs include consolidated and [illegible] fees for common to the types of structures represented in the software.

The commercial contents values CoreLogic publishes in this report are estimates only and should not be considered the actual value of commercial contents insurance coverage that should be underwritten for the insured.

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Page 1 of 6

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Valuation Detailed Report

Property Express

Policy Number: 22-2242 125 Worth Ave 12/23/2022

Hillside Construction:	Degree of Slope: Level	Site Accessibility:	Good
	Site Position: Unknown	Soil Condition:	Good

Fees

Architect Fees:	7% is included
Overhead and Profit:	20% is included

SUMMARY OF COSTS	User Provided	System Provided	Reconstruction	Exclusion
SUPERSTRUCTURE				
Site Preparation			$875,953	
Foundations			$244,215	
Exterior			$6,425,281	
Exterior Wall	30% Curtain Wall, Glass			
	70% Stucco on Masonry			
Roof			$1,225,050	
Material	90% Built-Up, Smooth			
	10% Tile, Concrete			
Pitch	100% Low (2:12 to 6:12 pitch)			
Interior			$5,104,838	
Floor Finish	70% Carpet			
	10% Marble			
	20% Tile, Ceramic			
Ceiling Finish	30% Drywall			
	70% Suspended Acoustical			
Structure	80% Concrete Block			
	20% Glass Wall			
Finish	100% Drywall			
	100% Paint			
Mechanicals			$7,613,140	
Cooling	100% Chilled Water, with Air Handling Units			
Fire Protection	100% Sprinkler System			
Plumbing	90 Total Fixtures			

CoreLogic costs include labor and material, normal profit and overhead as of date of report. Costs represent general estimates which are not be considered a bonded costing survey. These costs include generalities and assumptions that are common to the type of structures represented in the estimate.

The commercial cost-to-value CoreLogic outstanding for this report are estimates only and should not be considered the actual value of commercial personal insurance coverage that should be determined by the insured.

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Valuation Detailed Report

Property Express

SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

SUMMARY OF COSTS	User Provided	System Provided	Reconstruction	Exclusion
Elevators	2 Passenger			
Built-ins			$1,324,928	
SUBTOTAL RC			$22,813,405	
Depreciated Cost (69%)			$15,741,249	
ADDITIONS				
Building Items			$591,877	
Total Additions			$591,877	
TOTAL RC Section 1			**$23,405,282**	
TOTAL ACV			**$16,149,645**	
TOTAL RC BUILDING 125 125 Worth Ave			**$23,405,282**	
TOTAL ACV			**$16,149,645**	

	Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
LOCATION TOTAL, Location 1	**$23,405,282**	**117,332**	**$199**	**$16,149,645**
	Reconstruction	**Sq.Ft.**	**$/Sq.Ft.**	**Depreciated**
VALUATION GRAND TOTAL	**$23,405,282**	**117,332**	**$199**	**$16,149,645**

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Page 3 of 6

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Valuation Detailed Report

Property Express

EQUIPMENT REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

VALUATION

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

BUSINESS

Frisbie Group, LLC
125 WORTH AVE FL 33480
PALM BEACH, FL 33480 USA

LOCATION 1 - Frisnie Group, LLC

Frisnie Group, LLC
125 WORTH AVE FL 33480
PALM BEACH, FL 33480 USA

Equipment: Building items and site improvements

	Replacement	Depreciated
Building 125, Section 1		
Building Items		
Balconies		
(1) Balconies, Reinforced concrete frame	$591,877	$408,395
LOCATION 1 - Frisnie Group, LLC TOTAL	**$591,877**	**$408,395**
TOTAL	**$591,877**	**$408,395**

CoreLogic costs include labor and material, normal profit and overhead as of [illegible]. Costs represent actual estimates which are not to be considered a detailed quantity survey. These costs include generalizations and assumptions that are common to the types of estimates represented in the software.

The commercial contents values CoreLogic publishes in this report are estimates only and should not be considered the actual value of commercial contents insurance coverage that should be underwritten for the insured.

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Page 4 of 6

CoreLogic

Valuation Detailed Report

Property Express

SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

VALUATION

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

BUSINESS

Frisbie Group, LLC

125 WORTH AVE FL 33480

PALM BEACH, FL 33480 USA

LOCATION 1 - Frisnie Group, LLC

Frisnie Group, LLC

125 WORTH AVE FL 33480

PALM BEACH, FL 33480 USA

BUILDING 125: SUPERSTRUCTURE			Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
Section 1	2%	Bank or Savings and Loan	$22,813,405	117,332	$194	$15,741,249
	8%	Office, Low-Rise				
	33%	Office, Low-Rise				
	3%	Office, Low-Rise, Shell				
	54%	Basement, Underground Parking				

Section Totals			Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
Section 1	2%	Bank or Savings and Loan	$22,813,405	117,332	$194	$15,741,249
	8%	Office, Low-Rise				
	33%	Office, Low-Rise				
	3%	Office, Low-Rise, Shell				
	54%	Basement, Underground Parking				
Total Additions:			$591,877			$408,395
BUILDING TOTAL, Building 125			**$23,405,282**	**117,332**	**$199**	**$16,149,645**

BUILDING INSURANCE SUMMARY

Total Insured Amount	$0	
Percent of Insurance to Value	0%	
100% Co-insurance Requirement	$23,405,282	$16,149,645
-100% Variance	($23,405,282)	

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Page 5 of 6

CoreLogic

Valuation Detailed Report

Property Express

SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

	Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
LOCATION TOTAL, Location 1	**$23,405,282**	**117,332**	**$199**	**$16,149,645**
	Reconstruction	**Sq.Ft.**	**$/Sq.Ft.**	**Depreciated**
VALUATION GRAND TOTAL	**$23,405,282**	**117,332**	**$199**	**$16,149,645**

End of Report

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Page 6 of 6

PART 3: ADDENDUM

CERTIFICATION

I certify that, to the best of my knowledge and belief:

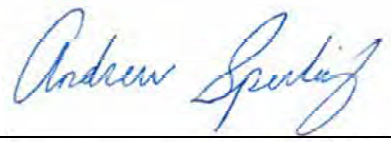
- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.
- I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results, a specific valuation, or the approval of a loan.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the State of Florida.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Andrew Sperling made a personal, visual inspection of the readily accessible areas of the property that is the subject of this appraisal. Jonathan Whitney did not inspect the subject property, but is very familiar with this area and property type.
- No one provided significant real property appraisal or appraisal consulting assistance to the person signing this certification.
- As of the date of this report, we have completed the continuing education program of the State of Florida.

CERTIFICATION

- As of the date of this report, Jonathan Whitney has completed the continuing education program of the Appraisal Institute.

- We, Andrew Sperling and Jonathan Whitney, of Aucamp Dellenback & Whitney, certify that we are qualified and have experience in the field of commercial property inspections, commercial risk assessment, and commercial property replacement cost valuation.

- The undersigned has not provided services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period preceding acceptance of this assignment.



December 23, 2022

Andrew Sperling
State-certified General Real Estate Appraiser RZ4177

December 23, 2022

Jonathan Whitney, MAI
State-certified General Real Estate Appraiser RZ2943

CONTINGENT AND LIMITING CONDITIONS

This appraisal is subject to the following contingent and limiting conditions:

1. The legal description and maps are assumed to be correct.

2. No responsibility is assumed for matters which are legal in character, nor is any opinion rendered as to title, which is assumed to be good and marketable. Any existing liens or encumbrances have been disregarded, and the property is appraised as free and clear. This appraisal is made, assuming that all public improvements of any kind affecting the property appraised are fully paid for, unless otherwise specifically set forth in the property description.

3. No survey has been made of the property on behalf of the appraisers and no responsibility is assumed in connection with such matters. The sketches contained in this report are for illustrative purposes only and are included to assist the reader to better visualize the property. The information furnished by others is believed to be reliable and no responsibility is assumed for its accuracy.

4. In this report, the distribution of the total valuation between land and improvements applies only under the existing program of utilization. The separate valuations for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.

5. Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by any but the recipient without written consent of the appraiser.

6. The contract for appraisal, consultation, or analytical service is fulfilled and total fee is payable upon completion of the report. The appraisers will not be required to give testimony in court or hearing because of having made the appraisal in full or in part, nor engage in post-appraisal consultation with the client or third parties, except under separate and special arrangement and at additional fee.

7. The appraisers may not divulge material contents of the report, analytical findings or conclusions or give a copy of the report to anyone other than the client or his designee as specified in writing, except as may be required by the Appraisal Institute as it may request in confidence for ethics enforcement or by a court of law of body with the power of subpoena.

8. Liability of Aucamp, Dellenback & Whitney is restricted to the client. Aucamp, Dellenback & Whitney has no accountability or liability to any third party.

9. It is assumed there are no hidden or unapparent conditions of the property, subsoil or structures which make it more or less valuable. The appraiser assumes no responsibility for such conditions or engineering which might be required to cover these facts. No topographical survey was provided.

10. No environmental impact study, special market study or analysis, highest and best use analysis or feasibility study has been requested or made unless otherwise specified in an agreement for services or in the report. The appraiser reserves the unlimited right to alter, amend, revise or rescind any of the statements, findings, opinions, values, estimates or

conclusions upon any subsequent such study or analysis or previous study or analysis subsequently becoming known to him.

11. The market value estimated and the cost used are as of the date of the estimate of value. All dollar amounts are based on the purchasing power and price of the dollar as of the date of the value estimate.

12. This appraisal expresses our opinion and employment to make this appraisal was in no way contingent upon reporting a predetermined value or conclusion. The fee for this appraisal or study is for the service rendered and not for time spent on the physical report.

13. The value estimated in this appraisal report is gross without consideration given to any encumbrance, restriction, or question of title unless specifically defined. The estimate of value in the appraisal report is not based in whole or in part upon race, color or national origin of the present owners or occupants of properties in the vicinity of the property appraised.

14. Responsible ownership and competent property management are assumed.

15. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws, unless noncompliance is stated, defined and considered in the appraisal report.

16. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report.

17. It is assumed that all required licenses, certificates of occupancy and consents or other legislative or administrative authority from any local, state or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

18. It is assumed that the utilization of the land and improvements is within the boundaries of the property lines, that the property described in that there is no encroachment or trespass unless noted in the report.

19. Authentic copies of this report are signed in ink.

20. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions may affect the value of the property, the value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.

21. The Americans with Disabilities Act (ADA) became effective January 26, 1992. The appraisers have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.

22. The report may contain estimates of prospective value for the subject property. Forecasts and prospective values are based upon current market conditions and trends. Aucamp, Dellenback & Whitney cannot be held responsible for unforeseeable events that alter market conditions prior to the prospective dates.

23. Acceptance and/or use of this appraisal report constitutes acceptance of the preceding conditions.

HYPOTHETICAL CONDITIONS AND EXTRAORDINARY ASSUMPTIONS

Hypothetical Conditions

This appraisal is subject to the following hypothetical conditions:

None

Extraordinary Assumptions

The following extraordinary assumption is important for supporting the value conclusion(s) in this report, and value conclusion(s) may be significantly affected without this extraordinary assumption. This appraisal is subject to the following extraordinary assumptions:

None

DEFINITIONS

Market Value

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- *buyer and seller are typically motivated;*
- *both parties are well informed or well advised, and acting in what they consider their own best interests;*
- *a reasonable time is allowed for exposure in the open market;*
- *payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

(Source: Interagency Appraisal and Evaluation Guidelines, Federal Register, Volume 75, No. 237, December 10, 2010)

Bulk Value

The value of multiple units, subdivided plots, or properties in a portfolio as though sold together in a single transaction. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 27)

Market Rent

The most probable rent that a property should bring in a competitive and open market reflecting the conditions and restrictions of a specified lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TI). (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 140)

Prospective Opinion of Value

A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not yet achieved sellout or a stabilized level of long-term occupancy. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 180)

Retrospective Value Opinion

A value opinion effective as of a specified historical date. The term retrospective does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 201)

Value in Use
The value of a property assuming a specific use, which may or may not be the property's highest and best use on the effective date of the appraisal. Value in use may or may not be equal to market value but is different conceptually. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 245)

Market Value of the Going Concern
The market value of an established and operating business including the real property, personal property, financial assets, and the intangible assets of the business. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 245)

Liquidation Value
The most probable price that a specified interest in real property should bring under the following conditions:

1. *Consummation of a sale within a short time period.*
2. *The property is subjected to market conditions prevailing as of the date of valuation.*
3. *Both the buyer and seller are acting prudently and knowledgeably.*
4. *The seller is under extreme compulsion to sell.*
5. *The buyer is typically motivated.*
6. *Both parties are acting in what they consider to be their best interests.*
7. *A normal marketing effort is not possible due to the brief exposure time.*
8. *Payment will be made in cash in U.S. dollars (or the local currency) or in terms of financial arrangements comparable thereto.*
9. *The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 132)

Insurable Value
A type of value for insurance purposes. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 119)

Replacement Cost
The estimated cost to construct, at current prices as of a specific date, a substitute for a building or other improvements, using modern materials and current standards, design and layout. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 197)

Limited-Market Property
A property (or property right) that has relatively few potential buyers. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 131)

Special Purpose Property
A property with a unique physical design, special construction materials, or a layout that particularly adapts its utility to the use for which it was built; also called a special-design property. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 217)

Fee Simple Estate
Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 90)

Leased Fee Interest
The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 128)

Leasehold Interest
The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 128)

Real Property
The interests, benefits, and rights inherent in the ownership of real estate. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 188)

Personal Property
Identifiable tangible objects that are considered by the general public as being "personal" – for example, furnishings, artwork, antiques, gems and jewelry, collectibles, machinery and equipment; all tangible property that is not classified as real estate.. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, pages 170)

Intended Use
The use or uses of an appraiser's reported appraisal or appraisal review assignment opinions and conclusions, as identified by the appraiser based on communication with the client at the time of the assignment. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 119)

Intended User
The client and any other party as identified, by name or type, as users of the appraisal or appraisal review report by the appraiser on the basis of communication with the client at the time of the assignment. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, pages 119)

Hypothetical Condition
A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 113)

Extraordinary Assumption
An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 73)

Prudent and Competent Management
An owner, operator, or management company that maintains and uses real estate in a manner consistent with the manner in which typical buyers of similar properties would consider appropriate as measured by actual practices in the competitive market. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 180)

Arm's Length Transaction
A transaction between unrelated parties who are each acting in his or her own best interest. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 13)

Surplus Land
Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute to the improved parcel. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 227)

Excess Land
Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land has the potential to be sold separately and is valued separately. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 80)

Entrepreneurial Incentive
The amount an entrepreneur expects to receive for his or her contribution to a project. Entrepreneurial incentive may be distinguished from entrepreneurial profit (often called developer's profit) in that it is the expectation of future profit as opposed to the profit actually earned on a development or improvements. The amount of entrepreneurial incentive required for a project represents the economic reward sufficient to motivate an entrepreneur to accept the risk of the project and to invest the time and money necessary in seeing the project through to completion. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 76)

AREA DESCRIPTION AND ANALYSIS

FLORIDA

Florida is a major U.S. state as seen in population and employment figures. As of 2022, Florida's estimated population was 22,114,754 according to the ESRI. Among the 50 states, Florida is ranked as the third most populous state. Florida is forecasted to have an annual growth rate of 0.61% over the next five years.

The majority of job growth in the next ten years likely will come in the service industry led by new jobs in business services, health care, and government employment. Manufacturing will continue to be a relatively reduced part of the state's economy.

Florida's geography, climate, and location are important reasons for its population and economic growth. Florida's coastline with 1,197 miles along the Atlantic Ocean and Gulf of Mexico is the longest of any state, except Alaska. Temperature variations are mild, and the southern part of the state has a subtropical climate. Florida is strategically located for access to the Caribbean Islands as well as to South and Central America.

SOUTH FLORIDA

South Florida is the tri-county region consisting of Miami-Dade, Broward, and Palm Beach and occasionally consists of other surrounding counties. The metropolitan area stretches from south of Miami to north of West Palm Beach, a distance of about 100 miles, and extends 15 to 20 miles west from the Atlantic Ocean. The three counties are the state's three most populous region with an estimated population of 6,200,000, as of 2022, and comprised almost one-third of the state's population.

The South Florida region experienced explosive growth starting in the 1950s when air-conditioned homes made round year living more comfortable. Moving forward, the tri-county region is forecasted to grow at a much slower pace than the past 70 years. Per ESRI, the average growth rate is projected to be under 1.0% during the next five years. Population growth has largely been migration from northern U.S. states and Canada as well as South American countries and Caribbean Islands.

Economic growth in South Florida is centered on services and retail trade for tourists, seasonal residents, permanent residents and retirees. Real estate construction has been a strong economic contributor over the past 50 years. South Florida is also known as a major export / import center for trade with South America and as an attractive location for some high-tech industries and financial service firms.

Within this region, a primary trend has been northward movement of population from Miami-Dade County into Broward County, and from Broward County into Palm Beach County. This trend accelerated with the dislocation of residents due to Hurricane Andrew in 1992. The movement continues today as residents seek less traffic congestion in comparison to Miami-Dade County.

PALM BEACH COUNTY

Palm Beach County is located along Florida's southeast coast on the Atlantic Ocean to the east and Lake Okeechobee to the west. The county is located about 15 miles north of Fort Lauderdale, 40 miles north of Miami, 175 miles south of Orlando, and 270 miles south of Jacksonville.

Palm Beach County, with approximately 1,974 square miles of land area, is one of the largest counties in the United States and is the third largest of Florida's 67 counties. Elevation changes range from 0-20 feet with the average elevation at 15 feet above sea level. The terrain is generally sandy and flat with some gently sloping coastal ridges.

The county's subtropical climate has an average temperature of 75 degrees Fahrenheit. Winters are mild because of the proximity to the warm Gulf Stream currents of the Atlantic Ocean. Prevailing winds are from the east. Average annual rainfall is 62 inches.

Palm Beach County contains 39 incorporated municipalities mostly located east of Florida's Turnpike. County government, mainly located within West Palm Beach, handles the unincorporated areas. Population growth has put constant pressure on government planning and services.

Land Use Pattern

Palm Beach County has a well-established area of urban development as well as a major nature reserve area and productive agricultural area. The urban corridor stretches along the eastern portion of the county while nature reserve and agricultural areas are located in the middle and western portions of the county.

Several small coastal communities in Palm Beach County were initially developed in the early 1900s. These small cities and towns were separated from each other with agricultural land or vacant land. By about the 1980s, the land was developed and the coastal area become one continuous developed urban / suburban corridor. This corridor now represents continuous development from the municipalities of Boca Raton to Tequesta. Most undeveloped land is located to the west of this eastern urban / suburban corridor. Several eastern coastal downtown areas developed between the 1920s and the 1960s, including Boca Raton, Delray Beach, Boynton Beach, Lake Worth, and West Palm Beach, are now experiencing redevelopment and gentrification.

The nature reserve area consists of a north-south corridor to the west of the urban corridor. This area consists of the large Loxahatchee National Wildlife Refuge in the south and central portion and several other natural areas in the north portion: Dupuis Reserve State Park, J.W. Corbett Wildlife Management Area, West Palm Beach Catchment Area, and Jonathan Dickinson State Park.

The agricultural reserve area in southeast Palm Beach County produces vegetables and ornamental plants while the agricultural area in western Palm Beach County is active in sugarcane production. Belle Glade, Pahokee, and South Bay are the three communities within the western agricultural area.

Population
Per ESRI, the county has an estimated population of 1,521,397 in 2022 representing about 7% of the state's population. Population growth from 2022 to 2027 is projected at 0.34%, which is less than the state's projected growth rate at 0.61%. The county's comparatively lower future growth rate reflects the county's advanced stage of development and diminishing supply of land available for development.

Economy
Palm Beach County has an employment base comprised mostly of several sectors: Trade, Transportation and Utilities; Professional and Business Services; Education and Health Services; and Leisure and Hospitality. These sectors are geared toward the seasonal and retiree segments that have been large part of the county's population.

Per the Palm Beach County Business Development Board, Palm Beach County's labor force consists of over 700,000 people. The county's unemployment rate is similar to that of the State of Florida and the United States, as shown on a chart in the following pages.

Housing
The Palm Beach County Business Development Board indicates Palm Beach County has a total of 700,000 housing units with a homeowner vacancy rate quite low at less than 3.0%. Per ESRI, the median home price in Palm Beach County is much higher than the state median home price.

Services
The county has good medical care facilities consisting of 34 hospitals and 1,992 physician offices. A recent trend in local health care is construction of satellite facilities with outpatient services.

The School District of Palm Beach County is the 10th largest public school district in the United States. The District reports an annual enrollment of 193,000 students and 22,340 employees. Numerous private schools are also available. Overcrowding is present in some areas. Prominent academic colleges in the county consist of Florida Atlantic University in Boca Raton, Palm Beach State College with four branch campuses, Palm Beach Atlantic University in West Palm Beach, and Lynn University in Boca Raton. The county has many vocational, technical, and charter schools.

Public water and sewer utilities are provided throughout the county by either incorporated municipalities, special districts, or by the county. Telephone service is provided by BellSouth and other telecommunication vendors. Standard electric service is generally available from Florida Power and Light. Natural gas is provided by main or delivered as liquefied petroleum gas by Peoples Gas System.

Transportation in Palm Beach County consists of Palm Beach International Airport (PBIA), Palm Beach Park Airport, Palm Beach County Glades Airport, North County Airport, Boca Raton Airport, Palm Tran, Port of Palm Beach and Tri-Rail. PBIA is conveniently located to serve the air trade area of Palm Beach County and the four surrounding counties. The 600,000 square foot airport accommodates 28 aircraft gates with expansion potential for 24 gates. The airport reports a passenger count of 6.5 million in the recent years, which is an increase year-over-year. The Boca Raton Airport, the Palm Beach Park Airport and the North County Airport are general aviation airports serving private and corporate airplanes.

Palm Tran is a public bus service in Palm Beach County. Palm Tran has been in service since 1971, runs seven days a week serving more than 3,200 bus stops with 150 buses in Palm Beach County. It has a ridership of over 10 million passengers a year.

Tri-Rail is also a means of public transportation in Palm Beach County. Formed in 1987, this light-rail system extends roughly 72 miles and runs parallel to Interstate 95 from West Palm Beach to Miami serving 18 stations. Ridership exceeded 4.2 million passengers in 2016.

Brightline is a recently constructed privately-held high-speed rail service serving Miami, Fort Lauderdale and West Palm Beach. Future expansion involves service to Orlando and other Florida cities.

Port of Palm Beach is one of the busiest container ports in Florida with over 2,500,000 tons of cargo shipped annually. The port also services over 500,000 cruise passengers.

Trends

Palm Beach County has well established urban and agricultural areas. Economic soundness is supported with a higher than average income, expanding employment centers, a wide range of commercial and public services and facilities, and many recreational opportunities. The county is poised for further growth.

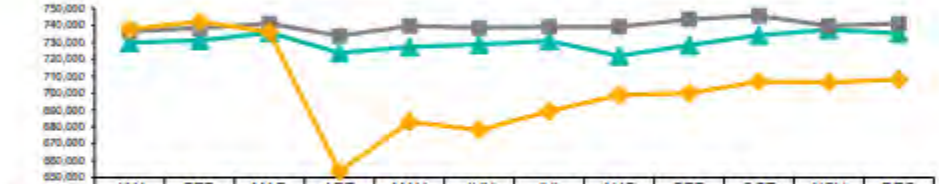
Future trends show modest population growth and a favorable outlook for Palm Beach County's economy. Population trends indicate further migration to the county will continue, and jobs will continue to increase and fuel economic growth in the county.

Problems typically associated with growth will continue to challenge Palm Beach County. The major challenges are schools, transportation and utilities to meet the needs of a growing population.

Palm Beach County Market Indicators

BUSINESS DEVELOPMENT BOARD PALM BEACH COUNTY

Palm Beach County Labor Force



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018	729,741	730,988	735,624	723,696	727,259	728,659	730,741	721,916	728,201	734,193	737,346	735,317
2019	736,447	738,367	741,017	733,680	739,697	738,576	739,057	739,151	743,523	745,652	739,579	740,986
2020	737,808	742,269	735,995	653,719	682,852	678,071	689,319	698,876	699,888	706,665	706,278	707,961

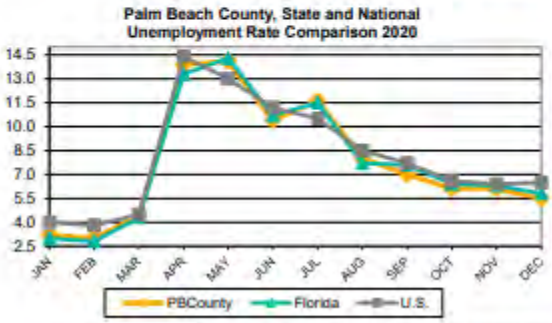
Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

Palm Beach County Unemployment Rates

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018	3.9	3.7	3.6	3.3	3.3	3.9	4.0	3.9	3.1	3.1	3.0	3.3
2019	3.9	3.4	3.2	2.9	3.1	3.6	3.6	3.7	3.2	3.0	2.8	2.7
2020	3.2	3.0	4.4	13.9	14.1	10.4	11.6	8.0	7.0	6.1	6.1	5.5

Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

2020 County, State & U.S Unemployment Rate Comparison



2020	PBC	Florida	U.S.
JAN	3.2	3.0	4.0
FEB	3.0	2.8	3.8
MAR	4.4	4.3	4.5
APR	13.9	13.3	14.4
MAY	14.1	14.3	13.0
JUN	10.4	10.7	11.2
JUL	11.6	11.5	10.5
AUG	8.0	7.7	8.5
SEP	7.0	7.6	7.7
OCT	6.1	6.4	6.6
NOV	6.1	6.3	6.4
DEC	5.5	5.8	6.5

Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

ENGAGEMENT LETTER

AUCAMP, DELLENBACK & WHITNEY
APPRAISERS & CONSULTANTS

December 19, 2022

Mr. Jake Leone
Frisbie Group
221 Royal Poinciana Way, Suite 1
Palm Beach, FL 33480

RE: Appraisal of Real Property
Office Building
125 Worth Ave
Palm Beach, FL 33480

Dear Mr. Leone,

As requested, we are pleased to submit this engagement letter for Aucamp, Dellenback & Whitney to provide appraisal services. The following outlines the scope of work for this assignment:

Client & User:	Frisbie Group, LLC
Use:	Assistance related to business decisions
Purpose:	Estimate Depreciated Replacement Cost in "as is" condition
Real Property:	125 Worth Ave, Palm Beach, FL 33480
Interest:	Not relevant
Valuation Date:	Current Date
Valuation Approaches:	Cost Approach
Site Visit:	Yes (Interior and Exterior)
Report Format:	Appraisal Report
Fee:	$3,600 (due at completion)
Delivery:	About 1 week from engagement
Other:	The subject is a multiple-tenant office building with a subterranean parking garage structure. Our estimate of depreciated replacement cost will include all building improvements (structure), but exclude the land and any site improvements. The Marshall & Swift BVS system will be used to generate the replacement cost.

1900 NW CORPORATE BOULEVARD, SUITE 215E, BOCA RATON, FLORIDA 33431
561-998-9326, FAX 561-241-4759

19 Dec 2022

AUCAMP, DELLENBACK & WHITNEY
APPRAISERS & CONSULTANTS

This appraisal assignment and report will be prepared in accordance with requirements of the Uniform Standards of Professional Appraisal Practice (USPAP) developed by the Appraisal Standards Board of the Appraisal Foundation, with the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, and with the requirements of the State of Florida for state-certified general real estate appraisers.

Any and all costs, including court costs and our attorney costs, associated with non-payment of the full appraisal fee will be paid by the client as listed herein.

We look forward to working with you on this assignment. Please contact me if you have any questions.

Respectfully submitted,

Jonathan Whitney, MAI
State-certified General Real Estate Appraiser RZ2943
jon@adw-appraisers.com
561-609-2884

ACKNOWLEDGEMENT AND AGREEMENT
My signature indicates acknowledgement and agreement with the above terms and conditions for performing this assignment.

Authorized Signature

19 DECEMBER 2022
Date

JOSHUA MARTIN, FEASIBLE GROUP
Name

1900 NW CORPORATE BOULEVARD, SUITE 215E, BOCA RATON, FLORIDA 33431
561-998-9326, FAX 561-241-4759

APPRAISER QUALIFICATIONS AND LICENSE

QUALIFICATIONS OF JONATHAN D. WHITNEY, MAI
State-certified General Real Estate Appraiser, RZ 2943

JONATHAN D. WHITNEY, MAI
Aucamp, Dellenback & Whitney
1900 NW Corporate Blvd, Suite 215E
Boca Raton, FL 33431

jon@adw-appraisers.com
561-609-2884

Professional Experience
Aucamp, Dellenback & Whitney, Boca Raton, FL, 2003 - Present
Real Estate Appraisers & Consultants

- Principal, 2016 - Present
- Commercial Real Estate Appraiser, 2003 - Present

Jonathan Whitney has 20 years of experience in valuing commercial real estate in the greater South Florida market. He heads the team of eight commercial real estate appraisers for independent Aucamp, Dellenback & Whitney (ADW), and values all major real property types: industrial, office, retail, and multifamily. Valuation assignments also include vacant development sites, residential subdivisions / condominiums, mixed-use buildings, and special-purpose properties. His partner, David Aucamp, SRA, heads the residential side of their firm with a separate team of seven residential appraisers.

Clients are mostly bank lenders, but also include investors, institutions, property owners, developers, brokers, attorneys, CPAs, municipalities, and associations. Real estate appraisal and consulting assignments involve estimating market value and-or market rent, and providing expert witness testimony. Valuation assignments range between relatively straight forward assignments to multiple-phased projects with complex cash flow considerations.

Education
Master in Arts in Business, University of Florida, 2000
Bachelor of Science in Economics, University of Florida, 1999
Boca Raton Community High School, 1995

Activities and Affiliations
Florida State-certified General Real Estate Appraiser, RZ 2943, 2006 - Present
Florida State-registered Associate Appraiser, RI 11475, 2003 - 2006

Appraisal Institute
- Designated Member (MAI), 2013 - Present
- Board of Directors, South Florida Chapter, 2018 - 2020
- Associate Member, 2004 - 2013

Planning and Zoning Board, City of Boca Raton
- Secretary, 2021 - Present
- Member, 2019 - Present

Zoning Board of Adjustment, City of Boca Raton
- Vice Chair, 2017 - 2018
- Member, 2013 - 2018

Urban Land Institute (ULI)
- Associate Member, 2019 - Present

Commercial Real Estate Development Association (NAIOP)
- Member, 2019 - Present

Boca Raton Federation of Homeowners
- Executive Board Member, 2018 - 2019

Boca Raton Chamber of Commerce
- Member (ADW), 1990s - Present
- Leadership Boca, Class of 2016

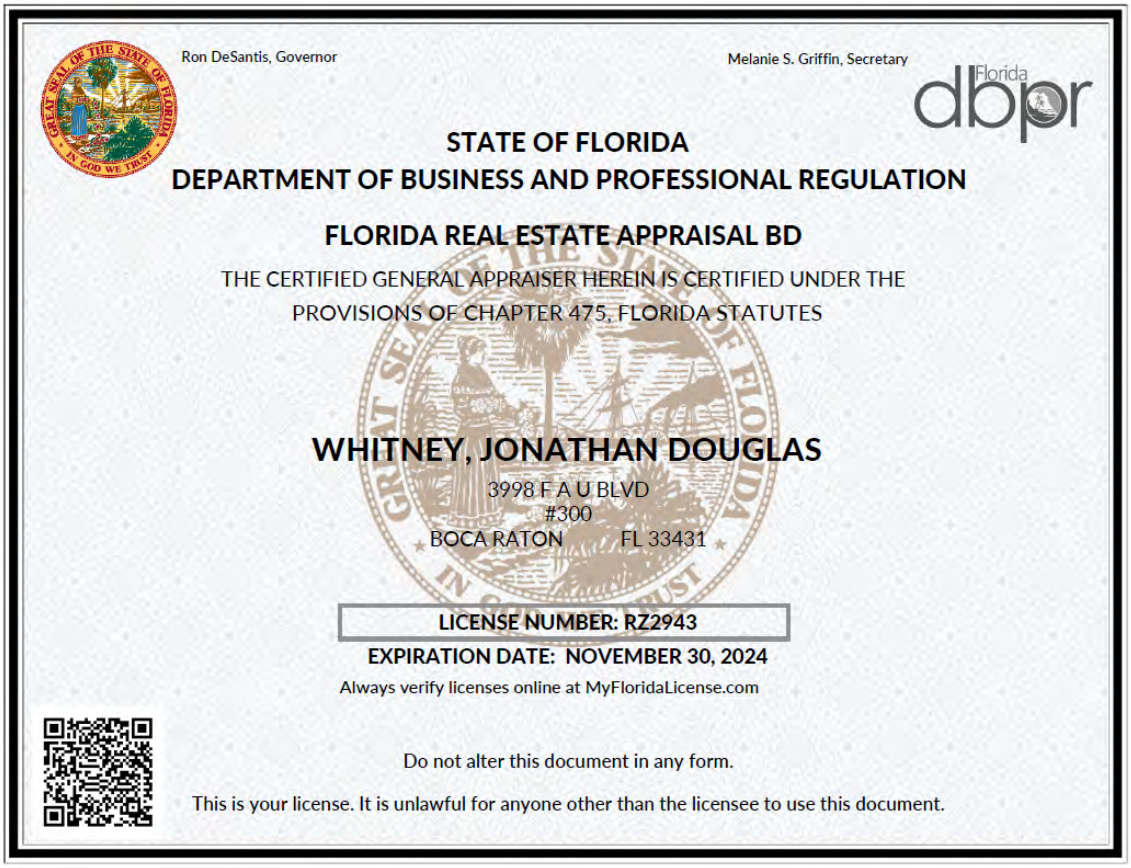
National Association of Divorce Professionals (NADP)
- Member, 2017 - 2019

Boca Raton Downtown Rotary Club
- Member, 2016 - Present
- Fund Board Member, 2020 - Present
- Mayors Ball Honorary Co-Chair, 2022
- Mayors Ball Co-Chair, 2021
- Mayors Ball Committee Member, 2016 - 2020

Spanish River Church and Christian School
- Member, Spanish River Church, 2011 - Present
- School Board Member, Spanish River Christian School, 2022 - Present
- Elder, Spanish River Church, 2017 - 2021

Recent Appraisal Institute Courses (sampling of recent courses)

USPAP (Uniform Standards of Professional Appraisal Practice) Update, 2022 - 2023
Florida State Law for Real Estate Appraisers, 2022
Supervisory Appraiser / Trainee Appraiser Course, 2022
Appraisal of Fast Food Restaurants, 2022
Business Practice & Ethics, 2018
Appraising Automobile Dealership, 2018
Technology Tips for Real Estate Appraisers, 2018
Advanced Applications, 2009
Advanced Income Capitalization, 2009
Advanced Sales Comparison and Cost Approaches, 2008
Report Writing and Valuation Analysis, 2008
Office Building Valuation: A Contemporary Perspective, 2007



Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

WHITNEY, JONATHAN DOUGLAS

3998 F A U BLVD
#300
BOCA RATON FL 33431

LICENSE NUMBER: RZ2943
EXPIRATION DATE: NOVEMBER 30, 2024

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Appraisal Institute®

Professionals Providing Real Estate Solutions

This Certifies That

Jonathan D. Whitney

has been admitted to membership as an

MAI Member

in the Appraisal Institute and is
entitled to all the rights and privileges of membership
subject only to the limiting conditions set forth from time to time
in the Bylaws and Regulations of the Appraisal Institute.

In Witness Whereof, the Board of Directors of the Appraisal Institute has
authorized this certificate to be signed in its behalf by the President, and the
Corporate Seal to be hereunto affixed on this *20th* day of *May 2013*

Richard L. Borget
President

This certificate is the property of the Appraisal Institute and must be returned to the Secretary upon termination of membership.

APPRAISER QUALIFICATIONS OF ANDREW SPERLING

State-certified General Real Estate Appraiser, RZ 4177

Andrew Sperling
Aucamp, Dellenback & Whitney
1900 NW Corporate Blvd, Suite 215E
Boca Raton, FL 33431

andrew@adw-appraisers.com
561-609-2885

Professional Experience
Florida State-certified General Real Estate Appraiser, RZ 4177

Activities and Affiliations
Florida State University – Real Estate Society Mentorship Program

Work Experience

September 2017 - Present	Staff Appraiser, Aucamp Dellenback & Whitney Boca Raton, FL Commercial Appraiser

Education
Florida State University - FL
Bachelor of Science, Business Administration, Finance, 2017
Bachelor of Science, Real Estate, 2017

Appraisal Courses:

- USPAP (Uniform Standards of Professional Appraisal Practice) Update, 2022 - 2023
- Florida State Law for Real Estate Appraisers, 2022
- Market Disturbances-Appraisals in Atypical Markets and Cycles, 2022
- Intermediate Income Approach Case Studies for Commercial Appraisers, 2022
- General Appraiser Income Approach, 2020
- Commercial Land and Site Valuation, 2020
- Basic Appraisal Principles, 2017
- Basic Appraisal Procedures, 2017
- Residential Report Writing, 2017
- Financial Statistics and Valuation Modeling, 2017

APPRAISER QUALIFICATIONS AND LICENSE

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

SPERLING, ANDREW WILLIAM

1900 NW CORPORATE BLVD
BOCA RATON FL 33431

LICENSE NUMBER: RZ4177

EXPIRATION DATE: NOVEMBER 30, 2024

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EXHIBIT F: 125 WORTH AVENUE DRAINAGE STATEMENT

KESHAVARZ & ASSOCIATES
Civil Engineers – Land Surveyors

Drainage Report for:
125 Worth Avenue, Palm Beach

Location:

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

FEMA Flood Data:

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

Existing Conditions:

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

Proposed Improvements:

The proposed project includes the renovation of portions of the office/retail space. The project also includes expanding the above ground building footprint above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.

Randy Wertepny, P.E.
Keshavarz & Associates
PE # 72504

EXHIBIT G: 125 WORTH AVENUE REVITALIZATION COST ESTIMATE

Gilbane

December 27, 2022

Mr. Wayne Bergman,
MCP, LEED-AP
Director, Planning,
Zoning & Building
Department

Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: 125 Worth Avenue Revitalization Plans - Revitalization Improvements Cost Estimate

Dear Mr. Bergman,

We hope that this letter finds you safe and well. We have been retained by Frisbie Group as part of their team working on the proposed revitalization plans for Worth Avenue. We have reviewed the proposed plans in great detail in order to provide preliminary cost estimates for the revitalization of 125 Worth Avenue.

Frisbie Group plans to use the Special Allowances outlined in the Worth Avenue Design Guidelines. For the purpose of determining eligibility for these Special Allowances, the proposed revitalization must qualify as a "Substantial Exterior Renovation or Restoration" which is defined as improvements costing 15% or more of the appraised value of the structure.

Frisbie Group has retained a separate firm to appraise the building and that appraisal is contained in the 125 Worth Avenue Revitalization Plan Application at the Town of Palm Beach.

Following our detailed review of the aforementioned plans, we estimate the planned improvements to be valued at a minimum of $32,100,000.

If you have any questions of our team, please feel free to contact Russell Anderson Randerson2@GilbaneCo.com or 954.818.2569. In advance, thank you for your time in this matter.

Sincerely,

Thomas Thrasher
Senior Vice President

GILBANE CORE VALUES:

- INTEGRITY
- TOUGHMINDEDNESS
- TEAMWORK
- DEDICATION TO EXCELLENCE
- LOYALTY
- DISCIPLINE
- CARING
- ENTREPRENEURSHIP

EXHIBIT H: 125 WORTH AVENUE ADDITIONAL CONCURRENCY: WATER, WASTEWATER, STORMWATER, SOLID WASTE

Subject: RE: 125 Worth Avenue - Concurrency Determination
Date: Tuesday, December 27, 2022 at 8:43:39 AM Eastern Standard Time
From: Randy Wertepny
To: Patricia Strayer
CC: Josh Martin, Deborah L. Fulgenzi, Craig Hauschild, Mark Williams
Attachments: 2019-12-11 - Keshavarz Assoc. - 125 Worth Ave.pdf, Concurrency Request Letter.pdf, Wastewate - Solid Waste Demand.pdf, Drainage Statement.pdf, Conceptual Eng Plans.pdf

Good morning Patricia,

The owner of the 125 Worth Avenue is in the ARCOM process for onsite renovations and building expansion. The owner previously obtained concurrency with the Town in 2019, please see attached letter, but ultimately did not receive approval from the Town for a mixed use (residential and commercial). The owner is now requesting concurrency for an increase in office / retail use for the site with no changes in the current use. Please see the attached concurrency request letter, wastewater and solid waste demand, conceptual engineering plans and drainage statement for the project.

Please let us know if you have any questions or need additional information.

Sincerely,

Randy Wertepny

From: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Sent: Wednesday, December 11, 2019 4:25 PM
To: Joan Sopczak <joan@keshavarz.com>
Cc: Randy Wertepny <randy@keshavarz.com>; Mark Williams <mark@keshavarz.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: RE: 125 Worth Avenue - Concurrency Determination

Please find attached the concurrency letter for 125 Worth Avenue.

Patricia

Patricia Strayer, PE
Town Engineer

Town of Palm Beach
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401
(O) 561.227.7056
(C) 561.339.7309

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.

Subject: RE: 125 Worth Avenue
Date: Tuesday, December 27, 2022 at 8:48:08 AM Eastern Standard Time
From: Rick Rossano
To: Randy Wertepny
CC: Josh Martin, Deborah L. Fulgenzi, Mark Williams, Debra Grayson, Vincent Noel
Attachments: image001.png, Water Demand.pdf, City of WPB Concurrency letter.pdf, 125 Worth Site Plan.pdf

Hi Randy – yes, it's been nice, thanks. Hope you are enjoying the break as well.

Deb, could you please prepare an LOA and invoice for the subject request?

Thanks,

Rick Rossano
Senior Project Coordinator
City of WPB Engineering Services
Ofc: (561) 494-1098
Cell: (561) 246-9525
Fax: (561) 494-1116

PLEASE NOTE: We are pleased to announce that Linda Quiñones-Cintron has joined our team as Project Coordinator. Please include her in future correspondence, her contact info is LQuinones@WPB.org, 561-494-1085.

Reminder: When emailing regarding Developer projects, please include project name and permit number (**E**-XXXXXXXX, or **Z**-XXXXXXXX). For Building Dept. permits, include 8 digit permit number.

Also, please always provide Developer submittals and resubmittals in both hard copy and digital formats (pdf, flash drive, disc or link). Use the drop box inside the first floor front door of City Hall marked Engineering Drop Box, and email before doing so to coordinate receipt of documents.

Online links for Engineering Forms, Publications and Standard Details:
https://www.wpb.org/government/engineering/engineering-forms-permits-and-applications

24 HR. CENTRAL OPS DISPATCH (Emergency response for Public Utilities, Public Works, Parks, etc.) 561-822-2210

From: Randy Wertepny <randy@keshavarz.com>
Sent: Tuesday, December 27, 2022 8:32 AM
To: Rick Rossano <rrossano@wpb.org>
Cc: Josh Martin <josh.martin@frisbiegroup.com>; Deborah L. Fulgenzi <deborah@keshavarz.com>; Mark Williams <mark@keshavarz.com>
Subject: 125 Worth Avenue

Good morning Rick,

I hope you are enjoying the holidays. The owner of the property is in the planning stages for a proposed renovation to construct a building addition of the property located at 125 Worth Avenue, Palm Beach. Please see the attached Water Demand Calculations for the proposed project along with a copy of the current site plan as well as the previous concurrency letter received from the City for this project.

Note the following proposed uses related to this project.

Existing: 52,427 of Retail / Office
Proposed: 73,221 SF of Retail / Office

Please provide a concurrency letter indicating that the City has adequate capacity to provide water service as described in the calculations and confirm the City's review fee for this request.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,

Randy Wertepny, P.E.
Vice President of Engineering

KESHAVARZ
—& ASSOCIATES—
CIVIL ENGINEERING | SURVEYING | CONSULTING

711 North Dixie Highway, Suite 201
West Palm Beach, Florida 33401
Tel: (561) 689-8600
Mob: (561) 329-8762
Randy@keshavarz.com
Keshavarz.com

This email may contain confidential and privileged information for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

GO GREEN - Please do consider the environment before printing this email. It takes an average of 5 liters of water to produce an 8.5" x11" sheet of paper.

TOWN OF PALM BEACH

Public Works Department

December 11, 2019

Ms. Randy Wertepny, P.E.
Keshavarz & Associates, Inc.
711 N Dixie Highway, Suite 201
West Palm Beach, FL 33401

RE: Water, Sewer, Solid Waste, and Drainage Concurrency: 125 Worth Avenue, Palm Beach, Florida

Dear Ms. Wertepny:

Subsequent to receiving the attached documentation, the Town has confirmed that there is sufficient equipment and resources to provide the required additional services at this location. Therefore, please allow this letter to serve as Acknowledgement of Concurrency from the Town of Palm Beach for sanitary sewer and solid waste on the above reference project.

In addition, we acknowledge receipt of the letter from the City of West Palm Beach indicating water supply capacity for this project.

If any additional information is needed, please do not hesitate to contact me.

Sincerely,

Patricia Strayer

Patricia K. Strayer, P.E.
Town Engineer

PKS:lm
Attachment

cc: H. Paul Brazil, P.E., Public Works Director
Paul Castro, Zoning Administrator
Public Works File

MAILING ADDRESS: Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (561) 838-5440
LOCATION: Suite A • 951 Old Okeechobee Road • West Palm Beach, Florida 33401 • Fax No. (561) 835-4691

KESHAVARZ
—& ASSOCIATES—
CIVIL ENGINEERING | SURVEYING | CONSULTING

Town of Palm Beach Public Works Department
Ms. Patricia Strayer P.E., Town Engineer
360 South County Road
Palm Beach, FL 33401

December 10th, 2019

K&A Project No. 19-1300

Attention: Ms. Patricia Strayer, P.E., Town Engineer

Reference: 125 Worth Avenue, Palm Beach. Proposed renovation to construct a building addition and use changes
Concurrency Determination for Water and Sewer

Dear Ms. Strayer:

Please find the following information attached for review for Concurrency Determination for Water and Sewer:

1. Solid Waste Comparative Analysis of Impacts
2. Wastewater Comparative Analysis of Impacts
3. Drainage statement

Concurrency Determination for Water Service was submitted to the City of West Palm Beach. We will provide a copy of their response via email once received.

The owner of this property is in the planning stages for a proposed renovation to construct a building addition on the eastern side of the property located at 125 Worth Avenue, Palm Beach.

Please provide a concurrency letter indicating that the Town has adequate capacity to provide the services described above.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,
KESHAVARZ & ASSOCIATES, INC.

Randy Wertepny, P.E.
Vice President of Engineering

Enclosures

p:\19-1300 125 worth ave\concurrency\topb 125 worth avenue concurrency request.docx

711 N Dixie Highway, Suite 201 • West Palm Beach, FL 33401 • 561-689-8600 • www.keshavarz.com

December 3, 2019
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

SOLID WASTE	
Service Provider	Town of Palm Beach (hauler), Palm Beach County Solid Waste Authority (disposal site)
Nearest Solid Waste Facility	Palm Beach County Solid Waste Authority located on N. Jog Road, south of State Road 710, approximately 11 miles northwest of the project site.
Level of Service	Per Comprehensive Plan
Current Demand	Office: 49,401 sf * 0.69 lbs / 100 sf / day = 340.9 lbs/day TOTAL CURRENT DEMAND = 341 LBS/DAY
Proposed Demand	Office: 49,401 sf * 0.69 lbs / 100 sf / day = 344 lbs/day Residential: 4 units *1.81 cap/unit*2.55 lbs/person/day = 18.5 lbs/day TOTAL PROPOSED DEMAND = 363 LBS/DAY
Change	INCREASE = 22 LBS/DAY (0.24 TONS/YEAR)
Proposed Pickup Plan	All solid waste pickup will be on Worth Avenue. Recycling is to be collected by the Town using SWA-supplied 95-gallon containers, collected street side. The waste and/or recycling produced by the office space and residential apartments will be collected and they will be brought to the street for pickup.

References: 1. Town of Palm Beach Comprehensive Plan
2. Palm Beach County Solid Waste Authority, Commercial Waste Generation Schedule

December 3, 2019
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

WASTEWATER	
Sewer Providers	Town of Palm Beach (gravity sewer / force main system) City of West Palm Beach Wastewater Treatment Plant (treatment)
Nearest Sewer Facility	There is an existing 8" gravity sewer main adjacent to the south side of the site within Worth Avenue right of way and there is an existing sewer main along the north side of the site within an existing utility easement.
Proposed Facilities	It is anticipated that development of this site will utilize the existing gravity sewer service connection to the existing gravity main within the easement along the north side of the project site. The capacity of the existing sewer service will be evaluated and compared to the proposed project's wastewater generation to confirm that the existing sewer service has adequate capacity.
Level of Service	Per Comprehensive Plan
Current Demand	Office/Retail: 49,401 sf * 0.15 gpd / sf = 7,410 gpd TOTAL CURRENT DEMAND = 7,410 GPD
Proposed Demand	Office/Retail: 49,877 sf @ 0.15 gpd / sf = 7,482 gpd Residential Apartments: 4 units * 350 gpd = 1,400 gpd TOTAL PROPOSED DEMAND = 8,882 GPD
Change	INCREASE = 1,471 GPD

References:
1. Town of Palm Beach Comprehensive Plan
2. Architectural Graphic Standards
3. Florida Administrative Code 64E-6 Standards for Sewage Treatment & Disposal Systems.

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401 phone:(561) 689-8600

KESHAVARZ & ASSOCIATES
Civil Engineers – Land Surveyors

Drainage Report for:
125 Worth Avenue, Palm Beach

Location:

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

FEMA Flood Data:

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

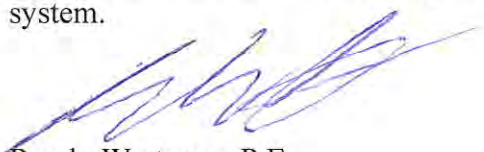
Existing Conditions:

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

Proposed Improvements:

The proposed project includes the renovation of portions of the office/retail space into 4 residential units. The project also includes expanding the above ground building footprint east, replacing the surface parking, above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.



Randy Wertepny, P.E.
Keshavarz & Associates
PE # 72504

WEST PALM BEACH

Engineering Services

December 11, 2019

Mr. Randy Wertepny
Keshavarz & Associates
711 N. Dixie Highway, Suite 201
West Palm Beach, FL 33401
Tel:561-689-8600
Email: randy@keshavarz.com

RE: E19120011-125 Worth Ave., Palm Beach-ENG LOA - ENG LOA
PCN: 50-43-43-23-05-016-0380

Dear Mr. Wertepny:

Thank you for the request and interest in being served by the City of West Palm Beach, Public Utilities Department. In response to your request for verification of service availability for the subject property; please be advised of the following:

Water Service: The City has sufficient water plant capacity to serve this property.

Wastewater Service: The City has sufficient wastewater plant capacity to serve this property.

Stormwater: The design must meet the South Florida Water Management District (SFWMD) criteria and may also be required to obtain an Environmental Resource Permit from SFWMD.

Solid Waste Collection: The City will be able to supply solid waste collection to serve this property.

This letter of service availability does not give approval of the development or service connections. The City of West Palm Beach Engineering Services Department still requires the review and approval of the plans for the actual service connections to be made, at the owner's expense.

Any required upgrades to City infrastructure will be determined at the time of design. The developer will assume all Right-of-Way utility improvements and upgrades associated with this project. The applicable capacity charges, installation charges, deposits, and other normal fees charged by the Public Utilities Department or Public Works Department shall be assessed at the time of request for permits/review.

We encourage you to contact us to discuss options for connecting the proposed project to our existing system. Please feel free to contact me at (561)494-1085 or Mgonzalez@wpb.org

Sincerely,

Manuel J. Gonzalez
Senior Project Coordinator
Engineering Division

City's TTY Phone: 800-955-8771

401 CLEMATIS STREET
P.O. BOX 3366
WEST PALM BEACH, FL 33401
561.494.1040

SWA
SOLID WASTE AUTHORITY
YOUR PARTNER FOR
SOLID WASTE SOLUTIONS

January 8, 2019

Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480

Subject: Availability of Solid Waste Disposal Capacity

Greetings:

The Solid Waste Authority of Palm Beach County (Authority) hereby provides certification that the Authority has disposal capacity available to accommodate the solid waste generation for the municipalities and unincorporated county for the coming year of 2019. This letter also constitutes notification of sufficient capacity for concurrency management and comprehensive planning purposes. Capacity is available for both the coming year, and the five and ten year planning periods that may be specified in local comprehensive plans.

As of September 30, 2018, the Authority's Landfill located at the Palm Beach Renewable Energy Park has an estimated 24,681,879 cubic yards of landfill capacity remaining. Based upon the existing Palm Beach County population, the most recently available population growth rates published by the University of Florida Bureau of Economic and Business and Research (BEBR), medium projection, and projected rates of solid waste generation, waste reduction and recycling, the Authority forecasts that capacity will be available at the existing landfill through approximately the year 2049.

The Authority continues to pursue options to increase the life of its existing facilities and to provide for all of the County's current and future disposal and recycling needs. As part of its responsibility, the Authority is providing this annual statement of disposal capacity, using the most current BEBR projections available. Please provide copies of this letter to your plan review and concurrency management staff. If you have any questions or I can be of further assistance, please do not hesitate to contact me.

Very truly yours,

Mary Beth Morrison

Mary Beth Morrison
Director of Environmental Programs

7501 North Jog Road, West Palm Beach, Florida 33412 (561) 640-4000 FAX (561) 640-3400
Recycled Paper

WEST PALM BEACH

Engineering Services

December 11, 2019

Mr. Randy Wertepny
Keshavarz & Associates
711 N. Dixie Highway, Suite 201
West Palm Beach, FL 33401
Tel:561-689-8600
Email: randy@keshavarz.com

RE: E19120011-125 Worth Ave., Palm Beach-ENG LOA - ENG LOA
PCN: 50-43-43-23-05-016-0380

Dear Mr. Wertepny:

Thank you for the request and interest in being served by the City of West Palm Beach, Public Utilities Department. In response to your request for verification of service availability for the subject property; please be advised of the following:

Water Service: The City has sufficient water plant capacity to serve this property.

Wastewater Service: The City has sufficient wastewater plant capacity to serve this property.

Stormwater: The design must meet the South Florida Water Management District (SFWMD) criteria and may also be required to obtain an Environmental Resource Permit from SFWMD.

Solid Waste Collection: The City will be able to supply solid waste collection to serve this property.

This letter of service availability does not give approval of the development or service connections. The City of West Palm Beach Engineering Services Department still requires the review and approval of the plans for the actual service connections to be made, at the owner's expense.

Any required upgrades to City infrastructure will be determined at the time of design. The developer will assume all Right-of-Way utility improvements and upgrades associated with this project. The applicable capacity charges, installation charges, deposits, and other normal fees charged by the Public Utilities Department or Public Works Department shall be assessed at the time of request for permits/review.

We encourage you to contact us to discuss options for connecting the proposed project to our existing system. Please feel free to contact me at (561)494-1085 or Mgonzalez@wpb.org

Sincerely,

Manuel J. Gonzalez
Senior Project Coordinator
Engineering Division

City's TTY Phone: 800-955-8771

401 CLEMATIS STREET
P.O. BOX 3366
WEST PALM BEACH, FL 33401
561.494.1040

KESHAVARZ
& ASSOCIATES
CIVIL ENGINEERING | SURVEYING | CONSULTING

Town of Palm Beach Public Works Department
Ms. Patricia Strayer P.E., Town Engineer
360 South County Road
Palm Beach, FL 33401

December 27th, 2022

K&A Project No. 19-1300

Attention: Ms. Patricia Strayer, P.E., Town Engineer

Reference: 125 Worth Avenue, Palm Beach. Proposed renovation to construct a building addition
Concurrency Determination for Water and Sewer

Dear Ms. Strayer:

Please find the following information attached for review for Concurrency Determination for Water and Sewer:

1. Solid Waste Comparative Analysis of Impacts
2. Wastewater Comparative Analysis of Impacts
3. Drainage statement

Concurrency Determination for Water Service was submitted to the City of West Palm Beach. We will provide a copy of their response via email once received.

The owner of this property is in the planning stages for a proposed renovation to construct a building addition on the property located at 125 Worth Avenue, Palm Beach.

Please provide a concurrency letter indicating that the Town has adequate capacity to provide the services described above.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,
KESHAVARZ & ASSOCIATES, INC.

Randy Wertepny, P.E.
Vice President of Engineering

Enclosures

711 N Dixie Highway, Suite 201 • West Palm Beach, FL 33401 • 561-689-8600 • www.keshavarz.com

KESHAVARZ & ASSOCIATES
Civil Engineers – Land Surveyors

Drainage Report for:
125 Worth Avenue, Palm Beach

Location:

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

FEMA Flood Data:

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

Existing Conditions:

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

Proposed Improvements:

The proposed project includes the renovation of portions of the office/retail space. The project also includes expanding the above ground building footprint above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.

Randy Wertepny, P.E.
Keshavarz & Associates
PE # 72504

December 27, 2022
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

WASTEWATER	
Sewer Providers	Town of Palm Beach (gravity sewer / force main system) City of West Palm Beach Wastewater Treatment Plant (treatment)
Nearest Sewer Facility	There is an existing 8" gravity sewer main adjacent to the south side of the site within Worth Avenue right of way and there is an existing sewer main along the north side of the site within an existing utility easement.
Proposed Facilities	It is anticipated that development of this site will utilize the existing gravity sewer service connection to the existing gravity main within the easement along the north side of the project site. The capacity of the existing sewer service will be evaluated and compared to the proposed project's wastewater generation to confirm that the existing sewer service has adequate capacity.
Level of Service	Per Comprehensive Plan
Current Demand	Office/Retail: 52,427 sf * 0.15 gpd / sf = 7,864 gpd TOTAL CURRENT DEMAND = 7,864 GPD
Proposed Demand	Office/Retail: 73,221 sf @ 0.15 gpd / sf = 10,983 gpd TOTAL PROPOSED DEMAND = 10,983 GPD
Change	INCREASE = 3,119 GPD

References: 1. Town of Palm Beach Comprehensive Plan
2. Architectural Graphic Standards
3. Florida Administrative Code 64E-6 Standards for Sewage Treatment & Disposal Systems.

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401 phone:(561) 689-8600

November 17, 2022
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

SOLID WASTE	
Service Provider	Town of Palm Beach (hauler), Palm Beach County Solid Waste Authority (disposal site)
Nearest Solid Waste Facility	Palm Beach County Solid Waste Authority located on N. Jog Road, south of State Road 710, approximately 11 miles northwest of the project site.
Level of Service	Per Comprehensive Plan
Current Demand	Office/Retail: 52,427 sf * 0.69 lbs / 100 sf / day = 361.8 lbs/day TOTAL CURRENT DEMAND = 362 LBS/DAY
Proposed Demand	Office/Retail: 73,221 sf * 0.69 lbs / 100 sf / day = 505.2 lbs/day TOTAL PROPOSED DEMAND = 505 LBS/DAY
Change	INCREASE = 143 LBS/DAY (26.2 TONS/YEAR)
Proposed Pickup Plan	All solid waste pickup will be on Worth Avenue. Recycling is to be collected by the Town using SWA-supplied 95-gallon containers, collected street side. The waste and/or recycling produced by the office space and retail will be collected and they will be brought to the street for pickup.

References: 1. Town of Palm Beach Comprehensive Plan
2. Palm Beach County Solid Waste Authority, Commercial Waste Generation Schedule

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401 phone:(561) 689-8600

KESHAVARZ & ASSOCIATES, INC.
711 North Dixie Highway, Suite 200
West Palm Beach, Florida 33401
phone: (561) 689-8600
fax: (561) 689-7476

125 Worth Avenue

EXISTING WATER DEMAND CALCULATIONS

	Quant.	Units	Rate/Ea (gpd)	Subtotal (gpd)	Subtotal (gpm)
COMMERCIAL					
Retail / Office	52,427	SF	0.15	7,864	5.46
Subtotal (commercial)				**7,864**	**5.46**
SUMMARY				**7,864**	**5.46**

PROPOSED WATER DEMAND CALCULATIONS

	Quant.	Units	Rate/Ea (gpd)	Subtotal (gpd)	Subtotal (gpm)
COMMERCIAL					
Retail / Office	73,221	SF	0.15	10,983	7.63
Subtotal (commercial)				**10,983**	**7.63**
SUMMARY				**10,983**	**7.63**

AVG DAY (GPM)	7.63	GPM
PEAK FACTOR	2.50	
MAX DAY (GPM)	**19.07**	**GPM**

TC Development Review Meeting Backup 4-04-2023

PLOT DATE: Nov 17, 2022 TIME: 5:16pm BY: rwertenpny
DRAWING: P:\19-1300 125 Worth Ave\4A DWG\C02 Plan.dwg LAYOUT: C-01

EXISTING CONDITIONS PLAN

125 WORTH AVE

PALM BEACH COUNTY, FLORIDA

SCALE	DATE
1"=10'	10-24-22
CAD	DESIGNED
RW	RW
	CHECKED
	APPROVED
	MK

No.	Date	Description

KESHAVARZ & ASSOCIATES
Civil Engineers • Land Surveyors
711 North Dixie Highway, Suite 201
West Palm Beach, Florida 33401
Tel: (561) 689-0600
Certificate of Authorization No. 4897

PROJECT No. 19-1300

SHEET No. C-01

Randy Wertepny
P.E. 72504
Nov 17, 2022

IT'S THE LAW !
CALL TWO (2) BUSINESS DAYS
BEFORE YOU DIG
SUNSHINE 811

VERTICAL DATUM

ALL ELEVATIONS SHOWN ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

SURVEY PROVIDED BY WALLACE SURVEYING CORPORATION DATED 10/2/2019

RANDY SCOTT WERTEPNY ★ LICENSE No. 72504 ★ STATE OF FLORIDA ★ PROFESSIONAL ENGINEER

This item has been digitally signed and sealed by Randy Wertepny on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

GRAPHIC SCALE
0 5' 10' 20'

N

March 24, 2023
ARC-23-022
ZON-23-022

LOT 21 BLOCK 16 | LOT 22 BLOCK 16 | LOT 23 BLOCK 16 | LOT 24 BLOCK 16 | LOT 25 BLOCK 16 | LOT 26 BLOCK 16 | LOT 27 BLOCK 16 | LOT 28 BLOCK 16 | LOT 29 BLOCK 16 | LOT 30 BLOCK 16 | LOT 31 BLOCK 16 | LOT 32 BLOCK 16 | LOT 35 BLOCK 16

℄ 5' U.E. (P), D.B. 18, PG. 49 & D.B. 118, PG. 144

O/H | O/H | O/H | WOOD FENCE | AT&T BOX | RAISED CURB | CONC. | CATV RISER | STEPS | WALL | RAISED CONC. | G.A.

90° | WALL CORNER ALONG LINE | WALL | METAL VENT | CONC. WALL | P

EX. DECK DRAIN TO REMAIN (TYPICAL) DIRECT RUNOFF TOWARDS EX. DRAIN

EX. DECK DRAIN TO REMAIN (TYPICAL) DIRECT RUNOFF TOWARDS EX. DRAIN

APPROXIMATE LIMITS OF BASEMENT AND SUB-BASEMENT LEVELS

5' F.P.L. U.E.

5' F.P.L. U.E. (O.R.B. 2124, PG. 1528)

WALL CORNER ALONG LINE | CONC. WALL | P

PROPOSED DECK DRAIN CONNECT TO EX. DRAINAGE IN BASEMENT

12.35

PROPOSED BUILDING FOOT PRINT

LOT 36 BLOCK 16

LOT 49 BLOCK 16

125'(P)

CONC. WALL | P | BALCONY | UNDERGROUND PARKING | RAISED CONC. | CONC. | P | RAISED CONC.

1ST

#125
3-STORY BUILDING
(WITH UNDERGROUND GARAGE)

T.F.E. +12.35'

49.5'

SHED | CONC. | RAISED CONC. | 125'(P)

APPROXIMATE LIMITS OF BASEMENT AND SUB-BASEMENT LEVELS

SAW CUT NEAT AND REMOVE EXISTING CONCRETE DRIVE & CURB

41.6'

19.9'

EX. DECK DRAIN TO REMAIN (TYPICAL) DIRECT RUNOFF TOWARDS EX. DRAIN

LOT 37 BLOCK 16

METAL VENT | METAL VENT | CONC. WALL | CONC. | RAISED CONC. | P | CONC. WALL | WALL | CONC. WALL ALONG LINE

WALL CORNER 0.1'E. | 90° | 0.8 | CONC. WALK | TYPE 'D' CURB | 0.8 | LP | sd | RAISED CURB | SIDE | 0.8 | LP | F.F.E. | 9.4 | F.F.C. | 0.9 | CONC. WALK | 0.9 | CONC. WALK

ASPHALT | CONC. | RAISED CURB | 8' | 15' | BENCHMARK MAG NAIL EL.=10.03 NAVD | ASPHALT | VALLEY CURB | REMOVE CURB & GUTTER, REPLACE WITH TYPE 'F' CURB | CURB INLET EL.=9.77 | EX. FIRE HYDRANT (TYP) | EX. 10" PVC PIPE | EX. STORM MH | EX. 10" PVC PIPE | RAISED CURB | ASPHALT | VALLEY CURB | 15' | BENCHMARK MAG NAIL EL.=11.46 NAVD | ASPHALT | CONC. | RAISED CURB | 8' | ASPHALT | n.E.B. | T.V.P.I. MANHOLE | CONC. WALK | EX. 10" PVC PIPE | DRIVEWAY SIGHT VISIBILITY TRIANGLES (TYPICAL) | EX. STORM MH

sd | 12" | 14" | 15" | E.B. | P

(PUBLIC)
℄ WORTH AVE.

DRAINAGE NOTES:
1. EXISTING DRAINAGE SYSTEM IS BASED UPON FOUND DESIGN RECORDS FROM ORIGINAL CONSTRUCTION TOGETHER WITH FIELD VERIFICATION.
2. ADDITIONAL FIELD INVESTIGATION SHALL BE PERFORMED DURING THE DESIGN PHASE TO CONFIRM EXTENT OF EXISTING DRAINAGE CONFIGURATION.
3. THE PROPOSED BUILDING ADDITION DRAINAGE / ROOF DRAINAGE SHALL BE DIRECTED TO THE EXISTING ONSITE DRAINAGE SYSTEM CURRENTLY DRAINING THE SURFACE PARKING ALONG THE PERIMETER OF THE SITE.
4. ALL MAJORITY OF THE IMPROVEMENTS AND CHANGES TO THE SITE ARE LOCATED ABOVE THE LOWER LEVEL PARKING / BASEMENT.

RANDY SCOTT WERTEPNY LICENSE No. 72504 STATE OF FLORIDA PROFESSIONAL ENGINEER

This item has been digitally signed and sealed by Randy Wertepny on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

GRAPHIC SCALE
0 5' 10' 20'

N

VERTICAL DATUM
ALL ELEVATIONS SHOWN ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
SURVEY PROVIDED BY WALLACE SURVEYING CORPORATION DATED 10/2/2019

IT'S THE LAW ! SUNSHINE 811
CALL TWO (2) BUSINESS DAYS BEFORE YOU DIG

Randy Wertepny
P.E. 72504
Nov 17, 2022

KESHAVARZ & ASSOCIATES
Civil Engineers • Land Surveyors
711 North Dixie Highway, Suite 201
West Palm Beach, Florida 33401
Tel: (561) 689-8600
Certificate of Authorization No. 4897

No.	Description	Date

CONCEPTUAL GRADING & DRAINAGE PLAN

DATE	11-7-22	DESIGNED	RW	CHECKED	KW
SCALE	1"=10	CAD	RW	APPROVED	KK

125 WORTH AVE
PALM BEACH COUNTY, FLORIDA

PROJECT No. 19-1300

SHEET No. C-02

PLOT DATE: Nov 17, 2022 TIME: 4:56pm BY: rwertepny
DRAWING: P:\19-1300 125 Worth Ave\KA DWG\C02 Plan.dwg LAYOUT: C-02

TC Development Review Meeting Backup 4-04-2023

Town of Palm Beach

Planning Zoning and Building
360 S County Rd Palm Beach, FL 33480
www.townofpalmbeach.com

Zoning Legend

Line #					
1	**Property Address:**	125 WORTH AVE.			
2	**Zoning District:**	C-WA (COMMERICAL WORTH AVE.)			
3	**Structure Type:**	CBS			
4		Required/Allowed	Existing	Proposed	Note
5	Lot Size (sq ft)	4,000 (MIN.)	34,462	34,462 [N/C]	
6	Lot Depth (ft)	90 (MIN.)	125.35	125.35 [N/C]	
7	Lot Width (ft)	30 (MIN.)	274.93	274.93 [N/C]	
8	Lot Coverage (Sq Ft and %)	25,847, 75% (MAX.) 1ST FLR. 22,401, 65% (MAX.) 2ND FLR. 10,339, 30% (MAX.) 3RD FLR.	19,993, 58.0% 1ST FLR. 20,696, 60.0% 2ND FLR. 19,502, 56.6% 3RD FLR.	21,209, 61.5% 1ST FLR. 21,524, 62.5% 2ND FLR. 21,524, 62.5% 3RD FLR.	**1**
9	Enclosed Square Footage (Basement, 1st Fl, 2nd Fl., Accesory Structues, etc)	N/A	128,191	137,157	
10	Cubic Content Ratio (CCR) (R-B ONLY)	N/A	N/A	N/A	
11	Floor Area (Sq Ft)	15,000	66,975	75,941	**2**
12	*Front (South) Yard Setback (Ft.)	5	4.7	3.5	**3**
13	* Side (East) Yard Setback (Ft.)	5	49.5	49.5 [N/C]	
14	* Side (West) Yard Setback (Ft.)	5	23.8	23.8 [N/C]	
15	*Rear (North) Yard Setback (Ft.)	10 (MIN.)	15.2	15.2 [N/C]	
16	Angle of Vision (Deg.)	N/A	N/A	N/A	
17	Building Height (Ft.)	40 (MAX.)	47.75	53.0	**4**
18	Overall Building Height (Ft.)	45 (MAX.) FLAT 50 (MAX.) PITCHED	52.25	59.5	
19	Length (Ft.)	150	201.83	201.83 [N/C]	**5**
20	Crown of Road (COR) (NAVD)	N/A	+12.02'	+12.02' [N/C]	
21	Max. Amount of Fill Added to Site (Ft.)				
22	Finished Floor Elev. (FFE)(NAVD)	N/A	+12.35'	+12.35' [N/C]	
23	Zero Datum for point of meas. (NAVD)	N/A	+12.35'	+12.35' [N/C]	
24	FEMA Flood Zone Designation	N/A	"X"	"X" [N/C]	
25	Base Flood Elevation (BFE)(NAVD)	N/A	N/A	N/A	
26	Landscape Open Space (LOS) (Sq Ft and %)	8,616, 25% (MIN.)	2,461, 7.14%	2,444, 7.09%	
27	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A	
28	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A	
29	**Native Plant Species %	*Please refer to separate landscape legend.*			
30	Parking Spaces	(T.B.D.)	158	139	

** Indicate each yard area with cardinal direction (N,S,E,W)*

*** Provide Native plant species calculation per category as requited by Ord. 24-2021 on separate table*

If value is not applicable, enter N/A

If value is not changing, enter N/C

NOTES

(All notes below per Worth Avenue Design Guidelines (Commercial Redevelopment at East-End Development Area):

1. Special Allowance for increase in Maximum Building Lot Coverage
2. Eligible for elimination of Building Floor Area Limitation
3. A ten-foot-wide pedestrian walkway is req'd. between the street curbline and the building, of which not more than five feet may be on the town street right-of-way.
4. Special Allowance for increase in Building Height
5. Eligible for elimination of Building Length Limitation

REV BF 20220304

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
ZONING LEGEND

DATE
NOV. 21, 2022

SHEET NO
A-002

SCALE
AS NOTED

BY
CG

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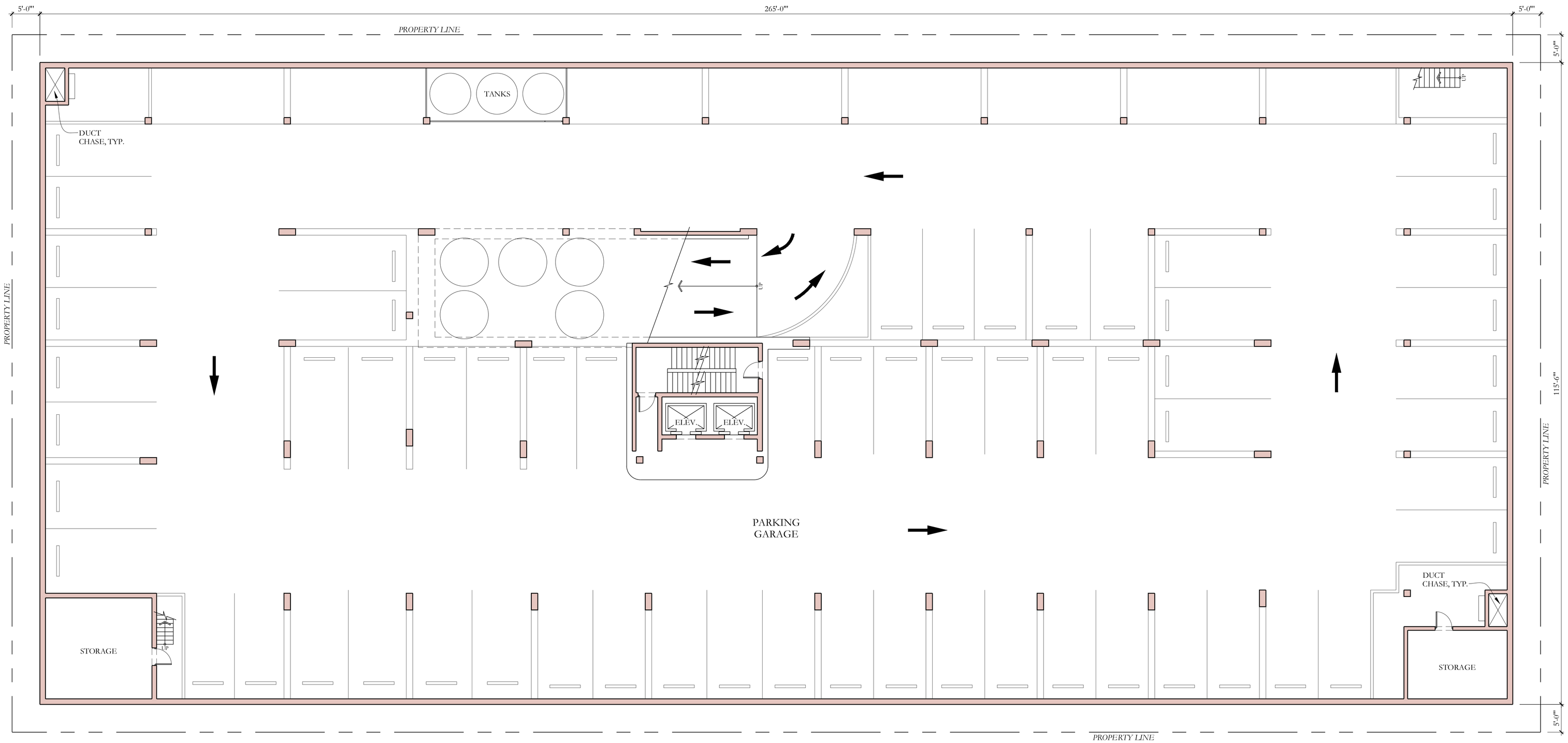

1 EXISTING SUB-BASEMENT FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SUB-BASEMENT FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	EX-100
SCALE 1" = 10'-0"	
BY CG	

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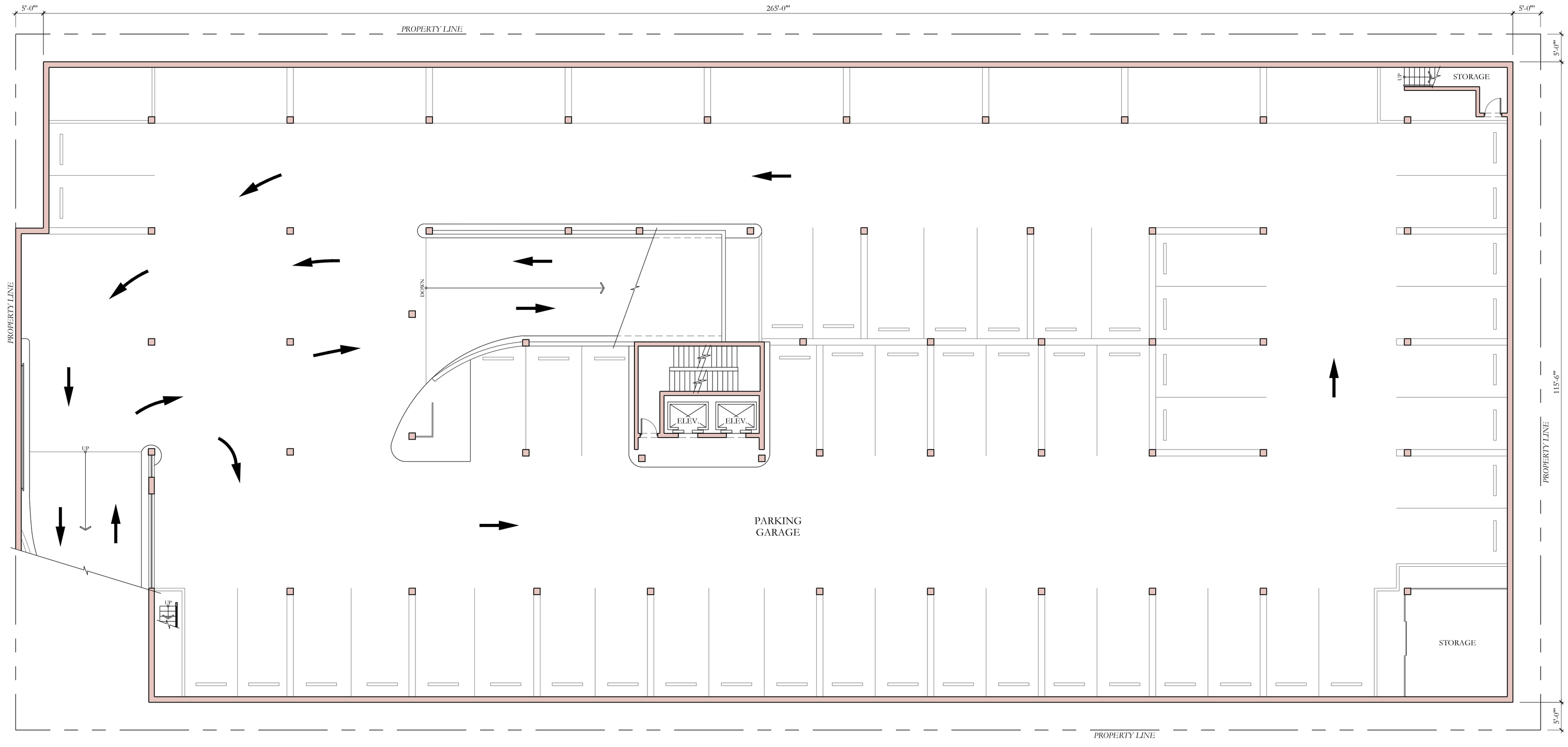
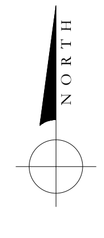


1 EXISTING BASEMENT FLOOR PLAN
1"=10'-0"



0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXISTING BASEMENT FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-101

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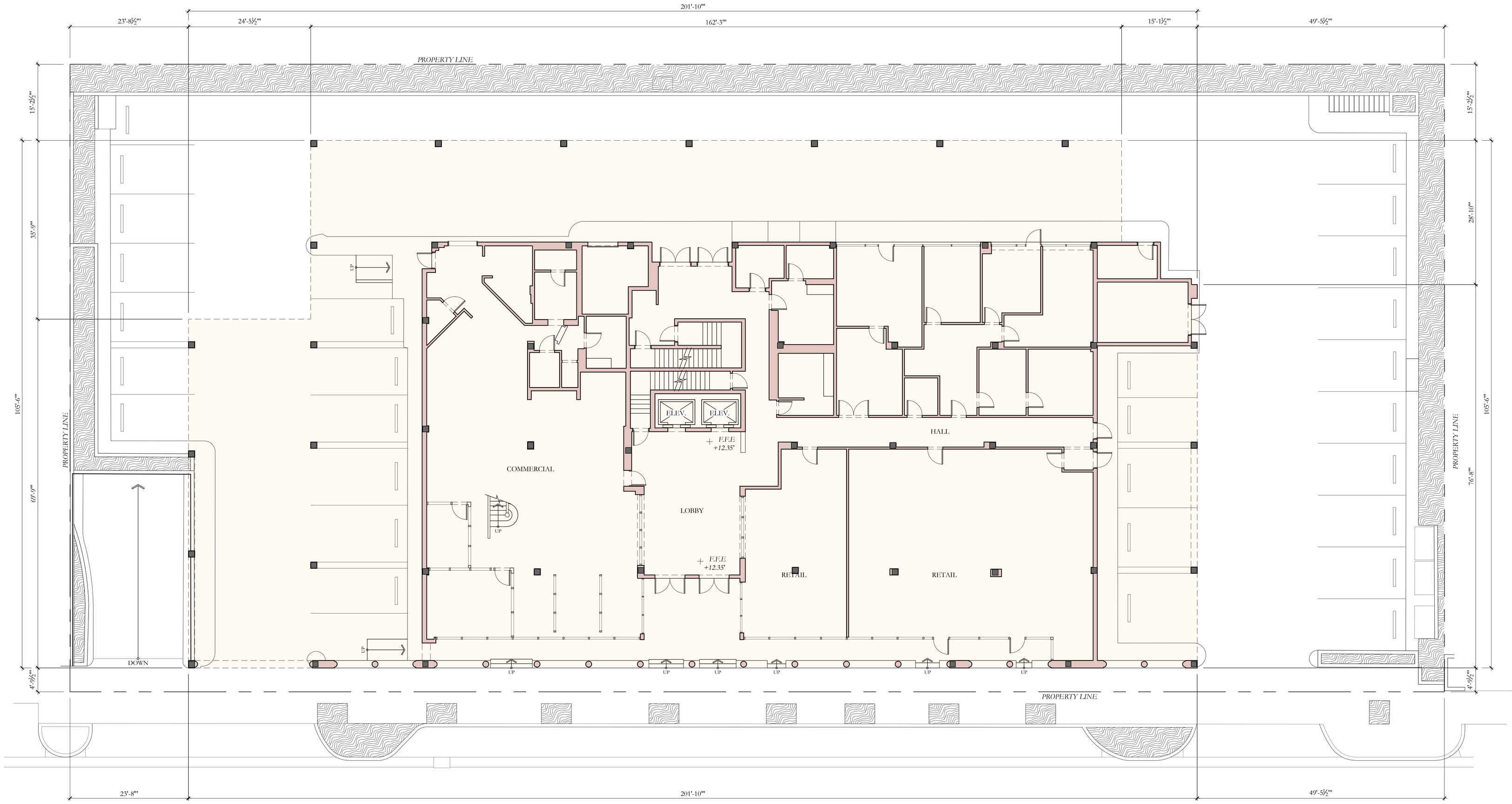

1 EXISTING FIRST FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXISTING FIRST FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-102

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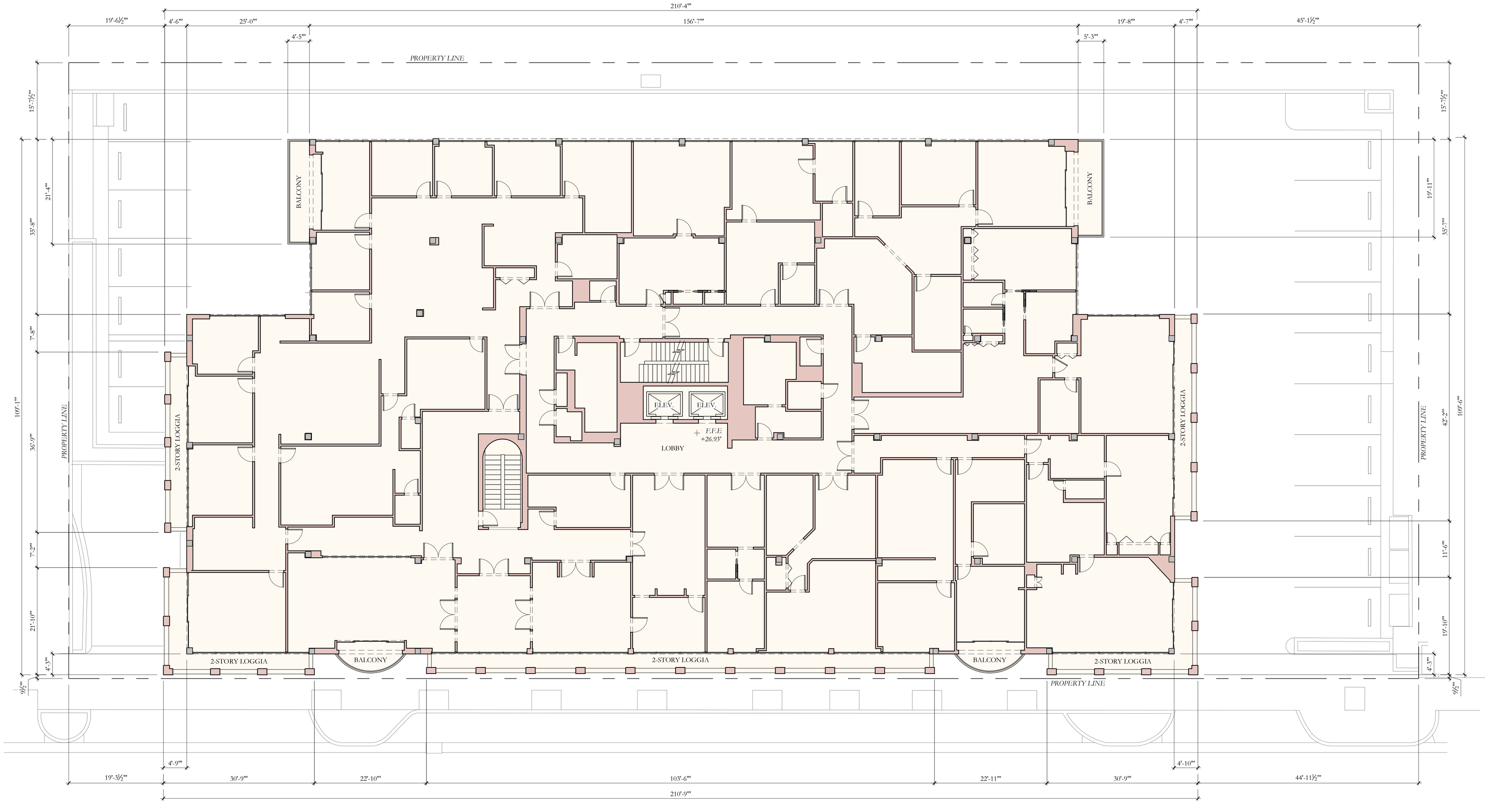

1 EXISTING SECOND FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SECOND FLOOR PLAN

DATE NOV. 21, 2022

SCALE 1" = 10'-0"

BY CG

SHEET NO EX-103

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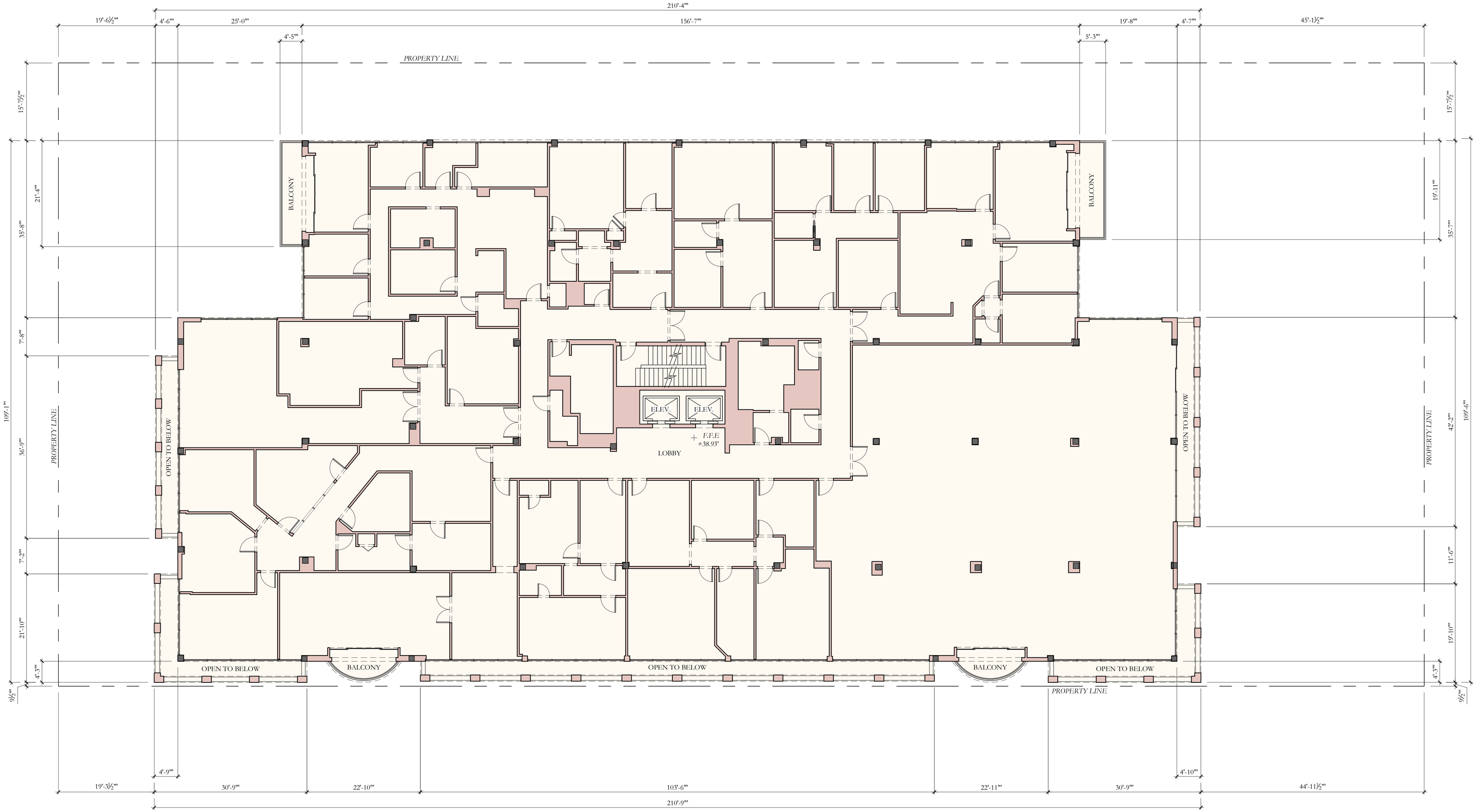

1 EXISTING THIRD FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING THIRD FLOOR PLAN

DATE NOV. 21, 2022

SCALE 1" = 10'-0"

BY CG

SHEET NO EX-104

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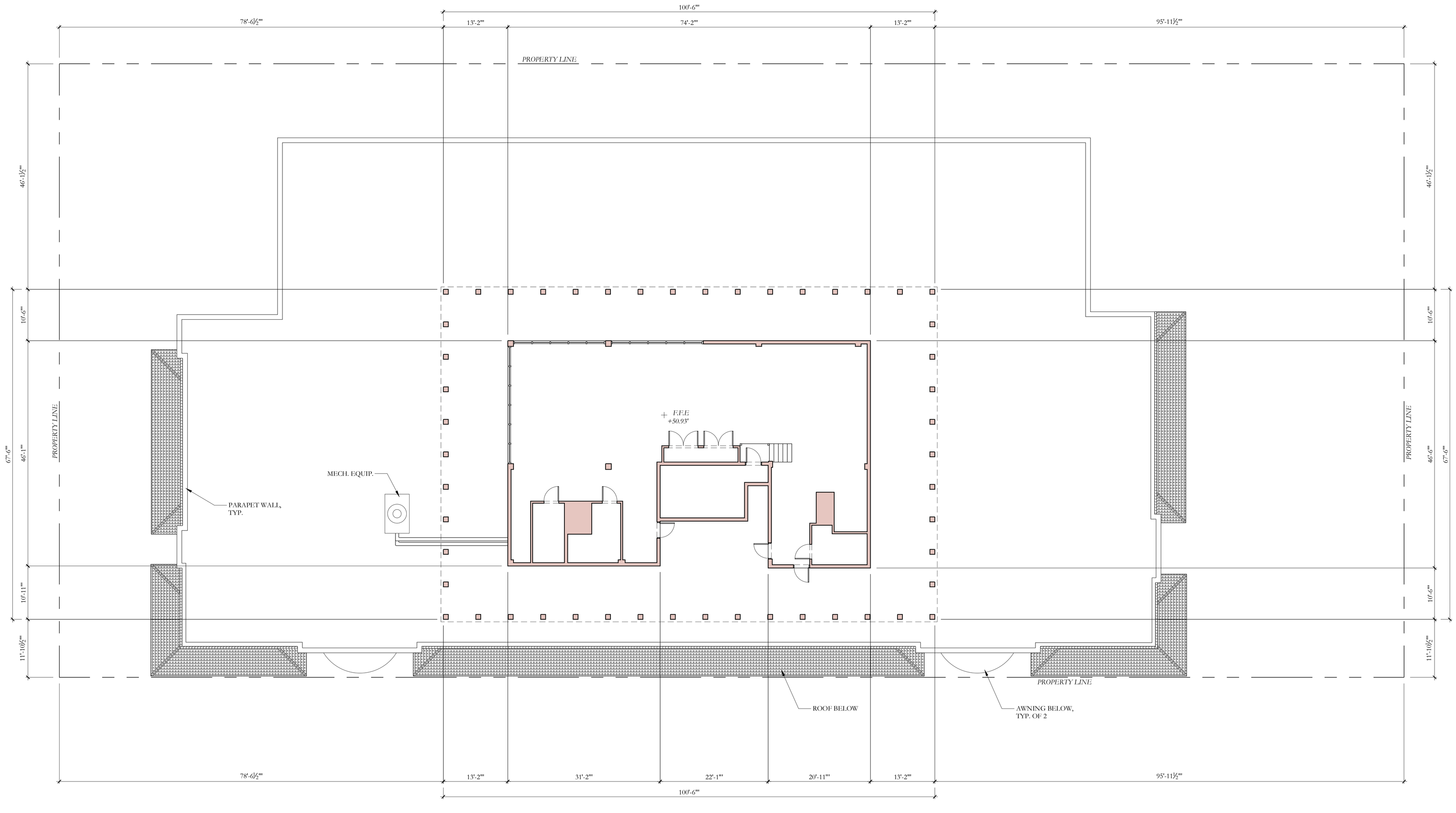
March 24, 2023
ARC-23-032
ZON-23-032



1 EXISTING FOURTH FLOOR PLAN
1"=10'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING FOURTH FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	EX-105
SCALE 1" = 10'-0"	
BY CG	

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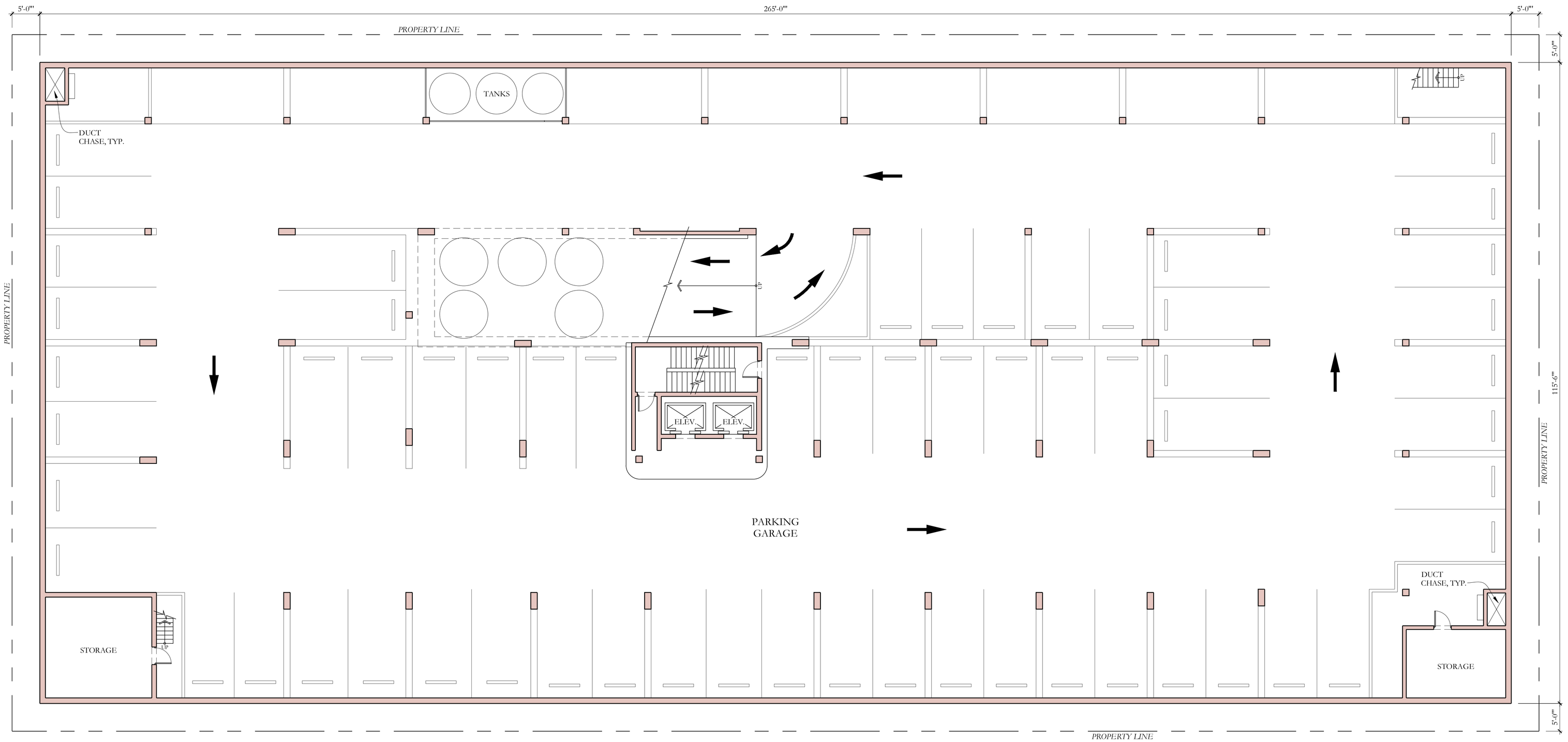
NORTH

0 1 25'



1 PROPOSED SUB-BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED SUB-BASEMENT FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	A-100
SCALE 1" = 10'-0"	
BY CG	

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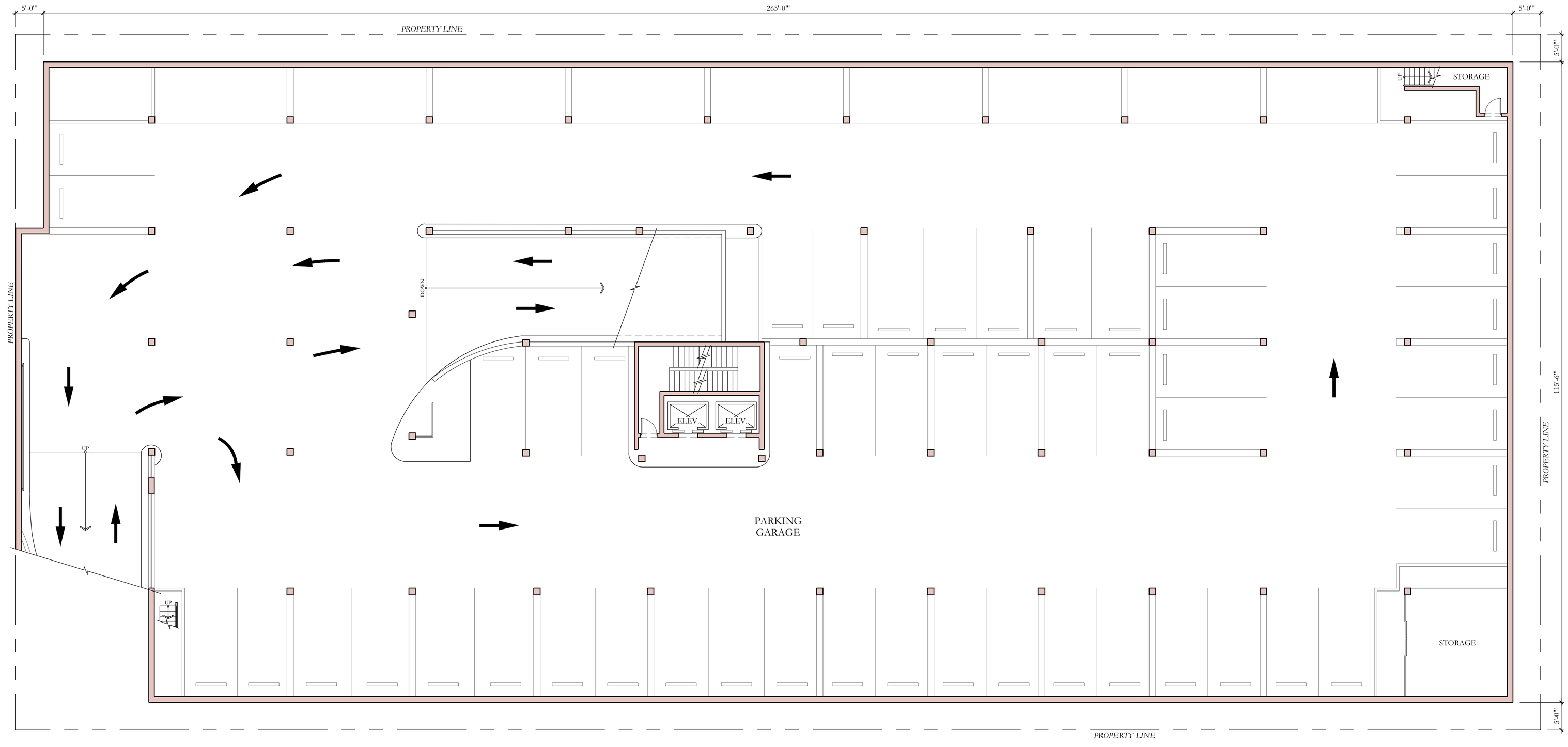

1 PROPOSED BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED BASEMENT FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
A-101

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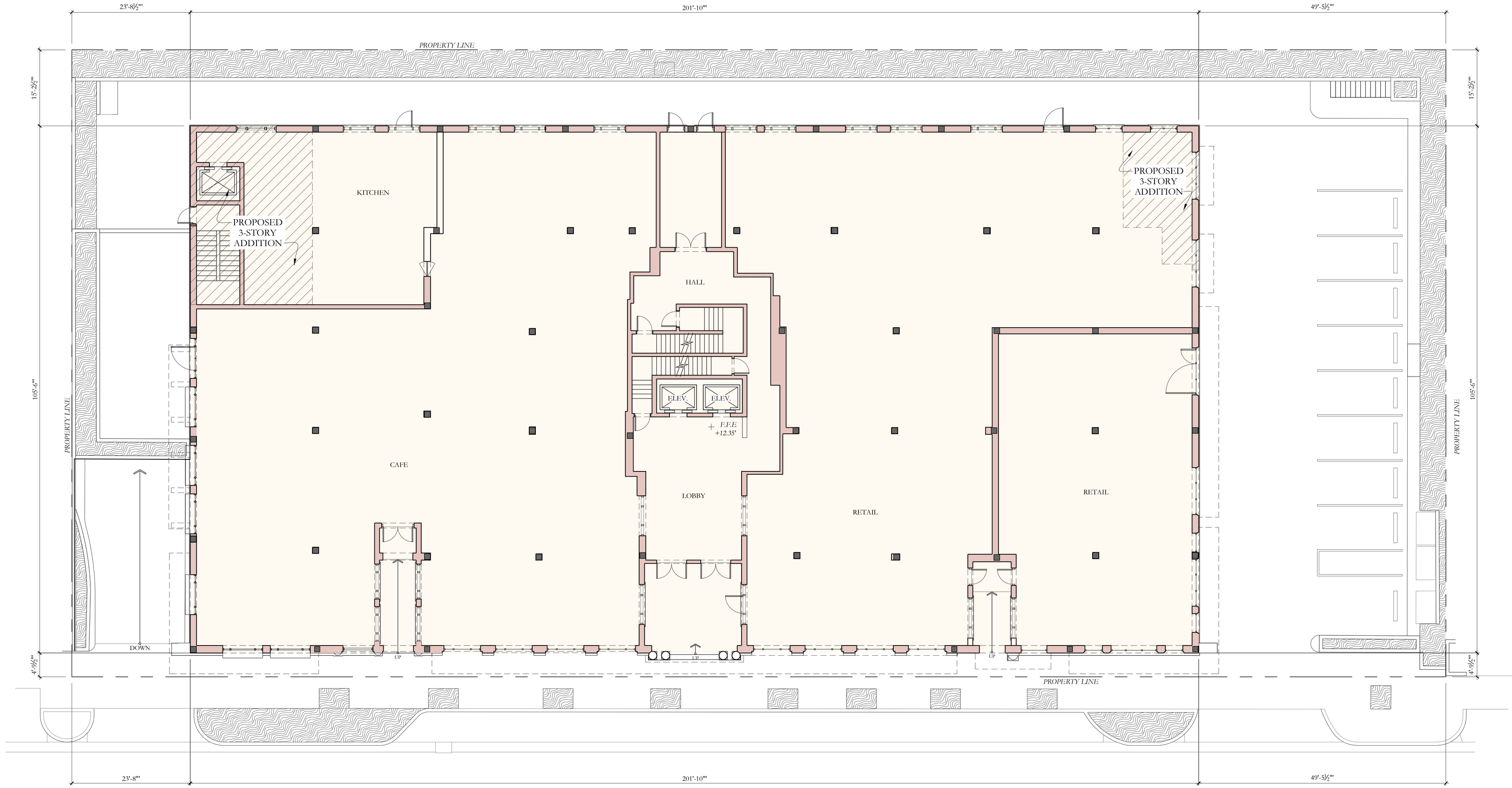

1 PROPOSED FIRST FLOOR PLAN
1"=10'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED
FIRST FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	A-102
SCALE 1" = 10'-0"	
BY CG	

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
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LICENSE NO. AA26000546

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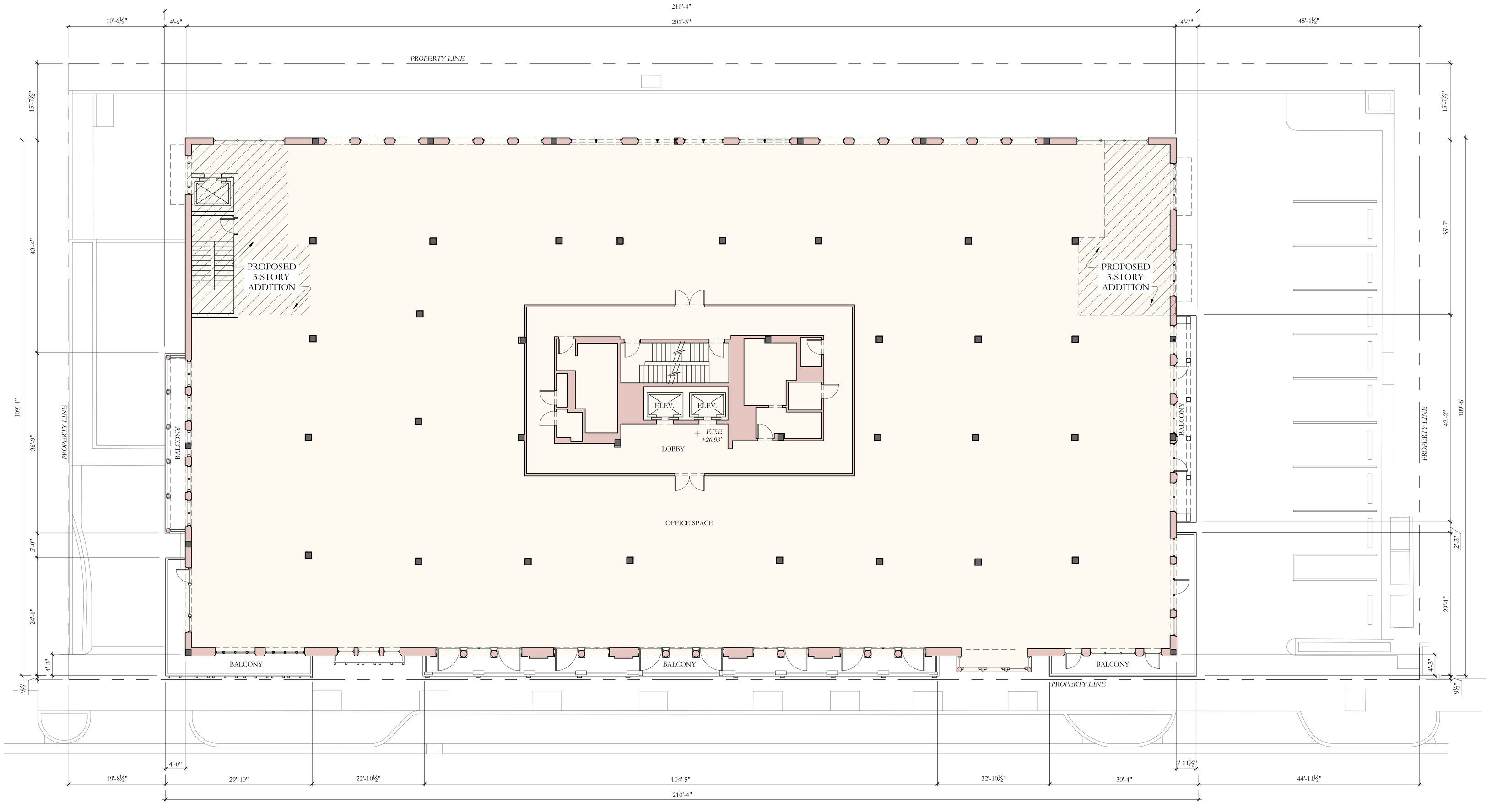
0 1 25'

NORTH



1 PROPOSED SECOND FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED SECOND FLOOR PLAN

DATE NOV. 21, 2022

SCALE 1" = 10'-0"

BY CG

SHEET NO A-103

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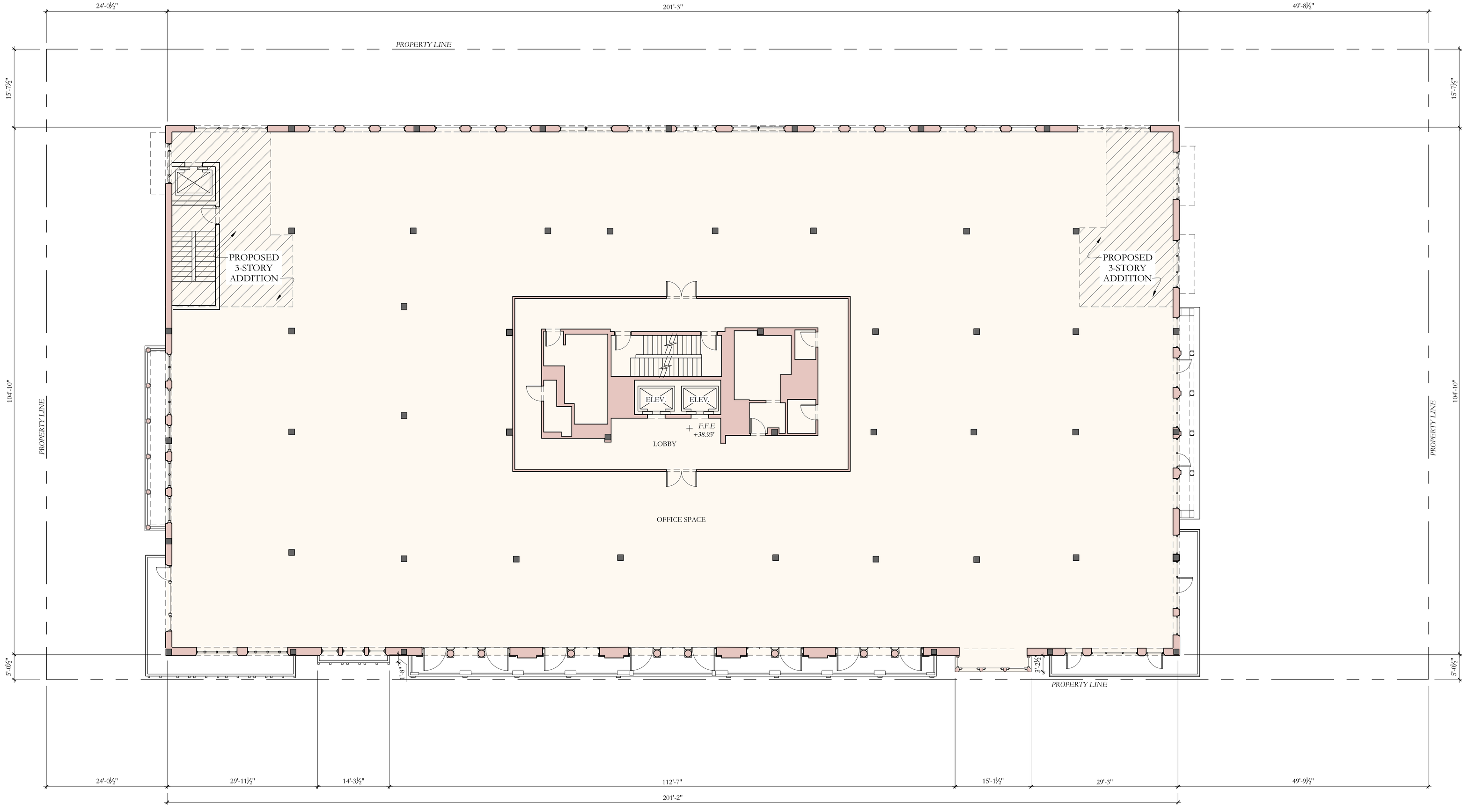

1 PROPOSED THIRD FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED THIRD FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
A-104

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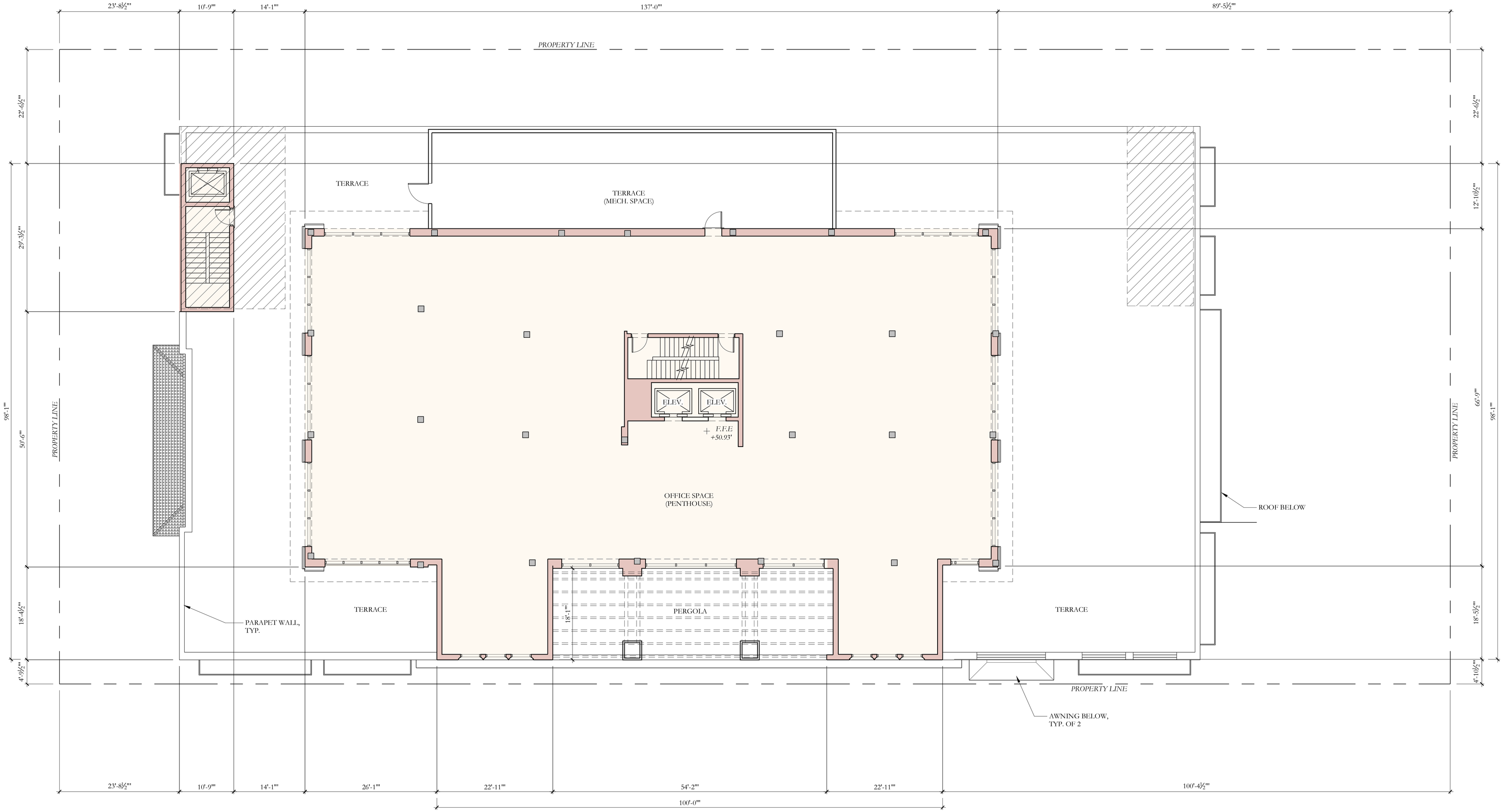

1 PROPOSED FOURTH FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED
FOURTH FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	A-105
SCALE: 1" = 10'-0"	
BY: CG	

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TC Development Review Meeting Backup 4-04-2023

125 WORTH AVENUE

PALM BEACH, FLORIDA

MAJOR PROJECT WITH NOTICE

(COMBO PROJECT FOR SPECIAL EXCEPTION W/ SITE PLAN REVIEW & VARIANCE REQUESTS)

TOWN COUNCIL REVISION 1 SUBMITTAL: MARCH 24, 2023

TOWN COUNCIL MEETING DATE: APRIL 4, 2023

DOCUMENT ISSUE:
11/21/22 DRC PRE-APP SUBMITTAL
12/08/22 DRC FIRST SUBMITTAL
12/27/22 DRC SECOND SUBMITTAL
01/12/23 DRC FINAL SUBMITTAL
02/10/23 DRC FINAL SUBMITTAL
03/24/23 TOWN COUNCIL - REV. 1

ISSUED TO:
TOWN OF PALM BEACH
TOWN OF PALM BEACH
TOWN OF PALM BEACH
TOWN OF PALM BEACH
TOWN OF PALM BEACH
TOWN OF PALM BEACH

CIVIL ENGINEER
KESHAVARZ & ASSOCIATES
711 N. DIXIE HWY., SUITE 201
WEST PALM BEACH, FL 33401
561-689-8600

ARCHITECT
FAIRFAX & SAMMONS ARCHITECTS
214 BRAZILIAN AVENUE, SUITE 100
PALM BEACH, FL 33480
561-805-8591

LANDSCAPE ARCHITECT
PARKER-YANNETTE DESIGN GROUP, INC.
4425 MILITARY TRAIL, SUITE 202
JUPITER, FL 33458
561-747-5069

SCOPE OF WORK:

- NEW ADDITIONS TO EXISTING BUILDING
- NEW LANDSCAPE & HARDSCAPE

CODES AND STANDARDS:

THIS PROJECT WAS DESIGNED IN ACCORDANCE WITH THE 2020 FLORIDA BUILDING CODE.

LEGAL DESCRIPTION:

LOTS 38 TO 48, BLOCK 16, **REVISED MAP OF ROYAL PARK ADDITION**, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MUNICIPALITY: PALM BEACH
LOCATION ADDRESS: 125 WORTH AVENUE
PARCEL CONTROL NUMBER: 50-43-43-23-05-016-0380
SUBDIVISION: ROYAL PARK ADDITION

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
COVER SHEET

DATE	SHEET NO
FEB. 10, 2023	A-000
SCALE AS NOTED	
BY CG	

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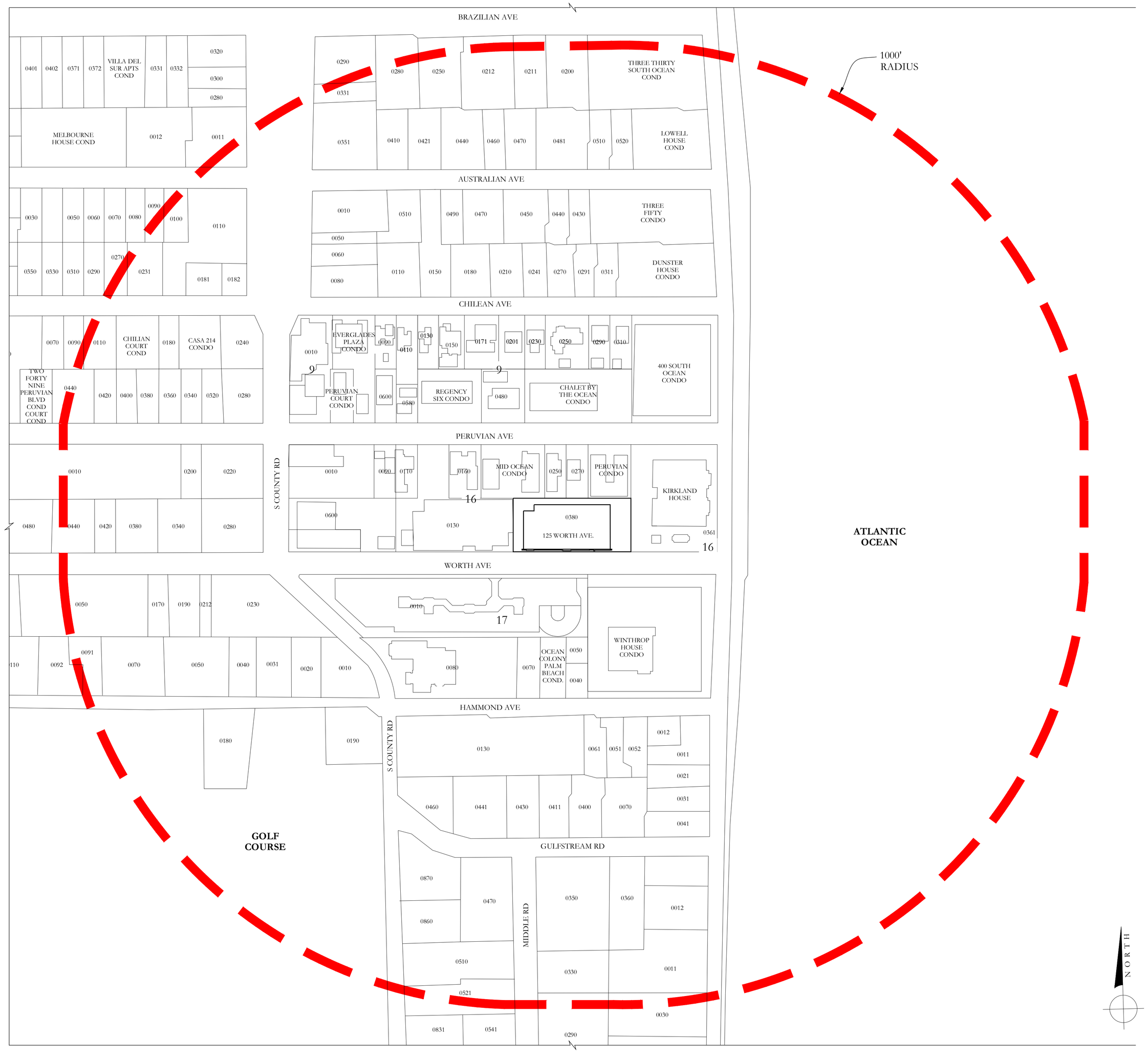

1 LOCATION / VICINITY MAP

1/128"=1'-0"

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

LOCATION/ VICINITY MAP

DATE: FEB. 10, 2023	SHEET NO: G-002
SCALE: AS NOTED	
BY: CG / AV	

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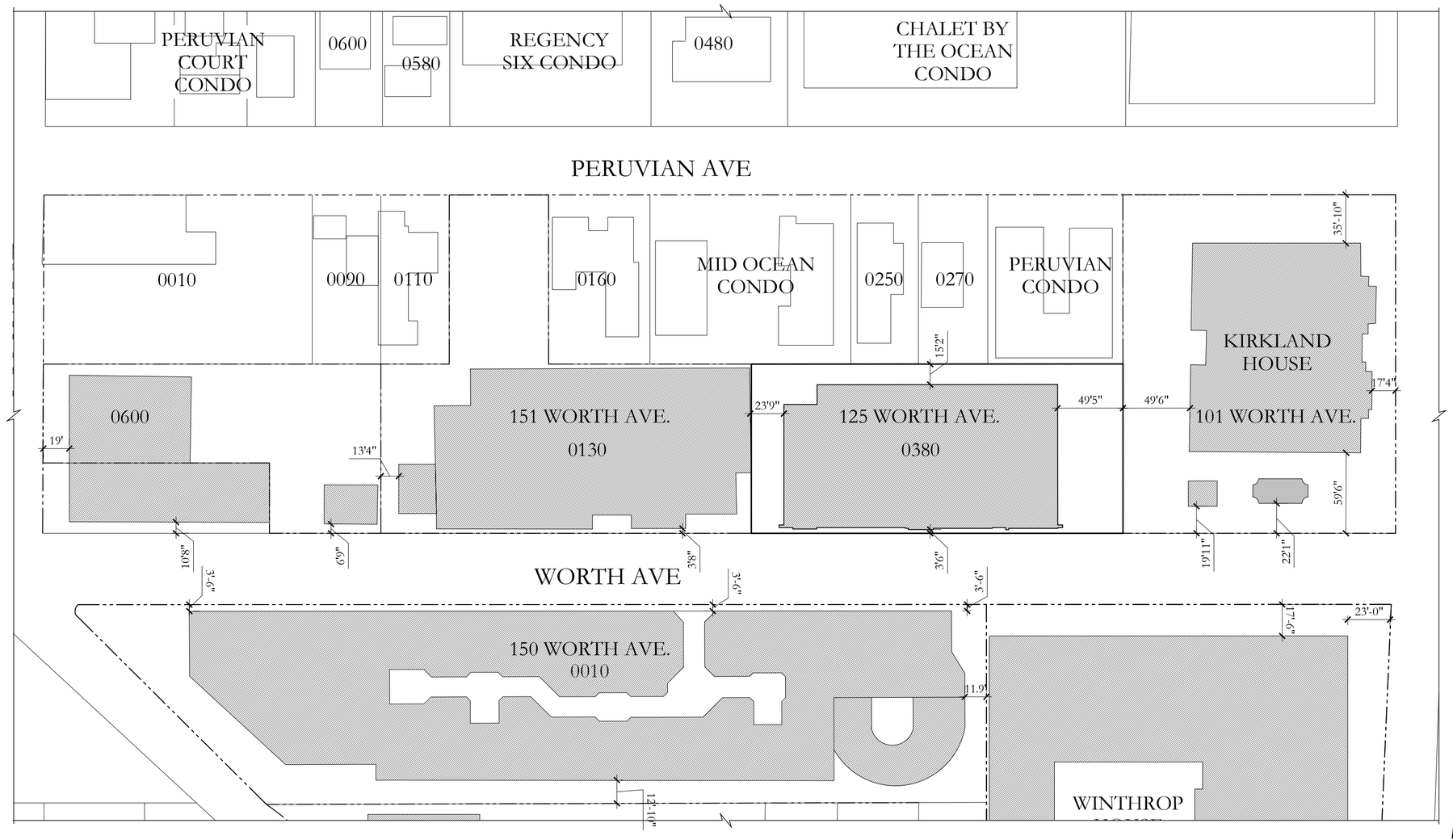

1 PROPOSED WORTH AVE. LOCATION PLAN (C-WA DISTRICT)

1"=1/64'-0"

2 AERIAL MAP

1"=300'-0"

3 PROPOSED WORTH AVE. STREETSCAPE ELEVATION, FACING SOUTH

1/32"=1'-0"

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

LOCATION PLAN, AERIAL MAP & STREETSCAPE ELEVATION

DATE: FEB. 10, 2023

SCALE: AS NOTED

BY: CG / AV/ SPB

SHEET NO: G-001

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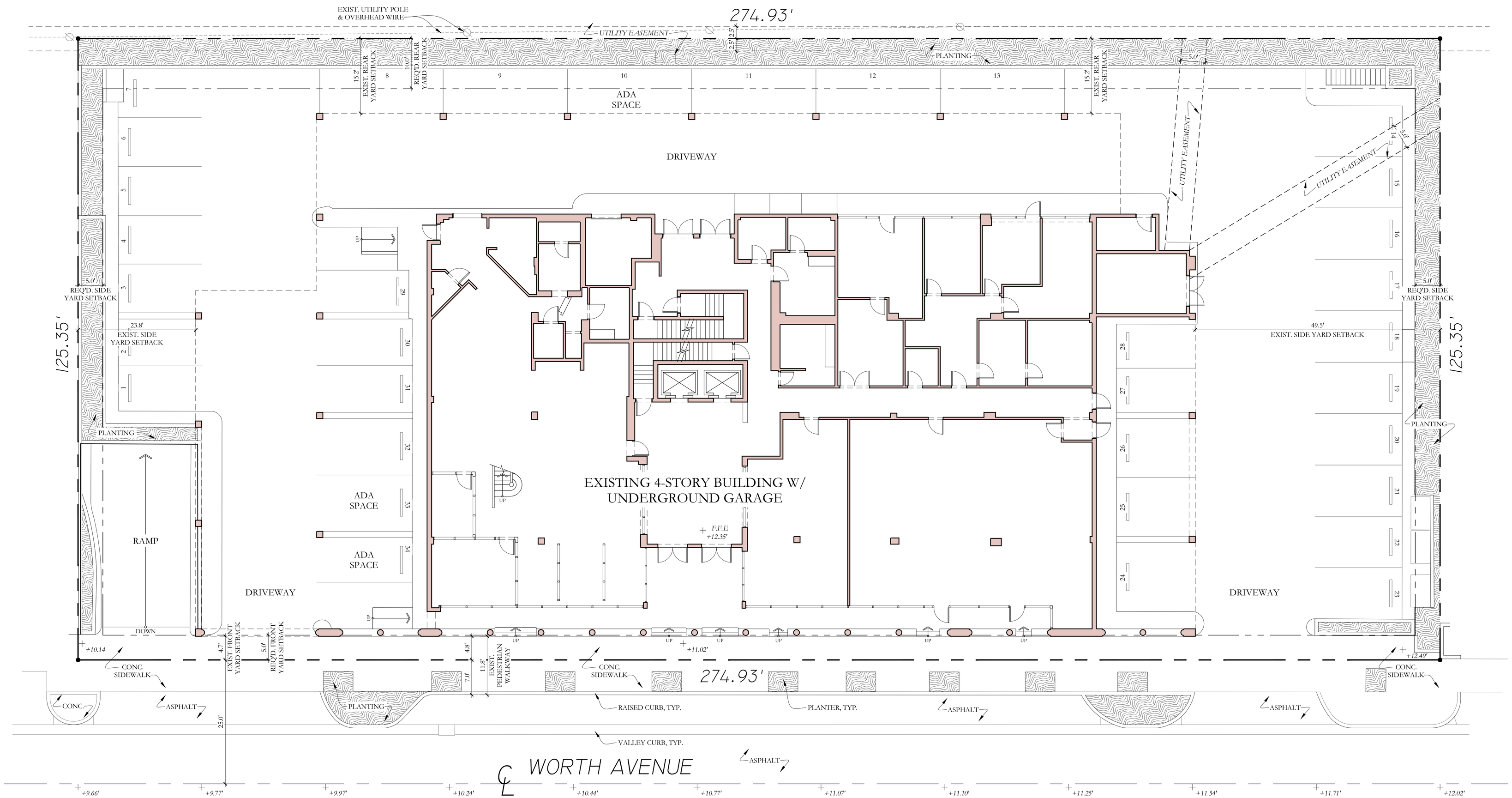

1 EXISTING SITE PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE- 34

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SITE PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-001

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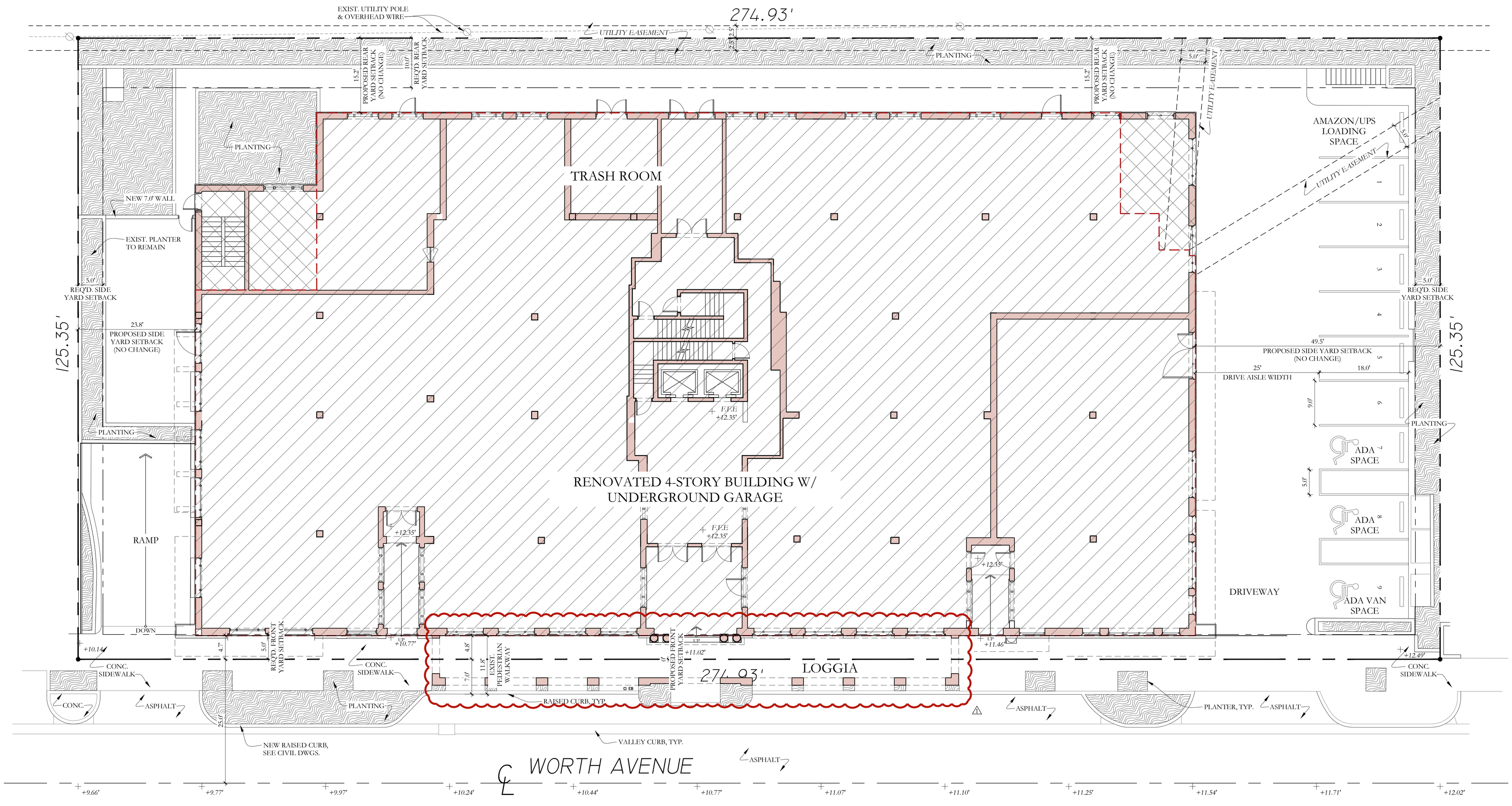

1 PROPOSED SITE PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 970 SQ.FT.

EXISTING =19,993 SQ.FT.

OUTLINE OF EXISTING BUILDING

TOTAL PARKING SPACE- 9

A TOTAL OF 9 PARKING SPACES ARE PROPOSED ON THE PROPOSED GROUND FLOOR, WHICH IS 25 SPACES LESS THAN THE EXISTING GROUND PARKING

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED SITE PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG

SHEET NO
A-001

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TC Development Review Meeting Backup 4-04-2023

VARIANCES:

VARIANCE #1:
Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces.

VARIANCE #2:
Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines.

VARIANCE #3:
Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing.

VARIANCE #4:
Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code.

VARIANCE #5:
Per Section 134-1163(5), a Variance from a Front-Yard Set back Requirement of 5' to the proposed 0'. ⚠

VARIANCE #6:
Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space.

VARIANCE #7:
Per Section 134-1163(9)c, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines.

VARIANCE #8:
Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150 feet maximum allowable by the Zoning Code.

VARIANCE #9:
Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 9.56% in lieu of the 25% minimum allowable by the Zoning Code. ⚠

VARIANCE #10:
Per Section 134-1163(12), a Variance for Floor Area of 20,963 S.F. square feet on the first floor, 22,146 S.F. square feet on the second floor, and 21,324 S.F. square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

SPECIAL EXCEPTIONS:

SPECIAL EXCEPTION #1: Section 134-1165(b)(2), a third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with Section 134-233.

SPECIAL EXCEPTION #2: Section 134-1159(a), uses that are greater than 4,000 square feet GLA (gross leasable area)

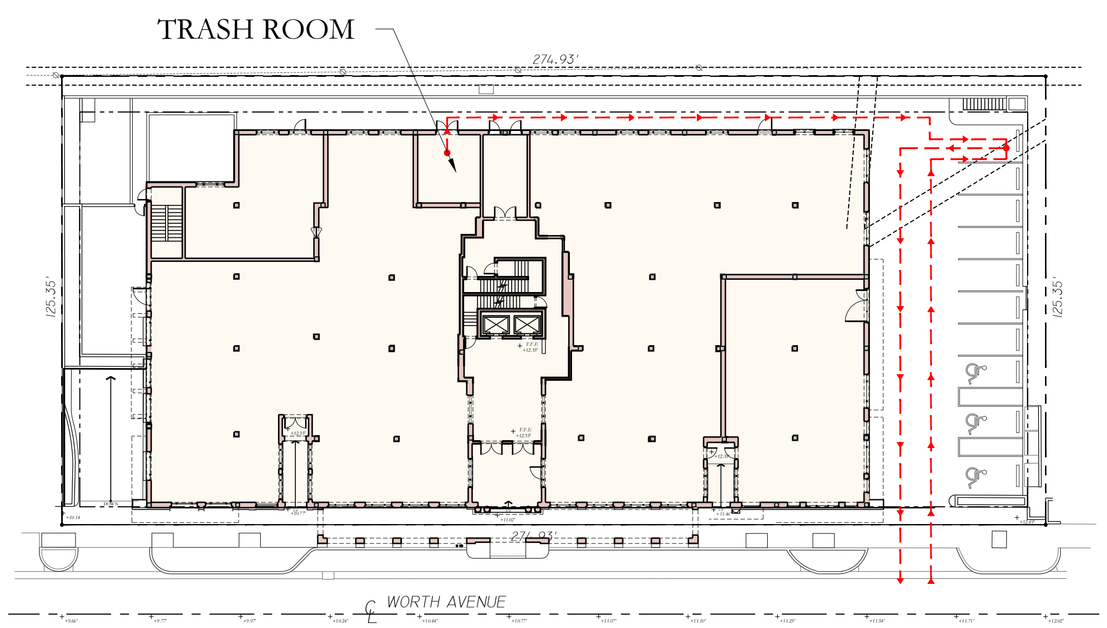
SPECIAL EXCEPTION #3: Per Section 134-1163 (5) Front Yard, Within the C-WA district, arcades or colonnades may be constructed subject to approval as a special exception over the sidewalks in the required front yard setback, provided they meet the requirements of Section 134-1164 (e), which states, within the C-WA district, arcades or colonnades may be constructed, subject to approval as a Special Exception, over sidewalks or ways, provided that they shall not project nearer than three feet to the face of the street curbline or more than ten feet, but not less than seven feet, from the exterior wall as measured from the exterior face of the building to the exterior face of the arcade or colonnade, and provided that no support shall be nearer than three feet to the face of the curb, and the installation shall have a minimum of nine feet of vertical clearance. The design of such arcades or colonnades shall be based upon the Worth Avenue Design Guidelines and shall be subject to review and approval by the Architectural Commission. ⚠

PARKING SPACE QUANTITIES:

	EXISTING	PROPOSED
SUB-BASEMENT LEVEL:	69	71
BASEMENT LEVEL:	61	61
FIRST FLOOR (GRADE LEVEL):	34	9
TOTAL:	**164**	**141**

PROPOSED GROSS LEASABLE AREAS (G.L.A.)

	CATEGORY	AREA
FIRST FLOOR:	RETAIL	16,608 SQ. FT.
SECOND FLOOR:	OFFICE	17,659 SQ. FT.
THIRD FLOOR:	OFFICE	17,665 SQ. FT.
FOURTH FLOOR:	OFFICE	8,636 SQ. FT.
TOTAL G.L.A.:		**60,568 SQ. FT.**



1 OPERATIONAL PLAN (TRASH COLLECTION)
1"=30'-0"

Town of Palm Beach

Planning Zoning and Building
360 S County Rd Palm Beach, FL 33480
www.townofpalmbeach.com

Zoning Legend

Line #					
1	**Property Address:**	125 WORTH AVE.			
2	**Zoning District:**	C-WA (COMMERICAL WORTH AVE.)			
3	**Structure Type:**	CBS			
4		Required/Allowed	Existing	Proposed	Note
5	Lot Size (sq ft)	4,000 (MIN.)	34,462	34,462 [N/C]	
6	Lot Depth (ft)	90 (MIN.)	125.35	125.35 [N/C]	
7	Lot Width (ft)	30 (MIN.)	274.93	274.93 [N/C]	
8	Lot Coverage (Sq Ft and %)	25,847, 75% (MAX.) 1ST FLR. 22,401, 65% (MAX.) 2ND FLR. 10,339, 30% (MAX.) 3RD FLR. 10,339, 30% (MAX.) 4TH FLR.	19,993, 58.0% 1ST FLR. 20,696, 60.0% 2ND FLR. 19,502, 56.6% 3RD FLR. 6,785, 19.7% 4TH FLR.	20,963, 60.8% 1ST FLR. 22,146, 64.3% 2ND FLR. 21,324, 61.9% 3RD FLR. 11,238, 32.6% 4TH FLR.	**1**
9	Enclosed Square Footage (Basement, 1st Fl, 2nd Fl., Accesory Structues, etc)	N/A	128,619	137,314	
10	Cubic Content Ratio (CCR) (R-B ONLY)	N/A	N/A	N/A	
11	Floor Area (Sq Ft) 15,000 PER FLOOR		30,608 SUB-BSMT. 31,035 BSMT. 19,993 1ST FLR. 20,696 2ND FLR. 19,502 3RD FLR. 6,785 4TH FLR.	30,608 SUB-BSMT. 31,035 BSMT. 20,963 1ST FLR. 22,146 2ND FLR. 21,324 3RD FLR. 11,238 4TH FLR.	**2**
12	*Front (South) Yard Setback (Ft.)	5	4.7	0 ⚠	**3**
13	* Side (East) Yard Setback (Ft.)	5	49.5	49.5 [N/C]	
14	* Side (West) Yard Setback (Ft.)	5	23.8	23.8 [N/C]	
15	*Rear (North) Yard Setback (Ft.)	10 (MIN.)	15.2	15.2 [N/C]	
16	Angle of Vision (Deg.)	N/A	N/A	N/A	
17	Building Height (Ft.)	40 (MAX.)	47.75	52.08	**4**
18	Overall Building Height (Ft.)	45 (MAX.) FLAT 50 (MAX.) PITCHED	52.25	55.84	
19	Length (Ft.)	150	201.83	201.83 [N/C]	**5**
20	Crown of Road (COR) (NAVD)	N/A	+12.02'	+12.02' [N/C]	
21	Max. Amount of Fill Added to Site (Ft.)				
22	Finished Floor Elev. (FFE)(NAVD)	N/A	+12.35'	+12.35' [N/C]	
23	Zero Datum for point of meas. (NAVD)	N/A	+12.35'	+12.35' [N/C]	
24	FEMA Flood Zone Designation	N/A	"X"	"X" [N/C]	
25	Base Flood Elevation (BFE)(NAVD)	N/A	N/A	N/A	
26	Landscape Open Space (LOS) (Sq Ft and %)	8,616, 25% (MIN.)	2,169, 6.29%	3,295, 9.56% ⚠	
27	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A	
28	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A	
29	**Native Plant Species %	*Please refer to separate landscape legend.*			
30	Parking Spaces	264	164	141	

** Indicate each yard area with cardinal direction (N,S,E,W)*

*** Provide Native plant species calculation per category as requited by Ord. 24-2021 on separate table*

If value is not applicable, enter N/A

If value is not changing, enter N/C

NOTES

(All notes below per Worth Avenue Design Guidelines (Commercial Redevelopment at East-End Development Area):

1. Special Allowance for increase in Maximum Building Lot Coverage
2. Eligible for elimination of Building Floor Area Limitation
3. A ten-foot-wide pedestrian walkway is req'd. between the street curbline and the building, of which not more than five feet may be on the town street right-of-way.
4. Special Allowance for increase in Building Height
5. Eligible for elimination of Building Length Limitation

REV BF 20220304

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

TOWN COUNCIL - REV ⚠	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
ZONING LEGEND

DATE	SHEET NO
FEB. 10, 2023	A-002
SCALE: AS NOTED	
BY: CG	

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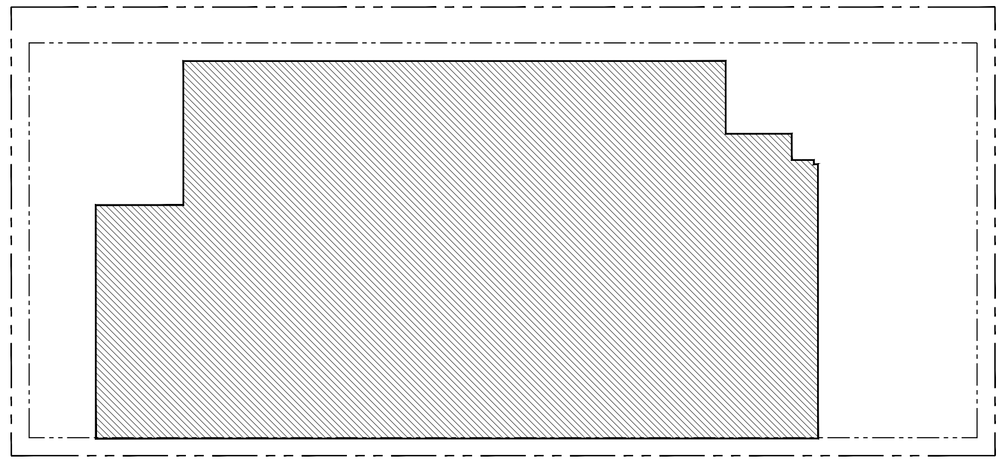
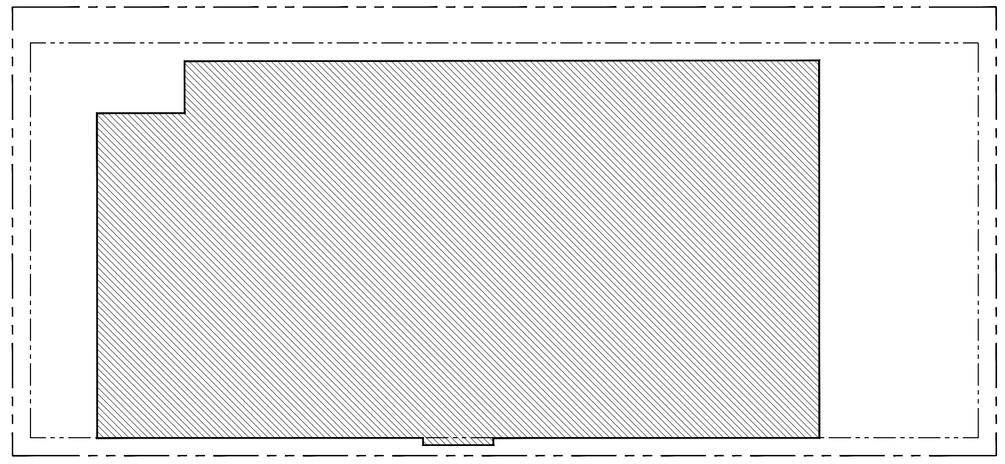


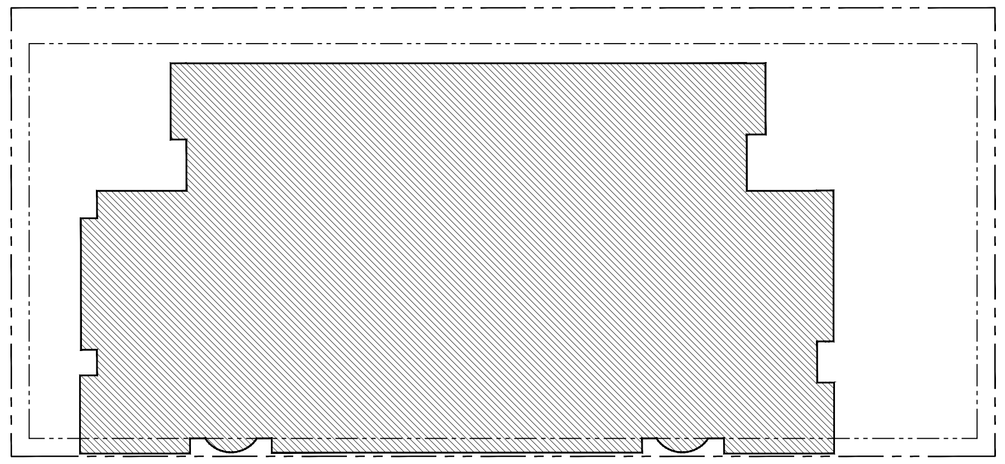
LOT AREA: 34,462 S.F.
BUILDING AREA: 19,729 S.F. (57.3%)

1a LOT COVERAGE DIAGRAM: EXISTING FIRST FLOOR
1"=30'-0"



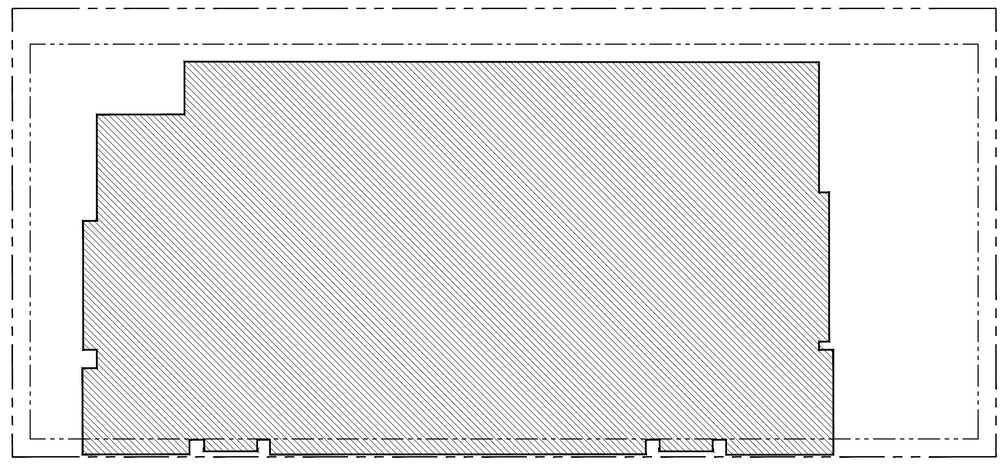
LOT AREA: 34,462 S.F.
BUILDING AREA: 20,963 S.F. (60.8%)

1b LOT COVERAGE DIAGRAM: PROPOSED FIRST FLOOR
1"=30'-0"



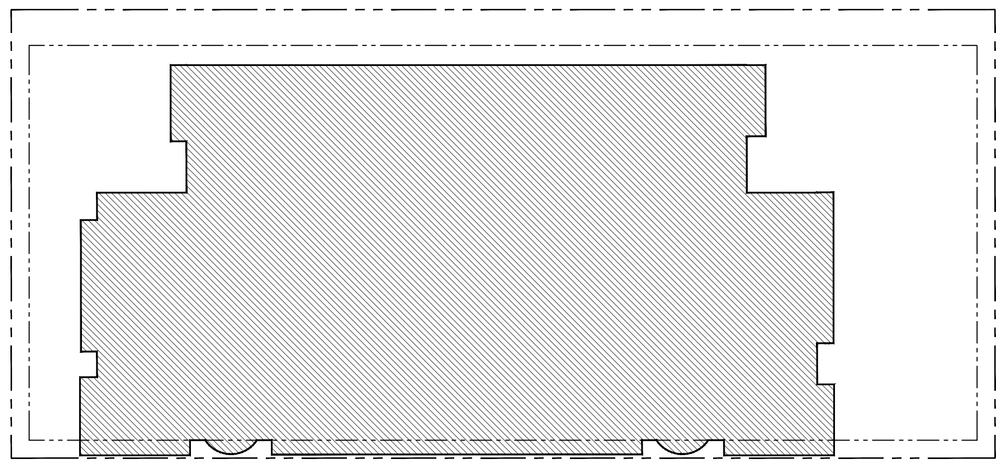
LOT AREA: 34,462 S.F.
BUILDING AREA: 20,975 S.F. (60.9%)

2a LOT COVERAGE DIAGRAM: EXISTING 2ND FLOOR
1"=30'-0"



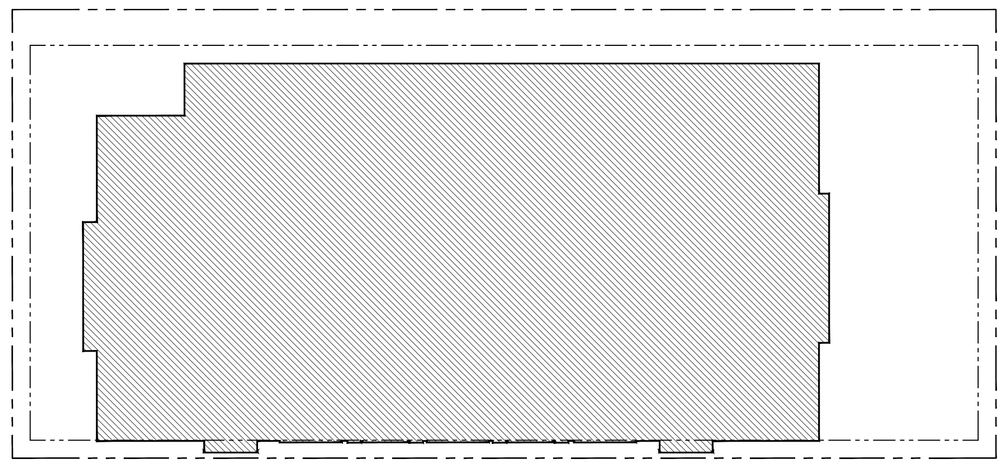
LOT AREA: 34,462 S.F.
BUILDING AREA: 22,146 S.F. (64.3%)

2b LOT COVERAGE DIAGRAM: PROPOSED 2ND FLOOR
1"=30'-0"



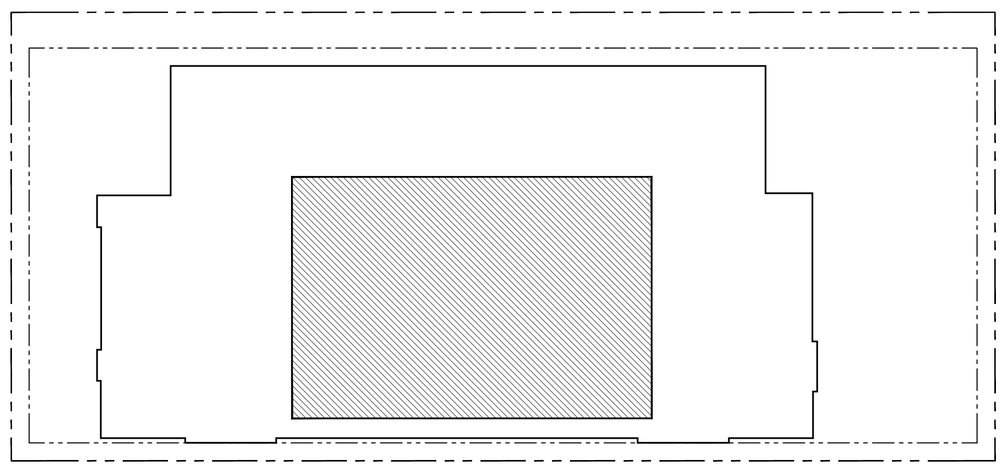
LOT AREA: 34,462 S.F.
BUILDING AREA: 20,975 S.F. (60.9%)

3a LOT COVERAGE DIAGRAM: EXISTING 3RD FLOOR
1"=30'-0"



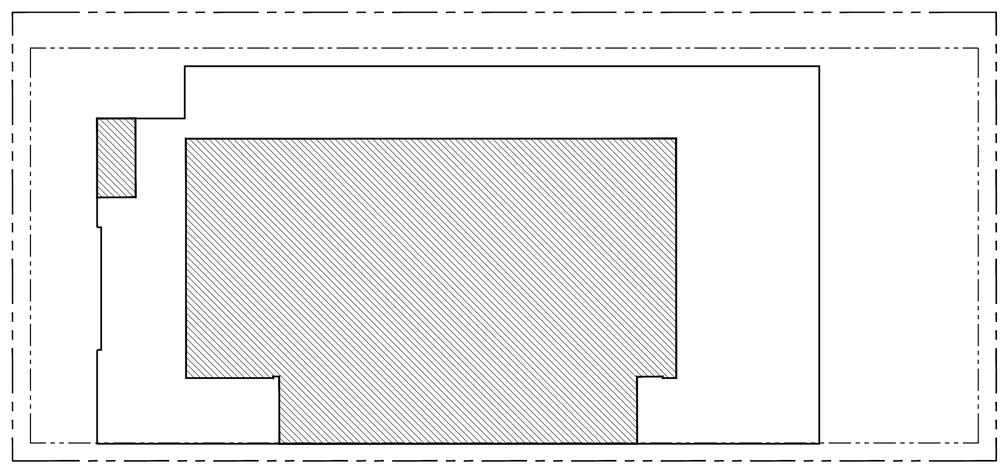
LOT AREA: 34,462 S.F.
BUILDING AREA: 21,324 S.F. (61.9%)

3b LOT COVERAGE DIAGRAM: PROPOSED 3RD FLOOR
1"=30'-0"



LOT AREA: 34,462 S.F.
BUILDING AREA: 6,784 S.F. (19.7%)

4a LOT COVERAGE DIAGRAM: EXISTING 4TH FLOOR
1"=30'-0"



LOT AREA: 34,462 S.F.
BUILDING AREA: 11,238 S.F. (32.6%)

4b LOT COVERAGE DIAGRAM: PROPOSED 4TH FLOOR
1"=30'-0"

TOWN COUNCIL - REV 1	03/24/2023
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING & PROPOSED
LOT COVERAGE CALCULATIONS

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
CG

SHEET NO
A-003

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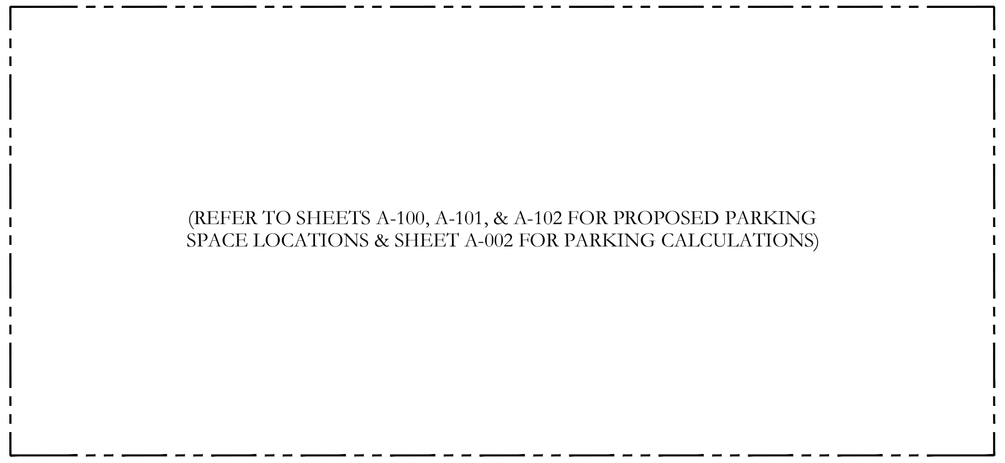
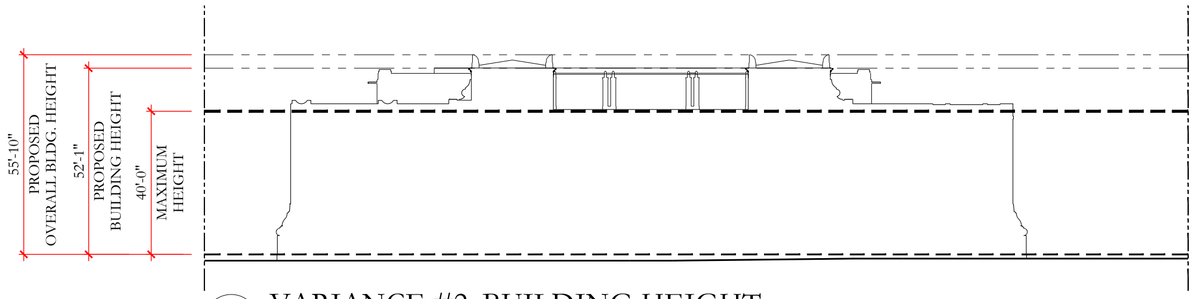


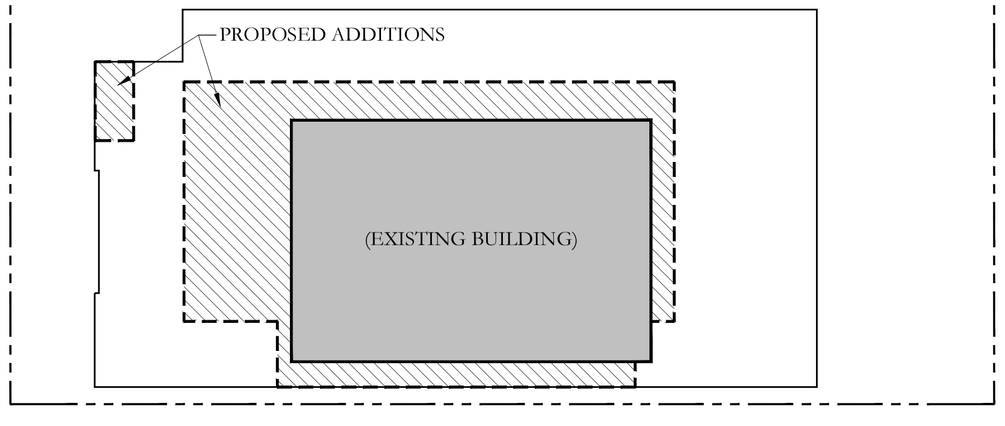
1 VARIANCE #1: VARIANCE FROM PARKING REQUIREMENTS
1"=30'-0"

VARIANCE #1:
Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces.



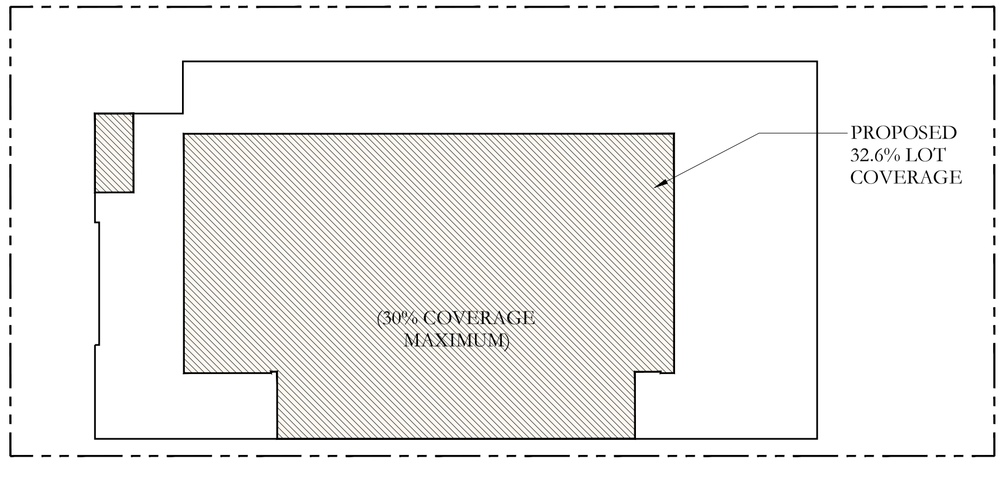
2 VARIANCE #2: BUILDING HEIGHT
1"=30'-0"

VARIANCE #2:
Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines.



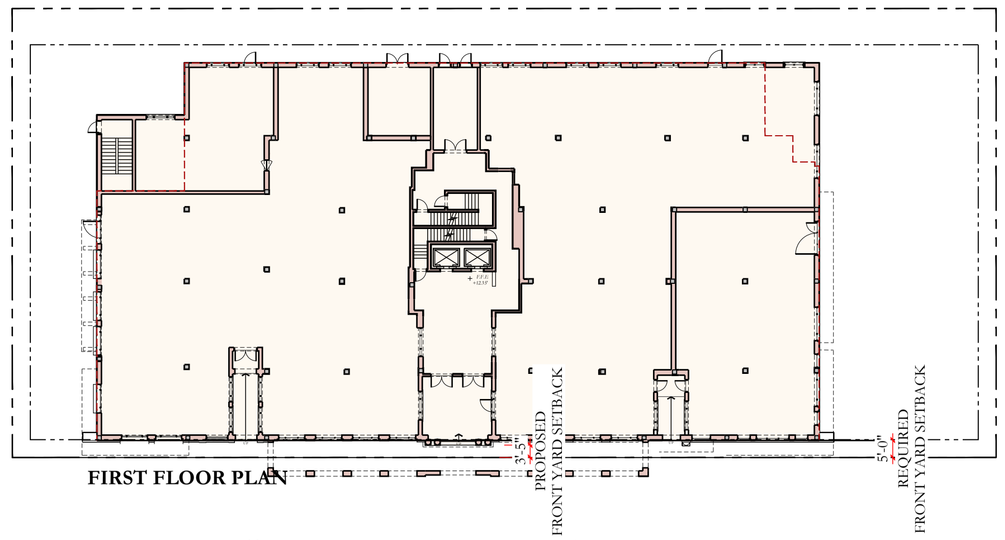
3 VARIANCE #3: 4TH FLOOR FLOOR AREA INCREASE
1"=30'-0"

VARIANCE #3:
Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing.



4 VARIANCE #4: 4TH FLOOR LOT COVEREAGE EXCEEDING 30%
1"=30'-0"

VARIANCE #4:
Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code.



5 VARIANCE #5: FRONT YARD SETBACK
1"=30'-0"

VARIANCE #5:
Per Section 134-1163(5), a Variance from a Front-Yard Set back Requirement of 5' to the proposed 3.5'.

TOWN COUNCIL - REV 1	03/24/2023
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
VARIANCE DIAGRAMS

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
CG

SHEET NO
A-004a

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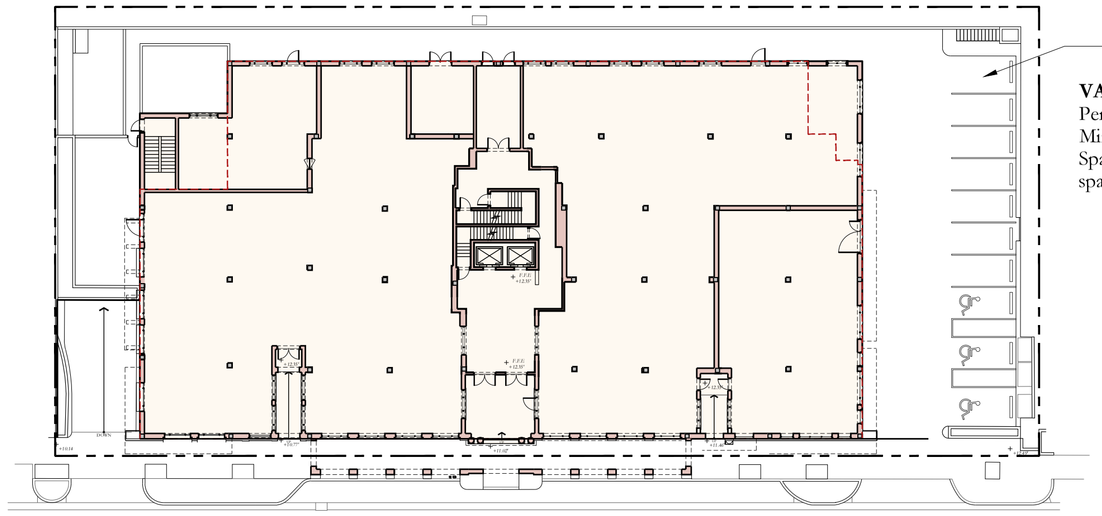
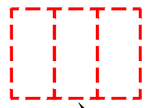
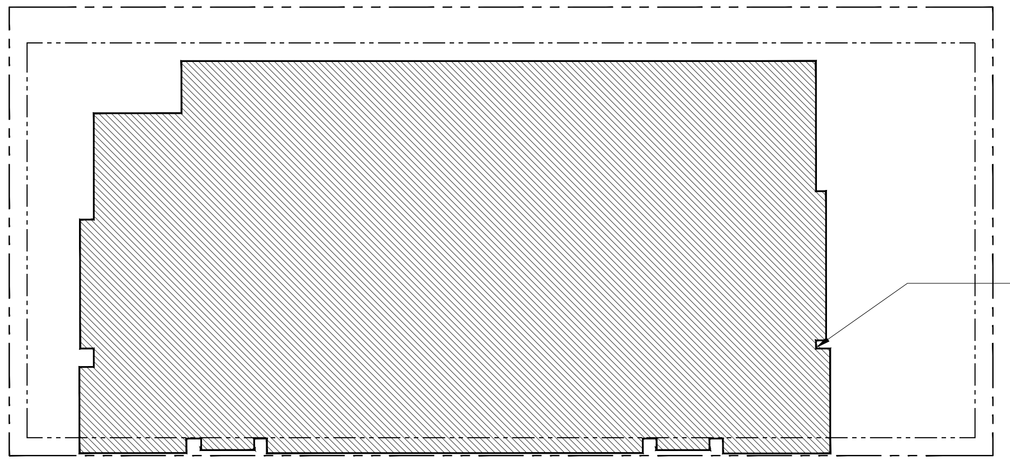


VARIANCE #6:
Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space.

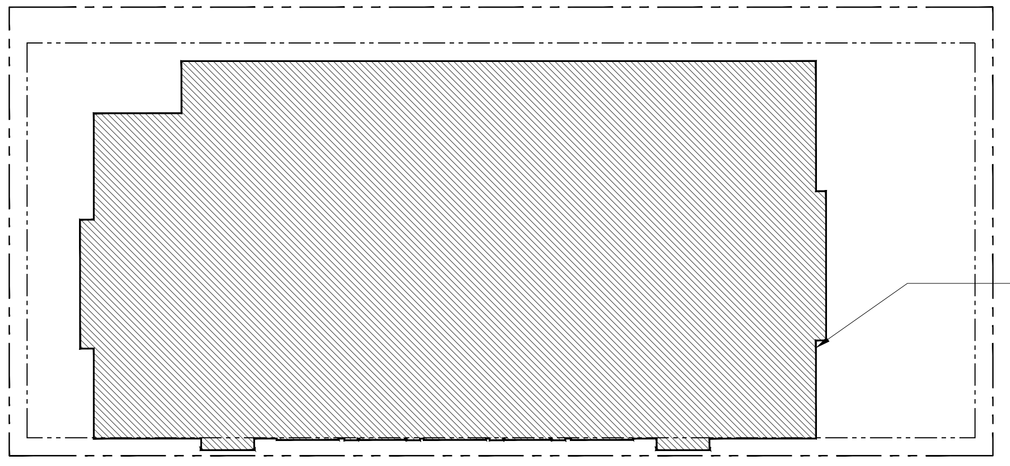


Required by Zoning
3 loading births 12' in width x 25' in length

6 VARIANCE #6: VARIANCE FROM OFF STREET LOADING SPACES
1"=30'-0"



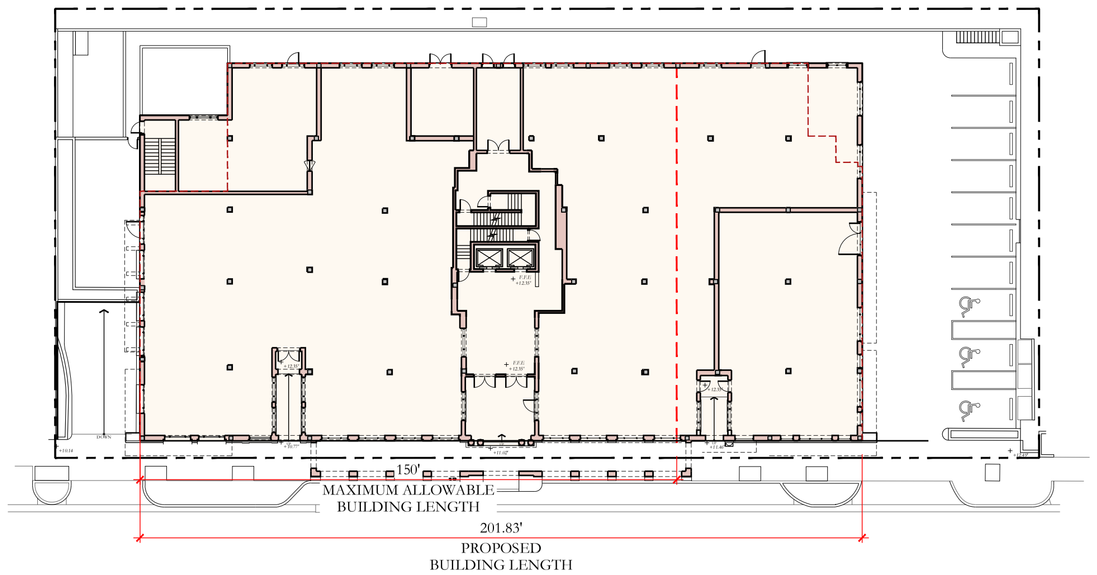
SECOND FLOOR PLAN



THIRD FLOOR PLAN

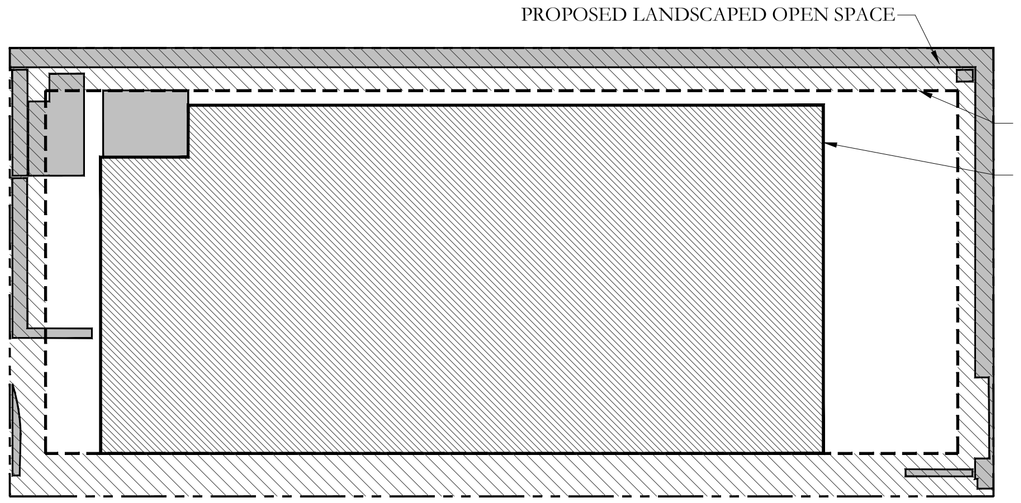
VARIANCE #7:
Per Section 134-1163(9)e, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines.

7 VARIANCE #7: VARIANCE FOR LOT COVERAGE ON 2ND & 3RD FLOORS
1"=30'-0"



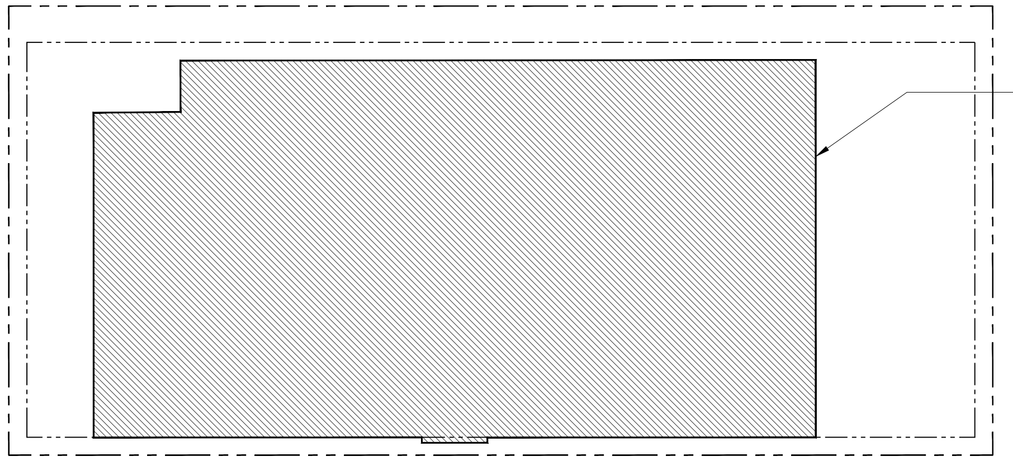
VARIANCE #8:
Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150 feet maximum allowable by the Zoning Code.

8 VARIANCE #8: VARIANCE FOR BUILDING LENGTH
1"=30'-0"

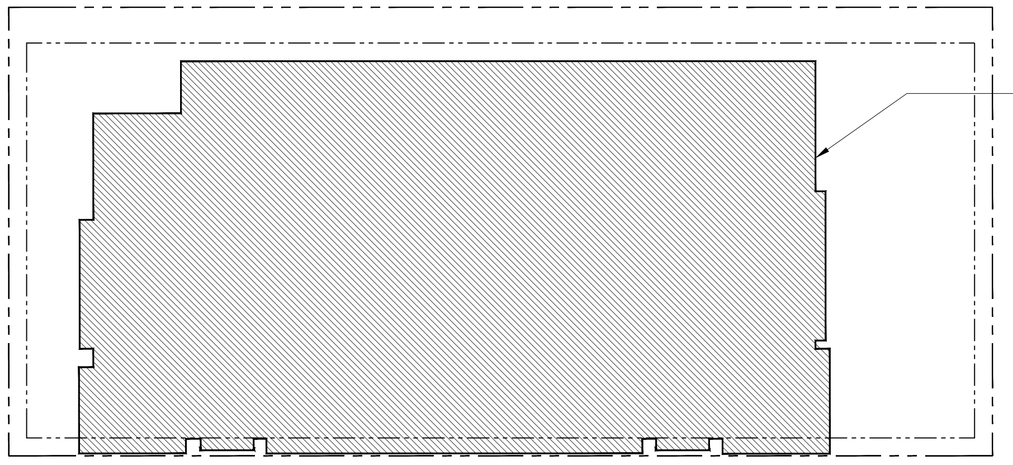


VARIANCE #9:
Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 9.56% in lieu of the 25% minimum allowable by the Zoning Code.

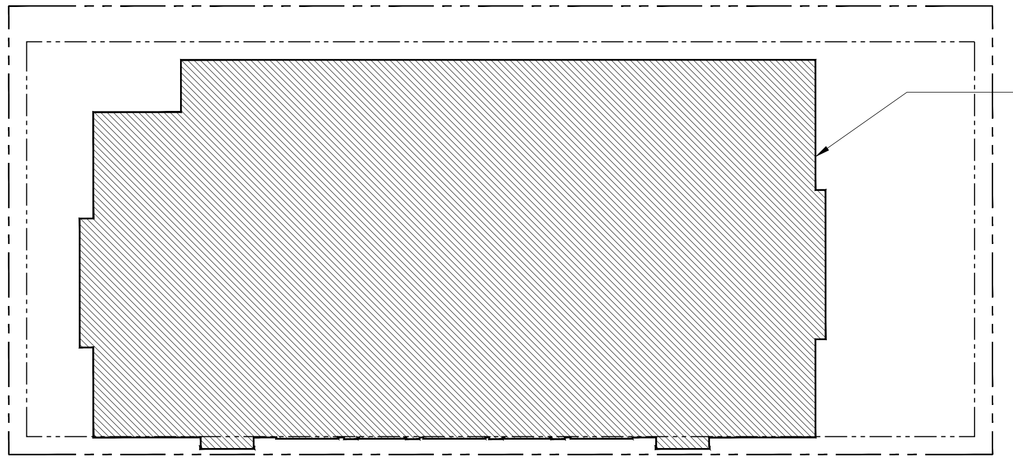
9 VARIANCE #9: LANDSCAPE OPEN SPACE
1"=30'-0"



FIRST FLOOR PLAN



SECOND FLOOR PLAN



THIRD FLOOR PLAN

VARIANCE #10:
Per Section 134-1163(12), a Variance for Floor Area of 20,963 S.F. square feet on the first floor, 22,146 S.F. square feet on the second floor, and 21,324 S.F. square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

10 VARIANCE #10: VARIANCE FOR FLOOR AREA
1"=30'-0"

NORTH

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
VARIANCE DIAGRAMS

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
CG

SHEET NO
A-004b

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
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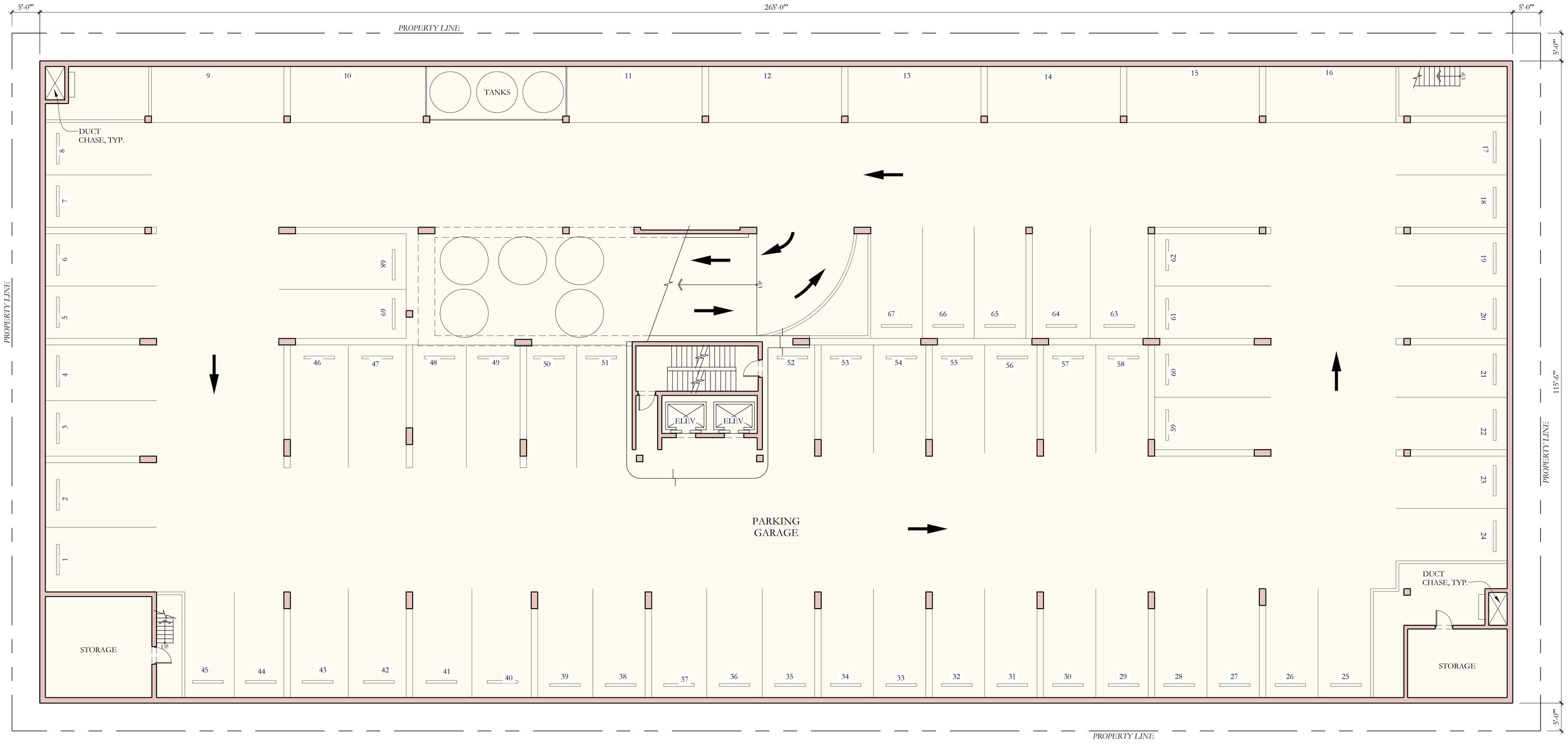
TC Development Review Meeting Backup 4-04-2023



1 EXISTING SUB-BASEMENT FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE- 69

TOWN COUNCIL - REV 1	03/24/2023
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125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SUB-BASEMENT FLOOR PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-100

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NEW YORK - PALM BEACH
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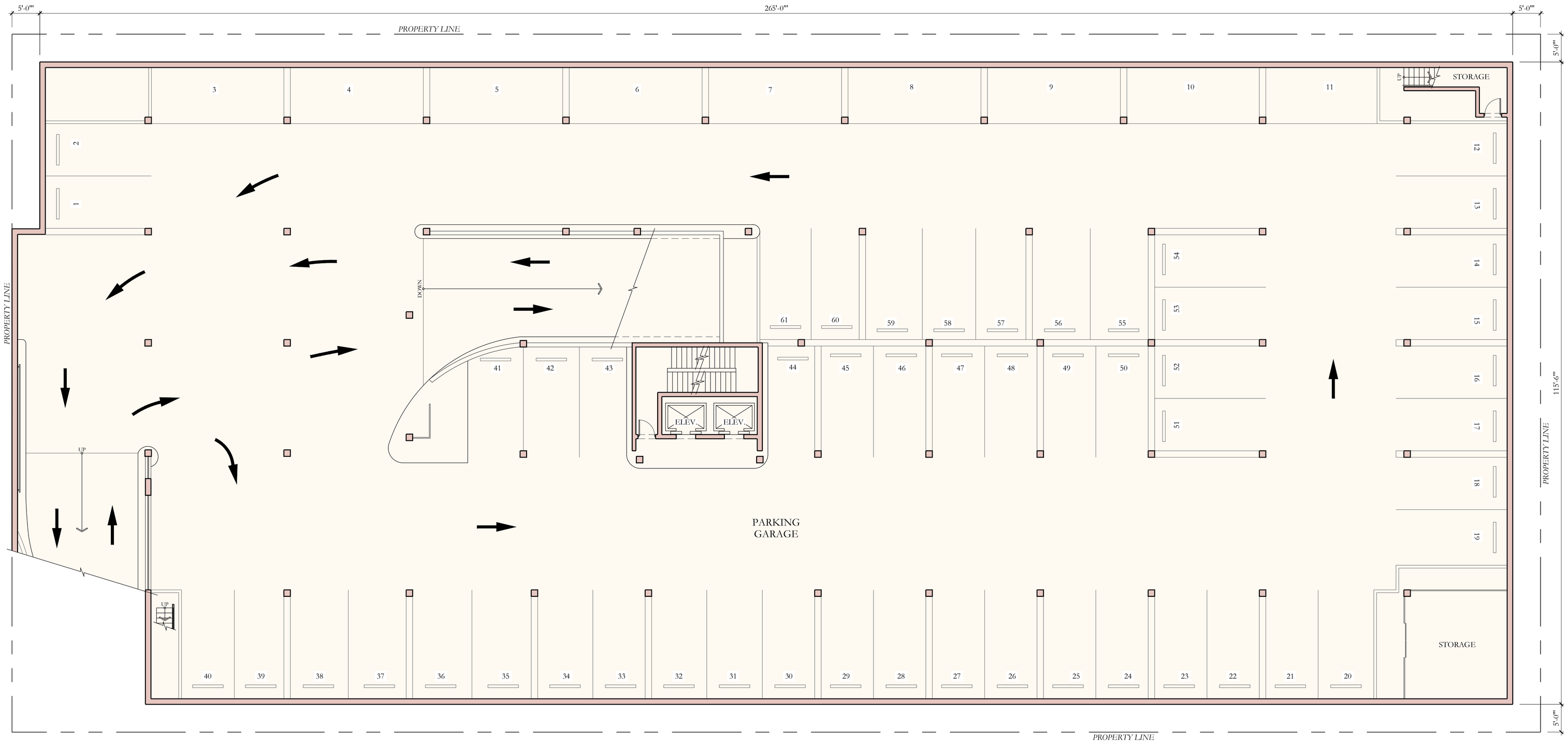

1 EXISTING BASEMENT FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE- 61

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING BASEMENT FLOOR PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-101

FAIRFAX & SAMMONS
NEW YORK - PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
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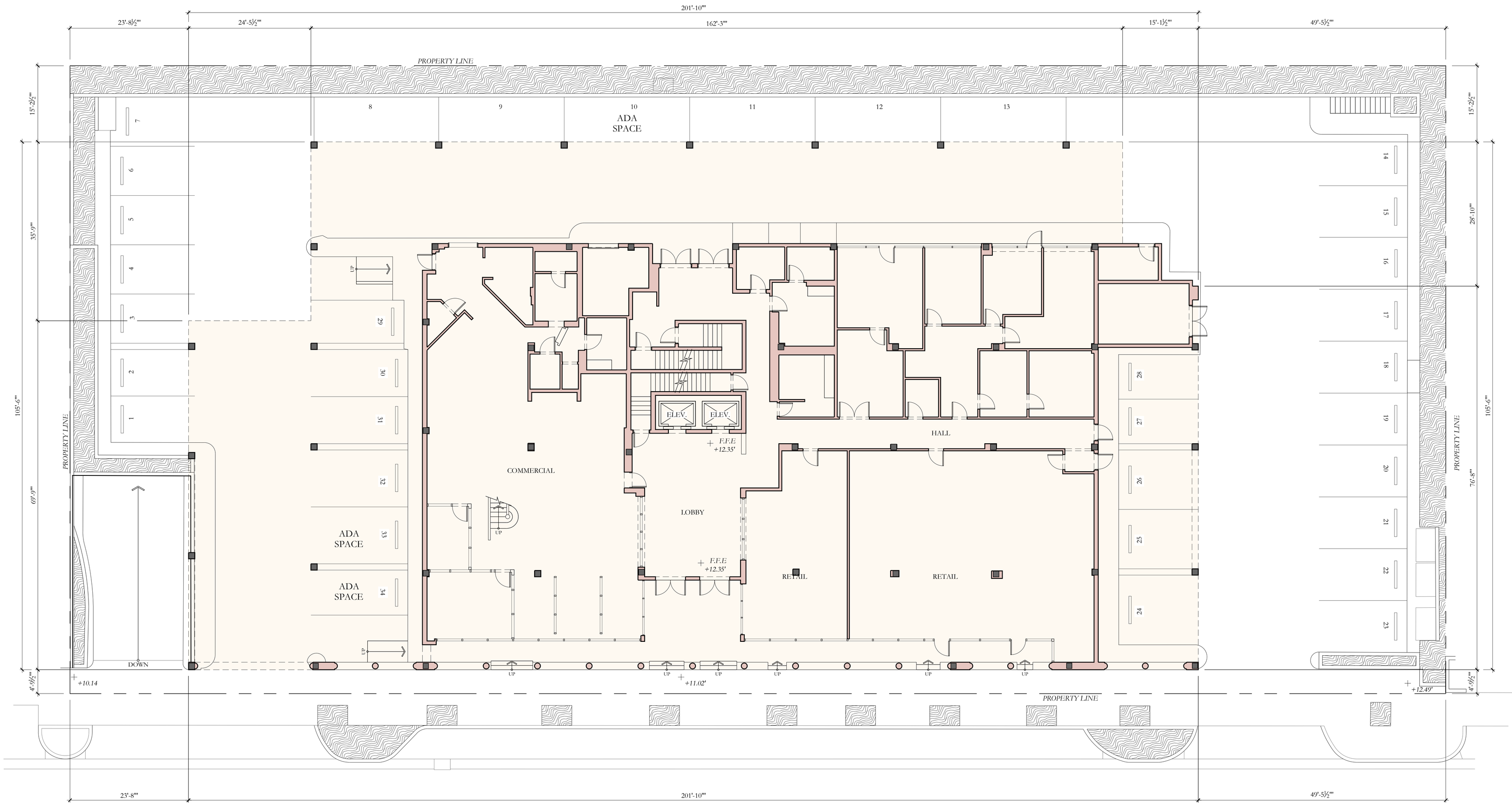

1 EXISTING FIRST FLOOR PLAN

1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE- 34

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING FIRST FLOOR PLAN

DATE: FEB. 10, 2023

SCALE: 1" = 10'-0"

BY: CG

SHEET NO: EX-102

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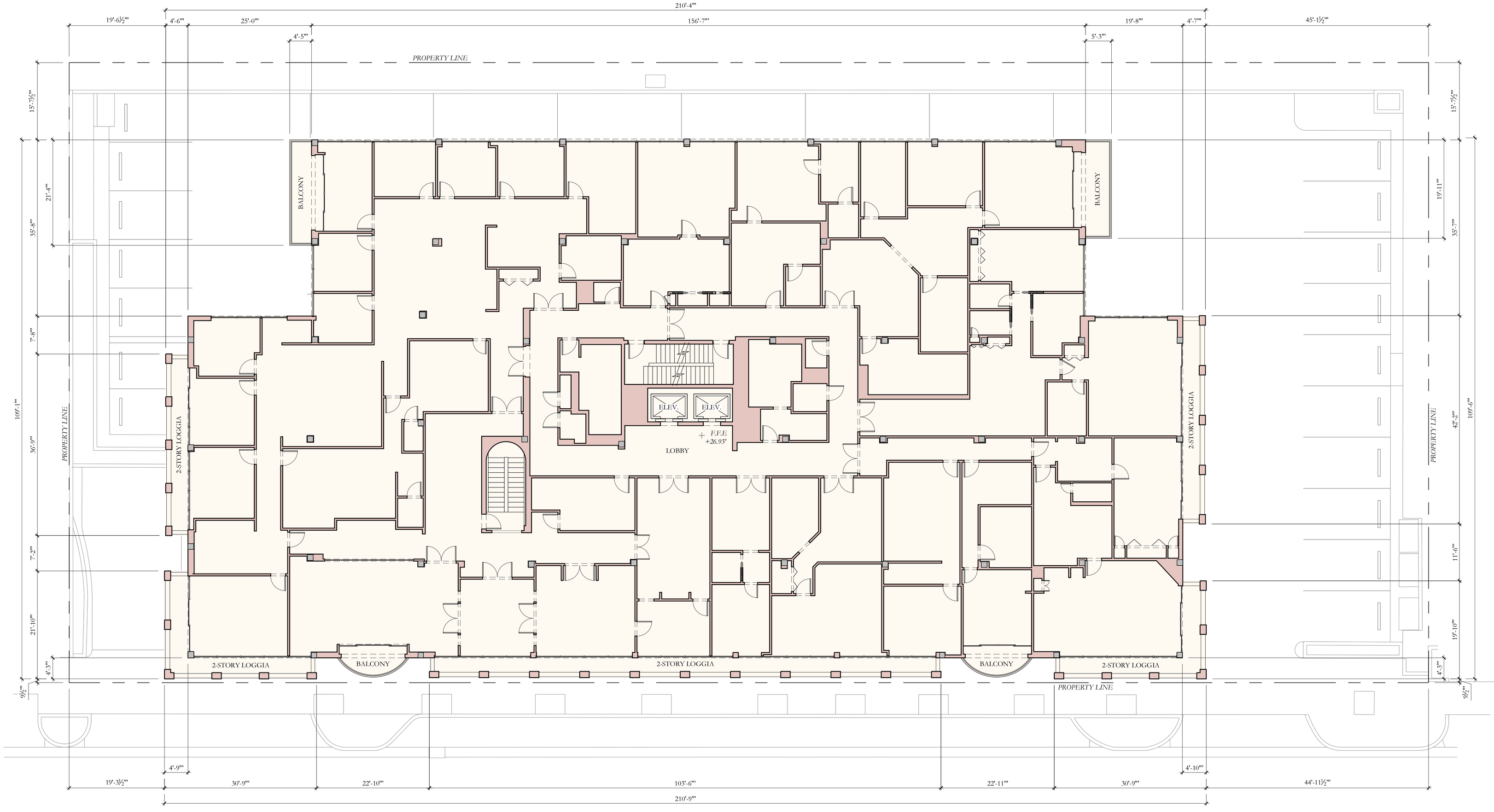

1 EXISTING SECOND FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SECOND FLOOR PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-103

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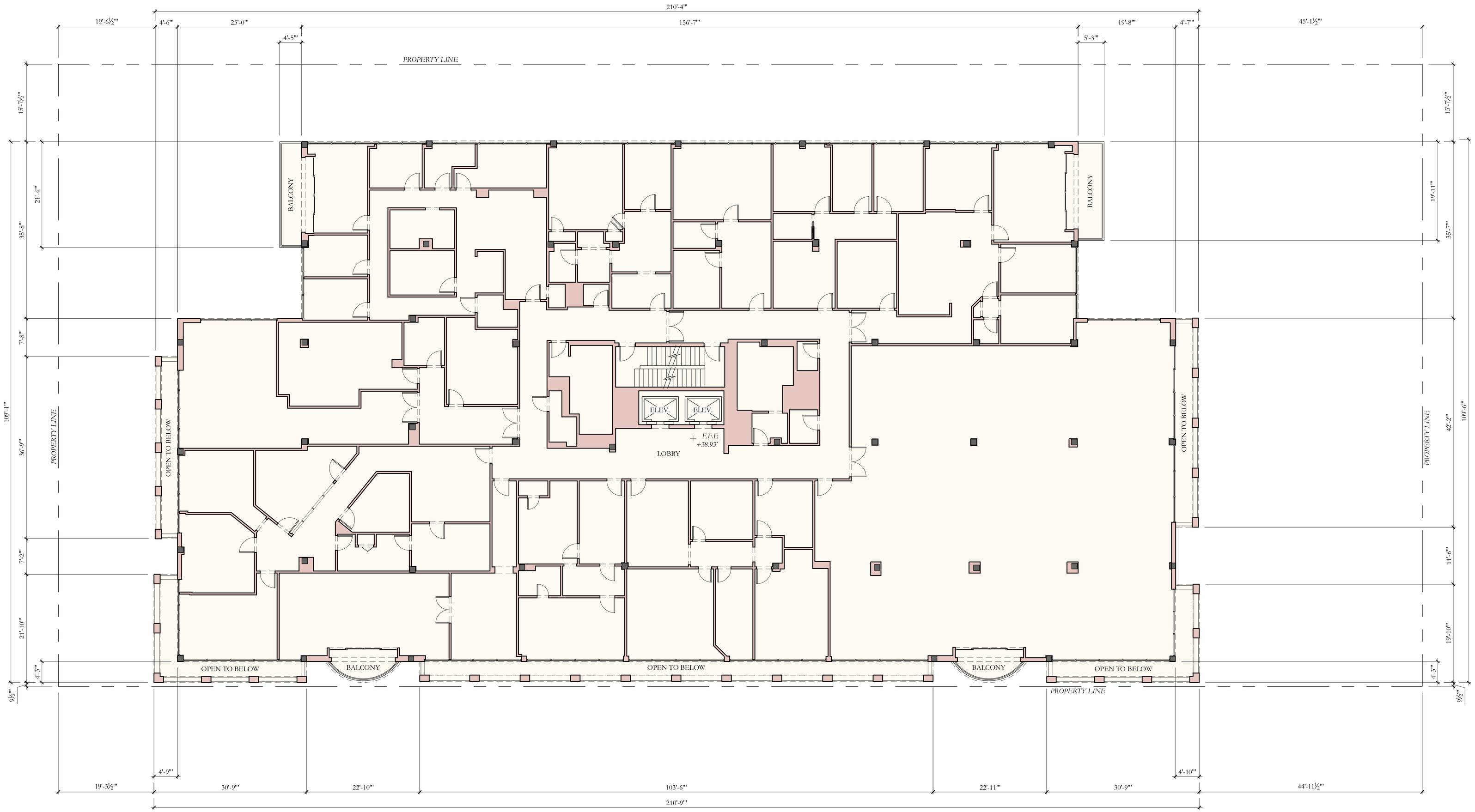

1 EXISTING THIRD FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXISTING THIRD FLOOR PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-104

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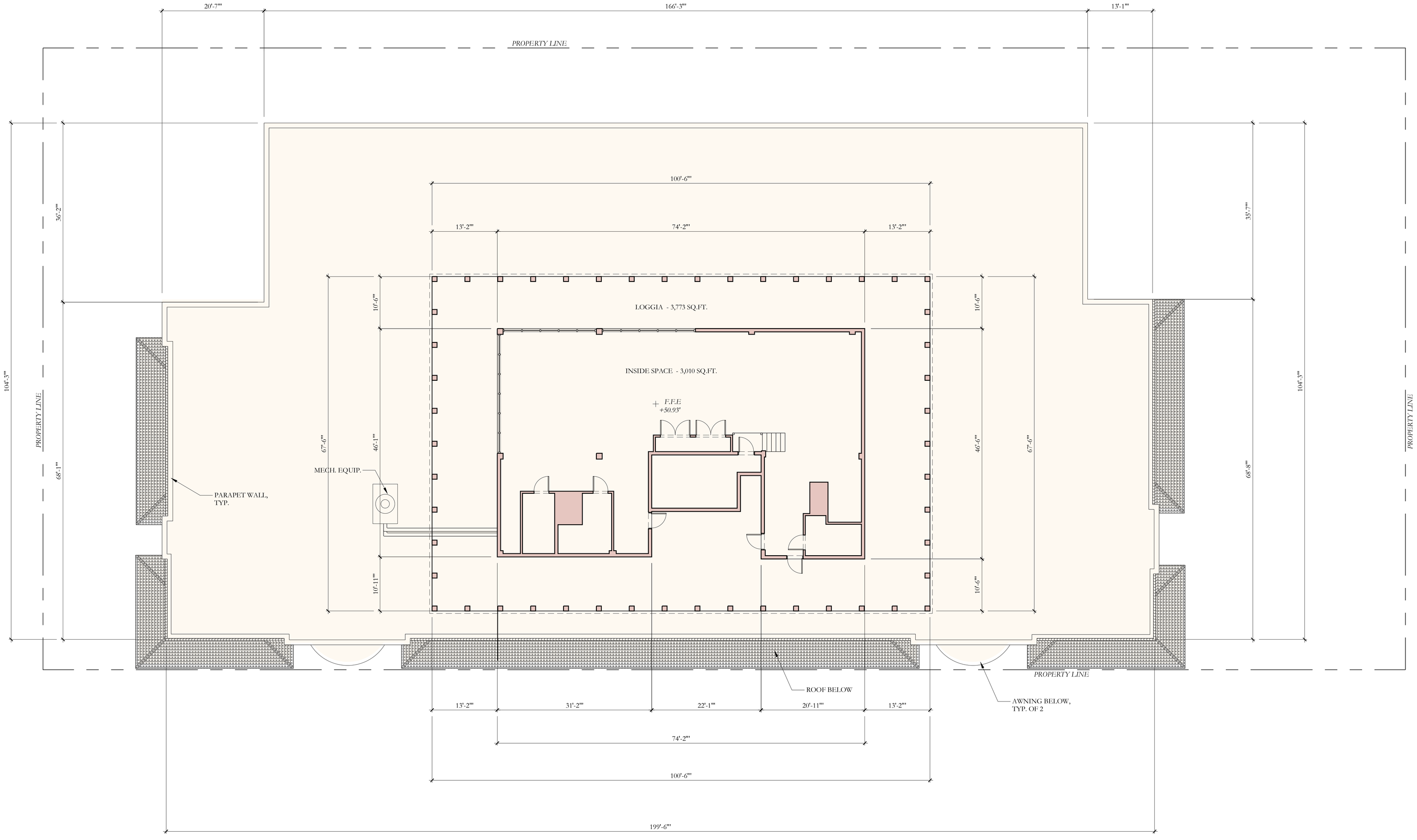

1 EXISTING FOURTH FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXISTING FOURTH FLOOR PLAN

DATE FEB. 10, 2023

SCALE 1" = 10'-0"

BY CG

SHEET NO EX-105

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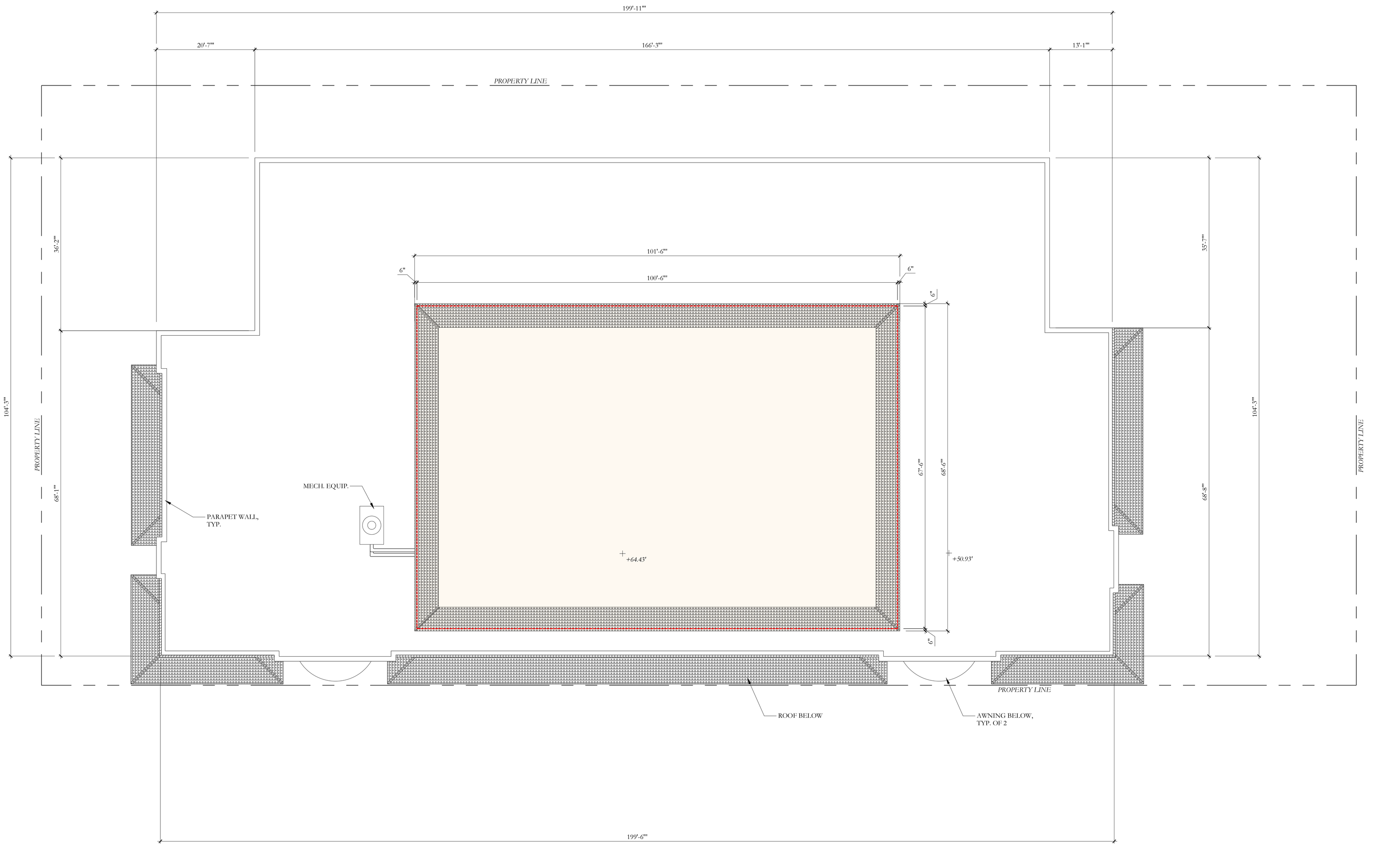

1 EXISTING ROOF PLAN
1"=10'-0"

NORTH

0 1 25'

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING ROOF PLAN

DATE FEB. 10, 2023	**SHEET NO** EX-106
SCALE 1" = 10'-0"	
BY CG	

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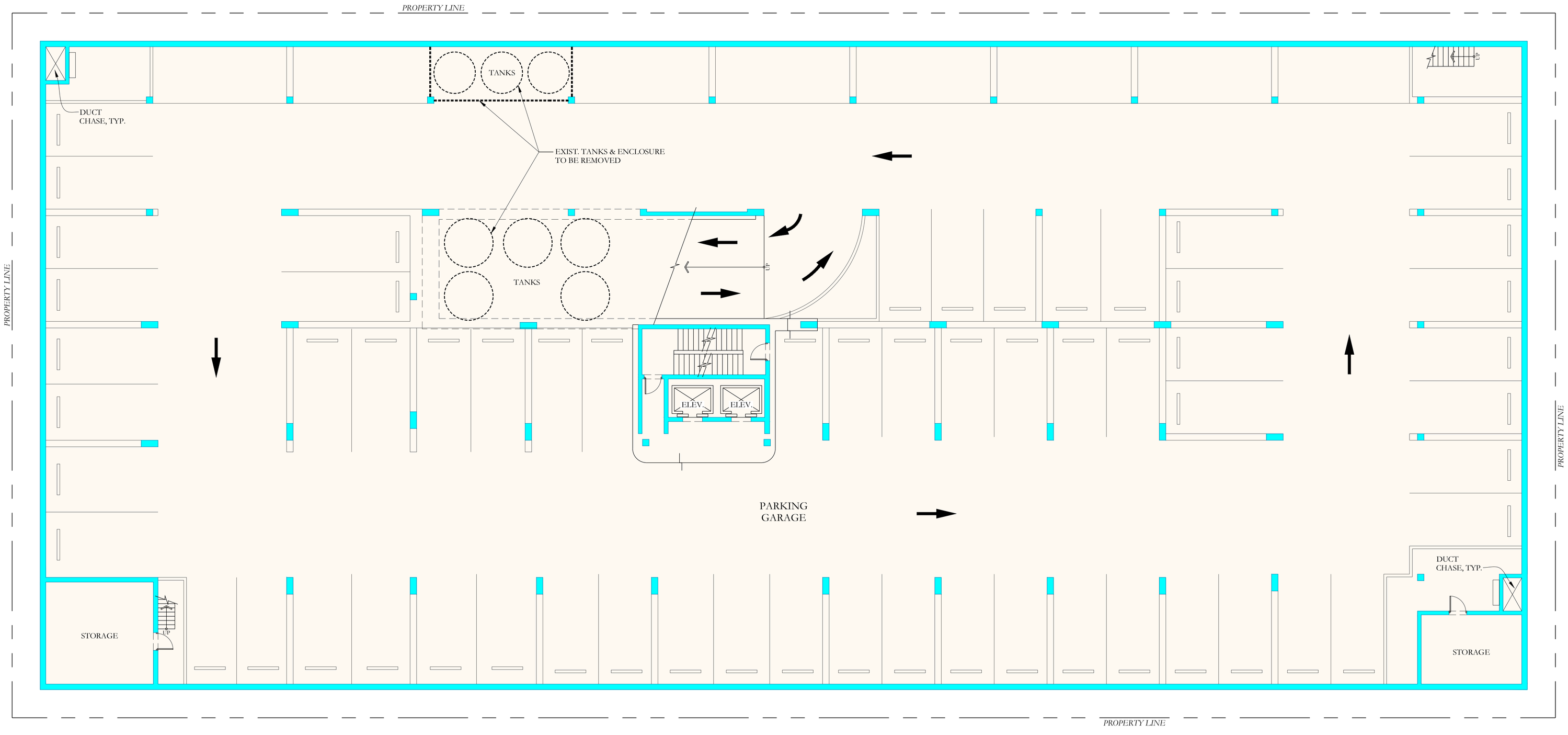

NO DEMOLITION OF WALLS, STRUCTURE, DOORS, VERTICAL CIRCULATION, DUCT CHASES, PARKING, ETC.

ONLY DEMOLITION WORK IS TO BE REMOVAL OF SELECT TANKS & TANK ENCLOSURE AS NOTED IN PLAN ABOVE.

1 DEMOLITION SUB-BASEMENT FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

DEMOLITION KEY NOTES:

- EXISTING WALL OR STRUCT. COLUMN TO REMAIN
- EXISTING WALL TO BE REMOVED
- PORTION OF EXISTING BUILDING TO BE REMOVED (INCL. FLOOR SLAB, WALLS, COLUMNS, ETC.)
- EXISTING WINDOW, DOOR, OR OTHER MATERIALS TO BE REMOVED
- EXISTING ROOF TO BE REMOVED

DEMOLITION GENERAL NOTES:

1. PER NFPA 1, 101, & 241, ALL LIFE SAFETY DEVICES ARE TO REMAIN OPERATIONAL DURING DEMOLITION WORK ON THE EXISTING BUILDING.

2. SUBSEQUENT RENOVATION WORK IS TO COMPLY W/ALL PROVISIONS OF NFPA 241.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
DEMOLITION
SUB-BASEMENT FLOOR PLAN

DATE
FEB. 10, 2023

SHEET NO
D-100

SCALE
1" = 10'-0"

BY
HM, STC

FAIRFAX & SAMMONS
NEW YORK ~ PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
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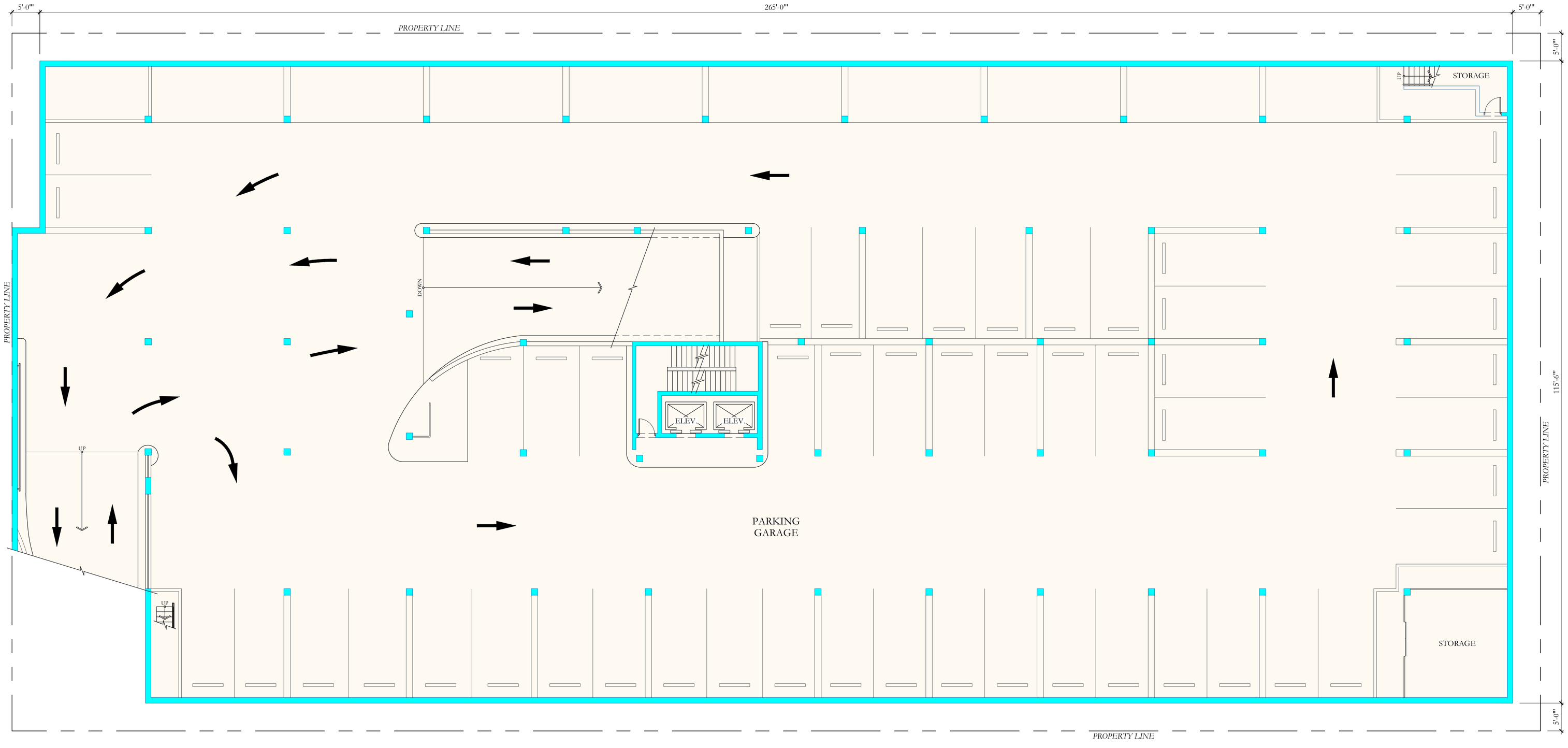

NO DEMOLITION TO BE PERFORMED ON THIS LEVEL (INCL. WALLS, STRUCTURE, DOORS, VERTICAL CIRCULATION, DUCT CHASES, PARKING, ETC.)

1 BASEMENT DEMOLITION PLAN
1"=10'-0"

0 1 25'

NORTH

DEMOLITION KEY NOTES:

- EXISTING WALL OR STRUCT. COLUMN TO REMAIN
- EXISTING WALL TO BE REMOVED
- PORTION OF EXISTING BUILDING TO BE REMOVED (INCL. FLOOR SLAB, WALLS, COLUMNS, ETC.)
- EXISTING WINDOW, DOOR, OR OTHER MATERIALS TO BE REMOVED
- EXISTING ROOF TO BE REMOVED

DEMOLITION GENERAL NOTES:

1. PER NFPA 1, 101, & 241, ALL LIFE SAFETY DEVICES ARE TO REMAIN OPERATIONAL DURING DEMOLITION WORK ON THE EXISTING BUILDING.

2. SUBSEQUENT RENOVATION WORK IS TO COMPLY W/ALL PROVISIONS OF NFPA 241.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
BASEMENT DEMOLITION PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
HM

SHEET NO
D-101

FAIRFAX & SAMMONS
NEW YORK ~ PALM BEACH
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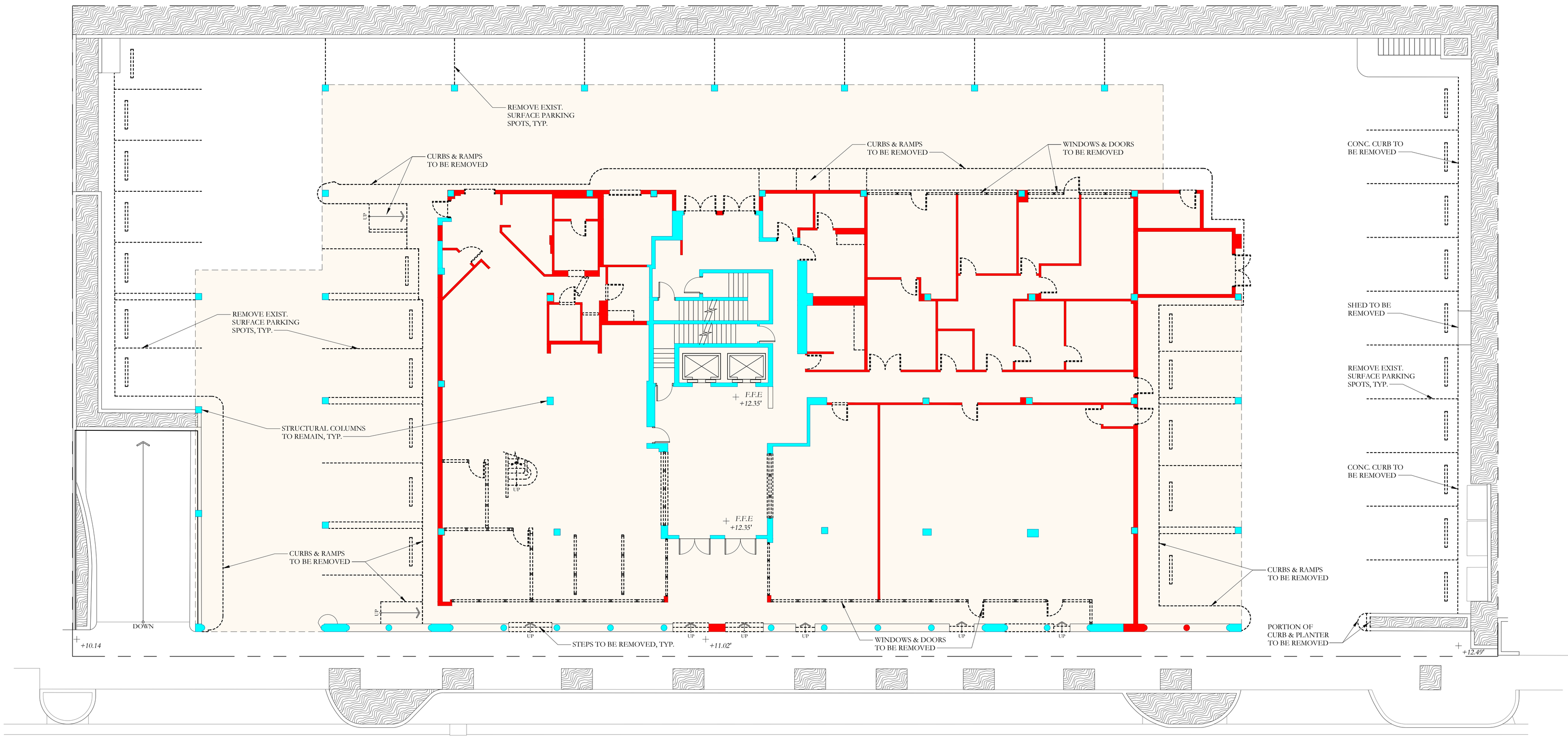

1 FIRST FLOOR DEMOLITION PLAN

1"=10'-0"

NORTH

0 1 25'

DEMOLITION KEY NOTES:

- EXISTING WALL OR STRUCT. COLUMN TO REMAIN
- EXISTING WALL TO BE REMOVED
- PORTION OF EXISTING BUILDING TO BE REMOVED (INCL. FLOOR SLAB, WALLS, COLUMNS, ETC.)
- EXISTING WINDOW, DOOR, OR OTHER MATERIALS TO BE REMOVED
- EXISTING ROOF TO BE REMOVED

DEMOLITION GENERAL NOTES:

1. PER NFPA 1, 101, & 241, ALL LIFE SAFETY DEVICES ARE TO REMAIN OPERATIONAL DURING DEMOLITION WORK ON THE EXISTING BUILDING.

2. SUBSEQUENT RENOVATION WORK IS TO COMPLY W/ALL PROVISIONS OF NFPA 241.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

FIRST FLOOR DEMOLITION PLAN

DATE FEB. 10, 2023

SCALE 1" = 10'-0"

BY HM, STC

SHEET NO D-102

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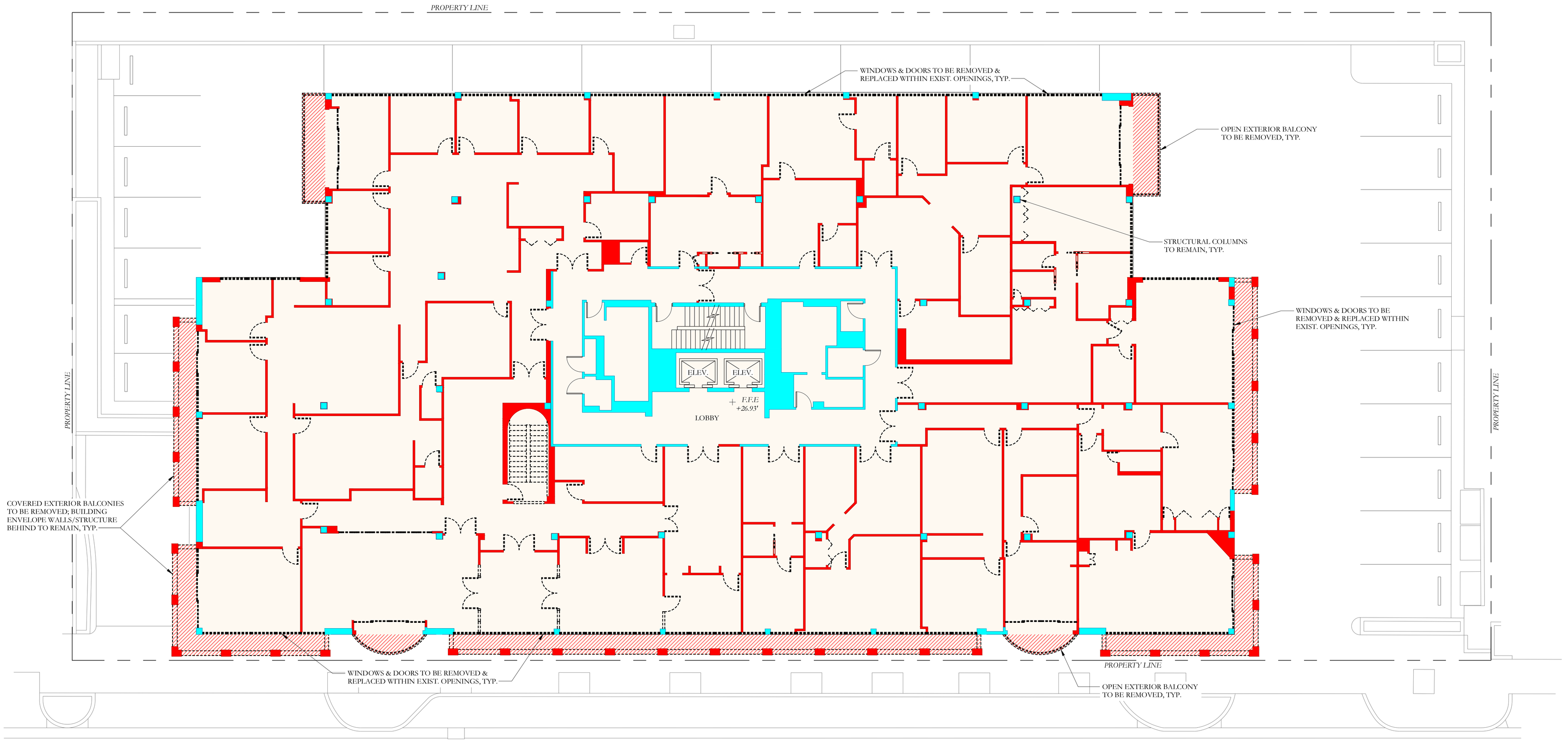

1 SECOND FLOOR DEMOLITION PLAN
1"=10'-0"

0 1 25'

NORTH

DEMOLITION KEY NOTES:

- EXISTING WALL OR STRUCT. COLUMN TO REMAIN
- EXISTING WALL TO BE REMOVED
- PORTION OF EXISTING BUILDING TO BE REMOVED (INCL. FLOOR SLAB, WALLS, COLUMNS, ETC.)
- EXISTING WINDOW, DOOR, OR OTHER MATERIALS TO BE REMOVED
- EXISTING ROOF TO BE REMOVED

DEMOLITION GENERAL NOTES:

1. PER NFPA 1, 101, & 241, ALL LIFE SAFETY DEVICES ARE TO REMAIN OPERATIONAL DURING DEMOLITION WORK ON THE EXISTING BUILDING.

2. SUBSEQUENT RENOVATION WORK IS TO COMPLY W/ALL PROVISIONS OF NFPA 241.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

SECOND FLOOR DEMOLITION PLAN

DATE FEB. 10, 2023

SCALE 1" = 10'-0"

BY CG, STC

SHEET NO D-103

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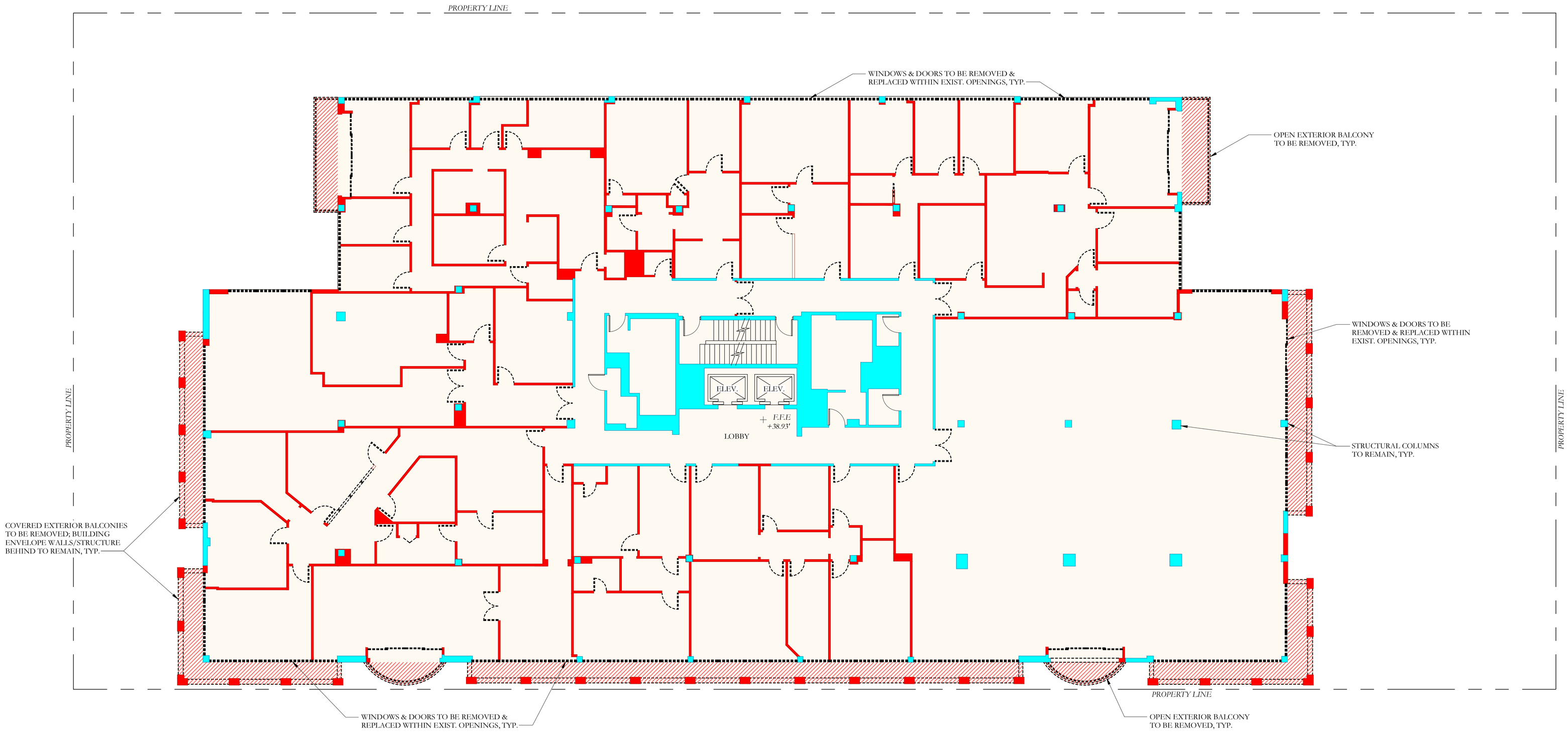

1 THIRD FLOOR DEMOLITION PLAN
1"=10'-0"

0 1 25'

NORTH

DEMOLITION KEY NOTES:

- EXISTING WALL OR STRUCT. COLUMN TO REMAIN
- EXISTING WALL TO BE REMOVED
- PORTION OF EXISTING BUILDING TO BE REMOVED (INCL. FLOOR SLAB, WALLS, COLUMNS, ETC.)
- EXISTING WINDOW, DOOR, OR OTHER MATERIALS TO BE REMOVED
- EXISTING ROOF TO BE REMOVED

DEMOLITION GENERAL NOTES:

1. PER NFPA 1, 101, & 241, ALL LIFE SAFETY DEVICES ARE TO REMAIN OPERATIONAL DURING DEMOLITION WORK ON THE EXISTING BUILDING.

2. SUBSEQUENT RENOVATION WORK IS TO COMPLY W/ALL PROVISIONS OF NFPA 241.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
THIRD FLOOR DEMOLITION PLAN

DATE FEB. 10, 2023

SCALE 1" = 10'-0"

BY CG, STC

SHEET NO D-104

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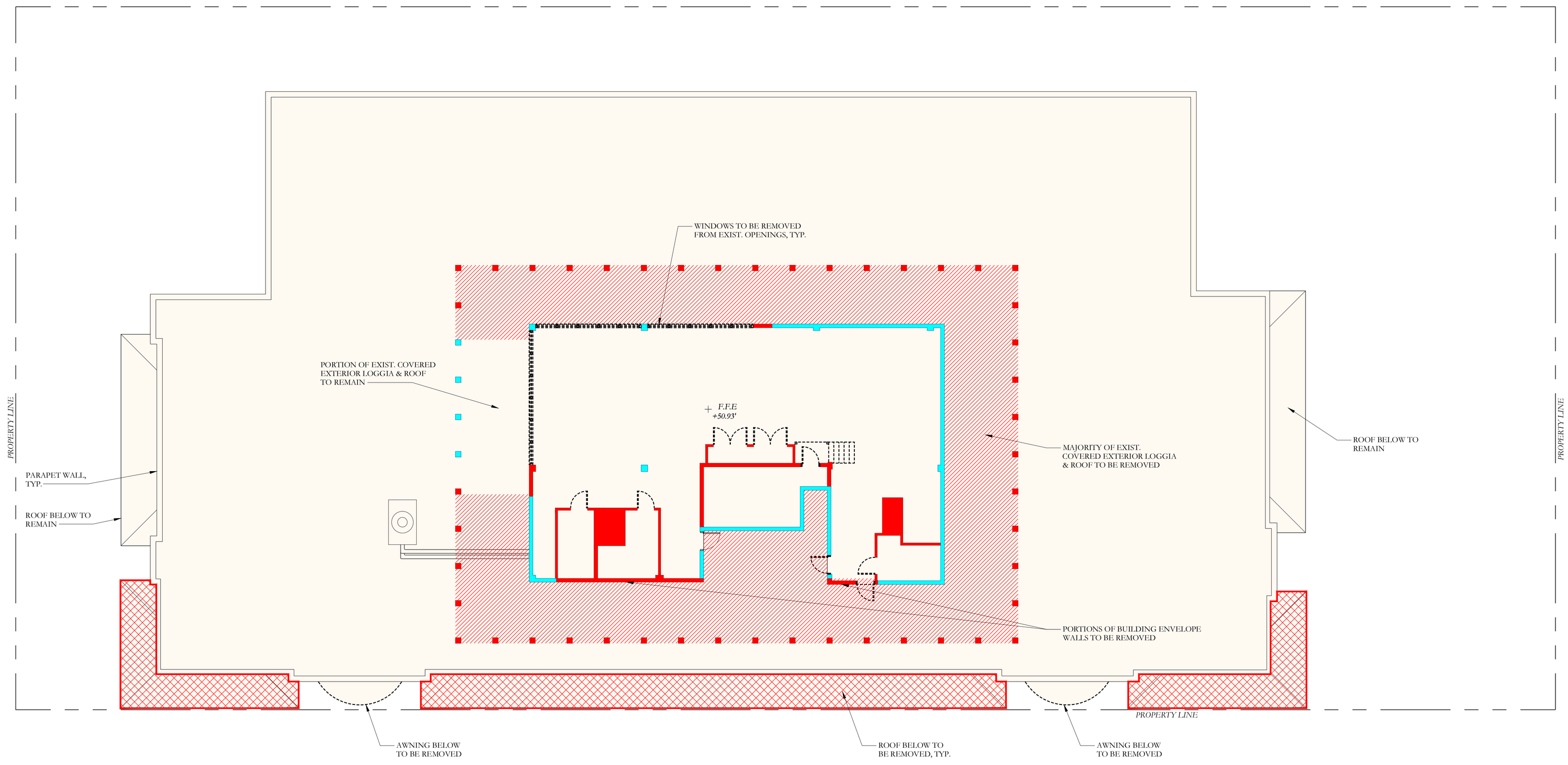
TC Development Review Meeting Backup 4-04-2023



1 DEMOLITION FOURTH FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

DEMOLITION KEY NOTES:

- EXISTING WALL OR STRUCT. COLUMN TO REMAIN
- EXISTING WALL TO BE REMOVED
- PORTION OF EXISTING BUILDING TO BE REMOVED (INCL. FLOOR SLAB, WALLS, COLUMNS, ETC.)
- EXISTING WINDOW, DOOR, OR OTHER MATERIALS TO BE REMOVED
- EXISTING ROOF TO BE REMOVED

DEMOLITION GENERAL NOTES:

1. PER NFPA 1, 101, & 241, ALL LIFE SAFETY DEVICES ARE TO REMAIN OPERATIONAL DURING DEMOLITION WORK ON THE EXISTING BUILDING.

2. SUBSEQUENT RENOVATION WORK IS TO COMPLY W/ALL PROVISIONS OF NFPA 241.

TOWN COUNCIL - REV ⚠	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
DEMOLITION
FOURTH FLOOR PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
CG, STC

SHEET NO
D-105

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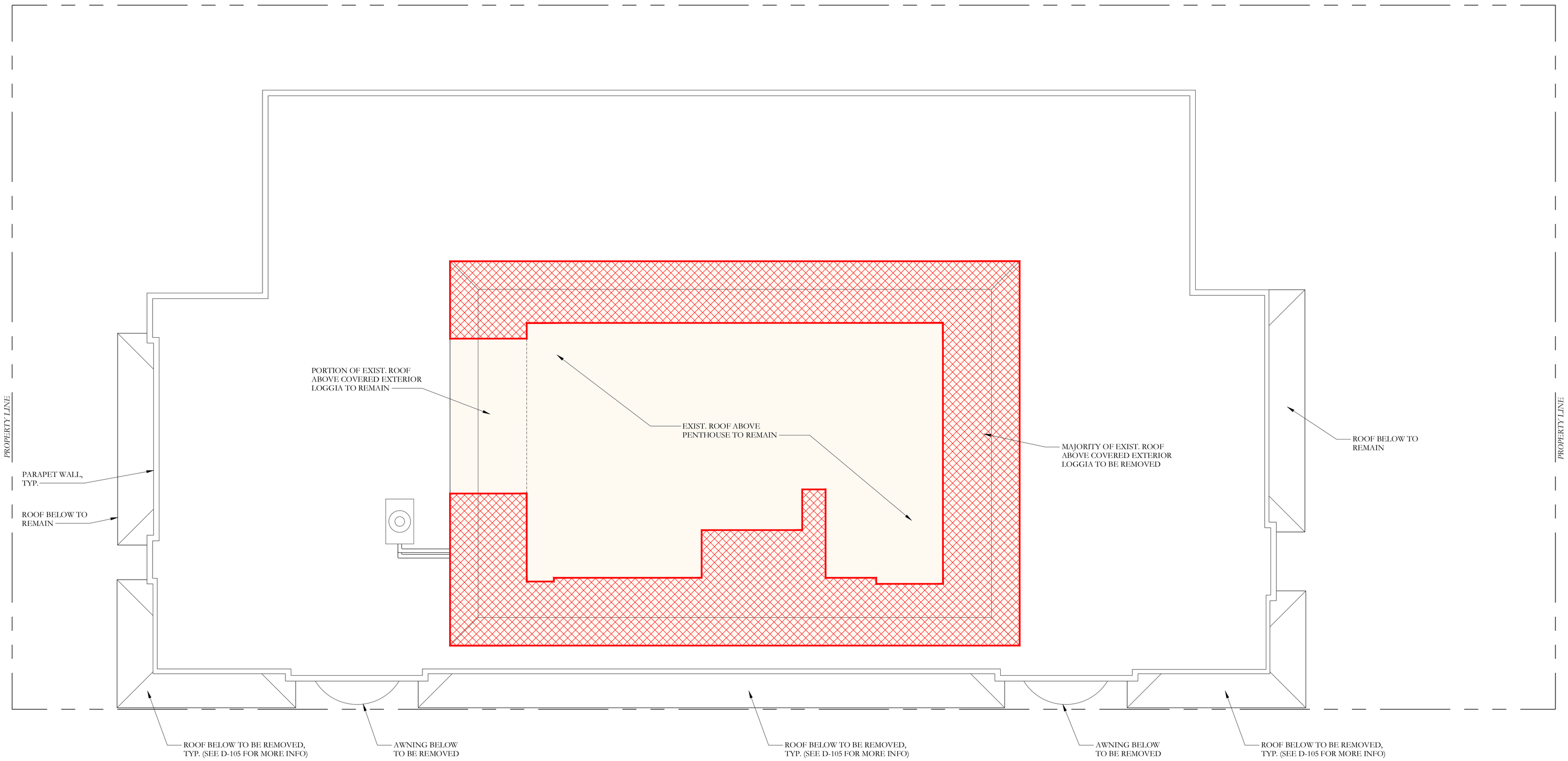

LOWER ROOF DEMOLITION AREA CALCULATIONS:

TOTAL EXISTING AREA TO REMAIN:	13,175 SQ. FT.
TOTAL EXISTING AREA TO BE DEMOLISHED:	1,210 SQ. FT.
TOTAL EXISTING AREA:	14,385 SQ. FT.
PERCENTAGE OF EXISTING AREA TO BE DEMOLISHED:	8%

PENTHOUSE ROOF DEMOLITION AREA CALCULATIONS:

TOTAL EXISTING AREA TO REMAIN:	3,544 SQ. FT.
TOTAL EXISTING AREA TO BE DEMOLISHED:	3,409 SQ. FT.
TOTAL EXISTING AREA:	6,953 SQ. FT.
PERCENTAGE OF EXISTING AREA TO BE DEMOLISHED:	49%

OVERALL ROOF DEMOLITION AREA CALCULATIONS:

TOTAL EXISTING AREA TO REMAIN:	16,719 SQ. FT.
TOTAL EXISTING AREA TO BE DEMOLISHED:	4,619 SQ. FT.
TOTAL EXISTING AREA:	21,338 SQ. FT.
PERCENTAGE OF EXISTING AREA TO BE DEMOLISHED:	22%

1 DEMOLITION ROOF PLAN
1"=10'-0"

0 1 25'

NORTH

DEMOLITION KEY NOTES:

- EXISTING WALL OR STRUCT. COLUMN TO REMAIN
- EXISTING WALL TO BE REMOVED
- PORTION OF EXISTING BUILDING TO BE REMOVED (INCL. FLOOR SLAB, WALLS, COLUMNS, ETC.)
- EXISTING WINDOW, DOOR, OR OTHER MATERIALS TO BE REMOVED
- EXISTING ROOF TO BE REMOVED

DEMOLITION GENERAL NOTES:

1. PER NFPA 1, 101, & 241, ALL LIFE SAFETY DEVICES ARE TO REMAIN OPERATIONAL DURING DEMOLITION WORK ON THE EXISTING BUILDING.

2. SUBSEQUENT RENOVATION WORK IS TO COMPLY W/ALL PROVISIONS OF NFPA 241.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
DEMOLITION ROOF PLAN

DATE
FEB. 10, 2023

SHEET NO
D-106

SCALE
1" = 10'-0"

BY
CG, STC

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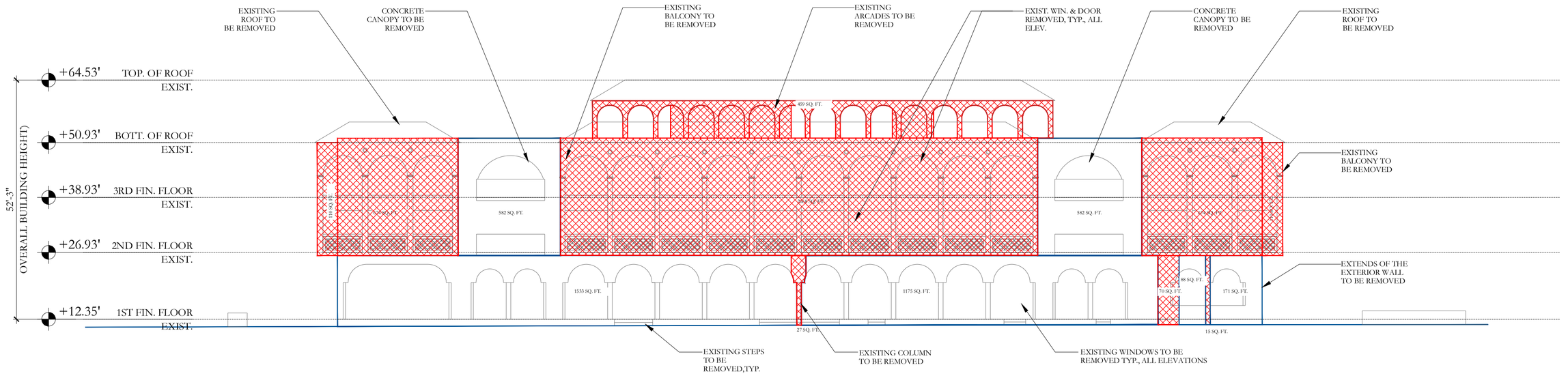
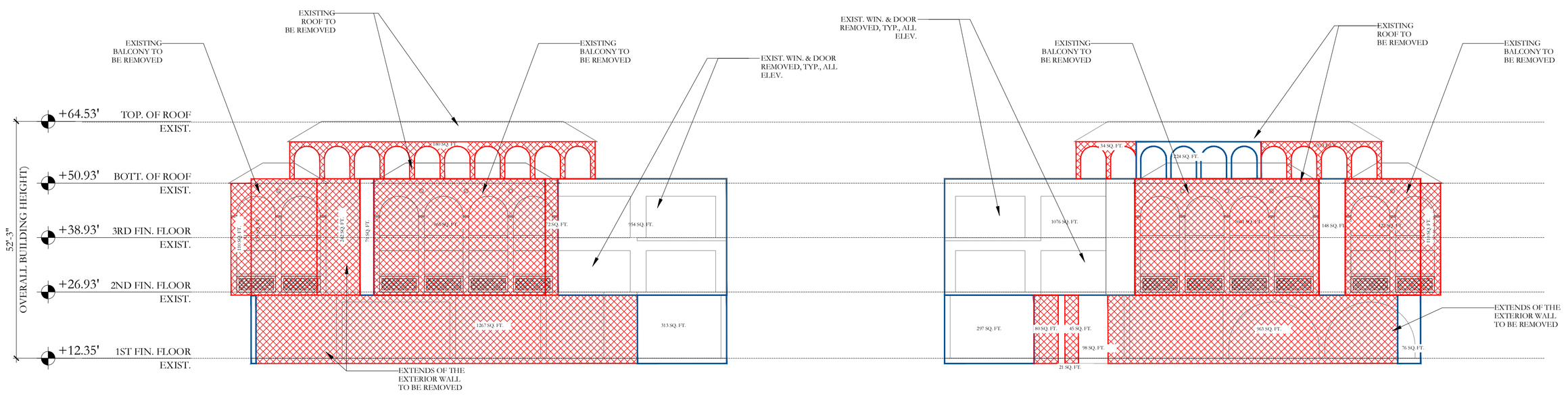


1 PROPOSED DEMOLITION OF EXISTING SOUTH ELEVATION

1/16"=1'-0"

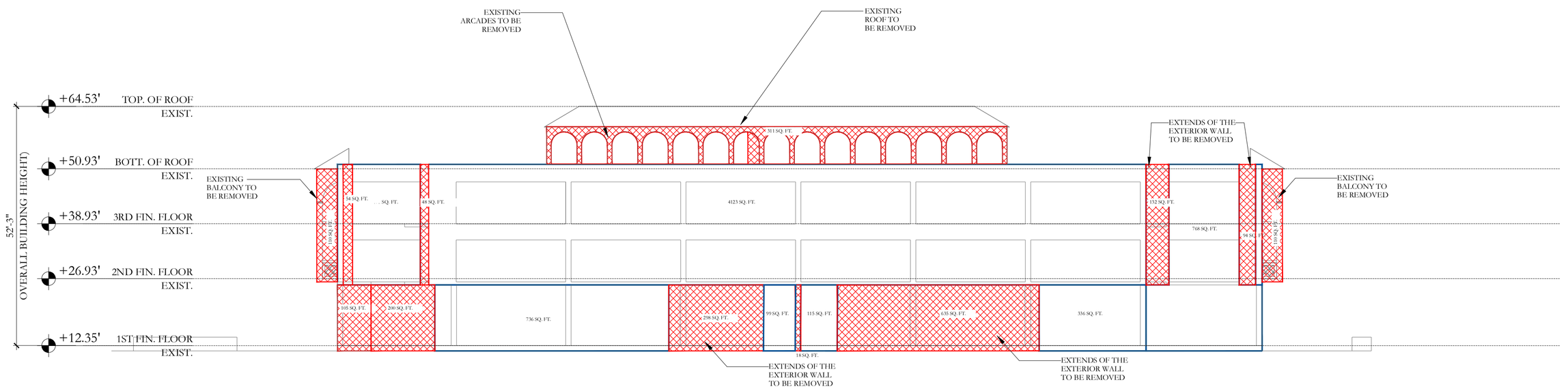


2 PROPOSED DEMOLITION OF EXISTING EAST ELEVATION

1/16"=1'-0"

3 PROPOSED DEMOLITION OF EXISTING WEST ELEVATION

1/16"=1'-0"



4 PROPOSED DEMOLITION OF EXISTING SOUTH ELEVATION

1/16"=1'-0"

DEMOLITION KEY:

EXISTING EXTERIOR WALL TO REMAIN

EXISTING EXTERIOR WALL TO BE REMOVED

NOTE: EXISTING BALCONIES AREA ARE NOT INCLUDED IN THE DEMOLITION AREA CALCULATION

SOUTH ELEVATION CALCULATIONS:

TOTAL EXTERIOR WALL AREA TO REMAIN:	4,501 SQ. FT.
TOTAL EXISTING WALL AREA TO BE DEMOLISHED:	4,806 SQ. FT.
TOTAL EXISTING WALL AREA:	9,307 SQ. FT.
PERCENTAGE OF EXISTING WALL AREA TO BE DEMOLISHED:	51.6%

EAST ELEVATION CALCULATIONS:

TOTAL EXTERIOR WALL AREA TO REMAIN:	1,835 SQ. FT.
TOTAL EXISTING WALL AREA TO BE DEMOLISHED:	3,192 SQ. FT.
TOTAL EXISTING WALL AREA:	5,027 SQ. FT.
PERCENTAGE OF EXISTING WALL AREA TO BE DEMOLISHED:	63.5%

WEST ELEVATION CALCULATIONS:

TOTAL EXTERIOR WALL AREA TO REMAIN:	2,245 SQ. FT.
TOTAL EXISTING WALL AREA TO BE DEMOLISHED:	2,782 SQ. FT.
TOTAL EXISTING WALL AREA:	5,027 SQ. FT.
PERCENTAGE OF EXISTING WALL AREA TO BE DEMOLISHED:	55%

NORTH ELEVATION CALCULATIONS:

TOTAL EXTERIOR WALL AREA TO REMAIN:	7,211 SQ. FT.
TOTAL EXISTING WALL AREA TO BE DEMOLISHED:	2,096SQ. FT.
TOTAL EXISTING WALL AREA:	9,307 SQ. FT.
PERCENTAGE OF EXISTING WALL AREA TO BE DEMOLISHED:	22.5%

TOWN COUNCIL - REV 1	03/24/2023
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

DEMOLITION / MATERIAL REMOVAL ELEVATIONS

DATE: FEB. 10, 2023

SHEET NO: D-110

SCALE: AS NOTED

BY: SB

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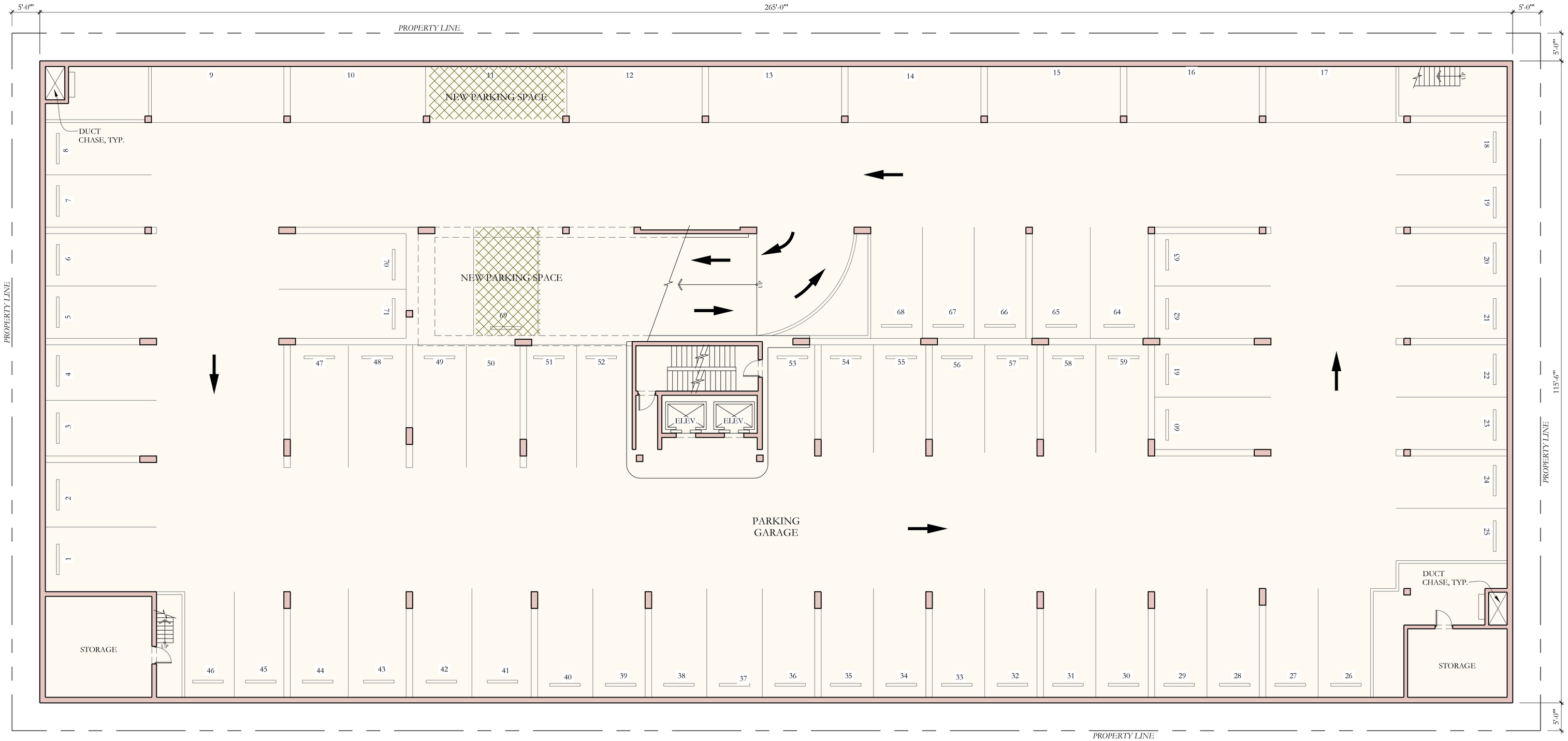

1 PROPOSED SUB-BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE FOR PROPOSED SUB-BASE **PLAN - 71**, Which is 2 more than the Existing Sub-base Plan.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED SUB-BASEMENT FLOOR PLAN

DATE FEB. 10, 2023	**SHEET NO** A-100
SCALE 1" = 10'-0"	
BY HM	

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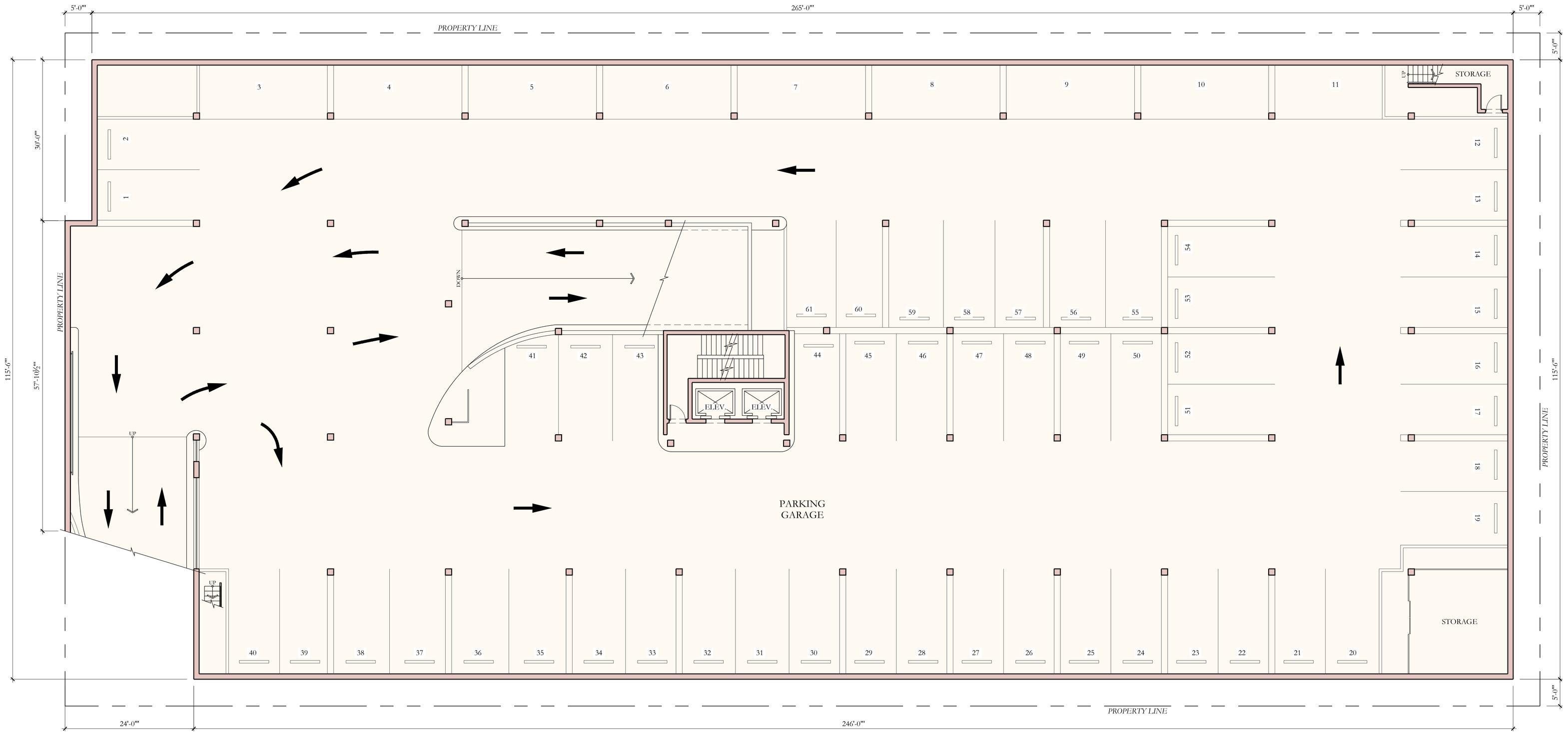

1 PROPOSED BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE- 61, Which is same as the Existing Basement Plan.

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED BASEMENT FLOOR PLAN

DATE FEB. 10, 2023

SCALE 1" = 10'-0"

BY HM

SHEET NO A-101

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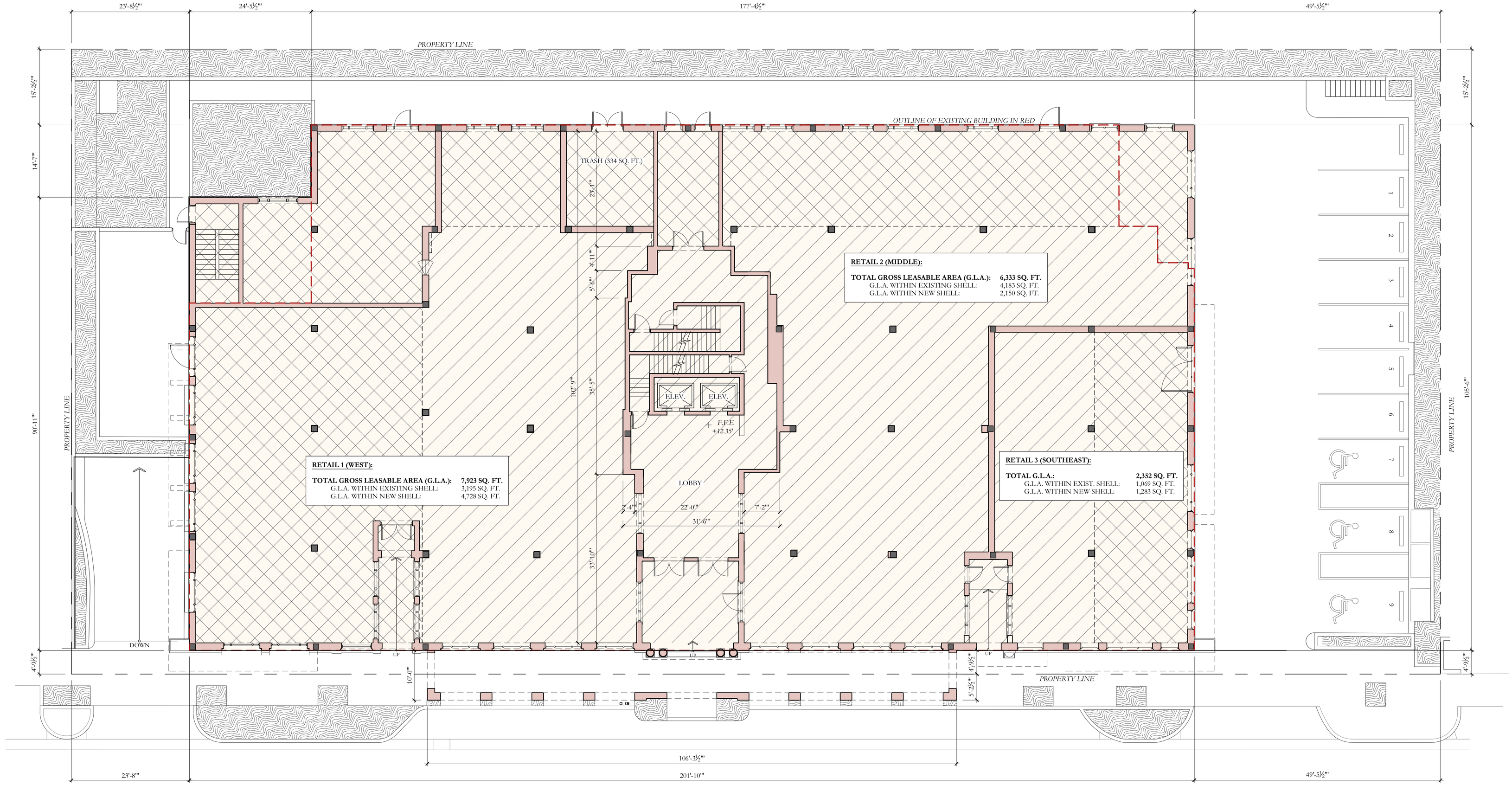

1 PROPOSED FIRST FLOOR PLAN
1"=10'-0"

FIRST FLOOR GROSS LEASABLE AREA (G.L.A.) - RETAIL:

RETAIL TENANT 1 (WEST):	7,923 SQ. FT.
RETAIL TENANT 2 (MIDDLE):	6,333 SQ. FT.
RETAIL TENANT 3 (SOUTHEAST CORNER):	2,352 SQ. FT.
TOTAL RETAIL G.L.A., FIRST FLOOR:	**16,608 SQ. FT.**

FIRST FLOOR FLOOR AREA

EXISTING FLOOR AREA:	19,993 SF
PROPOSED FLOOR AREA:	20,963 SF

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 970 SQ.FT.

EXISTING =19,993 SQ.FT.

OUTLINE OF EXISTING BUILDING

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED FIRST FLOOR PLAN

DATE	SHEET NO
FEB. 10, 2023	A-102
SCALE: 1" = 10'-0"	
BY: HM	

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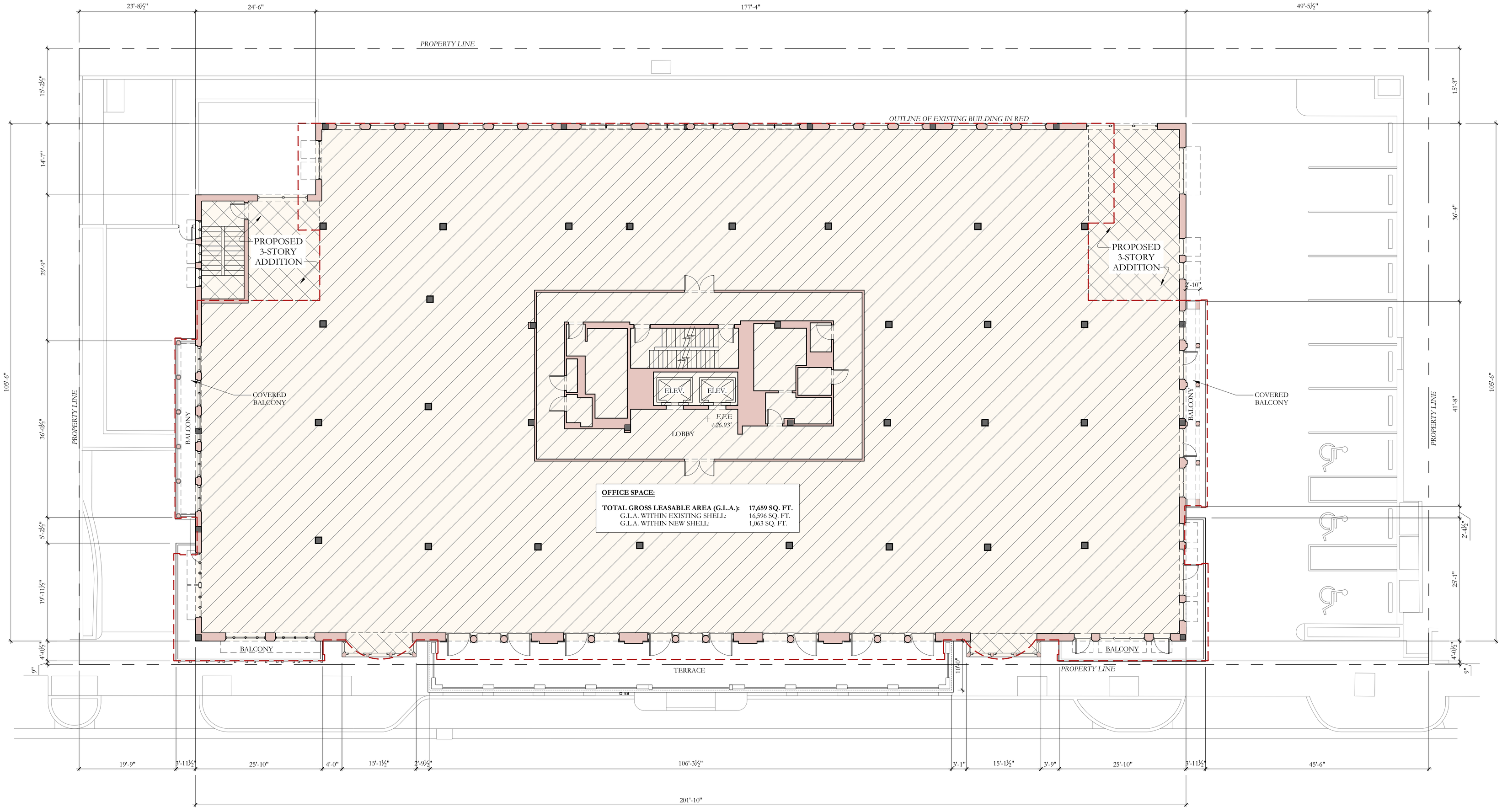

OFFICE SPACE:

TOTAL GROSS LEASABLE AREA (G.L.A.):	**17,659 SQ. FT.**
G.L.A. WITHIN EXISTING SHELL:	16,596 SQ. FT.
G.L.A. WITHIN NEW SHELL:	1,063 SQ. FT.

1 PROPOSED SECOND FLOOR PLAN
1"=10'-0"

SECOND FLOOR FLOOR AREA

EXISTING FLOOR AREA:	20,696 SF
PROPOSED FLOOR AREA:	22,146 SF

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION

EXISTING

OUTLINE OF EXISTING BUILDING

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED SECOND FLOOR PLAN

DATE FEB. 10, 2023

SCALE 1" = 10'-0"

BY HM

SHEET NO A-103

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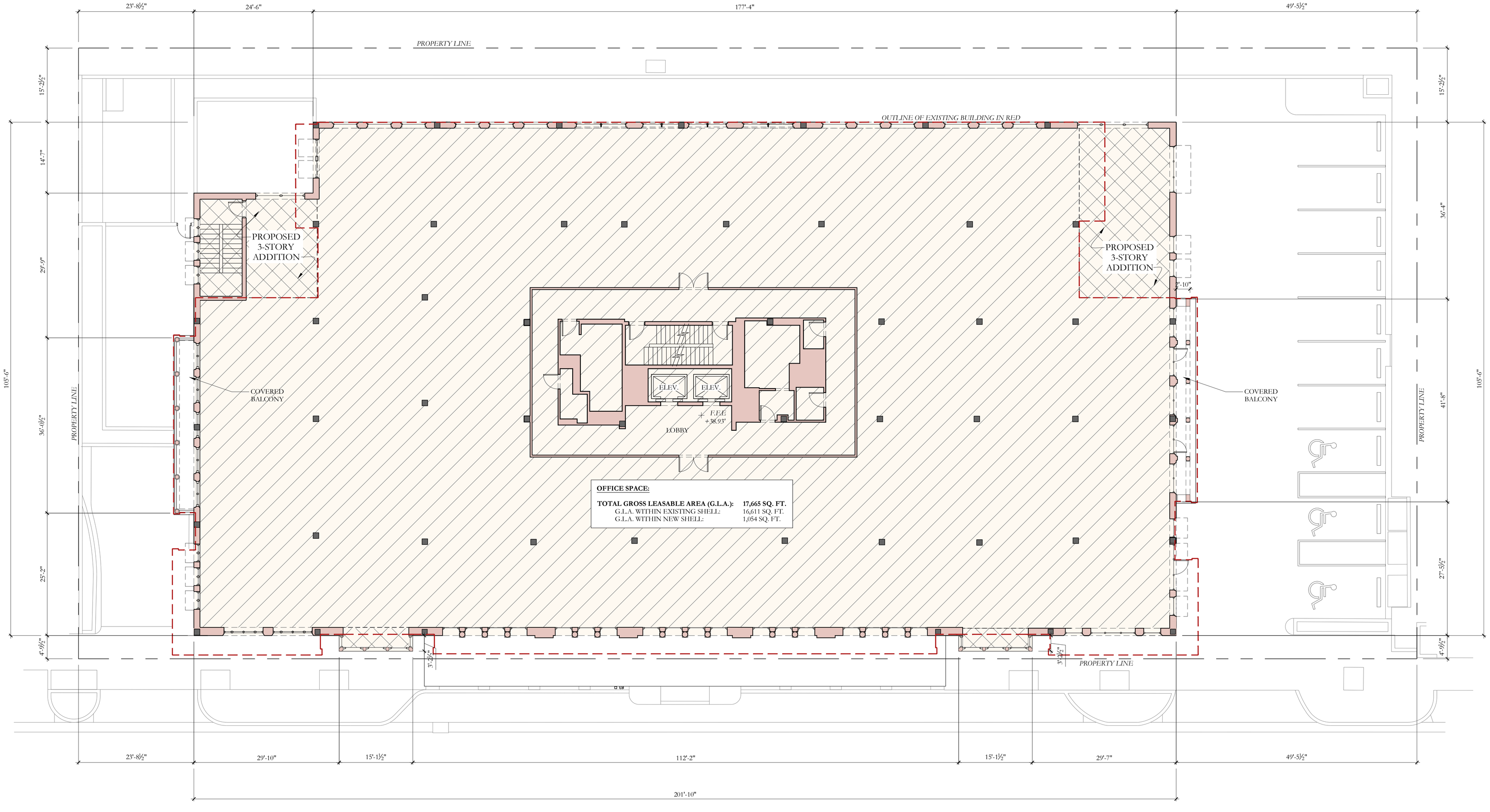

1 PROPOSED THIRD FLOOR PLAN
1"=10'-0"

THIRD FLOOR FLOOR AREA

EXISTING FLOOR AREA:	19,502 SF
PROPOSED FLOOR AREA:	21,324 SF

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION

EXISTING

OUTLINE OF EXISTING BUILDING

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED THIRD FLOOR PLAN

DATE FEB. 10, 2023	**SHEET NO** A-104
SCALE 1" = 10'-0"	
BY HM	

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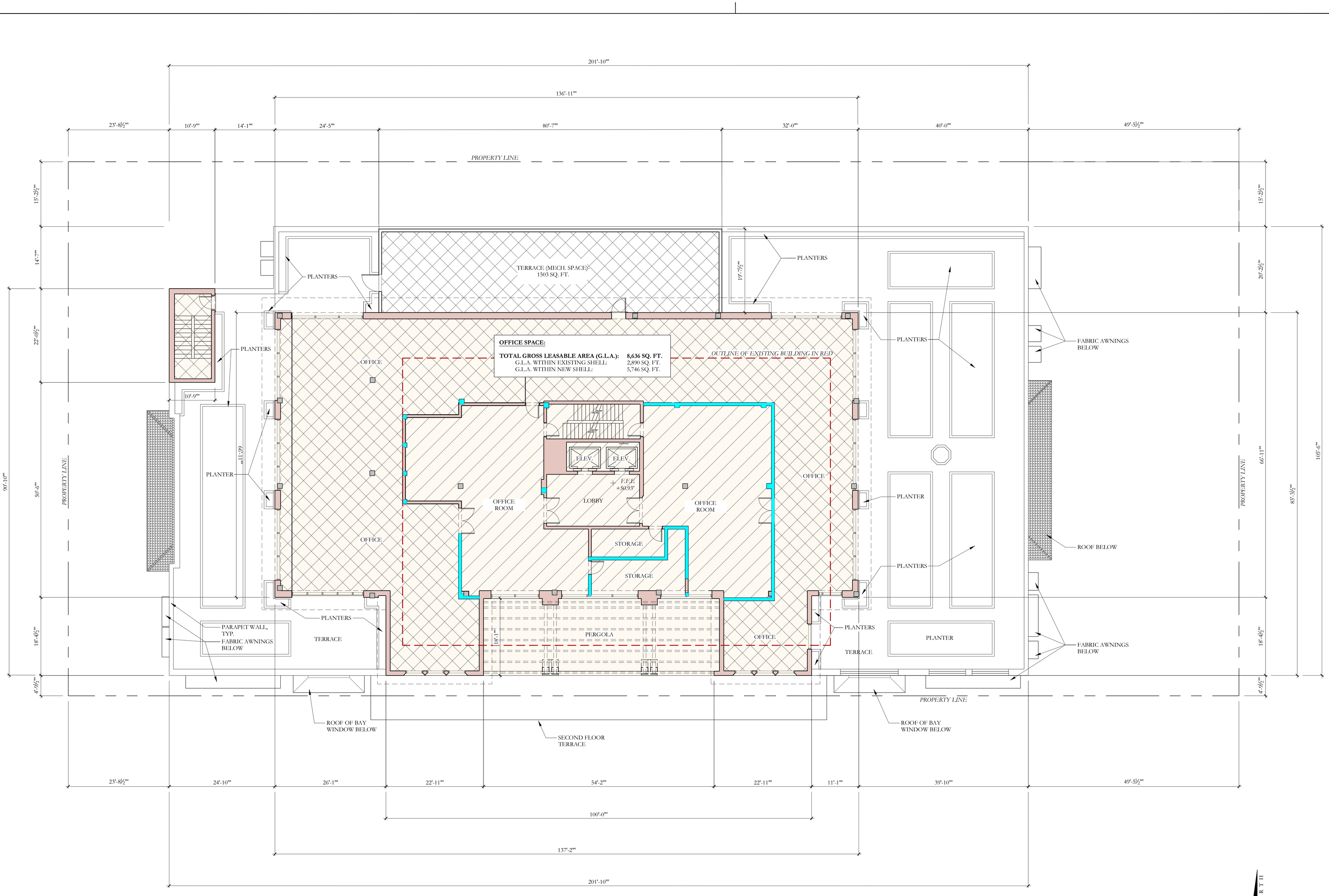

1 PROPOSED FOURTH FLOOR PLAN
1"=10'-0"

FOURTH FLOOR FLOOR AREA

EXISTING FLOOR AREA:	6,785 SF
PROPOSED FLOOR AREA:	11,238 SF

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 4,453 SQ.FT.

EXISTING =6,785 SQ.FT.

EXISTING WALL OR STRUCT. COLUMN TO REMAIN

OUTLINE OF EXISTING BUILDING

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED FOURTH FLOOR PLAN

DATE: FEB. 10, 2023
SCALE: 1" = 10'-0"
BY: HM
SHEET NO: A-105

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
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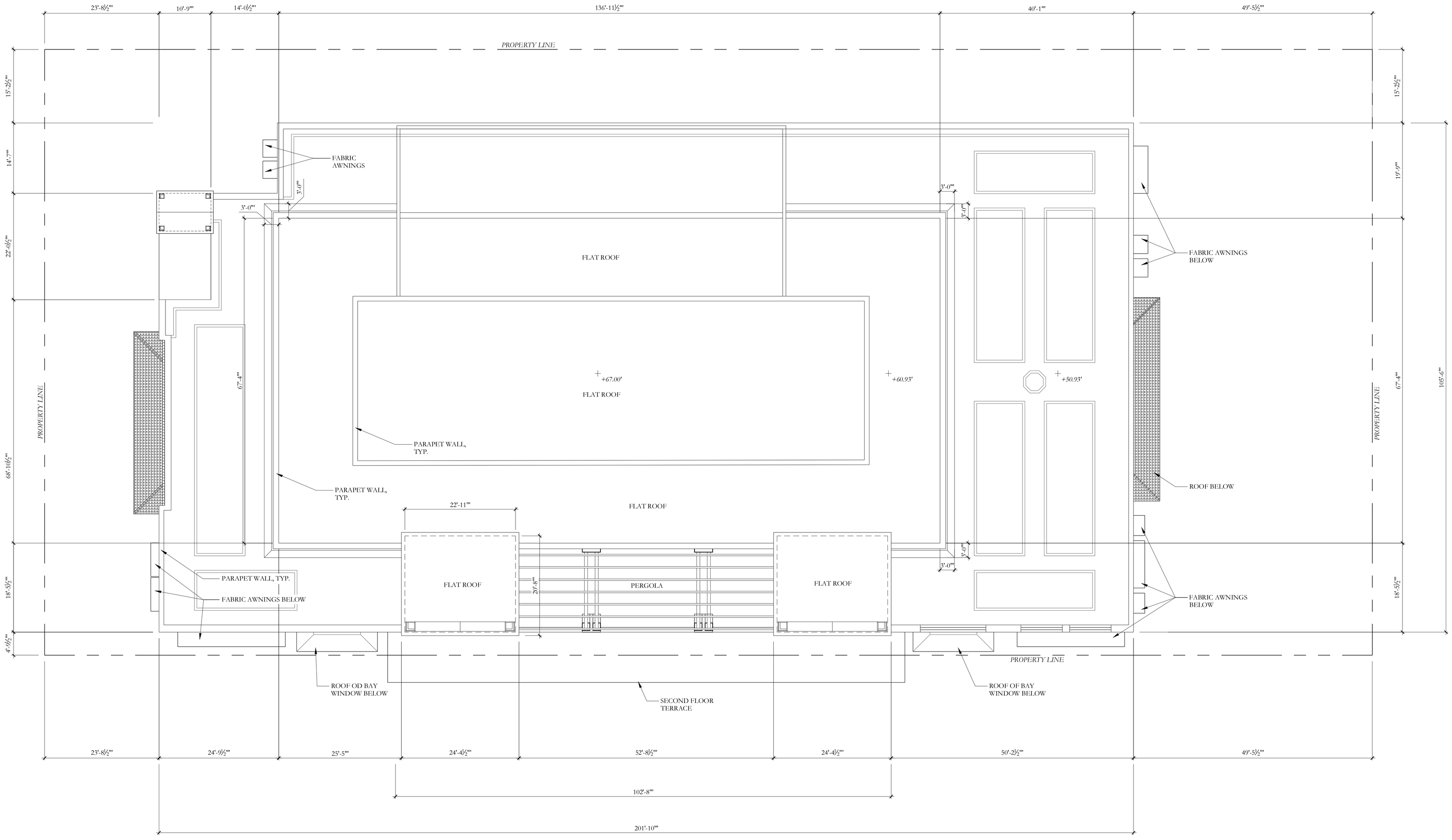

1 PROPOSED ROOF PLAN
1"=10'-0"

NORTH

0 1 25'

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED ROOF PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
HM

SHEET NO
A-106

FAIRFAX & SAMMONS
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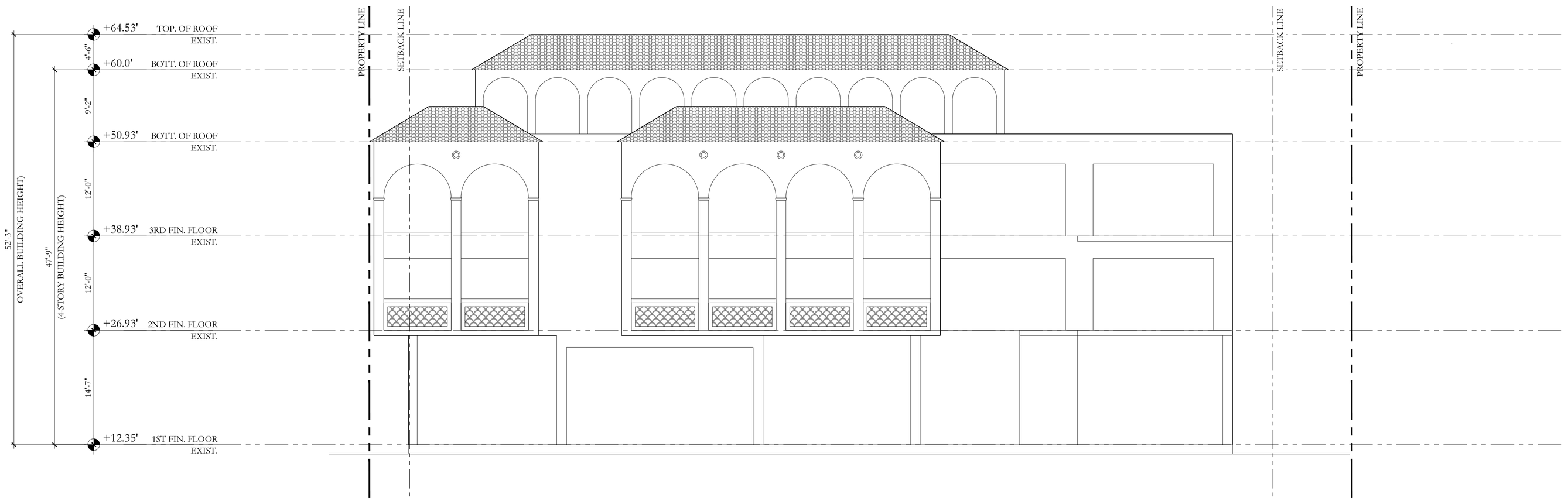

1 EXIST. EAST ELEVATION
1/8"=1'-0"

2 PREVIOUSLY SUBMITTED EAST ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED EAST ELEVATION

DATE JAN. 12, 2023	**SHEET NO** A-111
SCALE 1/8" = 1'-0"	
BY SPB	

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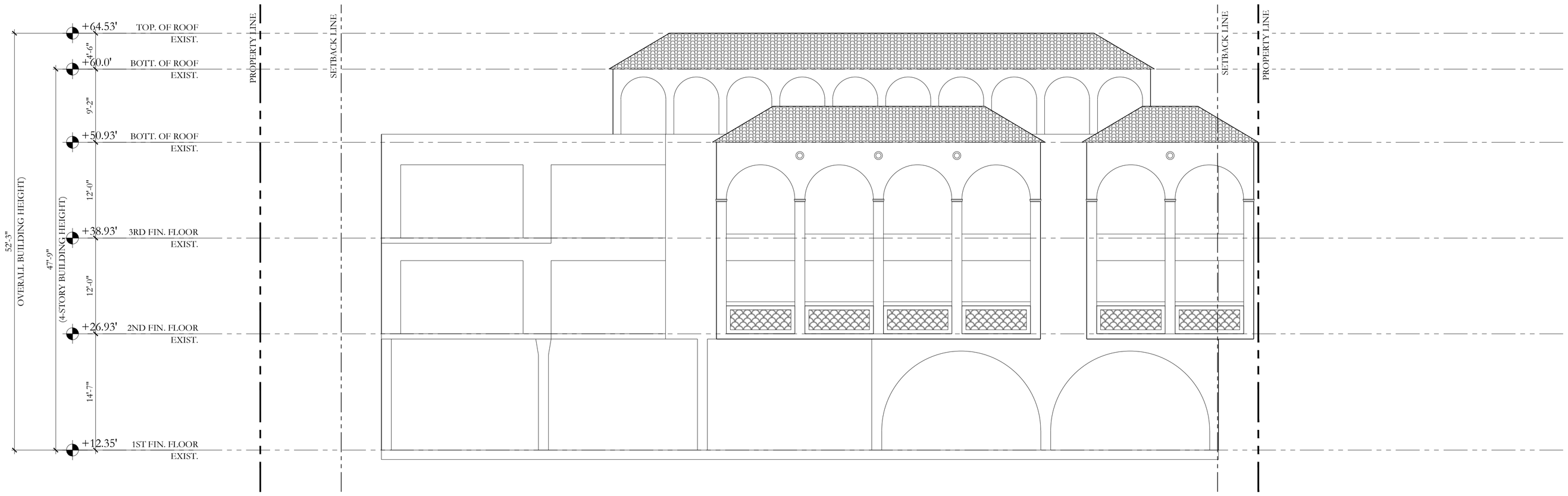

1 EXIST. WEST ELEVATION
1/8"=1'-0"

2 PREVIOUSLY SUBMITTED WEST ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED WEST ELEVATION

DATE JAN. 12, 2023	**SHEET NO** A-112
SCALE 1/8" = 1'-0"	
BY SPB	

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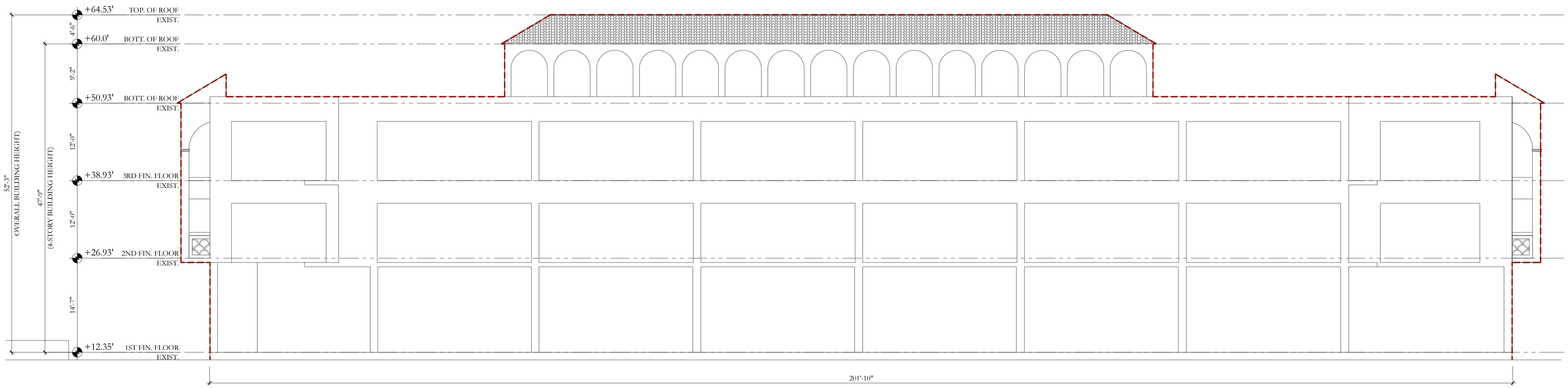

1 EXIST. NORTH ELEVATION
1/8"=1'-0"

2 PREVIOUSLY SUBMITTED NORTH ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXIST. & PROPOSED NORTH ELEVATION

DATE
JAN. 12, 2023

SCALE
1/8" = 1'-0"

BY
SPB

SHEET NO
A-113

FAIRFAX & SAMMONS
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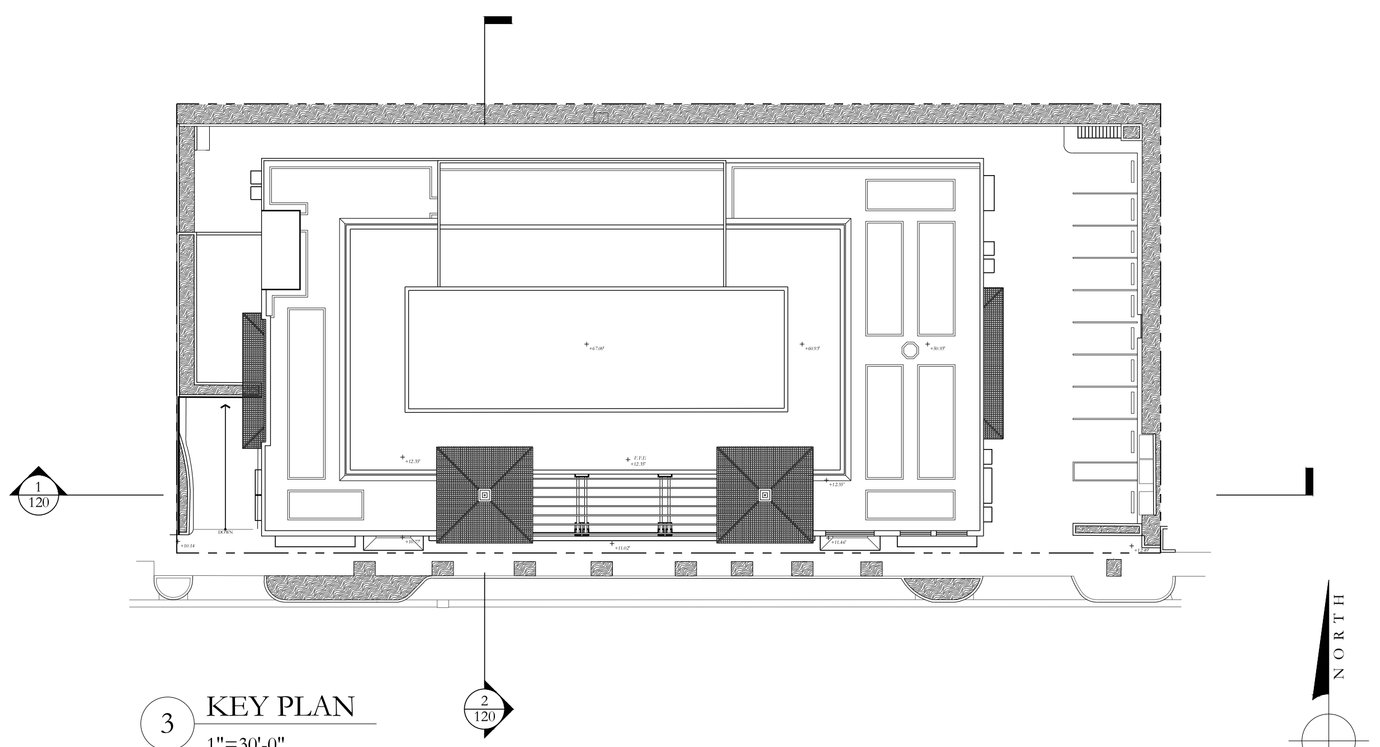
1 PREVIOUSLY SUBMITTED SITE SECTION, LOOKING NORTH

3/32"=1'-0"

2 PREVIOUSLY SUBMITTED SITE SECTION, LOOKING EAST

3/32"=1'-0"



3 KEY PLAN

1"=30'-0"

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED BUILDING SECTION DIAGRAM

DATE JAN. 12, 2023	**SHEET NO** A-120
SCALE AS NOTED	
BY CG	

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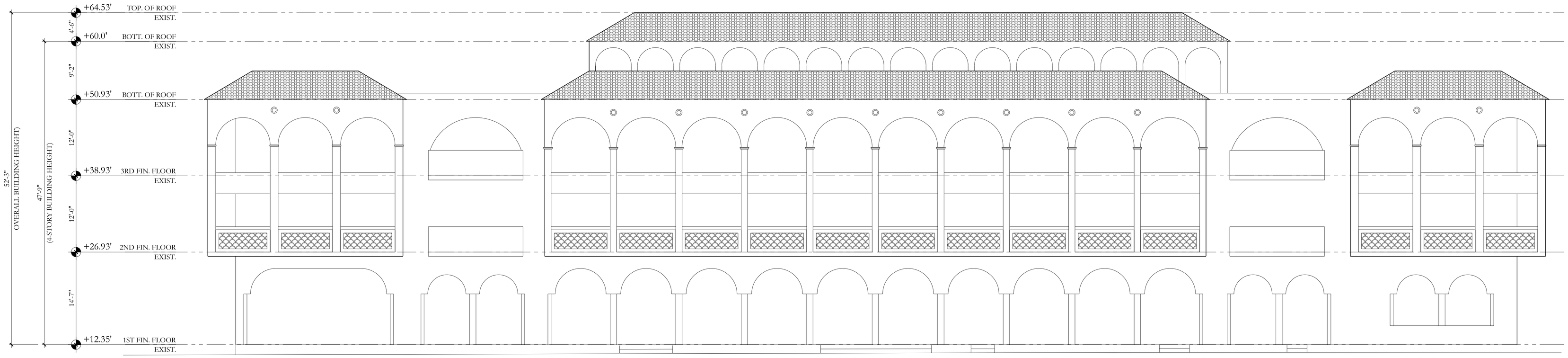

1 EXIST. SOUTH ELEVATION

1/8"=1'-0"

2 PROPOSED SOUTH ELEVATION

1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED SOUTH ELEVATION

DATE: FEB. 10, 2023	SHEET NO: A-110
SCALE: 1/8" = 1'-0"	
BY: SPB	

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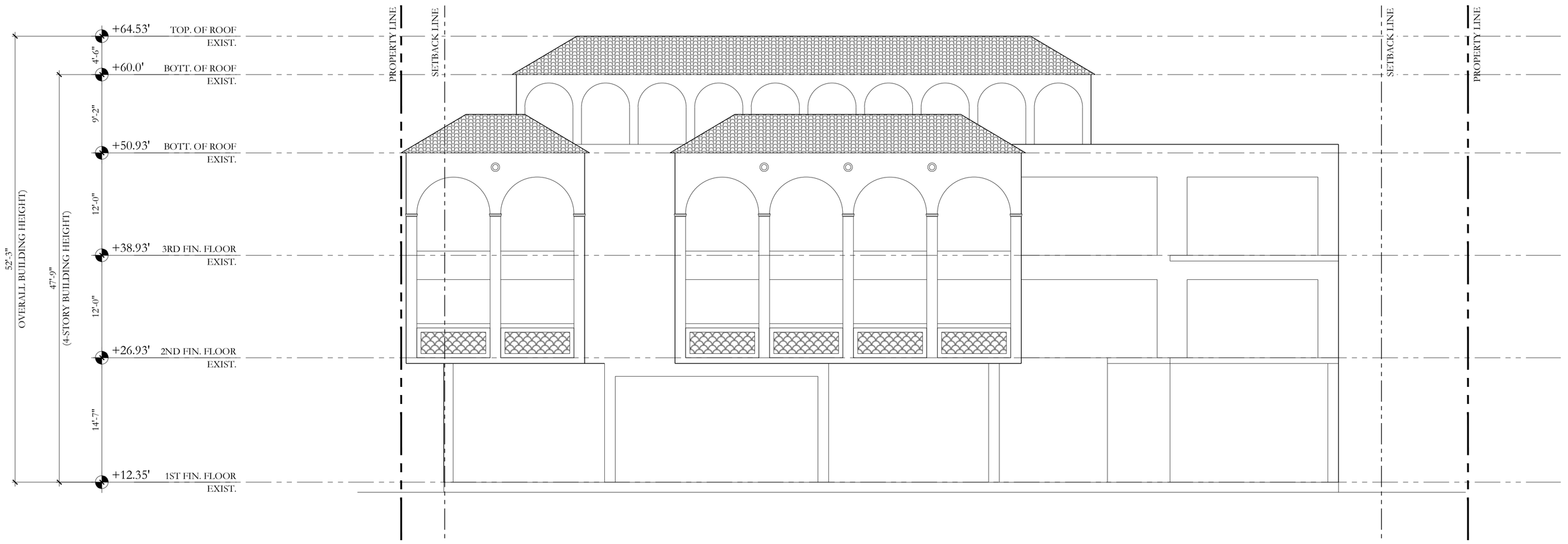

1 EXIST. EAST ELEVATION

1/8"=1'-0"

2 PROPOSED EAST ELEVATION

1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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D.R.C. FIRST SUBMITTAL SET	12/08/2022
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED EAST ELEVATION

DATE FEB. 10, 2023	**SHEET NO** A-111
SCALE 1/8" = 1'-0"	
BY SPB	

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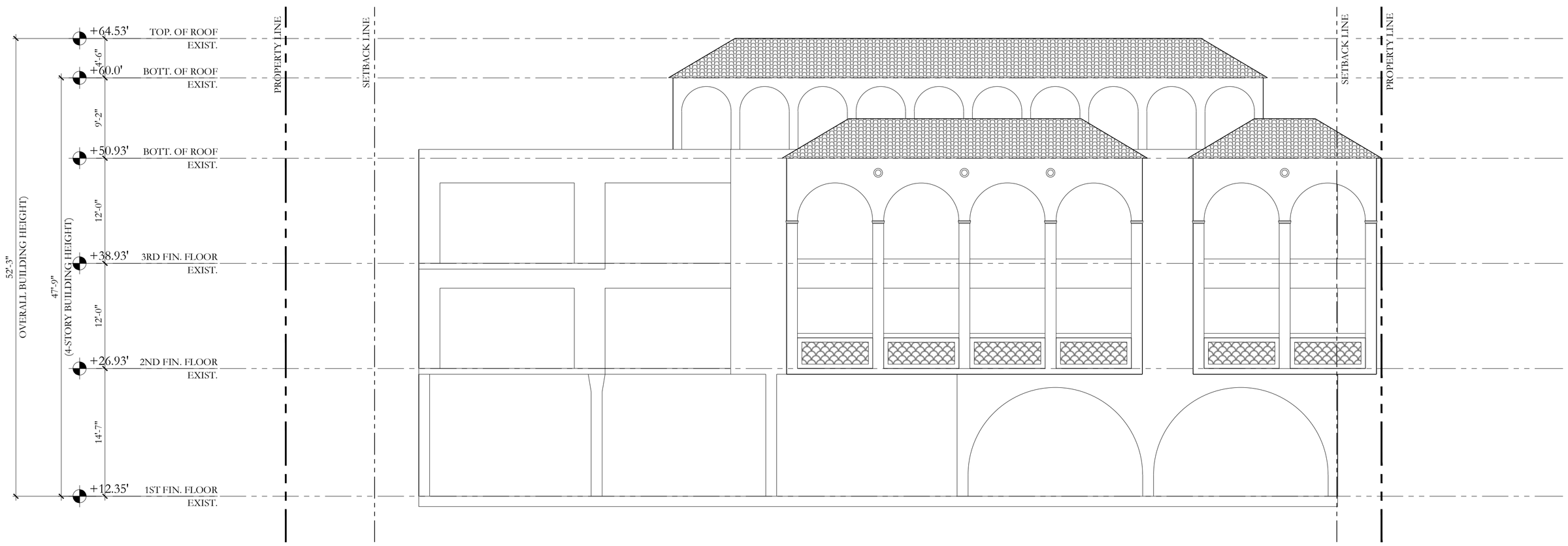
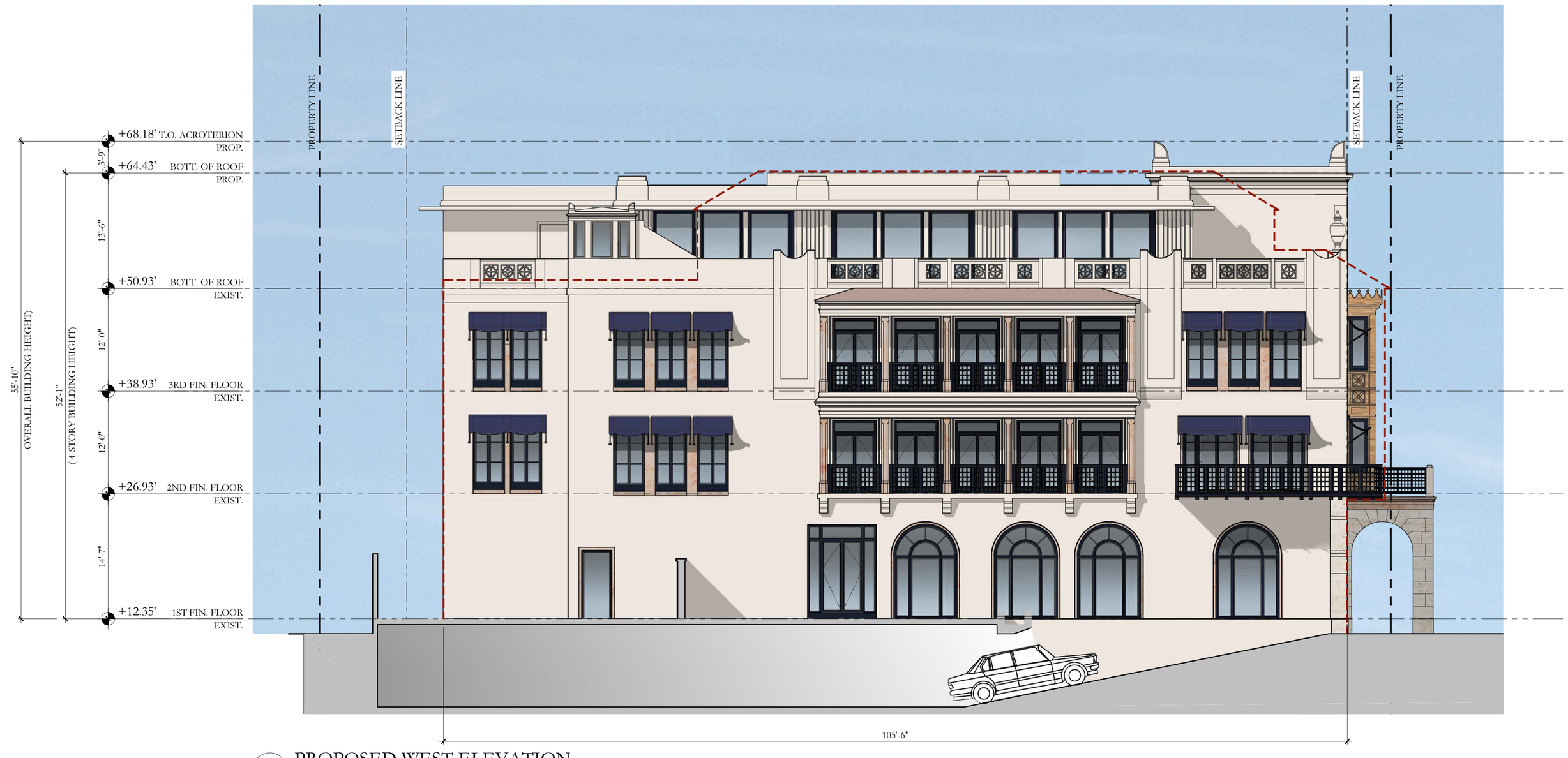


1 EXIST. WEST ELEVATION

1/8"=1'-0"



2 PROPOSED WEST ELEVATION

1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED WEST ELEVATION

DATE FEB. 10, 2023

SCALE 1/8" = 1'-0"

BY SPB

SHEET NO A-112

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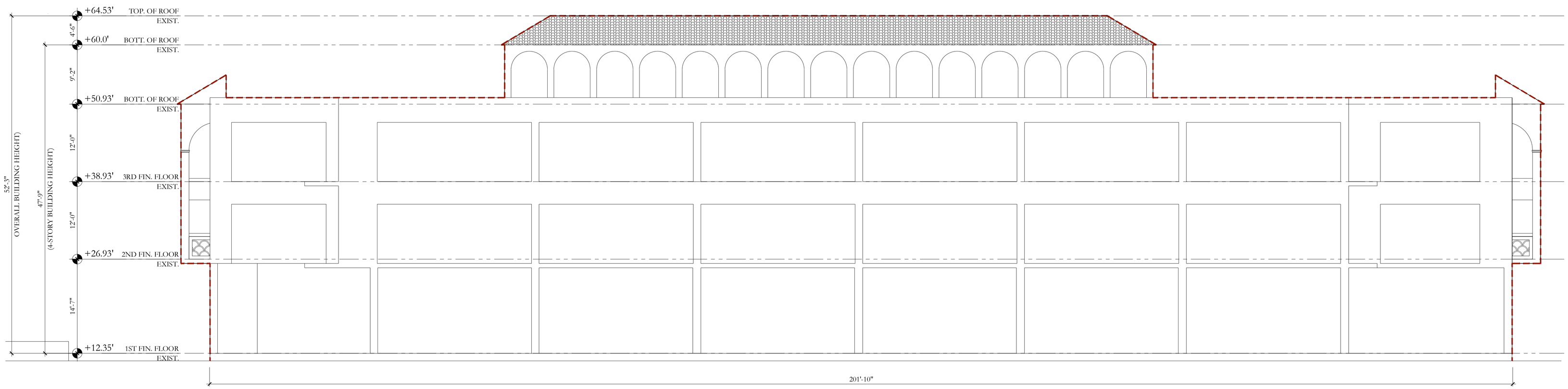

1 EXIST. NORTH ELEVATION
1/8"=1'-0"

2 PROPOSED NORTH ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED NORTH ELEVATION

DATE	SHEET NO
FEB. 10, 2023	A-113
SCALE 1/8" = 1'-0"	
BY SPB	

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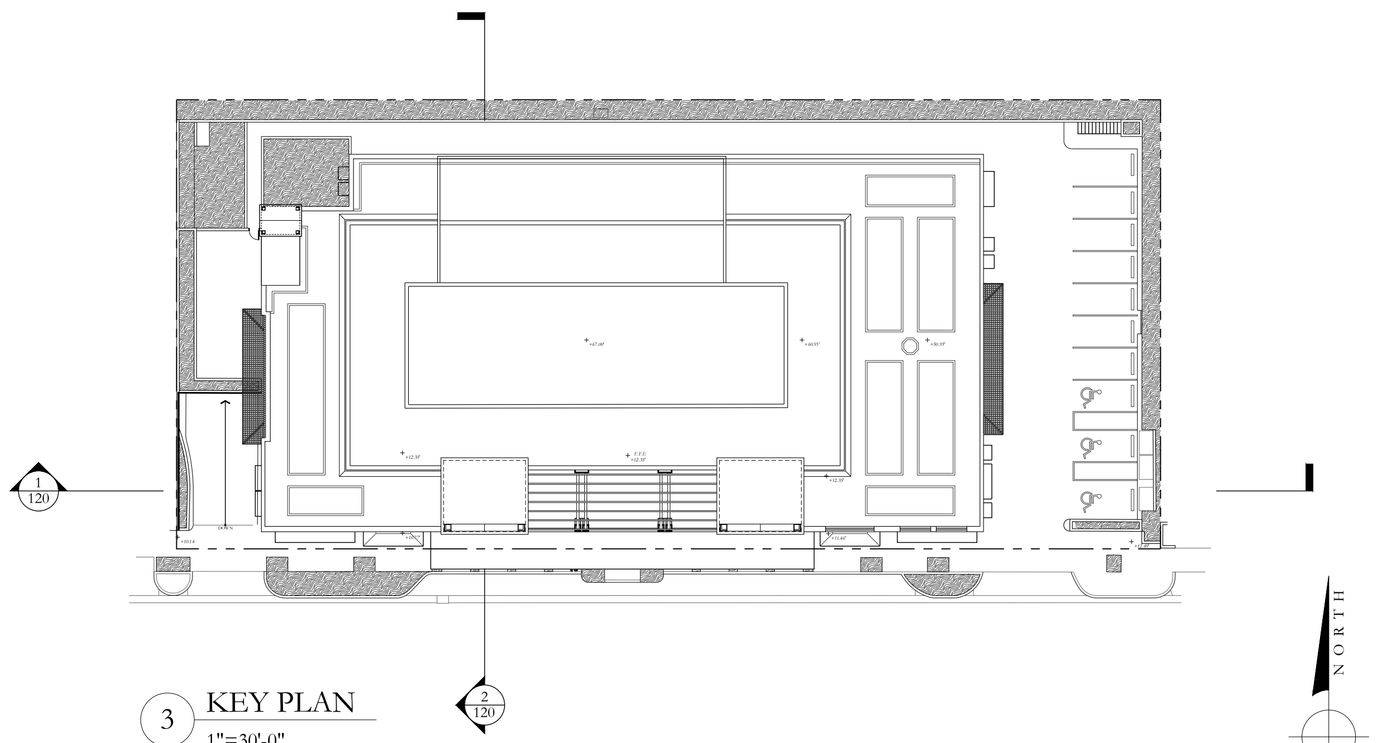
1 PROPOSED SITE SECTION, LOOKING NORTH

3/32"=1'-0"

2 PROPOSED SITE SECTION, LOOKING EAST

3/32"=1'-0"



3 KEY PLAN

1"=30'-0"

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED BUILDING SECTION DIAGRAM

DATE FEB. 10, 2023	**SHEET NO** A-120
SCALE AS NOTED	
BY CG	

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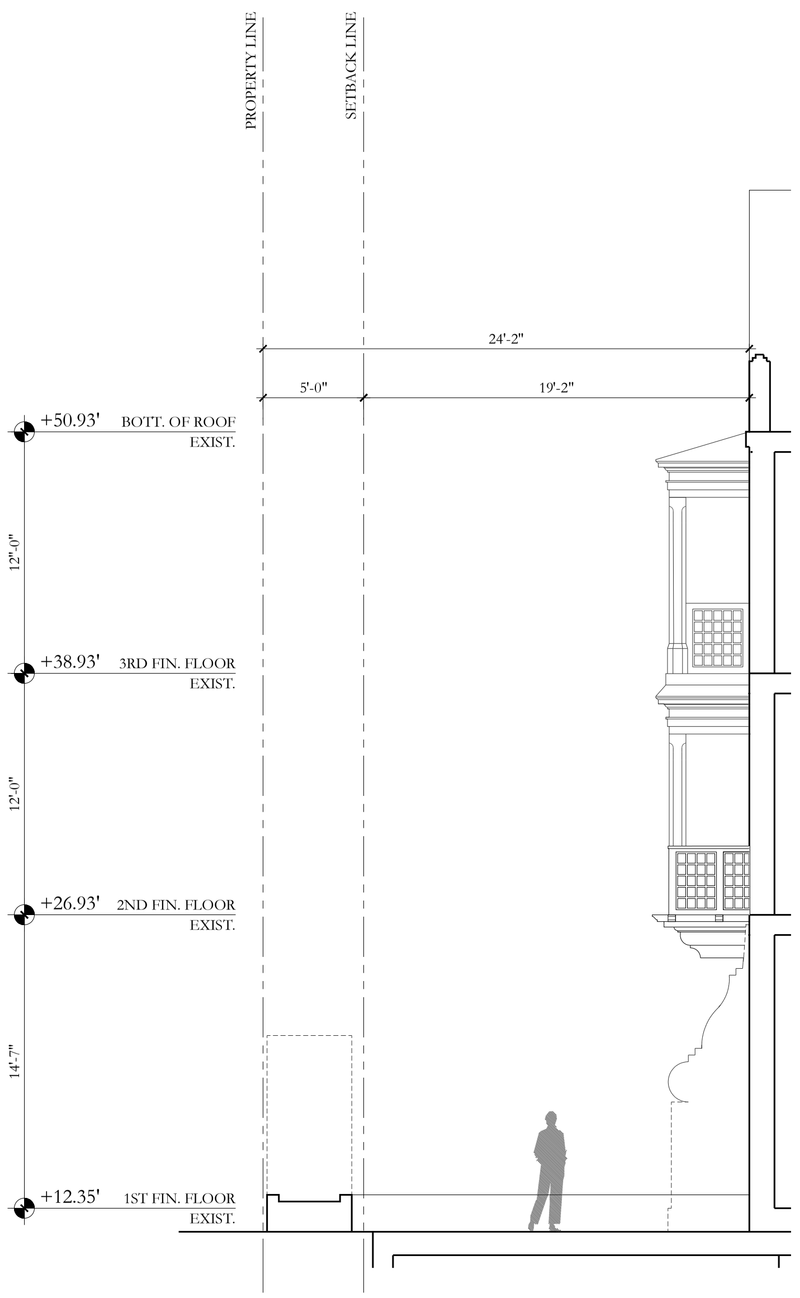
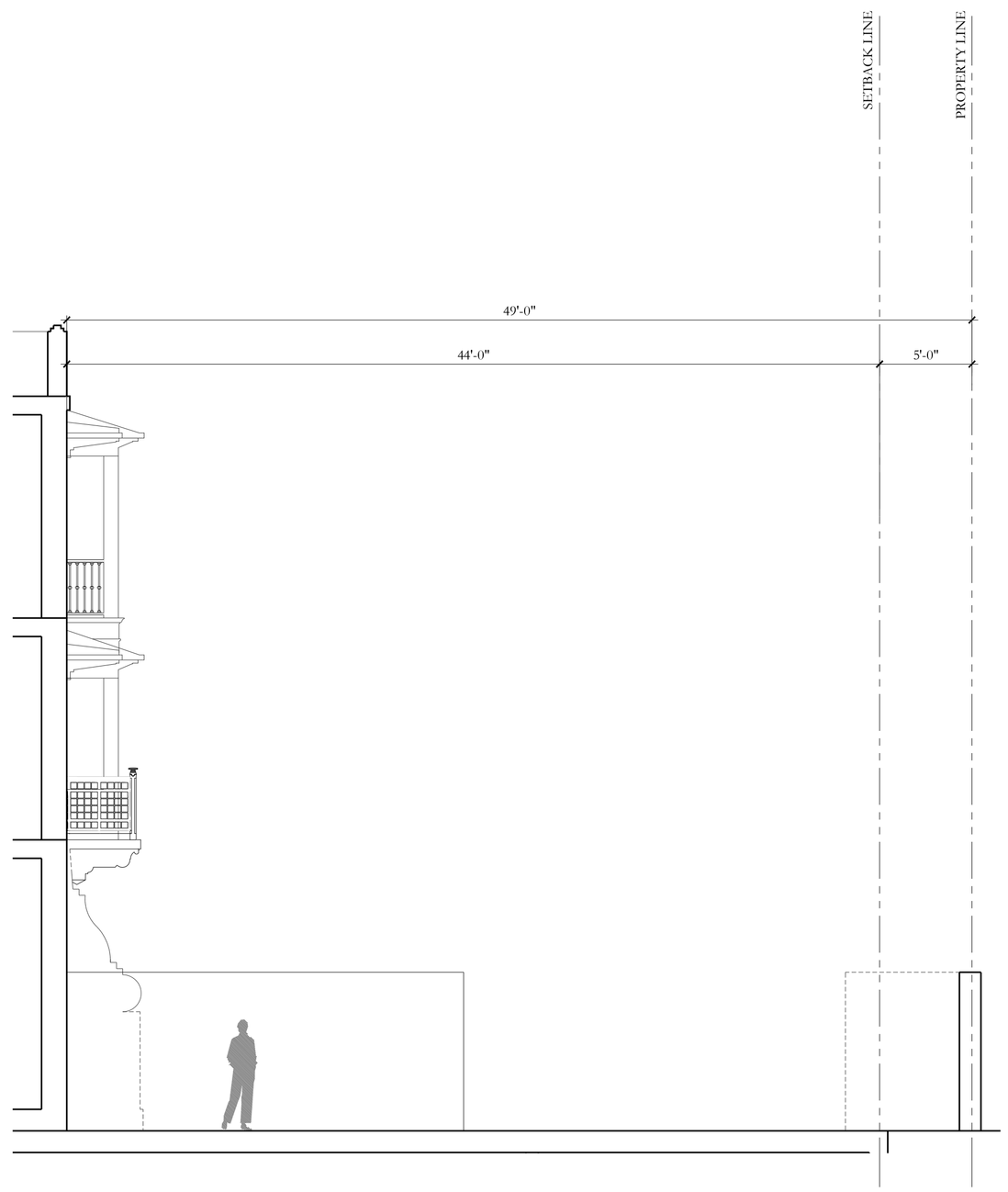
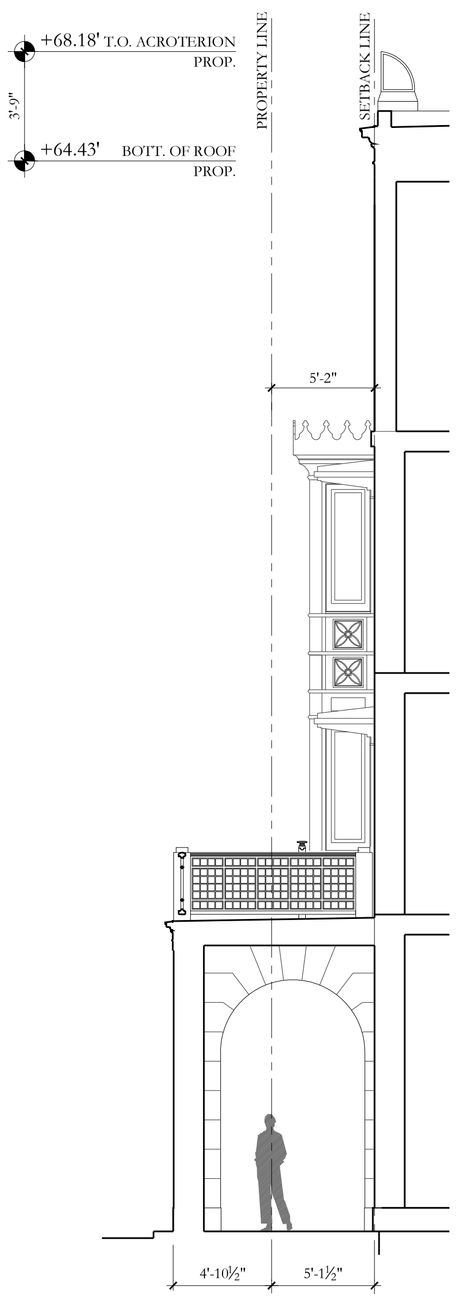


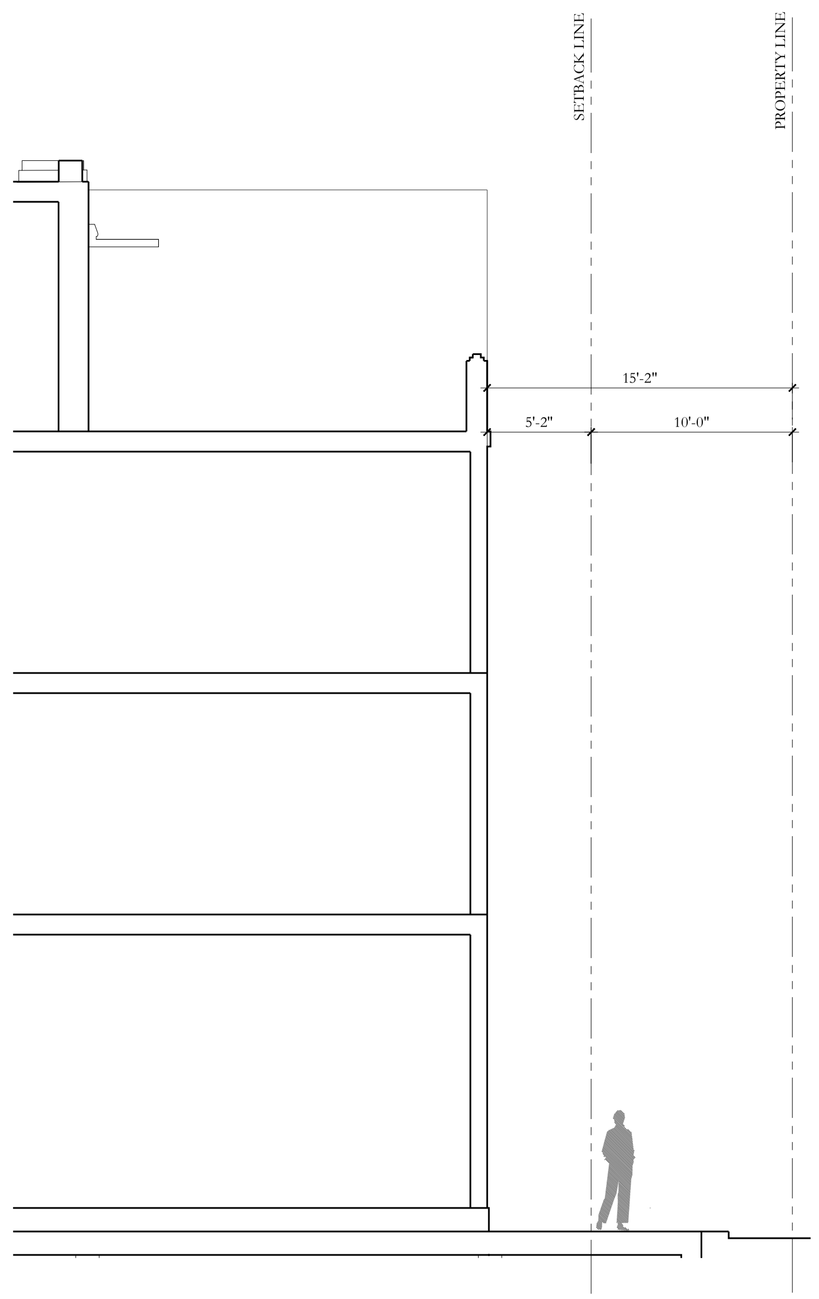
1 WEST YARD SETBACK DIAGRAM
3/16"=1'-0"



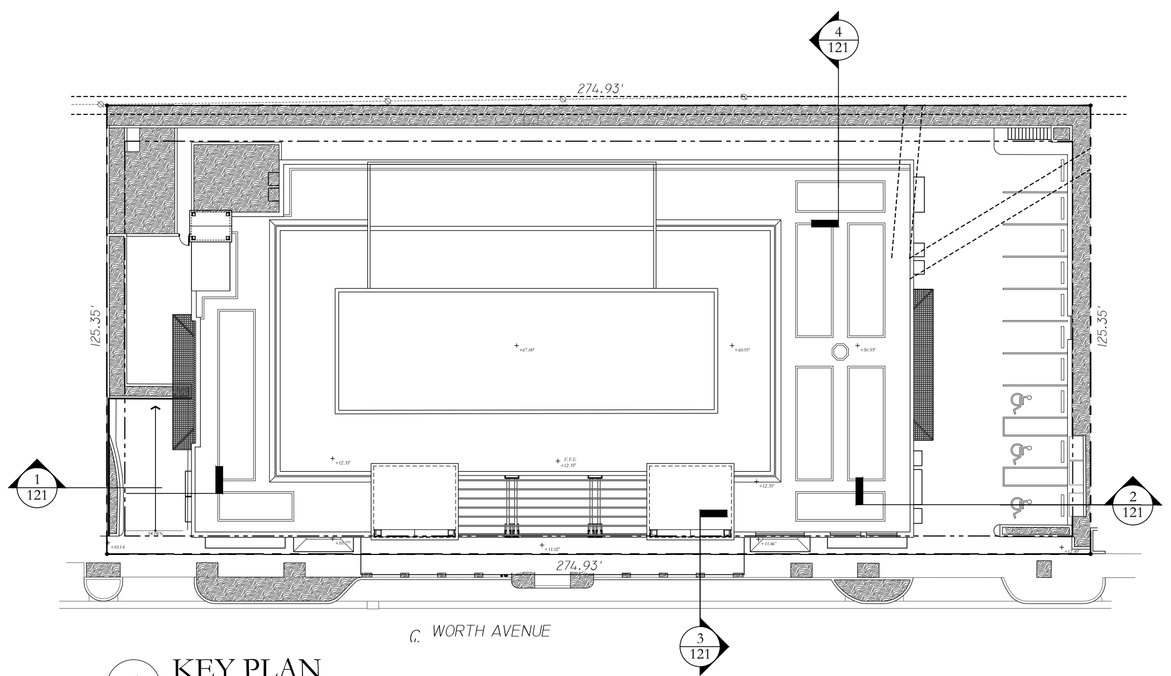
2 EAST YARD SETBACK DIAGRAM
3/16"=1'-0"



3 SOUTH YARD SETBACK DIAGRAM
3/16"=1'-0"



4 NORTH YARD SETBACK DIAGRAM
3/16"=1'-0"



5 KEY PLAN
1"=30'-0"

NORTH

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED YARD SECTION DIAGRAM

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
CG

SHEET NO
A-121

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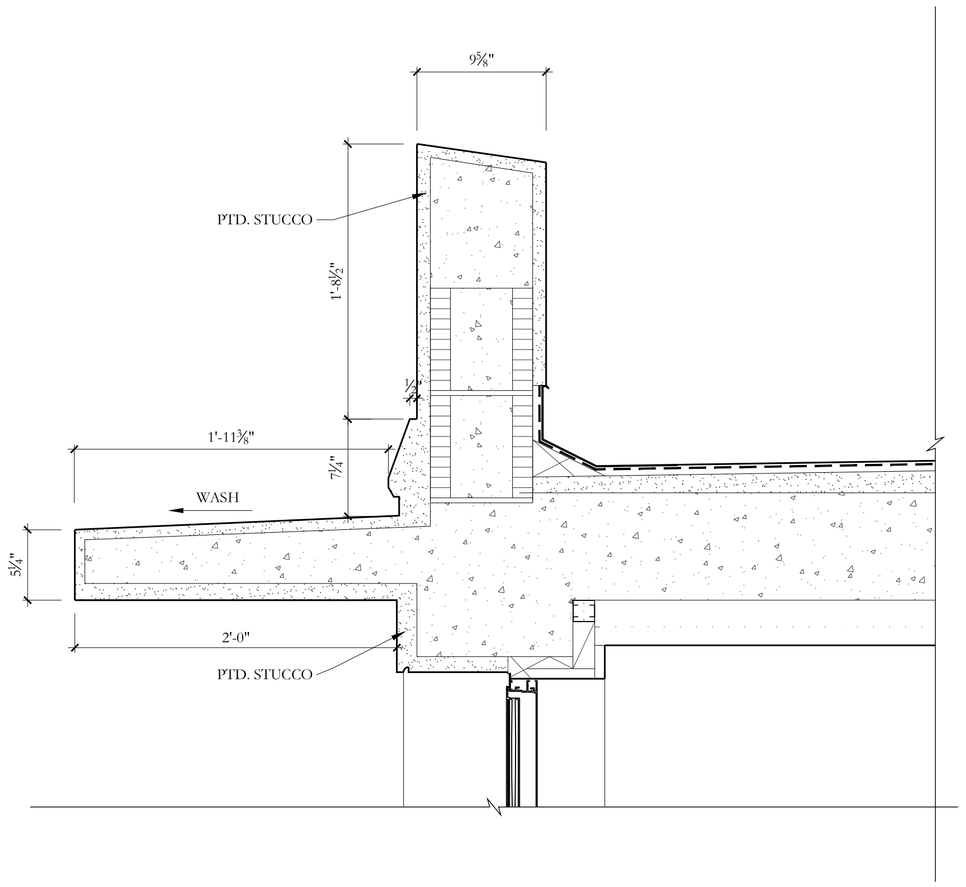
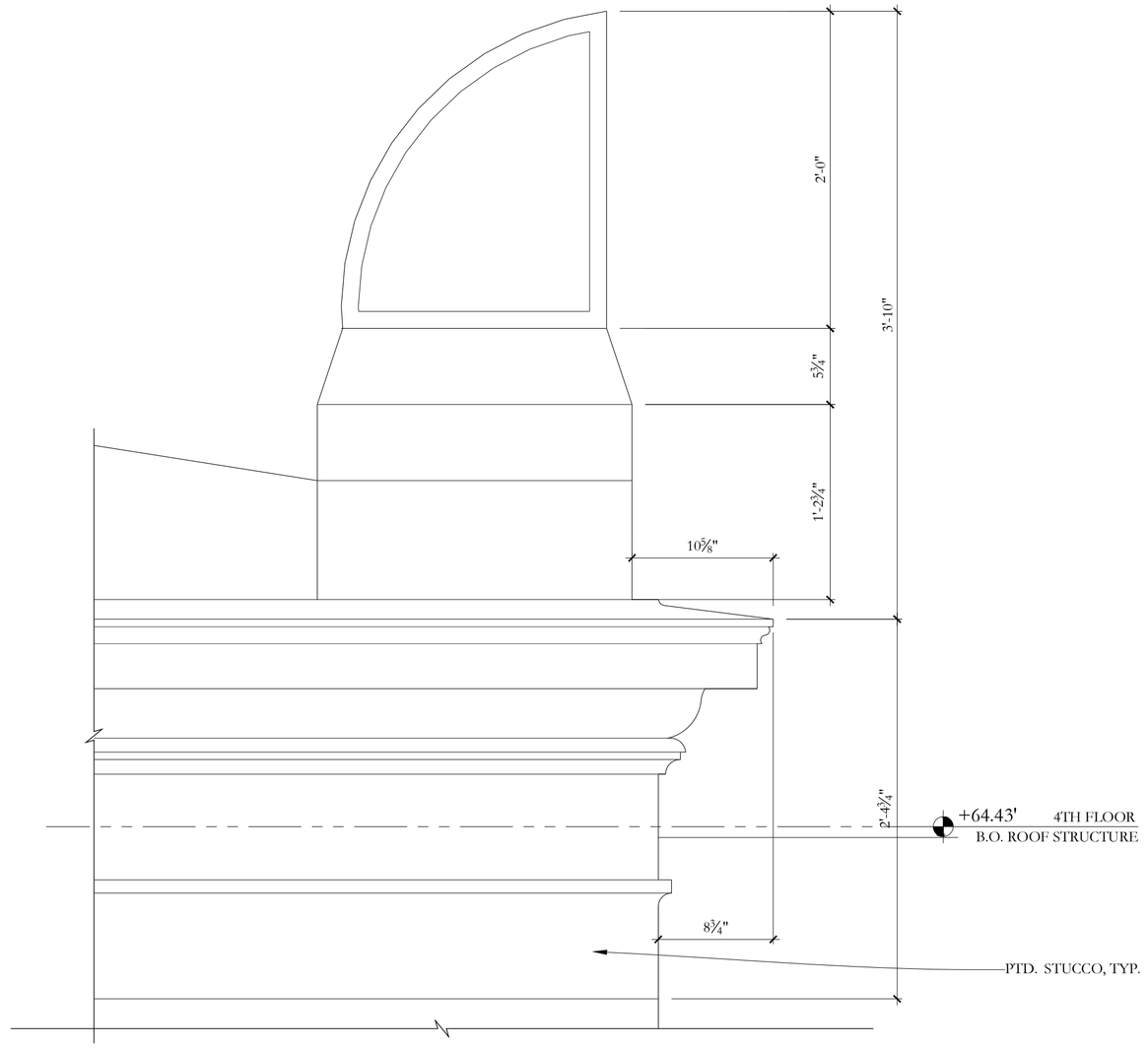
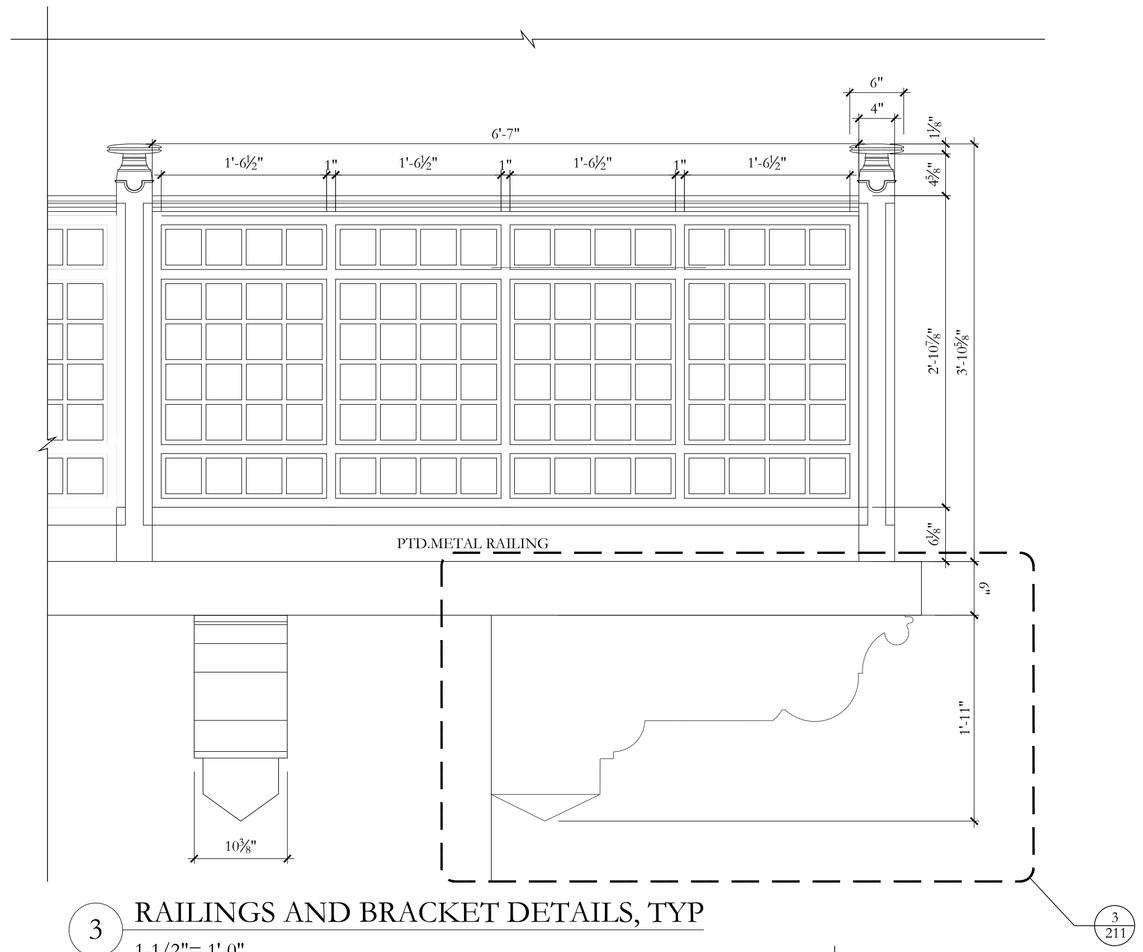


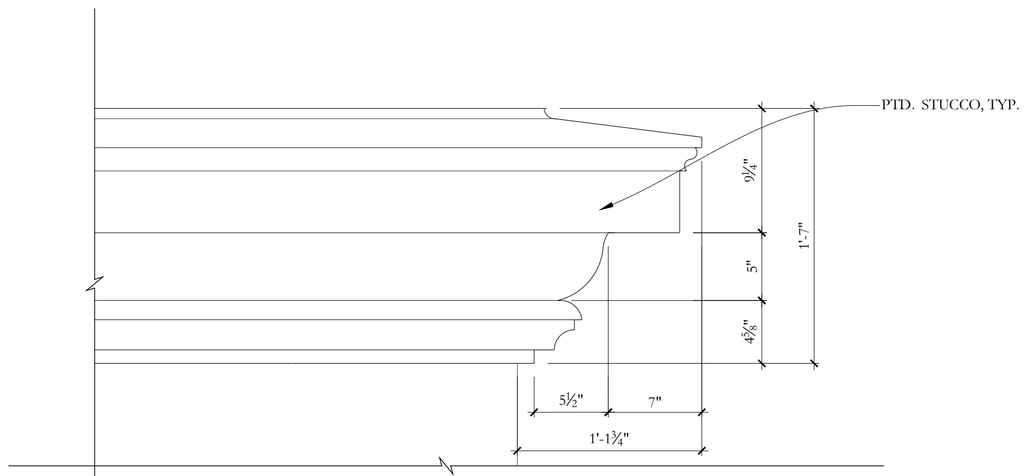
1 PENTHOUSE LINTEL DETAIL , TYP.
1-1/2"= 1'-0"



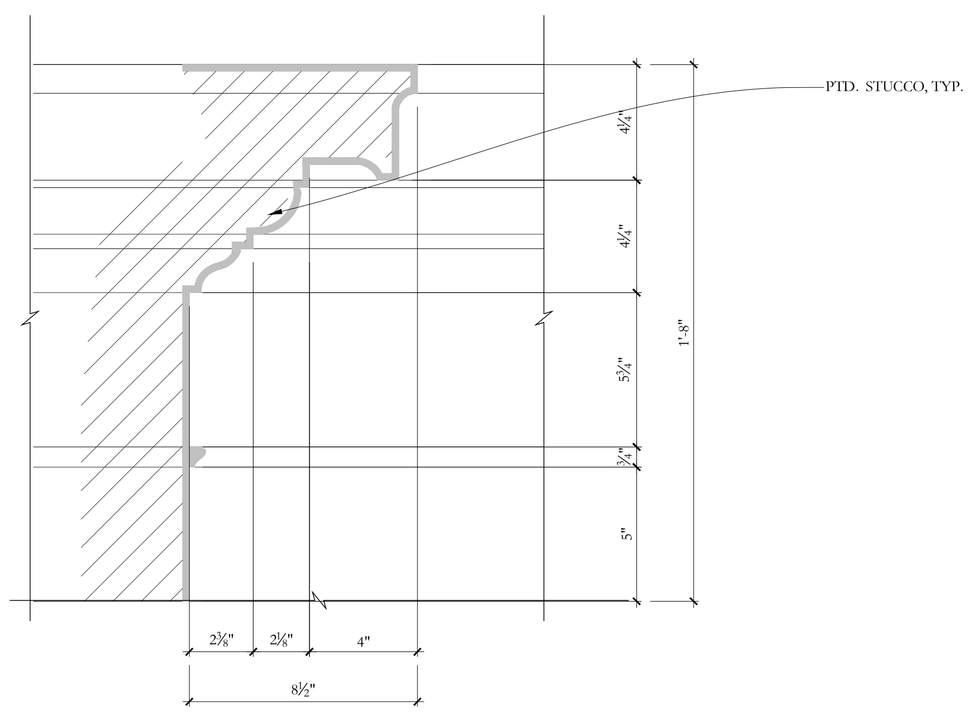
2 TOWER CORNICE DETAIL, TYP.
1-1/2"= 1'-0"



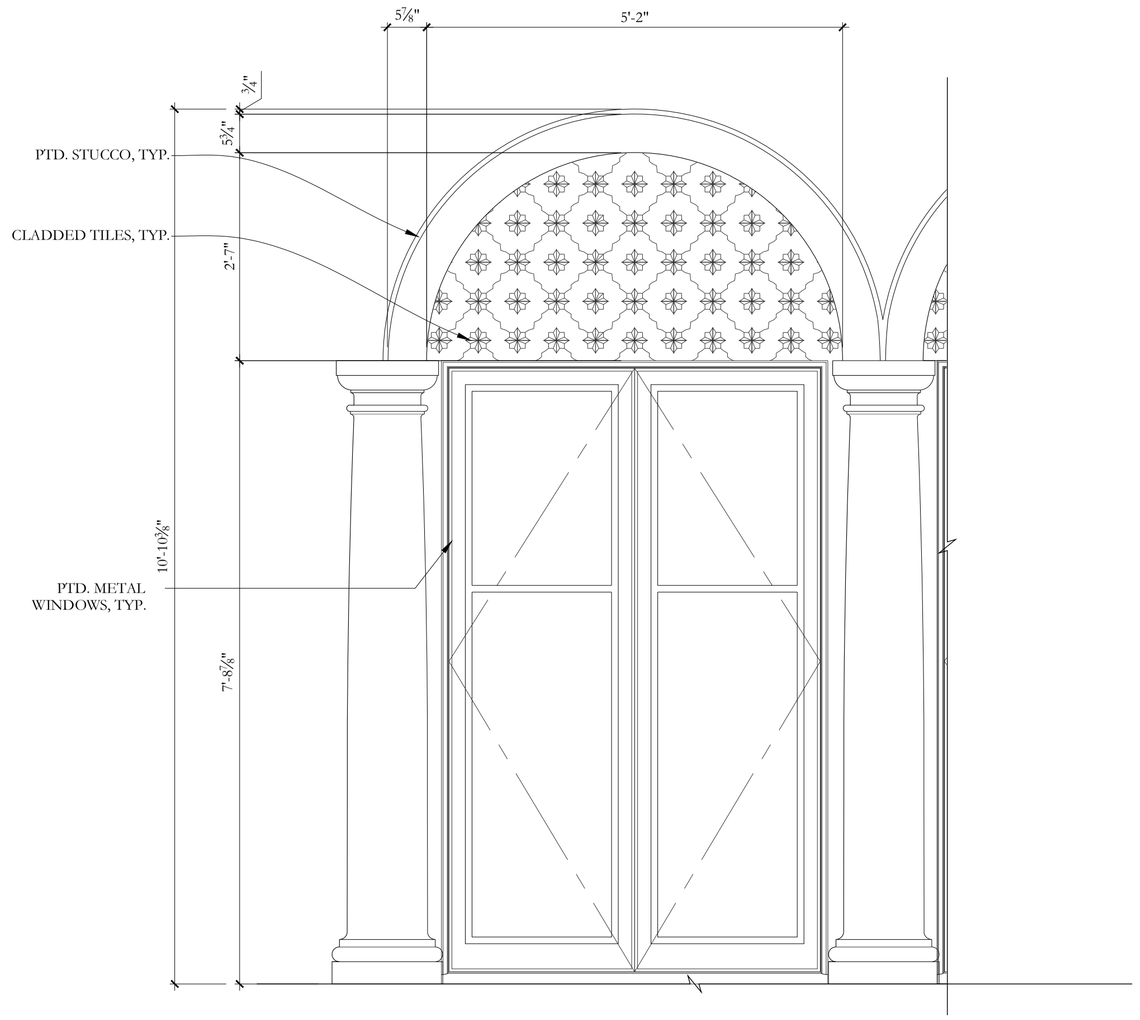
3 RAILINGS AND BRACKET DETAILS, TYP
1-1/2"= 1'-0"



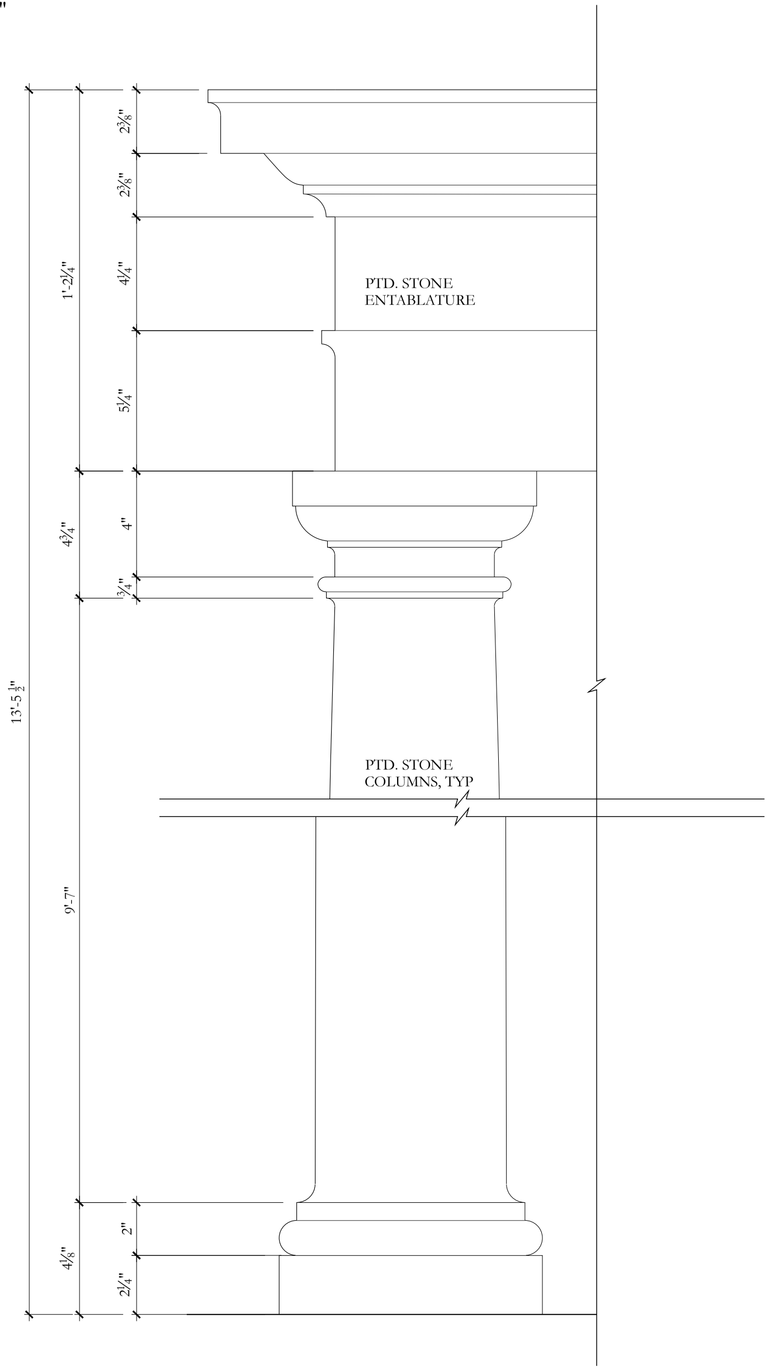
1 TYP. CORNICE DETAIL @ 4TH FL.
1-1/2"= 1'-0"



4 WIN. ENTABLATURE DETAIL @ 3RD FL.
3"= 1'-0"



5 TYP. WINDOW @ 2 ND. FL.
1-1/2"= 1'-0"



6 ENTRY PORTICO COLUMN DETAIL
1-1/2"= 1'-0"

TOWN COUNCIL - REV ⚠	03/24/2023
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D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXTERIOR DETAILS

DATE FEB. 10, 2023

SCALE AS NOTED

BY SB

SHEET NO A-210

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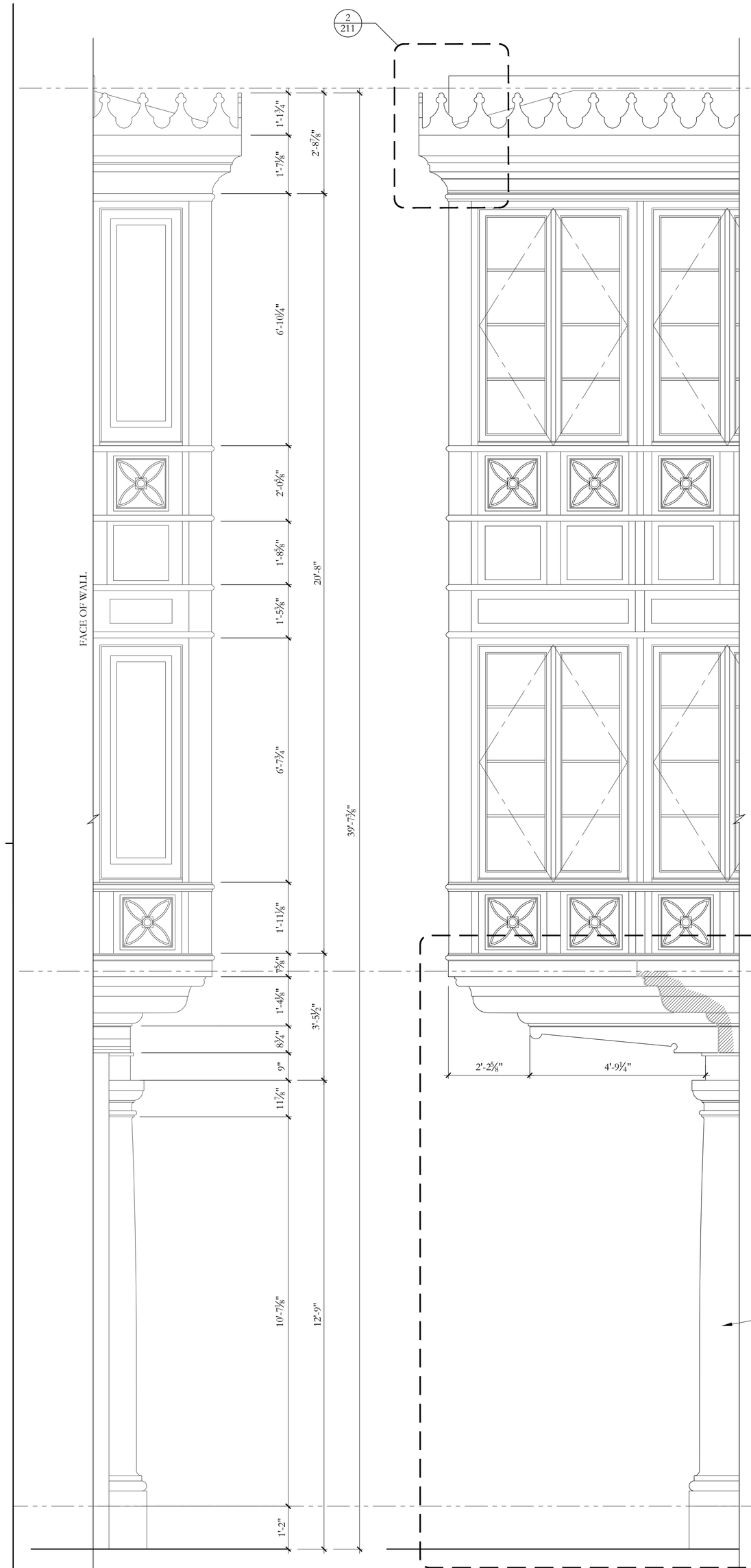
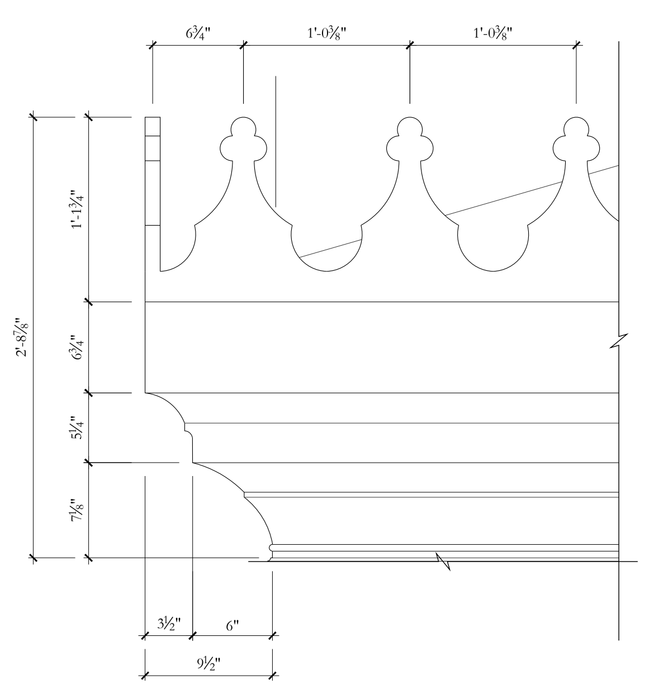
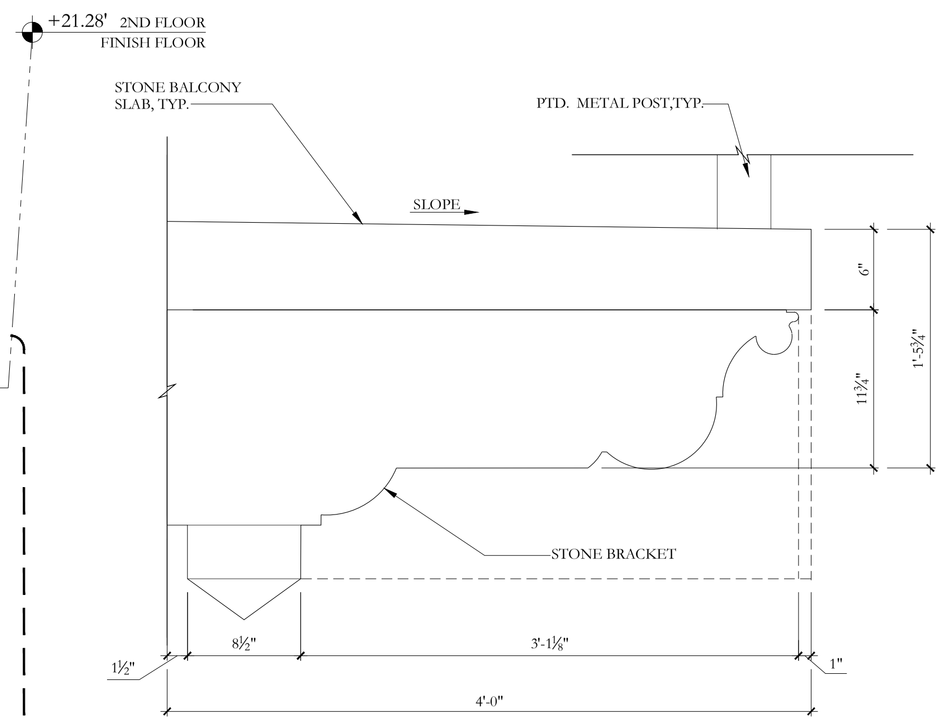


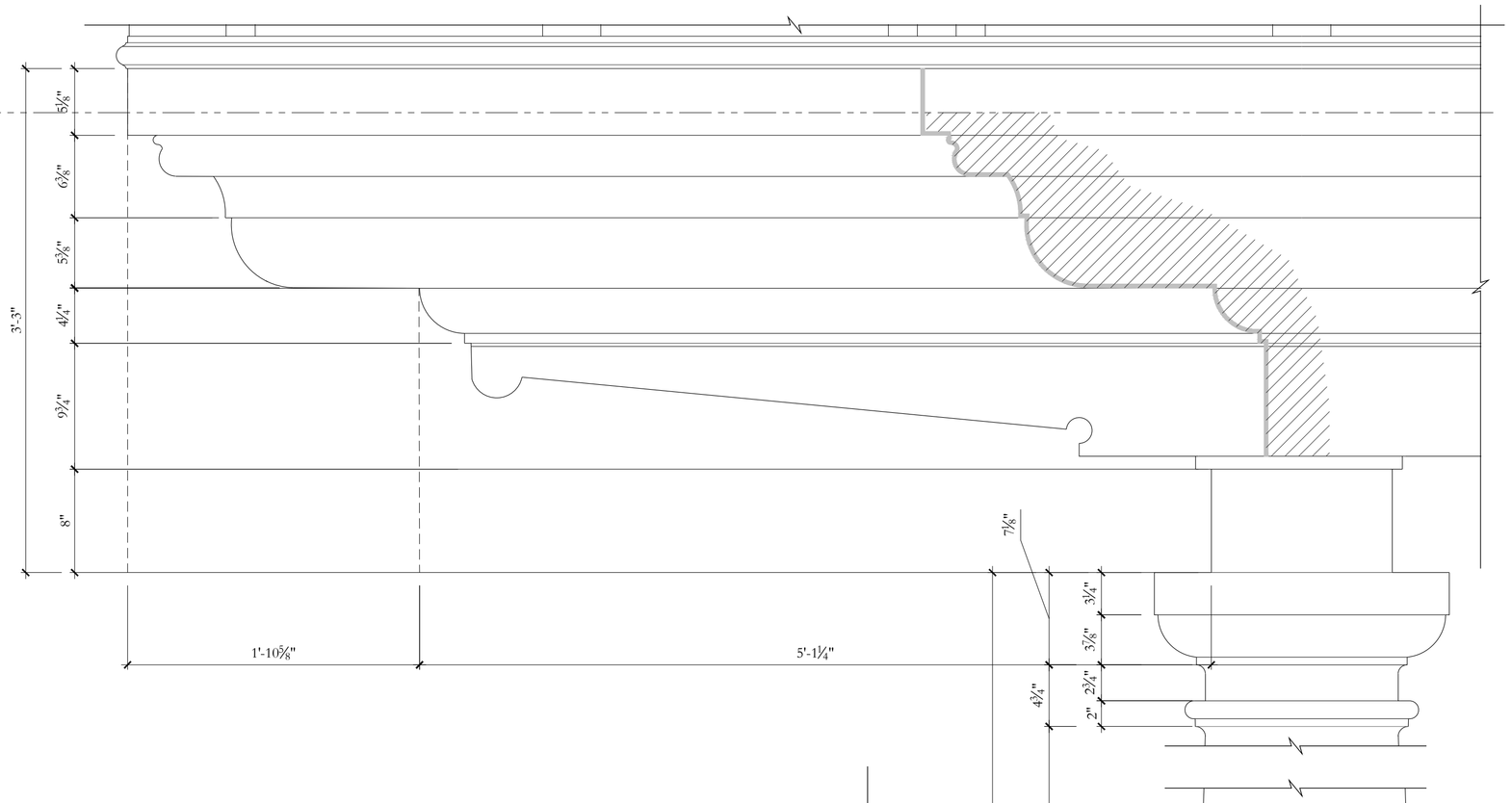
1 ORIEL WINDOW SIDE AND FRONT ELEV.
1/2"= 1'-0"

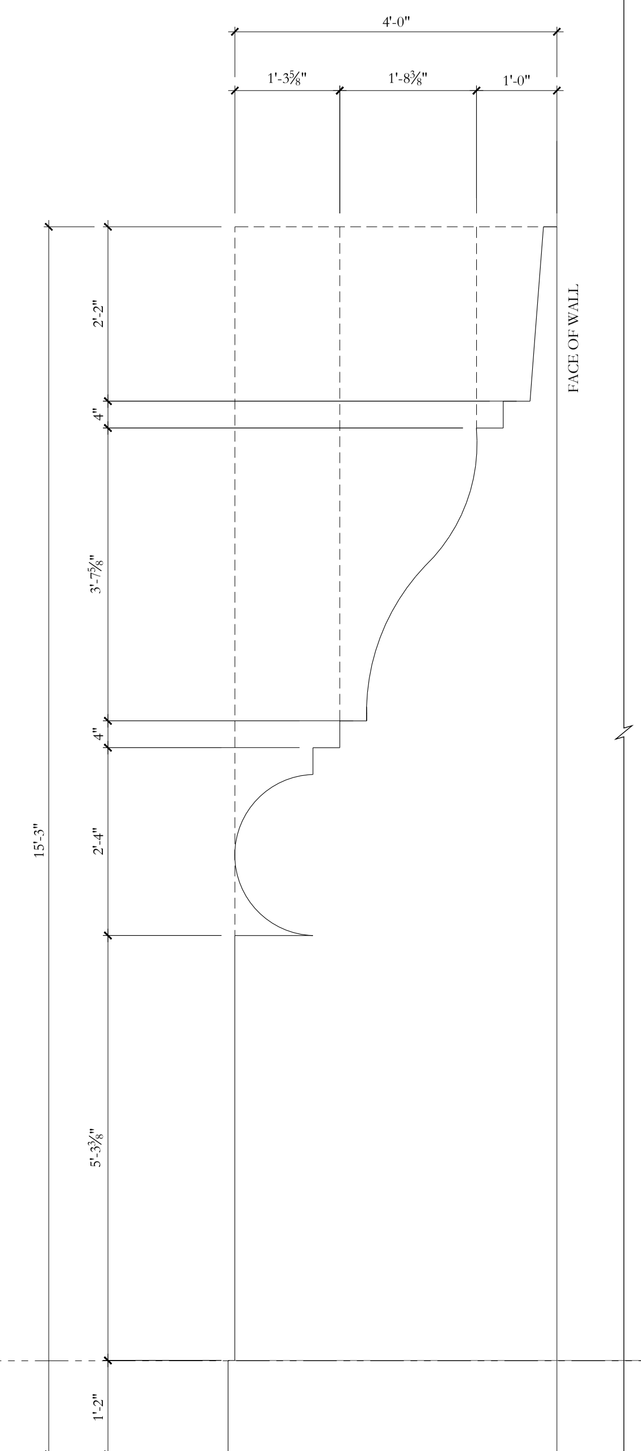


2 CORNICE DETAIL
1 1/2" = 1'-0"

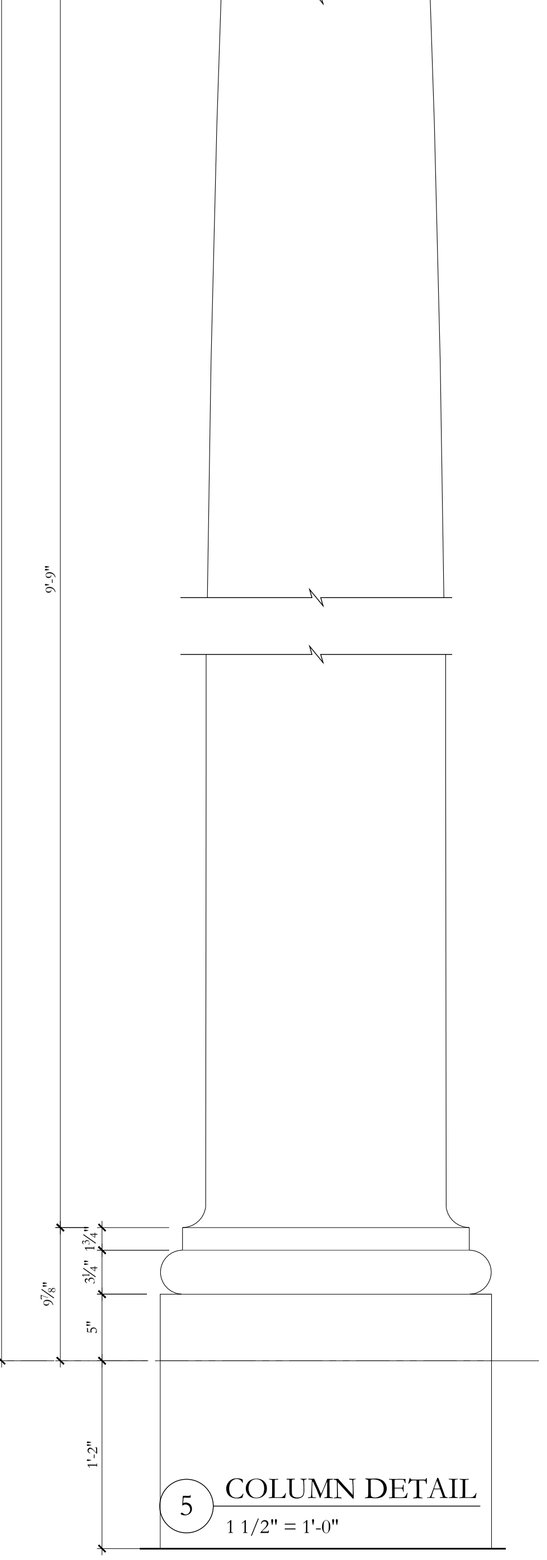


3 BALCONY BRACKET DETAIL
1 1/2" = 1'-0"





4 ARCHI. ELEMENT
3/4" = 1'-0"



5 COLUMN DETAIL
1 1/2" = 1'-0"

TOWN COUNCIL - REV ⚠	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM
CASE #:
ARC-23-022

ZONING
CASE #:
ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXTERIOR
DETAILS

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
SB

SHEET NO
A-211

FAIRFAX & SAMMONS
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TC Development Review Meeting Backup 4-04-2023

PAINTED STUCCO WALLS

FARROW AND BALL WIMBORNE WHITE (No. 239)

STONE PILASTERS & DETAILS

LIMESTONE

PAINTED METAL WINDOWS & DOORS

BRONZE COLOR

CERAMIC TILES AT SPANDREL PANELS

BLUE AND WHITE COLORS

STAINED WOOD BALCONIES & EAVES

WHITEWASHED CYPRESS

STONE WALLS AT GROUND LEVEL

CORAL STONE

STONE BASE AT STREET LEVEL

GRAY LIMESTONE

STYLE:	MEDITERRANEAN
WALL COLOR:	FARROW & BALL WIMBORNE WHITE (No. 239)
ROOF COLOR:	BUFF & BROWN
DOORS & WINDOW COLOR:	BRONZE
RAILING COLOR:	BRONZE

FABRIC AWNINGS:
SUNBRELLA
MARINE BLUE

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

MATERIALS & COLORS PALETTE

DATE: FEB. 10, 2023

SCALE: AS NOTED

BY: CG

SHEET NO: A-220

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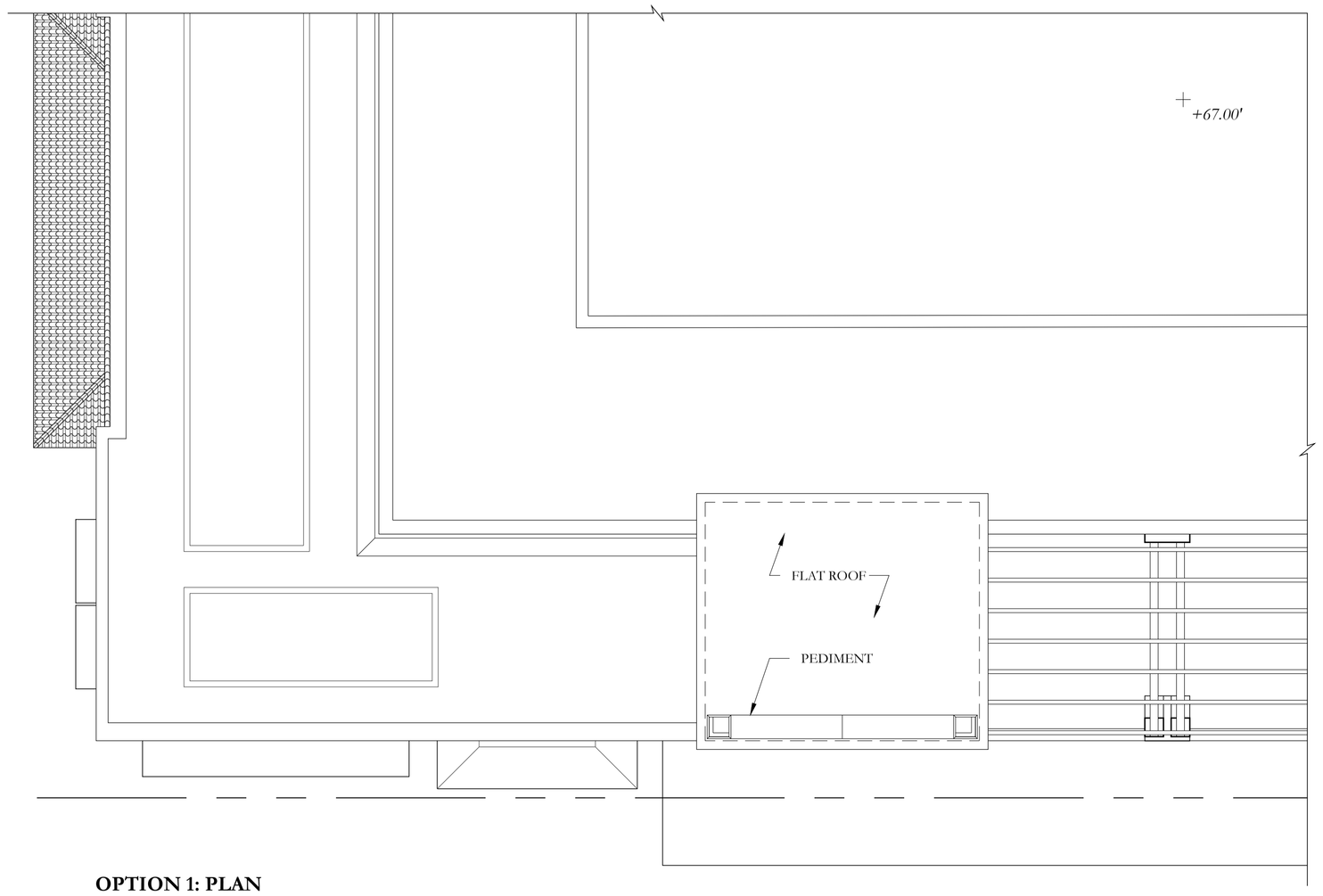
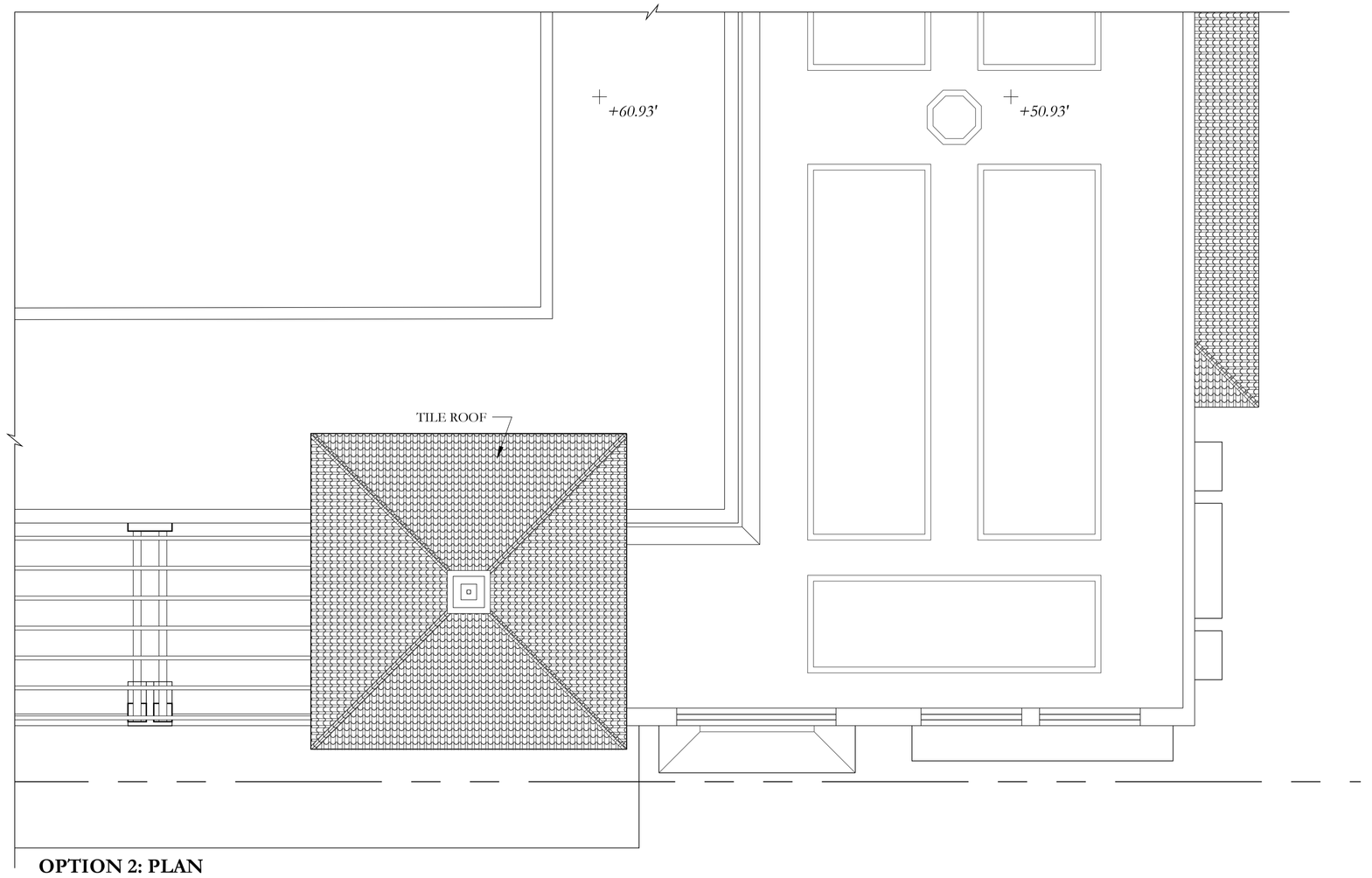
OPTION 1: ELEVATION

OPTION 2: ELEVATION



OPTION 1: PLAN



OPTION 2: PLAN

1 OPTION 1: PEDIMENT W/ ACROTERION & FLAT ROOF
1/8"=1'-0"

2 OPTION 2: TILE ROOF & FINIAL
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
TOWER ROOF COMPARISON

DATE
FEB. 10, 2023

SHEET NO
A-221a

SCALE
1/8" = 1'-0"

BY
SPB

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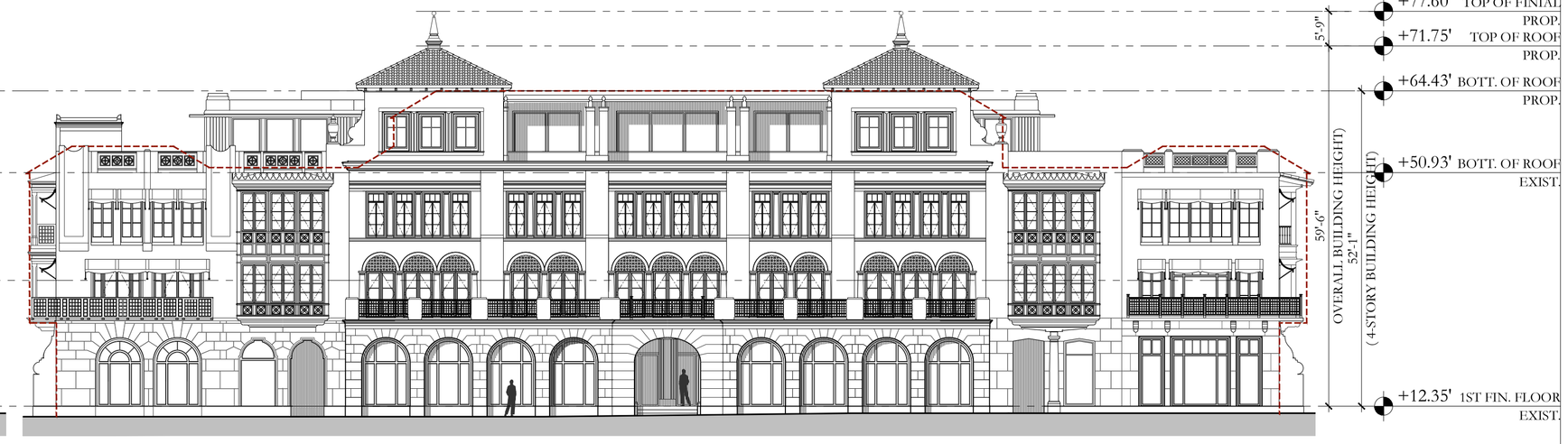
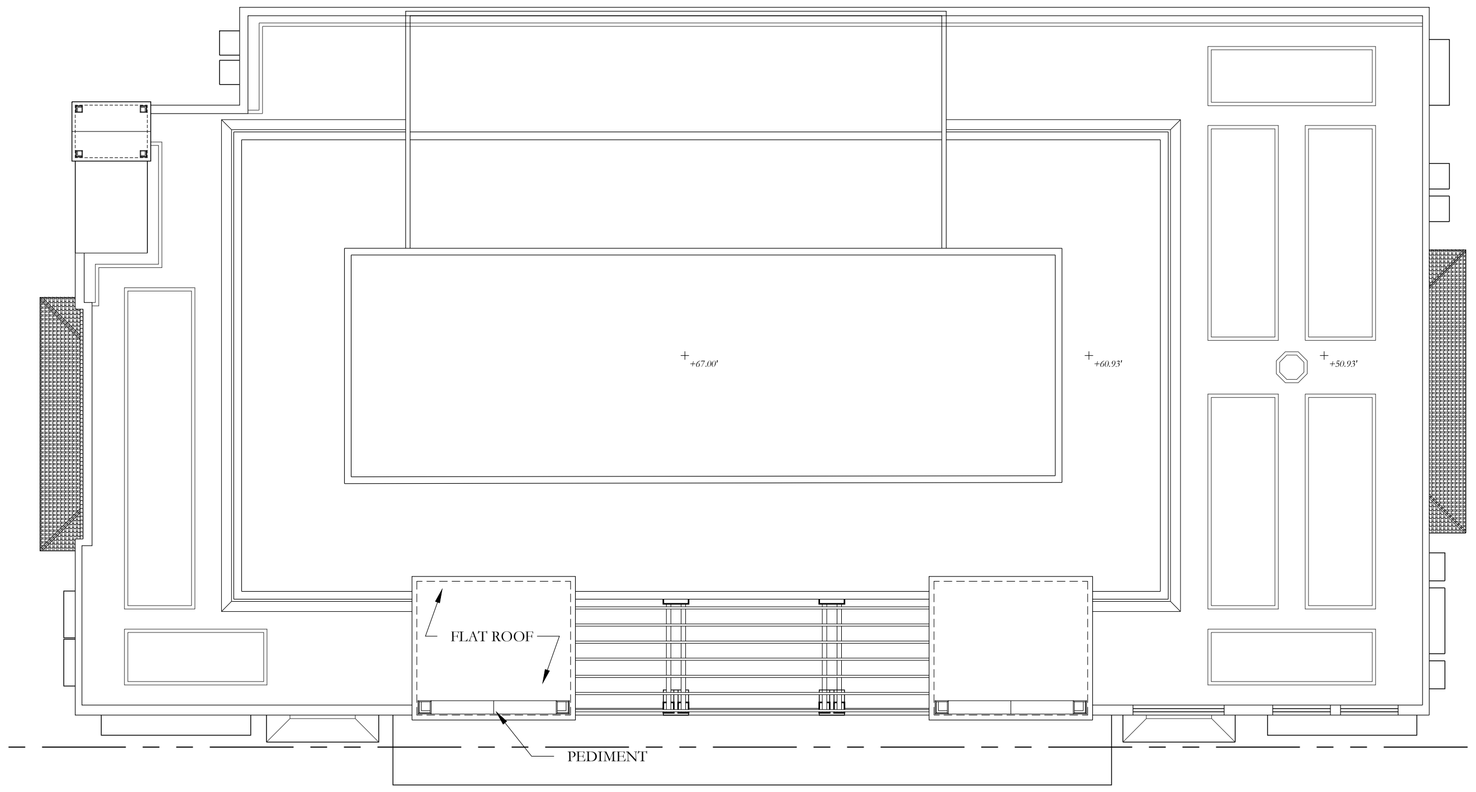
TC Development Review Meeting Backup 4-04-2023

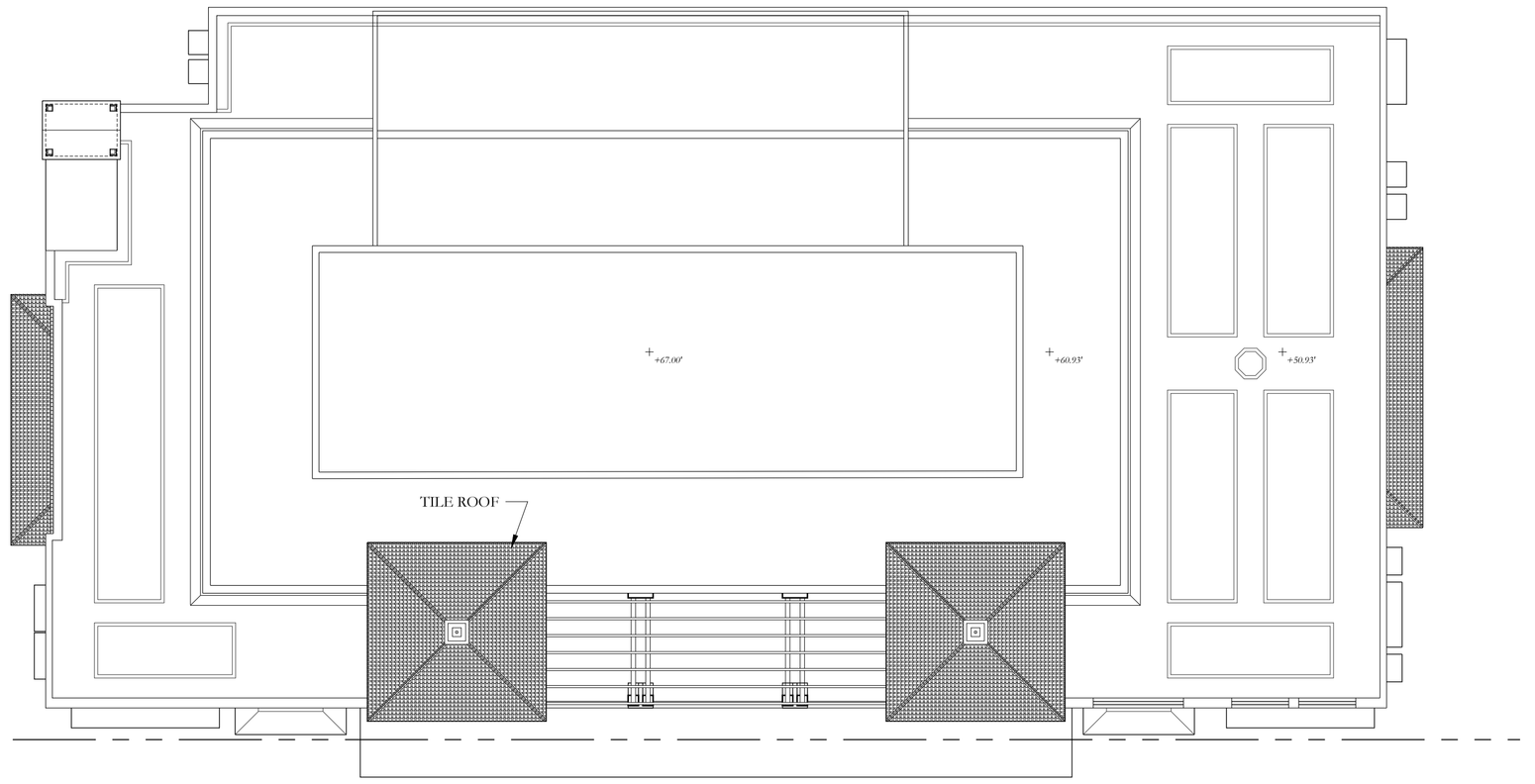
OPTION 1: ELEVATION



OPTION 2: ELEVATION



OPTION 1: PLAN



OPTION 2: PLAN

1 OPTION 1: PEDIMENT W/ ACROTERION & FLAT ROOF
1/16"=1'-0"

2 OPTION 2: TILE ROOF & FINIAL
1/16"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
TOWER ROOF COMPARISON

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
SPB

SHEET NO
A-221b

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NEW YORK–PALM BEACH
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OPTION 1: PEDIMENT W/ ACROTERION & FLAT ROOF

OPTION 2: TILE ROOF & FINIAL

1 BUILDING ELEVATION VIEW WITH ROOF OPTIONS

OPTION 1: PEDIMENT W/ ACROTERION & FLAT ROOF

OPTION 2: TILE ROOF & FINIAL

2 PEDESTRIAN VIEW LOOKING UP TO TOP OF TOWER ROOF FROM ACROSS THE STREET

TOWN COUNCIL - REV 1	03/24/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

RENDERING OF ROOF OPTIONS

DATE: FEB. 10, 2023	SHEET NO: A-222
SCALE: N/A	
BY: DP	

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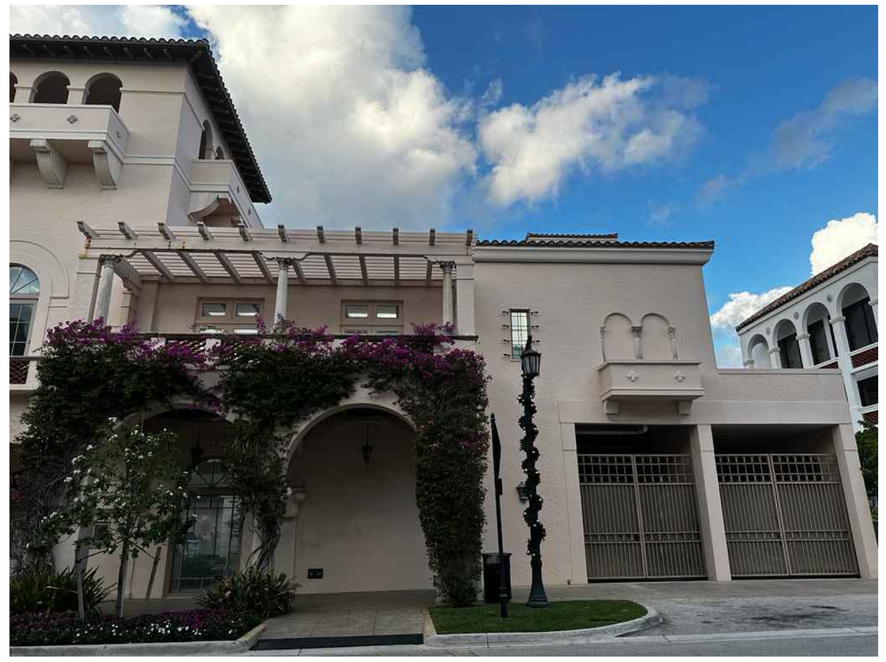
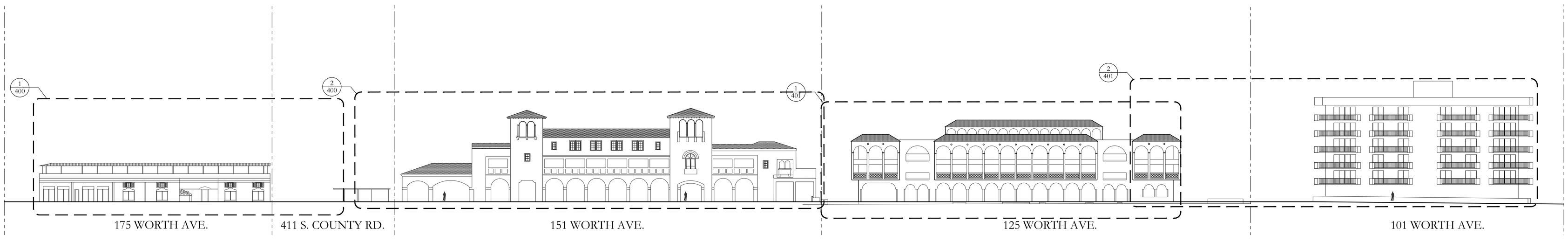
1 175 WORTH AVE. & 411 S COUNTY RD.: STREETSCAPE PHOTOS FROM WEST TO EAST, LOOKING NORTH



2 151 WORTH AVE.: STREETSCAPE PHOTOS FROM WEST TO EAST, LOOKING NORTH



3 KEY ELEVATION: PROPOSED WORTH AVE. STREETSCAPE, FACING SOUTH

TOWN COUNCIL - REV 1	03/24/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING CONDITIONS STREETSCAPE PHOTOGRAPHS

DATE: FEB. 10, 2023	SHEET NO: EX-400
SCALE: N.T.S.	
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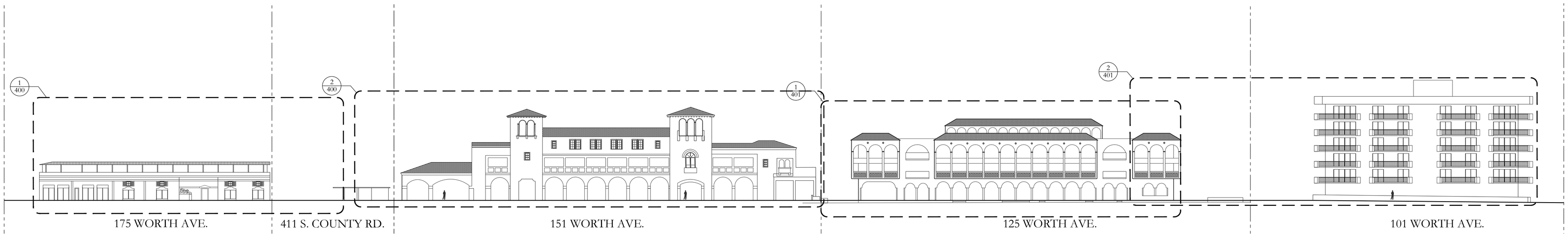
1 125 WORTH AVE.: STREETSCAPE PHOTOS FROM WEST TO EAST, LOOKING NORTH

2 125 &101 WORTH AVE.: STREETSCAPE PHOTOS FROM WEST TO EAST, LOOKING NORTH



3 KEY ELEVATION: PROPOSED WORTH AVE. STREETSCAPE, FACING SOUTH

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING CONDITIONS STREETSCAPE PHOTOGRAPHS

DATE	SHEET NO
FEB. 10, 2023	EX-401
SCALE: N.T.S.	
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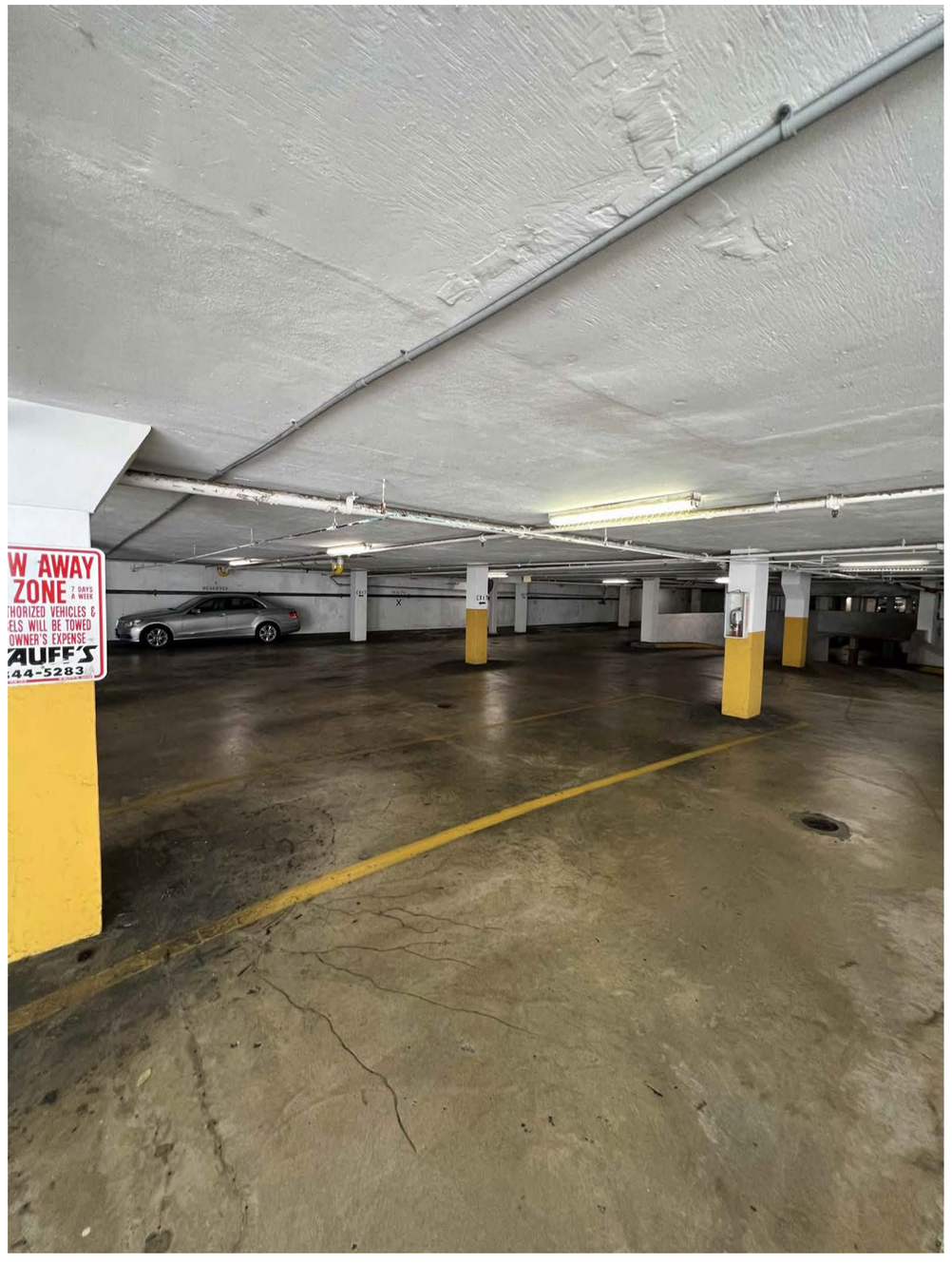

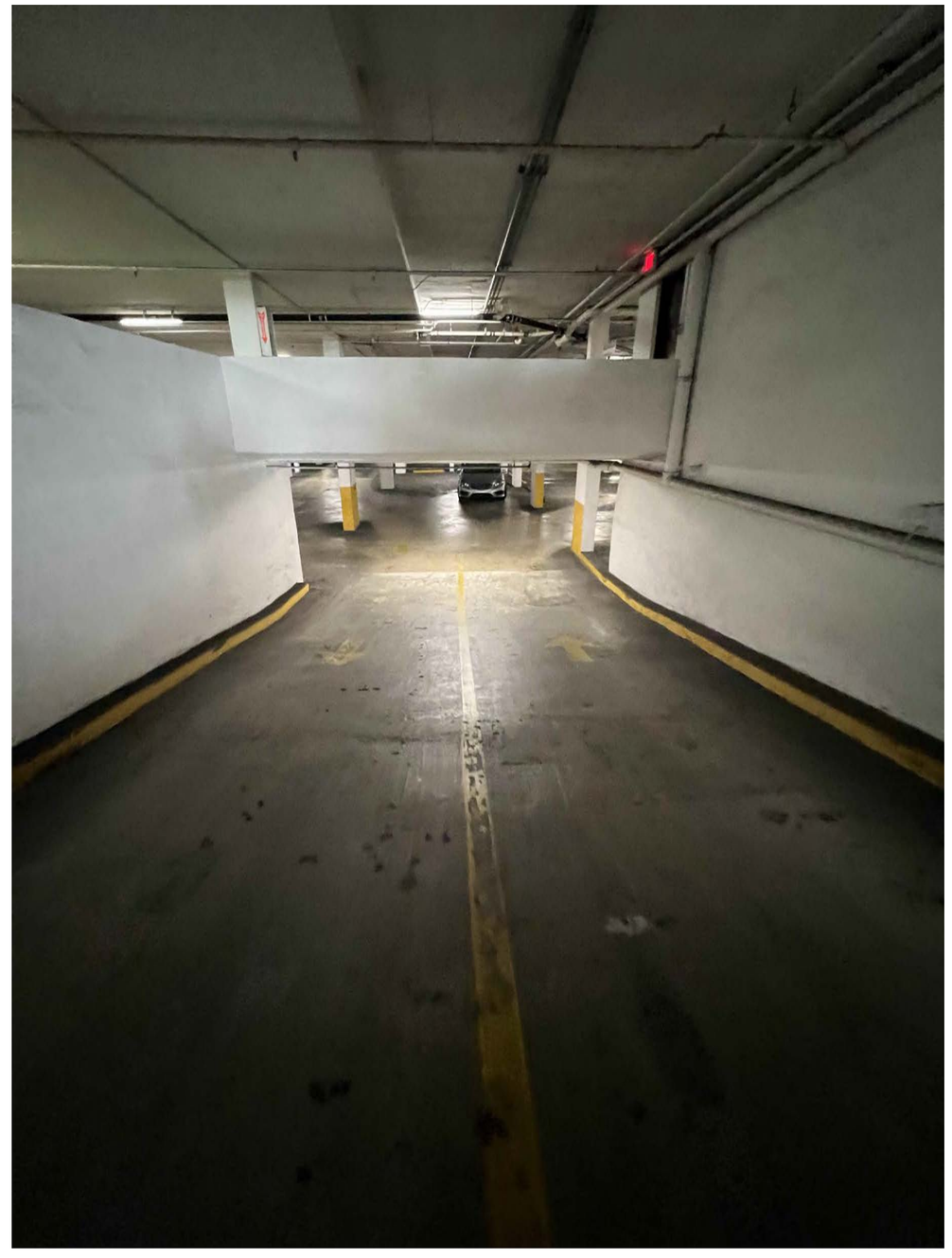

1 EXISTING UNDERGROUND PARKING PHOTOS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. BUILDING PHOTOGRAPHS

DATE FEB. 10, 2023	**SHEET NO** EX-501
SCALE AS NOTED	
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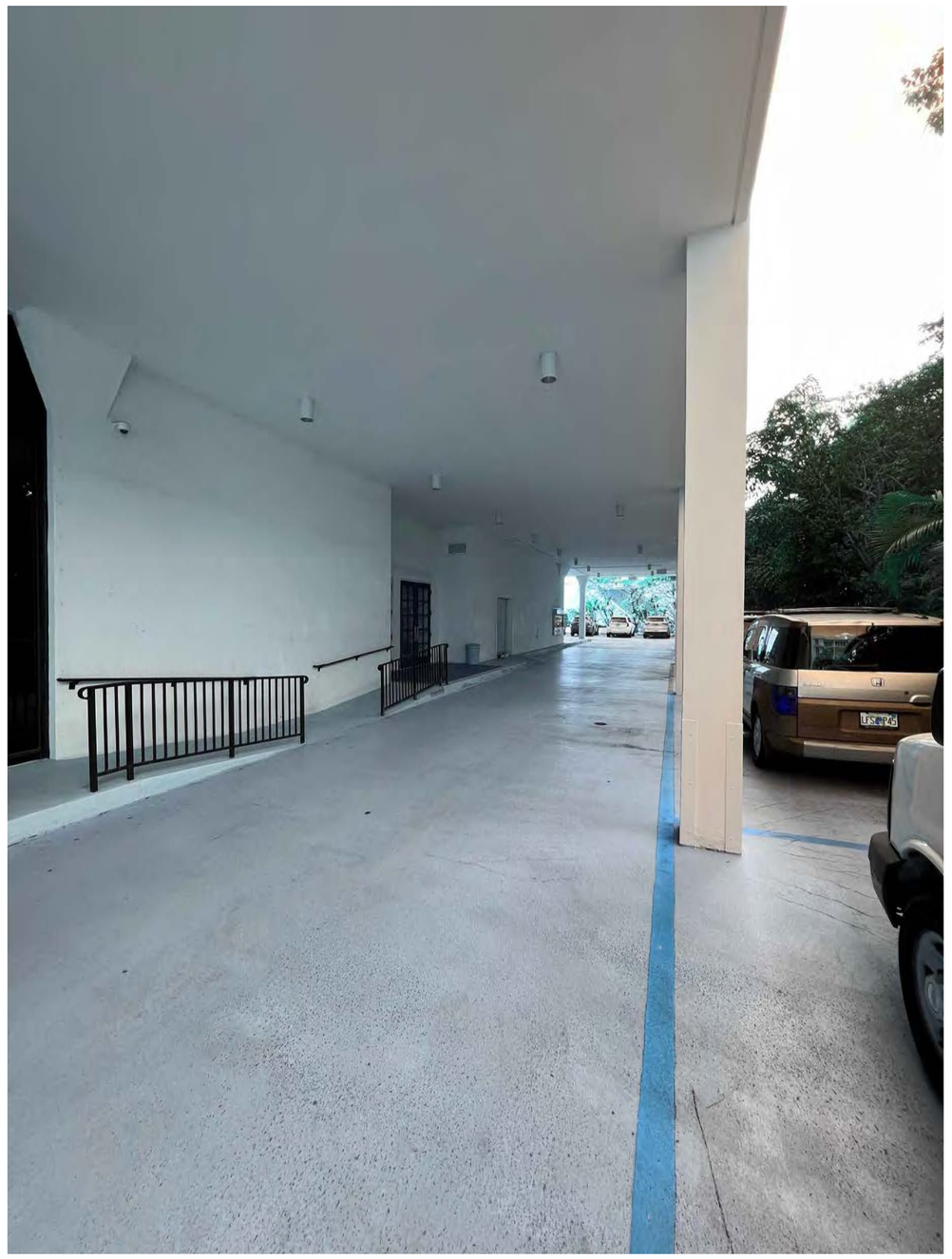

1 EXISTING BUILDING PHOTOS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. BUILDING PHOTOGRAPHS

DATE
FEB. 10, 2023

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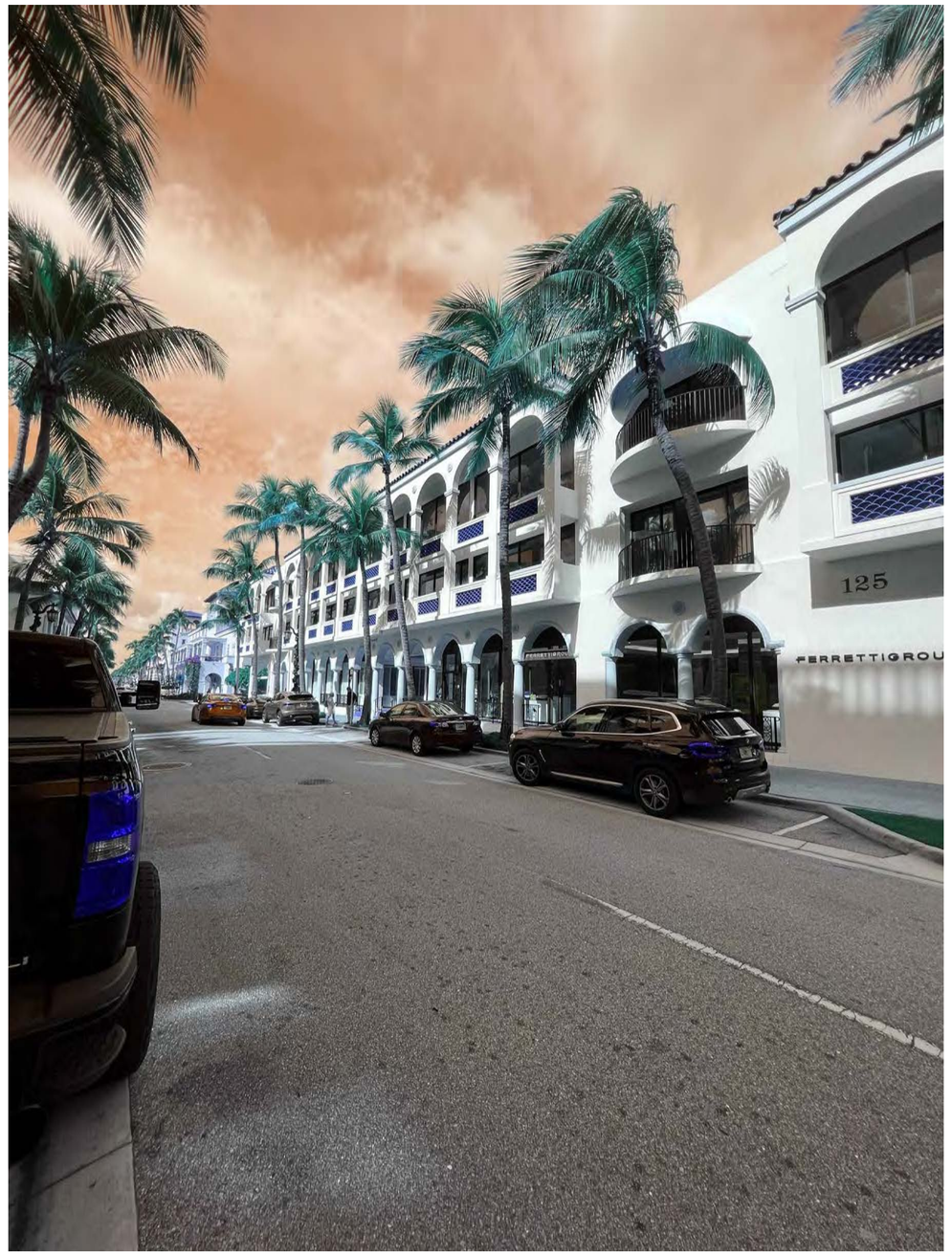

1 EXISTING BUILDING PHOTOS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. BUILDING PHOTOGRAPHS

DATE FEB. 10, 2023	**SHEET NO** EX-503
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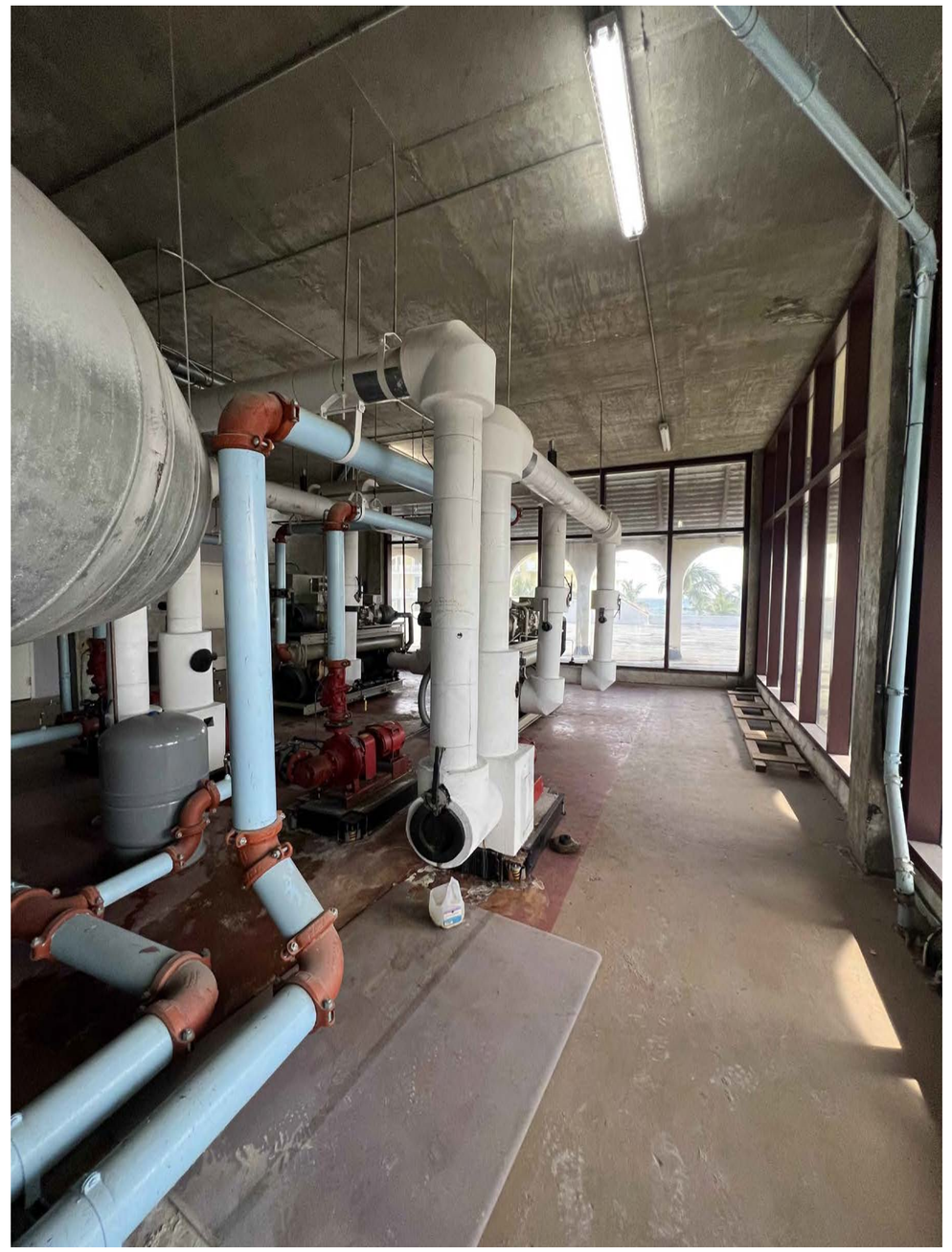

1 EXISTING TERRACE LEVEL PHOTOS

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. BUILDING PHOTOGRAPHS

DATE FEB. 10, 2023	**SHEET NO** EX-504
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1 EXISTING SURROUNDING AREA PHOTOS

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D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SURROUNDING AREA PHOTOS

DATE: FEB. 10, 2023	SHEET NO: EX-505
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1 EXISTING SURROUNDING AREA PHOTOS

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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SURROUNDING AREA PHOTOS

DATE
FEB. 10, 2023

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1 STREET LEVEL VIEW FROM SOUTHEAST

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D.R.C. SECOND SUBMITTAL SET	12/27/2022
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

STREET LEVEL VIEW FROM SOUTHEAST

DATE FEB. 10, 2023	**SHEET NO** V-001
SCALE N/A	
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1 STREET LEVEL VIEW AT SOUTHEAST CORNER

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

STREET LEVEL VIEW AT SOUTHEAST CORNER

DATE FEB. 10, 2023	**SHEET NO** V-002
SCALE N/A	
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1 STREET LEVEL VIEW AT LOBBY ENTRANCE

TOWN COUNCIL - REV ⚠	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

STREET LEVEL VIEW AT LOBBY ENTRANCE

DATE FEB. 10, 2023	**SHEET NO** V-003
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1 STREET LEVEL VIEW AT SOUTHWEST CORNER

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D.R.C. FINAL SUBMITTAL SET	02/10/2023
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

STREET LEVEL VIEW AT SOUTHWEST CORNER

DATE FEB. 10, 2023	**SHEET NO** V-004
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1 STREET LEVEL VIEW FROM SOUTHWEST

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D.R.C. FINAL SUBMITTAL SET	02/10/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

STREET LEVEL VIEW FROM SOUTHWEST

DATE FEB. 10, 2023	**SHEET NO** V-005
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1 VIEW FROM KIRKLAND HOUSE

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

VIEW FROM KIRKLAND HOUSE

DATE: FEB. 10, 2023	SHEET NO: V-006
SCALE: N/A	
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1 VIEW FROM WINTHROP HOUSE

TOWN COUNCIL - REV 1	03/24/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

VIEW FROM WINTHROP HOUSE

DATE	SHEET NO
FEB. 10, 2023	V-007
SCALE N/A	
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1 VIEW OF NORTHWEST CORNER

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

VIEW OF NORTHWEST CORNER

DATE FEB. 10, 2023	**SHEET NO** V-008
SCALE N/A	
BY DP	

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1 VIEW TOWARDS WORTH AVENUE CLOCK TOWER

TOWN COUNCIL - REV 1	03/24/2023
D.R.C. FINAL SUBMITTAL SET	02/10/2023
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ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

VIEW TOWARDS WORTH AVENUE CLOCK TOWER

DATE FEB. 10, 2023	**SHEET NO** V-009
SCALE N/A	
BY CM	

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JONES
FOSTER

Memo

To: Mayor and Town Council
From: John C. Randolph
Date: March 28, 2023
Subject: 125 Worth Avenue

I have reviewed the various arguments submitted in regard to the dispute as to whether 125 Worth Avenue is a three story or four story building. Although there are legitimate arguments on both sides of the issue, I find in favor of Wayne Bergman's well-reasoned explanation as set forth in his memos of March 6, 2023, and March 16, 2023, copies attached. Also see Fire Marshall Martin DeLoach's memo of March 17, attached. As a matter of fact, the structure which exists on the roof of 125 Worth Avenue is a fourth story by definition and by appearance. I have attached a photograph of this fourth story structure for your reference.

The other assertion raised in opposition to this application is that the application does not meet the criteria necessary to be granted a variance, especially as to the request to expand the fourth floor. As I have indicated in the past, I cannot advise you as to how to vote in regard to matters such as these. I can only advise you as to the law. In that regard I, once again, provide you with a copy of the case Bernard vs. Town Council of the Town of Palm Beach which explains the law as it relates to variances.

I am happy to answer any questions you may have in reference to this matter.

John C. Randolph

cc: Kirk Blouin
Wayne Bergman

EST.
1924

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 15, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: 125 Worth Avenue

Date: March 6, 2023

STAFF RECOMMENDATION

Staff would like to put into context our interpretations and decisions made regarding the proposed project at 125 Worth Avenue over the last several years. This is a complex project that has been in the development queue for at least four years with three different applications. This memo will not include specific opposition and concerns expressed by the neighboring property owners and residents. This memo will also not provide a full history on this project, but will focus on the recent land use applications.

2019 PROJECT SUMMARY

The applicant (Rob Frisbie) met with former PZB Director Josh Martin regarding 125 Worth Avenue. Mr. Frisbie's plan was to add to the existing fourth-floor of the building and to create four fourth-floor condominiums. The condominiums would be located within the existing building footprint and each condominium would have a balcony that would extend near the edge of the existing building roofline, basically expanding the existing fourth-floor footprint on all four sides. On the ground level, a one-story building would be added in the location of the existing east surface parking lot. At first, a restaurant was proposed in this new addition, then later was removed due to concerns from the neighboring condo owners. The very visible first three floors would have cosmetic alterations made to the façade of the building. Final versions of this project proposed the ground-level east building addition to be in the northwest section of the existing parking lot and to be used to house mechanical equipment. All surface parking would be removed as part of the 2019 proposal.

2019 APPLICATION

After several meetings with the applicant, architect Rafael Portuondo, attorney Jamie Crowley, Director Josh Martin, and PZB staff, the first application was made. It was a Comprehensive Plan Amendment, a zoning text amendment, and changes to the Worth Avenue Design Guidelines. Director Martin tentatively agreed to prepare some of the zoning text amendments for

the applicant. The Comp Plan amendments were to change the Future Land Use Element to allow, in some cases, a fourth-floor (although a small fourth-floor exists today). This would have resulted in changes to both the zoning code relative to the C-WA district and to the Worth Avenue Design Guidelines. This initial project was to demolish the existing 3,000 sf fourth floor, then add a new larger fourth-floor, which would be just over 12,000 sf. This is why the applicant needed the Comp Plan amendment, as the grandfathered nonconforming fourth-floor would be completely removed (abandoned), then rebuilt larger.

2019 REVISIONS TO THE APPLICATION

The applicant decided to withdraw the original application, and in turn to simply request a site plan, special exceptions and variances. The applicant said this decision was made after receiving feedback from one or more Town Council member(s). The feedback was basically described to staff as that the Town Council may not support a Comprehensive Plan amendment, but that requesting multiple variances was the better way to proceed. At this point Zoning Manager Paul Castro was asked by Director Martin to help delineate the various zoning matters and possible variances needed to approve the project. The applicant described the project as an expansion of the nonconforming fourth-floor, along with a shared parking concept to eliminate the surface parking, and other variances for the ground level building additions and façade changes, building height, lot coverage, site plan review and special exceptions. Mr. Castro indicated that requesting an expansion of the grandfathered, nonconforming fourth-floor was already established by past precedent, as a few other tall, nonconforming buildings in the past have requested and received variances to expand by adding additions, awnings, pergolas, etc. to the nonconforming floor. I remember Mr. Castro pointing out the window of the Director's office at the nonconforming six-story building behind Bricktops, which he said required variances to expand the nonconforming penthouse. Mr. Castro said that this precedent was vetted through Town Attorney Skip Randolph in the past, and therefore could be used again. He also indicated several other midrise buildings, primarily condo buildings, have requested and received the same zoning relief. Staff requested that the applicant provided plans that showed the fourth-floor to remain (if the fourth-floor was demolished it would be a violation of the Comprehensive Plan). Although submitted as a combo project (both Arcom and Town Council approvals needed), staff asked that the project be re-noticed to neighbors and that the matter come to the Town Council first to deal with the variances, special exceptions and site plan review, as there is no need for Arcom to spend possibly several months on this project if the zoning variances are not granted by the Town Council.

Ultimately the applications were withdrawn by the applicant.

2023 PROJECT SUMMARY

ARCOM - The applicant, 125 Worth Partners LLC, has filed an application requesting Architectural Commission review and approval for the substantial demolition, renovation and expansion of the existing four-story nonconforming commercial building with underground parking, including multi-story additions and façade alterations in accordance with the Worth Avenue Design Guidelines, involving multiple variances including from the parking requirements, setback, lot coverage, height and open space regulations and other nonconforming aspects of the existing building.

TOWN COUNCIL - The applicant, 125 Worth Partners LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the substantial demolition exceeding 50% exterior building elevations for the renovation and expansion of the existing four story nonconforming commercial building (with underground parking) including multi-story additions and façade alterations proposing in accordance with the Worth Avenue Design Guidelines and a Special Exception to permit retail and office uses greater than 4,000 SF gross leasable area in the C-WA district. Additionally, the applicant is seeking review and approval for Variances (1) to reduce the required parking; (2) to modify and expand nonconforming four-story building; (3) to exceed the maximum overall building height in order to construct a new rooftop and rooftop projections; (4) to exceed the maximum allowable lot coverage for the fourth level; (5) to reduce the required front yard setback, (6) to eliminate the requirement for an on-site loading space, (7) to retain and increase the existing nonconforming lot coverage for the first, second and third levels; (8) to retain the existing nonconforming building length; (9) to retain the existing nonconforming landscape open space; and (10) to further increase the existing nonconforming floor area due in association with the voluntary demolition of portions of the nonconforming building exceeding 50% of exterior wall square footage, in conjunction with the renovation of an existing four-story office and retail building.

STAFF'S VIEW OF THE PROJECT

The current PZB staff acknowledges that 125 Worth Avenue is a four-story building. While this fact may be debated and contradicted by past records, real estate advertisements and other documents, PZB staff has, on at least two different occasions, visited the building as a field visit and walked up to the fourth-floor penthouse. It is easily accessible from any floor. The fourth-floor is just over 3,000 sf in size, has a concrete roof, which is about 13 feet high, is air conditioned, and has large glass windows on two sides. The fourth-floor footprint further expands over the third floor with a covered arcade on three sides. The interior enclosed space currently houses mechanical equipment, but this space could be converted to office or condominium use by relocating the mechanical equipment and renovating the interior space to the desired configuration. Two separate PZB Directors have established their interpretation of this fourth-floor designation.

Variances are needed to expand the nonconforming fourth-floor, as this precedence is already established in the Town, vetted by the Town Attorney and has been used by applicants in the past. Further, the former Zoning Manager reviewed the 1972 plans from the original building construction and maintains that the building was designed and constructed as a four-story building with underground parking. Staff acknowledges that two-story buildings, and sometimes three-story buildings, are allowed by the Comprehensive Plan in the commercial land use areas, but staff further acknowledges that there many buildings in Town that exceed the Comprehensive Plan height limitations, several of them along Worth Avenue. These buildings were constructed prior to the adoption of the current Comprehensive Plan. These nonconforming, but grandfathered, buildings can be enlarged / expanded with zoning variances, as has been done in the past, but cannot be expanded beyond the footprint of the building.

Wayne Bergman

From: Wayne Bergman
Sent: Thursday, March 16, 2023 1:23 PM
To: JULIE ARASKOG; Kirk Blouin; Julie Araskog; Skip Randolph; James Murphy; Jennifer Hofmeister-Drew; Legal; Town Attorney; Bradley Falco
Subject: RE: Meeting to discuss four stories

Julie - I sent what we could find from the old permits.

However, I cannot explain why the 50-year-old permit application, old permits, county tax assessor description, or realtor marketing documents collectively describe this building as a three-story building with mechanical penthouse. I authored a memo a few years back on this matter, and authored an updated memo on March 6, 2023, and then co-authored the March 13, 2023 staff memo that explained that the building is four floors. I believe that 125 Worth Avenue is a four-story building.

The reasons for this determination:

1. First, my review of the original building permit plans, dated 1972 by architect Robert Michael Kolany, show the individual levels (floors, stories) of the building. The plans include notes that show the penthouse floor elevation, penthouse story, penthouse elevations, penthouse floor height, penthouse roof height, and penthouse core plan (elevators, stairs, storage). These plans show a four-story building with an additional two stories of underground parking.

2. Second, my three trips to view the spaces over the past several years. The space is accessed by two sets of stairs (scissor stairs). The enclosed space of this floor is around 3,000 sq ft. It is air conditioned, has around 14' tall ceilings, floor to ceiling windows on two sides. Plus, this space is surrounded by an arcade about 8' in width (adding another 3,700 sq ft of building coverage). This space is a level / floor / story of this building. This is not an "accessible roof deck", "observation deck", or "similar area".

3. Finally, the Town Zoning Code definition of story - "... that portion of a building ... included between the surface of any floor and ... the space between such floor and the ceiling next above it". This accurately describes the mechanical penthouse.

This determination does not mean that I, or staff, fully support the application and proposed project. In fact, we are concerned with additions totaling 16,000 sq ft while removing 23 parking spaces. I pointed out to you that the demolition will remove all exterior walls (windows, storefronts, and walls), leaving for a period only the structural slabs and supporting concrete columns. Richard Sammons verified that point during his architectural presentation. We are concerned with the fourth floor someday becoming a restaurant or bar, if the proper safeguards are not attached to any approval. I am concerned with the precedent that will be set for the fourth-floor expansion.

Thank you.

Wayne Bergman, MCP, LEED® AP
Director
Town of Palm Beach
Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480
Office: 561-227-6426
www.townofpalmbeach.com

McDonald, Jamie D.

From: Martin Deloach <MDeLoach@TownofPalmBeach.com>
Sent: Friday, March 17, 2023 9:29 AM
To: Wayne Bergman; Craig Johns
Subject: RE: 125 Worth Ave

I have walked the space several times over that last couple years for different reasons. The 4th floor has two exits with stairs that may not meet today's separation requirements but could with a life safety 101 a analysis as has been done with several of our older structures with what are called scissor stairs. The NFPA has a very simplistic definition of an occupiable story "3.3.260.1 Occupiable Story .A story occupied by people on a regular basis" The area on the 4th floor is clearly used on a regular basis, there are storage rooms, there are mechanical units that would require maintenance on a regular basis and there appears to be a small office area for the maintenance staff.

The floor has large windows that look out onto Worth Avenue to the south and the Atlantic ocean to the east. This space would be considers the highest occupiable floor by the fire code.

Marty DeLoach
Fire Marshal

Town of Palm Beach
Fire Rescue Department
300 N. County Road
Palm Beach, FL 33480
Phone: 561-227-6497
Fax: 561-838-5427
www.townofpalmbeach.com

From: Wayne Bergman <wbergman@TownOfPalmBeach.com>
Sent: Friday, March 17, 2023 7:20 AM
To: Craig Johns <CJohns@townofpalmbeach.com>; Martin Deloach <MDeLoach@TownofPalmBeach.com>
Subject: 125 Worth Ave

Craig & Marty -how many STORIES is this existing building? You can visit it and use the stairs to get to all levels.

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TC Development Review Meeting Backup 4-04-2023

569 So.2d 853
District Court of Appeal of Florida,
Fourth District.

Mei–Ling BERNARD, Petitioner,
v.
The TOWN COUNCIL OF the TOWN OF PALM BEACH, and Joseph Davidson and Polly Davidson, Respondents.

No. 90–1460.
|
Nov. 7, 1990.

Synopsis

Property owner applied for zoning variance to construct a bedroom and bath and extend her house. Council voted to grant the variance based on hardship caused by "unusual configuration" of the land. The Circuit Court for Palm Beach County, Edward Rogers, Edward Fine and Jack Cook, JJ., denied abutting property owner's petition for certiorari, after applying fairly debatable test. Abutting property owner sought to quash circuit court's decision. The District Court of Appeal held that the circuit court's failure to find whether competent substantial evidence was presented to show that no reasonable use could be made of the property absent the variance required that the circuit court's order be quashed.

Quashed and remanded.

Letts, J., dissented with opinion.

Attorneys and Law Firms

***853** Dennis J. Powers of Commander, Scott, Henderson & Powers, Palm Beach, for petitioner.

John C. Randolph of Jones, Foster, Johnston & Stubbs, P.A., West Palm Beach, for respondent-The Town Council of the Town of Palm Beach.

Robb R. Maass of Alley, Maass, Rogers & Lindsay, P.A., Palm Beach, for respondents-Davidson.

Opinion

PER CURIAM.

Mei–Ling Bernard, a property owner in Palm Beach, Florida seeks to quash the circuit court's decision, sitting in its appellate capacity, which upheld the respondent Palm Beach Town Council's approval of an application for a zoning variance filed by respondent Polly Davidson, the next door neighbor of petitioner.

Davidson's application for variance sought:

> ***854** (a) To construct bedroom and bath above existing south portion of house, the rear setback line being 5′ from East property line instead of 15′ setback as now required by zoning ordinance in RA district.
>
> (b) To extend split level house southward by constructing bedroom and bath over existing lower floor of house as per sketch attached hereto. Same constitutes a third floor addition [Code Section 5.21 contains a restriction against a third story on a residential structure.]

At the hearing on Davidson's application, her attorney stated that she had received approval of the construction project in 1957; that subsequently her husband died so she did not proceed with the project; that she had recently remarried, however; and that she now desired to proceed with the project because:

> [I]t is a hardship now for them to live in that house without an addition of a master bedroom and den which they need desperately.... The hardship runs with the land. And that is because this is a peculiar size lot. It's odd shaped. The building itself which is the house was formerly an employees wing of a larger old house in Palm Beach.... But the hardship is that we cannot add any additional construction other than this location because of the peculiar nature of the lot, size of the lot.

An architect for Davidson explained that "the land is so peculiar, you can see the wedge shape view of the lake that goes around the cul-de-sac to provide her vista of the lake and it's so narrow down there nothing could really be built. And if it could it wouldn't be attached to the main residence." The

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architect stated that as it stands, the house has three bedrooms, two of which are very small.

Bernard's attorney stated that the Davidson house was already only about five feet from Bernard's property line rather than the required fifteen feet, and that the proposed additional construction would destroy Bernard's view of Lake Worth and would obstruct fresh air and light to Bernard's swimming pool and garden. Bernard's attorney also argued that in order to be granted the variance Davidson was required to show that absent the variance she would experience unnecessary and undue hardship; and that not being permitted to have a thirty-five to forty foot master bedroom simply was not a "hardship."

In response to a councilman's query, the Town Attorney opined that in determining hardship the council could consider the irregularity of the lot and the property lines. Accordingly, the council ultimately voted to grant the variance based on a hardship caused by the "unusual configuration" of the land.

In denying certiorari, the circuit court said: "We find no reason to set aside the council's assessment of 'hardship'. We find hardship is in the eye of the beholder."

The circuit court further relied on *Bell v. City of Sarasota,* 371 So.2d 525, 527 (Fla. 2d DCA 1979), for the proposition that where there are conflicts in the evidence to support the decision of a zoning board, a reviewing court should uphold the judgment of the board if it is a "fairly debatable" decision. *Bell* was not a "variance" case, however, nor has this court spoken to the specific issue raised here.

When a party seeks review here of a circuit court's disposition of administrative action, our review is limited to determining whether the circuit court afforded procedural due process and applied correct law. *City of Deerfield Beach v. Vaillant,* 419 So.2d 624 (Fla.1982). Bernard does not contend that the circuit court failed to afford her procedural due process. She does contend, however, that the circuit court failed to apply the correct test. We agree.

In its order the circuit court applied the "fairly debatable" test, which is used to review legislative-type zoning enactments. The proper standard of review in a zoning variance case is whether the agency or lower tribunal was presented with competent substantial evidence to support its findings. *Nance v. Town of Indialantic,* 419 So.2d 1041 (Fla.1982).

An applicant who seeks a variance must demonstrate a "unique hardship" in ***855** order to qualify for a variance. *Id.* Also, it has been held that a "hardship" may not be found unless no reasonable use can be made of the property without the variance; or, stated otherwise, "the hardship must be such that it renders it virtually impossible to use the land for the purpose for which it is zoned." *Town of Indialantic v. Nance,* 485 So.2d 1318, 1320 (Fla. 5th DCA), *rev. denied,* 494 So.2d 1152 (Fla.1986). *See also Thompson v. Planning Comm'n,* 464 So.2d 1231 (Fla. 1st DCA 1985) (hardship necessary to obtain zoning variance may not be found unless there is showing that under present zoning no reasonable use can be made of property, and self-created hardship cannot constitute basis for zoning variance).

Rather than determining whether competent substantial evidence was presented to show that no reasonable use could be made of the property absent the variance, the circuit court here found that "hardship is in the eye of the beholder." Accordingly, we grant the petition, quash the circuit court's order and remand with direction to apply the test recited and adopted herein.

GLICKSTEIN and STONE, JJ., concur.

LETTS, J., dissents with opinion.

LETTS, Judge, dissenting.

In *City of Deerfield Beach v. Vaillant,* 419 So.2d 624 (Fla.1982), our supreme court, upholding an earlier decision of this court, made it quite clear that, in circumstances such as are before us now, review at the district court level is limited. Notwithstanding, the majority has exceeded those limits and has substituted its judgment for that of three trial judges who have already reviewed this case in an appellate capacity. In my opinion, the majority is engaging in a hair-trigger grant of one of the great writs, supposedly only obtainable under rare and extraordinary circumstances.

All Citations

569 So.2d 853, 15 Fla. L. Weekly D2719

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ADLEY
BRISSON
ENGMAN
PLANNERS &
ECONOMISTS
INCORPORATED

WORTH AVENUE DESIGN GUIDELINES

Town of Palm Beach, Florida

May, 1991
Revised February, 1998

PLANNING AND ECONOMIC SOLUTIONS FOR LOCAL GOVERNMENT AND THE DEVELOPMENT COMMUNITY
520 MAIN STREET SARASOTA, FLORIDA 34236-5884 (813) 366-2420

TABLE OF CONTENTS

I. PURPOSE AND INTENT 1

II. INTRODUCTION TO WORTH AVENUE 2

III. WORTH AVENUE URBAN DESIGN GOALS 6

IV. ARCHITECTURAL STYLES 8

MEDITERRANEAN-REVIVAL 8

NEO-CLASSICAL 29

ART DECO AND ART MODERNE 29

NEW ORLEANS, TUDOR, INTERNATIONAL, MODERN, POST-MODERN, ETC. 29

V. WORTH AVENUE DEVELOPMENT AREAS 32

WEST-END DEVELOPMENT AREA 32

MID-AVENUE DEVELOPMENT AREA 32

EAST-END DEVELOPMENT AREA 33

VI. WORTH AVENUE DESIGN GUIDELINES 35

A. RELATIONSHIP TO EXISTING DEVELOPMENT 35

1. Site plan arrangement 35

2. Architectural Character 36

a. Scale 36
b. Proportion 36
c. Rhythm 36
d. Form and height 38
e. Contrast 38

TABLE OF CONTENTS (cont.)

B. STREET CHARACTER, SIZE AND BULK 38

1. Apparent building width 38
2. Apparent storefront width 38
3. Varied roof level and towers 39
4. Multi-story structures 39
5. Recesses and projections 39

C. STREET FRONTAGES 39

D. BUILDING SETBACK AREA 41

E. ARCADES, COLONNADES OR RECESSED WALKWAYS 41

F. VIAS, COURTYARDS AND PASSAGES 41

1. Location of courtyards and vias 42
2. Characteristics of vias and courtyards 42
3. Outdoor linking spaces 42

G. BUILDING MATERIALS 43

1. Walls 43
2. Roofs 43
3. Windows 43
4. Doors 43
5. Balconies 43
6. Ground surfaces 44
7. Decorations and trim 44
8. Accents 44

H. ARCHITECTURAL DETAILS 44

1. Outdoor stairs 44
2. Balconies, porches and loggias 44
3. Oriels and bay windows 44
4. Awnings 44
5. Details 45

TABLE OF CONTENTS (cont.)

I. COLOR AND TEXTURE 45

1. Walls 45
2. Roofs 45
3. Windows and doors 45
4. Ground surfaces 45
5. Awnings 45
6. Screening walls, fences, gates and grills 45
7. Accents 45

J. SIGNAGE 47

K. LIGHTING 47

L. BUILDING EQUIPMENT AND SERVICES 47

M. PARKING FACILITIES 48

N. FENCES AND SCREENING WALLS 48

O. REHABILITATION AND MAINTENANCE 48

1. General 48
2. Roofing 48
3. Chimneys 48
4. Exterior Walls 49
5. Windows and Doors 49
6. Interior Ceiling Heights 49
7. Foundations 49
8. Renovations and Additions 50
9. Style Change 50

VII. GUIDELINES FOR INDIVIDUAL DEVELOPMENT AREAS 51

WEST-END DEVELOPMENT AREA 51

MID-AVENUE DEVELOPMENT AREA 54

EAST-END DEVELOPMENT AREA 57

TABLE OF CONTENTS (cont.)

VIII. SPECIAL ALLOWANCES FOR THE EAST-END DEVELOPMENT AREA 60

A. ELIGIBILITY FOR SPECIAL ALLOWANCES 60

1. New buildings . 60
2. Existing buildings (incompatible styles) 60
3. Existing buildings (compatible styles) 61

B. DEFINITIONS 61

C. SPECIAL ALLOWANCES 61

1. Commercial 61
2. Mixed-use commercial and residential 62

D. CRITERIA FOR APPROVAL OF SPECIAL ALLOWANCES 63

E. LIMITATIONS ON THE USE OF SPECIAL ALLOWANCES 63

IX. SPECIAL ALLOWANCES FOR THE MID-AVENUE AND WEST-END DEVELOPMENT AREAS 64

A. ELIGIBILITY FOR SPECIAL ALLOWANCES 64

1. New buildings 64
2. Existing buildings (incompatible styles) 64
3. Existing buildings (compatible styles) 65

B. DEFINITIONS 65

C. SPECIAL ALLOWANCES 65

1. Commercial 65
2. Mixed-use commercial and residential 65

D. CRITERIA FOR APPROVAL OF SPECIAL ALLOWANCES 66

E. LIMITATIONS ON THE USE OF SPECIAL ALLOWANCES 66

X. APPENDICES

A. THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION
B. FOOTNOTES AND SELECTED BIBLIOGRAPHY
C. GLOSSARY

I. PURPOSE AND INTENT

These guidelines have been prepared to provide for the protection and enhancement of the quality and character of Worth Avenue. They are intended for use by the general public and reviewing bodies in evaluating new construction as well as alterations, renovations or other changes to existing structures along Worth Avenue.

They are intended to encourage the maintenance and restoration of the architectural heritage of Worth Avenue and to encourage the creative use of modern variants of the Mediterranean-Revival, Neo-Classical and other compatible architectural styles. They are further intended to promote the use of "Mizner-style" Mediterranean-type pedestrian characteristics such as arcades, shopping vias, courtyards and patios, fountains and sculpture, extensive landscaping, multi-level development, hidden staircases, and especially the provision for upper-story residences. Use of these styles and characteristics in the construction of new buildings, and in the renovation of, or addition to, existing buildings will enhance the image of the Avenue by providing a visual linkage between contemporary development and the Avenue's unique historical appearance.

The role of the Avenue as an architectural statement expressing Palm Beach's image is an important one. But, underlying its charm and visual appeal is the role of Worth Avenue as a viable, prestigious, retail marketplace. These Guidelines are intended to enhance the Avenue's potential to attract the small, quaint, interesting shops that have given it much of its variety, charm, and market appeal to the echelon of quality clients it has served for over sixty years.

II. INTRODUCTION TO WORTH AVENUE

The Beginning Years. Addison Mizner and Paris Singer arrived in the Town of Palm Beach on January 8, 1918. Their coming marked the beginning of a significant period of architectural heritage for both the Town and Worth Avenue.

The Avenue started with the Everglades Club (originally built as the Touchstone Convalescence Hospital) in 1918, a thoroughly Spanish structure with a touch of Mexican Mission modeled after a nunnery. A tower-topped chapel was an integral element, along with shaded cloisters, an orange court, and a brilliant display of tiles set by Mizner. Mizner also supervised construction of a building east of the Everglades Club with shops on the ground floor and apartments (called maisonettes) above.

Until 1923, with the exception of the Everglades Club and its shops to the east, Worth Avenue remained largely residential. During the summer of 1923, Mizner completed his design studios and the headquarters for Mizner Industries, a three-story office building on Worth Avenue opposite the Club. The first floor, with a street-front arcade, contained display space for Mizner's pottery and antiques businesses. Mizner's private office and studio, and offices for his business staff, were on the second floor, while a large studio for the architects and draftsmen, and a small apartment, made up the third floor. This building, the first in the Via Mizner complex, signaled the changing character of Worth Avenue from a lazy residential atmosphere to an elegant shopping promenade.

The Shopping Vias. During the summer of 1924, Mizner began the Via Mizner shopping complex and Villa Mizner just to the west of his newly completed office building. In explaining his concept for the new building and passageways, Mizner stated

> *"that Spanish castles contained numerous small cellar rooms to house the household army. With the advent of more civilized times the armies were dismissed and commercially-minded people converted the cellar-like rooms into small shops. They usually faced on small winding streets and were entirely open to the people who traversed the narrow pathways."*[1]

From its Worth Avenue entrance between the new villa and the office building, an irregular pedestrian street wound its way to Peruvian Avenue, creating the Via Mizner. A covered walkway on the second floor connected Mizner's house and office and formed the entrance to the shops. The small scale of the via with its many twists and turns allowed the shopper and resident the feel of a small Spanish village. The ground level of the Via was filled with a variety of shops and commercial enterprises, tucked here and there amidst masses of stucco and elaborate stonework, and opening onto a paved courtyard featuring a tiled fountain, potted plants, blooming vines and well-managed greenery.

The five-story villa contained shops on the first floor, living room, dining room, and kitchen on the second, a studio-library on the top floor, and bedrooms on the floors in-between. To compensate for the loss of the villa's garden, Mizner designed terraces opening off the rooms on the second floor.

The following summer, a similar shopping arcade, the Via Parigi, was constructed immediately to the west of Via Mizner. Construction of the two vias hurried the process of converting Worth Avenue into one of the world's most fashionable shopping boulevards. In the next few years various businesses built new stores and converted existing houses to commercial purposes.

Mizner's Architectural Style. For both his residential and commercial structures, Mizner used flat facades with textured stucco walls painted in pastel colors to soften the glare from the tropical sun, reddish barrel-shaped tiles for his roofs, and individual and grouping of windows to let in the sunshine and air. He limited exterior decoration and detailing to an occasional ornate cast-stone window or door surround, a grand entrance, a series of columns separating groups of windows, an arcade, loggia or projecting balcony, or an exterior staircase. He utilized towers, varied roofline levels on even the smallest structures, and tiled chimney caps to provide visual interest, achieve a strongly articulated roofline, and to give his buildings a picturesque quality. The interior stone walls, beamed and paneled ceilings, tiled floors, vaulted stairhalls, and the loggia became trademarks of Mizner design.

By 1925, Mizner's influence could be seen in almost every structure built on the Avenue. Mizner enjoyed a successful practice, his office turning out dozens of residential and commercial Mediterranean-Revival structures before 1930. His design philosophy revolved around the following:

> *[making a] "building look traditional and as though it had fought its way from a small unimportant structure to a great rambling...[structure]...that took centuries of different needs and ups and downs of wealth to accomplish. I sometimes start...with a Romanesque corner, pretend that it has fallen into disrepair and been added to in the Gothic spirit, when suddenly the great wealth of the New World has poured in and the owner has added a very rich Renaissance addition."*

Equally as important as his architectural practice and his design philosophy was his manufacturing plant, Mizner Industries. There Mizner created cast and carved stone details, roof and floor tiles, wrought-iron items, and other ornament for his buildings and for those of the other local architects.

Whether designed by Mizner or other architects, stucco walls, red-tile roofs, and Mediterranean architectural ornamentation had, by then, become the theme for Worth Avenue. The other local architects who also mastered the Mediterranean-Revival style included Clark Lawrence, John Volk, Marion Sims Wyeth, and Maurice Fatio.

The Avenue's Middle Years. After the land bust and the Stock Market Crash of 1928, more restrained types of architecture such as Neo-Classical, Art Deco, Art Moderne, International, and post-modern styles were used in developing the middle block of the Avenue. Worth Avenue joined early twentieth century America in welcoming the automobile and its passengers to the convenience of its unified assemblage of one and two-story buildings and storefronts.

Examples of Neo-Classical, Art Deco and Art Moderne architectural styles reflected a new simplicity on the Avenue. They featured symmetrical facades, flat roofs concealed by a raised parapet, groupings of rectangular windows on second stories, and recessed storefront entries and expansive merchandise display windows on the ground floor to attract customers from passing automotive traffic.

Some of the pedestrian and residential atmosphere of the historic western block was provided by passageways to interior courtyards, featuring fountains, sculpture and extensive landscaping, and overlooked by residential apartments. Unfortunately few of these courtyards and passageways interconnect. The pedestrian shopping atmosphere was enhanced by the many awning-shaded display windows, the cocoanut palms lining the Avenue, shaded benches, and the one-story, street-front character of this portion of Worth Avenue.

The Avenue's Later Years. Recent additions to some structures, especially on the north side of the Avenue, have included via-like shopping areas extending through to Peruvian Avenue. Some Mediterranean style structures were constructed intermittently along this portion of the Avenue and a new Mediterranean/Neo-Classical type structure at the corner of South County Road appears very compatible with the rest of the Avenue. This unified one-story building with its red tile roof, unified storefronts and signage, awning-shaded display windows, and multiple entries provides a good example of an updated variant on original architectural styles. And, it does so without resorting to blatant imitation, unusual building types and details, loud colors, crass materials, overpowering signs or other incompatible design techniques.

Much of the later development, while perhaps creating beauty and harmony in its own right, did little to enhance the beauty and harmony of the Avenue in its entirety. The New Orleans style Frances Brewster Building, although a beautiful building, is not architecturally compatible with the predominate styles on Worth Avenue; and, the International style Armour Building seems wholly out of place. In addition, many of the individual store fronts have been remodeled on a piecemeal basis in order to reflect a material elegance, a chain-store image, or merely to "stand out" from the crowd. Over the years the combined effect of these isolated changes has resulted in visual clutter.

The block of Worth Avenue east of South County Road contains more recently constructed buildings dominated by the two-story Esplanade shopping mall and a three-story professional office building across the Avenue. Beyond a poorly designed facade and awning treatment on the Esplanade intended to give the appearance of individual structures, and an arcaded terrace and blind arcade window treatment on the office building, there has been little attempt to integrate this block into the character of the older developed blocks to the west. Both buildings are large and massive, have only single entrances on Worth Avenue, and present little pedestrian appeal.

Architectural Review. Beginning in 1931, building designs on the Avenue were subject to review by an Arts Review Council to ensure the continued beauty and harmony of Palm Beach. This Council was the precursor to today's Architectural Commission and Landmarks Preservation Commission.

All buildings in the Town are now under the jurisdiction of either the Architectural Commission, which reviews all development other than designated Historic Landmarks, or the Landmarks Preservation Commission, which specifically reviews restoration, rehabilitation, additions or changes to designated Historic Landmarks of the Town of Palm Beach. The Architectural Commission is composed of a panel of residents, some of whom are licenced architects. The Landmarks Preservation Commission is also composed of a panel of residents, some of whom are architects, but also includes historians and architectural biographers.

All work undertaken on the Avenue should:

1. Be compatible with its neighbors and the Avenue's historic fabric;
2. Enhance the Avenue's quality and character;
3. Encourage the continued attraction of a mixture of shops, residences and other uses meeting the Town's desires.

III. WORTH AVENUE URBAN DESIGN GOALS

A. PROTECT AND ENHANCE THE AVENUE'S MARKET APPEAL FOR THE BENEFIT OF THE RESIDENTS OF THE TOWN.

The Avenue's role as an architectural statement expressing the Town's image is an important one. Maintenance and enhancement of Worth Avenue's historical character and atmosphere provides inducement for the quality uses preferred in the Town and for which the Avenue has been so attractive in the past. The Avenue's charm and visual appeal is critical to its role as a viable, prestigious, retail marketplace. These Guidelines provide the framework for protecting and enhancing that image.

B. PROTECT THE UNIQUE CHARACTER OF THE OLDER AREAS OF WORTH AVENUE AND PROMOTE CONTINUITY AND ENHANCEMENT IN NEWER AREAS.

The western portion of the Avenue provides an important link to the Town's history. New projects, rehabilitations and remodeling on the Avenue should respect existing development scale and architecture, carefully reinforcing, strengthening and enhancing its present character.

C. STRENGTHEN PEDESTRIAN CHARACTER AND CREATE NEW VIAS AND OTHER PEDESTRIAN LINKAGES.

The Avenue's pedestrian character distinguishes it from other places in the Town and County. It is an important part of the Town's valued heritage. All new projects, rehabilitation and remodeling on the Avenue should emphasize and extend this pedestrian, village-like character. An expanded network of vias and other pedestrian linkages between uses on the Avenue and between the Avenue and other nearby commercial districts should be encouraged, making it possible for enjoyable walks through a wider area.

D. MAINTAIN AND CONTINUE TO CREATE A DIVERSE MIX OF ACTIVITIES.

Worth Avenue can absorb growth and prosper if it maintains its pedestrian character and scale. It should continue to attract quality residential, office, restaurant and other activities to complement it's present specialty shopping reputation.

E. MAINTAIN HIGH EXPECTATIONS FOR THE QUALITY OF ARCHITECTURE ALONG WORTH AVENUE.

The Avenue's buildings should be influenced by the area climate, character of the landscape, and a concern for human size and scale. These Design Guidelines define principles for reducing apparent bulk and size by treating building forms as compositions of smaller parts. Architectural traditions such as protection from the sun and glare, strong shade and shadow patterns, massive character of walls, simplicity of materials and colors, interesting visual elements, continuity of space from indoors to outdoors and frequent use of vias and courtyards need to be stressed.

F. STRENGTHEN THE AVENUE'S DISTINCTIVE LANDSCAPE CHARACTER.

Development should continue to reinforce the Avenue's pedestrian oriented character by the use of vias and arcades, awnings, display windows, open and enclosed stairways, planting areas, potted plants, street furniture, decorative paving and tiles, fountains, wrought-iron detailing and ornamental lighting, providing an abundance of shade, color, varied textures and forms.

G. CONTINUE AND EXPAND THE TRADITION OF THE AVENUE'S ARCADED WALKWAYS.

Covered walkways are a key part of the older portion of the Avenue's architectural heritage. The arcades unify diverse building fronts, providing shaded protection from the sun, and further serve as a consistent architectural element of pedestrian scale.

H. STRENGTHEN THE PROVISION OF CONSISTENT AND COMPATIBLE STREET SPACES.

Site planning of individual projects should give priority to establishing complementary and supportive relationships with neighboring properties.

IV. ARCHITECTURAL STYLES

MEDITERRANEAN-REVIVAL

Mediterranean-Revival is the most popular type of architecture in the Town of Palm Beach. The term "Mediterranean," as used in this document allows for a broad interpretation of style and acknowledges the legacy of a design which freely adapts Spanish, Spanish Renaissance, Spanish-Italian, Latin American, Moorish, Romanesque, Venetian, Venetian-Gothic, Gothic, and Renaissance architectural precedents.

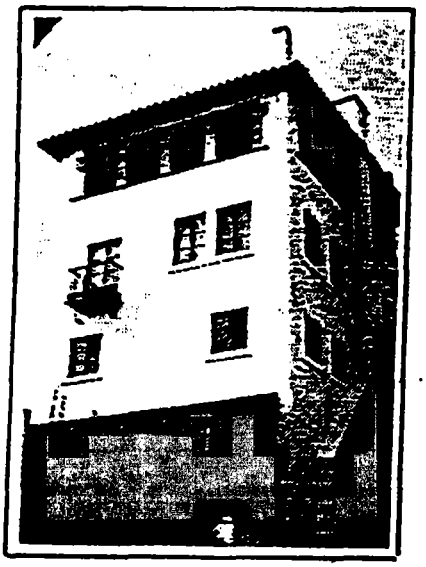
In Palm Beach, it is the norm to find structures that have a mixture of styles, sensitively combined, creating as outstanding a landmark as a stylistically pure structure. In addition, these structures have been altered over time, but fortunately with an aesthetic blend of new and old elements.

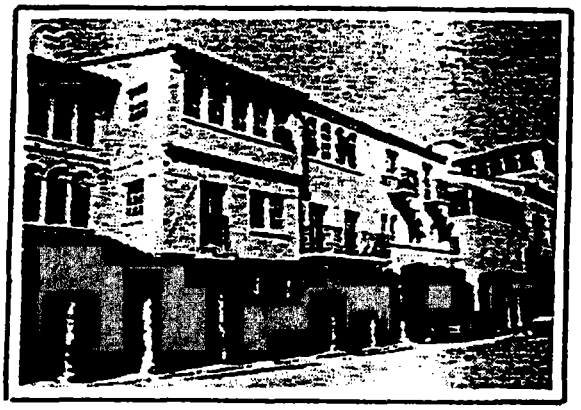
There are certain characteristics and elements associated with Mediterranean-Revival design which have general application. These include:

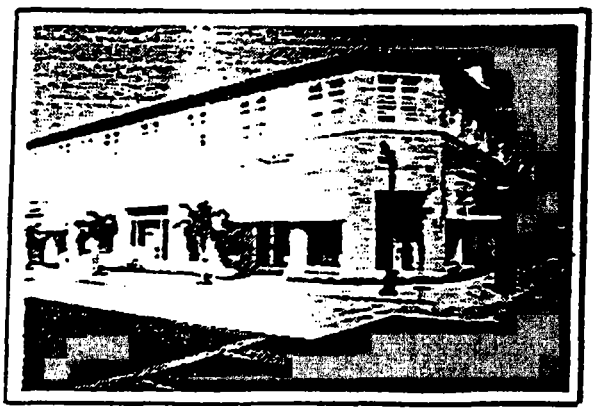
- Walls of hollow clay;
- Textured stucco exteriors;
- Low-pitched roofs and multiple roof slopes;
- Reddish barrel clay tile roofs;
- Narrow or widely overhanging eaves;
- Towers and decorative chimneys often featuring a tiled roof;
- Round and pointed arches;
- Arcades and vias, which feature extensive landscaping and potted plants;
- Courtyards, patios and terraces, which often feature a fountain or sculpture;
- Balconies, porches, oriels and loggias;
- Wrought-iron details, such as balustrades, brackets, door hardware, grilles, gates, and light fixtures;
- Exposed rafters and beams, modillions, coffered ceilings;
- Cast and carved stone ornamentation;
- Casement or french windows, often with decorative surrounds;
- Heavy wooden doors and doorways which are often framed by columns or pilasters, carved or cast ornament;
- Ceramic tile accents;
- Outdoor staircases, often hidden off a via or courtyard; and,
- Usually asymmetrical facades, although Gothic, Romanesque and Renaissance precedents typically utilize symmetrical facades.

Photographs of several examples of the Mediterranean-Revival style are presented on the following pages.

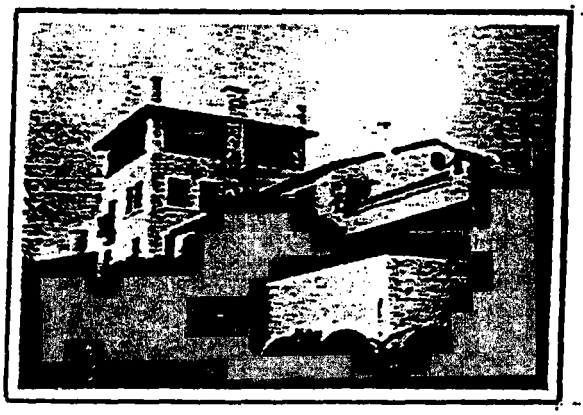
MEDITERRANEAN REVIVAL

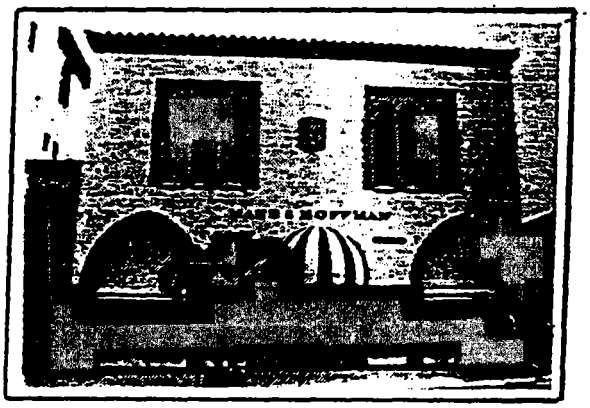






MEDITERRANEAN REVIVAL

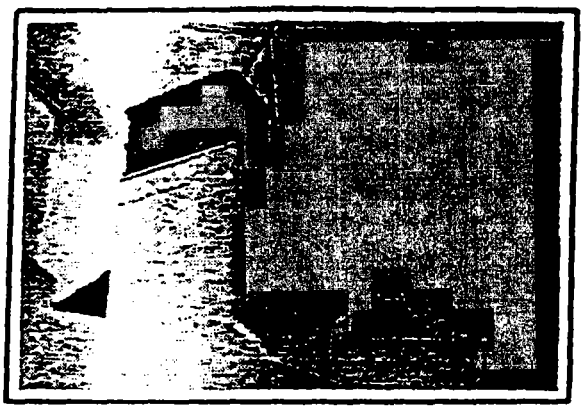


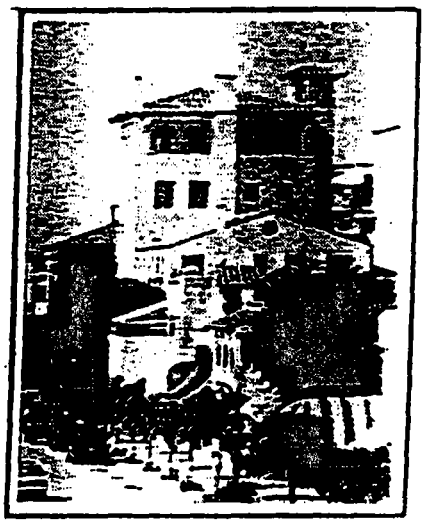


The photographs on the following pages show decorative details and examples of:

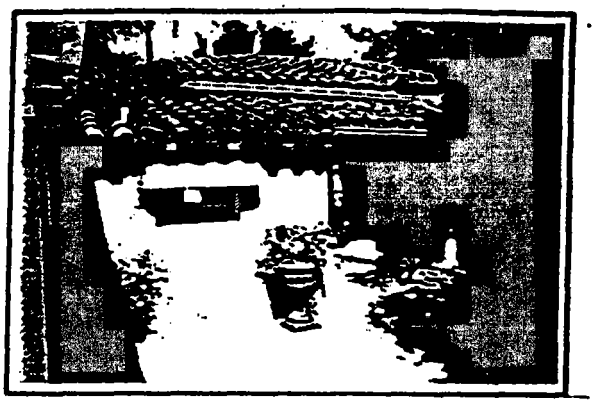
- **Towers, chimneys and roofs**
- **Arcades, colonnades and entranceways**
- **Doors, windows and awnings**
- **Balconies and stairwells**
- **Vias, courtyards, and fountains**
- **Wrought-iron fixtures**
- **Light fixtures and floors**
- **Signs**

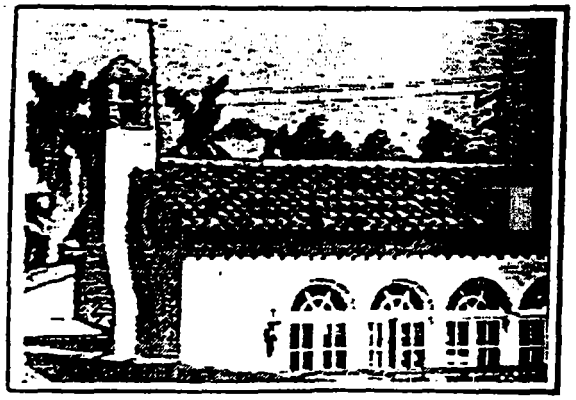
TOWERS, CHIMNEYS, ROOFS

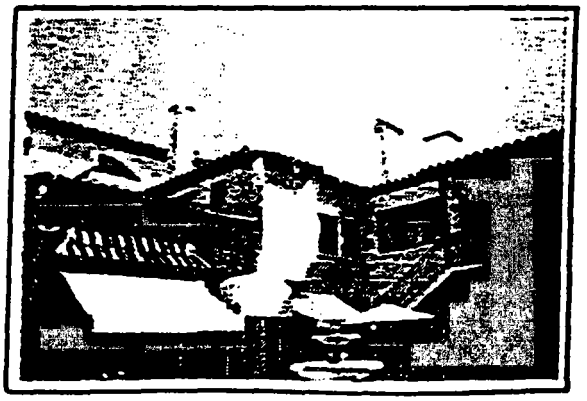




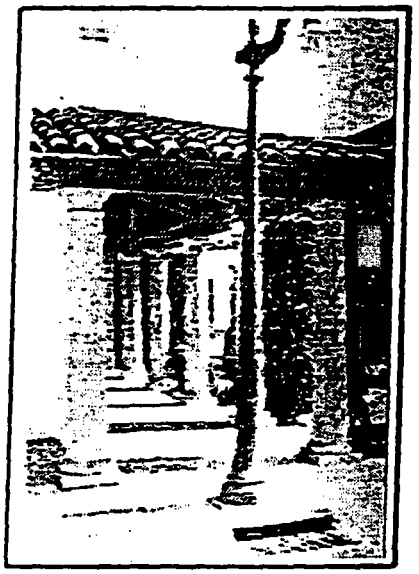
TOWERS, CHIMNEYS, ROOFS

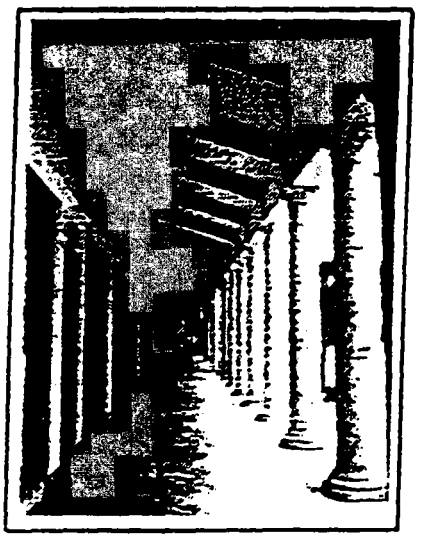




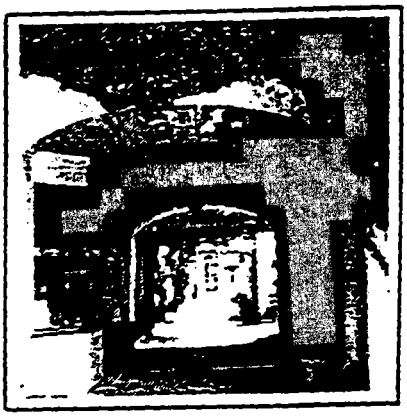


ARCADES/COLONNADES

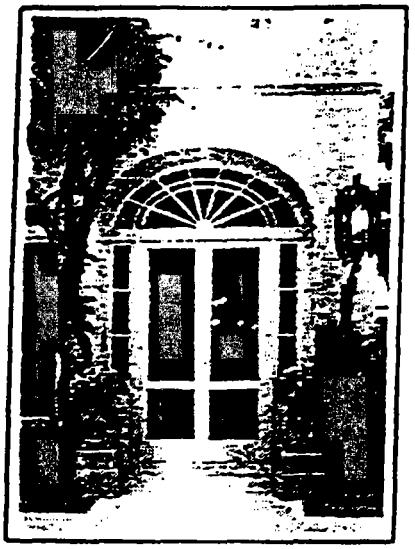


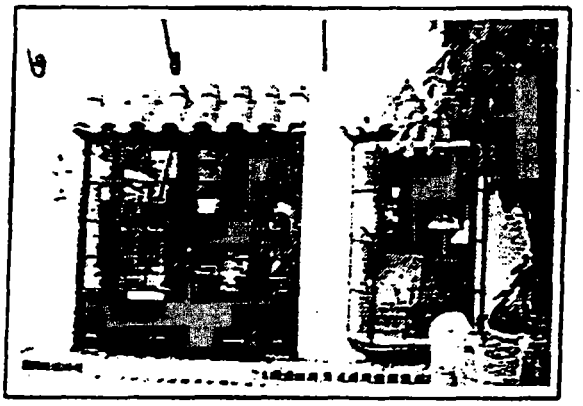


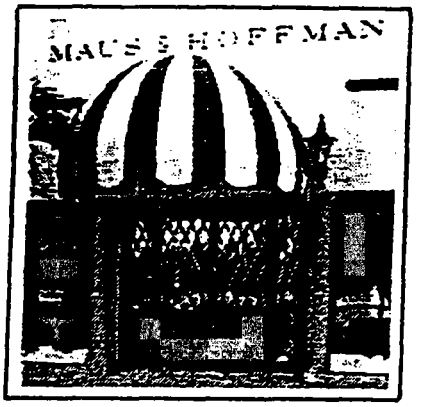
ENTRANCEWAYS

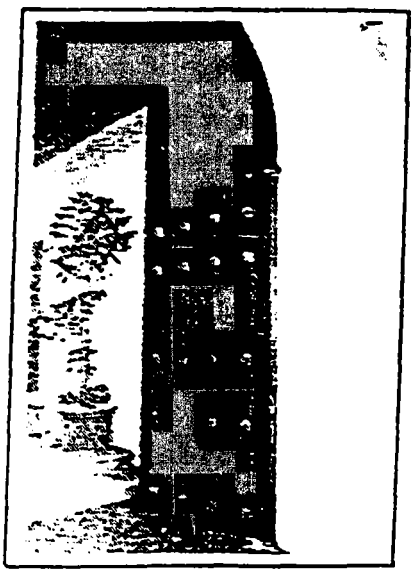


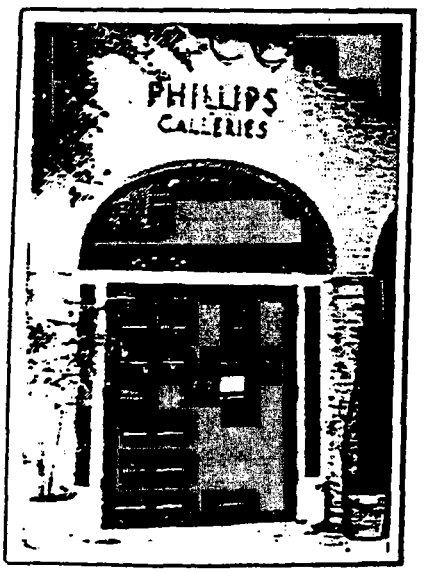
DOORS



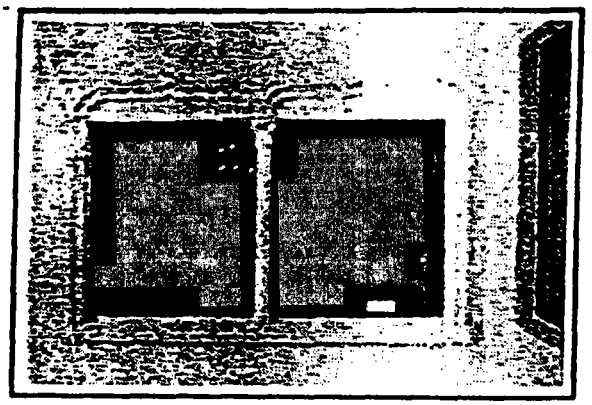


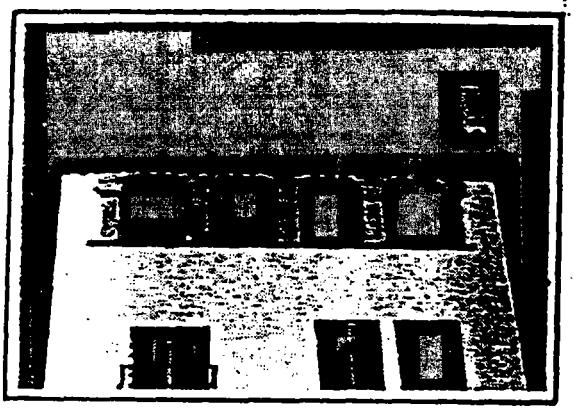


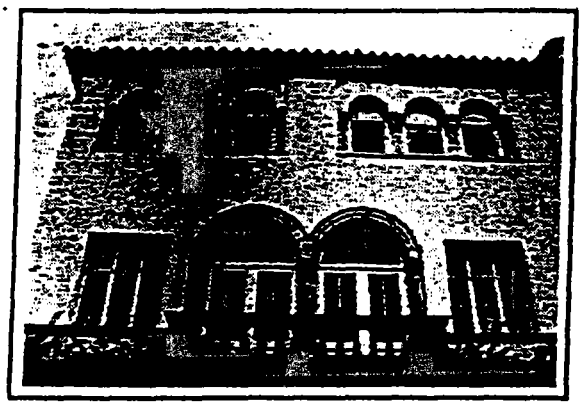


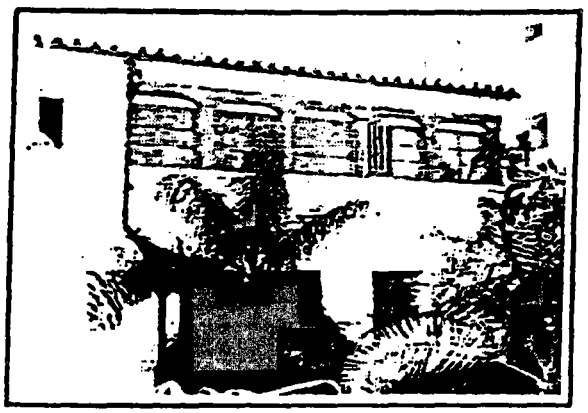


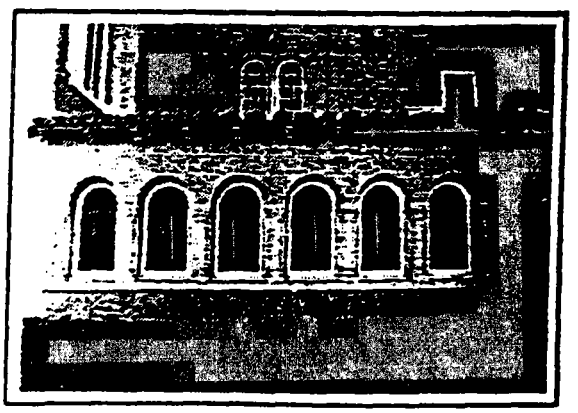
WINDOWS











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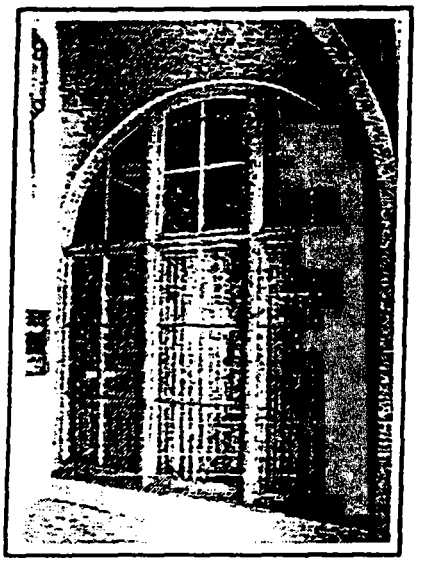
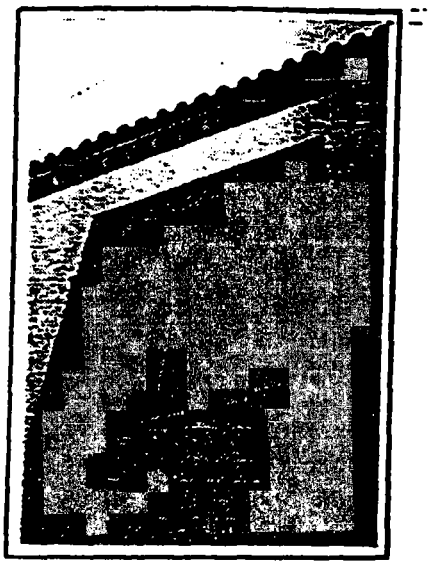
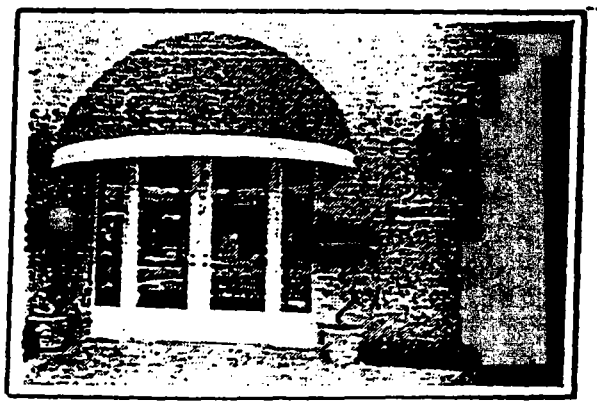
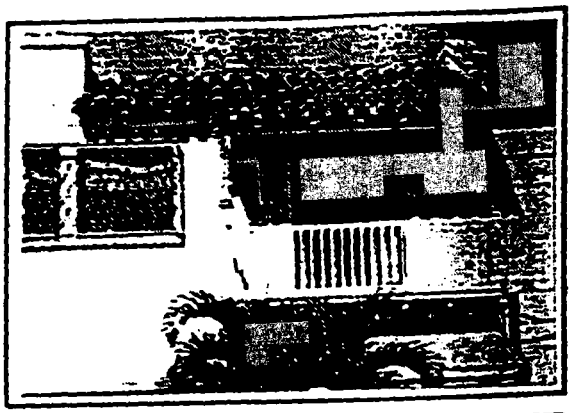


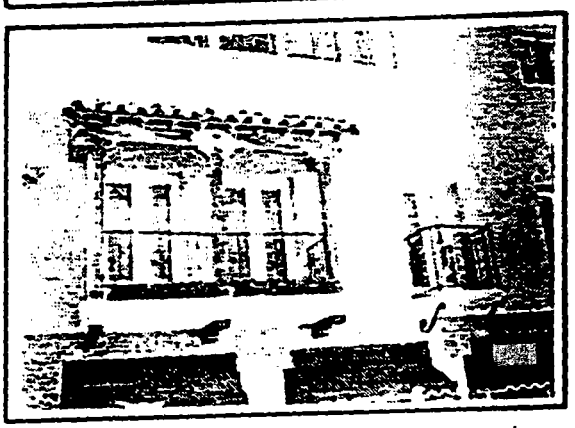


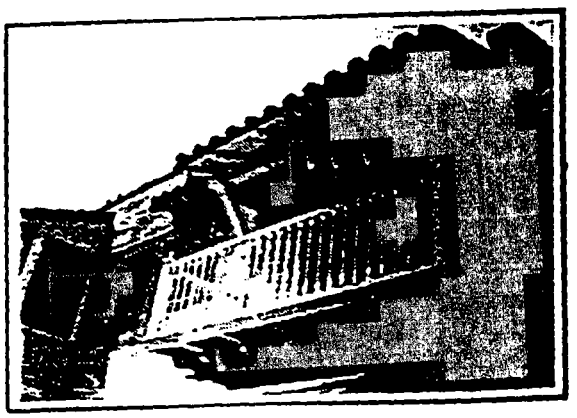
AWNINGS



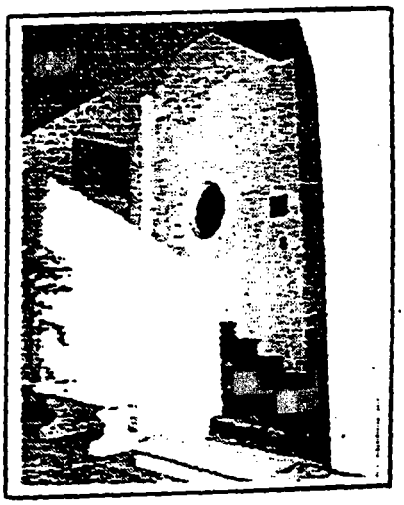
BALCONIES



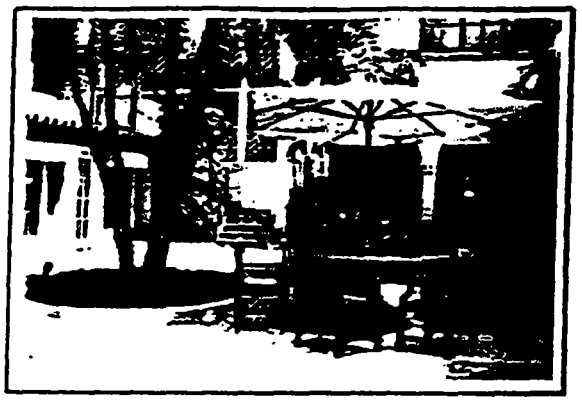


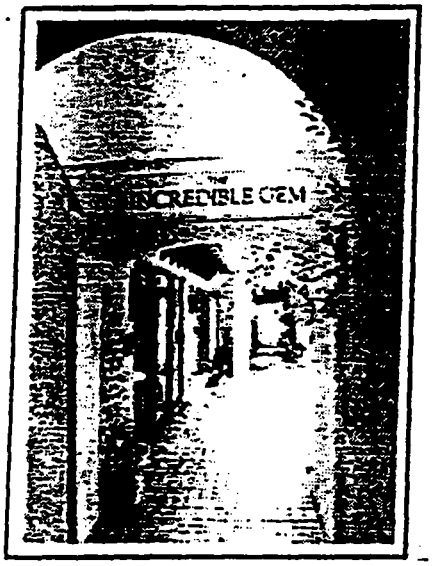


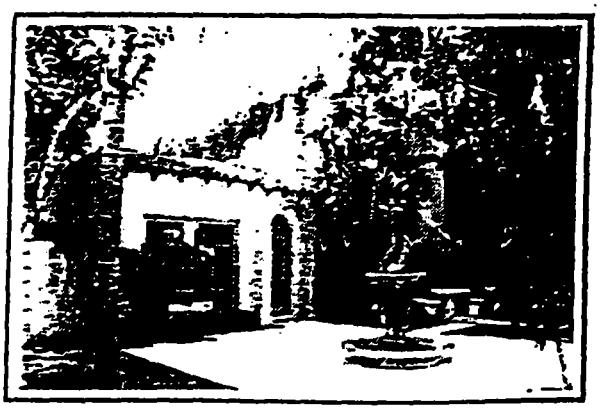
STAIRWELLS



COURTYARDS







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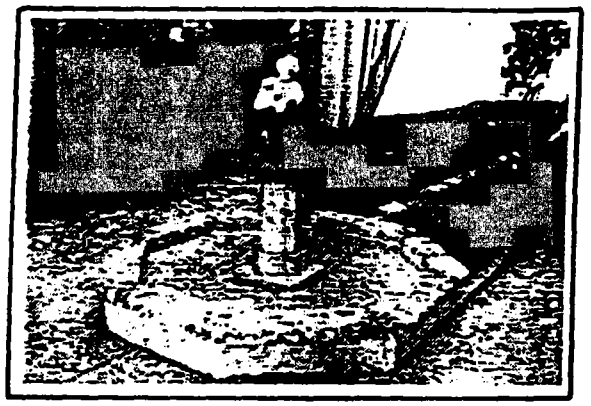

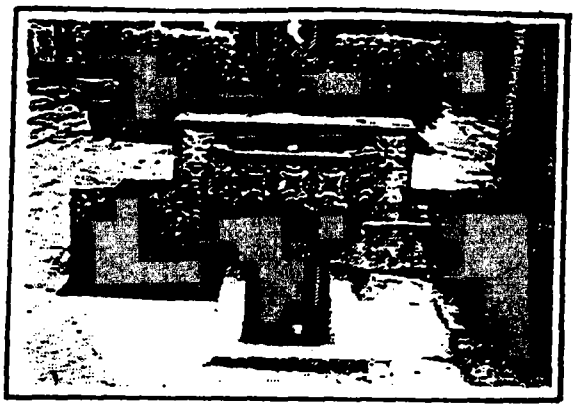

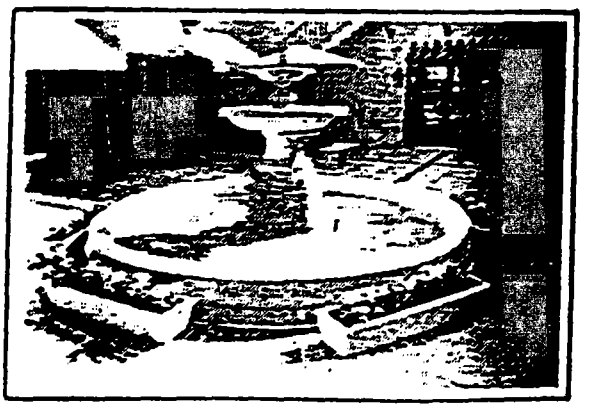

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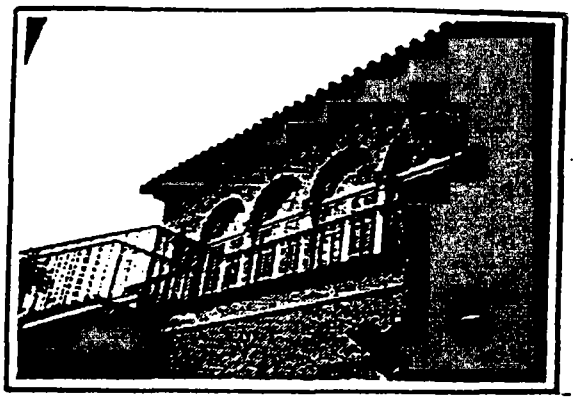

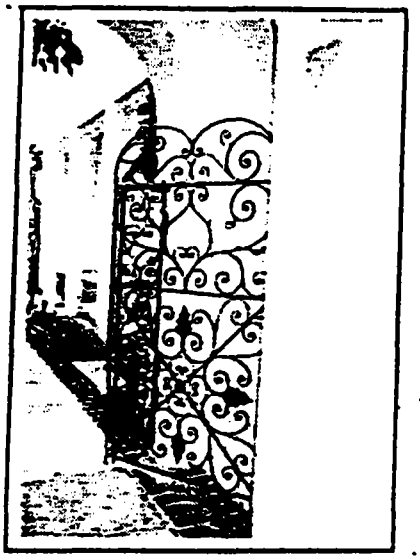

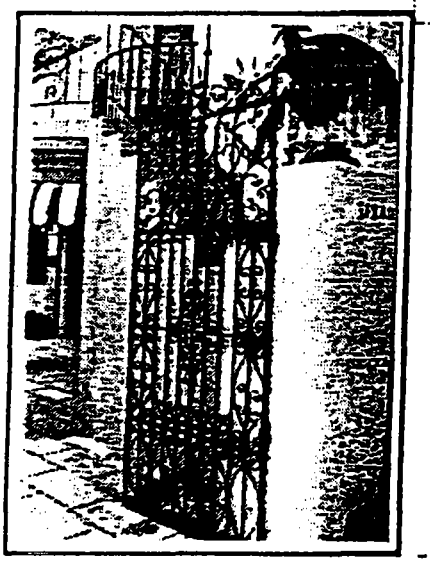

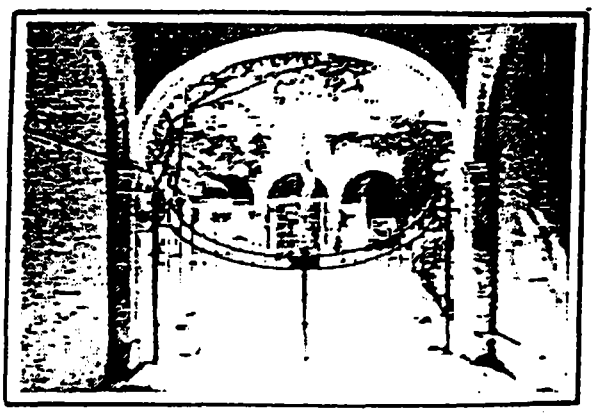

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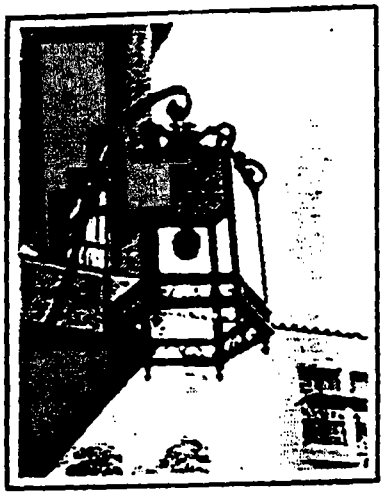
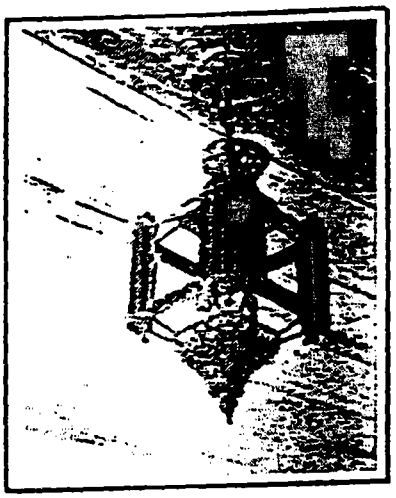
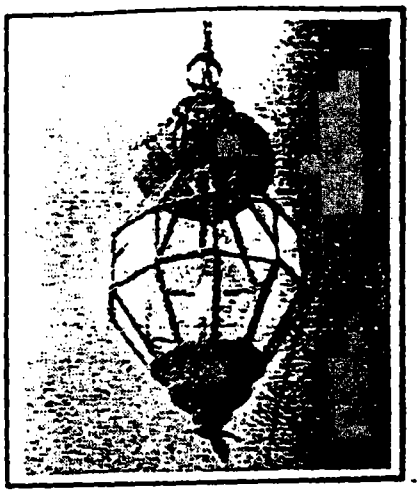
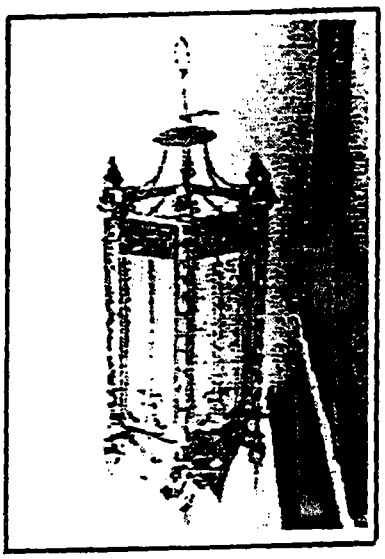

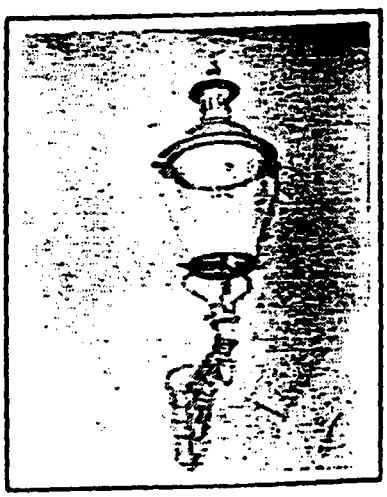
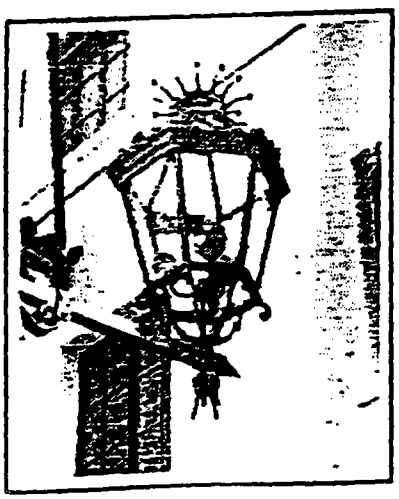
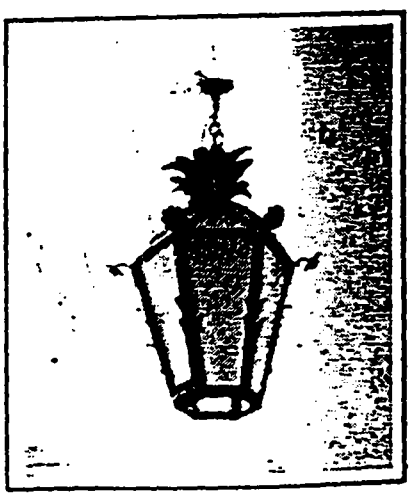

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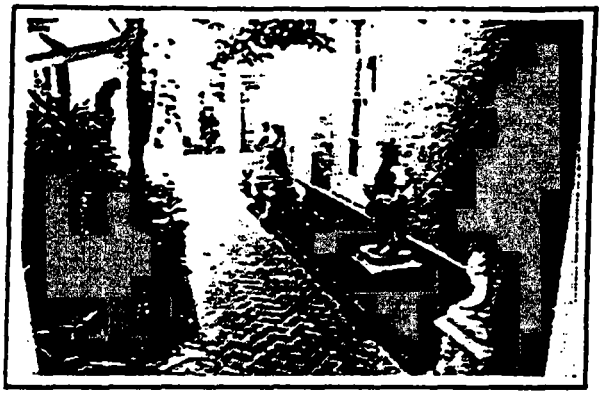

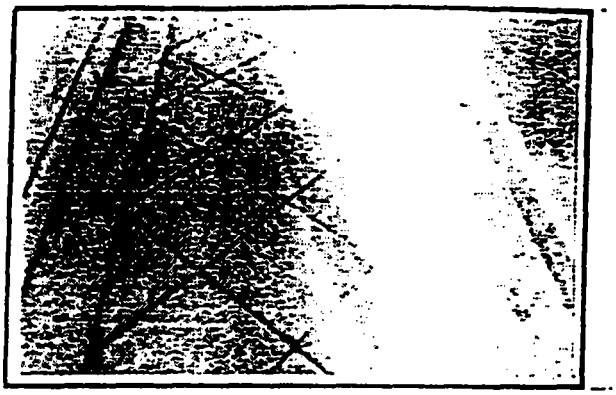

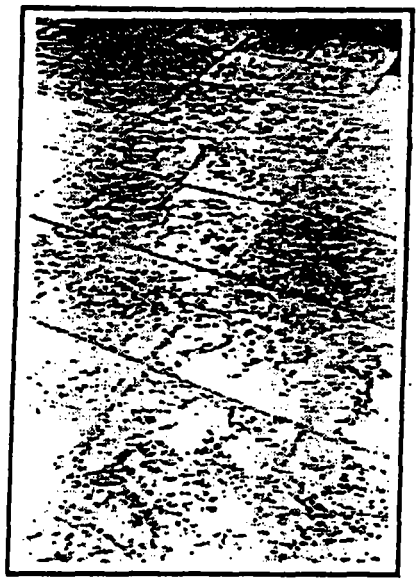

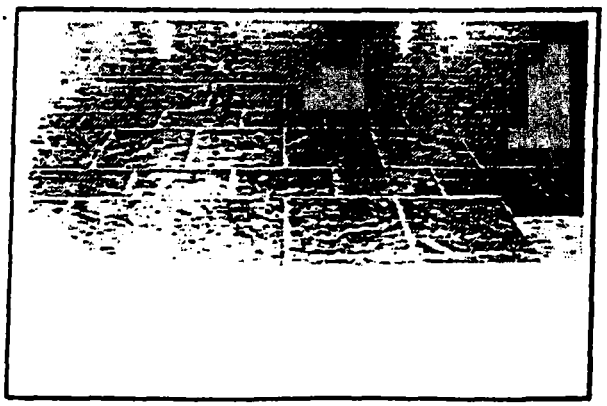

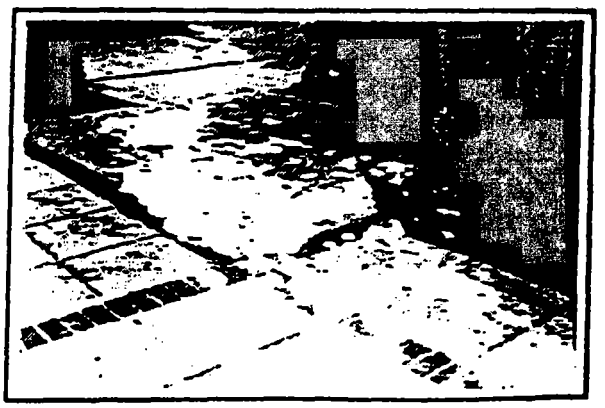

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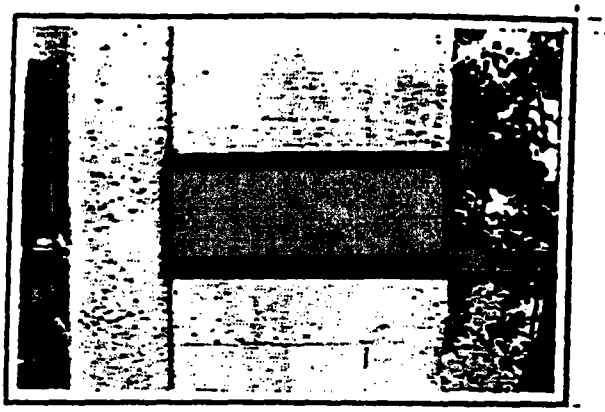

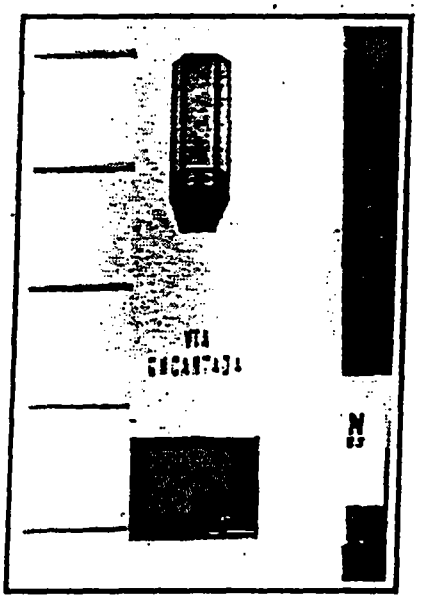

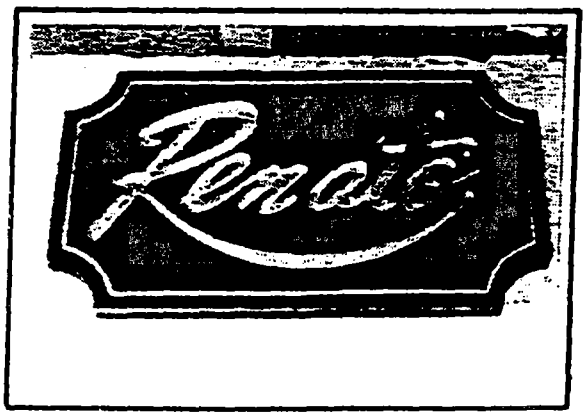

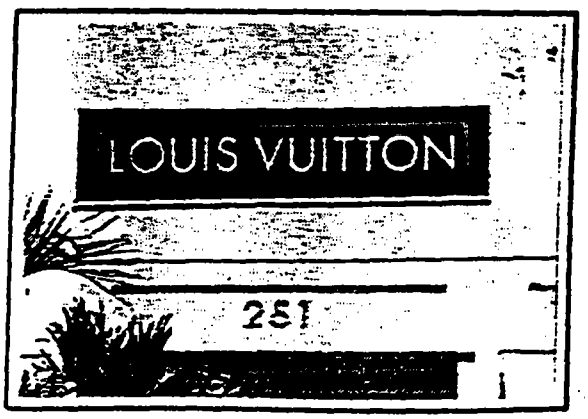

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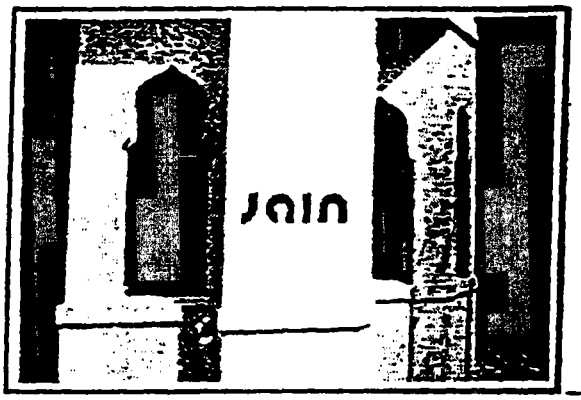
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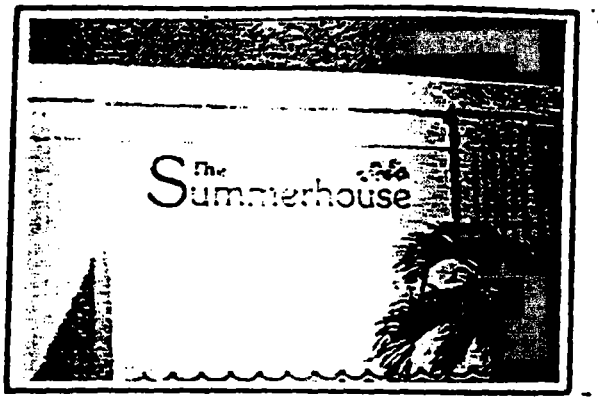
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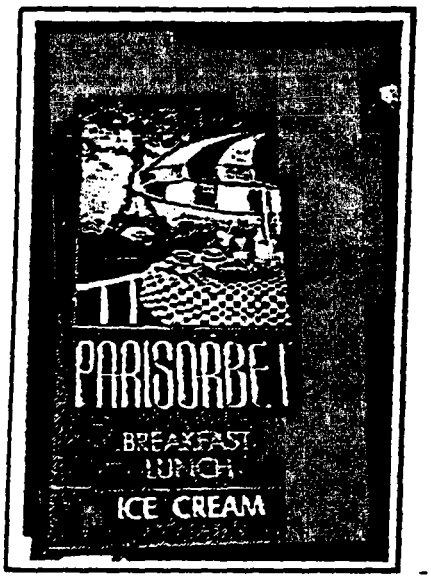
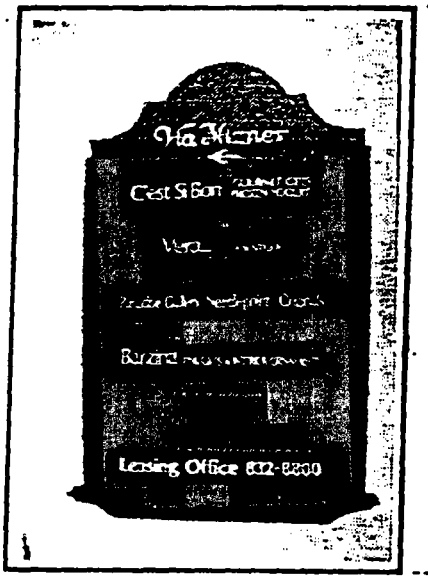

PARISORBET
BREAKFAST
LUNCH
ICE CREAM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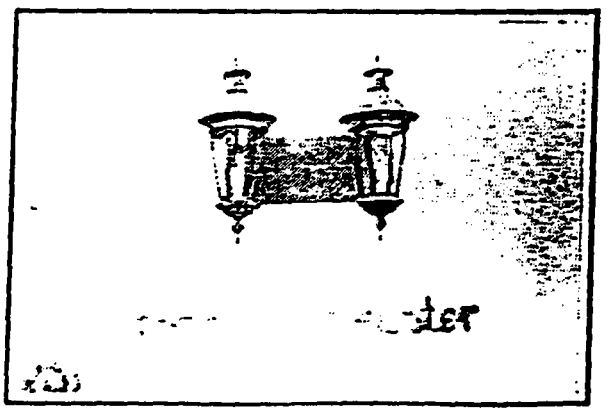
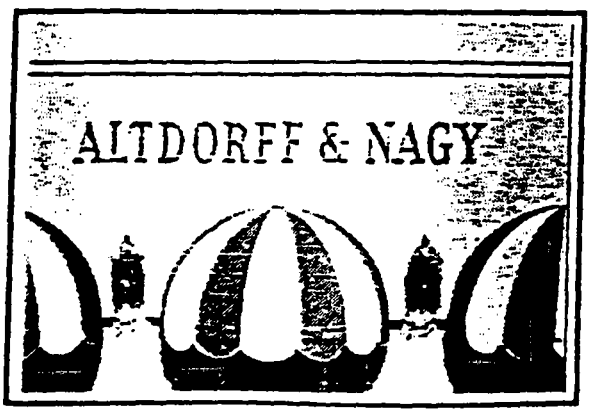



ALTDORFF & NAGY

NEO-CLASSICAL

A number of Neo-Classical building types, primarily the Greek and, to a lesser extent, the Roman architectural orders, can be found on the Avenue.

Following are certain characteristics and elements associated with Neo-Classical design used in the Town having general application:

- Smooth stucco exteriors;
- Flat or hipped roofs, sometimes an attic story and parapet;
- Classical columns, pilasters, cornices, entablatures, and arcades;
- Pedimented or other decorative entry-ways flanked by pilasters;
- Windows are usually large single-light sashes;
- Cast stone urns, balustrades and/or statuary on the roofs; and,
- Symmetrical facades.

ART DECO AND ART MODERNE

Art Deco is characterized by a linear, hard edge or angular composition often with a vertical emphasis. Hard-edged low relief ornamentation, most often parallel lines, zig-zags, chevrons, and floral designs, is found around door and window openings, string courses and along the roof edges or parapet. Ornamental detailing often is executed in the same material as the building. Windows are usually straight-headed, although an occasional circular window or rounded window and door jamb is found.

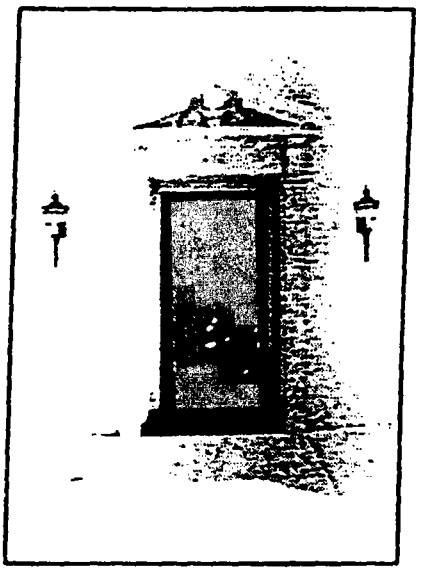
The Moderne, a related style, is generally characterized by soft or rounded corners, flat roofs, and smooth wall finish without surface ornamentation. Other related styles include the Nautical, Streamline, and Art Nouveau.

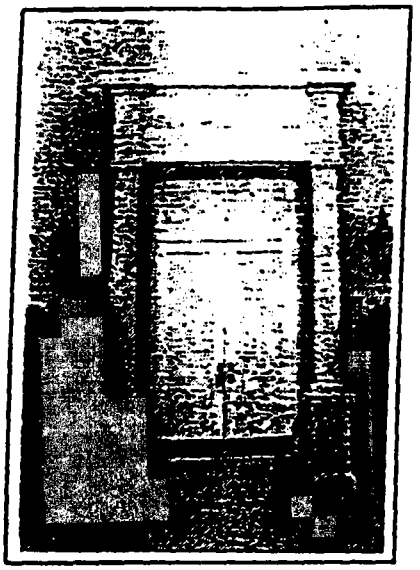
NEW ORLEANS, TUDOR, INTERNATIONAL, MODERN, POST-MODERN, ETC.

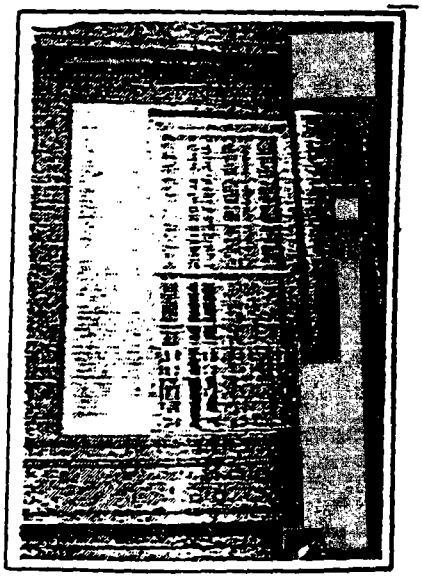
There exist several other styles on the Avenue. It is not the intent of these Guidelines to either encourage their survival or to encourage other buildings to be constructed or remodeled in these or other styles incompatible with those styles predominant and preferred on the Avenue. The Francis Brewster Building, a tudor-styled building, a marble-fronted storefront, the Armour Building, and the Esplanade are examples of these other styles.

However, neither is it the intent of these Guidelines to prohibit modern variations of desired styles, but to ensure faithful representations and quality interpretations rather than cheap imitation.

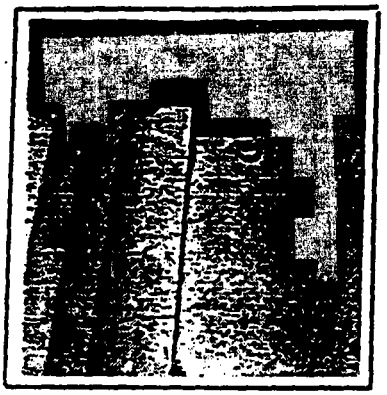
NEO-CLASSICAL







ART DECO, ART MODERNE



V. WORTH AVENUE DEVELOPMENT AREAS

Worth Avenue is divided into three development areas generally following the division of the Avenue into blocks.

WEST-END DEVELOPMENT AREA

The first area extends from Cocoanut Road to just east of the Via Parigi/Via Mizner complex on the north side of the Avenue and through Gucci's on the south side. This area was built during the 1920's and encompasses the Avenue's richest historical past. It exudes an atmosphere of the Old World reflected in a variety of Mediterranean-Revival style structures. Here, the traditional dignity of Worth Avenue is emphasized through stately, multi-story structures of varying heights and setbacks connected by sidewalk arcades and reddish barrel-tiled roofs. The vine-covered arcades provide a pleasant atmosphere, protection from rain and sun for window shopping, and entrances to both shops and vias. Down these vias, and around every corner, buildings of two to five stories are located around landscaped courtyards and patios. These buildings house quaint and elegant shops as well as upper-floor apartments, including Mizner's own former five-story villa. On the north side of the Avenue, this character extends almost the full depth of the block to Peruvian Avenue.

The Everglades Club, located at the westernmost extent of Worth Avenue, effectively signals the end of the commercial area. It has no storefront display windows or arcaded passageways. Arcades and multi-level red barrel-tiled roofs are located on the newer Mediterranean-Revival/Neo-Classical style Schwarz Building, which is located adjacent to the Everglades Club on the south side of the Avenue.

MID-AVENUE DEVELOPMENT AREA

The second area extends from east of the Via Parigi/Via Mizner complex on the north side of the Avenue, and east of Gucci's on the south side, all the way to South County Road. The architectural style within this block is exemplified by a combination of Neo-classical, Art-moderne, and Mediterranean style structures of the 30's, 40's and later. These buildings are primarily single-story storefronts punctuated intermittently with two-story structures containing some office and upper-floor apartments.

One of the major design characteristics of this area is the variety of awnings identifying individual retail uses. Again, via-like passageways and courts are employed to service a few off-the-Avenue retail uses, galleries, offices, restaurants and upper-floor apartments. Another new Mediterranean-Revival/Neo-Classical style structure is located at the southwest corner of Worth Avenue and South County Road, but this time without the arcades or varied roofline.

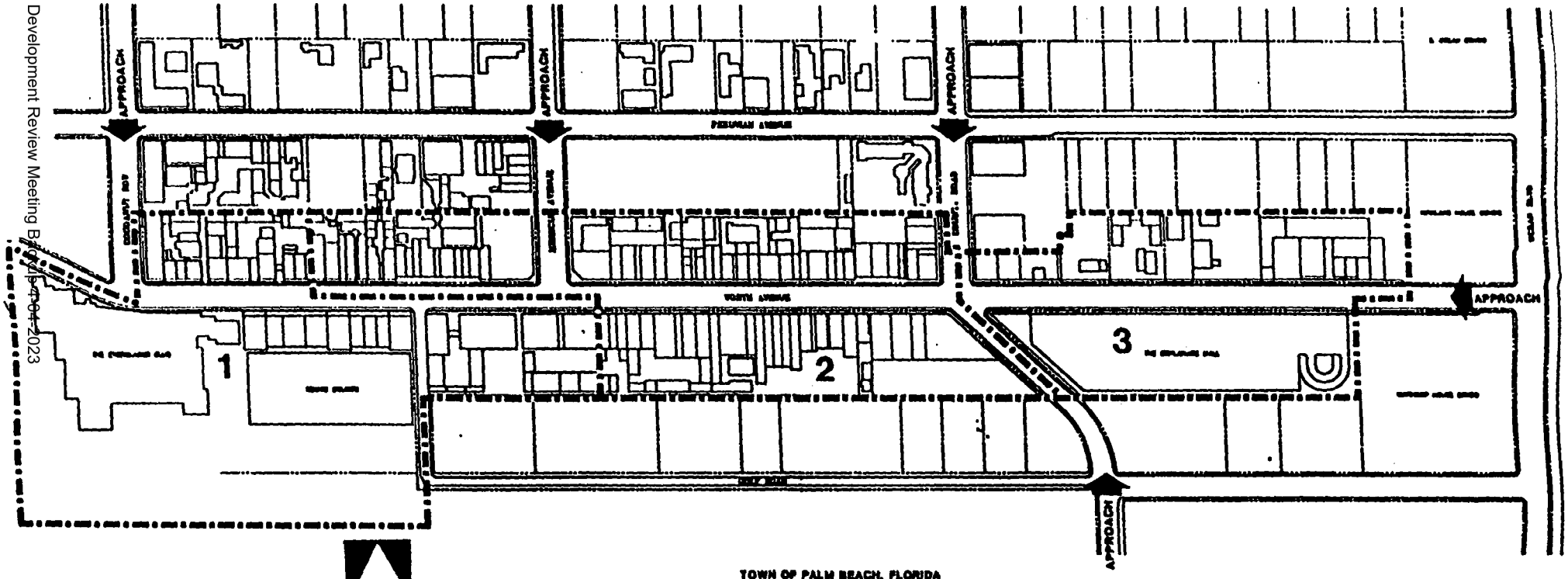
This block of the Avenue also contains some incompatible architectural styles as expressed in the International style Armour Building, the New Orleans style Frances Brewster Building, a tudor-style storefront, and other remodeled storefronts where stainless steel and glass, or marble block facades have been applied.

EAST-END DEVELOPMENT AREA

This area extends from South County Road to within several hundred feet of Ocean Boulevard. At the northeast corner of the Avenue and South County Road the two-story Findlay Galleries building reflects some of the Neo-Classical look of the Mid-Avenue Development Area.

The remainder of the block is dominated by the more recently constructed two-story Esplanade shopping mall and a three-story office building across the Avenue. Beyond a poorly designed facade and awning treatment on the Esplanade, intended to give the appearance of individual structures, and an arcaded terrace and blind arcade window treatment on the office building, there has been little attempt to integrate this block into the character of the older developed blocks to the west. Because of the more recent period of construction, below ground and rooftop parking are provided in this area.

East of the Findlay Galleries building, there are approximately 300 feet of frontage ripe for redevelopment. Between this frontage and the office building is a small decoratively landscaped garden site.



NORTH

SCALE: 1"=176'

PREPARED BY Adley ASSOCIATES, INC.
NOVEMBER, 1990

TOWN OF PALM BEACH, FLORIDA

WORTH AVENUE DEVELOPMENT AREAS

1 WEST-END DEVELOPMENT AREA
2 MID-AVENUE DEVELOPMENT AREA
3 EAST-END DEVELOPMENT AREA

VI. WORTH AVENUE DESIGN GUIDELINES

What creates a successful business district? What has made Worth Avenue? The Everglades Club and the Mizner-designed structures; many small and quaint shops; prestigious department stores; art galleries and antique shops; high quality restaurants; the ambience of the palm-lined Avenue; arcades and colonnades; vias and hidden upper enclaves; landscaping, vines, and fountains have all contributed to its character and appeal. Appearance is critical. The physical appearance of individual buildings, storefronts, signs, awnings, window displays, and compatibility with adjacent uses all contribute to the Avenue's visual character.

The following general guidelines, in combination with some specific area guidelines to follow, have been designed to retain and enhance the Avenue's unique character, both in physical appearance and in the mix of uses offered.

A. RELATIONSHIP TO EXISTING DEVELOPMENT

All development proposals should show evidence of coordination with the site plan, arrangement of building forms, landscape design and facade patterns of neighboring properties.

The degree to which existing buildings must be considered in the design of a new project will depend upon the value, architectural quality and estimated tenure of the existing structures as well as the particular requirements of the new project. New buildings must coexist with their neighbors. While a firm rule is not possible, every new proposal must demonstrate it has considered the context of neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new.

Drawings, models or other graphic communications should be provided to the Town showing neighboring buildings and important features of adjacent sites. Existing features should be shown in sufficient detail to enable evaluation of the proposed development in context with surrounding uses. As a general rule, perspective views of the proposed project and its immediate neighbors as seen from the street, sidewalk or other public places should be provided.

1. SITE PLAN ARRANGEMENT

The site organization should respect the arrangement of buildings, open spaces and landscape elements of adjacent sites. When possible, buildings and open spaces should be located for mutual benefit of sunlight, circulation and views.

It is desirable for open spaces at the edge of the site to visually connect with open spaces on the adjacent sites. The effect can be reinforced by shared circulation spaces such as a common entry court, by linking courtyards and patios, and by coordinating or repeating landscape elements such as enclosing courtyard walls and planting.

2. ARCHITECTURAL CHARACTER

All development proposals should demonstrate evidence they have considered the predominant scale and proportions of buildings in the area. Elevation sketches, photographic montages and other graphic studies are encouraged.

a. Scale

Scale is the relationship of the size of the units of construction and architectural details to the size of humans. Proportions of building elements, especially at the ground level, should be kept intimate and close to human size with relatively small parts. A mixture of scales may be appropriate, with some elements scaled for appreciation from the street and moving automobiles, and others for appreciation by pedestrians.

The size of a building, or more precisely the building's mass in relationship to open spaces, windows, doors, arcades, porches and balconies should be compatible with other buildings.

b. Proportion

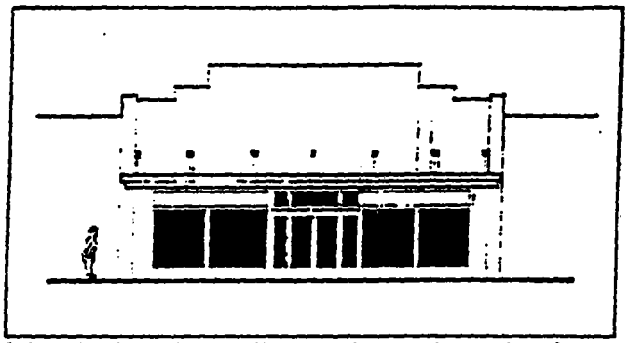
A building's proportions are created by the relationships between the height and width of the building and its architectural elements. Proportion may be defined as a numerical comparison of parts or as a statement of relative difference between parts (contrast). Building proportions with horizontal emphasis are generally desired. Avoid vertical proportions that exaggerate building height, except as necessary to provide visual interest as in the case of entries and towers.

The relationship between the width and height of the facade, and its doorways and windows should be visually compatible with adjacent buildings.

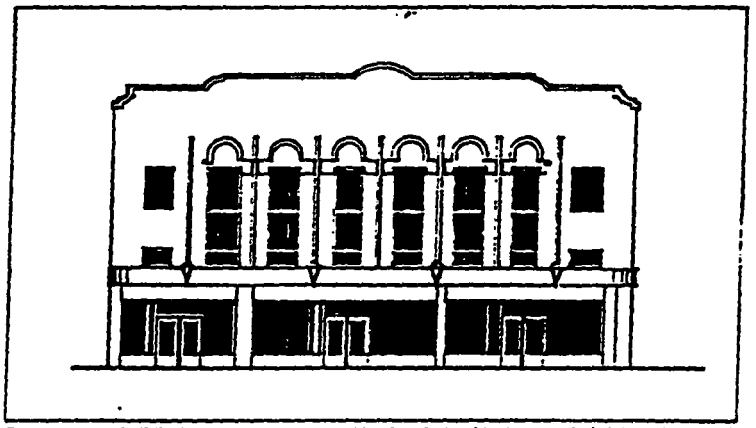
c. Rhythm

A building's rhythm is created by an ordered recurrent alternation of strong and weak architectural elements. The rhythms created by buildings occur in the visual compatibility and recurrence of related architectural elements. When one moves past a sequence of buildings, one perceives a sense of rhythm created by the relationship of masses to openings.

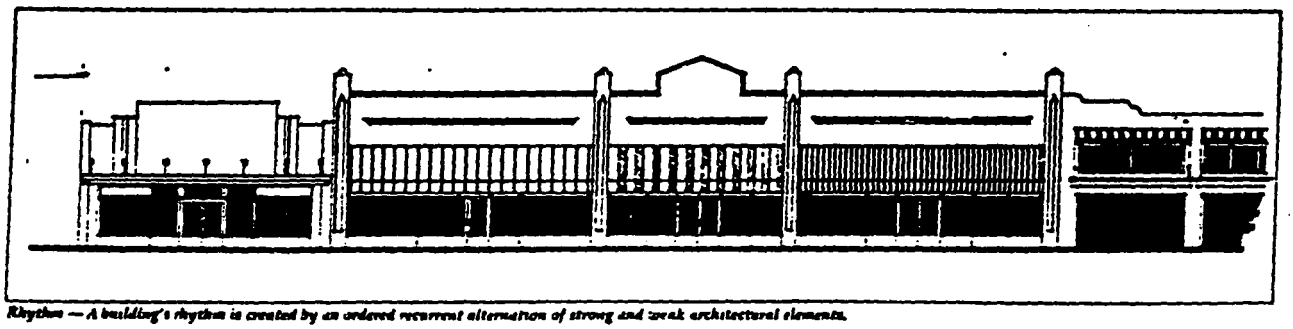
This is particularly true of the Neo-Classical, Art Deco and Art Moderne building facades and storefronts located in the Mid-Avenue Development Area. In the West-End Development Area, Mizner eliminated some of the Mediterranean-Revival style building's traditional rhythm of building fenestration in order to provide visual interest. In any case, it is generally desirable that the spacing of elements in facades be somewhat varied rather than excessively repetitive.



Scale — A building's scale is created by the size of the units of construction and architectural details in relationship to the size of humans.



Proportion — A building's proportions are created by the relationships between the height and width of the building and its architectural elements.



Rhythm — A building's rhythm is created by an ordered recurrent alternation of strong and weak architectural elements.

SOURCE: Storefront Assistance Program, City of Sarasota

d. Form and Height

Efforts to coordinate the form and height of adjacent structures are encouraged. It is often possible to adjust the height of a wall or cornice line to match that of an adjacent building. Similar visual linkages may be achieved by lining up window bands, belt courses or moldings.

A repeated architectural element such as an arcade or covered walkway, recessed base or similar roof form may be used to provide a visual linkage between old and new elements.

e. Contrast

It is desirable that there be a contrast in size of solid area to window area. There should generally be more wall than window, except for storefronts where the opposite is true. Thickness of wall should dominate, and thin elements should be used to provide decoration or detail.

B. STREET CHARACTER, SIZE AND BULK

Mizner's design philosophy revolved around the following:

[making a] "building look traditional and as though it had fought its way from a small unimportant structure to a great rambling...[structure]...that took centuries of different needs and ups and downs of wealth to accomplish. I sometimes start...with a Romanesque corner, pretend that it has fallen into disrepair and been added to in the Gothic spirit, when suddenly the great wealth of the New World has poured in and the owner has added a very rich Renaissance addition."[3]

New development should preserve the existing character by reducing the apparent building width and bulk. Pedestrian interest should be strengthened by providing frequent shop, building and via entrances along street frontages.

1. APPARENT BUILDING WIDTH

Buildings over 50 feet wide are encouraged to divide their elevations into smaller parts. This can often be accomplished by a change of plane, a projection or recess, or by varying a cornice or roof line. The apparent width of buildings should be limited to 150 feet, except for existing buildings with an original unified facade over 150 feet.

2. APPARENT STOREFRONT WIDTH

Similar attention should be given to reduce apparent storefront width which should be limited to 50 feet.

3. VARIED ROOF LEVEL AND TOWERS

A multi-leveled, tapered or sculpted roof form that develops an interesting silhouette against the sky reduces apparent building size and bulk.

4. MULTI-STORY STRUCTURES

Buildings two stories high or higher can be relieved with a balcony, bay window, or a change of wall plane that provides strong shadow and visual interest. A strong band of shadow can be created by an arcade or recessed gallery. No building should be over two stories in height in any facade unless the facade includes projecting or recessed portals, step-backs or other similar design elements.

5. RECESSES AND PROJECTIONS

Recesses are used to define courtyards, entries or other outdoor spaces along the perimeter of the building. Recessed or projecting balconies, porches and loggias create a sense of depth in the building wall, contrasting surfaces exposed to the sun with those in the shadow. Recesses or projections may be used to emphasize important architectural elements such as entrances, bays, stair towers, balconies and loggias.

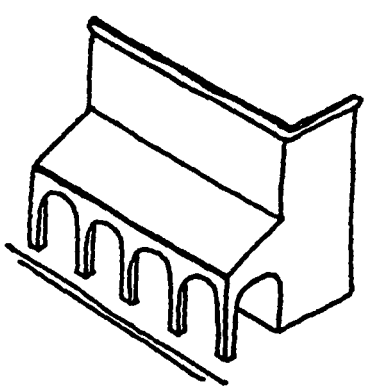
C. STREET FRONTAGES

Active building frontages, creating inviting indoor/outdoor spaces, are an essential ingredient to maintain and strengthen the Avenue's pedestrian character. Buildings should provide openings at ground level to allow pedestrian views of display windows. Frequent building entrances are encouraged. Side and rear building entrances should always be accompanied by a front, entrance facing the Avenue.

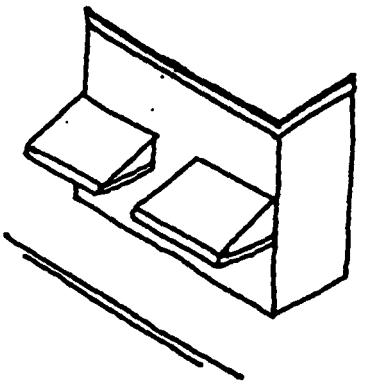
Retail activity depends on its ability to offer a continuous pedestrian activity in an uninterrupted sequence. A minimum of 50%-75% of the ground level front elevation of the building should be placed on, or within, five feet of the building setback line. Projects should strive to exceed this minimum, except as necessary to provide arcades, access to buildings, shops, vias and courtyards.

Desired building-street edges include:

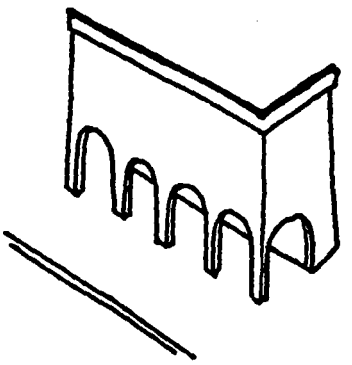
- **Continuous building edge with arcade in front of the building setback line.**
- **Continuous building edge with arcade, covered walkway or other shaded circulation space tucked under the building.**
- **Continuous building edge with awning covered sidewalk.**



TRADITIONAL ARCADE WALKWAY



PROJECTED AWNINGS OVER WALKWAY



RECESSED UNDER BUILDING ARCADE

Buildings should create continuous building-street edges without interruption by long spatial gaps. Pedestrian interest should be maintained by minimizing blank walls, parking and other dead spaces at the ground floor.

D. BUILDING SETBACK AREA

The space between the building and the curb should be like an open or covered patio. It should provide pedestrians with a buffer from traffic on the Avenue, shaded protection from the sun, and a rich variety of experiences and choices. The following characteristics are desirable:

> Continuous paving from curb to building except for planters, planter beds, trees and fountains; the planting of palms along street edges should be linear and rhythmic with occasional contrasts and accents; site furnishings scaled to human size; pedestrian-oriented street furniture; lighting at pedestrian height to supplement street lighting; and geometric patterns rather than organic shapes are preferred.

E. ARCADES, COLONNADES OR RECESSED WALKWAYS

Arcades or covered walkways are an important part of Worth Avenue's architectural heritage. They provide relief from the sun, buffers from the street and are a consistent architectural element scaled to human size. New buildings on the Avenue are encouraged to provide arcades or other forms of shaded base.

The walkway should be an integral part of each building's architectural character. It should create useful outdoor space and provide protection from the sun, not be applied as a superficial or decorative device. The walkway's configuration, dimensions and use may vary with each project, but it should generally be a one story element less than 16 feet high and be defined by columns, arches or other vertical supporting elements.

F. VIAS, COURTYARDS AND PASSAGES

All new developments are encouraged to incorporate vias, courtyards and other outdoor pedestrian spaces into their site plans and to establish linkages with the outdoor spaces of neighboring buildings and sites.

The Avenue has the potential to develop a series of linked outdoor spaces that work together to bind separate buildings, building groups, and development areas together. Arcades, vias, covered walkways, shaded patios and courtyards contribute to a rich pedestrian environment that can be enjoyed through the entire year.

1. LOCATION OF COURTYARDS AND VIAS

A courtyard may serve as the focus of site or building. The via leads the pedestrian to other activities and courtyards away from the street and provides access to ground-floor retail and hidden access to residential or office uses above the ground floor.

It is preferable that courtyards be partially visible from the street or linked to the street by a clear circulation element such as an open passage, via or covered arcade.

The edges of the vias and courtyard spaces should contain retail shops and display windows, restaurants, or other activities that show signs of life. Blank walls and dead spaces without pedestrian interest should be minimized.

2. CHARACTERISTICS OF VIAS AND COURTYARDS

The following features are encouraged in vias and courtyards: controlled vistas, a sculpture or fountain as a focal point, seating and tables, shaded and sunny areas, extensive landscaping and potted plants, many doors opening onto the courtyard or via, variety of texture and color, covered and uncovered passages, and ability to secure at night.

3. OUTDOOR LINKING SPACES

Outdoor vias, passages and courtyards that provide links through a site, and between neighboring sites and buildings, are encouraged throughout the Avenue.

Vias, covered walkways, a sequence of courtyards and patios, a unifying landscape pattern, and consistent paving materials, and minimal interruptions of pedestrian paths by automobile circulation, parking lots and service areas typify linking spaces.

New development, redevelopment or remodeling provides a special opportunity to establish or continue a network of internal pedestrian connections between adjacent properties.

G. BUILDING MATERIALS

Restraint should be used in the number of different building materials selected. Simplicity is desired. Building materials similar to those in predominant use on the Avenue are encouraged. Avoid the use of new materials that are incompatible with other development. Highly reflective, shiny or mirror-like materials should not be used.

Development proposals should show evidence of consideration of building materials on the Avenue relative to compatible textures, colors and scale with predominant materials. Coordination of materials used on adjacent buildings is especially desirable, when appropriate. Selection of building materials should give careful consideration to climatic factors.

1. WALLS

Natural stone, masonry and stucco; either rough or smooth is appropriate. Expression of wall thickness is desirable. Brick is generally inappropriate, except for accent. Metal sliding, glass curtainwall systems, glass block, wood siding and simulated materials are inappropriate.

2. ROOFS

Reddish barrel-tiled shed, ridged or hipped roofs for most Mediterranean-Revival style structures; tiled ridged and hipped or built-up flat roofs for Neo-Classical style structures; and built-up flat roofs for most moderne and semi-modern styles.

3. WINDOWS

Highly repetitious fenestration is not generally desired. Upper story windows are commonly casement or french windows -- occasionally bay windows are utilized. It is usually preferable that large glazed areas be divided into smaller parts by using mullions to express individual windows. Groups of windows are often separated by single or double columns. Window frames and mullions made of wood are preferred, but if metal frames must be utilized they should be prepared with a very dark or black color. Modern awning type windows, mirrored glazing, tinted windows other than neutral gray are not appropriate.

4. DOORS

Heavy wooden doors with wrought-iron detailing are preferred. Large glazed areas should be divided into smaller parts. If metal frames must be utilized, they should be prepared with a very dark or black color.

5. BALCONIES

Formed or stone-carved or wrought iron balustrades, brackets, and modillions are appropriate.

6. GROUND SURFACES

Tiles, in all sizes and shapes, and stone, brick, masonry blocks are suitable.

7. DECORATIONS AND TRIM

Balustrades, columns, pilasters, spandrels, lintels, quoins, paterae, etc., can be cut-stone, precast concrete, plaster or formed stucco. In addition, exposed wooden beams and wooden, formed or stone-carved modillions and brackets are appropriate.

8. ACCENTS

Wrought-iron grilles, gates, brackets, door hardware, lighting fixtures are suitable. Occasionally a stone-carved or masonry formed cartouche may be appropriate.

H. ARCHITECTURAL DETAILS

Worth Avenue has a long history of quality in architectural design and building construction. This quality is reflected in buildings of varying architectural styles with varying architectural details which add interest to the area.

Important architectural details are expressions of the builder's craftsmanship and should be presented as important features of the building's design. Therefore, limited, restrained use of surface detail, ornament and other elements that enrich architectural character are encouraged.

1. OUTDOOR STAIRS

Outdoor stairs create rich entry sequences and establish semi-private atmosphere for access to upper story residential uses.

2. BALCONIES, PORCHES AND LOGGIAS

Balconies, porches and loggias provide spaces for outdoor activity and are often helpful in giving scale to a building wall. They also provide texture, visual interest, and an element of human size in contrast to the solid massive character of a wall.

3. ORIELS AND BAY WINDOWS

Sparingly used, oriels and bay windows are an attractive element historically used in the Mediterranean-Revival style.

4. AWNINGS

Awnings are historically compatible with the majority of the Avenue's architectural styles. They should complement the building's architectural form, not obscure details, and should relate to the building's overall color scheme. Awnings should be considered one element of a coordinated facade design or improvement plan and should complement the block as a whole.

The width, depth and height of awnings should be consistent with the proportions of the building and compatible with awnings used on adjacent properties. Multiple awnings should align with breaks in the building's architectural features. Compatible styles of awnings on the Avenue include the standard awning with a pitch of less than 2:1 and half-dome awning.

Awnings should not be merely decorative but should extend a useful distance from the building in order to protect pedestrians from the elements, shade window displays (protecting merchandise), and reduce glare. In addition, on hot summer days awnings help keep interiors cool and in the winter months they trap solar radiation. However, to achieve maximum energy conservation, awnings should also be operable.

Canopies are not compatible with the architectural character of the Avenue.

5. DETAILS

Cornices, ornamental moldings, exposed roof beams, modillions, brackets, lamps, fountains, niches, tiles and other details that provide visual interest, shadow, contrast and color are encouraged. This is especially desirable at the pedestrian level. Details should be carefully integrated with the design concept of the building.

I. COLOR AND TEXTURE

Building colors should emphasize light and muted colors. General color selection should show evidence of coordination with the predominant use of color on the Avenue, especially in the area of the project.

As a general rule, keep color schemes simple. It is rarely necessary to use more than two, or possibly three, colors. The ornamental character of older facades offers the opportunity to highlight or accent architectural details and trim, but it should not be overdone. Not every detail needs to be accented. Too many colors detract from the visual harmony of the building facade and the building block.

The use of color on the Avenue should seek an overall harmony and limited palette. Colors should follow those now in predominant use: light and muted tones for basic surfaces with strong hues and dark colors used only as accents.

1. WALLS

Very "soft Mediterranean colors" (light, sun-bleached pastels) -- mauve, yellow, pink, blue, green, white and off-white.

2. ROOFS

Roof tiles range in color from flesh pink to almost black-brown. Roof colors should generally be medium to dark in color, but not black. A dark roof will contrast nicely with the sky, and define the structure against the sky. A light colored roof tends to give the impression that the top of the building simply stops at the top of the walls.

3. WINDOWS AND DOORS

Natural wood or, if painted, same as walls, or stronger hue and darker colors used as accent. If metal frames must be used they should be a very dark or black color.

4. GROUND SURFACES

Warm earth tone colors. Floor tiles glazed and unglazed in different sizes and shapes; 13 colors: Mizner blue (turquoise), light blue, Valencia blue, light green, green, neutral green, Mizner yellow (between mimosa and apricot), orange, red, brown, blue, blue-black, and black.

5. AWNINGS

Same as walls. Although striped awnings are not encouraged, if used, color should reflect the basic color scheme of building (i.e. same as walls or stronger hue and darker color used as accent). Bright, intense colors or extreme contrast is discouraged. Avoid fringes and excessively decorated drop leafs. Scalloping or small rectangles on the drop leaf, is acceptable. Awnings should be heavy weight non-shiny vinyl, acrylic or soft canvas fabrics.

6. WALLS, FENCES, GATES AND GRILLES

Same as walls with stronger hue and darker colors used as accent. Metal bars of black or brown.

7. ACCENTS

All colors, including intense saturated colors if used in small areas such as courtyards, stairs, doors and windows, ornament and molding. Polychrome imported tiles for wall fountains, niches, and stair risers are appropriate.

A word of caution: small color chips can be deceiving! On a large area, a color will always be stronger than a chip can ever predict. A bright color will look brighter, a light color lighter, a dark color darker, and so on.

J. SIGNAGE

Signs play a substantial role in creating the visual character of the Avenue. As a primary visual element of any commercial area, each sign can enhance the image of the entire business area or detract from it. Common problems with signs are their excessive size, providing too much information, and inappropriate placement on buildings. Visual disharmony results from signs which overpower a building or storefront, obscure significant architectural detailing, or are poorly positioned on an otherwise attractive building facade.

In addition to size and placement, the physical design of the sign itself is important. Good signs clearly express a simple message. In most cases, sign contents should be limited to the name of the establishment. Lettering styles should be legible and materials and colors should be selected which will relate harmoniously to exterior building materials and colors.

To position the storefront sign, look for logical "signable areas" on the exterior of the facade. The best areas are those which are void of windows, doors or other architectural details. The most appropriate places for signs will be on lintel strips above storefronts, on transom panels above display windows, or on continuous areas of stucco or masonry which are immediately above the top of the storefront. New hanging signs or wall plaques may be appropriate if their scale and design are compatible with the building and its neighbors. Of Course, all signs must conform to the requirements of the Town's Zoning Code.

K. LIGHTING

Modern lighting should not be permitted on facades unless completely screened. Retaining original light fixtures or providing modern variants of typical wrought-iron fixtures, recessed or ceiling mounted fixtures not visible from the public right-of-way, or remote sources shielded to protect adjacent properties are appropriate means of lighting the exterior of any building. Fixtures mounted on the ground below fence or screen wall levels, in shrubbery areas, or hidden in trees are also acceptable. Illuminating buildings and signs with remote light sources which are visually intrusive are considered inappropriate.

L. BUILDING EQUIPMENT AND SERVICES

Locate service and loading areas to minimize visibility from the Avenue, vias, courtyards or other public spaces. Mechanical and electrical equipment, communications and service equipment and other appurtenances should be concealed from view of the Avenue, other streets, vias, courtyards and neighboring properties by walls, fences, parapets, dense evergreen foliage or by other suitable means.

On sites not served by an alley, locate service areas to the rear, side or at an internal location where visibility from public streets, vias, courtyards and windows of neighboring buildings will be minimized. In addition to proper location, service areas should be designed to present the best possible appearance within the limits of their function. Refuse collection areas and dumpsters should be enclosed by a screen wall of durable material and appropriate vegetative planting.

M. PARKING FACILITIES

Minimize the visual impact of parking structures and parking lots by locating them at the rear or interior portions of the building site. When parking structures must be located at the street edge, use the ground level street frontage for shops, offices or other commercial space. Parking access from alleys and side streets is desired.

N. FENCES AND SCREENING WALLS

Stone, masonry, stuccoed block, and wrought iron fences and walls are used to enclose courtyards, patios and terraces, and to screen parking, equipment and services, utility, and circulation areas. Freestanding walls and fences are appropriate if designed to complement and relate to the walls of the building(s) occupying the site and adjacent properties.

O. REHABILITATION AND MAINTENANCE

The following outlines problems:

1. GENERAL

Sensitivity to the overall design of a structure, its proportions, its sense of scale, and its relationship to the neighborhood will enhance any rehabilitation or addition. Mixing incompatible architectural styles is inappropriate. An updated variant of the structure's original architectural style, when designed properly, will add a contemporary feel without detracting from its traditional appearance. When replacing building elements, use products that match the original in size, shape, material and color.

2. ROOFING

Provide proper site drainage to assure that water does not splash or stand against the building, or create puddles that splash mud and soil against the structure. Installation of gutter screens will inhibit debris from accumulating and birds from nesting. Gutters and downspouts, if painted, should be the same color as the building walls or accent color.

3. CHIMNEYS

If an historic chimney is not lined, it must be lined before use, in order to protect the structure from unnecessary fire risk.

4. EXTERIOR WALLS

Original masonry exteriors should be retained and replaced only when irreparably damaged. Spalling of concrete and stucco walls is easily patched and repaired, but care needs to be taken to match to the original color and texture -- same for repointing the mortar on masonry buildings. Never repoint with mortar containing high portland cement content as this may damage surrounding masonry. If reinforcement bars are rusted, a structural engineer should check for damage.

Classical architectural details such as columns, cornices, entablatures, arcades and decorative windows and doors should be sensitive to the historic fabric and style of the structure. Exterior wall materials should reproduce the appearance, texture, colors and finishes used on the original.

Never sandblast the exterior of the structure. Water pressure cleaning and like processes are recommended.

5. WINDOWS AND DOORS

Windows and doors can make a major difference in the appearance of a building. If it becomes necessary to replace historic windows and doors, try to do so with historically correct replicas. Employ materials and styles sensitive to the overall design of the structure. In Palm Beach most buildings were constructed with wood frame windows and doors. Replacement with wood will match better than aluminum, steel or synthetic materials. Wood panel doors with their graciously proportioned glass openings were typical of many older storefronts.

Altering or "blocking up" window or door openings should be avoided. If original window openings have already been altered, open the blocked window or door to its original height or width and replace the full cavity with a new or restored frame. If windows, doors or other openings must be added, ensure that these new elements adhere to, and do not interfere with, the rhythm of the facade, if any.

6. INTERIOR CEILING HEIGHTS

If a new interior ceiling must be dropped below the height of existing windows, use a recessed setback for the dropped ceiling along the top of the window wall. This will allow for a dropped ceiling without altering the exterior appearance.

7. FOUNDATIONS

Foundation footing problems may be the result of excessive settling. This can often be repaired with structural hydraulic jacks or other similar systems. Weakened structural members and systems should be repaired and stabilized, or supplemented where severely damaged or inadequate.

8. RENOVATIONS AND ADDITIONS

Building facades play a basic role in the visual makeup of the Avenue. Storefronts, awnings, signs, window displays, texture and color are all integral elements of the design. Collective improvement of these elements creates visual order. The facade should be designed to integrate storefront, sign and window display space into the overall fabric of the building exterior. As individual buildings stand side by side, visual harmony is created by the similar structural components of buildings of various styles, age and appearance.

While renovations and additions should conform to the original design, it is not necessary that it duplicate the existing structure, but rather that it should be compatible. In fact, there should be some visual differentiation between the existing structure and any addition. These may include subtle differences in wall materials or texture, window details, roof shape or levels, or a differentiation between a tower and other elements of the structure.

Exterior renovations may require only cleaning and painting, but often storefronts, building facades, awnings and signs have been changed or altered on a piecemeal basis. Over the years these isolated changes have resulted in visual clutter. Exterior renovation improvements, in this case, may involve a substantial change to the storefront(s), awnings and signs to conform to the original design or make it compatible with adjacent structures or storefronts and complement the block as a whole.

Comply with health and safety codes, including barrier free access requirements, in such a manner that character defining spaces, features, and finishes are preserved. Ramps, where required, should be concealed with landscaping as much as possible, and should harmonize with the scale and architectural features of the building.

9. STYLE CHANGE

Some Worth Avenue buildings lack a clear identity, are void of distinguishing architectural features, or have been constructed in an architectural style that is not particularly compatible with the predominant architectural style in the general development area.

In these instances the owner may wish to create new design elements. These elements may vary with the age and style of the building in question, but should be compatible with predominate architectural styles determined for the development area, and adjacent building materials and color. Exterior renovation should encompass the entire building facade, including upper stories, and not just the storefront.

VII. GUIDELINES FOR INDIVIDUAL DEVELOPMENT AREAS

The Avenue's older development areas are an important part of the Town's history and an attraction to both residents and visitors. New development, redevelopment and remodeling should respect the existing scale and character of neighboring buildings and contribute to the urban design goals of the specific development area and Worth Avenue as a whole.

In cases where the specific design guidelines for individual development areas differ from, or are more restrictive, than the more general Guidelines provided in Section VI, the specific design guidelines should apply. Otherwise, all provisions of the general guidelines should be followed.

There may be acceptable characteristics other than those enumerated herein, which, based upon review by the Town, are found to reinforce, or to be compatible with, the development area and Worth Avenue design objectives.

WEST-END DEVELOPMENT AREA

URBAN DESIGN OBJECTIVES

* To preserve, maintain and enhance the predominately Mediterranean-Revival character of the area.
* To protect historical structures and encourage rehabilitation and maintenance in accordance with the provisions of Landmark's Designation.
* To review Historic Preservation Projects in accordance with the rehabilitation standards of the Secretary of the Interior.
* To insure compatibility of new development with existing uses and these Guidelines through review and recommendation of the Landmark's Commission and review and approval of the Architectural Commission.
* To encourage the interconnection of vias, courtyards and other passageways both on and off-site; and,
* To encourage the provision and retention of upper-floor residential use.

DESIGN GUIDELINES

ELEMENT	DESIRABLE	UNDESIRABLE
Building Form:		
Apparent Width:		
Building:	Maximum 50 feet	Over 100 feet
Storefront:	Maximum 30 feet	Over 50 feet
Massing:		
Multi-story bldgs.:	Min. 15% of frontage open or recessed, set-back or projecting at least 2 ft. from the building face.	
Entrances:	One storefront per each 30 ft.	Over ea. 50 ft.
Roofs (based on style):	Multiple levels; shed, gable, ridge, hip or flat roof with false front.	
Building Walls:		
Storefronts:		
Clear glass openings	Min. 50% and max. 75% of 1st story frontage up to 15' high. Max. 50% above first story.	Mirrored glass
Storefront window:		
Sill:	Min. 1 ft. above first floor level.	
Material/Color:	Wood frame, stained or painted; metal, if dark color and flat finish.	Metal, stain-less steel unfinished.
Storefront doors:		
Material/Color:	Heavy paneled wood, stained or painted; metal, if dark color and flat finish; and multiple lights if used.	Metal, stain-less steel unfinished.
Wall Materials:	Stone, masonry and stucco.	Glass curtain metals, wood siding, metal, and brick.

DESIGN GUIDELINES (cont.)

ELEMENT	DESIRABLE	UNDESIRABLE
Arcades:		
Supports (columns and arches):	Stone, masonry and stucco. Min. 3 ft. setback from curb face.	Wood or metal.
Roof form:	Shed or flat with parapet.	
Roof material:	Reddish barrel tiles or built-up.	
Paving:	Stone or masonry blocks; brick or tile (non-slip); textured concrete.	
Signs:		
Above Arcade or Awning:	Flat to wall. Bold stroke painted or low profile cut-out letters.	
Under Arcade or Awning:	Wood or wrought-iron hanging, or flat to wall. Bold stroke painted or carved. Min. 7'-6" clearance.	
Lighting:	Shielded from view. Wrought-iron lamps.	Unshielded lighting.
Details:	Wrought-iron window guards, grilles, gates, brackets, balustrades, and benches. Terra cotta pots, sculpture, courtyard fountains.	Plastic, fiber glass, and shiny metal details.

MID-AVENUE DEVELOPMENT AREA

URBAN DESIGN OBJECTIVES

* To preserve, maintain and enhance the predominately Mediterranean-Revival/Neo-Classical/Art Deco-Moderne style character of the area.

* To encourage the protection and restoration of non-designated but potential Mediterranean-Revival/Neo-Classical/Art Deco-Moderne historical structures.

* To insure compatibility of new development with existing uses and these Guidelines through review and recommendation of the Landmarks Commission and review and approval of the Architectural Commission.

* To encourage the remodeling/rehabilitation of incompatible buildings and storefronts in the area, including unifying the use of display windows, awnings, colors, materials, and signage;

* To discourage the use of incompatible architectural styles and materials;

* To encourage the interconnection of additional vias, courtyards, patios and other passageways both on and off-site;

* To encourage the retention and provision of upper-floor residential use; and,

* To maintain the Area's one and two-story streetfront appearance.

DESIGN GUIDELINES

ELEMENT	DESIRABLE	UNDESIRABLE
Building Form:		
Apparent Width:		
Building:	Maximum 50 feet	Over 100 feet
Storefront:	Maximum 30 feet	Over 50 feet
Massing:		
Mediterranean-Revival multi-story buildings	Min. 15% of frontage open or recessed, setback or projecting at least 2 ft. from the building face.	
Art Deco/Moderne multi-story bldgs.:	Same as above or min. upper-story setback of 25 ft. per story.	
Entrances:	One storefront entrance per each 30 ft.	Over ea. 50 ft.
Roofs (based on style):	Multiple levels; shed, gable, ridge, hip or flat roof with parapet or false front.	
Building Walls:		
Storefronts: Clear glass openings	Min. 50% and max. 75% of 1st story frontage up to 15' high. Max. 50% above first story.	Mirrored glass
Storefront windows: Sill:	Min. 1 ft. above first floor level.	
Material/Color:	Wood frame, stained or painted; metal, if dark color and flat finish.	Metal, stainless steel, unfinished.
Storefront doors: Material/Color:	Heavy paneled wood, stained or painted; metal, if dark color and flat finish; and multiple lights if used.	Metal, stainless steel, unfinished.

DESIGN GUIDELINES (cont.)

ELEMENT	DESIRABLE	UNDESIRABLE
Wall Materials:	Stone, masonry and stucco.	Glass curtain metals, wood siding, metal, and brick.
Arcades:		
Supports (columns and arches):	Stone, masonry and stucco. Not allowed to project into building setback area.	Wood or metal.
Roof form:	Shed or flat with parapet.	
Roof material:	Reddish barrel tiles or built-up.	
Paving:	Stone or masonry blocks; brick or tile (non-slip); textured concrete.	
Signs:		
Above Arcade or Awning:	Flat to wall. Bold stroke painted or low profile cut-out letters.	
Under Arcade or Awning:	Wood or wrought-iron hanging, or flat to wall. Bold stroke painted or carved. Min. 7'-6" clearance.	
Lighting:	Shielded from view. Wrought-iron lamps.	Unshielded lighting.
Details:	Wrought-iron window guards, grilles, gates, brackets, balustrades, and benches. Terra cotta pots, sculpture, courtyard fountains.	Plastic, fiber glass, and shiny metal details.

EAST-END DEVELOPMENT AREA

URBAN DESIGN OBJECTIVES

* To preserve, maintain and enhance existing Mediterranean-Revival/Neo-Classical character of the area.

* To encourage the protection and enhancement of non-designated but potential Mediterranean-Revival/Neo-Classical historical structures.

* To encourage new development and remodeling to use Mediterranean-Revival, Neo-Classical architectural styles or other updated compatible variants.

* To insure compatibility of new development with existing uses and these Guidelines through review and approval of the Architectural Commission.

* To encourage the remodeling/rehabilitation of incompatible buildings and storefronts in the area, including the provision of multiple storefront entrances, and unification of display windows, awnings, colors, materials, and signage.

* To encourage the use of arcades or colonnades along Worth Avenue frontages.

* To encourage the interconnection of additional vias, courtyards, patios and other passageways both on and off-site; and,

* To encourage upper-floor residential use or the appearance associated with upper-floor residential design.

DESIGN GUIDELINES

ELEMENT	DESIRABLE	UNDESIRABLE
Building Form:		
Apparent Width:		
Building:	Maximum 50 feet	Over 100 feet
Storefront:	Maximum 30 feet	Over 50 feet
Massing:		
Mediterranean-Revival multi-story buildings	Min. 15% of frontage open or recessed, set-back or projecting at least 2 ft. from the building face.	
Entrances:	One storefront entrance per each 30 ft.	Over ea. 50 ft.
Roofs (based on style):	Multiple levels; shed, gable, ridge, hip or flat roof & false front.	
Building Walls:		
Storefronts: Clear glass openings	Min. 50% and max. 75% of 1st story frontage up to 15' high. Max. 50% above first story.	Mirrored glass
Storefront windows:		
Sill:	Min. 1 ft. above first floor level.	
Material/Color:	Wood frame, stained or painted; metal, if dark color and flat finish.	Metal, stainless steel, unfinished.
Storefront doors:		
Material/Color:	Heavy paneled wood, stained or painted; metal, if dark color and flat finish; and multiple lights if used.	Metal, stainless steel, unfinished.
Wall Materials:	Stone, masonry and stucco.	Glass curtain metals, wood siding, metal, and brick.

DESIGN GUIDELINES (cont.)

ELEMENT	DESIRABLE	UNDESIRABLE
Arcades:		
Supports (columns and arches):	Stone, masonry and stucco. Min. 3 ft. setback from curb face.	Wood or metal.
Roof form:	Shed or flat with parapet.	
Roof material:	Reddish barrel tiles or built-up.	
Paving:	Stone or masonry blocks; brick or tile (non-slip); textured concrete.	
Signs:		
Above Arcade or Awning:	Flat to wall. Bold stroke painted or low profile cut-out letters.	
Under Arcade or Awning:	Wood or wrought-iron hanging, or flat to wall. Bold stroke painted or carved. Min. 7'-6" clearance.	
Lighting:	Shielded from view. Wrought-iron lamps.	Unshielded lighting.
Details:	Wrought-iron window guards, grilles, gates, brackets, balustrades, and benches. Terra cotta pots, sculpture, courtyard fountains.	Plastic, fiber glass, and shiny metal details.

VIII. SPECIAL ALLOWANCES FOR THE EAST-END DEVELOPMENT AREA

Provisions for Special Allowances have been included in these Guidelines in order to:

(1) Encourage the maintenance and restoration of the architectural heritage of Worth Avenue;

(2) Encourage the creative use of modern variants of the Mediterranean-Revival, Neo-Classical and other compatible architectural styles;

(3) Promote use of Mediterranean-type pedestrian characteristics such as arcades, shopping vias, courtyards and patios, fountains and sculpture, extensive landscaping, multi-level development, hidden staircases, and - the provision for upper-story residences or the appearance associated with upper-floor residential design.

(4) Allow for structures which emulate the character of the West-End Development Area but not to alter, nor act as a precedent for altering, the existing character of the Mid-Avenue or West-end Development Areas.

Use of these Special Allowances for substantial improvements meeting the intent of this section will enhance the quality, character and image of the Avenue; and will also provide a visual linkage between contemporary development and the Avenue's unique historical past.

A. ELIGIBILITY FOR SPECIAL ALLOWANCES

In order to encourage the maintenance of the Avenue's original architectural heritage and encourage the creative and compatible use of Mediterranean-Revival style and characteristics, as well as Neo-Classical and other compatible architectural styles, on the Avenue; the following buildings are eligible to earn special allowances as specified in Section "C", following:

1. New buildings constructed on the Avenue in accordance with the Town of Palm Beach Zoning Code and the design guidelines described in Sections VI and VII. Approval of Special Allowances shall be subject to review and approval by the Architectural Commission after review and approval by the Town Council.

2. Existing buildings which were not designed in the Mediterranean-Revival, NeoClassical, Art Deco, Art Moderne, or other similar compatible style; and which, through substantial and appropriate exterior renovation, are voluntarily converted to the Mediterranean-Revival or Neo-Classical style or modern variant thereof in accordance with the Town of Palm Beach Zoning Code and the design Guidelines described in Sections VI and VII. Approval of Special Allowances shall be subject to review and recommendation for approval by the Architectural Commission.

3. Existing Mediterranean-Revival, Neo-Classical, Art Deco, Art Moderne, or other similar or compatible style buildings which have not been designated as Landmarks; and, which are voluntarily restored through substantial and appropriate exterior renovation to the appropriate style in accordance with the Town of Palm Beach Zoning Code and the design Guidelines described in Sections V. and VI. Approval of Special Allowances shall be subject to review and approval by the Architectural Commission after review and approval by the Town Council.

B. DEFINITIONS

For the purpose of determining eligibility for a special allowance, the following definitions shall apply:

1. SUBSTANTIAL EXTERIOR RENOVATION OR RESTORATION

Improvements costing 15% or more of the appraised value of the structure. The applicant shall be responsible for submitting an up-to-date appraisal so that the Building Official can certify the appraisal value and construction costs.

2. APPROPRIATE EXTERIOR RENOVATION OR RESTORATION

Improvements which are consistent with the design Guidelines described in Sections VI and VII, and recommended for approval by the Architectural Commission.

C. SPECIAL ALLOWANCES

1. Commercial development, redevelopment, restoration or renovation providing an enhanced level of amenities and features in accordance with paragraph "D", following, shall be eligible for elimination of the building length limitation and the 15,000 square foot limit on gross floor area and an increase in maximum building coverage and height as follows:

   a. Existing buildings:
      (1) one-story building, maximum coverage, 75%
      (2) two-story buildng, 2nd story maximum coverage, 65%

   b. New 1 story building, maximum coverage, 75%

   c. New 2-story buildings: maximum first story building coverage, 75%; 2nd story maximum coverage, 65% .

   d. New 3-story buildings: maximum first story building coverage, 75%; 2nd story maximum coverage, 65%; 3rd story maximum coverage, 30%; and allowable building height up to forty (40) feet.

2. Mixed-use commercial and residential development, redevelopment, restoration or renovation providing commercial uses on the ground floor and residential uses above, and providing an enhanced level of amenities and features in accordance with paragraph "D", following, shall be eligible for elimination of the building length limitation and the 15,000 square foot limit on gross floor area, increase in maximum building coverage and height, and allowable residential units as follows:

   a. Existing buildings:

      (1) One-story building maximum coverage, 75%;

      (2) Second story coverage, 65% and a maximum of one (1) residence per each fifty (50) feet of frontage on Worth Avenue.

      (3) Third story maximum coverage, 30%; allowable building height up to forty (40) feet and a maximum one (1) additional residence per each sixty (60) feet of frontage on Worth Avenue; provided, however, that all uses above the first floor shall be residential uses only and that the combined density of residential uses on the second and third floors does not exceed two (2) dwelling units per sixty (60) feet of frontage on Worth Avenue.

   b. New one story building, maximum coverage, 75%

   c. New 2-story buildings: maximum first story building coverage, 75% maximum second story coverage, 65% ; and a maximum one (1) residence per each fifty (50) feet of frontage on Worth Avenue.

   d. New 3-story buildings:

      (1) Maximum first floor building coverage, 75%;

      (2) Maximum second story coverage, 65% and a maximum one (1) residence per each fifty (50) feet of Worth Avenue frontage;

      (3) Maximum third story coverage, 30%; allowable building height up to forty (40) feet; and a maximum one (1) additional residence per each sixty (60) feet of Worth Avenue frontage; provided, however, that all uses above the first floor shall be residential uses only and that the combined density of residential uses on the second and third floors does not exceed two (2) dwelling units per sixty (60) feet of frontage on Worth Avenue.

3. Arcades over the sidewalk shall not count towards building coverage. Where no arcades are provided landscaping shall be planted.

4. Equipment rooms, stair towers, and towers used only as architectural features, may be erected no more than forty (40) per cent above the allowable building height and may occupy no more than fifteen percent of the ground floor area of such building or structure.

D. CRITERIA FOR APPROVAL OF SPECIAL ALLOWANCES.

New development, or substantial and appropriate redevelopment, restoration or renovation proposals shall be reviewed by the Landmarks Commission or the Architectural Commission in relation to the appropriate provision of a greatly enhanced level of amenities and features which will significantly benefit the development, the general public, the Avenue and the Town of Palm Beach.

Based on the following list of desirable amenities and features, and a positive determination of the Architectural Commission; a proposed development, redevelopment, restoration or renovation may be approved for a Special Allowance.

* Public arcades, vias, courtyards, useful open space and interconnection.

* Private open spaces, patios, terraces, balconies, loggias, etc.

* Mixed-use development with upper-story residential.

* Restoration of original facade.

* Appropriate style change.

* Varied roof heights, towers, chimneys, etc.

* Two story and/or three-story commercial structures shall provide a heightened level of architectural amenity and enhancement such as real or simulated balconies, loggias, or step-backs, etc. to ensure that the second and third stories shall have the appearance associated with residential design as personified in the West-End Development Area.

* Any other significant amenities or features determined to be appropriate for review by the Architectural Commission.

E. LIMITATIONS ON THE USE OF SPECIAL ALLOWANCES

Special Allowance granted for residential uses may not be accumulated or transferred to any other building or site.

IX. SPECIAL ALLOWANCES FOR THE MID-AVENUE AND WEST-END DEVELOPMENT AREAS

Provisions for Special Allowances have been included in these Guidelines in order to:

(1) Encourage the maintenance and restoration of the architectural heritage of Worth Avenue;

(2) Encourage the creative use of modern variants of the Mediterranean-Revival, Neo-Classical and other compatible architectural styles;

(3) Promote use of Mediterranean-type pedestrian characteristics such as arcades, shopping vias, courtyards and patios, fountains and sculpture, extensive landscaping, multi-level development, hidden staircases, and especially the provision for upper-story residences.

Use of these Special Allowances for substantial improvements meeting the intent of this section will enhance the quality, character and image of the Avenue; and will also provide a visual linkage between contemporary development and the Avenue's unique historical past.

A. ELIGIBILITY FOR SPECIAL ALLOWANCES

In order to encourage the maintenance of the Avenue's original architectural heritage and encourage the creative and compatible use of Mediterranean-Revival style and characteristics, as well as Neo-Classical and other compatible architectural styles, on the Avenue; the following buildings are eligible to earn special allowances as specified in Section "C", following:

1. New Buildings constructed on the Avenue in accordance with the Town of Palm Beach Zoning Code and the design guidelines described in Sections VI and VII. Approval of Special Allowances shall be subject to review and recommendation for approval by the Architectural Commission.

2. Existing buildings which were not designed in the Mediterranean-Revival, Neo-Classical, Art Deco, Art Moderne, or other similar compatible style; and which, through substantial and appropriate exterior renovation, are voluntarily converted to the Mediterranean-Revival or Neo-Classical style or modern variant thereof in accordance with the Town of Palm Beach Zoning Code and the design Guidelines described in Sections VI and VII. Approval of Special Allowances shall be subject to review and recommendation for approval by the Architectural Commission.

3. Existing Mediterranean-Revival, Neo-Classical, Art Deco, Art Moderne, or other similar or compatible style buildings which have not been designated as Landmarks; and, which are voluntarily restored through substantial and appropriate exterior renovation to the appropriate style in accordance with the Town of Palm Beach Zoning Code and the design Guidelines described in Sections V. and VI. Approval of Special Allowances shall be subject to review and recommendation for approval by the Architectural Commission.

B. DEFINITIONS

For the purpose of determining eligibility for a special allowance, the following definitions shall apply:

1. SUBSTANTIAL EXTERIOR RENOVATION OR RESTORATION

Improvements costing 15% or more of the appraised value of the structure. The applicant shall be responsible for submitting an up-to-date appraisal so that the Building Official can certify the appraisal value and construction costs.

2. APPROPRIATE EXTERIOR RENOVATION OR RESTORATION

Improvements which are consistent with the design Guidelines described in Sections VI and VII, and recommended for approval by the Architectural Commission.

C. SPECIAL ALLOWANCES

1. Commercial development, redevelopment, restoration or renovation providing an enhanced level of amenities and features in accordance with paragraph "D", following, shall be eligible for an increase in maximum building coverage as follows:

   a. New 2-story buildings: maximum first story building coverage, 50%; 2nd story maximum coverage, 35%.

2. Mixed-use commercial and residential development, redevelopment, restoration or renovation providing commercial uses on the ground floor and residential uses above, and providing an enhanced level of amenities and features in accordance with paragraph "D", following, shall be eligible for an increase in maximum building coverage and allowable residential units as follows:

   a. Existing buildings:

      (1) Second story maximum coverage, 35% and a maximum of one (1) residence per each fifty (50) feet of frontage on Worth Avenue.

(2) Third story maximum coverage, 25% and a maximum one (1) additional residence per each sixty (60) feet of frontage on Worth Avenue; provided, however, that all uses above the first floor shall be residential uses only.

b. New 2-story buildings: maximum first story building coverage, 50%; maximum second story coverage, 35%; and a maximum one (1) residence per each fifty (50) feet of frontage on Worth Avenue.

c. New 3-story buildings:

(1) Maximum first floor building coverage, 50%;

(2) Maximum second story coverage, 35% and a maximum one (1) residence per each fifty (50) feet of Worth Avenue frontage;

(3) Maximum third story coverage, 25% and a maximum one (1) additional residence per each sixty (60) feet of Worth Avenue frontage; provided, however, that all uses above the first floor shall be residential uses only and that the combined density of residential uses on the second and third floors does not exceed two (2) dwelling units per sixty (60) feet of frontage on Worth Avenue.

D. CRITERIA FOR APPROVAL OF SPECIAL ALLOWANCES.

New development, or substantial and appropriate redevelopment, restoration or renovation proposals shall be reviewed by the Landmarks Commission and the Architectural Commission in relation to the appropriate provision of a greatly enhanced level of amenities and features which will significantly benefit the development, the general public, the Avenue and the Town of Palm Beach.

Based on the following list of desirable amenities and features, and a positive determination of the Architectural Commission; a proposed development, redevelopment, restoration or renovation may be approved for a Special Allowance.

* Public arcades, vias, courtyards, useful open space and interconnection.
* Private open spaces, patios, terraces, balconies, loggias, etc.
* Mixed-use development with upper-story residential.
* Restoration of original facade.
* Appropriate style change.
* Varied roof heights, towers, chimneys, etc.
* Any other significant amenities or features determined to be appropriate for review by the Architectural Commission.

LIMITATIONS ON THE USE OF SPECIAL ALLOWANCES

Special Allowance granted for residential uses may not be accumulated or transferred to any other building or site.

APPENDIX A
THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The Secretary of the Interior's Standards for Historic Preservation Projects have been developed to direct work undertaken on historic buildings.

The Standards for Rehabilitation comprise that section of the over-all historic preservation project standards addressing the most prevalent treatment today -- rehabilitation.

"Rehabilitation" is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

The Standards for Rehabilitation (Revised March, 1990) are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes having acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6. Distinctive historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

See also the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings (Revised 1983), U.S. Department of the Interior, National Park Service, Preservation Assistance Division, Washington, D.C., included by reference.

APPENDIX B
FOOTNOTES AND SELECTED BIBLIOGRAPHY

Quotes attributable to Addison Mizner have been taken from the following sources:

1. Mizner's Florida, American Resort Architecture, Donald W. Curl, The Architectural History Foundation and M.I.T., New York & Cambridge, 1984.

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The following books and publications have been particularly helpful in preparing certain portions of this handbook.

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* Design Guideline and Standards Latin Quarter District, Planning Department of the City of Miami, Fla., 1988.

* Architectural Guidelines for Historic Preservation, Planning and Building Department, City of Saint Augustine, Fla., 1989.

* Architectural Guidelines Handbook, Historic and Theme Districts, Mylan Valk Partnership, City of Venice, Fla., 1989.

APPENDIX C

GLOSSARY

Ancon, Ancone. A scrolled bracket or "console" which supports a cornice or entablature over a door or window.

Arcade. (1) A row or "range of arches," carried on columns, piers or pilasters, carrying a roof, wall, entablature, or other superstructure. (2) A covered walk between two such ranges, or between an arcade on one side and a solid wall on the other (cf. Cloister). (3) In modern usage a covered walk between ranges of shops.

Arcade. (1) A line of counter thrusting arches raised on columns or piers. (2) A covered walk with a line of such arches along one or both long sides. (3) A covered walk with shops and offices along one side, and a line os such arches on the other. (4) A covered walk, lit from the top, line with shops or offices on one or more levels.

Arcading. A line of arches, raised on columns, that are represented in relief as decoration on a solid wall.

Arch. A self-supporting structure, usually curved, composed of bricks or of stone blocks, which are normally wedge-shaped to prevent slipping, and capable of carrying a superimposed load over an opening. Arches vary in shape from the horizontal flat arch through semicircular and semi-elliptical arches to bluntly or acutely pointed arches.

Architrave. In classical architecture, the lowest member of the entablature, the beam that spans from column to column, resting directly upon the capitals of the supporting columns.

Balcony. A platform projecting from the face of a building, outside windows, enclosed with a railing or balustrade, and supported either by brackets or (in modern use) by cantilever construction.

Baluster. One of a row of vertical members, usually of stone, wood or wrought iron, supporting a handrail (if on a staircase) or a coping (if forming an external parapet): such a row constitutes a balustrade.

Balustrade. A row of balusters, supporting a handrail or coping.

Band. (1) A plain or molded flat strip or string-course running horizontally across the face of a building and usually marking a division in the wall. (2) A small, flat molding, broad, but of small projection, rectangular or slightly convex in profile, used to decorate a surface either as a continuous strip or formed in various shapes. (3) A fascia on the architrave of an entablature. (4) A molding round the shaft of a column.

Barrel Vault. A masonry vault of plain, semicircular cross section supported by parallel walls or arcades; a vault having a semi-cylindrical roof.

Bay. A compartment or section in the length of a building, between each pair of roof-trusses or transverse vaulting ribs and their supporting buttresses, if any.

Bay-window. A window projecting from the face of a building at ground level, and either rectangular or polygonal on plan. A bay-window may be of one or more stories; but if it projects on corbelling or brackets from an upper floor, it is called an "oriel."

Bed Molding. In classical architecture, the molding or group of moldings immediately beneath the corona of a cornice and immediately above the frieze.

Blind Arcade. A decorative row of arches applied to a wall as a decorative element, esp. in Romanesque buildings.

Blind Arch. An arch in which the opening is permanently closed by wall construction.

Block Cornice. A cornice used in Italian architecture; usually consists of a bed molding, a range of block modillions or corbels, and a corona or cornice; the bed molding may be omitted. The block cornice differs from an architrave cornice in that the latter shows fascias only below the bed molding.

Block Modillion. A modillion in the form of a plain block.

Bracket. A member projecting from a wall or column, generally made of stone, wood or metal, plain or ornamentally shaped and carved, which acts as a support for a statue, shelf, arch, or beam, or used for carrying the cornice or extended eaves of a building. In classical architecture, it is usually called an ancone, a console, or a modillion.

Broken Pediment. A pediment in Roman and Baroque architecture that has been split apart at its apex or at the center of its base. When broken at its apex, the gap is often filled with an urn, a cartouche, or other ornament. [Via DeMario entrance]

Canopy. A roof-like projecting cover over a niche, window, door, etc.

Capital. The molded or carved topmost member of a column or pilaster, serving to concentrate the super-incumbent load on to the shaft of the column or pilaster, and often treated with great richness of ornament.

Cartouche. (1) An ornamental tablet often inscribed or decorated and framed with elaborate scroll-like carving. (2) A modillion of curved form.

Casement. A window sash which swings open along its entire length; usually on hinges fixed to the sides of the opening into which it is fitted.

Casement Door. A french door.

Casement Window. A window having at least one casement; may be used in any combination with fixed lights.

Ceiling. The covering over a room.

Channeling. A series of grooves in an architectural member, such as a column or pilaster.

Chimney. A vertical structure of brick or stone to carry up smoke from a fire-place.

Chimney Hood. A covering which protects a chimney opening.

Chimney-stack. A mass of brickwork or masonry containing groups of flues and rising above roof level.

Cloister. A covered walk or arcade in a monastery or college, usually around all four sides of a square area of grass.

Coffering. A ceiling, vault, or dome with a series of deeply recessed panels, often highly ornamented. Effect may be executed in such materials as wood, marble, brick, concrete, plaster, or stucco.

Colonnade. A row or "range of columns" carrying or supporting an entablature or arches and usually one side of a roof..

Column. A cylindrical and slightly tapered pillar, serving as a support to some portion of a building.

Column, Engaged. A stone column which is partially built into a wall, usually for half of its diameter.

Console. In classical architecture, an ornamental decorative scrolled bracket of slight projection but of much greater height, with two reversed volutes (S-shaped), to support a cornice, and also occasionally called an "ancone."

Coping. A protective capping or covering of brick or stone on the tope of a wall.

Coquina. Coarse porous limestone composed of shells and shell fragments loosely cemented by calcite.

Corbel. A projection, usually of stone but occasionally of brick or iron, built into a wall and projecting from its face, as a bracket to support a beam or a roof-truss.

Cornice. (1) A projecting horizontal feature, usually molded, which crowns an external facade, wall, building or arch; or occurs internally at the junction of a wall and a ceiling. (2) In classical architecture, the topmost member of the entablature. (3) The exterior trim of a structure at the meeting of the roof and wall; usually consists of bedmolding, soffit, fascia, and crown molding.

Corona. The overhanging vertical member of a cornice supported by the bed moldings and crowned by the cymatium. In classical architecture, a vertical member forming part of a cornice, between the cymatium and the bed-molding.

Corridor. A wide passage in a building.

Coupled Columns. Columns set as close pairs with a wider inter-calumniation (space) between the pairs.

Coupled Pilasters. Two closely spaced pilasters forming a pair.

Coupled Windows. Two closely spaced windows which form a pair.

Court, Courtyard. An open space or yard surrounded by walls or buildings.

Crenelated. Bearing a pattern of repeated indentations.

Cusp. In Gothic architecture, a projection carved on the underside of an arch. Cusps divide the arch into a series of "foils", and are purely ornamental.

Cusp. A point or apex in a decorative design and especially the point at which two curved shapes intersect. In Gothic architecture, specifically to the point of intersection of two arcs or foliations in tracery.

Cusped Arch. An arch which has cusps or foliations worked on the intrados (the inner curve of an arch).

Dormer (window). one with a vertical face set upon the inclined plane of a gable roof and possess its own individual roofing.

Drop Tracery. Tracery hanging from the soffit of an arch.

Eaves. The lower edge of a sloping roof, overhanging the face of the wall.

Engaged. Attached, or apparently attached, to a wall by being partly embedded or bonded to it, as an engaged column or pilaster.

Entablature. In classical architecture, the arrangement of three horizontal members -- architrave, frieze, and cornice -- above the supporting columns in any of the classical Orders.

Facade. The face or (principal or architectural) front of a building.

Fanlight. A semicircular window over the opening of a door, usually with radiating bars in the form of an open fan.

Fascia. Any flat horizontal member or molding with little projection. (1) In classical architecture, the bands into which the architraves of Ionic and Corinthian entablatures are divided; (2) The name board over a shop window.

Fenestration. The architectural arrangement of windows in a facade.

Flute, Fluting. A groove or channel, esp. one of many such parallel groves, usually semicircular or semi-elliptical in section; used decoratively, as along the shaft of a column or pilaster.

Foil. One of the small arcs between the cusps of tracery. The number of these in the design is expressed in the name: trefoil (3), quatrefoil (4), cinquefoil (5), and multi-foil (many).

French Door, Casement Door, Door Window. A door having a top rail, bottom rail, and stiles, which has glass panes throughout (or nearly throughout) its entire length; most often used in pairs.

Frieze. In classical architecture, the middle member of the entablature in one of the classical Orders. Or, a deep band, plain or decorated, extending round the upper walls of a room or building below the cornice.

Gable. The vertical triangle portion of wall at the end of a ridged (double-sloping) roof, from the level of the cornice or eaves to the ridge or apex of the roof. Includes similar ends when not triangular in shape.

Gable Roof. A roof having a gable at one or both ends.

Gallery. A long covered space for walking in on the interior or exterior of a building or between buildings, often with one side open.

Gambrel Roof. A roof which has two pitches on each side with its lower part sloping more steeply than the upper (as in a "mansard roof").

Gazebo. Usually a pavilion or summer-house at the end of a garden terrace or set on an eminence in a garden or parkland so as to command a view.

Grille. A grating; hence a diagonal or rectangular, and often ornamental, arrangement of metal bars to enclose a space or to fill a doorway or window opening.

Grille. A grating or openwork barrier , usually of metal but sometime of wood or stone; used to cover, conceal, decorate, or protect an opening, as in a wall, window, floor, or outdoor paving.

Groin. In vaulting, the line of intersection of two vaults.
Groined. (1) Having groins. (2) Showing the curved lines resulting from the intersection of two semi-cylinders or arches. [groined roof]

Hip Roof. A roof which slopes upward from all four sides of a building.

Kiosk. A small pavilion, usually open, built in gardens and parks...

Lean-to Roof. A roof having a single pitch, carried by a wall which is higher than the roof.

Loggia. (1) An arcaded or colonnaded structure, open on one or more sides, sometimes with an upper story. (2) An arcaded or colonnaded porch, veranda or gallery attached to a larger structure.

Mansard Roof. A roof having two slopes on each face: the lower one very steep, the upper one of low pitch.

Modillion, in Renaissance architecture, a small ornamental bracket, used in rows under the corona of a cornice. If in the form of a plain block, it is a "block modillion."

Niche. An ornamental recess in a wall, often semicircular in plan, usually with an arched or rounded top; often intended to contain a statue.

Open Cornice, Open Eaves. Overhanging eaves where the rafters are exposed at the eaves and can be seen from below.

Oriel, Window. A window projecting from the wall face of the upper story of a building, and supported on brackets or corbelling.

Parapet. A low wall built long the edge of a bridge, balcony, cornice, roof or platform. Parapets may be battlemented, pierced or ornamentally carved. In an exterior wall, the part entirely above the roof.

Patio. In a Spanish or Latin-American house, an inner courtyard.

Pavilion Roof. A roof hipped equally on all sides, so as to have a pyramidal form; a pyramidal hipped roof. A similar roof having more than four sides; a polygonal roof.

Pedestal. In classical architecture, the base supporting a column, statue, or obelisk.

Pediment. In classical architecture, the triangular end or gable of a building with a low-pitched roof or used ornamentally over doors and windows, usually triangular but sometimes curved.

Piazza. A formal open space surrounded by buildings in a town.

Pilaster. A flat column, often with capital and base, against the face of a wall, usually "engaged" (i.e. built into it), and projecting there from a distance not exceeding one-third of its surface breadth. Often a decorative rather than a structural feature.

Pitch (of a roof). The inclination of a sloping roof, as a ratio of rise to span (e.g. a pitch of 1:4).

Polychromy. Many-colored or the use of many colors in one building.

Porch. (1) A structure sheltering the entrance to a building. (2) In the U.S.A. only, a veranda or loggia.

Quatrefoil. In Gothic tracery, a circular or square opening having four "foils" separated by "cusps."

Quoin, Coign, Coin. The large corner stones used at the angle (exterior corner) of a building or wall, often distinguished decoratively from adjacent masonry and may be imitated as merely decoration.

Ramada. (1) in Spanish architecture and derivatives, a rustic arbor or similar structure. (2) An open porch.

Restoration (in architecture). The restoration of any decayed or ruined building to its original condition.

Ridge (of a roof). The line of intersection produced by the two sides of a sloping or pitched roof.

Ridge Roof. A pitched roof; the rafter meet at the apex of a ridge; the end view is that of a gable roof.

Roof-line. The sky-line or silhouette formed by the ridges of a roof, and by any spires, chimneys, pinnacles, etc., projecting therefrom.

Running Ornament. Any molding ornament in which the design is continuous in intertwined or flowing lines. [Egyptian running ornament] [wave ornament]

Scallop. One of a continuous series of curves resembling segments of a circle, used as decorative element on the outer edge of a strip of wood, molding, etc. [barrel tiles edge]

Soffit. The exposed undersurface of any overhead component of a building, such as an arch, balcony, beam, cornice, lintel, or vault.

Staircase. A flight or flights of stairs, either open or enclosed.

Stucco. Loosely applied to any external cement or plastering finished with a plasterer's float.

Surround. An encircling border or decorative frame.

Terrace. A raised level promenade, paved or covered with turf or gravel, and usually with a balustrade or dwarf wall on one side.

Terra Cotta. A hard burnt-clay product (glazed or unglazed) used for roof tiles, wall-facings and architectural details.

Tower. Any lofty structure (other than a dome) rising above the general roof level of a building, for purposes of defense, observation, or effect; or, a tall isolated structure serving for defense or observation, or as a landmark.

Tracery. In Gothic architecture, an arrangement of intersecting stone molded bars forming a geometrical or flowing pattern in the curved heads of pointed windows.

Tracery. The ornamental intersection of the stone moldings in a Gothic window head; also such decorative designs in panels, vaults and screens.

Travertine. A variety of limestone deposited by springs; usually banded; commonly coarsely cellular; used as building stone, esp. for interior facing and flooring.

Trefoil. In Gothic architecture, a three-lobed panel or opening in tracery.

Turret. A small tower.

Vault, Vaulting. A continuous arch of brick, stone, or concrete, forming a self-supporting structure over a building or a part thereof. [types: Roman barrel vault (round arches), Romanesque ribbed vault (rounded arches), Gothic ribbed vault (pointed arches)]

Via. A paved Roman road for horses, carriages, and foot passengers, both in town and country; esp. such roads as formed a main channel of communication from one district to another. Roman roads were constructed with the greatest regard for durability and convenience; they consisted of a carriageway paved with polygonal blocks of lava, imbedded in a substratum formed by three layer of different materials (small stones or gravel, rubble, and fragments of brick and pottery mixed with cement); there was a raised footway on each side flanked with curbstones.

Window, Casement. A metal, stone or wooden window frame hinged along one vertical side to enable it to be opened outwards or inward.

Window, French. A ground floor tall window extending down to floor level and opening outwards as a pair of doors.??

Wrought-iron. Iron that is hammered or forged into shape, usually decorative.

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 15, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: 125 Worth Avenue

Date: March 6, 2023

STAFF RECOMMENDATION

Staff would like to put into context our interpretations and decisions made regarding the proposed project at 125 Worth Avenue over the last several years. This is a complex project that has been in the development queue for at least four years with three different applications. This memo will not include specific opposition and concerns expressed by the neighboring property owners and residents. This memo will also not provide a full history on this project, but will focus on the recent land use applications.

2019 PROJECT SUMMARY

The applicant (Rob Frisbie) met with former PZB Director Josh Martin regarding 125 Worth Avenue. Mr. Frisbie's plan was to add to the existing fourth-floor of the building and to create four fourth-floor condominiums. The condominiums would be located within the existing building footprint and each condominium would have a balcony that would extend near the edge of the existing building roofline, basically expanding the existing fourth-floor footprint on all four sides. On the ground level, a one-story building would be added in the location of the existing east surface parking lot. At first, a restaurant was proposed in this new addition, then later was removed due to concerns from the neighboring condo owners. The very visible first three floors would have cosmetic alterations made to the façade of the building. Final versions of this project proposed the ground-level east building addition to be in the northwest section of the existing parking lot and to be used to house mechanical equipment. All surface parking would be removed as part of the 2019 proposal.

2019 APPLICATION

After several meetings with the applicant, architect Rafael Portuondo, attorney Jamie Crowley, Director Josh Martin, and PZB staff, the first application was made. It was a Comprehensive Plan Amendment, a zoning text amendment, and changes to the Worth Avenue Design Guidelines. Director Martin tentatively agreed to prepare some of the zoning text amendments for

the applicant. The Comp Plan amendments were to change the Future Land Use Element to allow, in some cases, a fourth-floor (although a small fourth-floor exists today). This would have resulted in changes to both the zoning code relative to the C-WA district and to the Worth Avenue Design Guidelines. This initial project was to demolish the existing 3,000 sf fourth floor, then add a new larger fourth-floor, which would be just over 12,000 sf. This is why the applicant needed the Comp Plan amendment, as the grandfathered nonconforming fourth-floor would be completely removed (abandoned), then rebuilt larger.

2019 REVISIONS TO THE APPLICATION

The applicant decided to withdraw the original application, and in turn to simply request a site plan, special exceptions and variances. The applicant said this decision was made after receiving feedback from one or more Town Council member(s). The feedback was basically described to staff as that the Town Council may not support a Comprehensive Plan amendment, but that requesting multiple variances was the better way to proceed. At this point Zoning Manager Paul Castro was asked by Director Martin to help delineate the various zoning matters and possible variances needed to approve the project. The applicant described the project as an expansion of the nonconforming fourth-floor, along with a shared parking concept to eliminate the surface parking, and other variances for the ground level building additions and façade changes, building height, lot coverage, site plan review and special exceptions. Mr. Castro indicated that requesting an expansion of the grandfathered, nonconforming fourth-floor was already established by past precedent, as a few other tall, nonconforming buildings in the past have requested and received variances to expand by adding additions, awnings, pergolas, etc. to the nonconforming floor. I remember Mr. Castro pointing out the window of the Director's office at the nonconforming six-story building behind Bricktops, which he said required variances to expand the nonconforming penthouse. Mr. Castro said that this precedent was vetted through Town Attorney Skip Randolph in the past, and therefore could be used again. He also indicated several other midrise buildings, primarily condo buildings, have requested and received the same zoning relief. Staff requested that the applicant provided plans that showed the fourth-floor to remain (if the fourth-floor was demolished it would be a violation of the Comprehensive Plan). Although submitted as a combo project (both Arcom and Town Council approvals needed), staff asked that the project be re-noticed to neighbors and that the matter come to the Town Council first to deal with the variances, special exceptions and site plan review, as there is no need for Arcom to spend possibly several months on this project if the zoning variances are not granted by the Town Council.

Ultimately the applications were withdrawn by the applicant.

2023 PROJECT SUMMARY

ARCOM - The applicant, 125 Worth Partners LLC, has filed an application requesting Architectural Commission review and approval for the substantial demolition, renovation and expansion of the existing four-story nonconforming commercial building with underground parking, including multi-story additions and façade alterations in accordance with the Worth Avenue Design Guidelines, involving multiple variances including from the parking requirements, setback, lot coverage, height and open space regulations and other nonconforming aspects of the existing building.

TOWN COUNCIL - The applicant, 125 Worth Partners LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the substantial demolition exceeding 50% exterior building elevations for the renovation and expansion of the existing four story nonconforming commercial building (with underground parking) including multi-story additions and façade alterations proposing in accordance with the Worth Avenue Design Guidelines and a Special Exception to permit retail and office uses greater than 4,000 SF gross leasable area in the C-WA district. Additionally, the applicant is seeking review and approval for Variances (1) to reduce the required parking; (2) to modify and expand nonconforming four-story building; (3) to exceed the maximum overall building height in order to construct a new rooftop and rooftop projections; (4) to exceed the maximum allowable lot coverage for the fourth level; (5) to reduce the required front yard setback, (6) to eliminate the requirement for an on-site loading space, (7) to retain and increase the existing nonconforming lot coverage for the first, second and third levels; (8) to retain the existing nonconforming building length; (9) to retain the existing nonconforming landscape open space; and (10) to further increase the existing nonconforming floor area due in association with the voluntary demolition of portions of the nonconforming building exceeding 50% of exterior wall square footage, in conjunction with the renovation of an existing four-story office and retail building.

STAFF'S VIEW OF THE PROJECT

The current PZB staff acknowledges that 125 Worth Avenue is a four-story building. While this fact may be debated and contradicted by past records, real estate advertisements and other documents, PZB staff has, on at least two different occasions, visited the building as a field visit and walked up to the fourth-floor penthouse. It is easily accessible from any floor. The fourth-floor is just over 3,000 sf in size, has a concrete roof, which is about 13 feet high, is air conditioned, and has large glass windows on two sides. The fourth-floor footprint further expands over the third floor with a covered arcade on three sides. The interior enclosed space currently houses mechanical equipment, but this space could be converted to office or condominium use by relocating the mechanical equipment and renovating the interior space to the desired configuration. Two separate PZB Directors have established their interpretation of this fourth-floor designation.

Variances are needed to expand the nonconforming fourth-floor, as this precedence is already established in the Town, vetted by the Town Attorney and has been used by applicants in the past. Further, the former Zoning Manager reviewed the 1972 plans from the original building construction and maintains that the building was designed and constructed as a four-story building with underground parking. Staff acknowledges that two-story buildings, and sometimes three-story buildings, are allowed by the Comprehensive Plan in the commercial land use areas, but staff further acknowledges that there many buildings in Town that exceed the Comprehensive Plan height limitations, several of them along Worth Avenue. These buildings were constructed prior to the adoption of the current Comprehensive Plan. These nonconforming, but grandfathered, buildings can be enlarged / expanded with zoning variances, as has been done in the past, but cannot be expanded beyond the footprint of the building.

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

THRU: Wayne Bergman, MCP, LEED-AP
Director PZ&B

FROM: Jennifer Hofmeister-Drew, AICP
Planner III

SUBJECT: ZON-23-033 (ARC-23-022) 125 WORTH AVE (COMBO)

MEETING: MARCH 15, 2023

ZON-23-032 (ARC-23-022) 125 WORTH AVE (COMBO)–SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, 125 Worth Partners LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the substantial demolition exceeding 50% exterior building elevations for the renovation and expansion of the existing four story nonconforming commercial building (with underground parking) including multi-story additions and façade alterations proposing in accordance with the Worth Avenue Design Guidelines and a Special Exception to permit retail and office uses greater than 4,000 SF gross leasable area in the C-WA district. Additionally, the applicant is seeking review and approval for Variances (1) to reduce the required parking; (2) to modify and expand nonconforming four-story building; (3) to exceed the maximum overall building height in order to construct a new rooftop and rooftop projections; (4) to exceed the maximum allowable lot coverage for the fourth level; (5) to reduce the required front yard setback, (6) to eliminate the requirement for an on-site loading space, (7) to retain and increase the existing nonconforming lot coverage for the first, second and third levels; (8) to retain the existing nonconforming building length; (9) to retain the existing nonconforming landscape open space; and (10) to further increase the existing nonconforming floor area due in association with the voluntary demolition of portions of the nonconforming building exceeding 50% of exterior wall square footage, in conjunction with the renovation of an existing four-story office and retail building. The Architectural Commission will perform the design review.

ARCOM NOTICE:
ARC-23-022 (ZON-23-032) 125 WORTH AVE (COMBO). The applicant, 125 Worth Partners LLC, has filed an application requesting Architectural Commission review and approval for the substantial demolition, renovation and expansion of the existing four-story nonconforming commercial building with underground parking, including multi-story additions and façade alterations in accordance with the Worth Avenue Design Guidelines, involving multiple variances including from the parking requirements, setback, lot coverage, height and open space regulations and other nonconforming aspects of the existing building. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: 125 Worth Partners LLC
Professional: Fairfax + Sammons
Representative: Josh Martin

HISTORY:

In 1969, the development plan for the subject property was originally contemplated as a six (6) story office building with underground parking. The project received approval and was granted one (1) building permit extension the following year. However, during this period in Town history, the zoning code was under review, which included consideration of limitations to building height, among other things. As a result, "zoning in progress" was instituted. Those plans ultimately expired and a few years later a new proposal came forward that defined the structure as it stands today, as a four-story structure with a ground floor retail component, two levels of office space and an expansive penthouse mechanical equipment level, all above two (2) levels of underground parking. From 1974 to 2012, a number of special exceptions and variances related to use or leasable square footage have been granted by the Town Council.

Most recently, an application for special exception with site plan review and variances to improve the building and expand the fourth floor, B-074-2019 (Z-19-00232), was tentatively scheduled for review and consideration by ARCOM and the Town Council on December 13, 2019, and January 15, 2020, respectively, but was subsequently withdrawn by the property owner.

THE PROJECT:

The applicant, 125 Worth Partners LLC, has submitted plans, entitled "125 WORTH AVENUE", as prepared by Fairfax, Sammons and Partners, LLC, dated February 10, 2023, is now under consideration to redevelop, improve and expand the existing structure located at 125 Worth Avenue.

125 Worth Avenue

The subject property consists of approximately 0.79 acres (0.86 Palm Beach acre) and is located on the north side of Worth Avenue, less than 300 feet from the Atlantic Ocean in the "East-End Development Area" of the Worth Avenue Design Guidelines. The property has a Future Land Use designation of Commercial with a compatible Zoning classification of Worth Avenue District (C-WA).

The current application is a request for site plan approval that includes two (2) special exceptions and 10 variances to revitalize and expand the 48-year-old commercial building to be redesigned as a blend of Neoclassical and Mediterranean Revival architecture in its composition, consistent with the standards for renovation as set forth in the Worth Avenue Design Guidelines (https://www.townofpalmbeach.com/DocumentCenter/View/165/Worth-Avenue-Design-GuidelinesWorth-Avenue-Design-Guidelines (townofpalmbeach.com).

The Worth Avenue Design Guidelines are intended for use by the general public and the Town's reviewing bodies, Landmarks Preservation Commission (LPC), Architectural Review Commission (ARCOM) and Town Council in evaluating new construction as well as alterations, renovations, or other changes to existing structures along Worth Avenue. The guidelines are intended to encourage the maintenance and restoration of the architectural heritage of Worth Avenue and to encourage the creative use of modern variants of the Mediterranean-Revival, NeoClassical, and other compatible architectural styles. They are further intended to promote the use of "Mizner-style" Mediterranean-type pedestrian characteristics such as arcades, shopping vias, courtyards and patios, fountains and sculptures, extensive landscaping, multi-level development, and especially the provision of upper-story residences.

STAFF ANALYSIS

Zoning

The applicant has included a detailed Letter of Intent (LOI) providing a project narrative, responses to staff comments generated in the Pre-App meeting, first and second round of comprehensive zoning reviews, and descriptions of current requests for Special Exceptions with Site Plan Review and Code relief to Division 9, Worth Avenue District (C-WA), Code of Ordinances. Pursuant to Code Section 125-1156, the purpose of the C-WA District is to preserve and enhance the unique quality and character of Worth Avenue, oriented to pedestrian shopping and a wide range of retail and service establishments, to be developed whether as a unit or as individual parcels, serving the short-term and long-term needs of townspersons. Drive-in retail facilities are not permitted. Further, it is the intent of this district to enhance the town-serving character of the area through use of limitations on maximum gross leasable area (GLA), thereby reducing the problems of parking and traffic congestion determined to result from establishments of a region-serving scale. The Worth Avenue Design Guidelines are incorporated and adopted as part of C-WA regulations as fully set forth in Division 9, Code of Ordinances.

In accordance with the Worth Avenue Design Guidelines, the adopted urban design goals for Worth Avenue include the following:

A. Protect and Enhance the Avenue's Market Appeal for the Benefit of the Residents of the Town
B. Protect the Unique Character of the Older Areas of Worth Avenue and Promote Continuity and Enhancement in Newer Areas
C. Strengthen Pedestrian Character and Create New Vias and Other Pedestrian Linkages
D. Maintain and Continue to Create a Diverse Mix of Activities
E. Maintain High Expectations for the Quality of Architecture Along Worth Avenue
F. Strengthen the Avenue's Distinctive Landscape Character
G. Continue and Expand the Tradition of the Avenue's Arcaded Walkways
H. Strengthen the Provision of Consistent and Compatible Street Spaces

As described in the Worth Avenue Design Guidelines, the corridor is divided into three (3) specific development areas, generally following the division of Worth Avenue by blocks that were developed over time, beginning with the West-End and concluding with the East-End. The subject site is located within the East-End Development Area that extends from South County Road to South Ocean Boulevard and consists of the most recently constructed buildings within the C-WA district.

The Urban Design objectives for the East-End Development Area consist of the following:

- To preserve, maintain, and enhance existing Mediterranean Revival/Neo-Classical character of the area.
- To encourage the protection and enhancement of non-designated but potential Mediterranean-Revival/Neo-Classical historical structures.
- To encourage new development and remodeling to use Mediterranean-Revival, Neo Classical architectural styles, or other updated compatible variants.
- To insure compatibility of new development with existing uses and these Guidelines through review and approval of the Architectural Commission.
- To encourage the remodeling/rehabilitation of incompatible buildings and storefronts in the area, including the provision of multiple storefront entrances, and unification of display windows, awnings, colors, materials, and signage.

- To encourage the use of arcades or colonnades along Worth Avenue frontages.
- To encourage the interconnection of additional vias, courtyards, patios, and other passageways both on and off-site, and
- To encourage upper-floor residential use or the appearance associated with upper-floor residential design.

The Worth Avenue Design Guidelines also provide for the approval of "Special Allowances" for new development, or substantial and appropriate redevelopment, restoration or renovation projects. Based upon the following list of desirable amenities and features and a positive determination of the ARCOM or LPC that the proposed design will significantly benefit the development, the Avenue and the general public, a proposal may be approved for special allowances to lot coverage, height and building length.

- Public arcades, vias, courtyards, useful open space, and interconnection.
- Private open spaces, patios, terraces, balconies, loggias, etc.
- Mixed-use development with upper-story residential.
- Restoration of original façade.
- Appropriate style change.
- Varied roof heights, towers, chimneys, etc.
- Two story and or 3 story commercial structures shall provide a heightened level of architectural amenity and enhancement such as real or simulated balconies, loggias, or setbacks to ensure that the second and third stories shall have the appearance associated with residential design as personified in the West end development area.
- Any other significant amenities or features determined to be appropriate for review.

Existing Building

When the existing retail and office building was constructed in 1973, it was built as a four-story structure with two (2) levels of underground parking. The subject proposal calls for the demolition of a portion of the existing fourth story to remove the mechanical room and replace with office amenity space. This expanded fourth floor exceeds the existing perimeter wall footprint—hence the expansion of a nonconforming fourth floor. In order to retain the nonconforming fourth floor, the applicant has been advised that throughout design and construction, that 50% of the fourth level must remain in varying stages. The existing mechanical equipment housed in the enclosure is proposed to be relocated to the northern edge of the building on the roof in a "mechanical terrace". To minimize visibility and impact on surrounding properties, the proposed fourth floor enclosed space will be set back. The remaining floors will be redesigned to allow for additional office area, while preserving the existing retail uses on the ground floor. The arcade which currently runs along the front façade will be enclosed and the bank drive-thru teller will be removed. The structural columns, arches and roof structure will remain intact.

The off-street parking is provided on surface as well as within the existing but modified underground two (2) level parking garage for a total of 164 existing spaces. Site alterations include the removal of 22 existing off-street parking from the surface plan, leaving a balance of 141 existing spaces. The applicant has provided a circulation plan and parking study to demonstrate that adequate parking will be provided. A more detailed review analysis is provided under the Variance section of the subject staff memo. In addition to these changes, the property will be completely upgraded with new building systems (HVAC, elevator, mechanical).

Proposed Building Front Elevation

Regarding landscaping, the proposed plans will increase the native plant species on site and add rooftop landscaping, terraces, and a decorative fountain to enhance the views from the surrounding taller multi-family buildings.

Below is a summary of the subject application with regard to Zoning Code compliance and variance requests.

Rooftop Amenities

Site Data			
Zoning District	C-WA	**Lot Size (SF)**	34,462 SF
Future Land Use	COMMERCIAL	**Total Building Size (SF)**	61,393 SF
C-O-R	12.02 feet	**Flood Zone**	X
Finished Floor Elevation	12.35 feet NAVD	**# Parking Spaces**	Required: 264 Existing: 164 Proposed: 141 ***Variance Requested***
Architect:	Robert M. Kolany	**Year of Construction**	1974

Project			
	Required/Allowed	**Existing**	**Proposed**
Lot Coverage	75% (25,847 SF) 1st Flr. 65% (22,401 SF 2nd Flr. 30% (10,339 SF) 3rd Flr. 30% (10,339 SF) 4th Flr.	58% (19,993 SF) 1st Flr. 60% (20,696 SF) 2nd Flr. 56.6% (19,502 SF) 3rd Flr. 19.7% (6,785 SF) 4th Flr.	61.9% (21,320 SF) 1st Flr. 65.3% (22,502 SF) 2nd Flr. ***Variance Requested*** 62.9% (21,681 SF) 3rd Flr. ***Variance Requested*** 32.6% (11,238 SF) 4th Flr. ***Variance Requested***
Building Height	40 feet	47.75 feet	52.08 feet ***Variance Requested***
Overall Building Height	45 feet	47.75 feet	59.5 ***Variance Requested***
Building Length	150 feet	201.83 feet	201.83 feet ***Variance Requested***
Landscape Open Space	25% (8,616 SF)	6.3% (2,169 SF)	6.3% (2,169 SF) ***Variance Requested***
Native Plantings %	35%	Native Trees: 96.3% Native Palms 62.1% Native Shrubs: 79.1% Native Vines/Ground Cover: 88%	Native Trees: 100% Native Palms 64.3% Native Shrubs: 80.1% Native Vines/Ground Cover: 88%
Surrounding Properties / Zoning			
North	Two (2)-story condominium / R-C Two (2)-story residence / R-C Two (2)-story condominium / R-C Two (2)-story condominium / R-C		
South	Three (3)-story 1978 commercial building 'Esplanade' / C-WA and R-D(2)		
East	Six (6)- story 1974 31-unit condominium 'Kirkland House' / R-D(2)		
West	Four (4)- story 1978 commercial building, formerly 'Neiman Marcus' / C-WA		

In conjunction with the petition for Site Plan Review, the applicant is requesting two (2) Special Exceptions and 10 Variances. Of the two (2) Special Exceptions, one (1) is to continue to allow the third story and expand the fourth story in conformance with the Special Allowances contained within the Worth Avenue Design Guidelines. The other is to allow greater than 4,000 square feet of Gross Leasable Area (GLA). Of the variances requested, five (5) are due to the non-conformity of the building as the proposal is a renovation greater than 50 percent, rather than new construction. Additionally, the applicant is requesting to exceed the maximum permitted floor area and to reduce the required landscape open space, parking, and loading requirements.

The following pages provide a description of the Special Exceptions and graphic display of Variances Requested.

- SPECIAL EXCEPTION #1: Per Section 134-1165(b)(2): A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with Code Section 134-233.

- SPECIAL EXCEPTION #2: Per Section 134-1159(a)(9): Permitted uses cited under permitted uses in section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area.

***

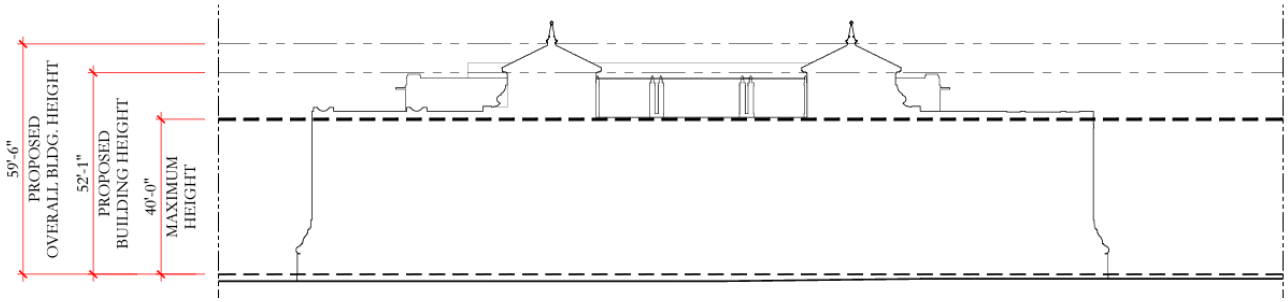
- VARIANCE #1: Per Section 134-2176: A variance to allow for a reduction in parking spaces from the Code required 264 required parking spaces to 141 provided parking spaces.

  As it pertains to Variance #1, the variance is to reduce the required number of parking spaces by 123 to provide 141 spaces in lieu of the existing 164 spaces and the 264 parking spaces required.

PARKING DATA			
	Existing	**Proposed**	**Required**
Sub-Basement Level	69	**71**	-
Basement Level	61	**61**	-
First Level (ground)	34	**10**	-
TOTAL:	164	**141** ***Variance Requested***	264

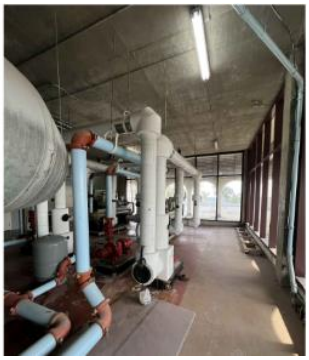
Whereas, if the building were constructed today as proposed, the uses would require 264 parking spaces. Multiple claims by ownership states that the building as it is, is overparked. The applicant has independently performed an Urban Land Institute (ULI) Shared Parking Analysis in order to evaluate actual parking needs for the proposed revitalization plan as submitted evidence as to why the granting of the variance should be considered. The results of the ULI Shared Parking Analysis shows the average peak parking event occurs during many months of the year. The average peak parking event, or maximum demand for parking, requires a total of 164 parking spaces. The ULI Shared Parking Model recommends that the peak parking event be adjusted for the 85th percentile in accordance with the ULI shared parking guidelines. Once the 85th percentile adjustment is applied (164 spaces * 0.85 = 139 spaces in the worst-case scenario), the 125 Worth Avenue Parking Plan includes 141 parking spaces which will satisfy the average peak conditions at all times during the year per the ULI Shared Parking Study.

- VARIANCE #2: Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (59'-6") exceeds the 40-foot maximum height permitted by the Worth Avenue Design Guidelines.



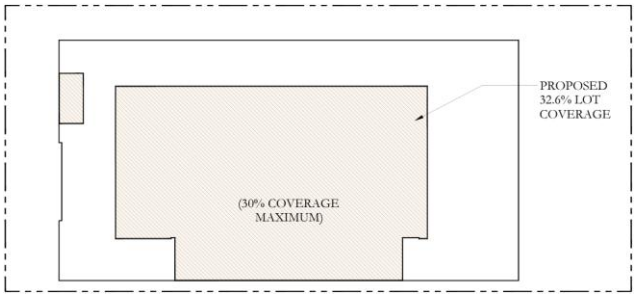
As it pertains to Variance #2, to exceed the maximum height and building height permitted, the applicant is seeking to expand the existing nonconforming fourth floor. Although this level already exists above the maximum height and overall height, any expansion of the non-conformity requires a variance. This level is stepped back, and the applicant suggests that the visual impacts from the right-of-way will be minimal. Additionally, the applicant has added architectural features such as varied roof types and rooftop projections in the form of finials that exceed the allowable maximum overall height but are standard allowable height exceptions under circumstances where the height is not limited to three (3) stories.

- VARIANCE #3: Per Code Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story from 6,785 SF existing to 11,238 SF of enclosed, air-conditioned area.



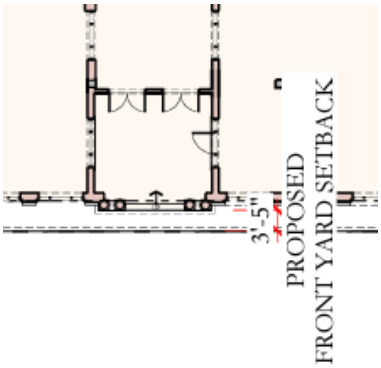
As it pertains to Variance #3, the increase in floor area for the fourth floor is considered an expansion of an existing nonconforming structure, therefore a variance request is required. The fourth floor currently contains an enclosed 3,010 SF area containing mechanical equipment and storage rooms. It is accessed via an internal stair and elevator shaft, nearly 13-foot ceiling height and encased in floor to ceiling glass along several of the facades. Outside of this, an exterior covered loggia, designed with a sloped roof supported by columns yet open to the side, surrounds this central enclosed area, bringing the total existing roofed area to 6,785 SF. The applicant is seeking to expand the level by 65% to 11,287 SF. As shown above, the new expanded fourth level is proposed to be widened to the north, east, west and south.

- VARIANCE #4: Per Code Section 134-1163(9)c, a Variance to allow Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code and Worth Avenue Design Guidelines.



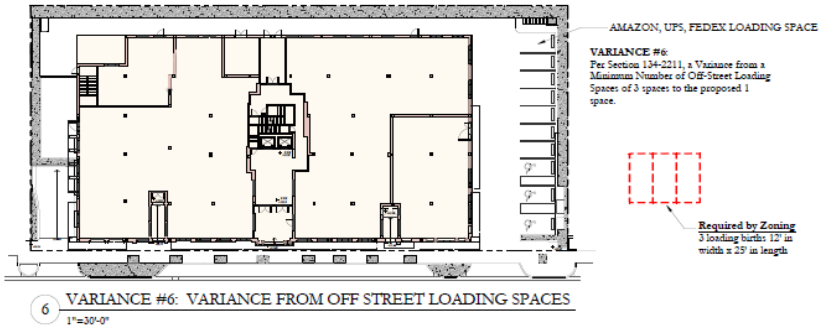
As it pertains to Variance #4, the Worth Avenue Design Guidelines prescribe a maximum lot coverage per floor. The Design Guidelines (and the zoning Code) are silent on the fourth floor (hence variance number 3) in the C-WA district, therefore PZB staff applied the highest and most restrictive lot coverage of 30%. The existing fourth floor occupies an area of 6,785 SF (including the loggia), which equates to a lot coverage of 19%. The proposed expanded fourth level totals 11,287 SF for a lot coverage of 32.6%. In excess of the maximum lot coverage, a variance is needed. Worth noting, had the applicant complied with the lot coverage regulation, the size of the proposed fourth floor would be limited to 10,339 SF, or a decrease of 948 SF.

- VARIANCE #5: Per Code Section 134-1163(5), a Variance from a Front-Yard Setback Requirement of five (5) feet to the proposed 3.5 feet.



As it pertains to Variance #5, the front yard setback is being reduced by 1.5 feet at the entrance to the building. The applicant has indicated that encroachment allows for an accent in the façade for the proposed ground level entryway that has a pedestrian scale at the street.

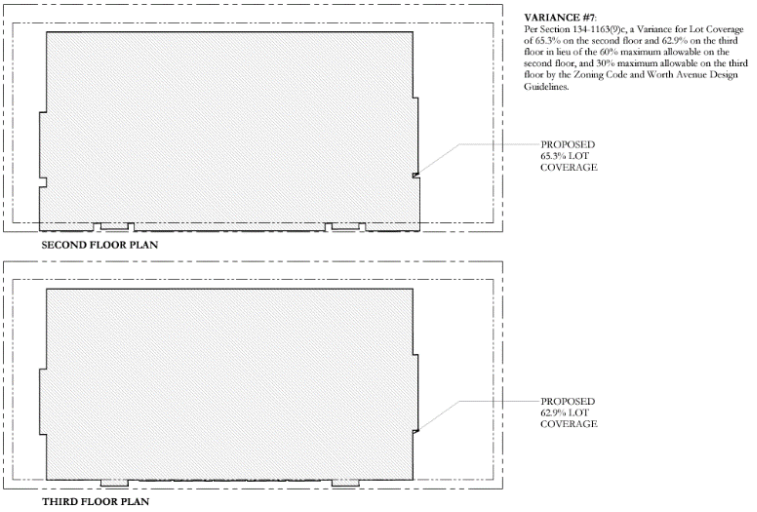
- VARIANCE #6: Per Code Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of three (3) spaces to one (1) off-street loading spaces.



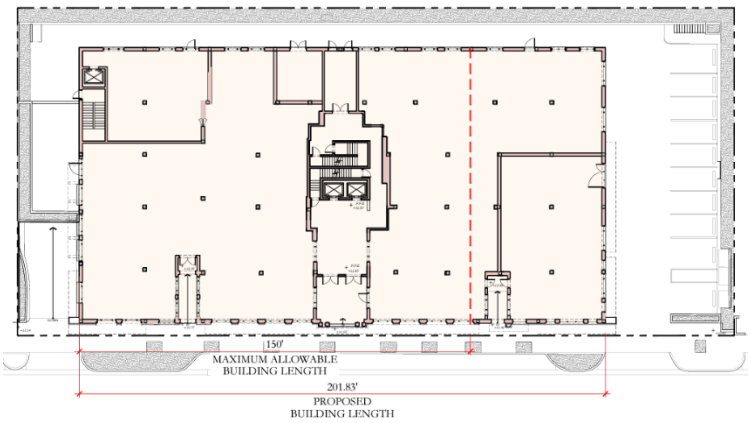
As it pertains to Variance #6, the zoning code prescribes a minimum number of loading bays based on the amount of commercial square footage available in the building. Three (3) spaces are required for buildings which are between 40,001 and 60,000 square feet. The site currently offers zero loading bays, and one (1) new loading space is now being proposed. Although a space is provided where no loading spaces exist, a variance is still required.

- VARIANCE #7: Per Code Section 134-1163(9) c, a Variance for Lot Coverage of 65.3% on the second floor and 62.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by both the Zoning Code and Worth Avenue Design Guidelines.

  As it pertains to Variance #7, the applicant is exceeding the maximum amount of lot coverage permitted for the 2nd and 3rd stories. The Worth Avenue Design Guidelines provide an allowance for a greater lot coverage than allowed by right in the zoning code. However, the applicant is still proposing a greater 2nd story and 3rd story lot coverage than the Worth Avenue design guidelines allow. Therefore, a variance is required.

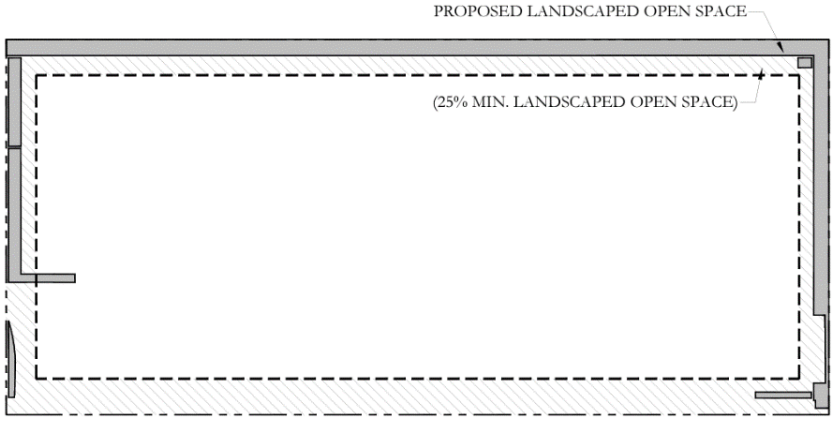


- VARIANCE #8: Per Code Section 134-1163(10), a Variance for Maximum Building Length of 201.83 feet in lieu of the 150 feet maximum allowable by the Zoning Code.



  As it pertains to Variance #8, to exceed the maximum building length of 150', the applicant is renovating an existing nonconforming building. The ground level frontage length is approximately 166 feet, and with this proposal will increase by 36 feet. Additionally, the building length at the second and third levels is 201.83 feet to add ground level retail that will replace existing surface parking and a drive aisle to provide a more uniform and continuous retail frontage.

- VARIANCE #9: Per Code Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 6.29% in lieu of the 25% maximum allowable by the Zoning Code.



As it pertains to Variance #9, to reduce the landscape open space, the existing design provides a landscape buffer within the five (5) foot side and rear yards and is considered legally nonconforming, and the applicant cannot increase ground floor planting opportunities due to the structural slab of the below grade parking garage.

- VARIANCE #10: Per Code Section 134-1163(12), a Variance for Floor Area of 65,503 square feet in lieu of the 15,000 square feet maximum allowable by the Zoning Code.

As it pertains to Variance #10, a variance from the floor area maximum, a major component of this proposed project is the complete renovation of the existing building and site—involving a substantial alteration of the existing facade. As such, all nonconforming aspects of the building must be either 'established' through the variance process or removed to comport with Code requirements. The existing floor area is legally non-conforming on ground, second, and third floor. The applicant has indicated that the proposed building design will 'square off' the building, improve life safety with a new fire stair and elevator, and improve the ground floor urban design.

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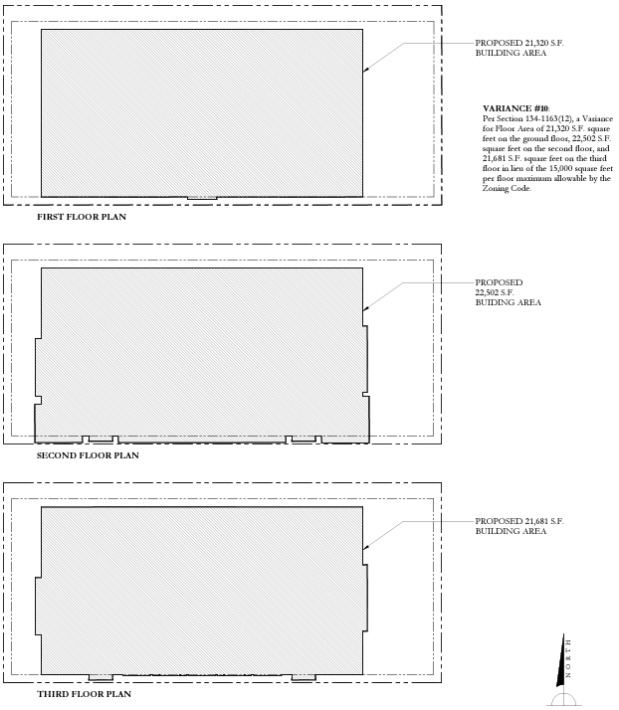


Traffic

Pursuant to the concurrency management requirements of the Town, a traffic impact analysis of the development plan was conducted to quantify the impacts of the proposed changes. Guidance on credit against project traffic is published by Palm Beach County as defined in the Palm Beach County Unified Land Development Code (ULDC). Credit was applied to the existing land uses on site as they have been operational for more than five (5) years. The radius of development influence and significant impact calculations were conducted using the differential between proposed and existing net new external trips. Additionally, Palm Beach County has reviewed the project for compliance with the Countywide Traffic Performance Standards (TPS).

The daily and peak hour trip generation potential for the proposed redevelopment plan was calculated based on trip generation rates published by Palm Beach County. Based upon the traffic impact analysis, the proposed plan results in a net increase of 10 net new external daily trips, an increase of four (4) net new external AM peak hour trips (+5 in, -1 out), and three (3) net new external PM peak hour trips (-1 in, +4 out). The applicant's Traffic Engineer also analyzed the roadway volume distribution and roadway links within the radius of development influence, as established with the Palm Beach County Unified Land Development Code (ULDC).

The analysis was done taking into consideration the net change in vehicular trips that will be generated by the proposed modifications to the existing building. The analysis concluded that the surrounding roadway network has sufficient capacity and is expected to operate acceptably with the proposed site modifications. The Town's Traffic Engineering consultant studied the analysis and concurred with the findings. Please refer the traffic analysis and the correspondence between the Town's Traffic Engineering consultant and project's Traffic Engineer, which have been included as backup material to the subject staff memo.

CONCLUSION

Approval of the subject project will require three (3) separate motions to be made by the Architectural Review Commission (ARCOM) and two (2) motions for approval by the Town Council. Described below are those motions of approval distinguished between ARCOM and Town Council.

(1) ARCOM **approves, approves with conditions, or denies** the overall design of the project is in accordance with both Code Section 18-205, which speaks to the criteria for consideration of a permit;
(2) ARCOM **recommends** that the subject redevelopment project **is** consistent or **is not** consistent with the aforementioned adopted urban design goals for Worth Avenue, the East-End Development Area objectives, and more specifically the criteria for approval for granting Special Allowances, subject to any imposed conditions, and
(3) ARCOM **recommends** that the implementation of the proposed variances **will** or **will not** cause negative architectural impact to the subject property.
(4) Town Council **approves** or **denies** the Special Exception and Site Plan with variance requests.
(5) Town Council **approves** or **denies** the Special Allowances.

At the February 22, 2023, ARCOM meeting, the Commissioners deferred consideration on the architecture as well as opining on the Special Allowance, Special Exceptions and Variance criteria until Town Council deliberation.

WRB/JGM/JHD

January 12. 2023
ARC: 23-022
ZON: 23-032

LETTER OF INTENT
125 WORTH AVENUE REVITALIZATION

PROJECT NARRATIVE

The Development Review Application for 125 Worth Avenue requests Site Plan approval for the revitalization, renovation, and expansion of the 48-year-old nonconforming commercial building located at 125 Worth Avenue in the Worth Avenue Zoning District (C-WA). The building will be completely renovated architecturally in order to meet the standards for renovation as set forth in the Worth Avenue Design Guidelines. The application addresses how the project meets the Worth Avenue Design Guidelines in Exhibit B. The applicant is requesting to demolish a portion of the existing fourth story and add additional office space subject to a finding that the project meets the Worth Avenue Design Guidelines. Existing structural columns and roof structure will remain. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances as follows:

- SPECIAL EXCEPTION #1: Per Section 134-1165 (b) (2) A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with section 134-233;
- SPECIAL EXCEPTION #2: Per Section 134-1159 (a) (9) Permitted uses cited under permitted uses in section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area;
- VARIANCE #1: Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 142 provided parking spaces;
- VARIANCE #2: Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (59'-6") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines;
- VARIANCE #3: Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing;
- VARIANCE #4: Per Section 134-1163(9) c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code and Worth Avenue Design Guidelines;
- VARIANCE #5: Per Section 134-1163(5), a Variance from a Front-Yard Setback Requirement of 5' to the proposed 3.5';
- VARIANCE #6: Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 0 spaces;
- VARIANCE #7: Per Section 134-1163(9) c, a Variance for Lot Coverage of 65.3% on the second floor and 62.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines;
- VARIANCE #8: Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150 feet maximum allowable by the Zoning Code;
- VARIANCE #9: Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 6.29% in lieu of the 25% maximum allowable by the Zoning Code; and
- VARIANCE #10: Per Section 134-1163(12), a Variance for Floor Area of 21,320 S.F. square feet on the ground floor, 22,502 S.F. square feet on the second floor, and 21,681 S.F.

square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

APPLICABLE CODE SECTIONS

The following Town Municipal Code Sections apply to the 125 Worth Avenue Revitalization Application:

- Architectural Review: Section 18-205 & Section 18-206;
- Special Exception: Section 134-226 through 229 & Section 134-233;
- Site Plan Review: Section 134-329;
- Variance(s): Section 134-201;
- Section 134-419: Buildings and Structures: Restoration, Demolition, Enlargement, Extension, Expansion, Reconstruction, Alteration, or Repair;
- Section 134-1163: C-WA Worth Avenue District: Lot, Yard, and Area Requirements--Generally;
- Section 134-2176: Off-Street Parking Schedule;
- Section 134-2211: Off-Street Loading; and
- Worth Avenue Design Guidelines (May 1991, Revised February 1998): Section VIII: Special Allowances for the East-End Development Area.

REQUEST FOR SITE PLAN REVIEW.

Zoning Code Section 134-329. Review by Town Council.

Within 30 days of receipt of the application for site plan review, the town council shall review and consider the application. Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

(1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.

Applicant Response: **The subject property, 125 Worth Avenue (Parcel Control Number: 50-43-43-23-05-016-0380), is privately owned by 125 Worth Partners LLC, which has complete ownership and control of the property and is responsible for its maintenance. This property does not contain any common facilities or common land that could become a future liability for the Town of Palm Beach.**

(2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.

Applicant Response: **The purpose of the project is to revitalize an existing four-story retail/office building. The revitalization will include the addition of office space to the existing fourth floor of the building while preserving the existing retail uses of the ground floor. In addition to these changes, the property will be completely upgraded with new building systems (HVAC, elevator, mechanical) and the facades of the existing building will be enhanced to improve its appearance, specifically those neighboring properties, and become a gift to the high street of Palm Beach—Worth Avenue. These changes will inimitably benefit the surrounding properties.**

(3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

Applicant Response: **Pedestrian and vehicular traffic flow and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site. The existing underground parking facility and the existing surface parking spaces along the eastern property line will continue to be utilized for vehicular access to and from Worth Avenue.**

(4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

Applicant Response: **Off-street parking in this building is located both at the surface level and in a two-level underground parking garage. This will not change as a result of this property's renovation except for the deletion of some unneeded surface parking, which is unsightly and inconsistent with the Worth Avenue Design Guidelines as discussed below. The Applicant is also providing a shared parking study to demonstrate that adequate parking will be provided.**

(5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

Applicant Response: **The proposed 125 Worth Avenue Revitalization Site Plan includes a new approach to the site's landscape architecture including increased use of native plant species, ground level lush landscaping, and the landscaping of the rooftop of the building to enhance the views from the surrounding, taller multi-family buildings that look down at 125 Worth Avenue.**

(6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.

Applicant Response: **The proposed drainage plan will utilize the existing drainage systems that exist today at 125 Worth Avenue. The increase of pervious areas and landscaping will aid in preventing stormwater from releasing onto any of the adjacent properties. Please see Exhibit F, Drainage Statement, of the Letter of Intent.**

(7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

Applicant Response: **The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.**

(8) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

Applicant Response: **This is a privately-owned commercial building and does not contain any recreational facilities.**

(9) Such other standards as may be imposed by this chapter for the particular use or activity involved.

Applicant Response: **The Town's Zoning Code does not impose any special standards on mixed-use projects. Worth Avenue Design Guideline standards are discussed in Exhibit B.**

(10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low-profile scale of commercial architecture.

Applicant Response: **This building already contains four stories. The creation of additional office amenity space on the fourth floor will not increase existing height and the fourth-floor appearance will be greatly improved. The fourth floor will not be conspicuous from the ground due to the height of the building and the step-back of the fourth story in relation to the lower floors.**

(11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

Applicant Response: **As noted, the proposed expansion of the fourth story will not increase existing overall building height, and the expansion will be more aesthetically pleasing than the existing fourth floor structure. The proposed office space on the fourth floor will not be visible from the centerline of the abutting roadways because the proposed structure has a greater setback than the existing third floor.**

REQUEST FOR SPECIAL EXCEPTION FOR A THIRD STORY AND OTHER SPECIAL ALLOWANCES BUILT IN ACCORDANCE WITH THE WORTH AVENUE DESIGN GUIDELINES.

Zoning Code Section 134-229. Requirements for Granting.

SPECIAL EXCEPTION #1: Per Section 134-1165 (b) (2) A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with section 134-233;

The requirements for granting a special exception use under this chapter are as follows:

(1) The use is a permitted special exception use as set forth in article VI of this chapter.

Applicant Response: **Article VI, Section 134-1163 (8) regulates height and overall height within the Worth Avenue Zoning District (C-WA). Subsection (d) of the aforementioned Section of the Zoning Code states the following: "Refer to Worth Avenue Design Guidelines for special exception requirements providing for special allowances to coverage, height, building length and gross floor area limitations." 125 Worth Avenue is located within the East End-Development Area of the Worth Avenue Development Areas as outlined in Section V of the Worth Avenue Design Guidelines. Section VIII, Special Allowances for the East-End Development Area, of the Worth Avenue Design Guidelines provides for Special Allowances if the Property Owner is eligible provided the following standards are met:**

- **Substantial Exterior Renovation or Restoration: Improvements costing more than 15% or more of the appraised value of the structure (Please see attached Appraisal and Revitalization Cost Estimate); and**
- **Appropriate Exterior Renovation or Restoration: Improvements which are consistent with the Design Guidelines described in Section VI and VII, and recommended for approval by the Architectural Commission (ARCOM).**

The Special Allowances allow for a third story in the East-End Development Area.

(2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential or non-residential uses above the ground floor.**

(3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

Applicant Response: **The third story is an existing condition today and will not have any adverse impact on surrounding properties or the neighborhood in which it will occur.**

(4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

Applicant Response: **The third story is an existing condition today and is both consistent with the C-WA Zoning District regulations and is currently compatible with the surrounding properties of the site.**

(5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

Applicant Response: **The existing building at 125 Worth Avenue is legally nonconforming and as a result certain variances will be required in the revitalization of the subject property.**

(6) The use will comply with all elements of the comprehensive plan.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property which are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(7) The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

Applicant Response: **The third story is an existing condition on the site and is not and will not result in substantial economic, noise, glare or odor impacts on adjoining properties and properties generally in the district.**

(8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Applicant Response: **Pedestrian and vehicular traffic flow, ingress, and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site. The existing underground parking facility and the existing surface parking spaces along the eastern property line will continue to be utilized for vehicular access to and from Worth Avenue.**

(9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

Applicant Response: **All signage and lighting proposed for the 125 Worth Avenue Revitalization meets all standards of the Town Zoning Code and specifically the C-WA Zoning District.**

(10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

Applicant Response: **The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.**

(11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

Applicant Response: **The 125 Worth Avenue Revitalization Site Plan includes adequate refuse and service areas.**

(12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and are harmonious with the surrounding properties as well as town-serving in their existing conditions today. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

Applicant Response: **This standard is not applicable to 125 Worth Avenue as there are no historic/specimen trees located on the subject property.**

(14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor. The proposed uses will be compatible with the neighborhood as they are in their existing condition and will not create a greater burden than other uses in the C-WA Zoning District.**

REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR USES WHICH CONTAIN GREATER THAN 4,000 SQUARE FEET GROSS LEASABLE AREA (GLA).

Zoning Code Section 134-229. Requirements for Granting.

SPECIAL EXCEPTION #2: Per Section 134-1159 (a) (9) Permitted uses cited under permitted uses in Section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area.

The requirements for granting a special exception use under this chapter are as follows:

(1) The use is a permitted special exception use as set forth in article VI of this chapter.

Applicant Response: **Section 134-1159 (a) (9) allows "Permitted uses cited under permitted uses in Section 134-1157 which contain greater than 4,000 square feet GLA gross leasable area" via a Special Exception Use. The proposed uses for the 125 Worth Avenue site are the same uses and tenant-types existing on the site today.**

(2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

Applicant Response: **The proposed uses and tenants are existing uses and tenant-types on the site and have not caused substantial injury to the value of other property in the neighborhood where it is located. The proposed 125 Worth Avenue Revitalization Plan will undoubtedly have a positive impact to all property values in the neighborhood where it is located.**

(4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

Applicant Response: **The 125 Worth Avenue Revitalization plans for both retail and office uses (mixed-use) on the site. The mixed-use nature of the program qualifies it for shared parking to occur on the site which is both consistent with the C-WA Zoning District regulations and will be compatible with the surrounding properties of the site.**

(5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

Applicant Response: **The existing building at 125 Worth Avenue is legally nonconforming and as a result certain variances will be required in the revitalization of the subject property.**

(6) The use will comply with all elements of the comprehensive plan.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(7) The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

Applicant Response: **The proposed uses are existing on the site today and do not and will not result in substantial economic, noise, glare or odor impacts on adjoining properties and properties generally in the district.**

(8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Applicant Response: **Pedestrian and vehicular traffic flow, ingress, and egress, emergency service access, and servicing of utility and refuse collection will all be enhanced as part of the revitalization while also reducing the existing vehicular and pedestrian conflicts that exist currently at the site.**

(9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

Applicant Response: **All signage and lighting proposed for the 125 Worth Avenue Revitalization meets all standards of the Town Zoning Code and specifically the C-WA Zoning District.**

(10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

Applicant Response: **The existing building is already served by all necessary utilities and the hook-in locations, availability and capacity will not change as a result of this project. The footprint of the building will not change.**

(11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

Applicant Response: **The 125 Worth Avenue Revitalization Site Plan includes adequate refuse and service areas.**

(12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties as well as town-serving. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor.**

(13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

Applicant Response: **This standard is not applicable to 125 Worth Avenue as there are no historic/specimen trees located on the subject property.**

(14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

Applicant Response: **The proposed uses (retail and office) will be consistent with the existing uses on the subject property and are currently and will be harmonious with the surrounding properties. The proposed uses are consistent with the Town's Comprehensive Plan (Future Land Use) and Zoning Code (C-WA Zoning District) which promotes and permits mixed-use buildings with ground level retail and residential/non-residential uses above the ground floor. The proposed uses**

will be compatible with the neighborhood as they are in their existing condition and will not create a greater burden than other uses in the C-WA Zoning District.

REQUEST FOR VARIANCE TO ALLOW FOR A REDUCTION IN REQUIRED PARKING SPACES.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #1: Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 142 provided parking spaces.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **The Town of Palm Beach Zoning Code's Off-Street Parking Standards are antiquated and do not reflect actual conditions of the site. The 125 Worth Avenue building is more than 90% leased and during a recent site visit at 2:00pm on a Wednesday in December 2022, a total of 31 cars were parked on site. The attached ULI Shared Parking Study more accurately reflects present-day industry off-street parking standards rather than those of 40 years ago.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The Applicant purchased the building in its present configuration with a limited amount of floor area on the fourth story. There is precedent for expanding legally nonconforming buildings as long as the existing roof and structural columns remain.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any other property owner in the C-WA zoning district with similar circumstances could request the same relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **A literal interpretation of the ordinance would prevent the applicant from utilizing the existing and proposed uses within the building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings do not meet today's Zoning Code Off-Street Parking and Loading Standards. The project is thus compatible and consistent with existing development.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The proposed parking is essentially the existing, legal, nonconforming supply of required off-street parking spaces.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
    1. Be granted only for the continuation of the same hotel or residential use; and
    2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(6) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The approval of the reduced parking on site will allow the applicant to utilize the legally non-conforming square footage of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and an activated public realm.**

REQUEST FOR VARIANCE TO ALLOW FOR PROPOSED BUILDING HEIGHT AND OVERALL BUILDING HEIGHT.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #2: Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (59'-6") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines;

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **When this building was constructed in 1973, a fourth story was included. This request is to expand the floor area of that existing structure by replacing it with office amenity space. The fourth floor will be set back to minimize visibility and impact on surrounding properties.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The Applicant purchased the building in its present configuration with a limited amount of floor area on the fourth story. There is precedent for expanding legally nonconforming buildings as long as the existing roof and structural columns remain.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any other property owner in the C-WA Zoning District with similar circumstances could request the same relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **A literal interpretation of the ordinance would prevent the applicant from utilizing the grandfathered fourth story of this building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings consist of four stories, and the structure proposed on the fourth story is stepped back to avoid any more visual impact. The visible aesthetic of the roof from taller adjacent buildings will be greatly enhanced because the unsightly existing roof will be replaced with beautiful architecture, gardens, and a trellis. The project is thus compatible and consistent with existing development.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The proposed development will not increase the height of the existing structure on the fourth floor. The setback of the fourth floor will reduce visible impact.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(6) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The approval of the additional square footage on the existing fourth story will allow the applicant to utilize the legally non-conforming fourth story of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East-End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and green space.**

REQUEST FOR VARIANCE TO ALLOW FOR EXPANSION OF AN EXISTING NONCONFORMING BUILDING.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #3: Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing;

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **When this building was constructed in 1973, a fourth story was included. This request is to expand the floor area of that existing structure by replacing it with office amenity space. The fourth floor will be set back to minimize visibility and impact on surrounding properties.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The Applicant purchased the building in its present configuration with a limited amount of floor area on the fourth story. There is precedent for expanding legally nonconforming buildings as long as the existing roof and structural columns remain.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any other property owner in the C-WA zoning district with similar circumstances could request the same relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **A literal interpretation of the ordinance would prevent the applicant from utilizing the grandfathered fourth story of this building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings consist of four stories, and the structure proposed on the fourth story is stepped back to avoid any visual impact. The visible aesthetic of the roof from taller adjacent buildings will be greatly enhanced because the unsightly existing roof will be replaced with beautiful architecture, gardens, and a trellis. The project is thus compatible and consistent with existing development.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The proposed development will not increase the height of the existing structure on the fourth floor. The setback of the fourth floor will reduce visible impact.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(6) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The approval of the additional square footage on the existing fourth story will allow the applicant to utilize the legally non-conforming fourth story of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East-End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and green space.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #4: Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code and Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing lot coverage is legally non-conforming on the third floor.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area on the third story.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the visible bulk of the building from the street is not being changed, and the aesthetic of the roof will be greatly enhanced for those taller buildings from which the proposed office amenity space is visible. The existing lot coverage is legally nonconforming.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #5: Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code;

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing lot coverage is legally non-conforming on the fourth floor.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area on the fourth story.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the visible bulk of the building from the street is not being changed, and the aesthetic of the roof will be greatly enhanced for those taller buildings from which the proposed office amenity space is visible. The existing lot coverage is legally nonconforming.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED OFF-STREET LOADING SPACES.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #6: Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 0 spaces.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing supply of off-street loading spaces is deficient, and the existing condition is not being decreased from its existing condition.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation and site plan of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming building.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the existing supply of off-street loading spaces is the proposed supply of off-street loading spaces.**

REQUEST FOR VARIANCE TO ALLOW FOR GREATER LOT COVERAGE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #7: Per Section 134-1163(9)c, a Variance for Lot Coverage of 65.3% on the second floor and 62.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing lot coverage is legally non-conforming on the second and third floor.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area on the second and third stories.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the second and third stories exist on the site today and the visible bulk of the building from the street is not being changed, and the aesthetic of the roof will be greatly enhanced for those taller buildings from which the proposed office amenity space is visible. The existing lot coverage is legally nonconforming.**

REQUEST FOR VARIANCE TO ALLOW FOR EXISTING MAXIMUM BUILDING LENGTH THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #8: Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150 feet maximum allowable by the Zoning Code

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing building length is legally non-conforming and this building length is not being increased from its existing condition.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the existing condition of building length is the proposed condition.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #9: Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 6.29% in lieu of the 25% maximum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing landscaped open space is legally non-conforming and will be enhanced to accommodate the renovation of the building.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The variance is necessary because the existing building does not conform to the existing Zoning Code. The building has been nonconforming for many years prior to the applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building.**

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:
a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
1. Be granted only for the continuation of the same hotel or residential use; and
2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the visible bulk of the building is not being changed. The existing landscaped open space is legally nonconforming.**

REQUEST FOR VARIANCE TO ALLOW FOR REDUCED LANDSCAPED OPEN SPACE THAN ALLOWABLE BY THE ZONING CODE.

Zoning Code Section 134-201. Findings Prior to Authorization.

VARIANCE #10: Per Section 134-1163(12), a Variance for Floor Area of 21,320 S.F. square feet on the ground floor, 22,502 S.F. square feet on the second floor, and 21,681 S.F. square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

The Town Council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Town Council must and shall find the following:

(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: **As noted previously, a major component of this proposed project is the complete renovation of this building and site. The existing floor area is legally non-conforming on ground, second, and third floor in their existing condition.**

(2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: **The building has been nonconforming for many years prior to the Applicant's acquisition of the property.**

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

Applicant Response: **Any Applicant with the same circumstances could request similar relief.**

(4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: **The architectural renovation of this building is a critical element of this entire project. A literal interpretation of the ordinance would prevent the owners from renovating the building and utilizing the legally non-conforming floor area of the building.**

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Applicant Response: **The variance is the minimum necessary to accomplish the renovation of the building and reflects an existing and proposed condition**.

(6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
   1. Be granted only for the continuation of the same hotel or residential use; and
   2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Applicant Response: **These standards are not applicable to this Development Review Application.**

(7) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: **The public will not be harmed by the variance because the ground, second, and third floor are legally nonconforming in their existing condition.**

SITE HISTORY

The following provides a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements.

DATE	NATURE OF REQUEST/ ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT/NOTES
31-Jan-69	Application filed for building permit		Permit not issued by Town due to pending 'zoning in progress'. At issue was parking requirement of proposed new district (C-WA), which was more stringent than prior district (C-A).
6-Oct-69	Building permit issued to Mathews Corporation to construct a six story& basement parking and office structure; to meet old code parking requirement	Permit No. 74569	Permit indicates 107,800 SF, 65'8" height building
10-Apr-70	Building permit extension issued by Town		To June 1, 1970
19-Apr-72	ARCOM approved New building plans for office building	Application No. 35-72	49,500 SF of floor area and 166 parking spaces
1-Jun-72	Building permit issued to George Culverhouse for 3 level office building with 2 levels of parking and mechanical penthouse	Permit No. 51072	165 required parking spaces. C-A zoning district. Parking rate 1 /300 square feet of space.
6-Jul-72	Building permit re-issued to Stan E. Hall & Associates	Permit No. 51072	
14-Mar-73	Building permit re-issued to Lawrence J. Kucera	Permit No. 51072	
29-Mar-74	Certificate of Occupancy issued for building, main building only		
14-Jan-75	Request for variance	Variance #37-74	Denied by Town Council
9-Dec-75	Request for variance for permission to add another dentist to existing dentist's practice, on second floor.	Variance # 43-75	Approved by Town Council based on provision of additional parking

DATE	NATURE OF REQUEST/ ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT/NOTES
1976	Town letters reference possible structural problems in the building		
9-Sep-80	Special exception request to move office (National City Bank) from first to third floor; temporary variance to stay in same office while other office is being prepared	Special Exception #19-80; Temporary variance # 30-80	Approved by Town Council
14-Oct-80	Special exception request to add 200 SF	Special Exception # 23-80	
13-Apr-82	Special exception request for expansion of office space	Special Exception #4-82	Approved by Town Council
11-May-82	Special exception for expansion of office space	Special Exception # May-82	Approved by Town Council
1984	Variance request for additional office space	Variance# 14--84	Approved by Town Council
November 13, 1984	Special exception request for E.F. Hutton to occupy an additional 1339 SF on the second floor	Special Exception # 26-84	Approved by Town Council
1989	Variance request for additional office space	Variance #10-1989	Approved by Town Council
1989	Town of Palm Beach Comprehensive Plan		Adopted by Town Council
9-Jun-92	Special exception request for bank expansion	Special Exception # 13-92	Approved by Town Council
3-Mar-93	Special exception request to expand bank by an additional 1,750 SF	Special Exception # 8-93	Approved by Town Council
5-May-94	Request change in occupancy by moving 600 SF from 2nd to 3rd floor	Special Exception # 8-93	Approved administratively
1994	Special exception request for office in excess of 2,000 SF	Special Exception # 6-94	Approved by Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT/NOTES
14-Feb-95	Variance request to transfer 739 SF for bank from 2nd to 1st floor. Total remains 9,981 SF	Variance #62-94	Approved by Town Council
8-Aug-95	Special exception request with variance to operate financial institution above 1st floor which exceeds 2,000 SF. Variance to eliminate 5 required parking spaces	Special Exception # 18-95	Approved by Town Council
14-May-96	Special exception request to add 1,214 SF onto existing 8,477 SF	Special Exception # 8-96	Approved by Town Council
1998	Variance with special exception request for additional office space	Variance# 4-98	Approved by Town Council
13-Oct-98	Special exception request to add 679 SF	Special Exception #25-98	Approved by Town Council
9-Feb-99	Special exception with variance request to expand Palm Beach National Bank on second floor and eliminate the requirement for 2 additional parking spaces. Total SF 12,396 SF	Special Exception # 4-90 with Variance	Approved by Town Council
May-99	Special Exception with variance request to allow expansion of bank on 2nd floor and eliminate requirement for 2 additional parking spaces.	Special Exception #5-99 with Variances	Approved by Town Council
2002	Variance request for additional office space	Variance# 11-2002	Approved by Town Council
11-Nov-02	Special exception request to allow new bank to occupy the same 12,395 SF as previous bank	Special Exception #23-2002	Approved by Town Council

DATE	NATURE OF REQUEST/ ACTIVITY	PROJECT IDENTIFIER OR NUMBER	COMMENT/NOTES
2004	Special exception request for more than 2,000 SF of office space	Special Exception # 14-2004	Approved by Town Council
7-Apr-08	Site plan review and variance request	Site Plan Review # 1-2008 with Variances	Denied by Town Council
10-Jun-09	Variance request to expand existing law firm on 3rd floor which is over 2000 SF	Variance # 12-2009	Approved by Town Council
22-Jun-10	Special Exception request to allow a new bank (BB&T) to occupy the same 12,396 SF currently occupied by Colonial Bank	Special Exception #8-2010	Approved by Town Council
11-Jul-12	Special Exception request to allow a proposed use (boat sales) not specifically enumerated in the code, for Ferretti Group	Special Exception #11- 2012	Approved by Town Council
15-Aug-12	Clarification of conditions relating to The Ferretti Group approval	Special Exception # 11-2012	Approved by Town Council
5-Mar-19	Request for Site Plan Review, Special Exceptions, and Variances for improvements to the building and expansion of the fourth floor	Z-19-00232	Application Withdrawn by Owner

SEATING PLAN

A seating plan is not applicable to this application as no restaurant uses are being proposed.

OPERATIONAL PLAN

The existing operations on site (no valet) will serve the proposed operations on site (same uses).

WORTH AVENUE DESIGN GUIDELINES JUSTIFICATION STATEMENT

The Worth Avenue Design Guidelines Justification Statement is attached to this document as Exhibit B.

PARKING PLAN

The Parking Plan and ULI Shared Parking Study are attached to this document as Exhibit C.

TRAFFIC CONCURRENCY REPORT & TRAFFIC STUDY

The 125 Worth Avenue Traffic Concurrency Report and Traffic Study prepared by Kimley-Horn & Associates are attached to this document as Exhibit D.

APPRAISAL

The 125 Worth Avenue Appraisal Report (dated December 21, 2022) prepared by Aucamp, Dellenback, and Whitney is attached to this document as Exhibit E.

DRAINAGE STATEMENT

The 125 Worth Avenue Drainage Statement prepared by Keshavarz & Associates is attached to this document as Exhibit F.

125 WORTH AVENUE REVITALIZATION COST ESTIMATE

The 125 Worth Avenue Revitalization Cost Estimate prepared by Gilbane is attached to this document as Exhibit G.

125 WORTH AVENUE ADDITIONAL CONCURRENCY: WATER, WASTEWATER, STORMWATER, SOLID WASTE

The 125 Worth Avenue Additional Concurrency (Water, Wastewater, Stormwater, Solid Waste) prepared by Keshavarz & Associates is attached to this document as Exhibit H.

EXHIBIT A: 125 WORTH AVENUE LEGAL DESCRIPTION

Lots 38 through 48, inclusive, Block 16, of the Revised Map of Royal Park Addition to Palm Beach, Florida, according to the plat thereof, recorded in Plat Book 4, Page 1, of the Public Records of Palm Beach County, Florida.

EXHIBIT B: 125 WORTH AVENUE
WORTH AVENUE DESIGN GUIDELINES JUSTIFICATION STATEMENT

In the late 1990s, the Town of Palm Beach adopted Design Guidelines for Worth Avenue to retain and enhance the Avenue's unique character. They are intended for use by the general public and reviewing bodies (LPC, ARCOM, and Town Council) in evaluating new construction as well as alterations, renovations, or other changes to existing structures along Worth Avenue. The guidelines are intended to encourage the maintenance and restoration of the architectural heritage of Worth Avenue and to encourage the creative use of modern variants of the Mediterranean-Revival, Neo-Classical, and other compatible architectural styles. They are further intended to promote the use of "Mizner-style" Mediterranean-type pedestrian characteristics such as arcades, shopping vias, courtyards and patios, fountains and sculptures, extensive landscaping, multi-level development, and especially the provision of upper-story residences.

All in all, investment undertaken on the Avenue should:

- Be compatible with its neighbors and the Avenue's historic fabric;
- Enhance the Avenue's quality and character; and
- Encourage the continued attraction of a mixture of shops, residences, and other uses meeting the Town's desires.

The ocean block of Worth Avenue contains more recently constructed buildings dominated by the two-story Esplanade shopping mall on the Southern side of the block and a four-story professional office building (125 Worth Avenue) on the Northern side of the block. Beyond a poorly designed façade and awning treatment on the Esplanade intended to give the appearance of individual structures, and an arcaded terrace on the office building, there has been little attempt to integrate this block into the more historically significant Western Worth Avenue block. Both buildings are large and massive, have only single entrances on Worth Avenue, and present little pedestrian appeal. (quote from the guidelines themselves). The proposed, substantial renovation and addition will be the first of its kind since the building's original construction.

From a regulatory standpoint, the guidelines serve two separate purposes including Town Council/LPC/ARCOM's use in evaluating new construction as well as alterations, renovations, or other changes to existing structures along Worth Avenue and the ability for the Town to approve special allowances for substantial or appropriate exterior renovations or restorations. This document serves as a response to how the 125 Worth Avenue Revitalization Proposal meets the Worth Avenue Design Guidelines by examining both the existing and proposed conditions of the subject property.

The 125 Worth Avenue Revitalization Proposal in general involves an exterior and interior renovation alongside the addition of retail and office spaces on the ground, second, third, and fourth floors. The proposal involves a mix of uses including commercial and office coupled with integrated landscaping that are reminiscent of historic Palm Beach. The guiding principles of the proposal embrace the following:

- Integrate the East-End Development Area into the older developed blocks to the west;
- Achieve the Urban Design Objectives of the East-End Development Area; and
- Establish the Avenue's distinctive landscape character in the East-End Development Area.

Worth Avenue Urban Design Goals

Protect and enhance the Avenue's market appeal for the benefit of the residents of the Town.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal contributes to the Avenue's role as an architectural statement expressing the Town's image. The existing building does not contribute to Worth Avenue's historic character and atmosphere and does not provide inducement for the quality uses preferred in the Town and for which the Avenue has been so attractive in the past. The existing condition is one that is suburban in nature and disconnected from the Avenue's charm and visual appeal. The Revitalization proposal corrects this condition by bringing order to architecture and urbanism that is reminiscent of historic Palm Beach.

Protect the unique character of the older areas of Worth Avenue and promote continuity and enhancement in newer areas.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal (rehabilitation) located on the east-end development area represents an opportunity to promote continuity and enhancement in the subject block with a connection to the western portion of the Avenue. The Revitalization proposal proves successful in the aforementioned opportunity by respecting existing development scale and architecture while carefully reinforcing, strengthening and enhancing its existing condition.

Strengthen pedestrian character and create new vias and other pedestrian linkages.

125 Worth Avenue Revitalization Proposal Response: The existing site condition of 125 Worth Avenue maintains an auto-centric environment and does not recognize the pedestrian as a priority within the site and its interface with the public realm of the Avenue. The 125 Worth Avenue Revitalization Proposal removes most of the surface level parking (auto-centric environment) and replaces it with active storefronts that prioritize the pedestrian experience, thus extending the pedestrian, village like character of the western portion of the Avenue.

Maintain and continue to create a diverse mix of activities.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal represents a diverse mix of residential, office, and retail uses that complement the Avenue's present specialty shopping reputation. As a result, by introducing a pedestrian scaled environment to the subject property, Worth Avenue can absorb growth and prosper in an appropriate manner.

Maintain high expectations for the quality of architecture along Worth Avenue.

125 Worth Avenue Revitalization Proposal Response: Unlike the existing condition, the 125 Worth Avenue Revitalization Proposal includes a new building that is influenced by the area climate, character of the landscape, and a concern for human size and scale. Moreover, the proposal stresses architectural traditions such as protection from the sun and glare, strong shade and shadow patterns, simplicity of materials and colors, and interesting visual elements.

Strengthen the Avenue's distinctive landscape character.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal continues to reinforce the Avenue's pedestrian-oriented character by the use of windows, open and enclosed stairways, planting areas, potted plants, decorative paving and tiles, ornamental lighting, and providing an abundance of shade, color, varied textures, and form.

Continue and expand the tradition of the Avenue's arcaded walkways.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal provides a modern adaptation of covered walkways which unify diverse building fronts, provide shade protection from the sun, and further serve as a consistent architectural element of pedestrian scale.

Strengthen the provision of consistent and compatible street spaces.

125 Worth Avenue Revitalization Proposal Response: The 125 Worth Avenue Revitalization Proposal's site plan gives priority to establishing complementary and supportive relationships with neighboring properties by respecting the edge conditions of the adjacent properties and introducing landscaped and pedestrian elements to the site.

Adherence to the Worth Avenue Design Guidelines

Relationship to Existing Development

Guideline: All development proposals should show evidence of coordination with the site plan, arrangement of building forms, landscape design, and façade patterns of neighboring properties.

Existing Conditions: The existing site plan 125 Worth Avenue represents a disconnected, suburban arrangement of building forms, landscape design, and façade patterns that are auto centric in nature.

Proposed Conditions: In contrast, the 125 Worth Avenue Revitalization Proposal respects the arrangement of building, open space, and landscape elements on the adjacent sites. The resultant site plan is more respectful of the site's urban condition along Worth Avenue.

Architectural Character

Guideline: All development proposals should demonstrate evidence they have considered the predominant scale and proportion of buildings in the area. Elevation sketches, photographic montages, and other graphic studies are encouraged.

Existing Conditions: The existing building and site plan combine to form an inappropriate architectural expression due to its foreign proportion, rhythm, and form. The existing condition neither protects nor enhances the Avenue's market appeal for the benefit of the residents of the Town.

Proposed Conditions: The 125 Worth Avenue Revitalization Proposal involves a major rehabilitation to the Worth Avenue façade of the building which will result in intimate proportions of building elements at the ground level that will be appreciated by pedestrians. The relationship between the height and width of the building and its architectural elements contributes to the appropriate proportion of buildings. In reforming the horizontal emphasis of the existing building to a more vertical expression, the proportion of the proposed building will be much more germane to the

vernacular of historic Palm Beach. Additionally, the proposed rhythm of the rehabilitated building with its ordered recurrent alternation of strong and weak architectural elements yields visual interest to the building true to the Mediterranean-Revival architectural style. At last, the proposed building and site plan coordinates the form and height of adjacent structures to demonstrate visual linkages moving from west to east across the site.

Street Character, Size and Bulk

Guideline: New development should preserve the existing character by reducing the apparent building width and bulk. Pedestrian interest should be strengthened by providing frequent shop, building, and via entrances along street frontages.

Existing Conditions: The existing building at 125 Worth Avenue maintains an awkward proportion, scale, and mass. Infrequent opening and entrances along the street frontages detract from pedestrian interest. Additionally, the existing building reads as one large building across the lot.

Proposed Conditions: The proposed building at 125 Worth Avenue repositions the existing building with respect to apparent building and storefront width, a varied roofscape, multi-story structures, and recesses and projections along all facades. By dividing the Worth Avenue elevation into smaller parts, the proposed building's apparent building and storefront widths are reduced in an effort to create pedestrian interest as well as break up the scale and mass of the building. The existing roof line which is one of a suburban vernacular has been transformed (in the proposed structure) to create an interesting silhouette against the sky reflective of the west-end of the Avenue. The verticality of the buildings is reduced via balconies and changes in the wall plane thus providing strong shadow and visual interest. The recessed features of the proposed structure create a sense of depth in the building wall and emphasize important architectural elements of the building such as entrances and bays.

Street Frontage

Guideline: Active building frontages, creating inviting indoor/outdoor spaces, are an essential ingredient to maintain and strengthen the Avenue's pedestrian character. Buildings should provide an opening at the ground level to allow pedestrian views of display windows. Frequent building entrances are encouraged. Side and rear building entrances should always be accompanied by a front entrance facing the Avenue.

Existing Conditions: The existing building frontage at 125 Worth Avenue maintains a confused street-edge along Worth Avenue. The spaces at the ground floor along Worth Avenue include long spatial gaps while the second and third story fenestration do not reflect successful non-residential Palm Beach building types.

Proposed Conditions: The proposed building at 125 Worth Avenue greatly increases the activation along the Worth Avenue frontage by minimizing black walls, increasing the height and area of storefronts, and organizing and increasing entrances to the building in an orderly fashion, so that one knows where the front door is to the building.

Building Setback Area

Guideline: The space between the building and the curb should be like an open or covered patio. It should provide pedestrians with a buffer from traffic on the Avenue, shaded protection from the sun, and a rich variety of experiences and choices.

Existing Conditions: The existing space between the building and curb is bifurcated by grade changes and separated sidewalk areas.

Proposed Conditions: The proposed building at 125 Worth Avenue reads much more like an open and covered patio. The continuous linear and rhythmic paving includes occasional street contrasts and accents including plantings and landscape. The proposed patterns of the building setback area are geometric rather than organic which is more appropriate for the Avenue.

Arcades, Colonnades or Recessed Walkways

Guideline: Arcades or covered walkways are an important part of Worth Avenue's architectural heritage. They provide relief from the sun, buffers from the street, and are a consistent architectural element scaled to human size. New buildings on the Avenue are encouraged to provide arcades or other forms of shaded base.

Existing Conditions: The existing walkway condition at 125 Worth Avenue does not integrate the entirety of the sidewalk in front of the building.

Proposed Conditions: The proposed building at 125 Worth Avenue includes recessed walkways as an integral part of the building's architectural character that is not separated from the sidewalk but rather a seamless portion of the overall sidewalk. The successful integration of these two elements creates useful outdoor space and provides protection from the sun in a functional manner. The framing of the sidewalk space does not include a superficial or decorative device but rather one of form and function of the structure itself.

Building Materials

Guideline: Restraint should be used in the number of different building materials selected. Simplicity is desired. Building materials similar to those in predominant use on the Avenue are encouraged. Avoid the use of new materials that are incompatible with other development. Highly reflective, shiny, or mirror-like materials should not be used.

Existing Conditions: Aside from the windows and doors of the existing building at 125 Worth Avenue, the building materials are generally acceptable. However, the architectural disorder of the facades and building in general reduce the success of the building materials.

Proposed Conditions: The proposed structure for 125 Worth Avenue includes walls that are painted stucco trimmed by natural Florida Keystone. The large, glazed areas of the building are divided into smaller parts by using mullions to express individual windows. The doors are finished in a dark metal reflective of successful shopfront frontages found along the Avenue. Finally, the building includes decorative metal railings. All of the proposed building materials are consistent with the recommendations of the Worth Avenue Design Guidelines.

Architectural Details

Guideline: Worth Avenue has a long history of quality in architectural design and building construction. This quality is reflected in buildings of varying architectural styles with varying architectural details which add interest to the area.

Existing Conditions: The existing building at 125 Worth Avenue lacks a clear architectural identity and appears to have been designed in an anticipated Mediterranean-Revival style that was not appropriately executed, thus resulting in a more Post-Modern like style.

Proposed Conditions: The proposed building at 125 Worth Avenue becomes an exercise of how to make the systems and order of the existing building better. The introduction of Mediterranean-Revival materials, shade and shadow, and entrance canopies combine to transform the style to Neoclassical design. This style maintains consistency with the Urban Design Objective of the East-End Development Area.

Color and Texture

Guideline: Building colors should emphasize light and muted colors. General color selection should show evidence of coordination with the predominant use of color on the Avenue, especially in the area of the project. As a general rule, keep color schemes simple.

Existing Conditions: Aside from the windows and doors, the remaining elements of the existing building meet the recommended color selection of the Worth Avenue Design Guidelines.

Proposed Conditions: The proposed white/off-white color scheme for the walls of the building reflects the recommended "soft Mediterranean color" of the Worth Avenue Design Guidelines. The proposed dark roof color will contrast nicely with the sky and define the structure against the sky. The metal-framed windows and doors will be a very dark color. At last, the landscaped accents of the office facades and trellises provides visual harmony of the building façade and the building block.

Building Equipment and Services

Guideline: Locate service and loading areas to minimize visibility from the Avenue, vias, courtyards, or other public spaces. Mechanical and electrical equipment, communications and service equipment, and other appurtenances should be concealed from view of the Avenue, other streets, vias, courtyards, and neighboring properties by walls, fences, parapets, dense evergreen foliage or by other suitable means.

Existing Conditions: The existing mechanical equipment is located on the rooftop of the building and does not afford a pleasant view from neighboring residential buildings that look down upon the existing rooftop.

Proposed Conditions: The proposed building's mechanical equipment will be completely concealed from view of the Avenue and neighboring properties. In addition, the proposed rooftop will be a beautified element with lush landscaping when viewed from neighboring residential buildings.

Parking Facilities

Guideline: Minimize the visual impact of parking structures and parking lots by locating them at the rear or interior portions of the building site. When parking structures must be located at the street edge, use of the ground level street frontage for shops, offices, or other commercial space. Parking access from alleys and side streets is desired.

Existing Conditions: The existing site plan includes surface parking areas on three sides of the structure which maintains a significant percentage of the Worth Avenue street frontage. An underground parking facility exists on the site as well.

Proposed Conditions: The proposed site plan removes most surface parking on the site and replaces these areas with active storefronts.

Renovations and Additions

Guideline: Building facades play a basic role in the visual makeup of the Avenue. Storefronts, awnings, signs, window displays, texture and color are all integral elements of the design. Collective improvement of these elements creates visual order.

Facadectomy

Existing Conditions: The existing façade of the building is tired and in need of visual order.

Proposed Conditions: The proposed building facades will be substantially renovated coupled with minor additions thus creating visual order while maintain an appropriate scale, proportion, and rhythm.

Style Change

Guideline: Some Worth Avenue buildings lack a clear identity, are void of distinguishing architectural features, or have been constructed in an architectural style that is not particularly compatible with the predominant architectural styles in the general development area.

Existing Conditions: The existing building at 125 Worth Avenue lacks a clear architectural identity and appears to have been designed in an anticipated Mediterranean-Revival style that was not appropriately executed, thus resulting in a more Post-Modern like style.

Proposed Conditions: The proposed building at 125 Worth Avenue becomes an exercise of how to make the systems and order of the existing building better. The introduction of Mediterranean-Revival materials, shade and shadow, and entrance canopies combine to transform the style to Neoclassical design. This style maintains consistency with the Urban Design Objective of the East-End Development Area.

Urban Design Objectives for the East-End Development Area

For the reasons stated herein, the 125 Worth Avenue Revitalization Proposal meets the following Urban Design Objectives for the East-End Development Area:

- To preserve, maintain, and enhance existing Mediterranean-Revival/Neo-Classical character of the area;

- To encourage the protection an enhancement of non-designated but potential Mediterranean-Revival/Neo-Classical historical structures;

- To encourage new development and remodeling to use Mediterranean-Revival, Neo-Classical architectural styles or other updated variants;

- To insure compatibility of new development with existing uses and these Guidelines through review and recommendation of the Landmarks Preservation Commission and review and approval of the Architectural Commission;

- To encourage the remodeling/rehabilitation of incompatible buildings and storefronts in the area, including the provision of multiple storefront entrances, and unification of display windows, awnings, colors, materials, and signage;

- To encourage the use of arcades or colonnades along Worth Avenue frontages; and

- To encourage the interconnection of additional vias, courtyards, patios, and other passageways both on and off-site.

EXHIBIT C: 125 WORTH AVENUE
PARKING PLAN AND ULI SHARED PARKING ANALYSIS

ULI Shared-Parking
Analysis For

---

125 Worth Avenue
Mixed-Use Development
Palm Beach, FL 33480

December 8, 2022
Updated December 26, 2022

Prepared by:

Frisbie Group, LLC

Introduction

As a part of the Zoning and ARCOM application for the proposed mixed-use development at 125 Worth Avenue in Palm Beach, Florida the following ULI Shared Parking Analysis per the Town of Palm Beach Zoning Ordinance. The subject property, 125 Worth Avenue, is located within the Town of Palm Beach C-WA Zoning District. Please refer to Exhibit A to this document, entitled "125 Worth Avenue Parking Plan", throughout this parking analysis.

Project Overview and Parking Demand

The proposed 125 Worth Avenue mixed-use development ("development") includes the following uses:

- Office (33,824 square feet); and
- Community Retail (17,035 square feet).

Spatially, the aforementioned use intensities are distributed within the proposed development area as shown on Exhibit A to this document.

In order to determine the minimum number of required parking spaces, one must refer to Section 134-2176, Off-Street Parking and Loading of the Town of Palm Beach Zoning Code. This schedule calls for the following required parking spaces for each use within the development as follows:

Use Category	Use	Spaces Required	Units of Measure
Office	Office	1	250 square feet of GLA
Retail	Retail	1	200 square feet of GLA

In applying this schedule, the minimum number of parking spaces associated with the development totals 220 spaces as follows:

Use Category	125 Worth Avenue Use	Spaces Required	Units of Measure	Units Proposed in Development	Total Number of minimum parking spaces required
Office	Office	1	250 Square Feet	33,824 Square Feet	135
Retail	Retail	1	200 Square Feet	17,035 Square Feet	85
Total Number of Required Parking Spaces per Town of Palm Beach Code					**220**

The development team completed an Urban Land Institute Shared Parking Model (included in this analysis) which revealed that shared parking reduction could be achieved, so the development shall apply the aforementioned parking reduction (per the aforementioned zoning code section). The application of the reduction of parking requirements yields the following parking requirements for the development:

Use Category	**125 Worth Avenue Use**	**Spaces Required**	**Units of Measure**	**Units Proposed in Development**	**Total Number of minimum parking spaces required**	**Total Number of maximum parking spaces required**
Office	Office	1	250 Square Feet	33,824 Square Feet	135	N/A
Retail	Retail	1	200 Square Feet	17,035 Square Feet	85	N/A
Total Number of Spaces for Development (without shared parking reduction)					***220***	**N/A**
Total Number of Spaces for Development (with ULI Shared Parking reduction) For Weekday and Weekend Peak					**76**	**187**

******ULI Shared Parking Study does not include the 85th percentile adjustment.***

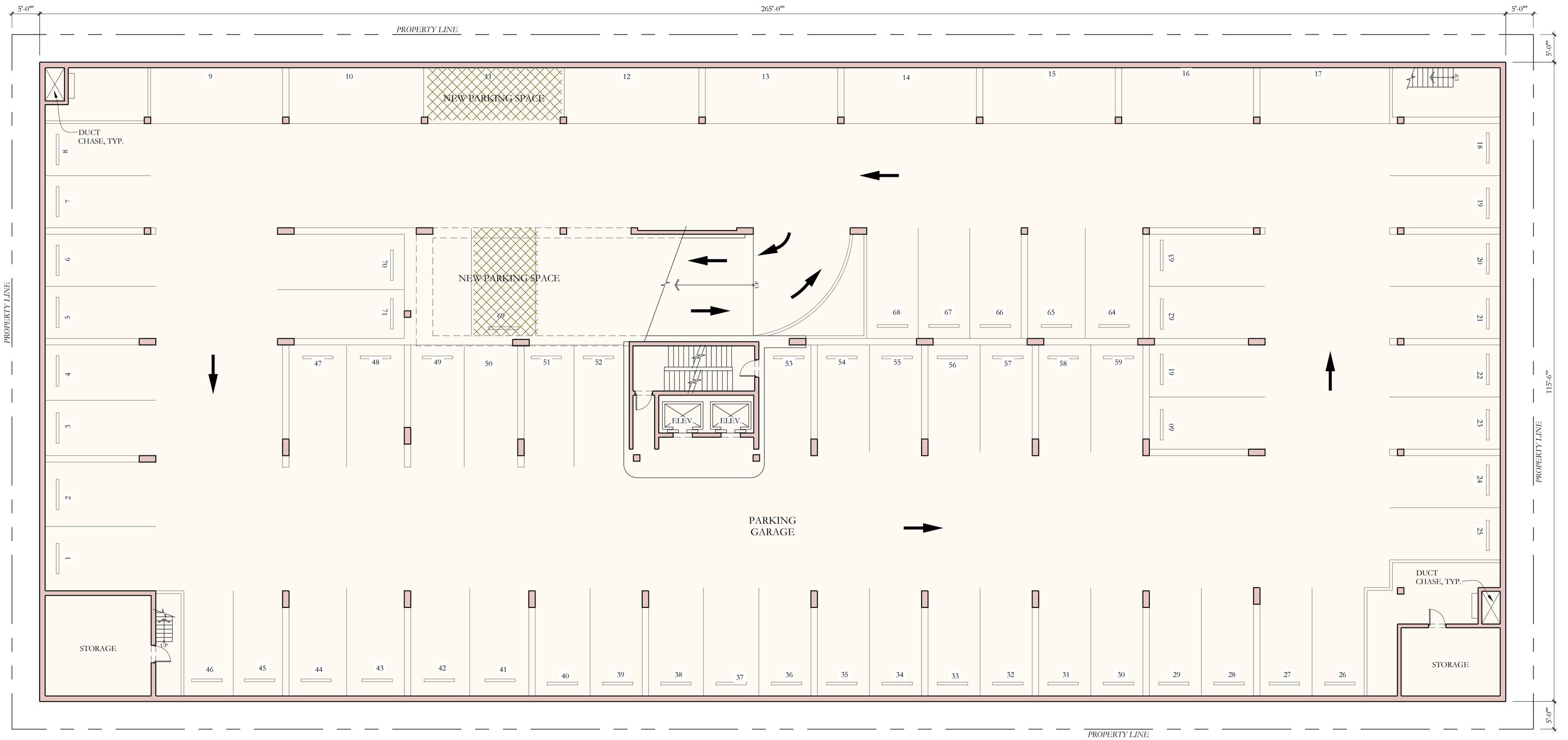
Conclusion

The parking analysis here shows that the Parking Plan (Exhibit A) for the 125 Worth Avenue mixed-use development ("development") attached to this analysis does not meet the applicable off-street parking requirements of the Town of Palm Beach. The Applicant has performed the ULI Shared Parking Analysis to evaluate actual parking needs.

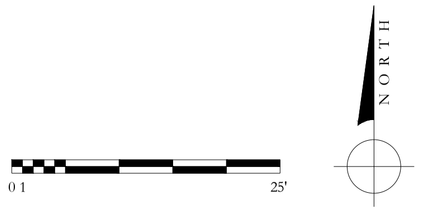
The results of the ULI Shared Parking Analysis shows the average peak parking event occurs during many months of the year. The average peak parking event, or maximum demand for parking, requires a total of 164 parking spaces. The ULI Shared Parking Model recommends that the peak parking event be adjusted for the 85th percentile in accordance with the ULI shared parking guidelines. Once the 85th percentile adjustment is applied (164 spaces * .85 = 139 spaces in the worst-case scenario), the 125 Worth Avenue Parking Plan (Exhibit A) includes 142 parking spaces which will satisfy the average peak conditions at all times during the year per the ULI Shared Parking Study.

EXHIBIT A

125 Worth Avenue Parking Plan



1 PROPOSED SUB-BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"



NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE FOR PROPOSED SUB-BASE **PLAN - 71**, Which is 2 more than the Existing Sub-base Plan.

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED SUB-BASEMENT FLOOR PLAN

DATE	SHEET NO
DEC. 27, 2022	A-100
SCALE 1" = 10'-0"	
BY HM	

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
TELEPHONE (561) 805-8591
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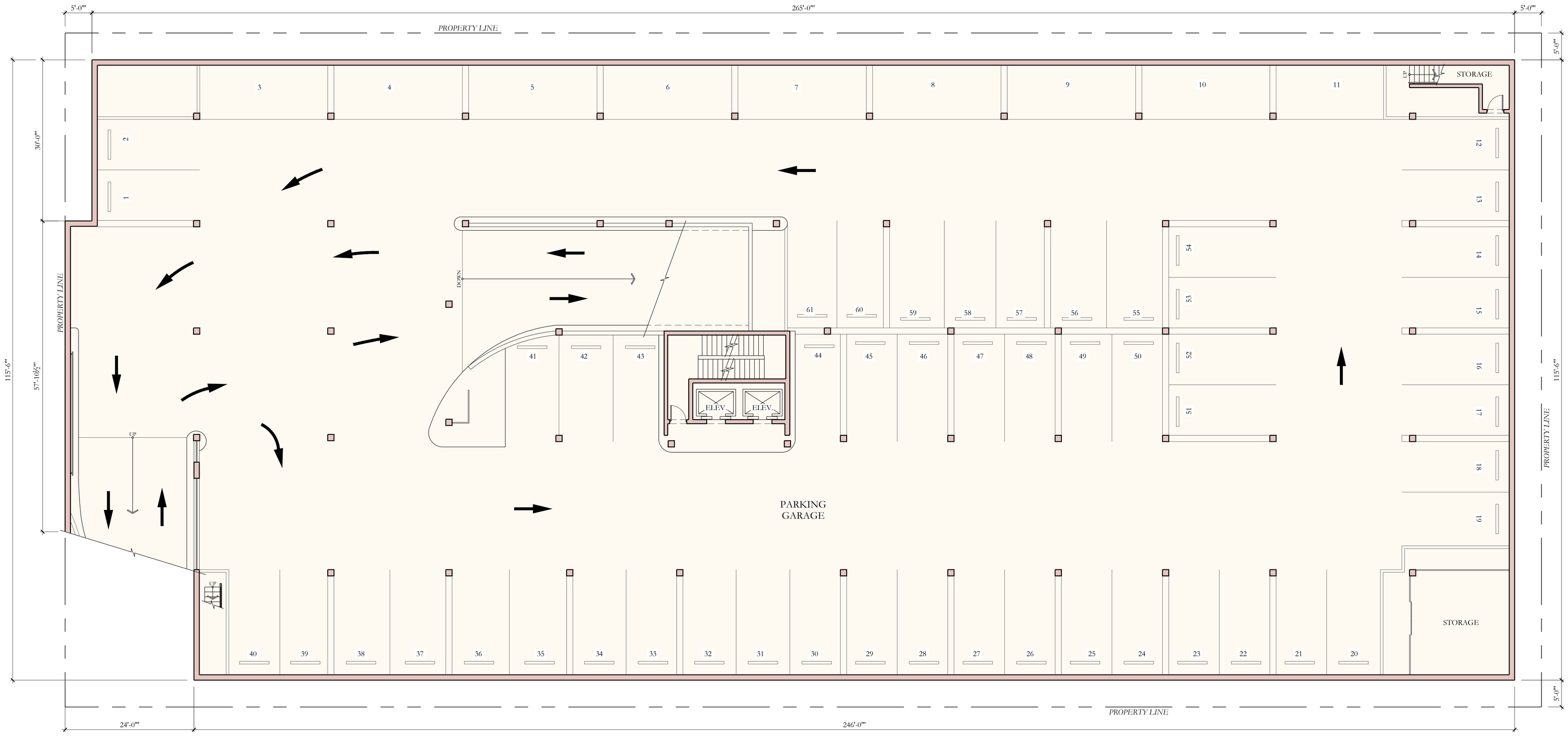
TC Development Review Meeting Backup 4-04-2023



1 PROPOSED BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

TOTAL PARKING SPACE- 61, Which is same as the Existing Basement Plan.

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED BASEMENT FLOOR PLAN

DATE
DEC. 27, 2022

SCALE
1" = 10'-0"

BY
HM

SHEET NO
A-101

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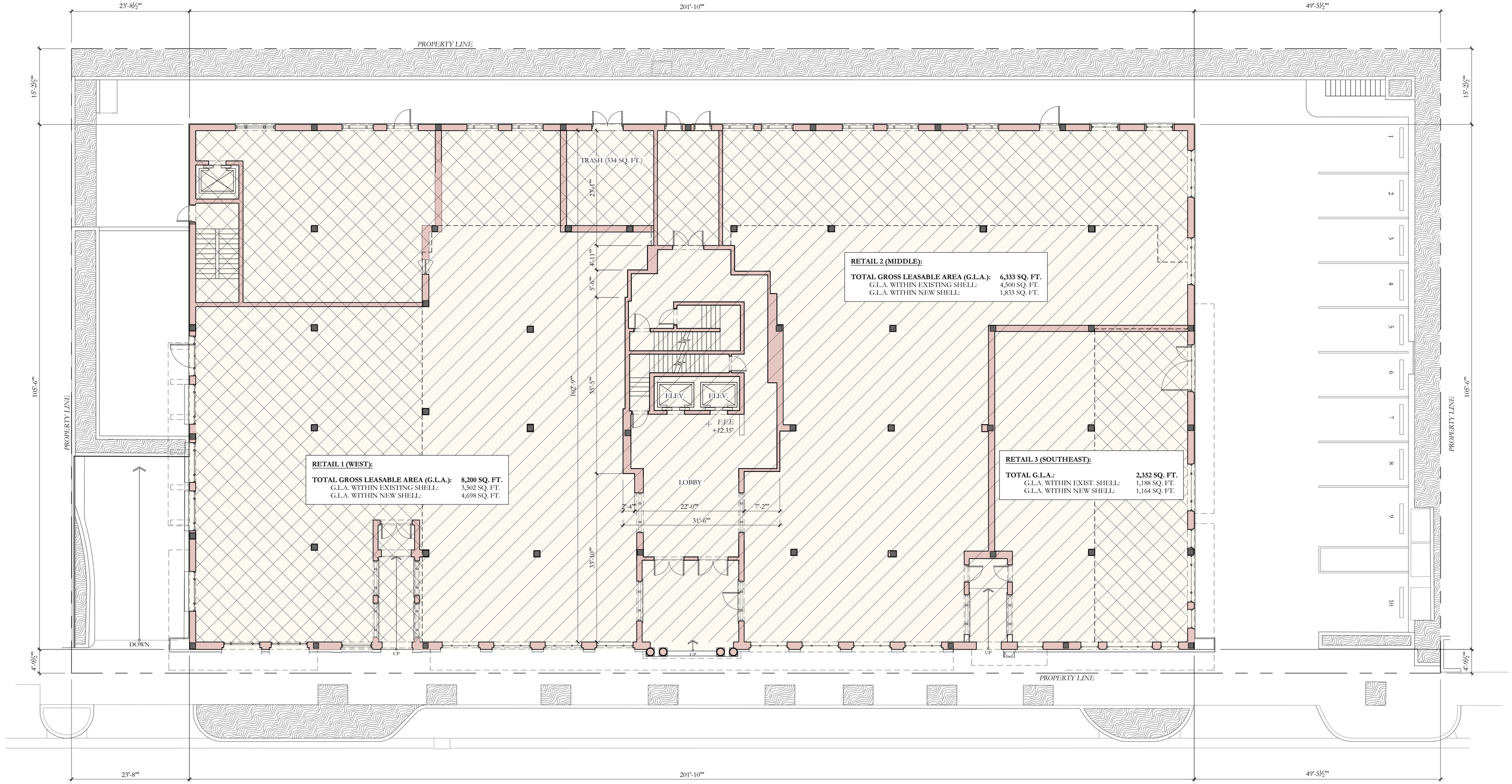

1 PROPOSED FIRST FLOOR PLAN
1"=10'-0"

FIRST FLOOR GROSS LEASABLE AREA (G.L.A.) - RETAIL:

RETAIL TENANT 1 (WEST):	8,200 SQ. FT.
RETAIL TENANT 2 (MIDDLE):	6,333 SQ. FT.
RETAIL TENANT 3 (SOUTHEAST CORNER):	2,352 SQ. FT.
TOTAL RETAIL G.L.A., FIRST FLOOR:	**16,885 SQ. FT.**

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 6,969 SQ.FT.

EXISTING =13,466 SQ.FT.

D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED FIRST FLOOR PLAN

DATE: DEC. 27, 2022
SCALE: 1" = 10'-0"
BY: HM
SHEET NO: A-102

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EXHIBIT B

ULI Shared Parking Methodology and Model

January 12. 2023

125 Worth Avenue Shared Parking Analysis

Total Monthly Required/Shared Spaces

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.
Weekday Peak	164.352398	165	168	168	169	170	162	164	168	169	173	187	151
Surplus/Deficit	*(22)*	*(23)*	*(26)*	*(26)*	*(27)*	*(28)*	*(20)*	*(22)*	*(26)*	*(27)*	*(31)*	*(45)*	*(9)*
Weekend Peak	49	50	54	53	55	55	53	56	54	55	59	76	62
Surplus/Deficit	*93*	*92*	*88*	*89*	*87*	*87*	*89*	*86*	*88*	*87*	*83*	*66*	*80*

Peak Month	Peak December
Max	187.387125
Average	56

Average Monthly Excess Parking

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	**Average**
Weekday	56.66472672	56.37	54.31217528	54.60624421	53.72403743	53.4299685	57.42291516	55.95257051	47.15226211	53.7	51.12804688	42	61	*54*
Weekend	113.5791855	113.3	111.2013147	111.4985485	110.606847	110.3096131	111.4228619	109.9366926	111.2013147	111	107.905347	99	106	*110*
														82

Total Parking Spaces Provided	**142**

% Occupancy at Peak

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	**Average**
Weekday	60%	60%	62%	62%	62%	62%	60%	61%	67%	62%	64%	70%	57%	62%
Weekend	20%	20%	22%	21%	22%	22%	22%	23%	22%	22%	24%	31%	25%	23%

% Over Necessary "Perceived Occupancy" Cushion

Month		Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	**Average**
% Cushion (High 95%)	Weekday	35%	35%	33%	33%	33%	33%	35%	34%	28%	33%	31%	25%	38%	33%
	Weekend	75%	75%	73%	74%	73%	73%	73%	72%	73%	73%	71%	64%	70%	72%
% Cushion (Mid 90%)	Weekday	30%	30%	28%	28%	28%	28%	30%	29%	23%	28%	26%	20%	33%	28%
	Weekend	70%	70%	68%	69%	68%	68%	68%	67%	68%	68%	66%	59%	65%	67%
% Cushion (Low 85%)	Weekday	25%	25%	23%	23%	23%	23%	25%	24%	18%	23%	21%	15%	28%	23%
	Weekend	65%	65%	63%	64%	63%	63%	63%	62%	63%	63%	61%	54%	60%	62%

January

					Weekday																		Weekend															
					AM						PM												AM						PM											
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																				**Ratio**																		
Office		33,824																																							
Visitor	0.3		100%	/ksfGFA	0	0.1015	2.02944	6.08832	10.1472	4.56624	1.52208	4.56624	10.1472	4.5662	1.52208	1.01472	0.50736	0	0	0	0	0	0	0.03	0	0.202944	0.608832	0.811776	0.913248	1.01472	0.913248	0.811776	0.608832	0.405888	0.202944	0.101472	0.050736	0	0	0	0	0	0
Time of Day Factor					0%	1%	20%	60%	100%	45%	15%	45%	100%	45%	15%	10%	5%	0%	0%	0%	0%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Employee	3.5		100%	/ksfGFA	3.55152	35.515	88.788	100.6264	118.384	118.384	106.5456	106.5456	118.384	118.38	106.5456	59.192	29.596	11.8384	8.28688	3.55152	1.1838	0	0	0.35	0	2.36768	7.10304	9.47072	10.65456	11.8384	10.65456	9.47072	7.10304	4.73536	2.36768	1.18384	0.59192	0	0	0	0	0	0
Time of Day Factor					3%	30%	75%	85%	100%	100%	90%	90%	100%	100%	90%	50%	25%	10%	7%	3%	1%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Community Retail		17,035																																							
Customer	2.9		56%	/ksfGLA	0.28	1.38	4.15	9.68	17.98	23.52	26.28	27.66	26.28	24.90	24.90	26.28	26.28	26.28	22.13	13.83	8.30	2.77	-	3.2	0.31	1.53	3.05	9.16	15.26	19.84	24.42	27.47	30.53	30.53	29.00	27.47	24.42	22.90	19.84	15.26	10.68	4.58	-
Time of Day Factor					1%	5%	15%	35%	65%	85%	95%	100%	95%	90%	90%	95%	95%	95%	80%	50%	30%	10%	0%		1%	5%	10%	30%	50%	65%	80%	90%	100%	100%	95%	90%	80%	75%	65%	50%	35%	15%	0%
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	-	0.8	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	-
Time of Day Factor					10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	95%	95%	90%	75%	40%	15%	0%		10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	100%	95%	85%	80%	75%	65%	45%	15%	0%
Residential - Rental		-																																							
Visitor	0.15		100%	/unit	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.15	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					0%	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%		0%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
Renter	1.5		100%	/unit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%		100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%
Total Needed					4.78	38.43	98.78	123.55	154.62	155.53	143.89	148.32	164.35	157.39	142.51	95.55	65.45	47.18	39.00	24.54	13.30	4.20	0.00		1.40	5.73	15.13	27.62	36.10	43.05	46.89	48.66	49.14	46.57	42.47	39.12	34.33	31.62	28.02	22.35	15.59	6.21	0.00
Weekday Peak	164.352			Excess	137.22	103.57	43.22	18.45	12.62	13.53	1.89	6.32	22.35	15.39	0.51	46.45	76.55	94.82	103.00	117.46	128.70	137.80	142.00		140.60	136.27	126.87	114.38	105.90	98.95	95.11	93.34	92.86	95.43	99.53	102.88	107.67	110.38	113.98	119.65	126.41	135.79	142.00
Weekend Peak	49																																								
Average Weekday Excess	56.6647																																								
Average Weekend Excess	113.579																																								

February

					Weekday																				Weekend																			
					AM						PM														AM						PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																				
Office		33,824																																											
Visitor	0.3		100%	/ksfGFA	0	0.1015	2.02944	6.08832	10.1472	4.5662	1.5221	4.5662	10.1472	4.5662	1.5221	1.01472	0.50736	0	0	0	0	0	0	0.03	0	0.2029	0.6088	0.811776	0.913248	1.01472	0.913248	0.811776	0.608832	0.405888	0.202944	0.1015	0.05074	0	0	0	0	0	0
Time of Day Factor					0%	1%	20%	60%	100%	45%	15%	45%	100%	45%	15%	10%	5%	0%	0%	0%	0%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Employee	3.5		100%	/ksfGFA	3.55152	35.515	88.788	100.626	118.384	118.38	106.55	106.55	118.384	118.38	106.55	59.192	29.596	11.8384	8.28688	3.55152	1.18384	0	0	0.35	0	2.3677	7.103	9.47072	10.65456	11.8384	10.65456	9.47072	7.10304	4.73536	2.36768	1.1838	0.59192	0	0	0	0	0	0
Time of Day Factor					3%	30%	75%	85%	100%	100%	90%	90%	100%	100%	90%	50%	25%	10%	7%	3%	1%	0%	0%		0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
Community Retail		17,035																																										
Customer	2.9		57%	/ksfGLA	0.28	1.41	4.22	9.86	18.30	23.94	26.75	28.16	26.75	25.34	25.34	26.75	26.75	26.75	22.53	14.08	8.45	2.82	-	3.2	0.31	1.55	3.11	9.32	15.54	20.20	24.86	27.96	31.07	31.07	29.52	27.96	24.86	23.30	20.20	15.54	10.88	4.66	-
Time of Day Factor					1%	5%	15%	35%	65%	85%	95%	100%	95%	90%	90%	95%	95%	95%	80%	50%	30%	10%	0%		1%	5%	10%	30%	50%	65%	80%	90%	100%	100%	95%	90%	80%	75%	65%	50%	35%	15%	0%
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	-	0.8	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	-
Time of Day Factor					10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	95%	95%	90%	75%	40%	15%	0%		10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	85%	80%	75%	65%	45%	15%	0%
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.15	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					0%	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%		0%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	50%
Renter	1.5		100%	/unit	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Time of Day Factor					100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%		100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	100%
Total Needed					4.79	38.46	98.86	123.73	154.94	155.95	144.36	148.81	164.82	157.83	142.95	96.02	65.92	47.65	39.40	24.79	13.45	4.25	0.00		1.40	5.76	15.18	27.78	36.37	43.41	47.33	49.15	49.69	47.12	42.99	39.61	34.77	32.03	28.37	22.62	15.78	6.30	0.00
Weekday Peak	164.82			Excess	137.21	103.54	43.14	18.27	12.94	13.95	2.36	6.81	22.82	15.83	0.95	45.98	76.08	94.35	102.60	117.21	128.55	137.75	142.00		140.60	136.24	126.82	114.22	105.63	98.59	94.67	92.85	92.31	94.88	99.01	102.39	107.23	109.97	113.63	119.38	126.22	135.70	142.00
Weekend Peak	50																																										
Average Weekday Excess	56.37065779																																										
Average Weekend Excess	113.2819517																																										

March

					Weekday																				Weekend																			
					AM								PM												AM								PM											
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																									
Visitor	0.30		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.50		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																									
Customer	2.90		64%	/ksfGLA	0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	30.04	25.29	15.81	9.49	3.16	0.00	3.20	0.35	1.74	3.49	10.47	17.44	22.68	27.91	31.40	34.89	34.89	33.14	31.40	27.91	26.17	22.68	17.44	12.21	5.23	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.70		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																								
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.50		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.82	38.63	99.38	124.94	157.19	158.89	147.64	152.27	168.11	160.95	146.06	99.31	69.20	50.94	42.17	26.51	14.48	4.59	0.00		1.44	5.95	15.56	28.93	38.28	45.89	50.38	52.58	53.50	50.93	46.62	43.04	37.82	34.89	30.85	24.53	17.12	6.87	0.00
Weekday Peak	168.11			Excess	137.18	103.37	42.62	17.06	15.19	16.89	5.64	10.27	26.11	18.95	4.06	42.69	72.80	91.06	99.83	115.49	127.52	137.41	142.00		140.56	136.05	126.44	113.07	103.72	96.11	91.62	89.42	88.50	91.07	95.38	98.96	104.18	107.11	111.15	117.47	124.88	135.13	142.00
Weekend Peak	53.50																																									
Average Weekday Excess	54.31																																									
Average Weekend Excess	111.20																																									

April

					Weekday																				Weekend																			
					AM							PM													AM							PM													
				Hour	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12		6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
Use	Ratio	Unit	Monthly Factor																					Ratio																				
Office		33,824																																										
Visitor	0.3		100%	/lsfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/lsfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		63%	/lsfGLA	0.31	1.56	4.67	10.89	20.23	26.45	29.57	31.12	29.57	28.01	28.01	29.57	29.57	29.57	24.90	15.56	9.34	3.11	0.00	3.20	0.34	1.72	3.43	10.30	17.17	22.32	27.47	30.91	34.34	34.34	32.63	30.91	27.47	25.76	22.32	17.17	12.02	5.15	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/lsfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.82	38.60	99.30	124.76	156.87	158.47	147.17	151.77	167.64	160.50	145.62	98.84	68.73	50.47	41.77	26.27	14.34	4.54	0.00		1.43	5.92	15.51	28.76	38.01	45.53	49.94	52.09	52.96	50.39	46.10	42.55	37.38	34.48	30.50	24.26	16.93	6.79	0.00
Weekday Peak	167.6			Excess	137.18	103.40	42.70	17.24	14.87	16.47	5.17	9.77	25.64	18.50	3.62	43.16	73.27	91.53	####	115.73	127.66	137.46	142.00		140.57	136.08	126.49	113.24	103.99	96.47	92.06	89.91	89.04	91.61	95.90	99.45	104.62	107.52	111.50	117.74	125.07	135.21	142.00
Weekend Peak	53																																										
Average Weekday Excess	54.61																																										
Average Weekend Excess	111.5																																										

May

					Weekday																				Weekend																			
					AM							PM													AM						PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		66%	/ksfGLA	0.33	1.63	4.89	11.41	21.19	27.71	30.97	32.60	30.97	29.34	29.34	30.97	30.97	30.97	26.08	16.30	9.78	3.26	0.00	3.20	0.36	1.80	3.60	10.79	17.99	23.39	28.78	32.38	35.98	35.98	34.18	32.38	28.78	26.98	23.39	17.99	12.59	5.40	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.83	38.68	99.52	125.28	157.83	159.73	148.58	153.26	169.05	161.83	146.95	100.24	70.14	51.88	42.96	27.01	14.78	4.69	0.00		1.45	6.00	15.67	29.25	38.82	46.60	51.25	53.57	54.59	52.02	47.65	44.02	38.69	35.71	31.56	25.08	17.50	7.03	0.00
Weekday Peak	169.0455405			Excess	137.17	103.32	42.48	16.72	15.83	17.73	6.58	11.26	27.05	19.83	4.95	41.76	71.86	90.12	99.04	114.99	127.22	137.31	142.00		140.55	136.00	126.33	112.75	103.18	95.40	90.75	88.43	87.41	89.98	94.35	97.98	103.31	106.29	110.44	116.92	124.50	134.97	142.00
Weekend Peak	55																																										
Average Weekday Excess	53.72403743																																										
Average Weekend Excess	110.606847																																										

June

					Weekday																				Weekend																			
					AM							PM													AM							PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																										
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		67%	/ksfGLA	0.33	1.65	4.96	11.58	21.51	28.13	31.44	33.10	31.44	29.79	29.79	31.44	31.44	31.44	26.48	16.55	9.93	3.31	0.00	3.20	0.37	1.83	3.65	10.96	18.26	23.74	29.22	32.87	36.52	36.52	34.70	32.87	29.22	27.39	23.74	18.26	12.78	5.48	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.84	38.70	99.60	125.45	158.15	160.15	149.05	153.75	169.51	162.28	147.40	100.71	70.61	52.35	43.35	27.26	14.93	4.74	0.00		1.46	6.03	15.73	29.42	39.10	46.95	51.69	54.06	55.14	52.57	48.17	44.51	39.13	36.11	31.92	25.35	17.69	7.11	0.00
Weekday Peak	169.5148548			Excess	137.16	103.30	42.40	16.55	16.15	18.15	7.05	11.75	27.51	20.28	5.40	41.29	71.39	89.65	98.65	114.74	127.07	137.26	142.00		140.54	135.97	126.27	112.58	####	95.05	90.31	87.94	86.86	89.43	93.83	97.49	####	105.89	110.08	116.65	124.31	134.89	142.00
Weekend Peak	55																																										
Average Weekday Excess	53.4299685																																										
Average Weekend Excess	110.3096131																																										

July

Use	Ratio	Unit	Monthly Factor		Weekday Hour	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	Ratio	Weekend Hour	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
					AM															PM								AM													PM						
Office		33,824																																											
Visitor	0.3		95%	/ksfGFA	0.00	0.10	1.93	5.78	9.64	4.34	1.45	4.34	9.64	4.34	1.45	0.96	0.48	0.00	0.00	0.00	0.00	0.00	0.00	0.03		0.00	0.19	0.58	0.77	0.87	0.96	0.87	0.77	0.58	0.39	0.19	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.50		95%	/ksfGFA	3.37	33.74	84.35	95.60	112.46	112.46	101.22	101.22	112.46	112.46	101.22	56.23	28.12	11.25	7.87	3.37	1.12	0.00	0.00	0.35		0.00	2.25	6.75	9.00	10.12	11.25	10.12	9.00	6.75	4.50	2.25	1.12	0.56	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00			0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.90		64%	/ksfGLA	0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	30.04	25.29	15.81	9.49	3.16	0.00	3.20		0.35	1.74	3.49	10.47	17.44	22.68	27.91	31.40	34.89	34.89	33.14	31.40	27.91	26.17	22.68	17.44	12.21	5.23	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00			0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.70		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80		1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00			0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50			0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.50		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00			1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.64	36.85	94.83	119.60	150.76	152.74	142.24	146.71	161.68	154.80	140.66	96.30	67.70	50.35	41.75	26.34	14.43	4.59	0.00			1.44	5.82	15.18	28.41	37.70	45.24	49.80	52.07	53.12	50.67	46.49	42.98	37.79	34.89	30.85	24.53	17.12	6.87	0.00
Weekday Peak	161.68			Excess	137.36	105.15	47.17	22.40	8.76	10.74	0.24	4.71	19.68	12.80	1.34	45.70	74.30	91.65	####	115.66	127.57	137.41	142.00			140.56	136.18	126.82	113.59	104.30	96.76	92.20	89.93	88.88	91.33	95.51	99.02	104.21	107.11	111.15	117.47	124.88	135.13	142.00
Weekend Peak	53.12																																										
Average Weekday Excess	57.42																																										
Average Weekend Excess	111.42																																										

August

				Weekday																			Weekend																		
				AM						PM													AM						PM												
Hour				*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																				**Ratio**																			
Office		33,824																																								
Visitor	0.3		95% /ksfGFA	0.00	0.10	1.93	5.78	9.64	4.34	1.45	4.34	9.64	4.34	1.45	0.96	0.48	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.19	0.58	0.77	0.87	0.96	0.87	0.77	0.58	0.39	0.19	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		95% /ksfGFA	3.37	33.74	84.35	95.60	112.46	112.46	101.22	101.22	112.46	112.46	101.22	56.23	28.12	11.25	7.87	3.37	1.12	0.00	0.00	0.35	0.00	2.25	6.75	9.00	10.12	11.25	10.12	9.00	6.75	4.50	2.25	1.12	0.56	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																								
Customer	2.9		69% /ksfGLA	0.34	1.70	5.11	11.93	22.16	28.97	32.38	34.09	32.38	30.68	30.68	32.38	32.38	32.38	27.27	17.04	10.23	3.41	0.00	3.20	0.38	1.88	3.76	11.28	18.81	24.45	30.09	33.85	37.61	37.61	35.73	33.85	30.09	28.21	24.45	18.81	13.16	5.64	0.00
Time of Day Factor				0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80% /ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor				0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																							
Visitor	0.15		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed				4.67	36.97	95.21	120.46	152.37	154.84	144.59	149.18	164.03	157.02	142.88	98.64	70.04	52.69	43.73	27.57	15.17	4.84	0.00		1.47	5.96	15.45	29.23	39.06	47.02	51.98	54.52	55.84	53.40	49.08	45.43	39.97	36.93	32.63	25.89	18.07	7.28	0.00
Weekday Peak	164.0269233		Excess	137.33	105.03	46.79	21.54	10.37	12.84	2.59	7.18	22.03	15.02	0.88	43.36	71.96	89.31	98.27	114.43	126.83	137.16	142.00		140.53	136.04	126.55	112.77	####	94.98	90.02	87.48	86.16	88.60	92.92	96.57	####	105.07	109.37	116.11	123.93	134.72	142.00
Weekend Peak	56																																								
Average Weekday Excess	55.95257051																																								
Average Weekend Excess	109.9366926																																								

September

					Weekday																			Weekend																			
					AM							PM												AM						PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																			
Office		33,824																																									
Visitor	0.3		100% /ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100% /ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																								
Customer	2.9		64% /ksfGLA	0.32	1.58	4.74	11.07	20.55	26.87	30.04	31.62	30.04	28.46	28.46	30.04	30.04	30.04	25.29	15.81	9.49	3.16	0.00	3.20	0.35	1.74	3.49	10.47	17.44	22.68	27.91	31.40	34.89	34.89	33.14	31.40	27.91	26.17	22.68	17.44	12.21	5.23	0.00
Time of Day Factor				0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80% /ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor				0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																								
Visitor	0.15		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor				1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed				4.82	38.63	99.38	124.94	157.19	158.89	147.64	152.27	168.11	160.95	146.06	99.31	69.20	50.94	42.17	26.51	14.48	4.59	0.00		1.44	5.95	15.56	28.93	38.28	45.89	50.38	52.58	53.50	50.93	46.62	43.04	37.82	34.89	30.85	24.53	17.12	6.87	0.00
Weekday Peak	168.106912		Excess	1.14	103.37	42.62	17.06	15.19	16.89	5.64	10.27	26.11	18.95	4.06	42.69	72.80	91.06	99.83	115.49	127.52	137.41	142.00		140.56	136.05	126.44	113.07	103.72	96.11	91.62	89.42	88.50	91.07	95.38	98.96	104.18	107.11	111.15	117.47	124.88	135.13	142.00
Weekend Peak	54																																									
Average Weekday Excess	47.15226211																																									
Average Weekend Excess	111.2013147																																									

October

					Weekday																				Weekend																			
					AM												PM										AM						PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*			*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																				
Office		33,824																																											
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		66%	/ksfGLA	0.33	1.63	4.89	11.41	21.19	27.71	30.97	32.60	30.97	29.34	29.34	30.97	30.97	30.97	26.08	16.30	9.78	3.26	0.00	3.20	0.36	1.80	3.60	10.79	17.99	23.39	28.78	32.38	35.98	35.98	34.18	32.38	28.78	26.98	23.39	17.99	12.59	5.40	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		80%	/ksfGLA	0.95	1.43	3.82	7.15	8.11	9.06	9.54	9.54	9.54	9.54	9.54	9.06	9.06	9.06	8.59	7.15	3.82	1.43	0.00	0.80	1.09	1.64	4.36	8.18	9.27	10.36	10.90	10.90	10.90	10.90	10.90	10.36	9.27	8.72	8.18	7.09	4.91	1.64	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.83	38.68	99.52	125.28	157.83	159.73	148.58	153.26	169.05	161.83	146.95	100.24	70.14	51.88	42.96	27.01	14.78	4.69	0.00		1.45	6.00	15.67	29.25	38.82	46.60	51.25	53.57	54.59	52.02	47.65	44.02	38.69	35.71	31.56	25.08	17.50	7.03	0.00
Weekday Peak	169.0455405			Excess	137.17	103.32	42.48	16.72	15.83	17.73	6.58	11.26	27.05	19.83	4.95	41.76	71.86	90.12	99.04	114.99	127.22	137.31	142.00		140.55	136.00	126.33	112.75	103.18	95.40	90.75	88.43	87.41	89.98	94.35	97.98	103.31	106.29	110.44	116.92	124.50	134.97	142.00
Weekend Peak	55																																										
Average Weekday Excess	53.72403743																																										
Average Weekend Excess	110.606847																																										

November

					Weekday																				Weekend																			
					AM							PM													AM							PM													
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																				
Office		33,824																																											
Visitor	0.3		100%	/ksfGFA	0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100%	/ksfGFA	3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																										
Customer	2.9		72%	/ksfGLA	0.36	1.78	5.34	12.45	23.12	30.23	33.79	35.57	33.79	32.01	32.01	33.79	33.79	33.79	28.46	17.78	10.67	3.56	0.00	3.20	0.39	1.96	3.92	11.77	19.62	25.51	31.40	35.32	39.25	39.25	37.29	35.32	31.40	29.44	25.51	19.62	13.74	5.89	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		90%	/ksfGLA	1.07	1.61	4.29	8.05	9.12	10.20	10.73	10.73	10.73	10.73	10.73	10.20	10.20	10.20	9.66	8.05	4.29	1.61	0.00	0.80	1.23	1.84	4.91	9.20	10.43	11.65	12.27	12.27	12.27	12.27	12.27	11.65	10.43	9.81	9.20	7.97	5.52	1.84	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																									
Visitor	0.15		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100%	/unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					4.98	39.00	100.45	127.21	160.77	163.38	152.59	157.41	173.05	165.69	150.81	104.19	74.09	55.82	46.40	29.39	16.15	5.17	0.00		1.62	6.37	16.54	31.26	41.62	50.02	55.23	57.87	59.23	56.66	52.12	48.26	42.47	39.25	34.71	27.60	19.26	7.73	0.00
Weekday Peak	173.053876			Excess	137.02	103.00	41.55	14.79	18.77	21.38	10.59	15.41	31.05	23.69	8.81	37.81	67.91	86.18	95.60	112.61	125.85	136.83	142.00		140.38	135.63	125.46	110.74	####	91.98	86.77	84.13	82.77	85.34	89.88	93.74	99.53	####	107.29	114.40	122.74	134.27	142.00
Weekend Peak	59																																										
Average Weekday Excess	51.12804688																																										
Average Weekend Excess	107.905347																																										

Peak December

					Weekday																		Weekend																	
					AM						PM												AM						PM											
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*Hour*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*
Use	**Ratio**	**Unit**	**Monthly Factor**																					**Ratio**																		
Office		33,824																																								
Visitor	0.3		100% /ksfGFA		0.00	0.10	2.03	6.09	10.15	4.57	1.52	4.57	10.15	4.57	1.52	1.01	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.20	0.61	0.81	0.91	1.01	0.91	0.81	0.61	0.41	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Employee	3.5		100% /ksfGFA		3.55	35.52	88.79	100.63	118.38	118.38	106.55	106.55	118.38	118.38	106.55	59.19	29.60	11.84	8.29	3.55	1.18	0.00	0.00	0.35	0.00	2.37	7.10	9.47	10.65	11.84	10.65	9.47	7.10	4.74	2.37	1.18	0.59	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00		0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00
Community Retail		17,035																																								
Customer	2.9		100% /ksfGLA		0.49	2.47	7.41	17.29	32.11	41.99	46.93	49.40	46.93	44.46	44.46	46.93	46.93	46.93	39.52	24.70	14.82	4.94	0.00	3.20	0.55	2.73	5.45	16.35	27.26	35.43	43.61	49.06	54.51	54.51	51.79	49.06	43.61	40.88	35.43	27.26	19.08	8.18	0.00
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00		0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00
Employee	0.7		100% /ksfGLA		1.19	1.79	4.77	8.94	10.14	11.33	11.92	11.92	11.92	11.92	11.92	11.33	11.33	11.33	10.73	8.94	4.77	1.79	0.00	0.80	1.36	2.04	5.45	10.22	11.58	12.95	13.63	13.63	13.63	13.63	13.63	12.95	11.58	10.90	10.22	8.86	6.13	2.04	0.00
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00		0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00
Residential - Rental		-																																							
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00		1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00
Total Needed					5.24	39.88	103.00	132.95	170.78	176.27	166.92	172.44	187.39	179.34	164.45	118.47	88.36	70.10	58.54	37.20	20.77	6.73	0.00		1.91	7.34	18.61	36.86	50.41	61.23	68.81	72.97	75.85	73.28	67.99	63.29	55.84	51.79	45.65	36.11	25.21	10.22	0.00
Weekday Peak	187.387125		Excess		136.76	####	39.00	9.05	28.78	34.27	24.92	30.44	45.39	37.34	22.45	23.53	53.64	71.90	83.46	104.80	121.23	135.27	142.00		140.09	134.66	123.39	105.14	91.59	80.77	73.19	69.03	66.15	68.72	74.01	78.71	86.16	90.21	96.35	105.89	116.79	131.78	142.00
Weekend Peak	76				120.7																																					
Average Weekday Excess	42.06253989																																								
Average Weekend Excess	98.66470232																																								

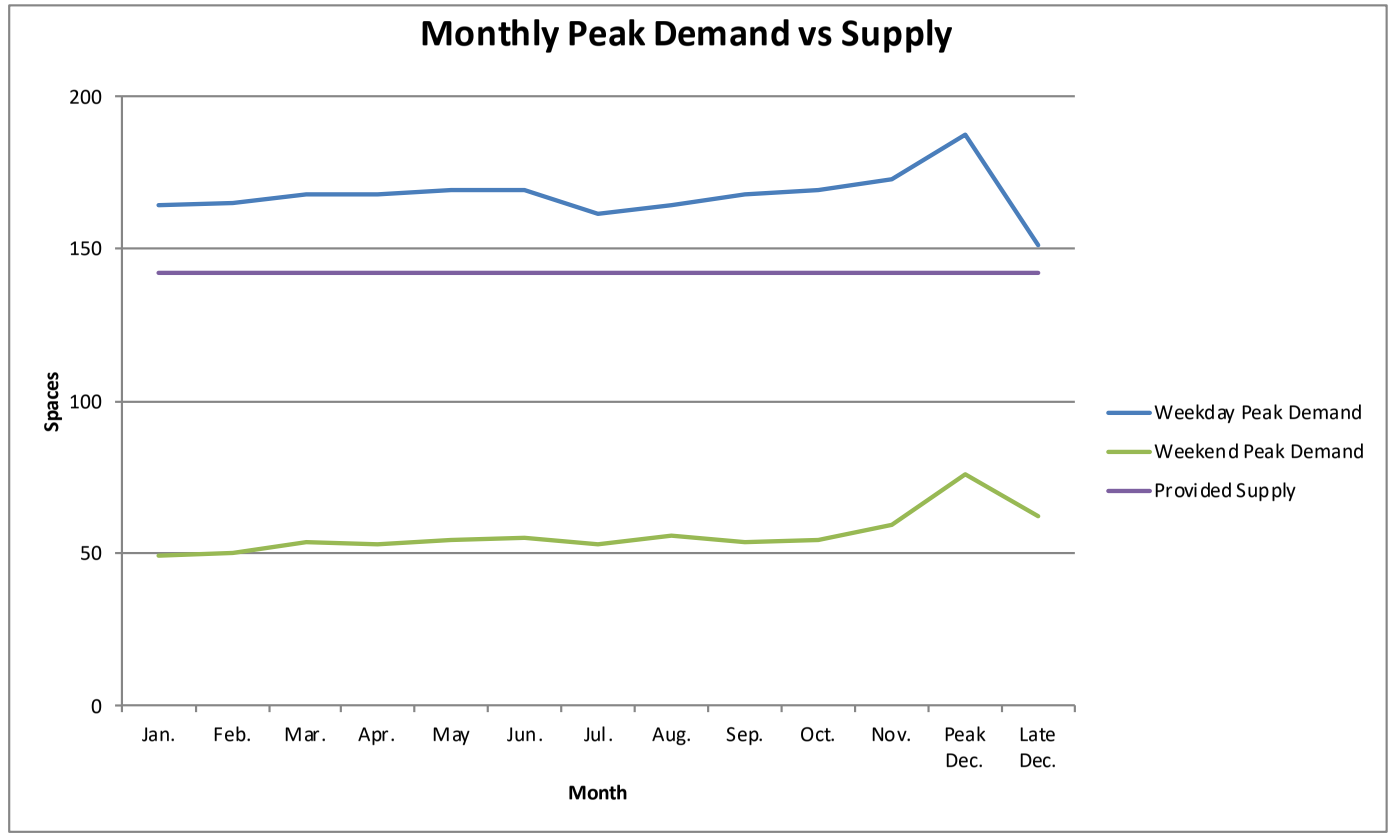
Late December

					Weekday																				Weekend																			
					AM						PM														AM						PM														
				Hour	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*		*Hour*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10*	*11*	*12*	
Use	**Ratio**	**Unit**	**Monthly Factor**																						**Ratio**																				
Office		33,824																																												
Visitor	0.3		80% /ksfGFA		0.00	0.08	1.62	4.87	8.12	3.65	1.22	3.65	8.12	3.65	1.22	0.81	0.41	0.00	0.00	0.00	0.00	0.00	0.00		0.03	0.00	0.16	0.49	0.65	0.73	0.81	0.73	0.65	0.49	0.32	0.16	0.08	0.04	0.00	0.00	0.00	0.00	0.00	0.00	
Time of Day Factor					0.00	0.01	0.20	0.60	1.00	0.45	0.15	0.45	1.00	0.45	0.15	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00	
Employee	3.5		80% /ksfGFA		2.84	28.41	71.03	80.50	94.71	94.71	85.24	85.24	94.71	94.71	85.24	47.35	23.68	9.47	6.63	2.84	0.95	0.00	0.00		0.35	0.00	1.89	5.68	7.58	8.52	9.47	8.52	7.58	5.68	3.79	1.89	0.95	0.47	0.00	0.00	0.00	0.00	0.00	0.00	
Time of Day Factor					0.03	0.30	0.75	0.85	1.00	1.00	0.90	0.90	1.00	1.00	0.90	0.50	0.25	0.10	0.07	0.03	0.01	0.00	0.00			0.00	0.20	0.60	0.80	0.90	1.00	0.90	0.80	0.60	0.40	0.20	0.10	0.05	0.00	0.00	0.00	0.00	0.00	0.00	
Community Retail		17,035																																											
Customer	2.9		80% /ksfGLA		0.40	1.98	5.93	13.83	25.69	33.59	37.55	39.52	37.55	35.57	35.57	37.55	37.55	37.55	31.62	19.76	11.86	3.95	0.00		3.20	0.44	2.18	4.36	13.08	21.80	28.35	34.89	39.25	43.61	43.61	41.43	39.25	34.89	32.71	28.35	21.80	15.26	6.54	0.00	
Time of Day Factor					0.01	0.05	0.15	0.35	0.65	0.85	0.95	1.00	0.95	0.90	0.90	0.95	0.95	0.95	0.80	0.50	0.30	0.10	0.00			0.01	0.05	0.10	0.30	0.50	0.65	0.80	0.90	1.00	1.00	1.00	0.95	0.90	0.80	0.75	0.65	0.50	0.35	0.15	0.00	
Employee	0.7		90% /ksfGLA		1.07	1.61	4.29	8.05	9.12	10.20	10.73	10.73	10.73	10.73	10.73	10.20	10.20	10.20	9.66	8.05	4.29	1.61	0.00		0.80	1.23	1.84	4.91	9.20	10.43	11.65	12.27	12.27	12.27	12.27	12.27	11.65	10.43	9.81	9.20	7.97	5.52	1.84	0.00	
Time of Day Factor					0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.95	0.95	0.90	0.75	0.40	0.15	0.00			0.10	0.15	0.40	0.75	0.85	0.95	1.00	1.00	1.00	1.00	1.00	0.95	0.85	0.80	0.75	0.65	0.45	0.15	0.00	
Residential - Rental		-																																										
Visitor	0.15		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Time of Day Factor					0.00	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50			0.00	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.40	0.60	1.00	1.00	1.00	1.00	0.80	0.50		
Renter	1.5		100% /unit		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Time of Day Factor					1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00			1.00	0.90	0.85	0.80	0.75	0.70	0.65	0.70	0.70	0.70	0.75	0.85	0.90	0.97	0.98	0.99	1.00	1.00	1.00	
Total Needed					4.31	32.08	82.87	107.25	137.64	142.15	134.73	139.14	151.10	144.66	132.76	95.91	71.82	57.21	47.91	30.65	17.10	5.56	0.00			1.66	6.08	15.44	30.51	41.48	50.28	56.41	59.74	62.04	59.99	55.75	51.93	45.83	42.52	37.55	29.78	20.78	8.38	0.00	
Weekday Peak	151.10215		Excess		137.69	109.92	59.13	34.75	4.36	0.15	7.27	2.86	9.10	2.66	9.24	46.09	70.18	84.79	94.09	111.35	124.90	136.44	142.00			140.34	135.92	126.56	111.49	####	91.72	85.59	82.26	79.96	82.01	86.25	90.07	96.17	99.48	104.45	112.22	121.22	133.62	142.00	
Weekend Peak	62																																											
Average Weekday Excess	61.21845494																																										
Average Weekend Excess	106.413665																																										

Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Peak Dec.	Late Dec.	
Weekday Peak	164.35	164.82	168.11	167.64	169.05	169.51	161.68	164.03	168.11	169.05	173.05	187.387	151.102	167.529376
Surplus/Deficit	*(22)*	*(23)*	*(26)*	*(26)*	*(27)*	*(28)*	*(20)*	*(22)*	*(26)*	*(27)*	*(31)*	*(45)*	*(9)*	(26)
Weekend Peak	49	50	54	53	55	55	53	56	54	55	59	76	62	56
Surplus/Deficit	*93*	*92*	*88*	*89*	*87*	*87*	*89*	*86*	*88*	*87*	*83*	*66*	*80*	86

Peak Month	Peak Dec
Max	187.39
Average	164

Provided	142	142	142	142	142	142	142	142	142	142	142	142	142

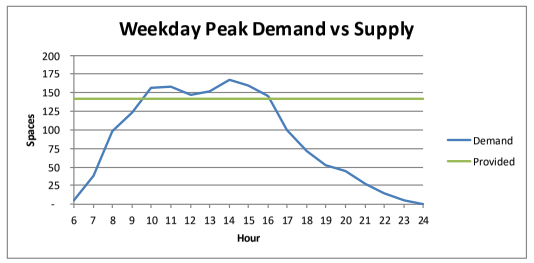


Weekday

Hour	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Demand	5	38	98	123	156	158	148	152	168	160	146	100	71	53	44	28	15	5	-
Provided	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142

Weekend

Hour	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Demand	2	6	16	30	40	48	52	55	56	54	49	46	40	37	33	26	18	7	-
Provided	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142	142



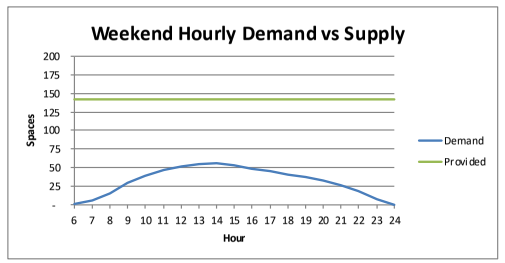


EXHIBIT D: 125 WORTH AVENUE
TRAFFIC CONCURRENCY REPORT & TRAFFIC STUDY

Subject: FW: 125 worth Avenue TPS Fees
Date: Thursday, December 22, 2022 at 3:27:25 PM Eastern Standard Time
From: Heggen, Chris
To: Josh Martin
Attachments: image001.jpg

Josh-

Hi! See below from Palm Beach County. I knew when you sent the updated square footages earlier this week that it would affect the amount of the review fee owed to the County, but we went ahead and submitted to get in the door. Would you be able to get an additional check for $299.20, payable to the Palm Beach county Board of County Commissioners, delivered to my attention and I'll hand-deliver it? Alternately, it can be mailed to the address provided in the e-mail below.

-Chris

Christopher W. Heggen, P.E. (FL)
Kimley-Horn | 1920 Wekiva Way, Suite 200, West Palm Beach, FL 33411
Direct: 561 840 0248 | Mobile: 561 707 6438
Celebrating 15 years as one of FORTUNE's 100 Best Companies to Work For

From: Alberto Lopez Tagle <ALopezTagle@pbcgov.org>
Sent: Thursday, December 22, 2022 3:11 PM
To: Heggen, Chris <Chris.Heggen@kimley-horn.com>
Cc: Hanane Akif <HAkif@pbcgov.org>
Subject: 125 worth Avenue TPS Fees

Hi Chris,

We just received a Check for $330.00 to cover the TPS review fees for 125 Worth Avenue. Unfortunately, based on your trips (286) that check is not sufficient. The fees are $2.20 per Net Daily Trip (https://discover.pbcgov.org/engineering/traffic/PDF/Traffic%20Documents/Final_Fee_Table_for_Publication.pdf)

Fees = 286 trips x $2.20 = $629.20

Please provide a check of **$299.20** payable to "Palm Beach County Board of County Commissioners" to cover the total of the TPS review fees. Please note projects are reviewed on a first come first serve basis and almost in all cases responded to within 30 working days.

You can either mail the check or drop it at our office (3rd floor lobby, drop off shelf for Traffic Division).

Address:

Traffic Division
2300 North Jog Road, 3rd Floor
West Palm Beach, FL 33411

Thank you,

Alberto Lopez Tagle
Technical Assistant III
Palm Beach County
Department of Engineering and Public Works
Division of Traffic
2300 Vista Parkway
West Palm Beach, FL 33411
561.684.4051 Office

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Kimley»Horn

December 21, 2022

Mr. Josh Martin
Frisbie Goup, LLC
221 Royal Poinciana Way, Suite #1
Palm Beach, FL 33480

Re: ***125 Worth Avenue – Traffic Impact Analysis***
Palm Beach, Florida
Kimley-Horn #140769004

Dear Josh:

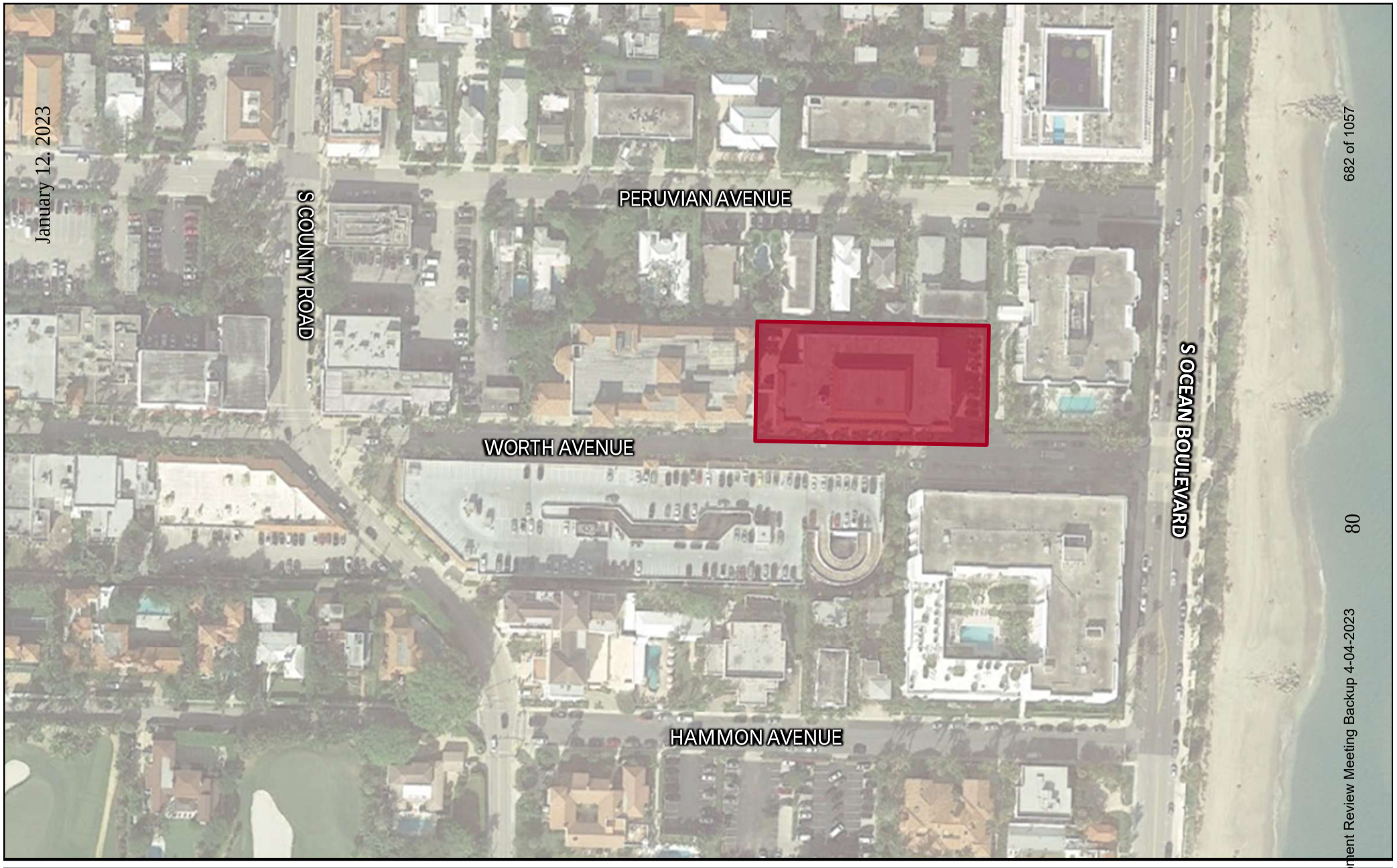
Kimley-Horn and Associates, Inc. was retained to provide a traffic impact evaluation for proposed modifications to the above-referenced site. The site is located at 125 Worth Avenue in the Town of Palm Beach, Florida, as shown in the attached Figure 1. The proposed plan of development includes modifications to the existing building and proposed changes in some building uses on site. The Property Control Number (PCN) for the site is 50-43-43-23-05-016-0380. For the purposes of the traffic impact evaluation, a buildout date of 2027 has been evaluated.

Currently, the building area for the site consists of 41,926 SF of office use and 10,501 square feet of commercial retail use. The proposed modifications will result in a change to the commercial retail square footage. Table 1 provides a summary of the existing and proposed building areas.

Table 1: Existing and Proposed Site Development

	Existing	Proposed	Net Change
Office	41,926 square feet	51,927 square feet	+10,001 square feet
Commercial Retail	10,501 square feet	21,294 square feet	+10,793 square feet

Traffic analyses have been performed to quantify the impacts of the proposed changes. Guidance on credit against project traffic is published by Palm Beach County and outlined in *Chapter A* under *Section 3* of the *Article 12 - Traffic Performance Standards* as defined in the Palm Beach County Unified Land Development Code (ULDC). Because the existing land uses have been operational for more than five years, credit was taken in this analysis for significance calculations. The radius of development influence and significant impact calculations have been conducted using the differential between proposed and existing net new external trips. The site plan is attached for reference.



January 12, 2023

682 of 1057

80

Development Review Meeting Backup 4-04-2023

NORTH

LEGEND

PROJECT SITE

FIGURE 1

SITE LOCATION

125 WORTH AVENUE

Kimley»Horn

140769004

TRIP GENERATION ANALYSIS

The daily and peak hour trip generation potential for the proposed redevelopment plan was calculated based on trip generation rates published by Palm Beach County. The Palm Beach County trip generation rates are primarily based on *Trip Generation, 11th Edition*, published by the Institute of Transportation Engineers (ITE).

As shown in Table 2, the proposed redevelopment results in a net increase of 286 net new external daily trips, an increase of 20 net new external AM peak hour trips (+16 in, +4 out), and 36 net new external PM peak hour trips (+15 in, +21 out), which was used for significance determination under Test 1 and Test 2 analyses. The table summarizing the Palm Beach County Traffic Division's trip generation rates and equations have been attached for reference. Internal capture calculations are also attached for reference.

Table 2: Trip Generation Comparative Analysis

Land Use	Intensity			Daily Trips	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
Existing Scenario >5 Years										
General Office (10k - 250k SF GFA)	41.926 KSF			454	64	56	8	60	10	50
Stip Retail Plaza (<40 KSF)	10.501 KSF			572	25	15	10	69	35	34
			Subtotal	*1,026*	*89*	*71*	*18*	*129*	*45*	*84*
Internal Capture	Daily	AM	PM							
General Office (10k - 250k SF GFA)	20.7%	6.3%	6.7%	94	4	2	2	4	1	3
Stip Retail Plaza (<40 KSF)	16.4%	16.0%	5.8%	94	4	2	2	4	3	1
Subtotal	18.3%	*9.0%*	*6.2%*	*188*	*8*	*4*	*4*	*8*	*4*	*4*
Pass-By Capture										
General Office (10k - 250k SF GFA)	10.0%			36	6	5	1	6	1	5
Stip Retail Plaza (<40 KSF)	63.0%			301	13	8	5	41	20	21
			Subtotal	*337*	*19*	*13*	*6*	*47*	*21*	*26*
Driveway Volumes				838	81	67	14	121	41	80
Net New External Trips				501	62	54	8	74	20	54
Proposed Scenario										
General Office (10k - 250k SF GFA)	51.927 KSF			563	79	70	9	75	13	62
Stip Retail Plaza (<40 KSF)	21.294 KSF			1,159	50	30	20	140	70	70
			Subtotal	*1,722*	*129*	*100*	*29*	*215*	*83*	*132*
Internal Capture	Daily	AM	PM							
General Office (10k - 250k SF GFA)	20.8%	7.6%	9.3%	117	6	3	3	7	1	6
Stip Retail Plaza (<40 KSF)	10.1%	12.0%	5.0%	117	6	3	3	7	6	1
Subtotal	*13.6%*	*9.3%*	*6.5%*	*234*	*12*	*6*	*6*	*14*	*7*	*7*
Pass-By Capture										
General Office (10k - 250k SF GFA)	10.0%			45	7	7	0	7	1	6
Stip Retail Plaza (<40 KSF)	63.0%			656	28	17	11	84	40	44
			Subtotal	*701*	*35*	*24*	*11*	*91*	*41*	*50*
Driveway Volumes				1,488	117	94	23	201	76	125
Net New External Trips				787	82	70	12	110	35	75
roposed Net External Trips - Existing Net External Trip				286	20	16	4	36	15	21
Radius of Development Influence:				0.5 miles						

Land Use	Daily	AM Peak Hour	PM Peak Hour	Pass By
General Office (10k - 250k SF GFA)	10.84 trips/1,000 SF	1.52 trips/1,000 SF (88% in, 12% out)	1.44 trips/1,000 SF (17% in, 83% out)	10.0%
Stip Retail Plaza (<40 KSF)	54.45 trips/1,000 SF	2.36 trips/1,000 SF (60% in, 40% out)	6.59 trips/1,000 SF (50% in, 50% out)	63.0%
Stip Retail Plaza (<40 KSF)	#N/A	#N/A	#N/A	63.0%
High-Turnover Sit-Down Rest.	107.2 trips/1,000 SF	9.57 trips/1,000 SF (55% in, 45% out)	9.05 trips/1,000 SF (61% in, 39% out)	43.0%

SOURCE: Palm Beach County Traffic Division: Palm Beach County Trip Generation Rates (based on *ITE Trip Generation Manual, 11th Edition*)

ROADWAY VOLUME DISTRIBUTION

As defined in Article 12 of the Palm Beach County ULDC, the radius of development influence is the links within a half mile from the site. It was assumed that 100% of the trips will enter the site from the east (arriving from S Ocean Boulevard) and 100% of the trips will exit to the west (departing towards South County Road) because Worth Avenue is a one-way street. The net new trips that are subject to the traffic evaluation were then assigned to the existing roadway network based on the trip distribution. Figure 2 illustrates the trip distribution for the site.

ROADWAY LINK ANALYSIS - TEST 1 & 2 ANALYSES

Based upon criteria published in *Article 12* of the *Unified Land Development Code (ULDC)*, significantly impacted thoroughfare roadways are to be evaluated in comparison to LOS D thresholds. For the purposes of the Test 1 analysis, the roadway links within the radius of development influence are significantly impacted if project generated trips are greater than one percent (1%) of the adopted LOS D threshold. Additionally, three local roadways in the immediate vicinity of the site that are local non-Thoroughfare roadway under the jurisdiction of the Town of Palm Beach, were are not subject to TPS review but are included in the significant impact tables for Town of Palm Beach review. As indicated in Table 3 and Table 4, none of the roadway segments are projected to be significantly impacted by project traffic.

Because the project traffic impact on these segments results in a significant impact under Test 1 criteria, none fo the segments will be significantly impacted under the Test 2, Five Year Buildout, standards. Therefore, no Test 2 analysis has been undertaken.

Table 3: Test 1 AM Peak Hour Significance Analysis

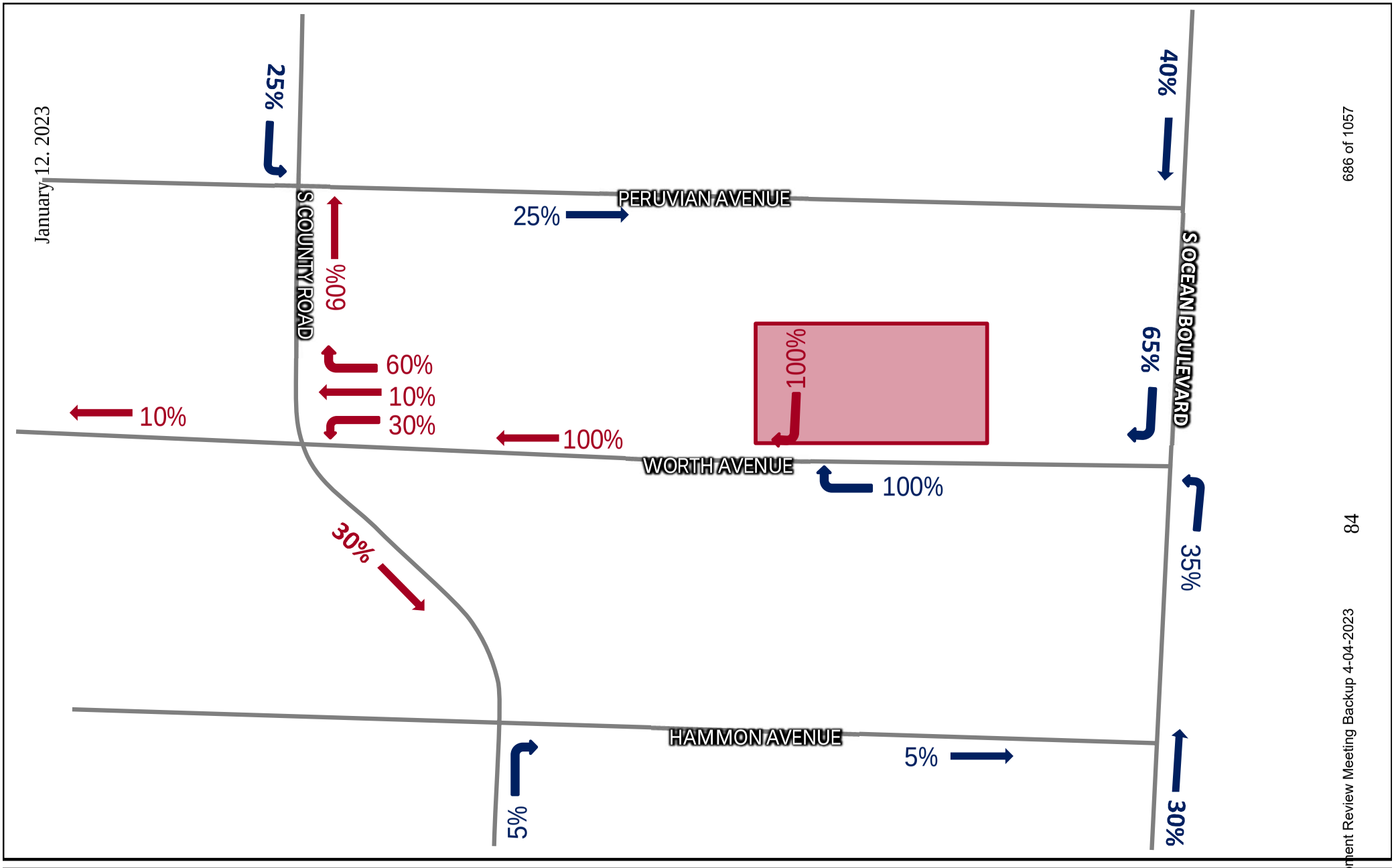
	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS										
					NORTHBOUND					SOUTHBOUND					
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
NORTH/SOUTH ROADS	S Ocean Boulevard														
	Royal Palm Way	Peruvian Avenue	2L	1,140	0%	out	0	0.00%	No	45%	in	7	0.61%	No
	Peruvian Avenue	Worth Avenue	2L	1,140	0%	out	0	0.00%	No	65%	in	10	0.88%	No
	Worth Avenue	Hammon Avenue	2L	1,140	35%	in	6	0.53%	No	0%	out	0	0.00%	No
	Hammon Avenue	South County Road	2L	1,140	25%	in	4	0.35%	No	0%	out	0	0.00%	No
	S County Road														
	Royal Palm Way	Peruvian Avenue	2L	880	60%	out	2	0.23%	No	25%	in	4	0.45%	No
	Peruvian Avenue	Worth Avenue	2L	880	60%	out	2	0.23%	No	0%	in	0	0.00%	No
	Worth Avenue	Hammon Avenue	2L	880	0%	in	0	0.00%	No	30%	out	1	0.11%	No
	Hammon Avenue	S Ocean Blvd	2L	880	5%	in	1	0.11%	No	30%	out	1	0.11%	No

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS										
					EASTBOUND					WESTBOUND					
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
EAST/WEST ROADS	Peruvian Avenue														
	S County Road	S Ocean Blvd	1LO	972	25%	in	4	0.41%	No	--	--	--	--	--
	Worth Avenue														
	S Ocean Boulevard	Project Driveway	2LO	2,350	--	--	--	--	--	100%	in	16	0.68%	No
	Project Driveway	S County Road	2LO	2,350	--	--	--	--	--	100%	out	4	0.17%	No
	Hammon Avenue														
	S County Road	S Ocean Blvd	2L	810	5%	in	1	0.12%	No	0%	out	0	0.00%	No

Table 4: Test 1 PM Peak Hour Significance Analysis

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					NORTHBOUND					SOUTHBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
NORTH/SOUTH ROADS	S Ocean Boulevard													
	Royal Palm Way	Peruvian Avenue	2L	1,140	0%	out	0	0.00%	No	45%	in	7	0.61%	No
	Peruvian Avenue	Worth Avenue	2L	1,140	0%	out	0	0.00%	No	65%	in	10	0.88%	No
	Worth Avenue	Hammon Avenue	2L	1,140	35%	in	5	0.44%	No	0%	out	0	0.00%	No
	Hammon Avenue	South County Road	2L	1,140	25%	in	4	0.35%	No	0%	out	0	0.00%	No
	S County Road													
	Royal Palm Way	Peruvian Avenue	2L	880	60%	out	13	1.48%	Yes	25%	in	4	0.45%	No
	Peruvian Avenue	Worth Avenue	2L	880	60%	out	13	1.48%	Yes	0%	in	0	0.00%	No
	Worth Avenue	Hammon Avenue	2L	880	0%	in	0	0.00%	No	30%	out	6	0.68%	No
	Hammon Avenue	S Ocean Blvd	2L	880	5%	in	1	0.11%	No	30%	out	6	0.68%	No

	ROADWAYS		COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	NET NEW PROJECT TRIPS									
					EASTBOUND					WESTBOUND				
	FROM	TO			PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?	PROJ % ASSIGN	IN/OUT?	# OF PROJ TRIPS	% IMPACT	Sig?
EAST/WEST ROADS	Peruvian Avenue													
	S County Road	S Ocean Blvd	1LO	972	25%	in	4	0.41%	No	--	--	--	--	--
	Worth Avenue													
	S Ocean Boulevard	Project Driveway	2LO	2,350	--	--	--	--	--	100%	in	15	0.64%	No
	Project Driveway	S County Road	2LO	2,350	--	--	--	--	--	100%	out	21	0.89%	No
	Hammon Avenue													
	S County Road	S Ocean Blvd	2L	810	5%	in	1	0.12%	No	0%	out	0	0.00%	No



NORTH

LEGEND

PROJECT SITE

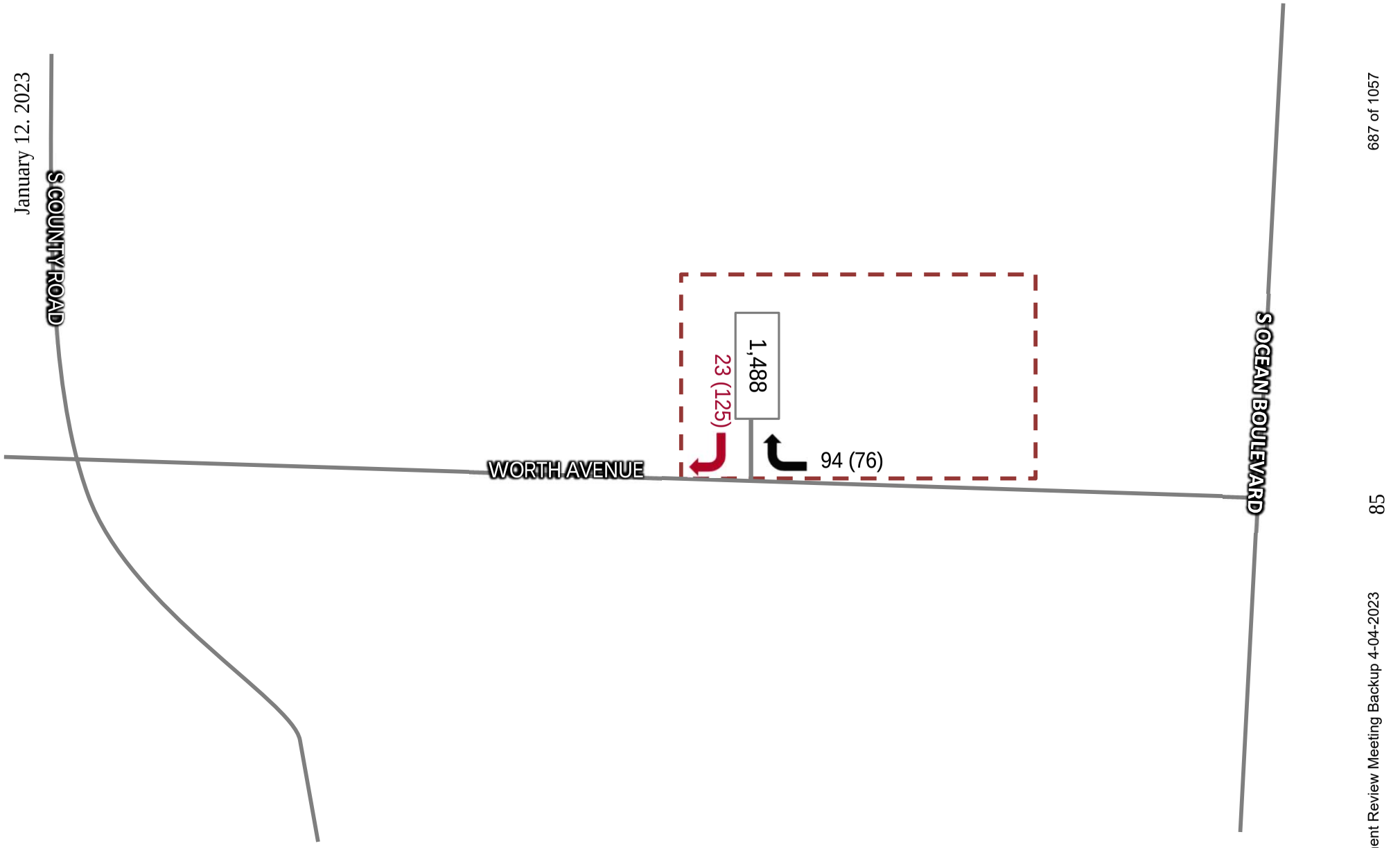
XX% PERCENT BY VOLUME

FIGURE 2
TRIP DISTRIBUTION
125 WORTH AVENUE

Kimley»Horn

140769004

January 12. 2023



687 of 1057
85
DC Development Review Meeting Backup 4-04-2023

NORTH

PROJECT SITE
XX (XX) INBOUND AM (PM)
XX (XX) OUTBOUND AM (PM)

LEGEND
XX WEEKDAY DAILY TRAFFIC

FIGURE 3
DRIVEWAY VOLUMES
125 WORTH AVENUE

Kimley»Horn

140769004

DRIVEWAY ACCESS

Access to the project site is provided at the site driveway along Worth Avenue, which connects to subterranean parking. Figure 3 illustrates project driveway volumes on an inbound and outbound basis during both the AM peak hour and PM peak hour.

Worth Avenue is a lower speed, local roadway under jurisdiction of the Town of Palm Beach. As such, the access connection, turn lane criteria and driveway design criteria of the Town of Palm Beach will apply. Based on the nature of the uses, and the built condition already existing on site, no changes are proposed to the existing site driveway design and existing site access configuration from the current condition.

CONCLUSION

This analysis was prepared to address the requirements of the Palm Beach County Traffic Performance Standards and Town of Palm Beach standards when considering the traffic impacts of modifications to the site located at 125 Worth Avenue. The analysis was done taking into consideration the net change in vehicular trips that will be generated by the proposed modifications to the existing building.

The foregoing analysis demonstrates that the surrounding roadway network has sufficient capacity and is expected to operate acceptably with the proposed site modifications.

Please contact me via email at chris.heggen@kimley-horn.com or via phone at 561-840-0248 if you have any questions regarding the information provided herein.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Christopher W. Heggen, P.E.
Transportation Engineer

Florida Registration
Number 58636

Registry No. 35106

Attachments

K:\WPB_TPTO\1407\140769004 - 125 Worth Ave\TIA\2022-12-21 125 Worth TIA.docx

Location Address	125 WORTH AVE
Municipality	PALM BEACH
Parcel Control Number	50-43-43-23-05-016-0380
Subdivision	ROYAL PARK ADD TO P B IN
Official Records Book	29440 **Page** 149
Sale Date	OCT-2017
Legal Description	ROYAL PARK ADD LTS 38 TO 48 INC BLK 16

Owners

125 WORTH PARTNERS LLC

Mailing address

439 WORTH AVE

PALM BEACH FL 33480 4519

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2017	$30,700,000	29440 / 00149	WARRANTY DEED	125 WORTH PARTNERS LLC
OCT-2004	$13,650,000	17699 / 01403	WARRANTY DEED	WHALOU PROPERTIES III LLC
SEP-1993	$7,800,000	07897 / 00487	WARRANTY DEED	
JUL-1984	$14,100,000	04299 / 00808	WARRANTY DEED	
SEP-1982	$9,000,000	03801 / 01072	WARRANTY DEED	

1 2

No Exemption Information Available.

Number of Units	0	***Total Square Feet**	49401 **Acres** 0.7891
Use Code	1700 - OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES	**Zoning**	C-WA - COMMERCIAL WORTH AVE (50-PALM BEACH)

Tax Year	2022	2021	2020
Improvement Value	$18,107,174	$15,588,259	$15,776,273
Land Value	$13,184,181	$10,059,665	$9,490,250
Total Market Value	$31,291,355	$25,647,924	$25,266,523

All values are as of January 1st each year

Tax Year	2022	2021	2020
Assessed Value	$28,212,716	$25,647,924	$25,266,523
Exemption Amount	$0	$0	$0
Taxable Value	$28,212,716	$25,647,924	$25,266,523

Tax Year	2022	2021	2020
Ad Valorem	$457,229	$416,140	$416,744
Non Ad Valorem	$94,634	$88,898	$86,493
Total tax	$551,863	$505,038	$503,237

Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Industrial	General Light Industrial	110	1000 S.F.	4.87	10%	88/12	0.74	14/86	0.65
	Manufacturing	140	1000 S.F.	4.75	10%	76/24	0.68	31/69	0.74
	Warehouse	150	1000 S.F.	1.71	10%	77/23	0.17	28/72	0.18
	Mini-Warehouse/SS	151	1000 S.F.	1.45	10%	59/41	0.09	47/53	0.15
	HCF Center Warehouse - Non Sort	155	1000 S.F.	1.81	10%	81/19	0.15	39/61	0.16
Residential	Single Family Detached	210	Dwelling Unit	10	0%	26/74	0.7	63/37	0.94
	Multifamily Low-Rise Housing upto 3 story (Apartment/Condo/TH)	220	Dwelling Unit	6.74	0%	24/76	0.4	63/37	0.51
	Multifamily Mid-Rise Housing 4-10 story (Apartment/Condo/TH)	221	Dwelling Unit	4.54	0%	23/77	0.37	61/39	0.39
	55+ SF Detached	251	Dwelling Unit	4.31	0%	33/67	0.24	61/39	0.30
	55+ SF Attached	252	Dwelling Unit	3.24	0%	34/66	0.2	56/44	0.25
	Congregate Care Facility	253	Dwelling Unit	2.21	0%	58/42	0.08	49/51	0.18
	Assisted Living Facility	254	Beds	2.6	0%	60/40	0.18	39/61	0.24
Ldg	Hotel	310	Rooms	7.99	10%	56/44	0.46	51/49	0.59
Rec	Golf Course	430	Holes	30.38	5%	79/21	1.76	53/47	2.91
	Health/Fitness Club	492	1000 S.F.	32.93	5%	51/49	1.31	57/43	3.45
Institutional	Elementary School	520	Students	2.27	0%	54/46	0.74	46/54	0.16
	Middle/Junior School	522	Students	2.1	0%	54/46	0.67	48/52	0.15
	High School	525	Students	1.94	0%	68/32	0.52	48/52	0.14
	Private School (K-8)	530	Students	3.17[a]	0%	56/44	1.01	46/54	0.26
	Private School (K-12)	532	Students	2.48	0%	63/37	0.79	43/57	0.17
	Church/Synagogue[b]	560	1000 S.F.	7.6	5%	62/38	0.32	44/56	0.49
	Day Care	565	Students	4.09	50%	53/47	0.78	47/53	0.79
	Library	590	1000 S.F.	72.05	10%	71/29	1	48/52	8.16
Med	Hospital	610	1000 S.F.	10.77	10%	67/33	0.82	35/65	0.86
	Nursing Home	620	Beds	3.06	10%	72/28	0.14	33/67	0.14
Office	General Office (10k-250k SF GFA)[h]	710	1000 S.F.	10.84	10%	88/12	1.52	17/83	1.44
	General Office (>250k SF GFA)[h]	710	1000 S.F.	Ln(T) = 0.87 Ln(X) + 3.05	10%	88/12	Ln(T) = 0.86Ln(X) + 1.16	17/83	1.44
	Small Office Building (<=10k SF GFA)	712	1000 S.F.	14.39	10%	82/18	1.67	34/66	2.16
	Medical Office (Stand-Alone)	720	1000 S.F.	T=42.97(X)-108.01	10%	79/21	3.10	30/70	3.93
	Medical Office (Near Hospital)	720	1000 S.F.	31.86	10%	81/19	2.68	25/75	2.84
	Government Office	730	1000 S.F.	22.59	10%	75/25	3.34	25/75	1.71

Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Retail	Nursery (Garden Center)	817	Acre	108.1	0%	50/50	2.82	50/50	8.06
	Nursery (Wholesale)	818	Acre	19.50	0%	50/50	0.23	50/50	0.36
	Landscape Services	PBC	Acre[c]	121.70	0%	40/60	34.4	58/42	15.1
	Shop Center (>150ksf)	820	1000 S.F.	37.01	24%	62/38	0.84	48/52	3.4
	Shop Plaza (40-150ksf) w/Sup Market	821	1000 S.F.	94.49	39%	62/38	3.53	48/52	9.03
	Shop Plaza (40-150ksf) w/out Sup Market	821	1000 S.F.	67.52	39%	62/38	1.73	49/51	5.19
	Strip Retail Plaza (<40ksf)	822	1000 S.F.	54.45	63%	60/40	2.36	50/50	6.59
	Automobile Sales (New)	840	1000 S.F.	27.84	15%	73/27	1.86	40/60	2.42
	Automobile Parts Sales	843	1000 S.F.	54.57	28%	55/45	2.51	48/52	4.9
	Tire Store	848	1000 S.F.	27.69	28%	64/36	2.61	43/57	3.75
	Supermarket	850	1000 S.F.	93.84	36%	59/41	2.86	50/50	8.95
	Pharmacy + DT	881	1000 S.F.	108.40	50%	52/48	3.74	50/50	10.25
Services	Drive-In Bank	912	1000 S.F.	100.35	47%	58/42	9.95	50/50	21.01
	Fine Dining Restaurant	931	1000 S.F.	83.84	44%	50/50	0.73	67/33	7.8
	High Turnover Sit-Down Rest.	932	1000 S.F.	107.2	43%	55/45	9.57	61/39	9.05
	Fast Food Restaurant w/o DT	933	1000 S.F.	450.49	45%	58/42	43.18	50/50	33.21
	Fast Food Restaurant + DT	934	1000 S.F.	467.48	49%	51/49	44.61	52/48	33.03
	Coffee/Donut Shop w/o DT	936	1000 S.F.	441.88[d]	45%	51/49	93.08	50/50	32.29
	Coffee/Donut Shop + DT	937	1000 S.F.	533.57	49%	51/49	85.88	50/50	38.99
	Coffee/Donut Shop + DT w/No Seat	938	DT Lanes	179	49%	50/50	39.81	50/50	15.08
	Gas Station w/Convenience Store[e]	FDOT	FP, 1000 S.F.	14.3*PM Trips	61%	50/50	Note f	50/50	12.3*FP+15.5*(X)
	Carwash (Automated)[g]	PBC	Lane	166.00	0%	50/50	11.97	50/50	13.65

Footnotes

a) Based on Daily to AM peak ratio for LUC 532 (Private School (K-12)

b) Weekend peak hour rate = 10.36 per 1,000 s.f. with a 48/52 directional split

c) Landscape Services acreage consists of overnight vehicle and equipment storage as well as areas (covered or uncovered) for chemicals, fertilizers, landscape materials (excluding plants) and other items needed for day-to-day operations. Not included are drive aisles, customer/employee parking, structures shared by nursery and landscape services, facilities that solely serve the onsite landscape activities or any nursery growing areas.

d) Based on Daily to PM ratio for ITE Code 937 (Coffee Donut Shop + DT)

e) FP=Fueling Position. Use both FP and Convenience Store size in estimating trips using the provided equation. Note that no internalization between the gas pumps and convenience store, as per ULDC Artice 12, should be applied to estimate the net trips.

f) Use PM rates

g) Daily rate taken from PBC trip gen. study. Peak hour rates derived by applying peak to daily ratios for gas station to daily carwash rate from older ITE TGM. New PBC rate study underway.

h) Based on PBC analysis of ITE TGM data plots

Modification History
3/2/2020: Added Landscape Services, modification history, edited formatting
7/25/2022: Updated with ITE TG Manual 11th ed information

EXISTING DEVELOPMENT

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook* , 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	227	227	56	8	10	50
Retail	286	286	15	10	35	34
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
	513	513	71	18	45	84

INTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	40	54	2	2	1	3
Retail	54	40	2	2	3	1
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	94	94	4	4	4	4
% Reduction	18.3%		9.0%		6.2%	

EXTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	187	173	54	6	9	47
Retail	232	246	13	8	32	33
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	419	419	67	14	41	80

PROPOSED DEVELOPMENT

Internal Capture Reduction Calculations

Methodology for A.M. Peak Hour and P.M. Peak Hour
based on the *Trip Generation Handbook* , 3rd Edition, published by the Institute of Transportation Engineers

Methodology for Daily
based on the average of the Unconstrained Rates for the A.M. Peak Hour and P.M. Peak Hour

SUMMARY

GROSS TRIP GENERATION

INPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	282	282	70	9	13	62
Retail	580	580	30	20	70	70
Restaurant	0	0	0	0	0	0
Cinema/Entertainment						
Residential						
Hotel						
	861	861	100	29	83	132

INTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	49	68	3	3	1	6
Retail	68	49	3	3	6	1
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	117	117	6	6	7	7
% Reduction	13.6%		9.3%		6.5%	

EXTERNAL TRIPS

OUTPUT

Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	233	214	67	6	12	56
Retail	512	531	27	17	64	69
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	0	0	0	0	0
Hotel	0	0	0	0	0	0
	744	744	94	23	76	125

EXHIBIT E: 125 WORTH AVENUE APPRAISAL REPORT

APPRAISAL REPORT
(APPRAISER FILE: 22-2242)

OFFICE/BANK/RETAIL PROPERTY

125 WORTH AVE
125 WORTH AVE
PALM BEACH, FLORIDA

FOR

FRISBIE GROUP, LLC
PALM BEACH, FL

AS OF

DECEMBER 21, 2022

AUCAMP, DELLENBACK & WHITNEY
APPRAISERS & CONSULTANTS

AUCAMP, DELLENBACK & WHITNEY

APPRAISERS & CONSULTANTS

December 23, 2022

Mr. Jake Leone
Frisbie Group, LLC
221 Royal Poinciana Way, Suite 1
Palm Beach, FL 33480

RE: Appraisal of Real Property
Office Property
125 Worth Ave
Palm Beach, Florida 33480
(Appraiser File: 22-2242)

Dear Mr. Leone:

As you requested, we made the necessary investigation and analysis to form an opinion of value for the above referenced real property. This report is an appraisal of the property.

To assist Frisbie Group, LLC in assistance related to business decisions regarding this property, this report provides an estimate of depreciated replacement cost for the subject real property building improvements. No other party may use or rely on this report for any purpose.

This assignment and report have been prepared in accordance with requirements of the relevant aspects of Uniform Standards of Professional Appraisal Practice (USPAP) developed by the Appraisal Standards Board of the Appraisal Foundation, with the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice.

The subject is located along the north side of Worth Ave within the municipality in the Town of Palm Beach, Palm Beach County, Florida. The Worth Ave corridor is a well-established "high-street" luxury retail destination. The site consists of 34,375 square feet (SF), or 0.79 acres.

In 1974, the subject was improved with a three-story office/bank/retail building containing 53,612 SF gross over a two-story underground parking garage containing 63,720 SF. The total size is 117,332 SF. The first floor of the building consists of retail/bank uses and the upper floors consist of office uses. The property also has a small amount of enclosed space on the 4th floor (rooftop) where the chiller is currently located. This space consists of 3,037 SF and is not rentable in "as is" condition, but is included in our size herein.

The subject has been renovated in recent years and the quality of materials is rated as good, the improvements have been maintained in good condition. The subject is currently 95% occupied by multiple tenants. Notable tenants include BB&T Bank, Truist, and Ferretti Group.

We estimate the property has a remaining economic life of 35 years, and the system indicates the property is 31% depreciated.

Mr. Jake Leone
December 23, 2022

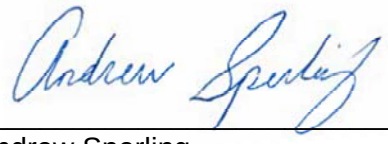
After careful and thorough investigation and analysis, we estimate the depreciated replacement cost for the subject improvements, subject to assumptions and contingent and limiting conditions as well as any extraordinary assumptions and hypothetical conditions, as explained in this report, as of December 21, 2022, is as follows:

SIXTEEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS
($16,150,000)

Aucamp Dellenback & Whitney has not performed services concerning this property during the past three years. Thank you for this opportunity to assist in meeting your appraisal needs.

Respectfully submitted,

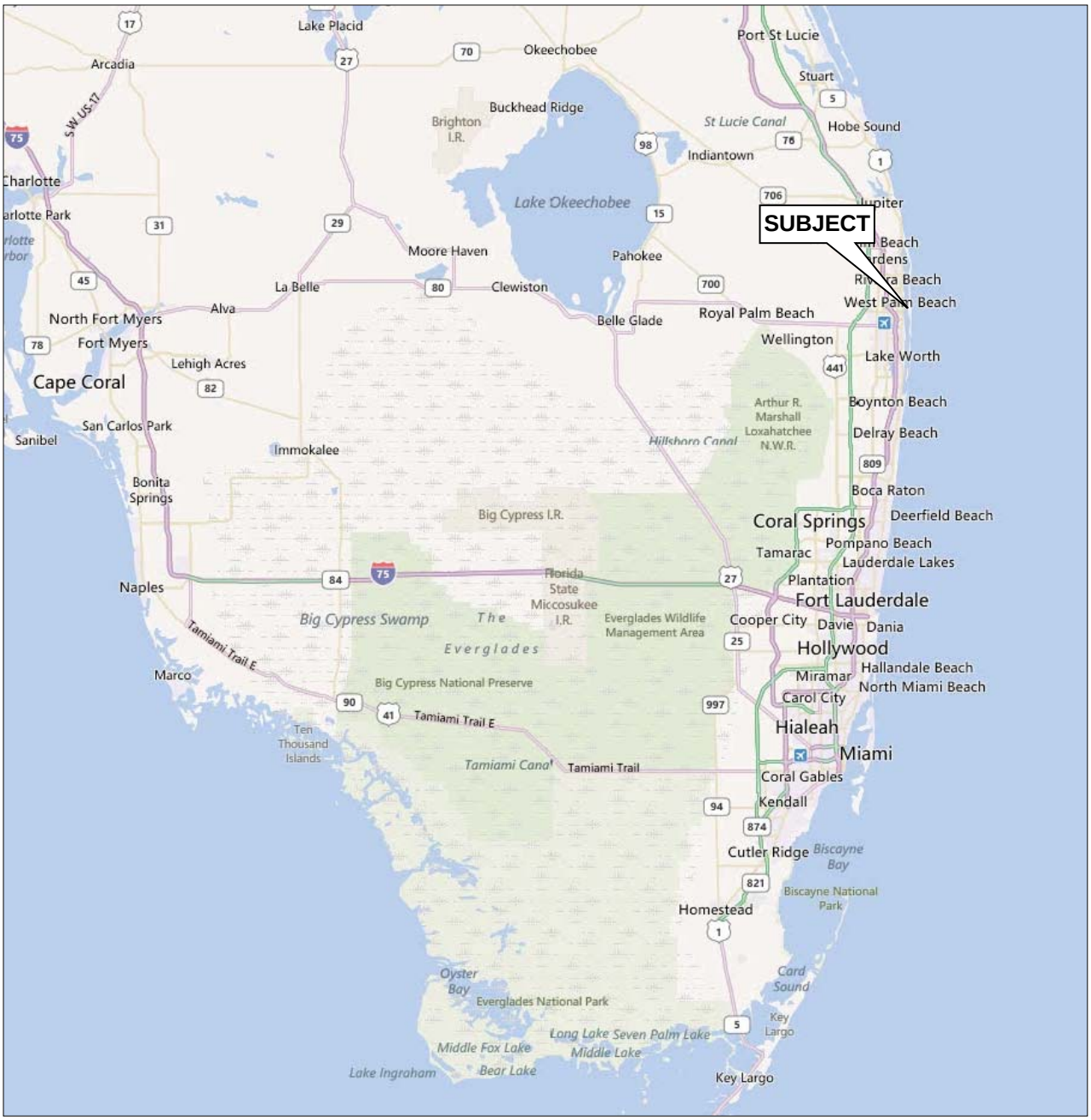
AUCAMP, DELLENBACK & WHITNEY



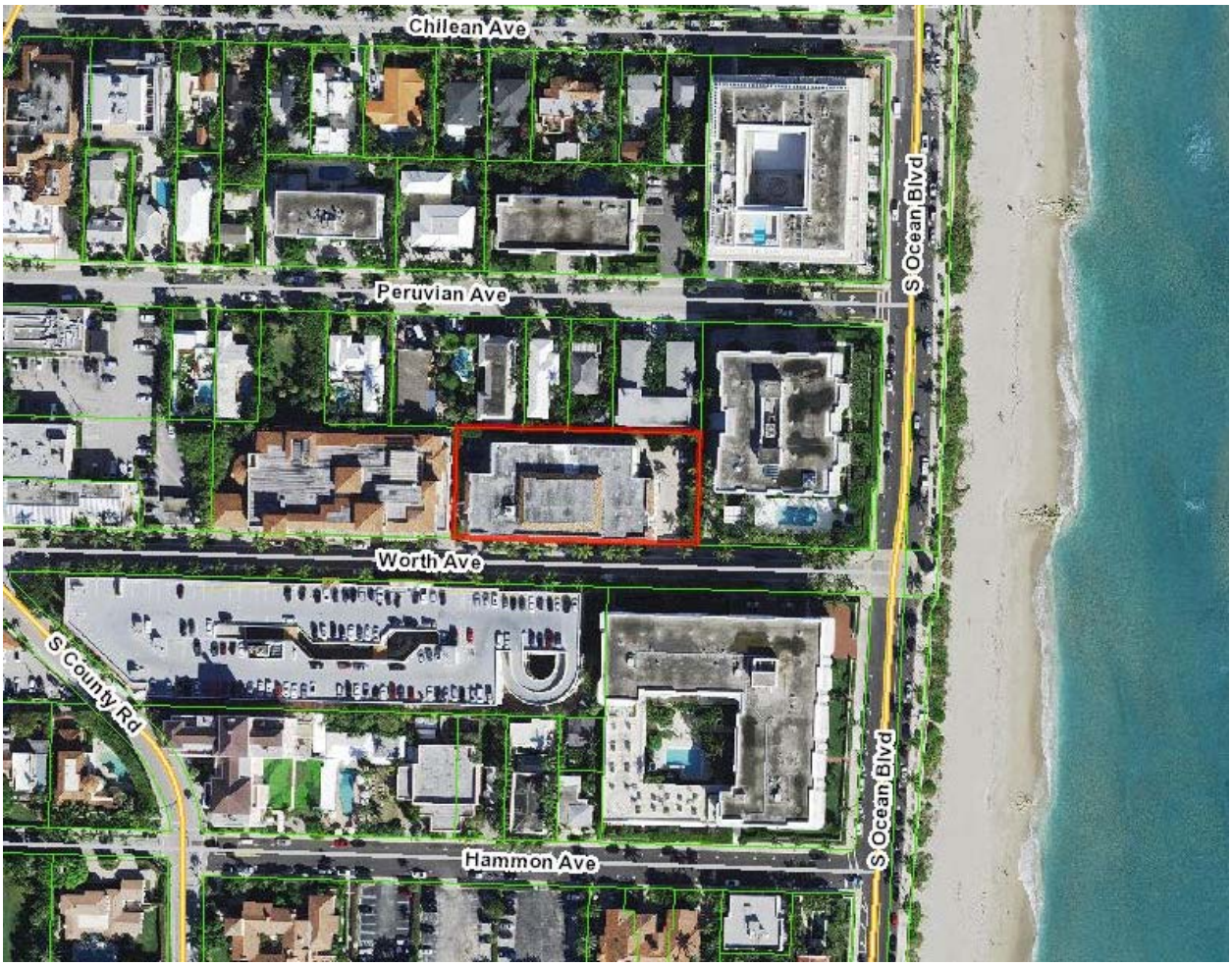
Andrew Sperling
State-certified General Real Estate Appraiser RZ4177
andrew@adw-appraisers.com

Jonathan Whitney, MAI
State-certified General Real Estate Appraiser RZ2943
jon@adw-appraisers.com

LOCATION MAP



AERIAL PARCEL MAP



SUBJECT PHOTOGRAPHS

Facing subject from Worth Ave (south and east elevations shown)

West and south elevations shown

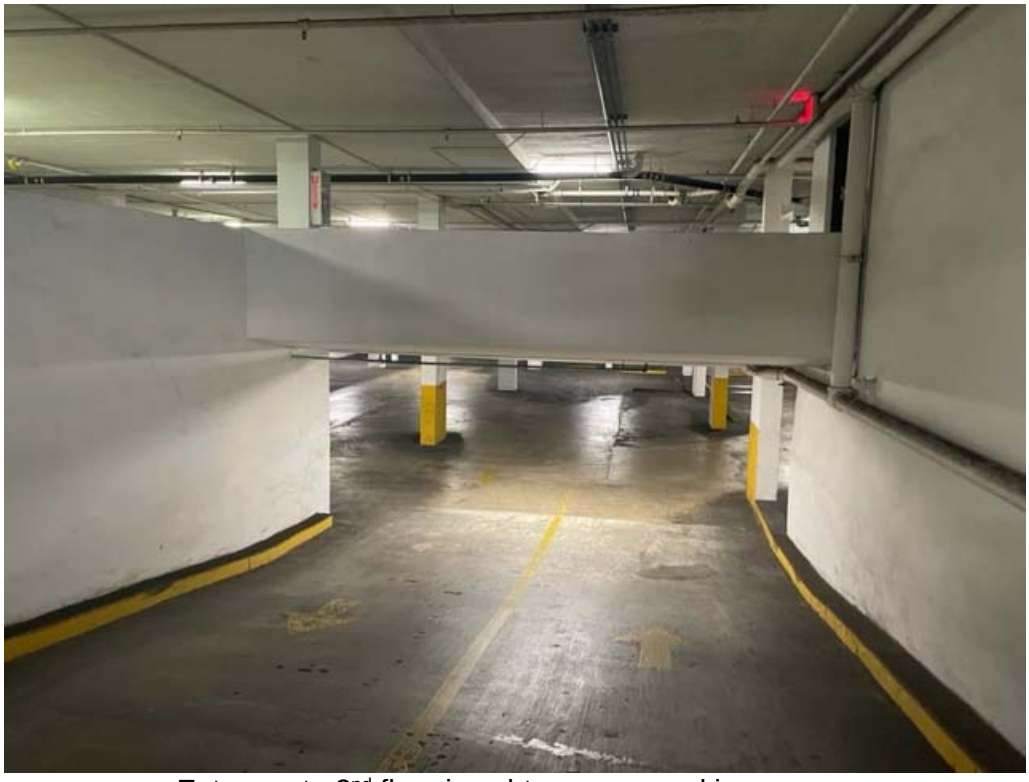
East and north elevations shown

Covered area in rear of property (drive-thru area for first floor bank)

Facing east along Worth Ave with subject on the left

Facing west along Worth Ave with subject on the right

1st floor in subterranean parking garage



Entrance to 2nd floor in subterranean parking garage

2nd floor in subterranean parking garage

Elevator landing in subterranean parking garage

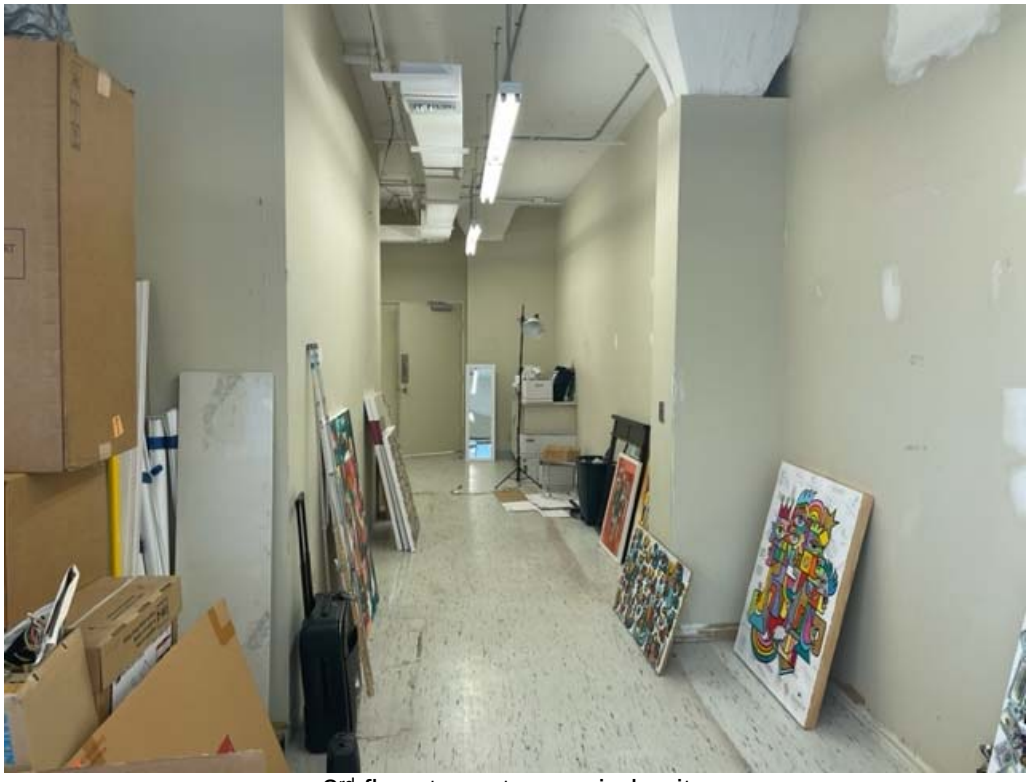
Main entrance to subject building

1st floor elevator landing

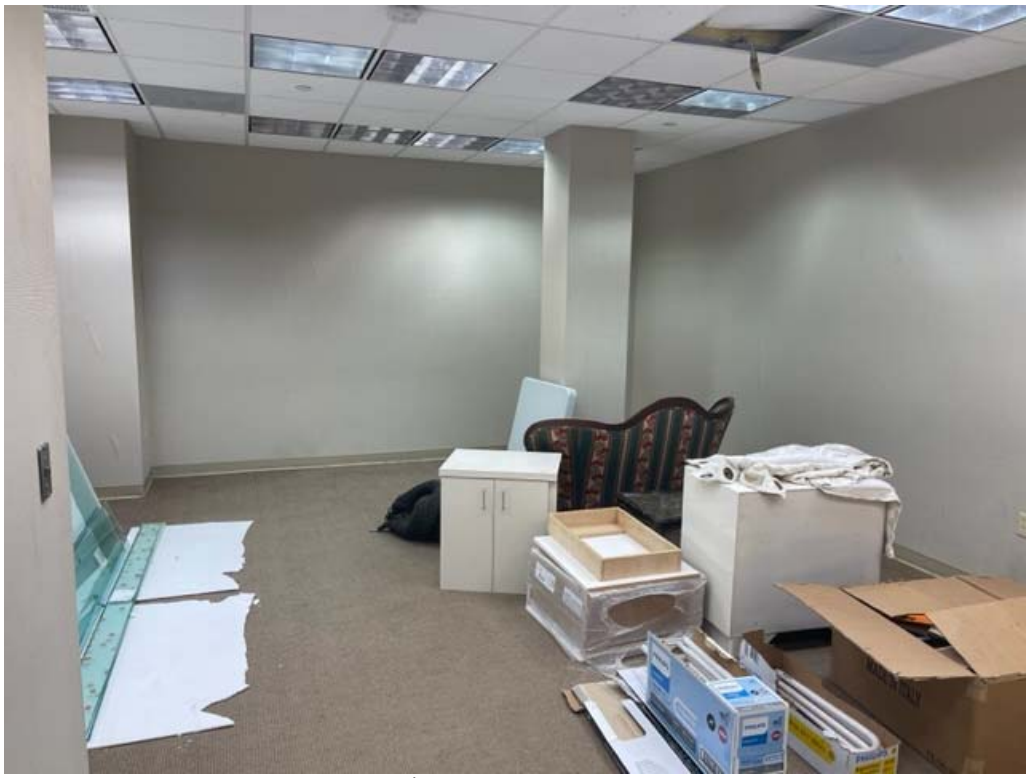
1st floor bank space (Truist)

1st floor retail bay

Typical upper floor interior hallway



3rd floor tenant-occupied suite



3rd floor vacant suite

3th floor office suite – Reception area shown

3th floor office suite – Typical private office

4th floor (rooftop) – Chiller shown

4th floor (rooftop) – Interior shown

Views from rooftop facing west

Views from rooftop facing east

Typical common area restroom

Typical common area restroom

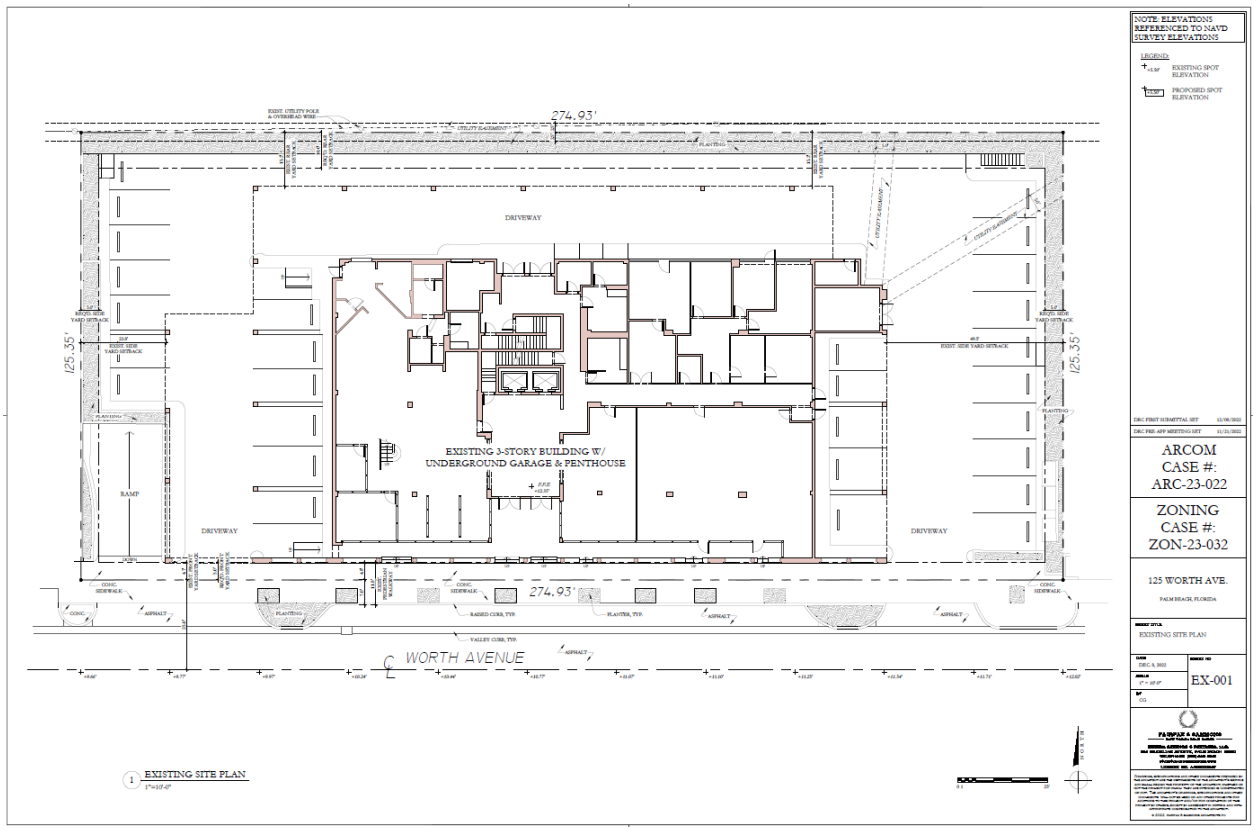
Site and Building Improvements

The subject is a three-story office/bank/retail building containing 53,612 SF gross (note: the leasable size is 52,804 SF). The property also has an two-story underground parking garage containing 63,720 SF. The total size is 117,332 SF. The property consists of a total of 165 spaces, of which approximately 131 spaces are located in the underground parking garage and the balance are located on the first floor. The property also has a small amount of enclosed space on the 4th floor (rooftop) where the chiller is currently located. This space consists of 3,037 SF and is not rentable in “as is” condition, but is included in our size estimate herein. The improvements were constructed in 1974 and have been renovated over the years. The first floor of the building consists of retail and bank uses and the upper floors consist of office uses. The subject’s quality of materials is rated as good, the improvements have been maintained in good condition.

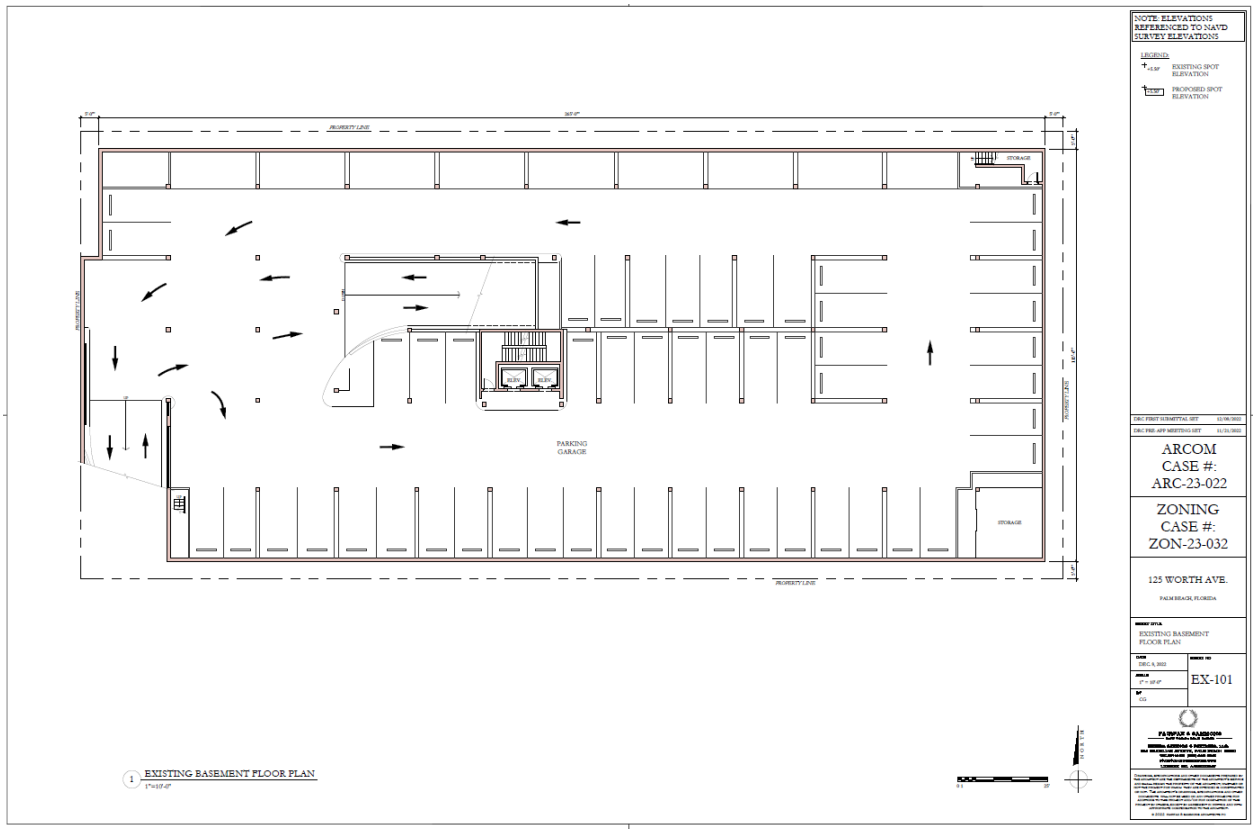
The structure of the office/bank/retail building includes concrete and glass walls, concrete and steel columns, reinforced concrete upper floor slabs, and a reinforced concrete slab roof with asphalt singles. The building has decorative moldings and bandings and the 2nd and 3rd floors have exterior balconies surrounding most of the building. The windows and doors are mostly fixed glass in aluminum frames. Story heights typically range in size between 12’ and 15’. The two-story subterranean parking garage includes concrete walls and concrete columns. The story height in the parking garage is about 8’. Further details concerning the building improvements can be found in the replacement cost reports shown on the following pages.

Our replacement cost analysis includes the structural components of the buildings as well as the interior improvements of the office/bank/retail building.

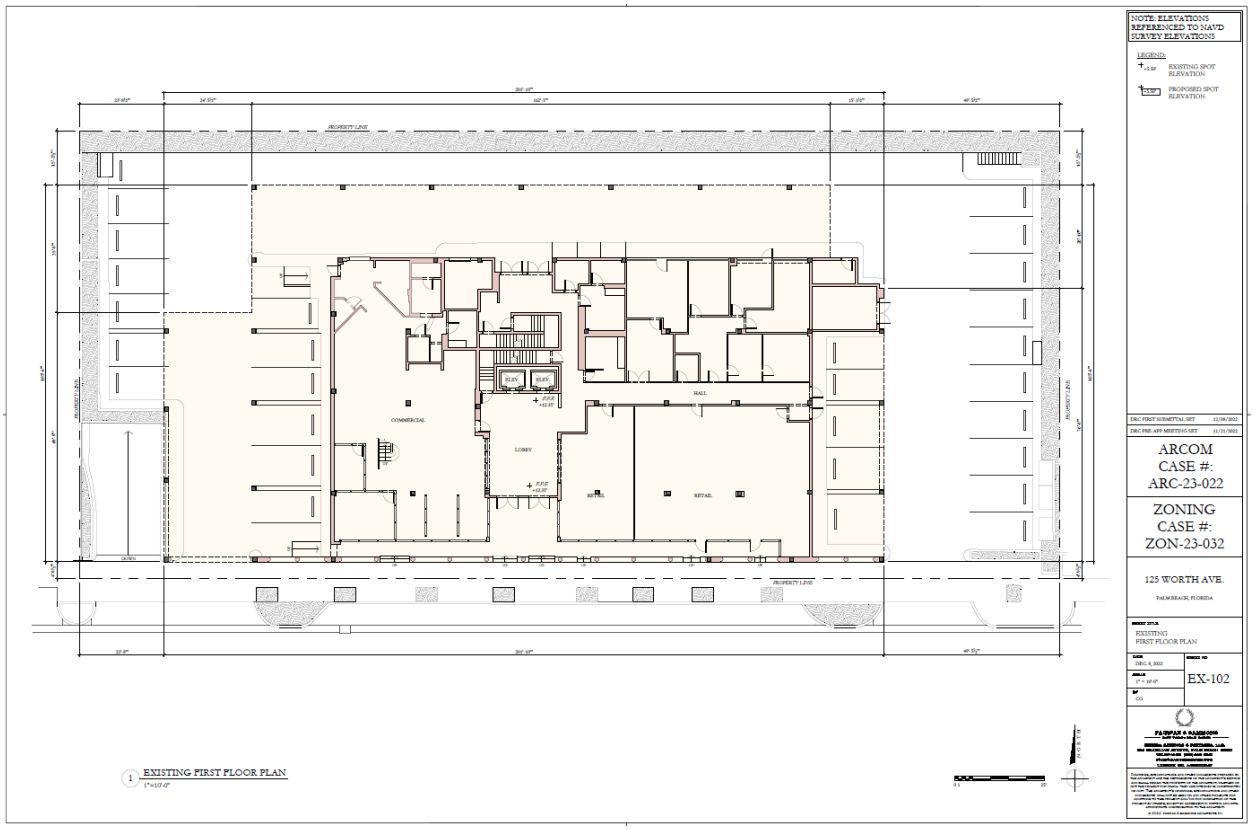
EXISTING SITE PLAN



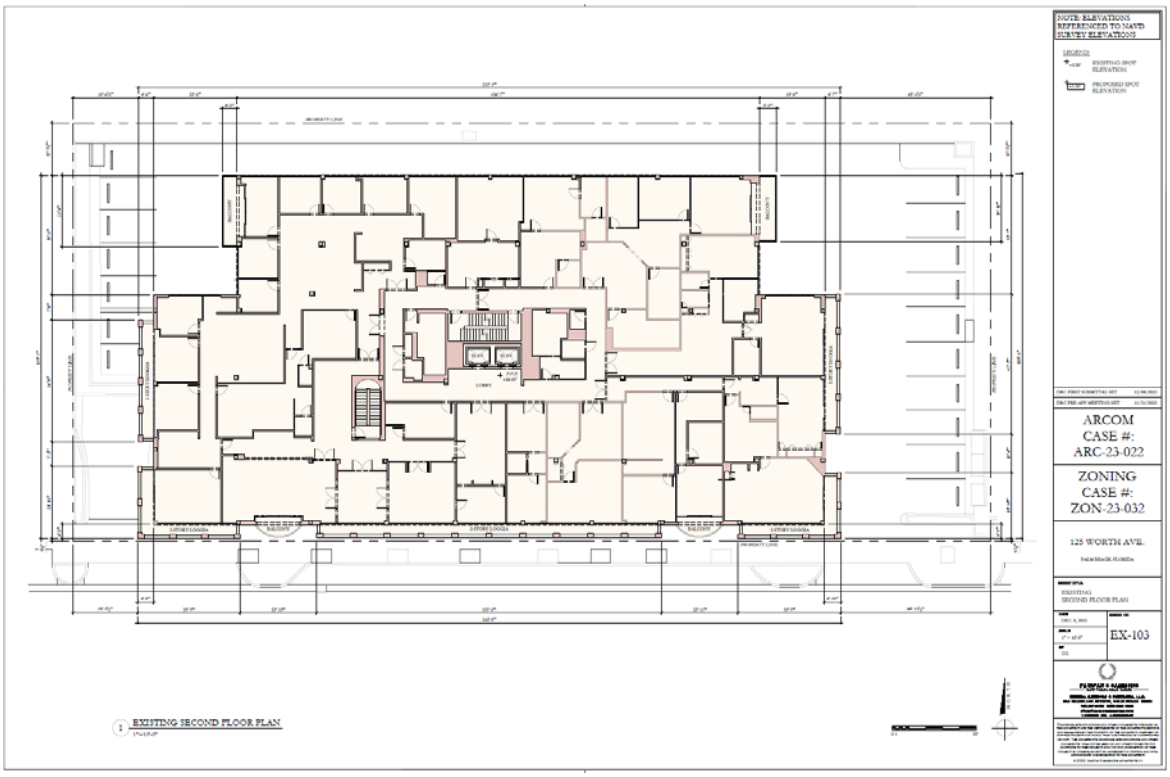
FLOOR PLAN (SUBTERRANEAN PARKING GARAGE)

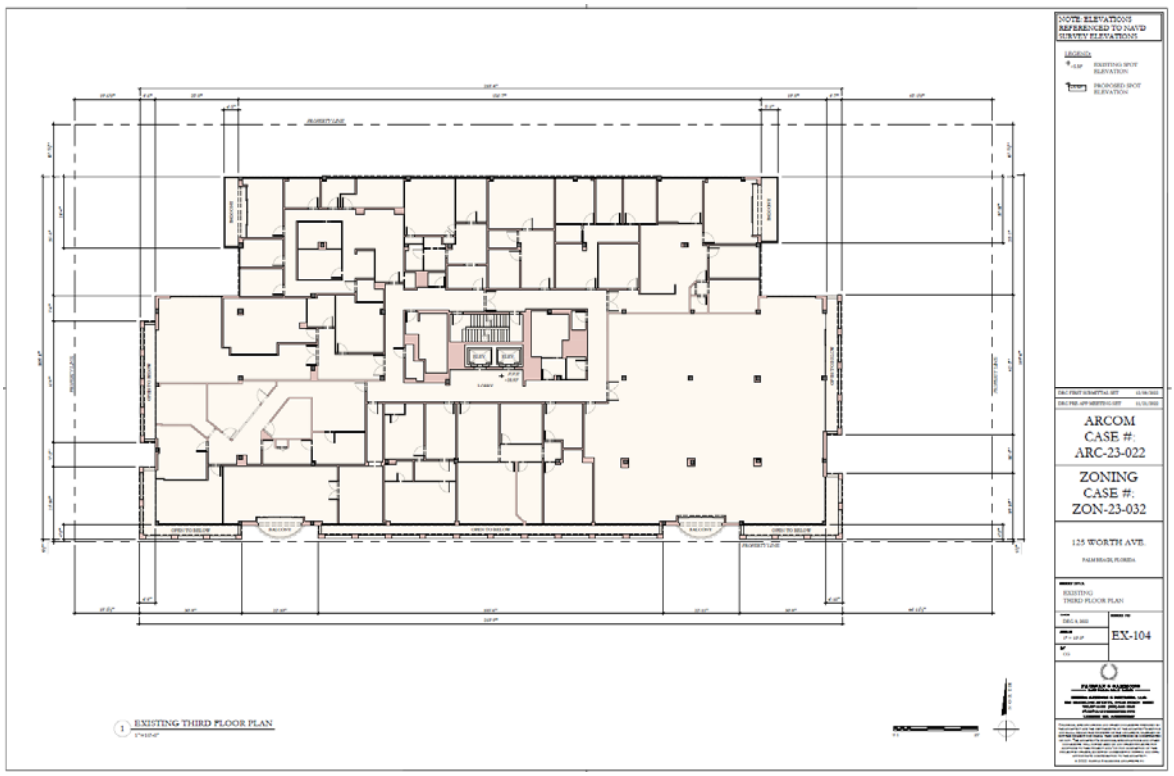


FLOOR PLAN (1st FLOOR)

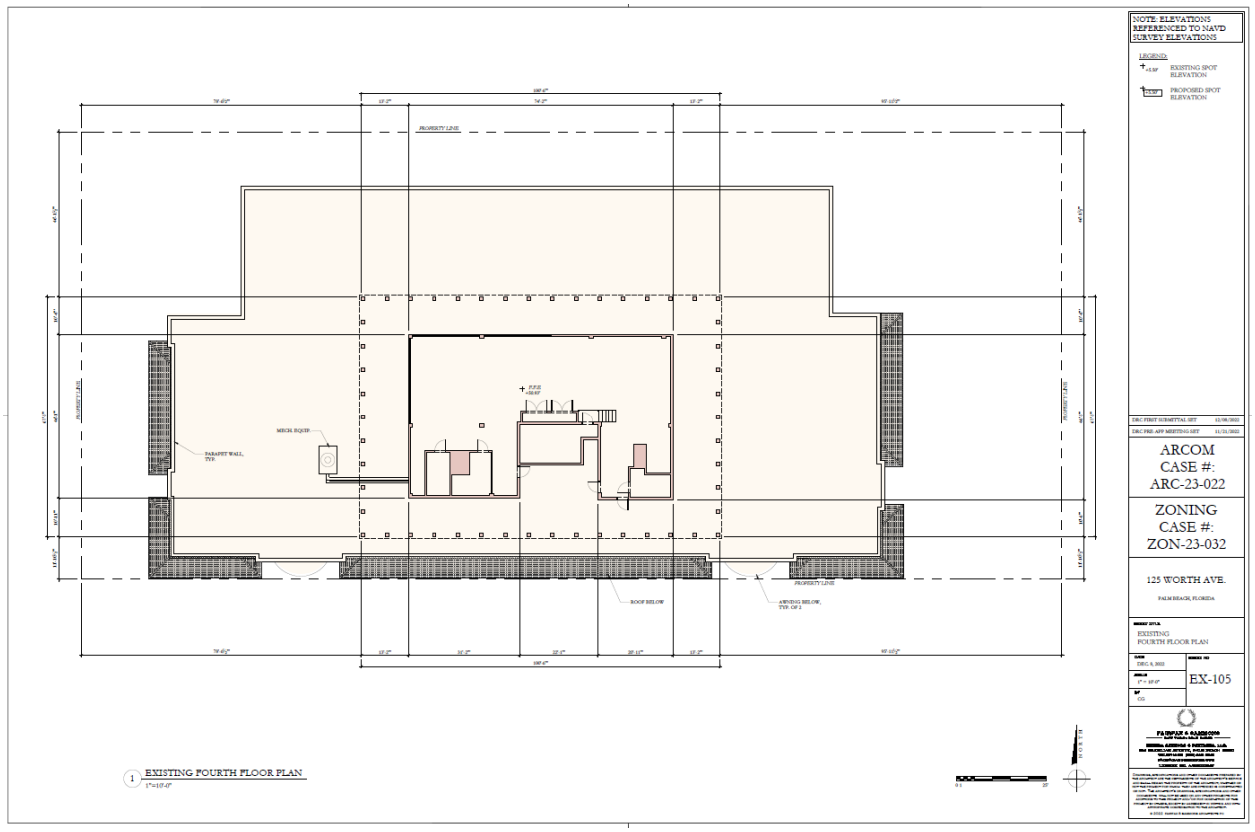


FLOOR PLANS (2nd & 3rd FLOORS)





FLOOR PLAN (4th FLOOR)



COST APPROACH

The client requested an estimate of insurable replacement cost, based on Commercial Express valuation service, produced by CoreLogic, a national construction cost estimation service. This product requests various inputs from the appraiser as well as provides system-generated assumptions consistent with the specified property type. No modifications were made to the system-generated assumptions with exception to the construction materials used, as appropriate. These modifications, labeled as user inputs in the following chart, are consistent with the materials known to be utilized to construct the subject property, through appraiser observation at inspection and-or reliable sources.

We do not guarantee that any estimate or opinion will result in the subject property being fully insured for any potential loss that may be sustained. This estimate may not be a reliable indication of replacement cost value for any date other than the effective date of this appraisal. No depreciation has been considered in the estimate herein.

The following pages show the detailed Commercial Express system-generated report (worksheets) of insurable replacement cost for the subject improvements and summarize our value conclusions. We conclude the replacement cost of the subject improvements is $23,410,000 (rounded), and the depreciated cost is **$16,150,000 (rounded).**

CoreLogic

Valuation Detailed Report

Property Express

12/23/2022

VALUATION

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

BUSINESS

Frisbie Group, LLC

125 WORTH AVE FL 33480

PALM BEACH, FL 33480 USA

LOCATION 1 - Frisnie Group, LLC

Frisnie Group, LLC

125 WORTH AVE FL 33480

PALM BEACH, FL 33480 USA

Location Adjustments

Climatic Region:	3 - Warm
High Wind Region:	2 - Moderate Damage
Seismic Zone:	1 - No Damage

BUILDING 125 - 125 Worth Ave

Section 1

SUPERSTRUCTURE

Occupancy:	2% Bank or Savings and Loan	Story Height:	15 ft.
	8% Office, Low-Rise		15 ft.
	33% Office, Low-Rise		12 ft.
	3% Office, Low-Rise, Shell		13 ft.
	54% Basement, Underground Parking		8 ft.
Construction Type:	100% Reinforced Concrete Frame (ISO 6)	Number of Stories:	3
Gross Floor Area:	117,332 sq.ft.	Gross Perimeter:	775 ft.
Construction Quality:	2.5 - Average/Superior		
Year Built:	1974		

Adjustments

Depreciation:	31%	Condition:	Good
	Effective Age: 35 years		

CoreLogic costs include labor and material, normal profit and overhead as of date of report. Costs represent general estimates which are not to be considered a detailed quantity survey. These costs include generalities and assumptions that are common to the types of structures represented in the software.

The commercial contents values CoreLogic publishes in this report are estimates only and should not be considered the actual value of commercial contents insurance coverage that should be underwritten for the insured.

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Page 1 of 6

CoreLogic

Valuation Detailed Report

Property Express

Policy Number: 22-2242 125 Worth Ave 12/23/2022

Hillside Construction:	Degree of Slope: Level	Site Accessibility:	Good
	Site Position: Unknown	Soil Condition:	Good

Fees

Architect Fees:	7% is included
Overhead and Profit:	20% is included

SUMMARY OF COSTS	User Provided	System Provided	Reconstruction	Exclusion
SUPERSTRUCTURE				
Site Preparation			$875,953	
Foundations			$244,215	
Exterior			$6,425,281	
Exterior Wall	30% Curtain Wall, Glass			
	70% Stucco on Masonry			
Roof			$1,225,050	
Material	90% Built-Up, Smooth			
	10% Tile, Concrete			
Pitch	100% Low (2:12 to 6:12 pitch)			
Interior			$5,104,838	
Floor Finish	70% Carpet			
	10% Marble			
	20% Tile, Ceramic			
Ceiling Finish	30% Drywall			
	70% Suspended Acoustical			
Structure	80% Concrete Block			
	20% Glass Wall			
Finish	100% Drywall			
	100% Paint			
Mechanicals			$7,613,140	
Cooling	100% Chilled Water, with Air Handling Units			
Fire Protection	100% Sprinkler System			
Plumbing	90 Total Fixtures			

CoreLogic costs include labor and material, normal profit and overhead as of date of report. Costs represent general estimates which are not to be considered a detailed quantity survey. These costs include generalities and assumptions that are common to the types of structures represented in the software.

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Page 2 of 6

CoreLogic

Valuation Detailed Report

Property Express

SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

SUMMARY OF COSTS	User Provided	System Provided	Reconstruction	Exclusion
Elevators	2 Passenger			
Built-ins			$1,324,928	
SUBTOTAL RC			$22,813,405	
Depreciated Cost (69%)			$15,741,249	
ADDITIONS				
Building Items			$591,877	
Total Additions			$591,877	
TOTAL RC Section 1			**$23,405,282**	
TOTAL ACV			**$16,149,645**	
TOTAL RC BUILDING 125 125 Worth Ave			**$23,405,282**	
TOTAL ACV			**$16,149,645**	

	Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
LOCATION TOTAL, Location 1	**$23,405,282**	**117,332**	**$199**	**$16,149,645**
	Reconstruction	**Sq.Ft.**	**$/Sq.Ft.**	**Depreciated**
VALUATION GRAND TOTAL	**$23,405,282**	**117,332**	**$199**	**$16,149,645**

CoreLogic costs include labor and material, normal profit and overhead as of date of report. Costs represent general estimates which are not to be considered a detailed quantity survey. These costs include generalities and assumptions that are common to the types of structures represented in the software.

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Page 3 of 6

CoreLogic

Valuation Detailed Report

Property Express

EQUIPMENT REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

VALUATION

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

BUSINESS

Frisbie Group, LLC
125 WORTH AVE FL 33480
PALM BEACH, FL 33480 USA

LOCATION 1 - Frisnie Group, LLC

Frisnie Group, LLC
125 WORTH AVE FL 33480
PALM BEACH, FL 33480 USA

Equipment: Building items and site improvements

	Replacement	Depreciated
Building 125, Section 1		
Building Items		
Balconies		
(1) Balconies, Reinforced concrete frame	$591,877	$408,395
LOCATION 1 - Frisnie Group, LLC TOTAL	**$591,877**	**$408,395**
TOTAL	**$591,877**	**$408,395**

CoreLogic costs include labor and material, normal profit and overhead as of date of report. Costs represent general estimates which are not to be considered a detailed quantity survey. These costs include generalities and assumptions that are common to the types of structures represented in the software.

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Page 4 of 6

CoreLogic

Valuation Detailed Report

Property Express

SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

VALUATION

Valuation Number:	22-2242 125 Worth Ave	Effective Date:	12/21/2022
Value Basis:	Reconstruction	Expiration Date:	12/21/2023
		Cost as of:	06/2022

BUSINESS

Frisbie Group, LLC

125 WORTH AVE FL 33480

PALM BEACH, FL 33480 USA

LOCATION 1 - Frisnie Group, LLC

Frisnie Group, LLC

125 WORTH AVE FL 33480

PALM BEACH, FL 33480 USA

BUILDING 125: SUPERSTRUCTURE			Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
Section 1	2%	Bank or Savings and Loan	$22,813,405	117,332	$194	$15,741,249
	8%	Office, Low-Rise				
	33%	Office, Low-Rise				
	3%	Office, Low-Rise, Shell				
	54%	Basement, Underground Parking				

Section Totals			Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
Section 1	2%	Bank or Savings and Loan	$22,813,405	117,332	$194	$15,741,249
	8%	Office, Low-Rise				
	33%	Office, Low-Rise				
	3%	Office, Low-Rise, Shell				
	54%	Basement, Underground Parking				
Total Additions:			$591,877			$408,395
BUILDING TOTAL, Building 125			**$23,405,282**	**117,332**	**$199**	**$16,149,645**

BUILDING INSURANCE SUMMARY

Total Insured Amount	$0	
Percent of Insurance to Value	0%	
100% Co-insurance Requirement	$23,405,282	$16,149,645
-100% Variance	($23,405,282)	

CoreLogic costs include labor and material, normal profit and overhead as of date of report. Costs represent general estimates which are not to be considered a detailed quantity survey. These costs include generalities and assumptions that are common to the types of structures represented in the software.

The commercial contents values CoreLogic publishes in this report are estimates only and should not be considered the actual value of commercial contents insurance coverage that should be underwritten for the insured.

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Page 5 of 6

CoreLogic

Valuation Detailed Report

Property Express

SUMMARY REPORT

Policy Number: 22-2242 125 Worth Ave 12/23/2022

	Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
LOCATION TOTAL, Location 1	$23,405,282	117,332	$199	$16,149,645
	Reconstruction	Sq.Ft.	$/Sq.Ft.	Depreciated
VALUATION GRAND TOTAL	$23,405,282	117,332	$199	$16,149,645

End of Report

CoreLogic costs include labor and material, normal profit and overhead as of date of report. Costs represent general estimates which are not to be considered a detailed quantity survey. These costs include generalities and assumptions that are common to the types of structures represented in the software.

The commercial contents values CoreLogic publishes in this report are estimates only and should not be considered the actual value of commercial contents insurance coverage that should be underwritten for the insured.

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Page 6 of 6

PART 3: ADDENDUM

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.
- I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results, a specific valuation, or the approval of a loan.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the State of Florida.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Andrew Sperling made a personal, visual inspection of the readily accessible areas of the property that is the subject of this appraisal. Jonathan Whitney did not inspect the subject property, but is very familiar with this area and property type.
- No one provided significant real property appraisal or appraisal consulting assistance to the person signing this certification.
- As of the date of this report, we have completed the continuing education program of the State of Florida.

- As of the date of this report, Jonathan Whitney has completed the continuing education program of the Appraisal Institute.

- We, Andrew Sperling and Jonathan Whitney, of Aucamp Dellenback & Whitney, certify that we are qualified and have experience in the field of commercial property inspections, commercial risk assessment, and commercial property replacement cost valuation.

- The undersigned has not provided services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period preceding acceptance of this assignment.

December 23, 2022

Andrew Sperling
State-certified General Real Estate Appraiser RZ4177

December 23, 2022

Jonathan Whitney, MAI
State-certified General Real Estate Appraiser RZ2943

CONTINGENT AND LIMITING CONDITIONS

This appraisal is subject to the following contingent and limiting conditions:

1. The legal description and maps are assumed to be correct.

2. No responsibility is assumed for matters which are legal in character, nor is any opinion rendered as to title, which is assumed to be good and marketable. Any existing liens or encumbrances have been disregarded, and the property is appraised as free and clear. This appraisal is made, assuming that all public improvements of any kind affecting the property appraised are fully paid for, unless otherwise specifically set forth in the property description.

3. No survey has been made of the property on behalf of the appraisers and no responsibility is assumed in connection with such matters. The sketches contained in this report are for illustrative purposes only and are included to assist the reader to better visualize the property. The information furnished by others is believed to be reliable and no responsibility is assumed for its accuracy.

4. In this report, the distribution of the total valuation between land and improvements applies only under the existing program of utilization. The separate valuations for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.

5. Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by any but the recipient without written consent of the appraiser.

6. The contract for appraisal, consultation, or analytical service is fulfilled and total fee is payable upon completion of the report. The appraisers will not be required to give testimony in court or hearing because of having made the appraisal in full or in part, nor engage in post-appraisal consultation with the client or third parties, except under separate and special arrangement and at additional fee.

7. The appraisers may not divulge material contents of the report, analytical findings or conclusions or give a copy of the report to anyone other than the client or his designee as specified in writing, except as may be required by the Appraisal Institute as it may request in confidence for ethics enforcement or by a court of law of body with the power of subpoena.

8. Liability of Aucamp, Dellenback & Whitney is restricted to the client. Aucamp, Dellenback & Whitney has no accountability or liability to any third party.

9. It is assumed there are no hidden or unapparent conditions of the property, subsoil or structures which make it more or less valuable. The appraiser assumes no responsibility for such conditions or engineering which might be required to cover these facts. No topographical survey was provided.

10. No environmental impact study, special market study or analysis, highest and best use analysis or feasibility study has been requested or made unless otherwise specified in an agreement for services or in the report. The appraiser reserves the unlimited right to alter, amend, revise or rescind any of the statements, findings, opinions, values, estimates or

conclusions upon any subsequent such study or analysis or previous study or analysis subsequently becoming known to him.

11. The market value estimated and the cost used are as of the date of the estimate of value. All dollar amounts are based on the purchasing power and price of the dollar as of the date of the value estimate.

12. This appraisal expresses our opinion and employment to make this appraisal was in no way contingent upon reporting a predetermined value or conclusion. The fee for this appraisal or study is for the service rendered and not for time spent on the physical report.

13. The value estimated in this appraisal report is gross without consideration given to any encumbrance, restriction, or question of title unless specifically defined. The estimate of value in the appraisal report is not based in whole or in part upon race, color or national origin of the present owners or occupants of properties in the vicinity of the property appraised.

14. Responsible ownership and competent property management are assumed.

15. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws, unless noncompliance is stated, defined and considered in the appraisal report.

16. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report.

17. It is assumed that all required licenses, certificates of occupancy and consents or other legislative or administrative authority from any local, state or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

18. It is assumed that the utilization of the land and improvements is within the boundaries of the property lines, that the property described in that there is no encroachment or trespass unless noted in the report.

19. Authentic copies of this report are signed in ink.

20. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions may affect the value of the property, the value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.

21. The Americans with Disabilities Act (ADA) became effective January 26, 1992. The appraisers have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon value of the property. Since the appraisers have no direct evidence relating to this issue, possible noncompliance with the requirements of ADA in estimating the value of the property has not been considered.

22. The report may contain estimates of prospective value for the subject property. Forecasts and prospective values are based upon current market conditions and trends. Aucamp, Dellenback & Whitney cannot be held responsible for unforeseeable events that alter market conditions prior to the prospective dates.

23. Acceptance and/or use of this appraisal report constitutes acceptance of the preceding conditions.

HYPOTHETICAL CONDITIONS AND EXTRAORDINARY ASSUMPTIONS

Hypothetical Conditions

This appraisal is subject to the following hypothetical conditions:

None

Extraordinary Assumptions

The following extraordinary assumption is important for supporting the value conclusion(s) in this report, and value conclusion(s) may be significantly affected without this extraordinary assumption. This appraisal is subject to the following extraordinary assumptions:

None

DEFINITIONS

Market Value

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- *buyer and seller are typically motivated;*
- *both parties are well informed or well advised, and acting in what they consider their own best interests;*
- *a reasonable time is allowed for exposure in the open market;*
- *payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

(Source: Interagency Appraisal and Evaluation Guidelines, Federal Register, Volume 75, No. 237, December 10, 2010)

Bulk Value

The value of multiple units, subdivided plots, or properties in a portfolio as though sold together in a single transaction. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 27)

Market Rent

The most probable rent that a property should bring in a competitive and open market reflecting the conditions and restrictions of a specified lease agreement, including the rental adjustment and revaluation, permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TI). (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 140)

Prospective Opinion of Value

A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not yet achieved sellout or a stabilized level of long-term occupancy. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 180)

Retrospective Value Opinion

A value opinion effective as of a specified historical date. The term retrospective does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 201)

Value in Use
The value of a property assuming a specific use, which may or may not be the property's highest and best use on the effective date of the appraisal. Value in use may or may not be equal to market value but is different conceptually. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 245)

Market Value of the Going Concern
The market value of an established and operating business including the real property, personal property, financial assets, and the intangible assets of the business. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 245)

Liquidation Value
The most probable price that a specified interest in real property should bring under the following conditions:

1. *Consummation of a sale within a short time period.*
2. *The property is subjected to market conditions prevailing as of the date of valuation.*
3. *Both the buyer and seller are acting prudently and knowledgeably.*
4. *The seller is under extreme compulsion to sell.*
5. *The buyer is typically motivated.*
6. *Both parties are acting in what they consider to be their best interests.*
7. *A normal marketing effort is not possible due to the brief exposure time.*
8. *Payment will be made in cash in U.S. dollars (or the local currency) or in terms of financial arrangements comparable thereto.*
9. *The price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

(Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 132)

Insurable Value
A type of value for insurance purposes. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 119)

Replacement Cost
The estimated cost to construct, at current prices as of a specific date, a substitute for a building or other improvements, using modern materials and current standards, design and layout. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 197)

Limited-Market Property
A property (or property right) that has relatively few potential buyers. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 131)

Special Purpose Property
A property with a unique physical design, special construction materials, or a layout that particularly adapts its utility to the use for which it was built; also called a special-design property. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 217)

Fee Simple Estate
Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 90)

Leased Fee Interest
The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 128)

Leasehold Interest
The right held by the lessee to use and occupy real estate for a stated term and under the conditions specified in the lease. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 128)

Real Property
The interests, benefits, and rights inherent in the ownership of real estate. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 188)

Personal Property
Identifiable tangible objects that are considered by the general public as being "personal" – for example, furnishings, artwork, antiques, gems and jewelry, collectibles, machinery and equipment; all tangible property that is not classified as real estate.. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, pages 170)

Intended Use
The use or uses of an appraiser's reported appraisal or appraisal review assignment opinions and conclusions, as identified by the appraiser based on communication with the client at the time of the assignment. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 119)

Intended User
The client and any other party as identified, by name or type, as users of the appraisal or appraisal review report by the appraiser on the basis of communication with the client at the time of the assignment. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, pages 119)

Hypothetical Condition
A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 113)

Extraordinary Assumption
An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 73)

Prudent and Competent Management
An owner, operator, or management company that maintains and uses real estate in a manner consistent with the manner in which typical buyers of similar properties would consider appropriate as measured by actual practices in the competitive market. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 180)

Arm's Length Transaction
A transaction between unrelated parties who are each acting in his or her own best interest. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 13)

Surplus Land
Land that is not currently needed to support the existing use but cannot be separated from the property and sold off for another use. Surplus land does not have an independent highest and best use and may or may not contribute to the improved parcel. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 227)

Excess Land
Land that is not needed to serve or support the existing use. The highest and best use of the excess land may or may not be the same as the highest and best use of the improved parcel. Excess land has the potential to be sold separately and is valued separately. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 80)

Entrepreneurial Incentive
The amount an entrepreneur expects to receive for his or her contribution to a project. Entrepreneurial incentive may be distinguished from entrepreneurial profit (often called developer's profit) in that it is the expectation of future profit as opposed to the profit actually earned on a development or improvements. The amount of entrepreneurial incentive required for a project represents the economic reward sufficient to motivate an entrepreneur to accept the risk of the project and to invest the time and money necessary in seeing the project through to completion. (Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal, Sixth Edition*, Chicago, 2015, page 76)

AREA DESCRIPTION AND ANALYSIS

FLORIDA

Florida is a major U.S. state as seen in population and employment figures. As of 2022, Florida's estimated population was 22,114,754 according to the ESRI. Among the 50 states, Florida is ranked as the third most populous state. Florida is forecasted to have an annual growth rate of 0.61% over the next five years.

The majority of job growth in the next ten years likely will come in the service industry led by new jobs in business services, health care, and government employment. Manufacturing will continue to be a relatively reduced part of the state's economy.

Florida's geography, climate, and location are important reasons for its population and economic growth. Florida's coastline with 1,197 miles along the Atlantic Ocean and Gulf of Mexico is the longest of any state, except Alaska. Temperature variations are mild, and the southern part of the state has a subtropical climate. Florida is strategically located for access to the Caribbean Islands as well as to South and Central America.

SOUTH FLORIDA

South Florida is the tri-county region consisting of Miami-Dade, Broward, and Palm Beach and occasionally consists of other surrounding counties. The metropolitan area stretches from south of Miami to north of West Palm Beach, a distance of about 100 miles, and extends 15 to 20 miles west from the Atlantic Ocean. The three counties are the state's three most populous region with an estimated population of 6,200,000, as of 2022, and comprised almost one-third of the state's population.

The South Florida region experienced explosive growth starting in the 1950s when air-conditioned homes made round year living more comfortable. Moving forward, the tri-county region is forecasted to grow at a much slower pace than the past 70 years. Per ESRI, the average growth rate is projected to be under 1.0% during the next five years. Population growth has largely been migration from northern U.S. states and Canada as well as South American countries and Caribbean Islands.

Economic growth in South Florida is centered on services and retail trade for tourists, seasonal residents, permanent residents and retirees. Real estate construction has been a strong economic contributor over the past 50 years. South Florida is also known as a major export / import center for trade with South America and as an attractive location for some high-tech industries and financial service firms.

Within this region, a primary trend has been northward movement of population from Miami-Dade County into Broward County, and from Broward County into Palm Beach County. This trend accelerated with the dislocation of residents due to Hurricane Andrew in 1992. The movement continues today as residents seek less traffic congestion in comparison to Miami-Dade County.

PALM BEACH COUNTY

Palm Beach County is located along Florida's southeast coast on the Atlantic Ocean to the east and Lake Okeechobee to the west. The county is located about 15 miles north of Fort Lauderdale, 40 miles north of Miami, 175 miles south of Orlando, and 270 miles south of Jacksonville.

Palm Beach County, with approximately 1,974 square miles of land area, is one of the largest counties in the United States and is the third largest of Florida's 67 counties. Elevation changes range from 0-20 feet with the average elevation at 15 feet above sea level. The terrain is generally sandy and flat with some gently sloping coastal ridges.

The county's subtropical climate has an average temperature of 75 degrees Fahrenheit. Winters are mild because of the proximity to the warm Gulf Stream currents of the Atlantic Ocean. Prevailing winds are from the east. Average annual rainfall is 62 inches.

Palm Beach County contains 39 incorporated municipalities mostly located east of Florida's Turnpike. County government, mainly located within West Palm Beach, handles the unincorporated areas. Population growth has put constant pressure on government planning and services.

Land Use Pattern

Palm Beach County has a well-established area of urban development as well as a major nature reserve area and productive agricultural area. The urban corridor stretches along the eastern portion of the county while nature reserve and agricultural areas are located in the middle and western portions of the county.

Several small coastal communities in Palm Beach County were initially developed in the early 1900s. These small cities and towns were separated from each other with agricultural land or vacant land. By about the 1980s, the land was developed and the coastal area become one continuous developed urban / suburban corridor. This corridor now represents continuous development from the municipalities of Boca Raton to Tequesta. Most undeveloped land is located to the west of this eastern urban / suburban corridor. Several eastern coastal downtown areas developed between the 1920s and the 1960s, including Boca Raton, Delray Beach, Boynton Beach, Lake Worth, and West Palm Beach, are now experiencing redevelopment and gentrification.

The nature reserve area consists of a north-south corridor to the west of the urban corridor. This area consists of the large Loxahatchee National Wildlife Refuge in the south and central portion and several other natural areas in the north portion: Dupuis Reserve State Park, J.W. Corbett Wildlife Management Area, West Palm Beach Catchment Area, and Jonathan Dickinson State Park.

The agricultural reserve area in southeast Palm Beach County produces vegetables and ornamental plants while the agricultural area in western Palm Beach County is active in sugarcane production. Belle Glade, Pahokee, and South Bay are the three communities within the western agricultural area.

Population

Per ESRI, the county has an estimated population of 1,521,397 in 2022 representing about 7% of the state's population. Population growth from 2022 to 2027 is projected at 0.34%, which is less than the state's projected growth rate at 0.61%. The county's comparatively lower future growth rate reflects the county's advanced stage of development and diminishing supply of land available for development.

Economy

Palm Beach County has an employment base comprised mostly of several sectors: Trade, Transportation and Utilities; Professional and Business Services; Education and Health Services; and Leisure and Hospitality. These sectors are geared toward the seasonal and retiree segments that have been large part of the county's population.

Per the Palm Beach County Business Development Board, Palm Beach County's labor force consists of over 700,000 people. The county's unemployment rate is similar to that of the State of Florida and the United States, as shown on a chart in the following pages.

Housing

The Palm Beach County Business Development Board indicates Palm Beach County has a total of 700,000 housing units with a homeowner vacancy rate quite low at less than 3.0%. Per ESRI, the median home price in Palm Beach County is much higher than the state median home price.

Services

The county has good medical care facilities consisting of 34 hospitals and 1,992 physician offices. A recent trend in local health care is construction of satellite facilities with outpatient services.

The School District of Palm Beach County is the 10th largest public school district in the United States. The District reports an annual enrollment of 193,000 students and 22,340 employees. Numerous private schools are also available. Overcrowding is present in some areas. Prominent academic colleges in the county consist of Florida Atlantic University in Boca Raton, Palm Beach State College with four branch campuses, Palm Beach Atlantic University in West Palm Beach, and Lynn University in Boca Raton. The county has many vocational, technical, and charter schools.

Public water and sewer utilities are provided throughout the county by either incorporated municipalities, special districts, or by the county. Telephone service is provided by BellSouth and other telecommunication vendors. Standard electric service is generally available from Florida Power and Light. Natural gas is provided by main or delivered as liquefied petroleum gas by Peoples Gas System.

Transportation in Palm Beach County consists of Palm Beach International Airport (PBIA), Palm Beach Park Airport, Palm Beach County Glades Airport, North County Airport, Boca Raton Airport, Palm Tran, Port of Palm Beach and Tri-Rail. PBIA is conveniently located to serve the air trade area of Palm Beach County and the four surrounding counties. The 600,000 square foot airport accommodates 28 aircraft gates with expansion potential for 24 gates. The airport reports a passenger count of 6.5 million in the recent years, which is an increase year-over-year. The Boca Raton Airport, the Palm Beach Park Airport and the North County Airport are general aviation airports serving private and corporate airplanes.

Palm Tran is a public bus service in Palm Beach County. Palm Tran has been in service since 1971, runs seven days a week serving more than 3,200 bus stops with 150 buses in Palm Beach County. It has a ridership of over 10 million passengers a year.

Tri-Rail is also a means of public transportation in Palm Beach County. Formed in 1987, this light-rail system extends roughly 72 miles and runs parallel to Interstate 95 from West Palm Beach to Miami serving 18 stations. Ridership exceeded 4.2 million passengers in 2016.

Brightline is a recently constructed privately-held high-speed rail service serving Miami, Fort Lauderdale and West Palm Beach. Future expansion involves service to Orlando and other Florida cities.

Port of Palm Beach is one of the busiest container ports in Florida with over 2,500,000 tons of cargo shipped annually. The port also services over 500,000 cruise passengers.

Trends

Palm Beach County has well established urban and agricultural areas. Economic soundness is supported with a higher than average income, expanding employment centers, a wide range of commercial and public services and facilities, and many recreational opportunities. The county is poised for further growth.

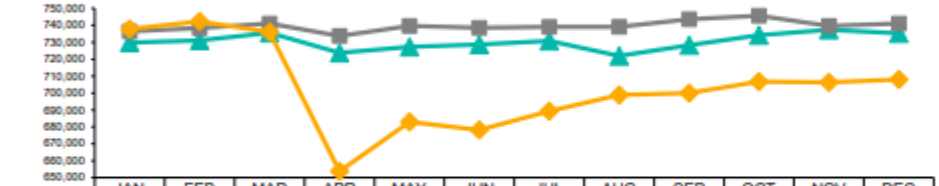
Future trends show modest population growth and a favorable outlook for Palm Beach County's economy. Population trends indicate further migration to the county will continue, and jobs will continue to increase and fuel economic growth in the county.

Problems typically associated with growth will continue to challenge Palm Beach County. The major challenges are schools, transportation and utilities to meet the needs of a growing population.

Palm Beach County Market Indicators

BUSINESS DEVELOPMENT BOARD PALM BEACH COUNTY
Your Economic Development Resource

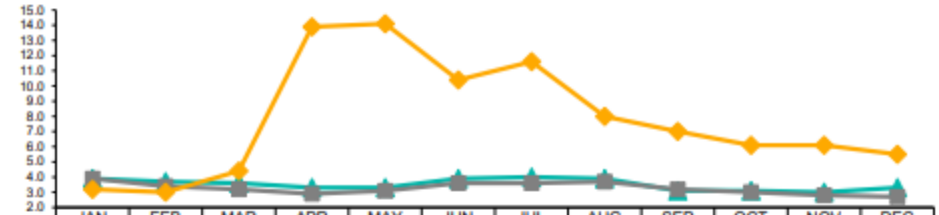
Palm Beach County Labor Force



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018	729,741	730,988	735,624	723,696	727,259	728,659	730,741	721,916	728,201	734,193	737,346	735,317
2019	736,447	738,367	741,017	733,680	739,697	738,576	739,057	739,151	743,523	745,652	739,579	740,986
2020	737,808	742,269	735,995	653,719	682,852	678,071	689,319	698,876	699,888	706,665	706,278	707,961

Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

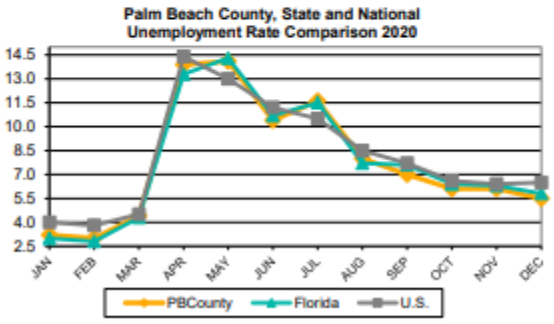
Palm Beach County Unemployment Rates



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2018	3.9	3.7	3.6	3.3	3.3	3.9	4.0	3.9	3.1	3.1	3.0	3.3
2019	3.9	3.4	3.2	2.9	3.1	3.6	3.6	3.7	3.2	3.0	2.8	2.7
2020	3.2	3.0	4.4	13.9	14.1	10.4	11.6	8.0	7.0	6.1	6.1	5.5

Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

2020 County, State & U.S Unemployment Rate Comparison



2020	PBC	Florida	U.S.
JAN	3.2	3.0	4.0
FEB	3.0	2.8	3.8
MAR	4.4	4.3	4.5
APR	13.9	13.3	14.4
MAY	14.1	14.3	13.0
JUN	10.4	10.7	11.2
JUL	11.6	11.5	10.5
AUG	8.0	7.7	8.5
SEP	7.0	7.6	7.7
OCT	6.1	6.4	6.6
NOV	6.1	6.3	6.4
DEC	5.5	5.8	6.5

Source: Local Area Unemployment Statistics, Florida Department of Economic Opportunity

ENGAGEMENT LETTER

AUCAMP, DELLENBACK & WHITNEY

APPRAISERS & CONSULTANTS

December 19, 2022

Mr. Jake Leone
Frisbie Group
221 Royal Poinciana Way, Suite 1
Palm Beach, FL 33480

RE: Appraisal of Real Property
Office Building
125 Worth Ave
Palm Beach, FL 33480

Dear Mr. Leone,

As requested, we are pleased to submit this engagement letter for Aucamp, Dellenback & Whitney to provide appraisal services. The following outlines the scope of work for this assignment:

Client & User:	Frisbie Group, LLC
Use:	Assistance related to business decisions
Purpose:	Estimate Depreciated Replacement Cost in "as is" condition
Real Property:	125 Worth Ave, Palm Beach, FL 33480
Interest:	Not relevant
Valuation Date:	Current Date
Valuation Approaches:	Cost Approach
Site Visit:	Yes (Interior and Exterior)
Report Format:	Appraisal Report
Fee:	$3,600 (due at completion)
Delivery:	About 1 week from engagement
Other:	The subject is a multiple-tenant office building with a subterranean parking garage structure. Our estimate of depreciated replacement cost will include all building improvements (structure), but exclude the land and any site improvements. The Marshall & Swift BVS system will be used to generate the replacement cost.

1900 NW CORPORATE BOULEVARD, SUITE 215E, BOCA RATON, FLORIDA 33431
561-998-9326, FAX 561-241-4759

19 Dec 2022

AUCAMP, DELLENBACK & WHITNEY

APPRAISERS & CONSULTANTS

This appraisal assignment and report will be prepared in accordance with requirements of the Uniform Standards of Professional Appraisal Practice (USPAP) developed by the Appraisal Standards Board of the Appraisal Foundation, with the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, and with the requirements of the State of Florida for state-certified general real estate appraisers.

Any and all costs, including court costs and our attorney costs, associated with non-payment of the full appraisal fee will be paid by the client as listed herein.

We look forward to working with you on this assignment. Please contact me if you have any questions.

Respectfully submitted,

Jonathan Whitney, MAI
State-certified General Real Estate Appraiser RZ2943
jon@adw-appraisers.com
561-609-2884

ACKNOWLEDGEMENT AND AGREEMENT

My signature indicates acknowledgement and agreement with the above terms and conditions for performing this assignment.

Authorized Signature

19 DECEMBER 2022
Date

JOSHUA MARTIN, FEASIBLE GROUP
Name

1900 NW CORPORATE BOULEVARD, SUITE 215E, BOCA RATON, FLORIDA 33431
561-998-9326, FAX 561-241-4759

APPRAISER QUALIFICATIONS AND LICENSE

QUALIFICATIONS OF JONATHAN D. WHITNEY, MAI
State-certified General Real Estate Appraiser, RZ 2943

JONATHAN D. WHITNEY, MAI
Aucamp, Dellenback & Whitney
1900 NW Corporate Blvd, Suite 215E
Boca Raton, FL 33431

jon@adw-appraisers.com
561-609-2884

Professional Experience
Aucamp, Dellenback & Whitney, Boca Raton, FL, 2003 - Present
Real Estate Appraisers & Consultants

- Principal, 2016 - Present
- Commercial Real Estate Appraiser, 2003 - Present

Jonathan Whitney has 20 years of experience in valuing commercial real estate in the greater South Florida market. He heads the team of eight commercial real estate appraisers for independent Aucamp, Dellenback & Whitney (ADW), and values all major real property types: industrial, office, retail, and multifamily. Valuation assignments also include vacant development sites, residential subdivisions / condominiums, mixed-use buildings, and special-purpose properties. His partner, David Aucamp, SRA, heads the residential side of their firm with a separate team of seven residential appraisers.

Clients are mostly bank lenders, but also include investors, institutions, property owners, developers, brokers, attorneys, CPAs, municipalities, and associations. Real estate appraisal and consulting assignments involve estimating market value and-or market rent, and providing expert witness testimony. Valuation assignments range between relatively straight forward assignments to multiple-phased projects with complex cash flow considerations.

Education
Master in Arts in Business, University of Florida, 2000
Bachelor of Science in Economics, University of Florida, 1999
Boca Raton Community High School, 1995

Activities and Affiliations
Florida State-certified General Real Estate Appraiser, RZ 2943, 2006 - Present
Florida State-registered Associate Appraiser, RI 11475, 2003 - 2006

Appraisal Institute
- Designated Member (MAI), 2013 - Present
- Board of Directors, South Florida Chapter, 2018 - 2020
- Associate Member, 2004 - 2013

Planning and Zoning Board, City of Boca Raton
- Secretary, 2021 - Present
- Member, 2019 - Present

Zoning Board of Adjustment, City of Boca Raton
- Vice Chair, 2017 - 2018
- Member, 2013 - 2018

Urban Land Institute (ULI)
- Associate Member, 2019 - Present

Commercial Real Estate Development Association (NAIOP)
- Member, 2019 - Present

Boca Raton Federation of Homeowners
- Executive Board Member, 2018 - 2019

Boca Raton Chamber of Commerce
- Member (ADW), 1990s - Present
- Leadership Boca, Class of 2016

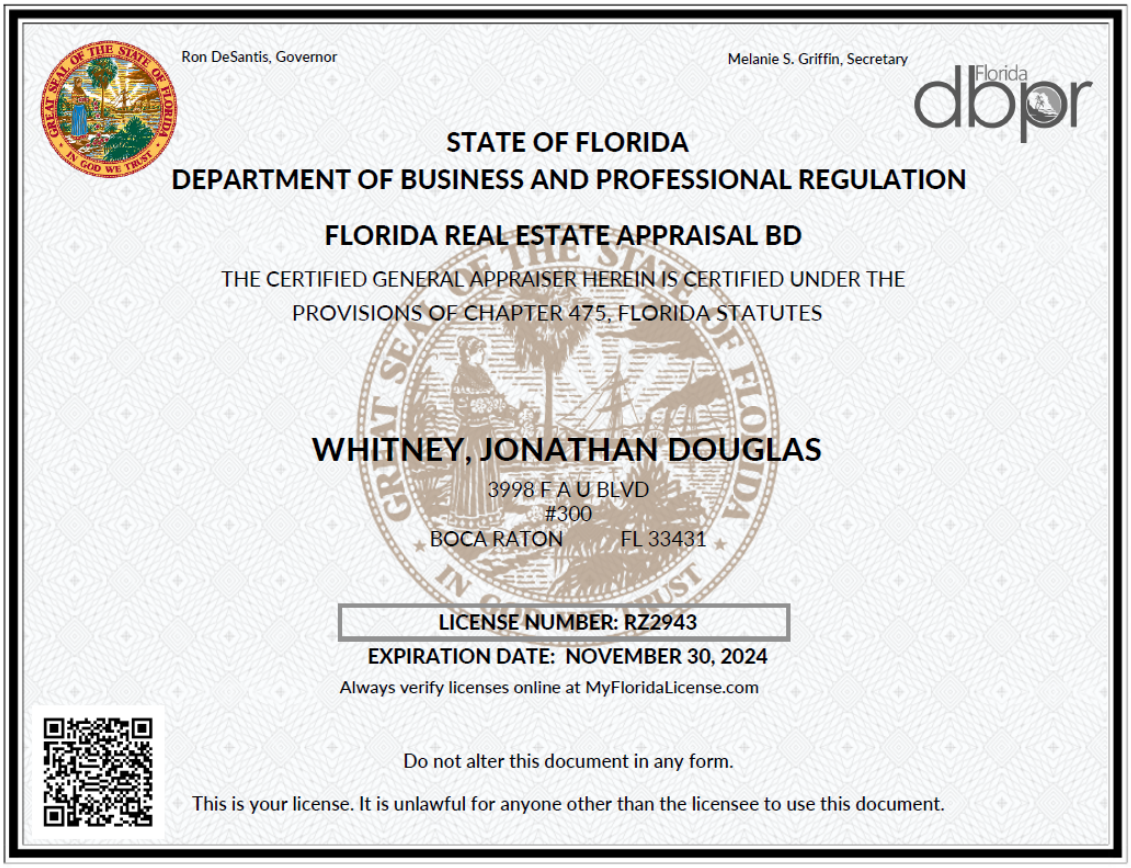
National Association of Divorce Professionals (NADP)
- Member, 2017 - 2019

Boca Raton Downtown Rotary Club
- Member, 2016 - Present
- Fund Board Member, 2020 - Present
- Mayors Ball Honorary Co-Chair, 2022
- Mayors Ball Co-Chair, 2021
- Mayors Ball Committee Member, 2016 - 2020

Spanish River Church and Christian School
- Member, Spanish River Church, 2011 - Present
- School Board Member, Spanish River Christian School, 2022 - Present
- Elder, Spanish River Church, 2017 - 2021

Recent Appraisal Institute Courses (sampling of recent courses)

USPAP (Uniform Standards of Professional Appraisal Practice) Update, 2022 - 2023
Florida State Law for Real Estate Appraisers, 2022
Supervisory Appraiser / Trainee Appraiser Course, 2022
Appraisal of Fast Food Restaurants, 2022
Business Practice & Ethics, 2018
Appraising Automobile Dealership, 2018
Technology Tips for Real Estate Appraisers, 2018
Advanced Applications, 2009
Advanced Income Capitalization, 2009
Advanced Sales Comparison and Cost Approaches, 2008
Report Writing and Valuation Analysis, 2008
Office Building Valuation: A Contemporary Perspective, 2007



Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

WHITNEY, JONATHAN DOUGLAS

3998 F A U BLVD
#300
BOCA RATON FL 33431

LICENSE NUMBER: RZ2943
EXPIRATION DATE: NOVEMBER 30, 2024

Always verify licenses online at MyFloridaLicense.com

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Appraisal Institute®

Professionals Providing Real Estate Solutions

This Certifies That

Jonathan D. Whitney

has been admitted to membership as an

MAI Member

in the Appraisal Institute and is
entitled to all the rights and privileges of membership
subject only to the limiting conditions set forth from time to time
in the Bylaws and Regulations of the Appraisal Institute.

In Witness Whereof, the Board of Directors of the Appraisal Institute has
authorized this certificate to be signed in its behalf by the President, and the
Corporate Seal to be hereunto affixed on this 20th day of May 2013

Richard L Borget
President

This certificate is the property of the Appraisal Institute and must be returned to the Secretary upon termination of membership.

APPRAISER QUALIFICATIONS OF ANDREW SPERLING
State-certified General Real Estate Appraiser, RZ 4177

Andrew Sperling
Aucamp, Dellenback & Whitney
1900 NW Corporate Blvd, Suite 215E
Boca Raton, FL 33431

andrew@adw-appraisers.com
561-609-2885

Professional Experience
Florida State-certified General Real Estate Appraiser, RZ 4177

Activities and Affiliations
Florida State University – Real Estate Society Mentorship Program

Work Experience

September 2017 - Present	Staff Appraiser, Aucamp Dellenback & Whitney Boca Raton, FL Commercial Appraiser

Education
Florida State University - FL
Bachelor of Science, Business Administration, Finance, 2017
Bachelor of Science, Real Estate, 2017

Appraisal Courses:
- USPAP (Uniform Standards of Professional Appraisal Practice) Update, 2022 - 2023
- Florida State Law for Real Estate Appraisers, 2022
- Market Disturbances-Appraisals in Atypical Markets and Cycles, 2022
- Intermediate Income Approach Case Studies for Commercial Appraisers, 2022
- General Appraiser Income Approach, 2020
- Commercial Land and Site Valuation, 2020
- Basic Appraisal Principles, 2017
- Basic Appraisal Procedures, 2017
- Residential Report Writing, 2017
- Financial Statistics and Valuation Modeling, 2017

Ron DeSantis, Governor

Melanie S. Griffin, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FLORIDA REAL ESTATE APPRAISAL BD

THE CERTIFIED GENERAL APPRAISER HEREIN IS CERTIFIED UNDER THE PROVISIONS OF CHAPTER 475, FLORIDA STATUTES

SPERLING, ANDREW WILLIAM

1900 NW CORPORATE BLVD
BOCA RATON FL 33431

LICENSE NUMBER: RZ4177

EXPIRATION DATE: NOVEMBER 30, 2024

Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

EXHIBIT F: 125 WORTH AVENUE DRAINAGE STATEMENT

January 12. 2023

KESHAVARZ & ASSOCIATES
Civil Engineers – Land Surveyors

Drainage Report for:
125 Worth Avenue, Palm Beach

Location:

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

FEMA Flood Data:

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

Existing Conditions:

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

Proposed Improvements:

The proposed project includes the renovation of portions of the office/retail space. The project also includes expanding the above ground building footprint above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.

Randy Wertepny, P.E.
Keshavarz & Associates
PE # 72504

EXHIBIT G: 125 WORTH AVENUE REVITALIZATION COST ESTIMATE

Gilbane

December 27, 2022

Mr. Wayne Bergman,
MCP, LEED-AP
Director, Planning,
Zoning & Building
Department

Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: 125 Worth Avenue Revitalization Plans - Revitalization Improvements Cost Estimate

Dear Mr. Bergman,

We hope that this letter finds you safe and well. We have been retained by Frisbie Group as part of their team working on the proposed revitalization plans for Worth Avenue. We have reviewed the proposed plans in great detail in order to provide preliminary cost estimates for the revitalization of 125 Worth Avenue.

Frisbie Group plans to use the Special Allowances outlined in the Worth Avenue Design Guidelines. For the purpose of determining eligibility for these Special Allowances, the proposed revitalization must qualify as a "Substantial Exterior Renovation or Restoration" which is defined as improvements costing 15% or more of the appraised value of the structure.

Frisbie Group has retained a separate firm to appraise the building and that appraisal is contained in the 125 Worth Avenue Revitalization Plan Application at the Town of Palm Beach.

Following our detailed review of the aforementioned plans, we estimate the planned improvements to be valued at a minimum of $32,100,000.

If you have any questions of our team, please feel free to contact Russell Anderson Randerson2@GilbaneCo.com or 954.818.2569. In advance, thank you for your time in this matter.

Sincerely,

Thomas Thrasher
Senior Vice President

GILBANE CORE VALUES:

- INTEGRITY
- TOUGHMINDEDNESS
- TEAMWORK
- DEDICATION TO EXCELLENCE
- LOYALTY
- DISCIPLINE
- CARING
- ENTREPRENEURSHIP

EXHIBIT H: 125 WORTH AVENUE ADDITIONAL CONCURRENCY: WATER, WASTEWATER, STORMWATER, SOLID WASTE

Subject: RE: 125 Worth Avenue - Concurrency Determination
Date: Tuesday, December 27, 2022 at 8:43:39 AM Eastern Standard Time
From: Randy Wertepny
To: Patricia Strayer
CC: Josh Martin, Deborah L. Fulgenzi, Craig Hauschild, Mark Williams
Attachments: 2019-12-11 - Keshavarz Assoc. - 125 Worth Ave.pdf, Concurrency Request Letter.pdf, Wastewate - Solid Waste Demand.pdf, Drainage Statement.pdf, Conceptual Eng Plans.pdf

Good morning Patricia,

The owner of the 125 Worth Avenue is in the ARCOM process for onsite renovations and building expansion. The owner previously obtained concurrency with the Town in 2019, please see attached letter, but ultimately did not receive approval from the Town for a mixed use (residential and commercial). The owner is now requesting concurrency for an increase in office / retail use for the site with no changes in the current use. Please see the attached concurrency request letter, wastewater and solid waste demand, conceptual engineering plans and drainage statement for the project.

Please let us know if you have any questions or need additional information.

Sincerely,

Randy Wertepny

From: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Sent: Wednesday, December 11, 2019 4:25 PM
To: Joan Sopczak <joan@keshavarz.com>
Cc: Randy Wertepny <randy@keshavarz.com>; Mark Williams <mark@keshavarz.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: RE: 125 Worth Avenue - Concurrency Determination

Please find attached the concurrency letter for 125 Worth Avenue.

Patricia

Patricia Strayer, PE
Town Engineer

Town of Palm Beach
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401
(O) 561.227.7056
(C) 561.339.7309

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.

Subject: RE: 125 Worth Avenue
Date: Tuesday, December 27, 2022 at 8:48:08 AM Eastern Standard Time
From: Rick Rossano
To: Randy Wertepny
CC: Josh Martin, Deborah L. Fulgenzi, Mark Williams, Debra Grayson, Vincent Noel
Attachments: image001.png, Water Demand.pdf, City of WPB Concurrency letter.pdf, 125 Worth Site Plan.pdf

Hi Randy – yes, it's been nice, thanks. Hope you are enjoying the break as well.

Deb, could you please prepare an LOA and invoice for the subject request?

Thanks,

Rick Rossano
Senior Project Coordinator
City of WPB Engineering Services
Ofc: (561) 494-1098
Cell: (561) 246-9525
Fax: (561) 494-1116

PLEASE NOTE: We are pleased to announce that Linda Quiñones-Cintron has joined our team as Project Coordinator. Please include her in future correspondence, her contact info is LQuinones@WPB.org, 561-494-1085.

Reminder: When emailing regarding Developer projects, please include project name and permit number (**E**-XXXXXXXX, or **Z**-XXXXXXXX). For Building Dept. permits, include 8 digit permit number.

Also, please always provide Developer submittals and resubmittals in both hard copy and digital formats (pdf, flash drive, disc or link). Use the drop box inside the first floor front door of City Hall marked Engineering Drop Box, and email before doing so to coordinate receipt of documents.

Online links for Engineering Forms, Publications and Standard Details:
https://www.wpb.org/government/engineering/engineering-forms-permits-and-applications

24 HR. CENTRAL OPS DISPATCH (Emergency response for Public Utilities, Public Works, Parks, etc.) 561-822-2210

From: Randy Wertepny <randy@keshavarz.com>
Sent: Tuesday, December 27, 2022 8:32 AM
To: Rick Rossano <rrossano@wpb.org>
Cc: Josh Martin <josh.martin@frisbiegroup.com>; Deborah L. Fulgenzi <deborah@keshavarz.com>; Mark Williams <mark@keshavarz.com>
Subject: 125 Worth Avenue

Good morning Rick,

I hope you are enjoying the holidays. The owner of the property is in the planning stages for a proposed renovation to construct a building addition of the property located at 125 Worth Avenue, Palm Beach. Please see the attached Water Demand Calculations for the proposed project along with a copy of the current site plan as well as the previous concurrency letter received from the City for this project.

Note the following proposed uses related to this project.

Existing: 52,427 of Retail / Office
Proposed: 73,221 SF of Retail / Office

Please provide a concurrency letter indicating that the City has adequate capacity to provide water service as described in the calculations and confirm the City's review fee for this request.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,

Randy Wertepny, P.E.
Vice President of Engineering

KESHAVARZ
—& ASSOCIATES—
CIVIL ENGINEERING | SURVEYING | CONSULTING

711 North Dixie Highway, Suite 201
West Palm Beach, Florida 33401
Tel: (561) 689-8600
Mob: (561) 329-8762
Randy@keshavarz.com
Keshavarz.com

This email may contain confidential and privileged information for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

GO GREEN - Please do consider the environment before printing this email. It takes an average of 5 liters of water to produce an 8.5" x11" sheet of paper.

TOWN OF PALM BEACH

Public Works Department

December 11, 2019

Ms. Randy Wertepny, P.E.
Keshavarz & Associates, Inc.
711 N Dixie Highway, Suite 201
West Palm Beach, FL 33401

RE: Water, Sewer, Solid Waste, and Drainage Concurrency: 125 Worth Avenue, Palm Beach, Florida

Dear Ms. Wertepny:

Subsequent to receiving the attached documentation, the Town has confirmed that there is sufficient equipment and resources to provide the required additional services at this location. Therefore, please allow this letter to serve as Acknowledgement of Concurrency from the Town of Palm Beach for sanitary sewer and solid waste on the above reference project.

In addition, we acknowledge receipt of the letter from the City of West Palm Beach indicating water supply capacity for this project.

If any additional information is needed, please do not hesitate to contact me.

Sincerely,

Patricia Strayer

Patricia K. Strayer, P.E.
Town Engineer

PKS:lm
Attachment

cc: H. Paul Brazil, P.E., Public Works Director
Paul Castro, Zoning Administrator
Public Works File

KESHAVARZ
—& ASSOCIATES—
CIVIL ENGINEERING | SURVEYING | CONSULTING

Town of Palm Beach Public Works Department
Ms. Patricia Strayer P.E., Town Engineer
360 South County Road
Palm Beach, FL 33401

December 10th, 2019

K&A Project No. 19-1300

Attention: Ms. Patricia Strayer, P.E., Town Engineer

Reference: 125 Worth Avenue, Palm Beach. Proposed renovation to construct a building addition and use changes
Concurrency Determination for Water and Sewer

Dear Ms. Strayer:

Please find the following information attached for review for Concurrency Determination for Water and Sewer:

1. Solid Waste Comparative Analysis of Impacts
2. Wastewater Comparative Analysis of Impacts
3. Drainage statement

Concurrency Determination for Water Service was submitted to the City of West Palm Beach. We will provide a copy of their response via email once received.

The owner of this property is in the planning stages for a proposed renovation to construct a building addition on the eastern side of the property located at 125 Worth Avenue, Palm Beach.

Please provide a concurrency letter indicating that the Town has adequate capacity to provide the services described above.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,
KESHAVARZ & ASSOCIATES, INC.

Randy Wertepny, P.E.
Vice President of Engineering

Enclosures

p:\19-1300 125 worth ave\concurrency\topb 125 worth avenue concurrency request.docx

711 N Dixie Highway, Suite 201 • West Palm Beach, FL 33401 • 561-689-8600 • www.keshavarz.com

December 3, 2019
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

SOLID WASTE	
Service Provider	Town of Palm Beach (hauler), Palm Beach County Solid Waste Authority (disposal site)
Nearest Solid Waste Facility	Palm Beach County Solid Waste Authority located on N. Jog Road, south of State Road 710, approximately 11 miles northwest of the project site.
Level of Service	Per Comprehensive Plan
Current Demand	Office: 49,401 sf * 0.69 lbs / 100 sf / day = 340.9 lbs/day TOTAL CURRENT DEMAND = 341 LBS/DAY
Proposed Demand	Office: 49,401 sf * 0.69 lbs / 100 sf / day = 344 lbs/day Residential: 4 units *1.81 cap/unit*2.55 lbs/person/day = 18.5 lbs/day TOTAL PROPOSED DEMAND = 363 LBS/DAY
Change	INCREASE = 22 LBS/DAY (0.24 TONS/YEAR)
Proposed Pickup Plan	All solid waste pickup will be on Worth Avenue. Recycling is to be collected by the Town using SWA-supplied 95-gallon containers, collected street side. The waste and/or recycling produced by the office space and residential apartments will be collected and they will be brought to the street for pickup.

References:
1. Town of Palm Beach Comprehensive Plan
2. Palm Beach County Solid Waste Authority, Commercial Waste Generation Schedule

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401 phone:(561) 689-8600

December 3, 2019
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

WASTEWATER	
Sewer Providers	Town of Palm Beach (gravity sewer / force main system) City of West Palm Beach Wastewater Treatment Plant (treatment)
Nearest Sewer Facility	There is an existing 8" gravity sewer main adjacent to the south side of the site within Worth Avenue right of way and there is an existing sewer main along the north side of the site within an existing utility easement.
Proposed Facilities	It is anticipated that development of this site will utilize the existing gravity sewer service connection to the existing gravity main within the easement along the north side of the project site. The capacity of the existing sewer service will be evaluated and compared to the proposed project's wastewater generation to confirm that the existing sewer service has adequate capacity.
Level of Service	Per Comprehensive Plan
Current Demand	Office/Retail: 49,401 sf * 0.15 gpd / sf = 7,410 gpd TOTAL CURRENT DEMAND = 7,410 GPD
Proposed Demand	Office/Retail: 49,877 sf @ 0.15 gpd / sf = 7,482 gpd Residential Apartments: 4 units * 350 gpd = 1,400 gpd TOTAL PROPOSED DEMAND = 8,882 GPD
Change	INCREASE = 1,471 GPD

References: 1. Town of Palm Beach Comprehensive Plan
2. Architectural Graphic Standards
3. Florida Administrative Code 64E-6 Standards for Sewage Treatment & Disposal Systems.

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401 phone:(561) 689-8600

January 12. 2023

KESHAVARZ & ASSOCIATES
Civil Engineers – Land Surveyors

Drainage Report for:
125 Worth Avenue, Palm Beach

Location:

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

FEMA Flood Data:

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

Existing Conditions:

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

Proposed Improvements:

The proposed project includes the renovation of portions of the office/retail space into 4 residential units. The project also includes expanding the above ground building footprint east, replacing the surface parking, above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.

Randy Wertepny, P.E.
Keshavarz & Associates
PE # 72504

WEST PALM BEACH

Engineering Services

December 11, 2019

Mr. Randy Wertepny
Keshavarz & Associates
711 N. Dixie Highway, Suite 201
West Palm Beach, FL 33401
Tel:561-689-8600
Email: randy@keshavarz.com

RE: E19120011-125 Worth Ave., Palm Beach-ENG LOA - ENG LOA
PCN: 50-43-43-23-05-016-0380

Dear Mr. Wertepny:

Thank you for the request and interest in being served by the City of West Palm Beach, Public Utilities Department. In response to your request for verification of service availability for the subject property; please be advised of the following:

Water Service: The City has sufficient water plant capacity to serve this property.

Wastewater Service: The City has sufficient wastewater plant capacity to serve this property.

Stormwater: The design must meet the South Florida Water Management District (SFWMD) criteria and may also be required to obtain an Environmental Resource Permit from SFWMD.

Solid Waste Collection: The City will be able to supply solid waste collection to serve this property.

This letter of service availability does not give approval of the development or service connections. The City of West Palm Beach Engineering Services Department still requires the review and approval of the plans for the actual service connections to be made, at the owner's expense.

Any required upgrades to City infrastructure will be determined at the time of design. The developer will assume all Right-of-Way utility improvements and upgrades associated with this project. The applicable capacity charges, installation charges, deposits, and other normal fees charged by the Public Utilities Department or Public Works Department shall be assessed at the time of request for permits/review.

We encourage you to contact us to discuss options for connecting the proposed project to our existing system. Please feel free to contact me at (561)494-1085 or Mgonzalez@wpb.org

Sincerely,

Manuel J. Gonzalez
Senior Project Coordinator
Engineering Division

City's TTY Phone: 800-955-8771

401 CLEMATIS STREET
P.O. BOX 3366
WEST PALM BEACH, FL 33401
561.494.1040

SWA
SOLID WASTE AUTHORITY
YOUR PARTNER FOR
SOLID WASTE SOLUTIONS

January 8, 2019

Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480

Subject: Availability of Solid Waste Disposal Capacity

Greetings:

The Solid Waste Authority of Palm Beach County (Authority) hereby provides certification that the Authority has disposal capacity available to accommodate the solid waste generation for the municipalities and unincorporated county for the coming year of 2019. This letter also constitutes notification of sufficient capacity for concurrency management and comprehensive planning purposes. Capacity is available for both the coming year, and the five and ten year planning periods that may be specified in local comprehensive plans.

As of September 30, 2018, the Authority's Landfill located at the Palm Beach Renewable Energy Park has an estimated 24,681,879 cubic yards of landfill capacity remaining. Based upon the existing Palm Beach County population, the most recently available population growth rates published by the University of Florida Bureau of Economic and Business and Research (BEBR), medium projection, and projected rates of solid waste generation, waste reduction and recycling, the Authority forecasts that capacity will be available at the existing landfill through approximately the year 2049.

The Authority continues to pursue options to increase the life of its existing facilities and to provide for all of the County's current and future disposal and recycling needs. As part of its responsibility, the Authority is providing this annual statement of disposal capacity, using the most current BEBR projections available. Please provide copies of this letter to your plan review and concurrency management staff. If you have any questions or I can be of further assistance, please do not hesitate to contact me.

Very truly yours,

Mary Beth Morrison

Mary Beth Morrison
Director of Environmental Programs

7501 North Jog Road, West Palm Beach, Florida 33412 (561) 640-4000 FAX (561) 640-3400
Recycled Paper

WEST PALM BEACH

Engineering Services

December 11, 2019

Mr. Randy Wertepny
Keshavarz & Associates
711 N. Dixie Highway, Suite 201
West Palm Beach, FL 33401
Tel:561-689-8600
Email: randy@keshavarz.com

RE: E19120011-125 Worth Ave., Palm Beach-ENG LOA - ENG LOA
PCN: 50-43-43-23-05-016-0380

Dear Mr. Wertepny:

Thank you for the request and interest in being served by the City of West Palm Beach, Public Utilities Department. In response to your request for verification of service availability for the subject property; please be advised of the following:

Water Service: The City has sufficient water plant capacity to serve this property.

Wastewater Service: The City has sufficient wastewater plant capacity to serve this property.

Stormwater: The design must meet the South Florida Water Management District (SFWMD) criteria and may also be required to obtain an Environmental Resource Permit from SFWMD.

Solid Waste Collection: The City will be able to supply solid waste collection to serve this property.

This letter of service availability does not give approval of the development or service connections. The City of West Palm Beach Engineering Services Department still requires the review and approval of the plans for the actual service connections to be made, at the owner's expense.

Any required upgrades to City infrastructure will be determined at the time of design. The developer will assume all Right-of-Way utility improvements and upgrades associated with this project. The applicable capacity charges, installation charges, deposits, and other normal fees charged by the Public Utilities Department or Public Works Department shall be assessed at the time of request for permits/review.

We encourage you to contact us to discuss options for connecting the proposed project to our existing system. Please feel free to contact me at (561)494-1085 or Mgonzalez@wpb.org

Sincerely,

Manuel J. Gonzalez
Senior Project Coordinator
Engineering Division

City's TTY Phone: 800-955-8771

401 CLEMATIS STREET
P.O. BOX 3366
WEST PALM BEACH, FL 33401
561.494.1040

KESHAVARZ & ASSOCIATES
CIVIL ENGINEERING | SURVEYING | CONSULTING

Town of Palm Beach Public Works Department
Ms. Patricia Strayer P.E., Town Engineer
360 South County Road
Palm Beach, FL 33401

December 27th, 2022

K&A Project No. 19-1300

Attention: Ms. Patricia Strayer, P.E., Town Engineer

Reference: 125 Worth Avenue, Palm Beach. Proposed renovation to construct a building addition
Concurrency Determination for Water and Sewer

Dear Ms. Strayer:

Please find the following information attached for review for Concurrency Determination for Water and Sewer:

1. Solid Waste Comparative Analysis of Impacts
2. Wastewater Comparative Analysis of Impacts
3. Drainage statement

Concurrency Determination for Water Service was submitted to the City of West Palm Beach. We will provide a copy of their response via email once received.

The owner of this property is in the planning stages for a proposed renovation to construct a building addition on the property located at 125 Worth Avenue, Palm Beach.

Please provide a concurrency letter indicating that the Town has adequate capacity to provide the services described above.

Should you require any additional information concerning this matter, please feel free to contact this office.

Sincerely,
KESHAVARZ & ASSOCIATES, INC.

Randy Wertepny, P.E.
Vice President of Engineering

Enclosures

January 12. 2023

KESHAVARZ & ASSOCIATES
Civil Engineers – Land Surveyors

Drainage Report for:
125 Worth Avenue, Palm Beach

Location:

The 0.79 acre project site is located within The Town of Palm Beach, Section 26, Township 43 South, Range 43 East. The site is located on the north side of Worth Avenue (125 Worth Avenue) approximately 225' west of South Ocean Boulevard.

FEMA Flood Data:

The project site is located within flood zone "X" in accordance with of the Flood Insurance Rate Map, latest revision October 1, 2017, Community-Panel Number 12099C 0583, Flood Zone "X" is defined as an area of minimal flood hazard.

Existing Conditions:

The site is currently developed with existing parking areas (underground, covered and at grade) and an existing building containing office / retail space. There are existing water and drainage system connections to the infrastructure along Worth Avenue and a sewer connection to the Town's gravity sewer system within the utility easement along the rear property line. There are two driveway connections to Worth Avenue for access to the site. The limits of the 2-level underground parking garage on all sides is approximately 5' from the property line.

The current site was developed in 1974 and construction plans for the site infrastructure have been obtained from Town records and have been reviewed relative to the original drainage system design. The original construction plans do not have any onsite retention/detention facilities with 3 direct connections to the Worth Avenue drainage system, which has been confirmed to the best of our ability during field explorations of the site.

Proposed Improvements:

The proposed project includes the renovation of portions of the office/retail space. The project also includes expanding the above ground building footprint above the subsurface parking garage. The proposed project will not increase surface water runoff from the site. The existing site has several limitations that do not allow for the construction of added retention/detention facilities in that the existing subsurface structure is within 5' of the property line where existing landscaping and utilities must be maintained for this site and the surrounding sites. The proposed drainage system for the expansion of the site will be designed to utilize the originally designed and installed drainage system.

Randy Wertepny, P.E.
Keshavarz & Associates
PE # 72504

December 27, 2022
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

WASTEWATER	
Sewer Providers	Town of Palm Beach (gravity sewer / force main system) City of West Palm Beach Wastewater Treatment Plant (treatment)
Nearest Sewer Facility	There is an existing 8" gravity sewer main adjacent to the south side of the site within Worth Avenue right of way and there is an existing sewer main along the north side of the site within an existing utility easement.
Proposed Facilities	It is anticipated that development of this site will utilize the existing gravity sewer service connection to the existing gravity main within the easement along the north side of the project site. The capacity of the existing sewer service will be evaluated and compared to the proposed project's wastewater generation to confirm that the existing sewer service has adequate capacity.
Level of Service	Per Comprehensive Plan
Current Demand	Office/Retail: 52,427 sf * 0.15 gpd / sf = 7,864 gpd TOTAL CURRENT DEMAND = 7,864 GPD
Proposed Demand	Office/Retail: 73,221 sf @ 0.15 gpd / sf = 10,983 gpd TOTAL PROPOSED DEMAND = 10,983 GPD
Change	INCREASE = 3,119 GPD

References: 1. Town of Palm Beach Comprehensive Plan
2. Architectural Graphic Standards
3. Florida Administrative Code 64E-6 Standards for Sewage Treatment & Disposal Systems.

November 17, 2022
Project # 19-1300

125 WORTH AVENUE, PALM BEACH, FL
Comparative Analysis of Impacts

SOLID WASTE	
Service Provider	Town of Palm Beach (hauler), Palm Beach County Solid Waste Authority (disposal site)
Nearest Solid Waste Facility	Palm Beach County Solid Waste Authority located on N. Jog Road, south of State Road 710, approximately 11 miles northwest of the project site.
Level of Service	Per Comprehensive Plan
Current Demand	Office/Retail: 52,427 sf * 0.69 lbs / 100 sf / day = 361.8 lbs/day TOTAL CURRENT DEMAND = 362 LBS/DAY
Proposed Demand	Office/Retail: 73,221 sf * 0.69 lbs / 100 sf / day = 505.2 lbs/day TOTAL PROPOSED DEMAND = 505 LBS/DAY
Change	INCREASE = 143 LBS/DAY (26.2 TONS/YEAR)
Proposed Pickup Plan	All solid waste pickup will be on Worth Avenue. Recycling is to be collected by the Town using SWA-supplied 95-gallon containers, collected street side. The waste and/or recycling produced by the office space and retail will be collected and they will be brought to the street for pickup.

References: 1. Town of Palm Beach Comprehensive Plan
2. Palm Beach County Solid Waste Authority, Commercial Waste Generation Schedule

711 North Dixie Highway, Suite 201, West Palm Beach, FL 33401 phone:(561) 689-8600

KESHAVARZ & ASSOCIATES, INC.
711 North Dixie Highway, Suite 200
West Palm Beach, Florida 33401
phone: (561) 689-8600
fax: (561) 689-7476

125 Worth Avenue

EXISTING WATER DEMAND CALCULATIONS

	Quant.	Units	Rate/Ea (gpd)	Subtotal (gpd)	Subtotal (gpm)
COMMERCIAL					
Retail / Office	52,427	SF	0.15	7,864	5.46
Subtotal (commercial)				**7,864**	**5.46**
SUMMARY				**7,864**	**5.46**

PROPOSED WATER DEMAND CALCULATIONS

	Quant.	Units	Rate/Ea (gpd)	Subtotal (gpd)	Subtotal (gpm)
COMMERCIAL					
Retail / Office	73,221	SF	0.15	10,983	7.63
Subtotal (commercial)				**10,983**	**7.63**
SUMMARY				**10,983**	**7.63**

AVG DAY (GPM)	7.63	GPM
PEAK FACTOR	2.50	
MAX DAY (GPM)	**19.07**	**GPM**

TC Development Review Meeting Backup 4-04-2023

PLOT DATE: Nov 17, 2022, TIME: 5:16pm BY: rwertenpy
DRAWING: P:\19-1300 125 Worth Ave\4A DWG\C02 Plan.dwg LAYOUT: C-01

EXISTING CONDITIONS PLAN

125 WORTH AVE

PALM BEACH COUNTY, FLORIDA

SCALE	DATE	DESIGNED	CHECKED
1"=10'	10-24-22	RW	MW
	CAD	RW	MK

No.	Date	Description

KESHAVARZ & ASSOCIATES
Civil Engineers • Land Surveyors
711 North Dixie Highway, Suite 201
West Palm Beach, Florida 33401
Tel: (561) 689-0600
Certificate of Authorization No. 4897

PROJECT No. 19-1300

SHEET No. C-01

Randy Wertepny P.E. 72504
Nov 17, 2022

IT'S THE LAW !
CALL TWO (2) BUSINESS DAYS BEFORE YOU DIG
SUNSHINE 811

VERTICAL DATUM

ALL ELEVATIONS SHOWN ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

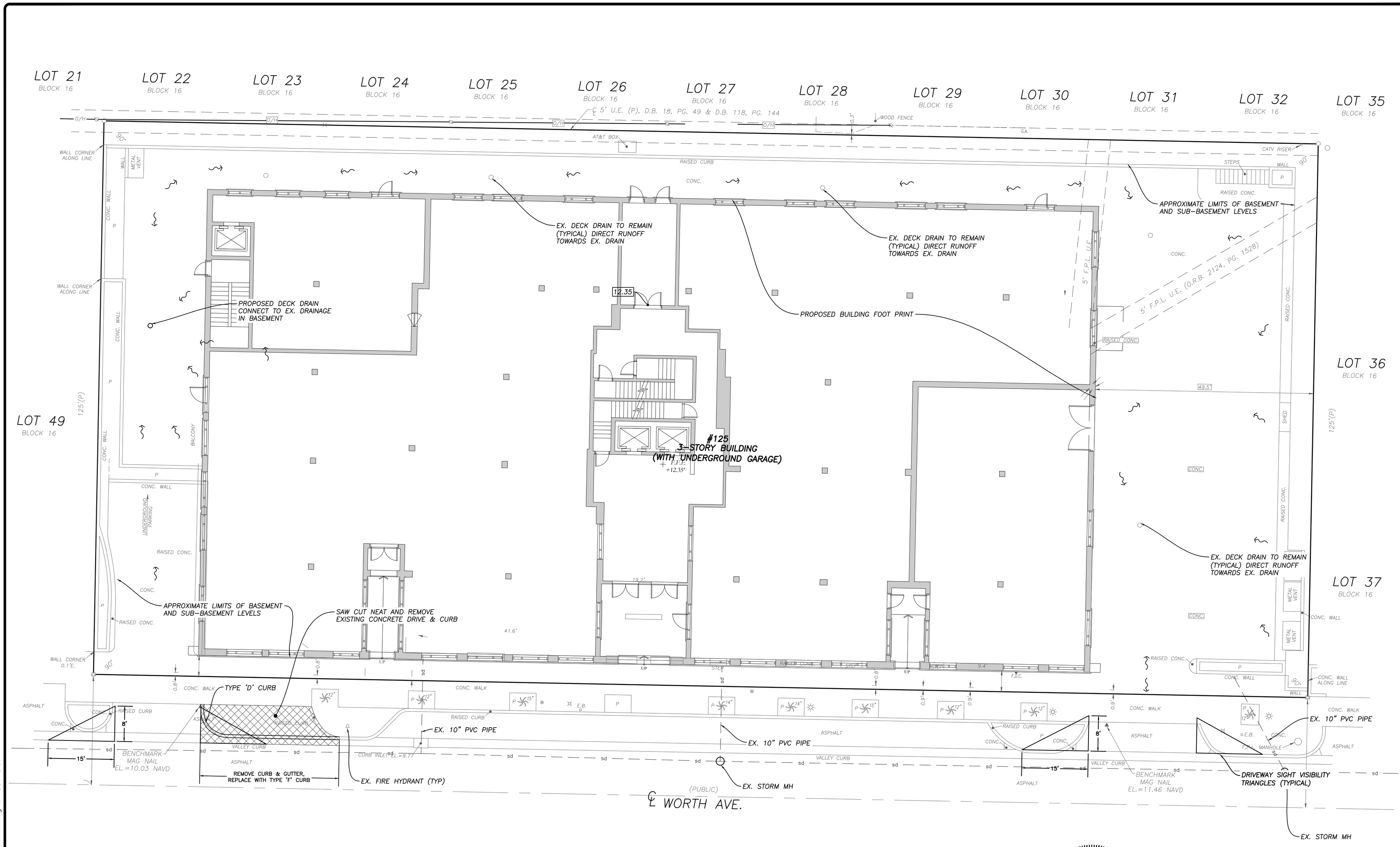
SURVEY PROVIDED BY WALLACE SURVEYING CORPORATION DATED 10/2/2019

RANDY SCOTT WERTEPNY ★ STATE OF FLORIDA ★ No. 72504 ★ LICENSED PROFESSIONAL ENGINEER

This item has been digitally signed and sealed by Randy Wertepny on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

GRAPHIC SCALE
0 5' 10' 20'

N



DRAINAGE NOTES:
1. EXISTING DRAINAGE SYSTEM IS BASED UPON FOUND DESIGN RECORDS FROM ORIGINAL CONSTRUCTION TOGETHER WITH FIELD VERIFICATION.
2. ADDITIONAL FIELD INVESTIGATION SHALL BE PERFORMED DURING THE DESIGN PHASE TO CONFIRM EXTENT OF EXISTING DRAINAGE CONFIGURATION.
3. THE PROPOSED BUILDING ADDITION DRAINAGE / ROOF DRAINAGE SHALL BE DIRECTED TO THE EXISTING ONSITE DRAINAGE SYSTEM CURRENTLY DRAINING THE SURFACE PARKING ALONG THE PERIMETER OF THE SITE.
4. ALL MAJORITY OF THE IMPROVEMENTS AND CHANGES TO THE SITE ARE LOCATED ABOVE THE LOWER LEVEL PARKING / BASEMENT.

RANDY SCOTT WERTEPNY LICENSE No. 72504 STATE OF FLORIDA PROFESSIONAL ENGINEER

This item has been digitally signed and sealed by Randy Wertepny on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

GRAPHIC SCALE
0 5' 10' 20'

N

VERTICAL DATUM
ALL ELEVATIONS SHOWN ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
SURVEY PROVIDED BY WALLACE SURVEYING CORPORATION DATED 10/2/2019

IT'S THE LAW ! (FLORIDA STATUTE 556)
CALL TWO (2) BUSINESS DAYS BEFORE YOU DIG
SUNSHINE 811

Randy Wertepny
P.E. 72504
Nov 17, 2022

KESHAVARZ & ASSOCIATES
Civil Engineers • Land Surveyors
711 North Dixie Highway, Suite 201
West Palm Beach, Florida 33401
Tel: (561) 689-8600
Certificate of Authorization No. 4897

No.	Description	Date

CONCEPTUAL GRADING & DRAINAGE PLAN

	DESIGNED	CHECKED
DATE 11-7-22	RW	MW
SCALE 1"=10'	CAD	RW

125 WORTH AVE
PALM BEACH COUNTY, FLORIDA

PROJECT No. 19-1300

SHEET No. C-02

PLOT DATE: Nov 17, 2022 TIME: 4:56pm BY: rwertepny
DRAWING: P:\19-1300 125 Worth Ave\KA DWG\C02 Plan.dwg LAYOUT: C-02
TC Development Review Meeting Backup 4-04-2023

Town of Palm Beach

Planning Zoning and Building
360 S County Rd Palm Beach, FL 33480
www.townofpalmbeach.com

Zoning Legend

Line #					
1	**Property Address:**	125 WORTH AVE.			
2	**Zoning District:**	C-WA (COMMERICAL WORTH AVE.)			
3	**Structure Type:**	CBS			
4		Required/Allowed	Existing	Proposed	Note
5	Lot Size (sq ft)	4,000 (MIN.)	34,462	34,462 [N/C]	
6	Lot Depth (ft)	90 (MIN.)	125.35	125.35 [N/C]	
7	Lot Width (ft)	30 (MIN.)	274.93	274.93 [N/C]	
8	Lot Coverage (Sq Ft and %)	25,847, 75% (MAX.) 1ST FLR. 22,401, 65% (MAX.) 2ND FLR. 10,339, 30% (MAX.) 3RD FLR.	19,993, 58.0% 1ST FLR. 20,696, 60.0% 2ND FLR. 19,502, 56.6% 3RD FLR.	21,209, 61.5% 1ST FLR. 21,524, 62.5% 2ND FLR. 21,524, 62.5% 3RD FLR.	**1**
9	Enclosed Square Footage (Basement, 1st Fl, 2nd Fl., Accesory Structues, etc)	N/A	128,191	137,157	
10	Cubic Content Ratio (CCR) (R-B ONLY)	N/A	N/A	N/A	
11	Floor Area (Sq Ft)	15,000	66,975	75,941	**2**
12	*Front (South) Yard Setback (Ft.)	5	4.7	3.5	**3**
13	* Side (East) Yard Setback (Ft.)	5	49.5	49.5 [N/C]	
14	* Side (West) Yard Setback (Ft.)	5	23.8	23.8 [N/C]	
15	*Rear (North) Yard Setback (Ft.)	10 (MIN.)	15.2	15.2 [N/C]	
16	Angle of Vision (Deg.)	N/A	N/A	N/A	
17	Building Height (Ft.)	40 (MAX.)	47.75	53.0	**4**
18	Overall Building Height (Ft.)	45 (MAX.) FLAT 50 (MAX.) PITCHED	52.25	59.5	
19	Length (Ft.)	150	201.83	201.83 [N/C]	**5**
20	Crown of Road (COR) (NAVD)	N/A	+12.02'	+12.02' [N/C]	
21	Max. Amount of Fill Added to Site (Ft.)				
22	Finished Floor Elev. (FFE)(NAVD)	N/A	+12.35'	+12.35' [N/C]	
23	Zero Datum for point of meas. (NAVD)	N/A	+12.35'	+12.35' [N/C]	
24	FEMA Flood Zone Designation	N/A	"X"	"X" [N/C]	
25	Base Flood Elevation (BFE)(NAVD)	N/A	N/A	N/A	
26	Landscape Open Space (LOS) (Sq Ft and %)	8,616, 25% (MIN.)	2,461, 7.14%	2,444, 7.09%	
27	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A	
28	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A	
29	**Native Plant Species %	*Please refer to separate landscape legend.*			
30	Parking Spaces	(T.B.D.)	158	139	

** Indicate each yard area with cardinal direction (N,S,E,W)*

*** Provide Native plant species calculation per category as requited by Ord. 24-2021 on separate table*

If value is not applicable, enter N/A

If value is not changing, enter N/C

NOTES

(All notes below per Worth Avenue Design Guidelines (Commercial Redevelopment at East-End Development Area):

1. Special Allowance for increase in Maximum Building Lot Coverage
2. Eligible for elimination of Building Floor Area Limitation
3. A ten-foot-wide pedestrian walkway is req'd. between the street curbline and the building, of which not more than five feet may be on the town street right-of-way.
4. Special Allowance for increase in Building Height
5. Eligible for elimination of Building Length Limitation

REV BF 20220304

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
ZONING LEGEND

DATE
NOV. 21, 2022

SHEET NO
A-002

SCALE
AS NOTED

BY
CG

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
TELEPHONE (561) 805-8801
FAIRFAXANDSAMMONS.COM
LICENSE NO. AA26000646

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January 12, 2023
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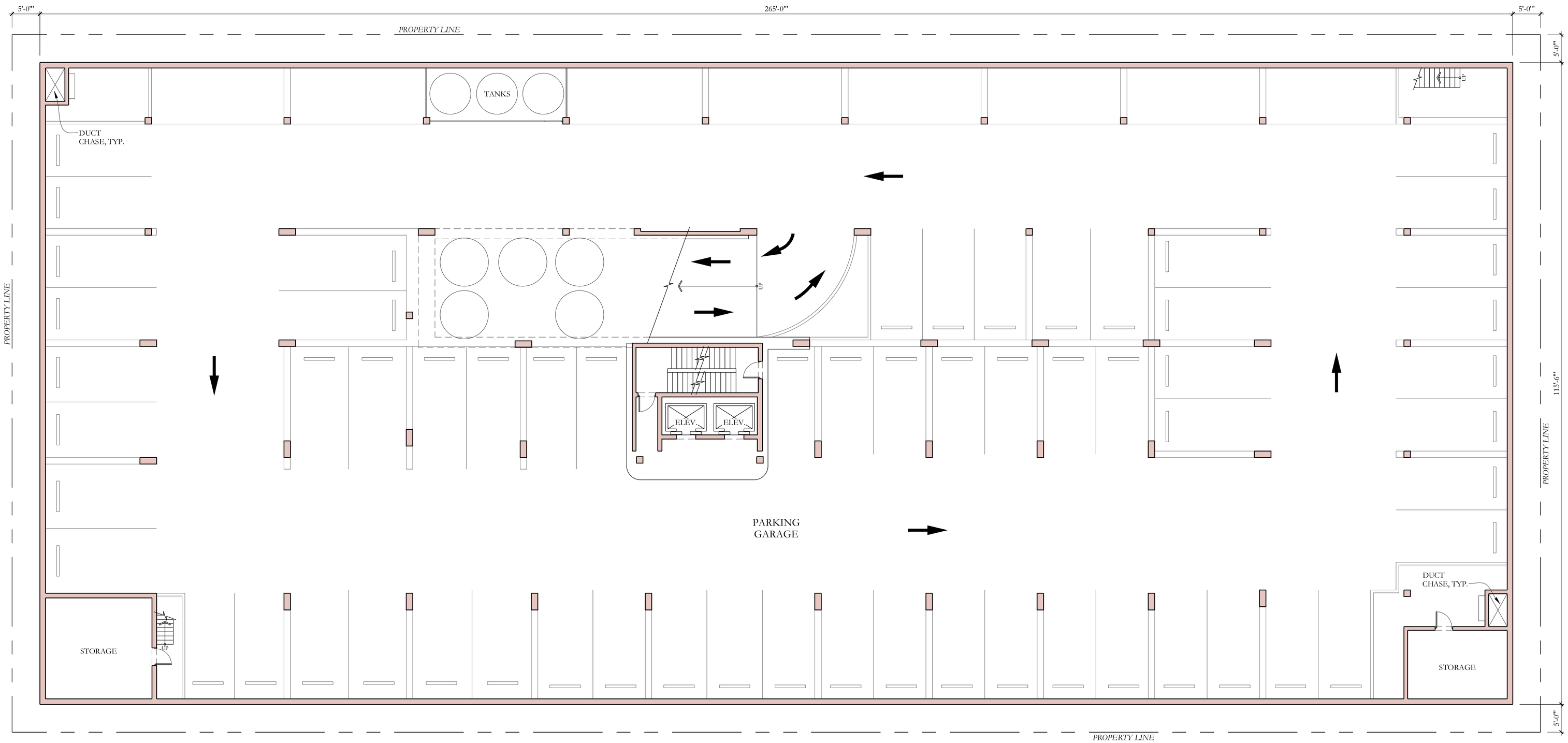
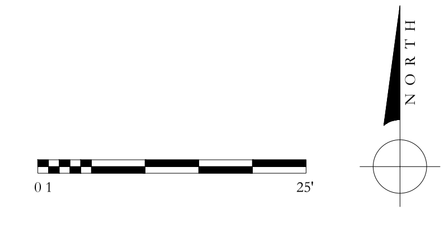
TC Development Review Meeting Backup 4-04-2023



1 EXISTING SUB-BASEMENT FLOOR PLAN
1"=10'-0"



NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING SUB-BASEMENT FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	EX-100
SCALE 1" = 10'-0"	
BY CG	

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
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TELEPHONE (561) 805-8591
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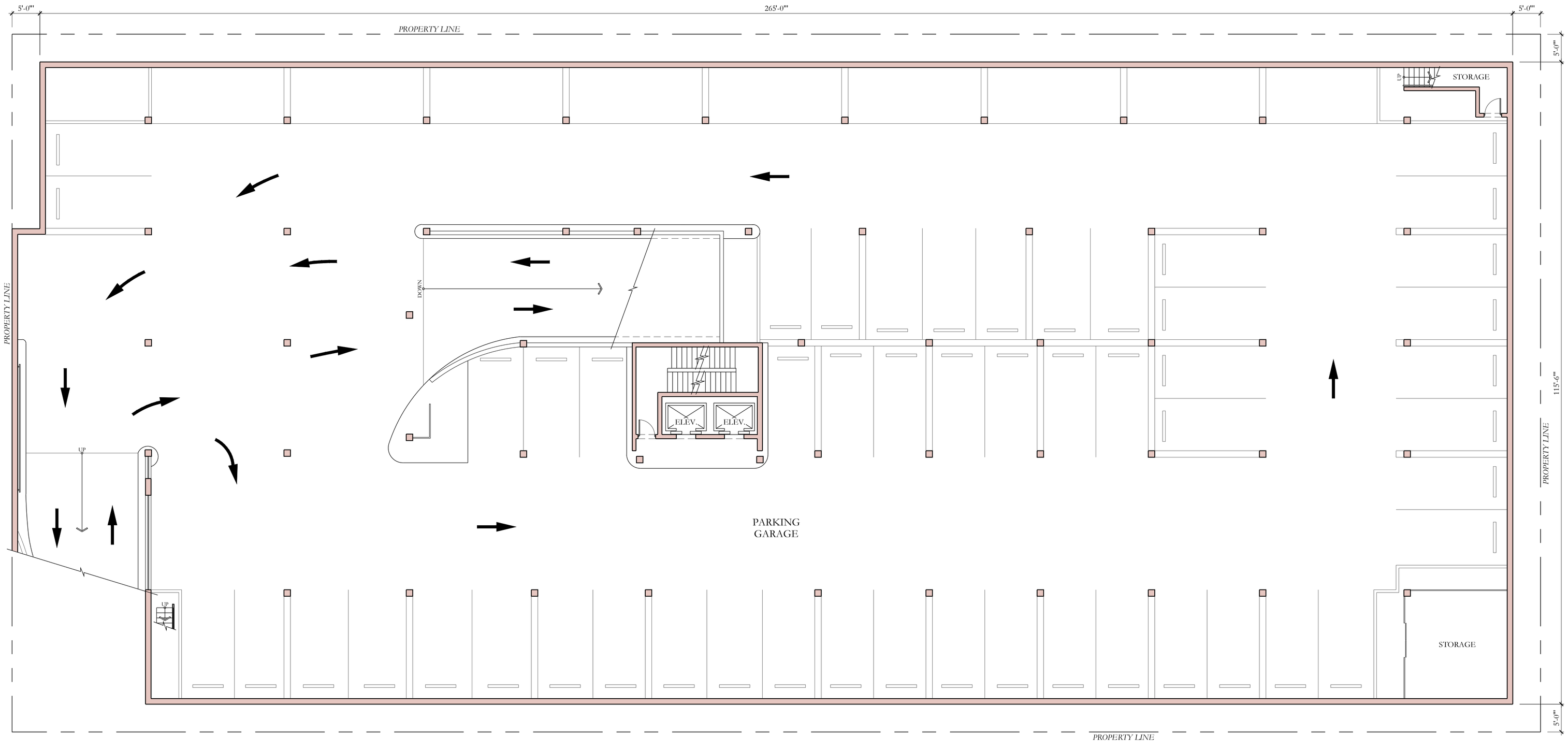
TC Development Review Meeting Backup 4-04-2023
174
776 of 1057



1 EXISTING BASEMENT FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING BASEMENT FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-101

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH

FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
TELEPHONE (561) 905-5501
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LICENSE NO. AA26000646

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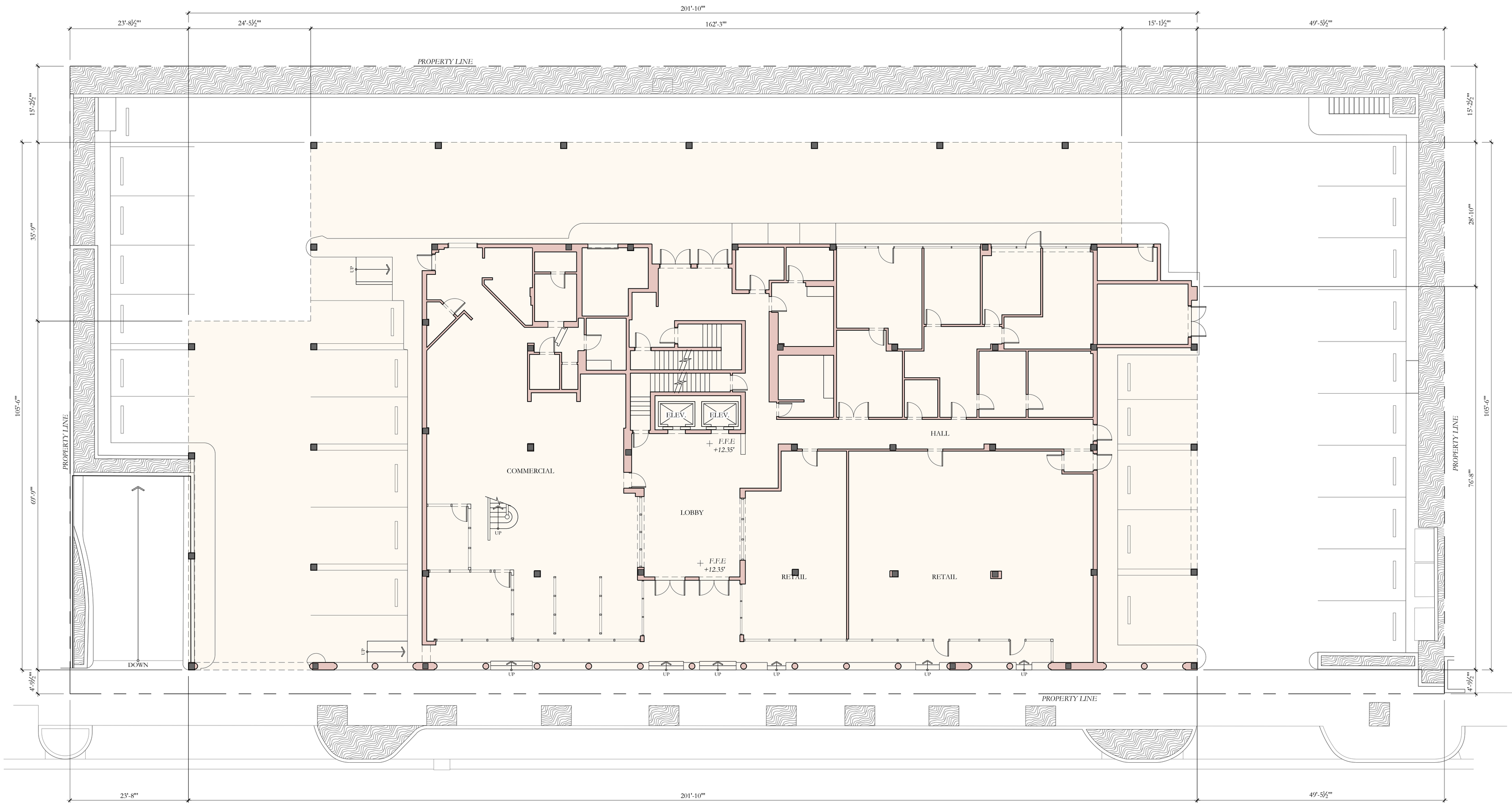

1 EXISTING FIRST FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXISTING FIRST FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-102

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
TELEPHONE (561) 805-8591
FAIRFAXANDSAMMONS.COM
LICENSE NO. AA26000646

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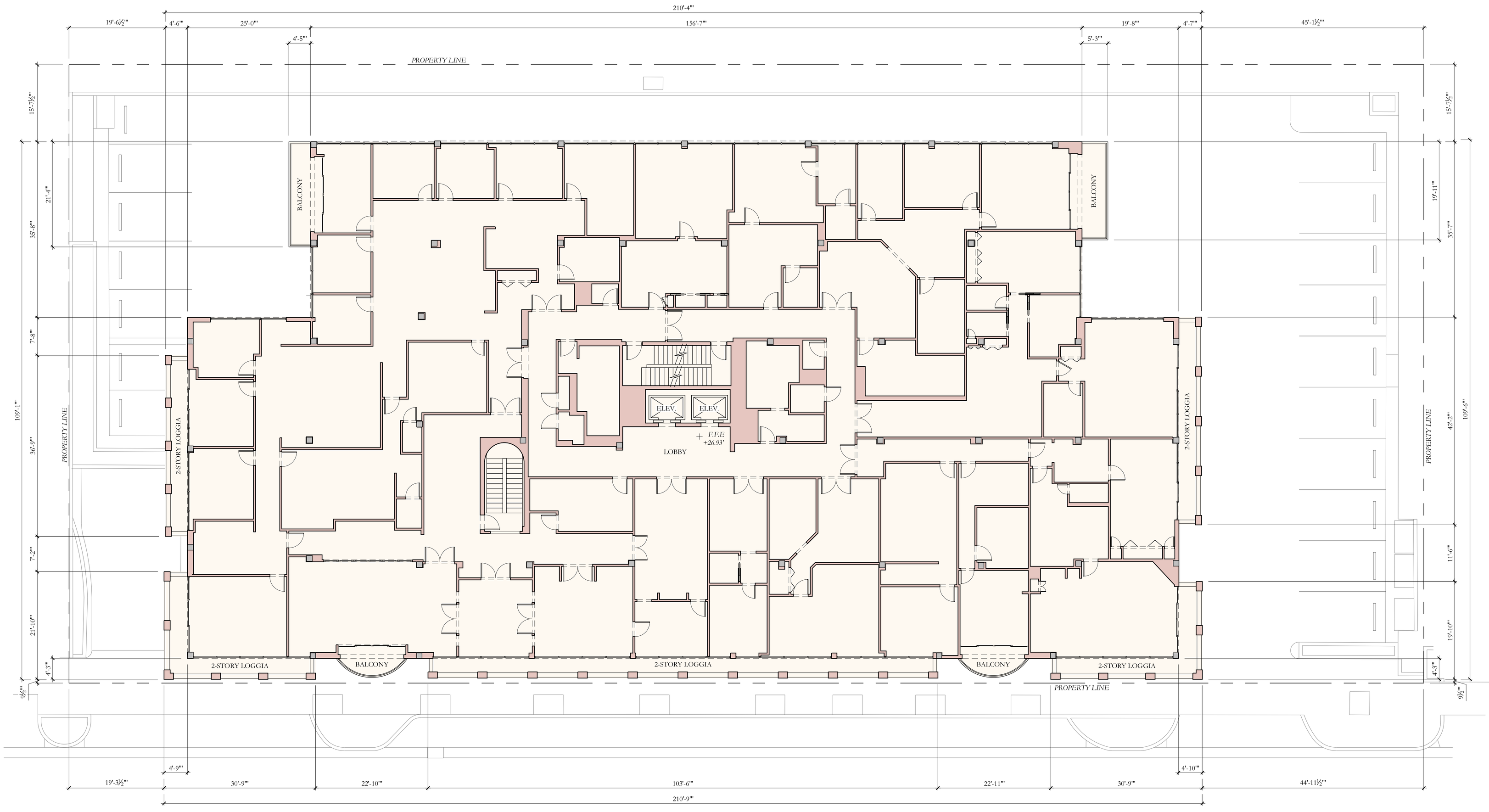

1 EXISTING SECOND FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXISTING SECOND FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-103

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
TELEPHONE (561) 805- 8881
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LICENSE NO. AA26000846

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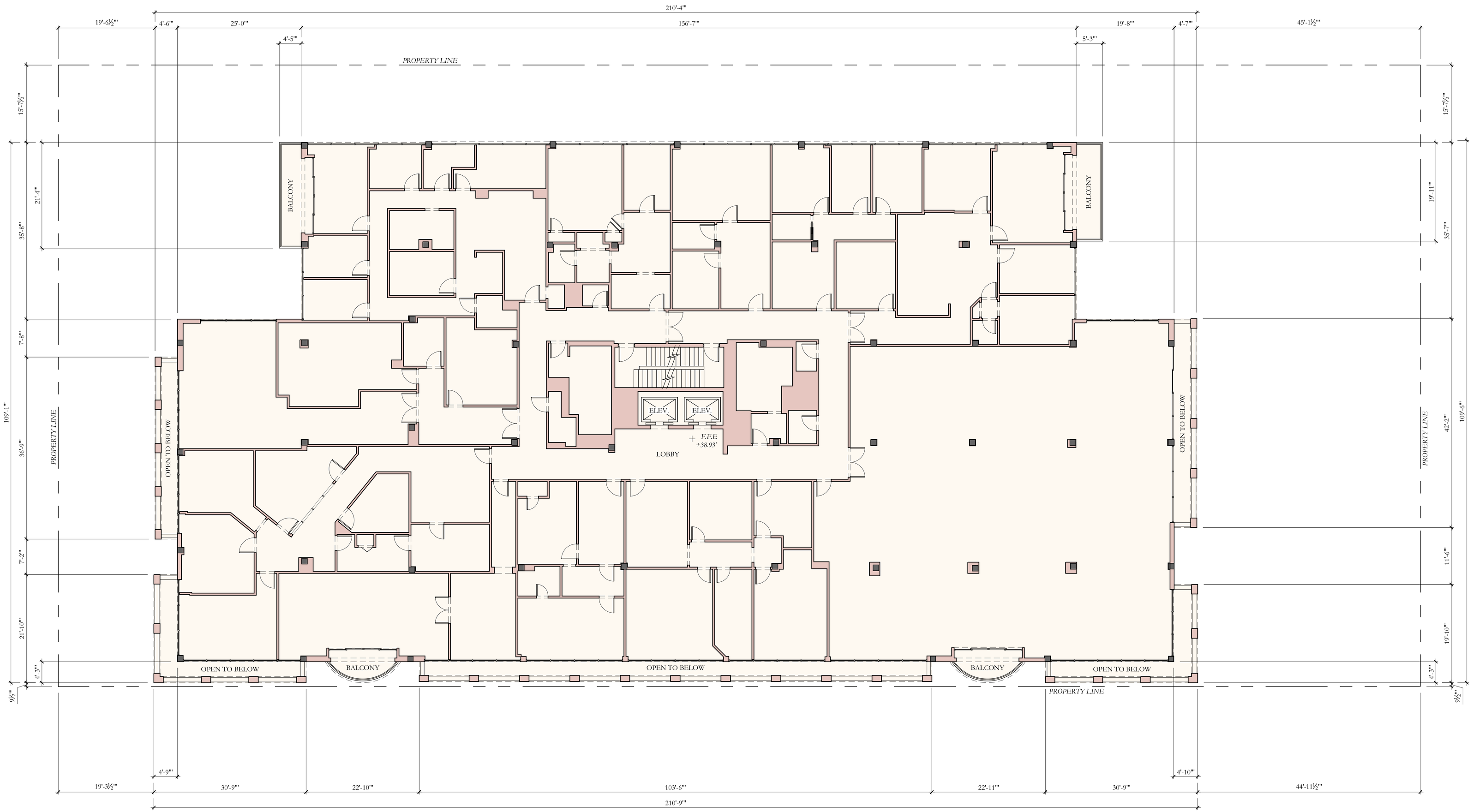

1 EXISTING THIRD FLOOR PLAN
1"=10'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
EXISTING THIRD FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
EX-104

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
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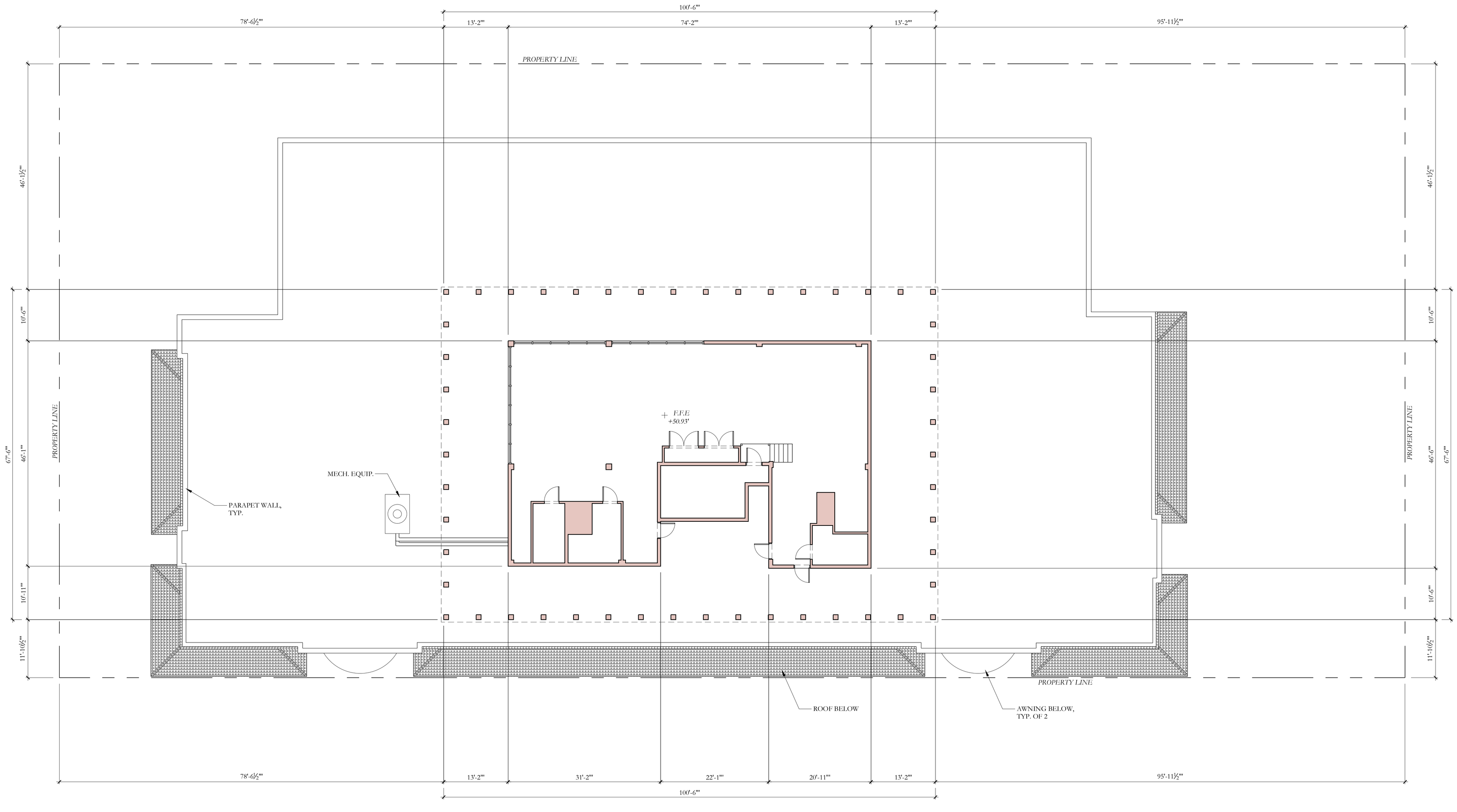

1 EXISTING FOURTH FLOOR PLAN
1"=10'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING FOURTH FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	EX-105
SCALE 1" = 10'-0"	
BY CG	

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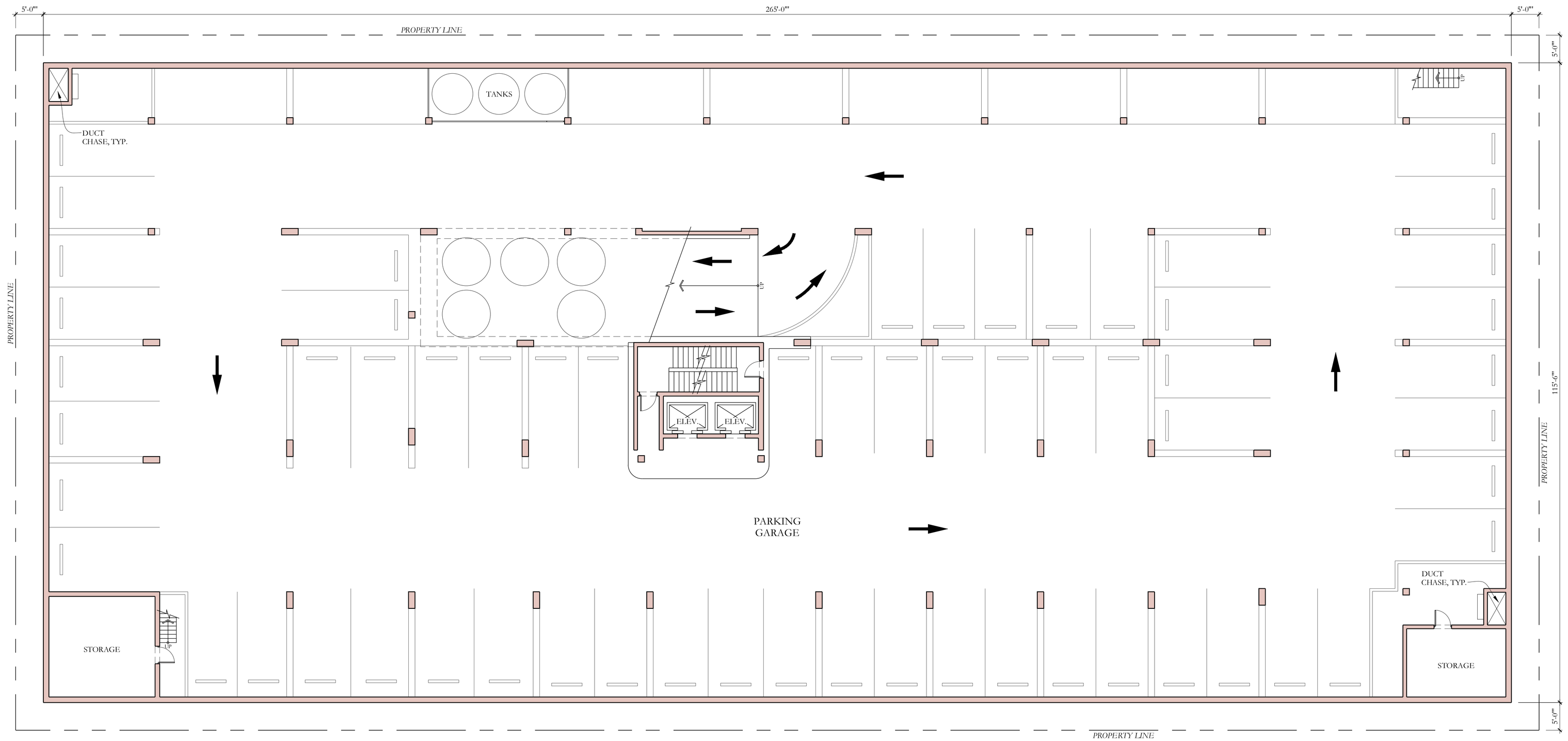
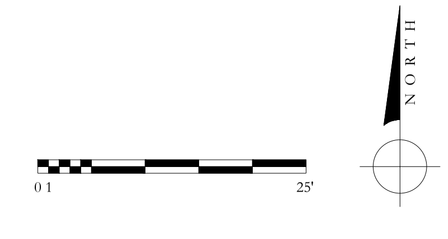
NORTH

0 1 25'



1 PROPOSED SUB-BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"



NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED SUB-BASEMENT FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	A-100
SCALE 1" = 10'-0"	
BY CG	

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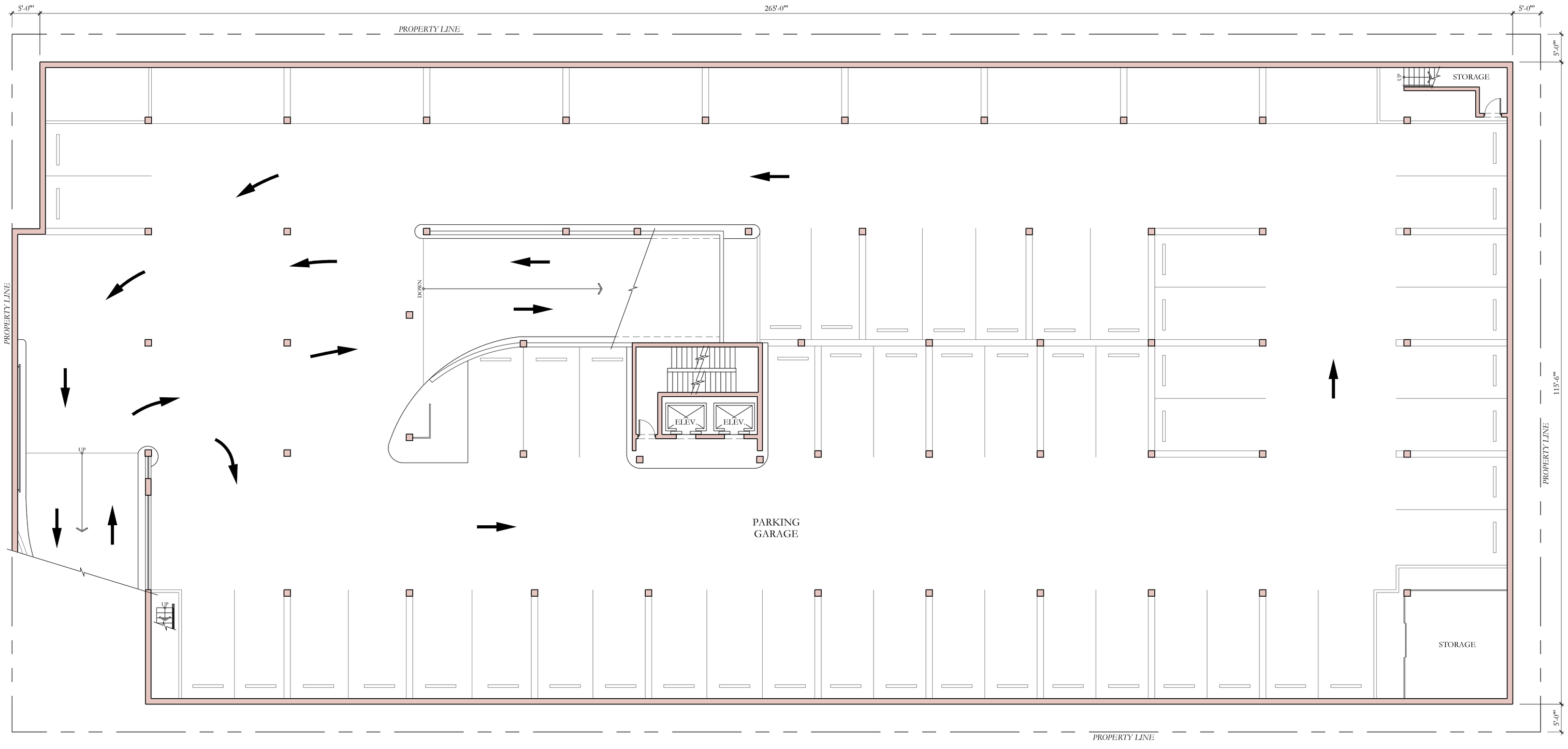

1 PROPOSED BASEMENT FLOOR PLAN (NO CHANGE)
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED BASEMENT FLOOR PLAN

DATE
NOV. 21, 2022

SCALE
1" = 10'-0"

BY
CG

SHEET NO
A-101

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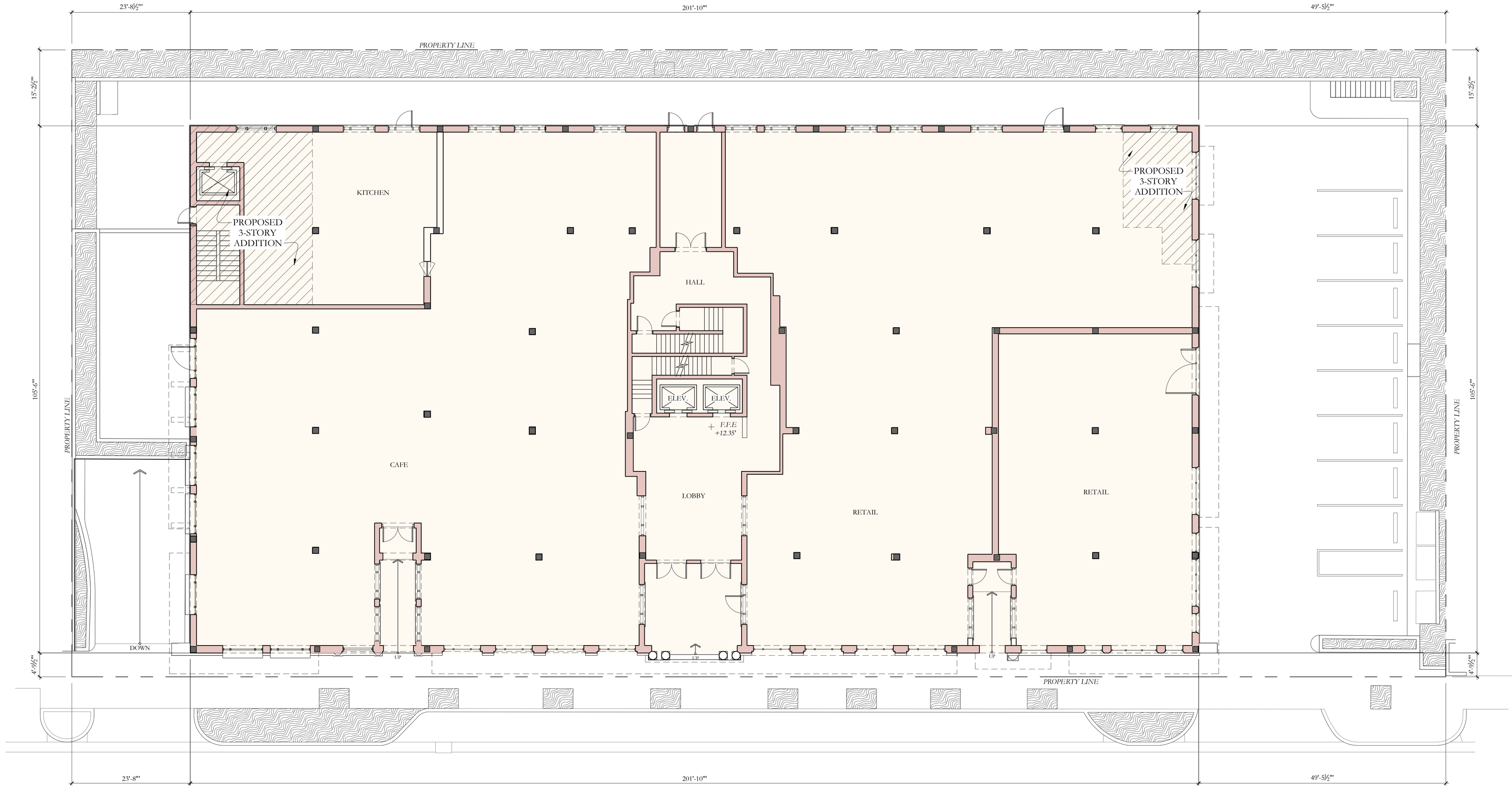

1 PROPOSED FIRST FLOOR PLAN
1"=10'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED FIRST FLOOR PLAN

DATE	SHEET NO
NOV. 21, 2022	A-102
SCALE 1" = 10'-0"	
BY CG	

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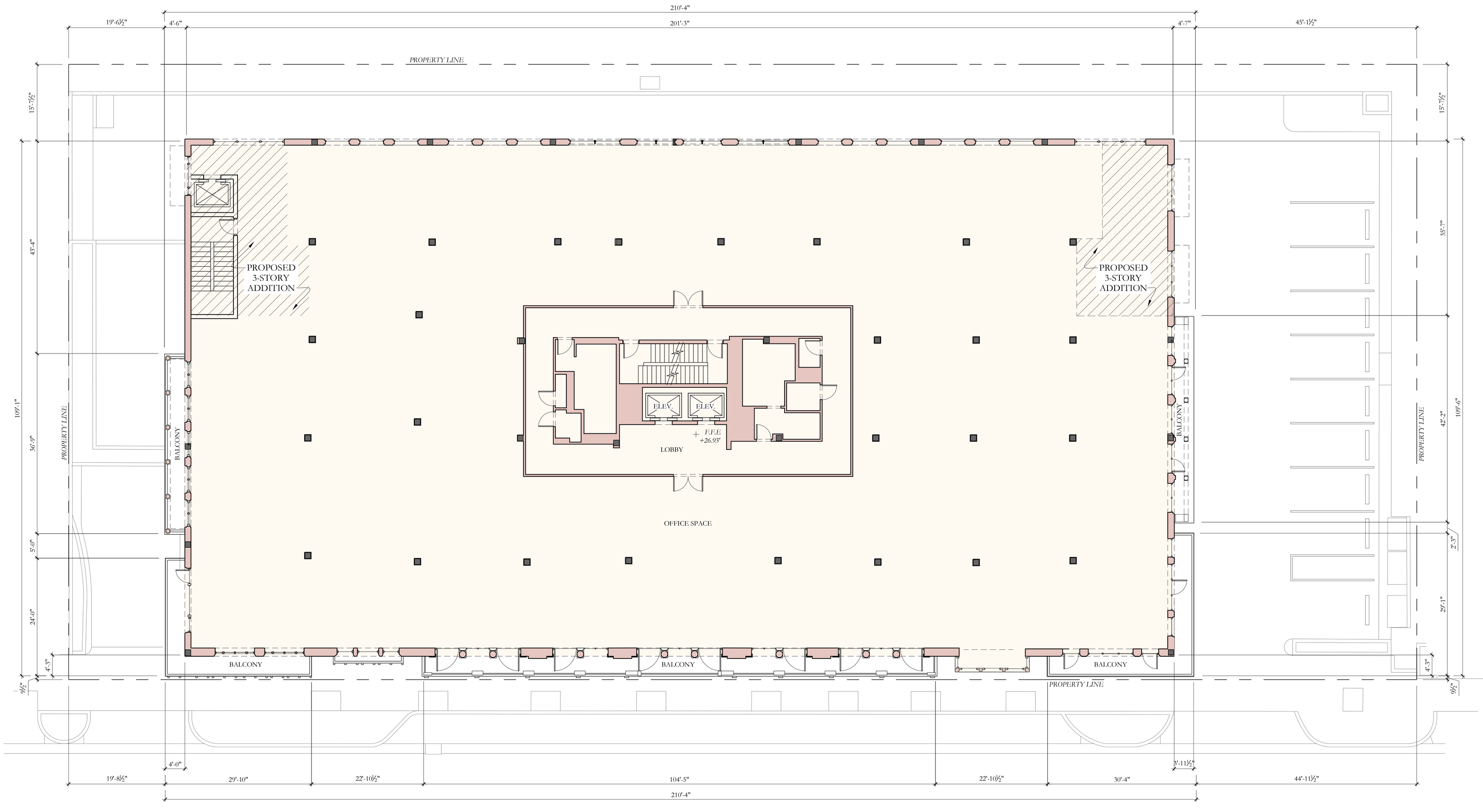
0 1 25'

NORTH



1 PROPOSED SECOND FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED SECOND FLOOR PLAN

DATE NOV. 21, 2022

SCALE 1" = 10'-0"

BY CG

SHEET NO A-103

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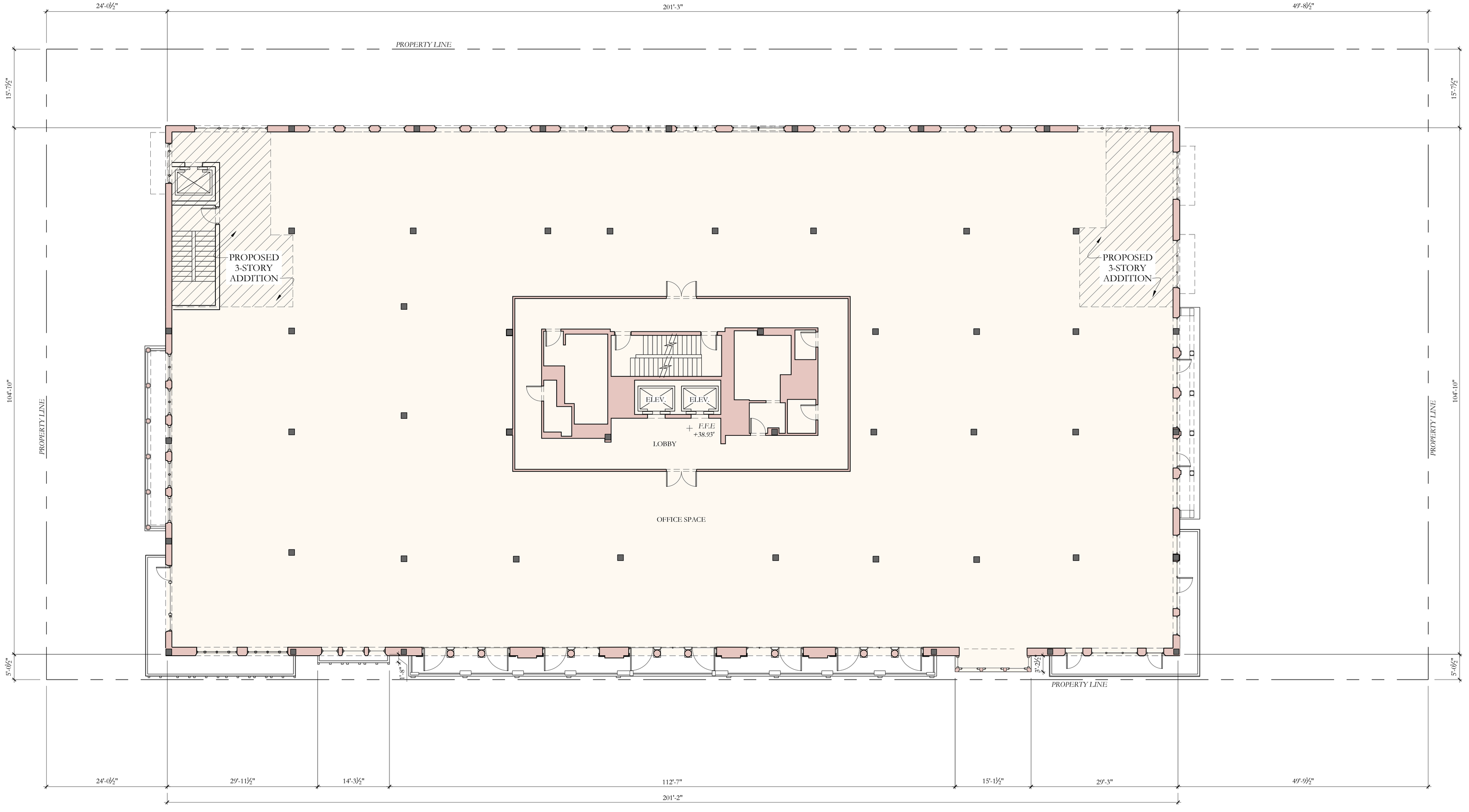

1 PROPOSED THIRD FLOOR PLAN
1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED THIRD FLOOR PLAN

DATE NOV. 21, 2022

SCALE 1" = 10'-0"

BY CG

SHEET NO A-104

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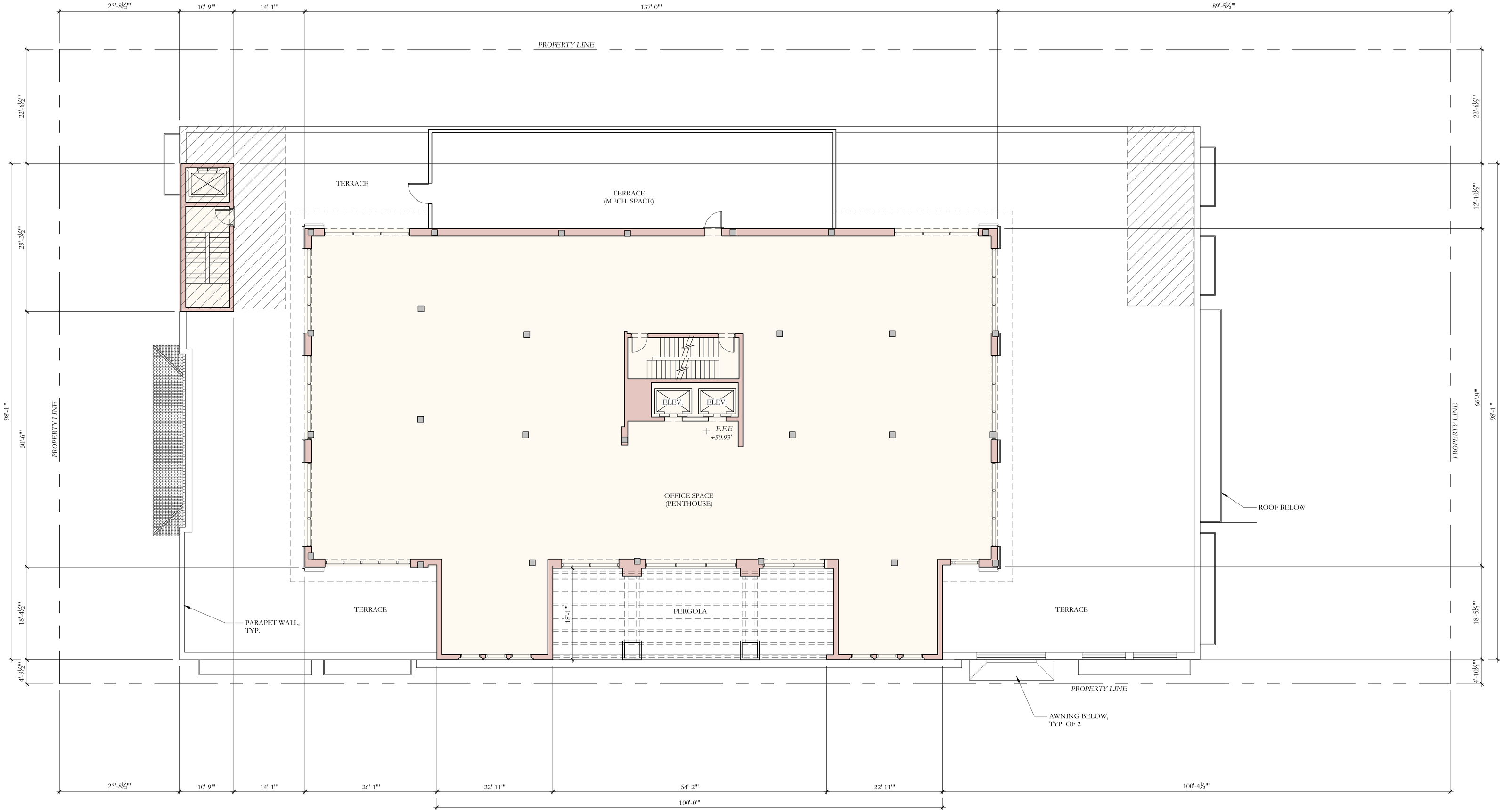
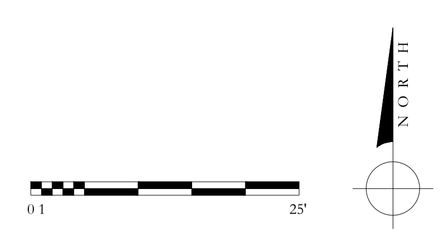
January 12, 2023
786 of 1057
184
TC Development Review Meeting Backup 4.04.2023



1 PROPOSED FOURTH FLOOR PLAN
1"=10'-0"



NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

DRC PRE-APP MEETING SET 11/21/2022

ARCOM CASE #: ARC-22-XXX

ZONING CASE #: ZON-22-XXX

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED FOURTH FLOOR PLAN

DATE: NOV. 21, 2022

SCALE: 1" = 10'-0"

BY: CG

SHEET NO: A-105

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH

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TC Development Review Meeting Backup 4-04-2023

125 WORTH AVENUE

PALM BEACH, FLORIDA

MAJOR PROJECT WITH NOTICE

(COMBO PROJECT FOR SPECIAL EXCEPTION W/ SITE PLAN REVIEW & VARIANCE REQUESTS)

DRC FINAL SUBMITTAL

FEBRUARY 10, 2023

ARCOM MEETING DATE: FEBRUARY 22, 2023 | TOWN COUNCIL MEETING DATE: MARCH 8, 2023

DOCUMENT ISSUE:
11/21/22 DRC PRE-APP SUBMITTAL
12/08/22 DRC FIRST SUBMITTAL
12/27/22 DRC SECOND SUBMITTAL
01/12/23 DRC FINAL SUBMITTAL
02/10/23 DRC FINAL SUBMITTAL

ISSUED TO:
TOWN OF PALM BEACH
TOWN OF PALM BEACH
TOWN OF PALM BEACH
TOWN OF PALM BEACH
TOWN OF PALM BEACH

CIVIL ENGINEER
KESHAVARZ & ASSOCIATES
711 N. DIXIE HWY., SUITE 201
WEST PALM BEACH, FL 33401
561-689-8600

ARCHITECT
FAIRFAX & SAMMONS ARCHITECTS
214 BRAZILIAN AVENUE, SUITE 100
PALM BEACH, FL 33480
561-805-8591

LANDSCAPE ARCHITECT
PARKER-YANNETTE DESIGN GROUP, INC.
4425 MILITARY TRAIL, SUITE 202
JUPITER, FL 33458
561-747-5069

SCOPE OF WORK:

- NEW ADDITIONS TO EXISTING BUILDING
- NEW LANDSCAPE & HARDSCAPE

CODES AND STANDARDS:

THIS PROJECT WAS DESIGNED IN ACCORDANCE WITH THE 2020 FLORIDA BUILDING CODE.

LEGAL DESCRIPTION:

LOTS 38 TO 48, BLOCK 16, **REVISED MAP OF ROYAL PARK ADDITION**, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MUNICIPALITY: PALM BEACH
LOCATION ADDRESS: 125 WORTH AVENUE
PARCEL CONTROL NUMBER: 50-43-43-23-05-016-0380
SUBDIVISION: ROYAL PARK ADDITION

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
COVER SHEET

DATE	SHEET NO
FEB. 10, 2023	A-000
SCALE AS NOTED	
BY CG	

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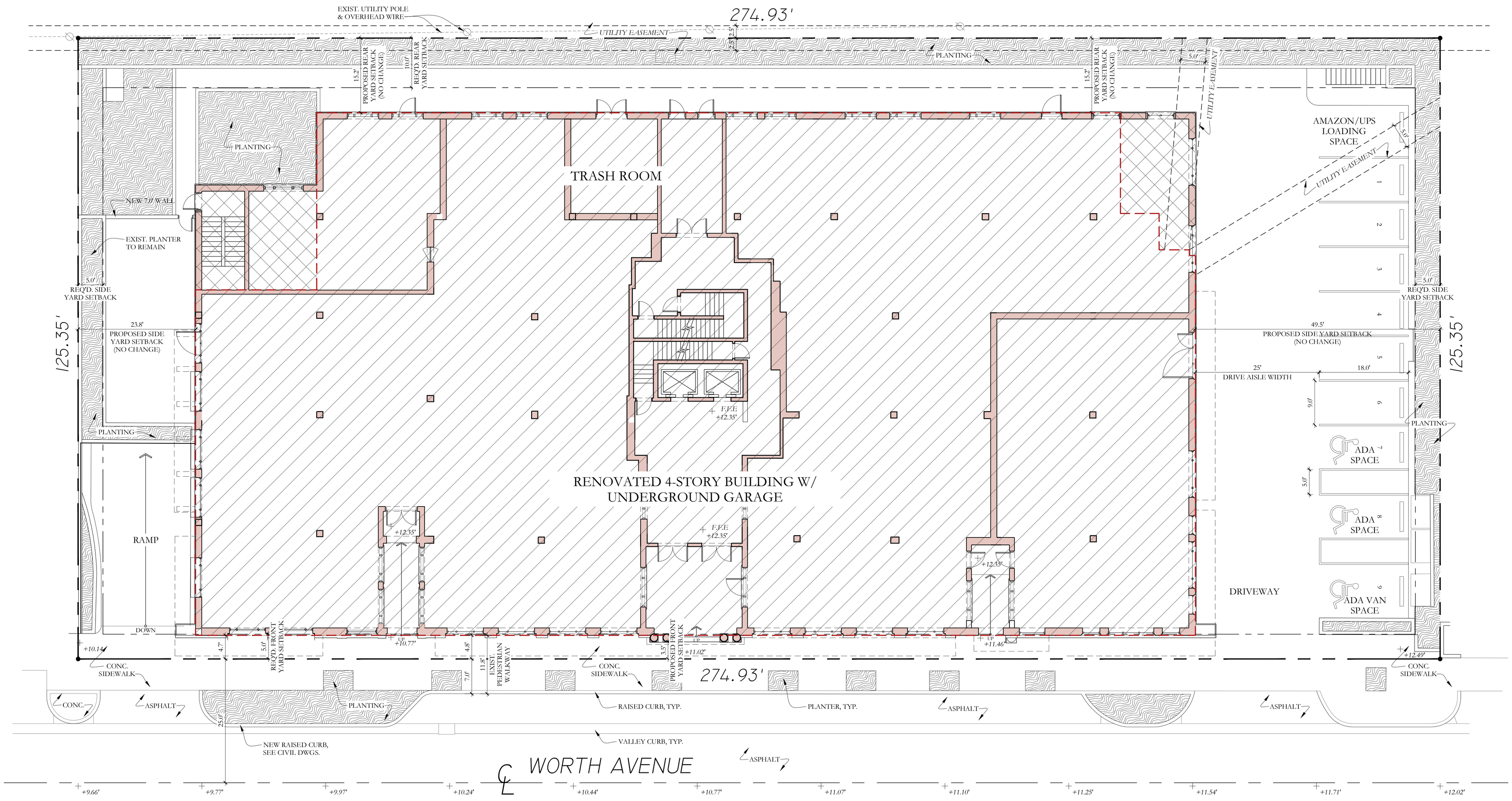

1 PROPOSED SITE PLAN

1"=10'-0"

NORTH

0 1 25'

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 970 SQ.FT.

EXISTING =19,993 SQ.FT.

OUTLINE OF EXISTING BUILDING

TOTAL PARKING SPACE- 9

A TOTAL OF 9 PARKING SPACES ARE PROPOSED ON THE PROPOSED GROUND FLOOR, WHICH IS 25 SPACES LESS THAN THE EXISTING GROUND PARKING

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED SITE PLAN

DATE FEB. 10, 2023

SCALE 1" = 10'-0"

BY CG

SHEET NO A-001

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VARIANCES:

VARIANCE #1:
Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces.

VARIANCE #2:
Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines.

VARIANCE #3:
Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing.

VARIANCE #4:
Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code.

VARIANCE #5:
Per Section 134-1163(5), a Variance from a Front-Yard Set back Requirement of 5' to the proposed 3.5'.

VARIANCE #6:
Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space.

VARIANCE #7:
Per Section 134-1163(9)c, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines.

VARIANCE #8:
Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150 feet maximum allowable by the Zoning Code.

VARIANCE #9:
Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 6.29% in lieu of the 25% maximum allowable by the Zoning Code.

VARIANCE #10:
Per Section 134-1163(12), a Variance for Floor Area of 20,963 S.F. square feet on the ground floor, 23,246 S.F. square feet on the second floor, and 21,324 S.F. square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

SPECIAL EXCEPTIONS:

Section 134-1165(b)(2), a third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with Section 134-233.

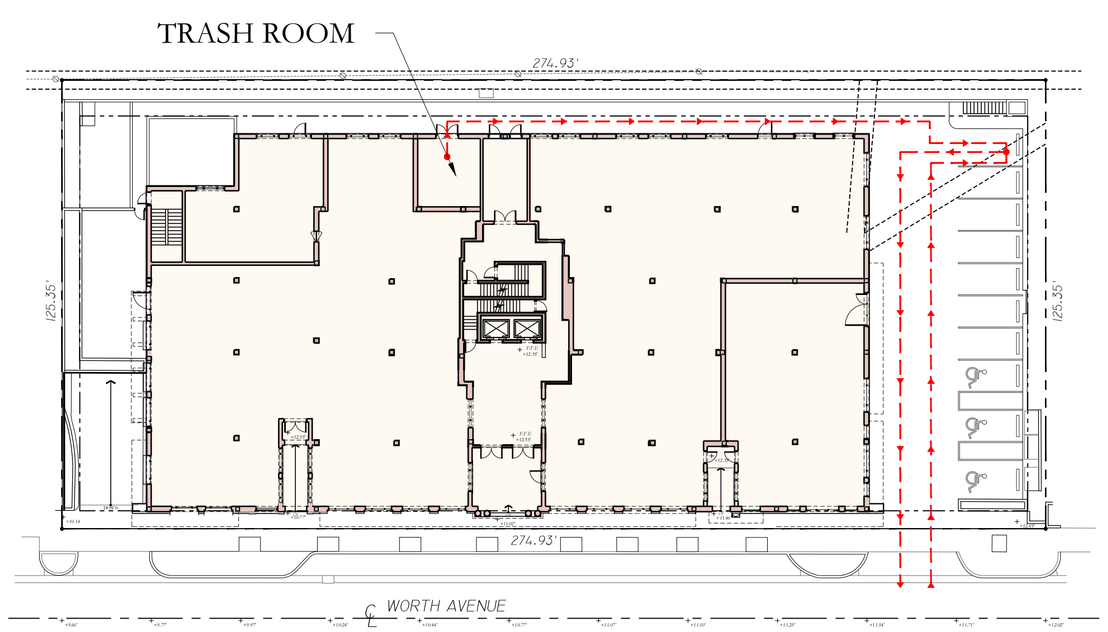
Section 134-1159(a), uses that are greater than 4,000 square feet GLA (gross leasable area)

PARKING SPACE QUANTITIES:

	EXISTING	PROPOSED
SUB-BASEMENT LEVEL:	69	71
BASEMENT LEVEL:	61	61
FIRST FLOOR (GRADE LEVEL):	34	9
TOTAL:	**164**	**141**

PROPOSED GROSS LEASABLE AREAS (G.L.A.)

	CATEGORY	AREA
FIRST FLOOR:	RETAIL	16,608 SQ. FT.
SECOND FLOOR:	OFFICE	17,659 SQ. FT.
THIRD FLOOR:	OFFICE	17,665 SQ. FT.
FOURTH FLOOR:	OFFICE	8,636 SQ. FT.
TOTAL G.L.A.:		**60,568 SQ. FT.**



1 OPERATIONAL PLAN (TRASH COLLECTION)
1"=30'-0"

Town of Palm Beach

Planning Zoning and Building
360 S County Rd Palm Beach, FL 33480
www.townofpalmbeach.com

Zoning Legend

Line #					
1	**Property Address:**	125 WORTH AVE.			
2	**Zoning District:**	C-WA (COMMERICAL WORTH AVE.)			
3	**Structure Type:**	CBS			
4		Required/Allowed	Existing	Proposed	Note
5	Lot Size (sq ft)	4,000 (MIN.)	34,462	34,462 [N/C]	
6	Lot Depth (ft)	90 (MIN.)	125.35	125.35 [N/C]	
7	Lot Width (ft)	30 (MIN.)	274.93	274.93 [N/C]	
8	Lot Coverage (Sq Ft and %)	25,847, 75% (MAX.) 1ST FLR. 22,401, 65% (MAX.) 2ND FLR. 10,339, 30% (MAX.) 3RD FLR. 10,339, 30% (MAX.) 4TH FLR.	19,993, 58.0% 1ST FLR. 20,696, 60.0% 2ND FLR. 19,502, 56.6% 3RD FLR. 6,785, 19.7% 4TH FLR.	20,963, 60.8% 1ST FLR. 22,146, 64.3% 2ND FLR. 21,324, 61.9% 3RD FLR. 11,238, 32.6% 4TH FLR.	**1**
9	Enclosed Square Footage (Basement, 1st Fl, 2nd Fl., Accesory Structues, etc)	N/A	128,619	137,314	
10	Cubic Content Ratio (CCR) (R-B ONLY)	N/A	N/A	N/A	
11	Floor Area (Sq Ft)	15,000 PER FLOOR	30,608 SUB-BSMT. 31,035 BSMT. 19,993 1ST FLR. 20,696 2ND FLR. 19,502 3RD FLR. 6,785 4TH FLR.	30,608 SUB-BSMT. 31,035 BSMT. 20,963 1ST FLR. 22,146 2ND FLR. 21,324 3RD FLR. 11,238 4TH FLR.	**2**
12	*Front (South) Yard Setback (Ft.)	5	4.7	3.5	**3**
13	* Side (East) Yard Setback (Ft.)	5	49.5	49.5 [N/C]	
14	* Side (West) Yard Setback (Ft.)	5	23.8	23.8 [N/C]	
15	*Rear (North) Yard Setback (Ft.)	10 (MIN.)	15.2	15.2 [N/C]	
16	Angle of Vision (Deg.)	N/A	N/A	N/A	
17	Building Height (Ft.)	40 (MAX.)	47.75	52.08	**4**
18	Overall Building Height (Ft.)	45 (MAX.) FLAT 50 (MAX.) PITCHED	52.25	55.84	
19	Length (Ft.)	150	201.83	201.83 [N/C]	**5**
20	Crown of Road (COR) (NAVD)	N/A	+12.02'	+12.02' [N/C]	
21	Max. Amount of Fill Added to Site (Ft.)				
22	Finished Floor Elev. (FFE)(NAVD)	N/A	+12.35'	+12.35' [N/C]	
23	Zero Datum for point of meas. (NAVD)	N/A	+12.35'	+12.35' [N/C]	
24	FEMA Flood Zone Designation	N/A	"X"	"X" [N/C]	
25	Base Flood Elevation (BFE)(NAVD)	N/A	N/A	N/A	
26	Landscape Open Space (LOS) (Sq Ft and %)	8,616, 25% (MIN.)	2,169, 6.29%	2,169, 6.29%	
27	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A	
28	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A	
29	**Native Plant Species %	*Please refer to separate landscape legend.*			
30	Parking Spaces	264	164	141	

** Indicate each yard area with cardinal direction (N,S,E,W)*

*** Provide Native plant species calculation per category as requited by Ord. 24-2021 on separate table*

If value is not applicable, enter N/A

If value is not changing, enter N/C

NOTES

(All notes below per Worth Avenue Design Guidelines (Commercial Redevelopment at East-End Development Area):

1. Special Allowance for increase in Maximum Building Lot Coverage
2. Eligible for elimination of Building Floor Area Limitation
3. A ten-foot-wide pedestrian walkway is req'd. between the street curbline and the building, of which not more than five feet may be on the town street right-of-way.
4. Special Allowance for increase in Building Height
5. Eligible for elimination of Building Length Limitation

REV BF 20220304

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
ZONING LEGEND

DATE: FEB. 10, 2023	SHEET NO: A-002
SCALE: AS NOTED	
BY: CG	

FAIRFAX & SAMMONS
NEW YORK – PALM BEACH
FAIRFAX, SAMMONS & PARTNERS, LLC.
214 BRAZILIAN AVENUE, PALM BEACH 33480
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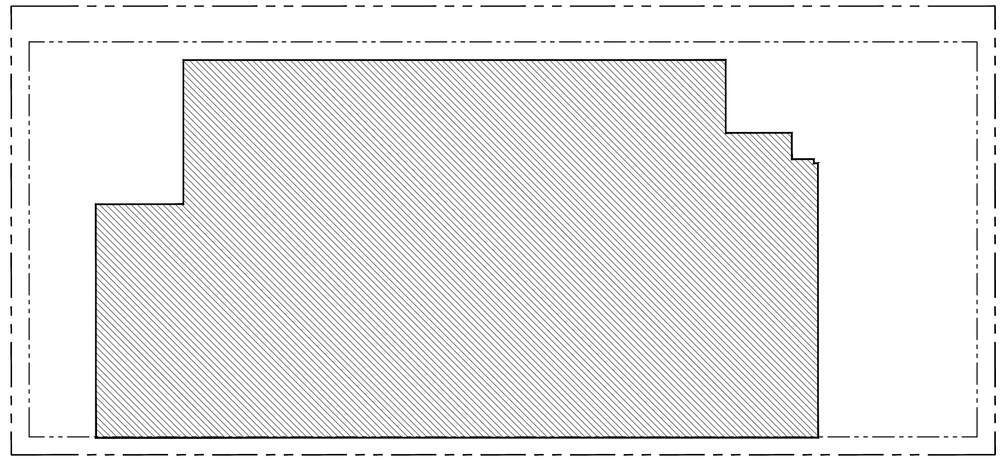
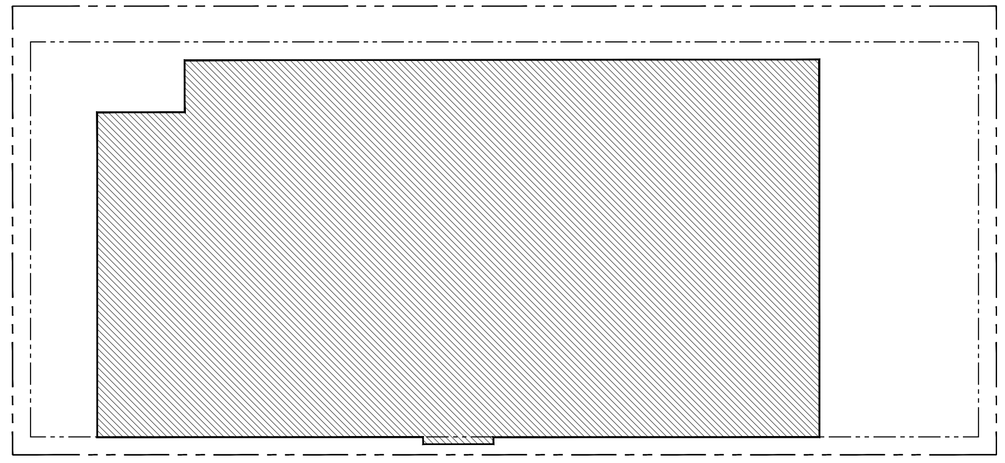


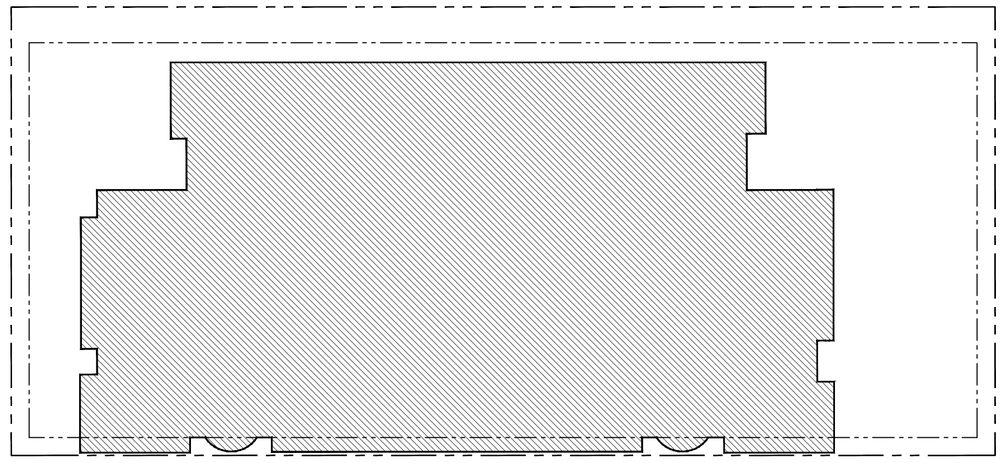
LOT AREA: 34,462 S.F.
BUILDING AREA: 19,729 S.F. (57.3%)

1a LOT COVERAGE DIAGRAM: EXISTING FIRST FLOOR
1"=30'-0"



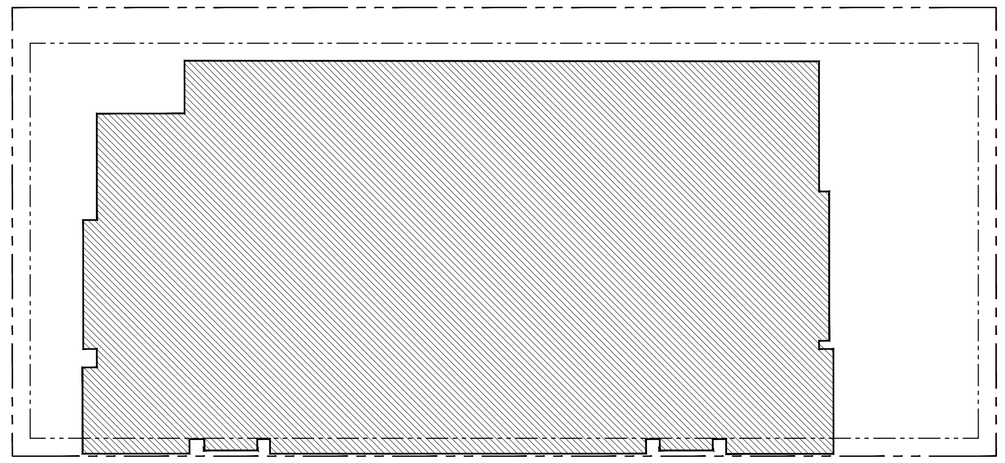
LOT AREA: 34,462 S.F.
BUILDING AREA: 20,963 S.F. (60.8%)

1b LOT COVERAGE DIAGRAM: PROPOSED FIRST FLOOR
1"=30'-0"



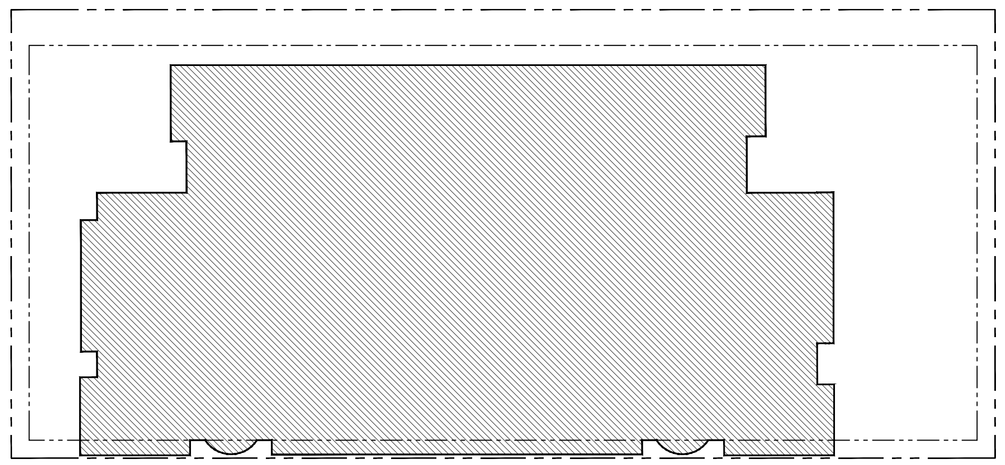
LOT AREA: 34,462 S.F.
BUILDING AREA: 20,975 S.F. (60.9%)

2a LOT COVERAGE DIAGRAM: EXISTING 2ND FLOOR
1"=30'-0"



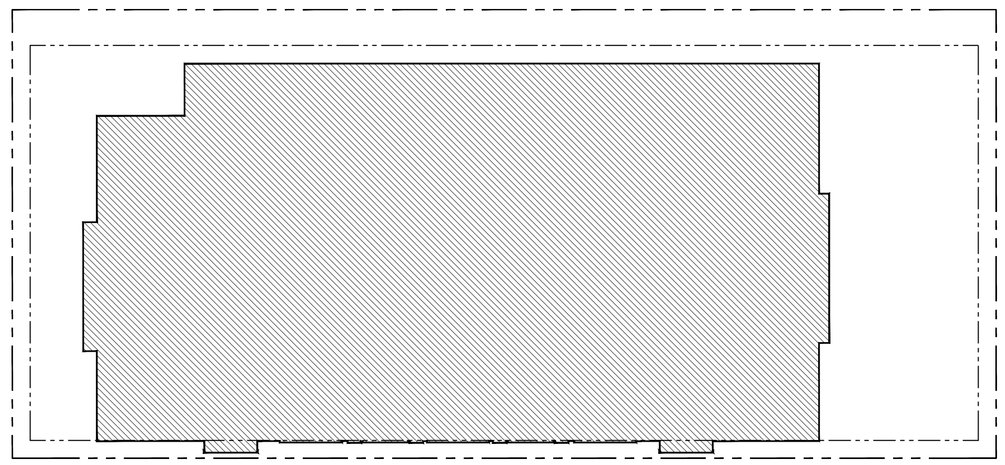
LOT AREA: 34,462 S.F.
BUILDING AREA: 22,146 S.F. (64.3%)

2b LOT COVERAGE DIAGRAM: PROPOSED 2ND FLOOR
1"=30'-0"



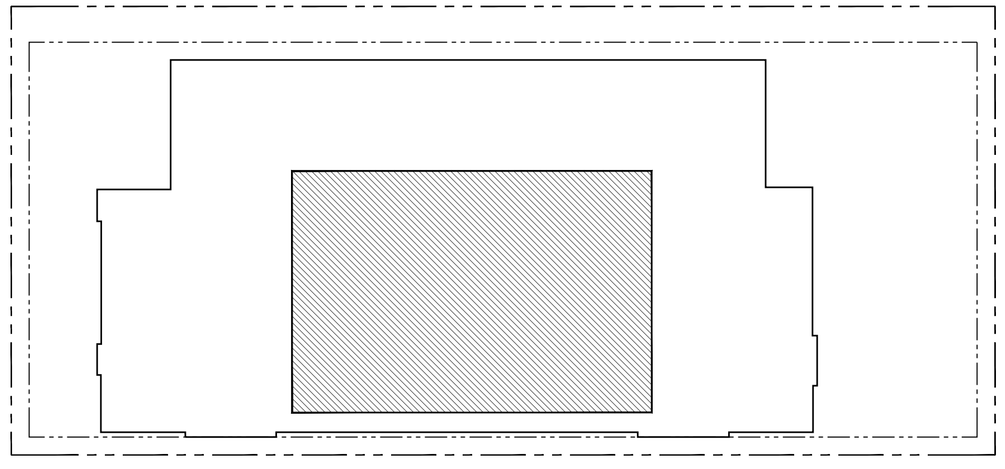
LOT AREA: 34,462 S.F.
BUILDING AREA: 20,975 S.F. (60.9%)

3a LOT COVERAGE DIAGRAM: EXISTING 3RD FLOOR
1"=30'-0"



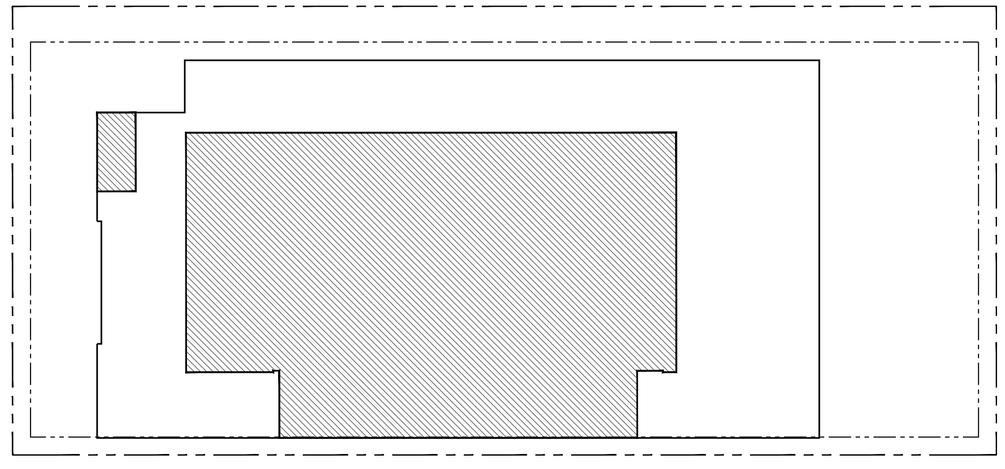
LOT AREA: 34,462 S.F.
BUILDING AREA: 21,324 S.F. (61.9%)

3b LOT COVERAGE DIAGRAM: PROPOSED 3RD FLOOR
1"=30'-0"



LOT AREA: 34,462 S.F.
BUILDING AREA: 6,784 S.F. (19.7%)

4a LOT COVERAGE DIAGRAM: EXISTING 4TH FLOOR
1"=30'-0"



LOT AREA: 34,462 S.F.
BUILDING AREA: 11,238 S.F. (32.6%)

4b LOT COVERAGE DIAGRAM: PROPOSED 4TH FLOOR
1"=30'-0"

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXISTING & PROPOSED LOT COVERAGE CALCULATIONS

DATE FEB. 10, 2023

SCALE AS NOTED

BY CG

SHEET NO A-003

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LICENSE NO. AA26000846

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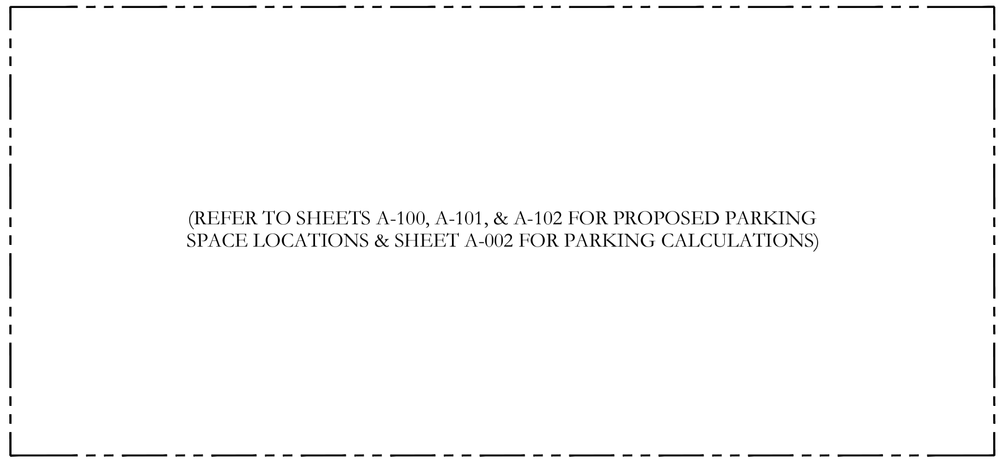
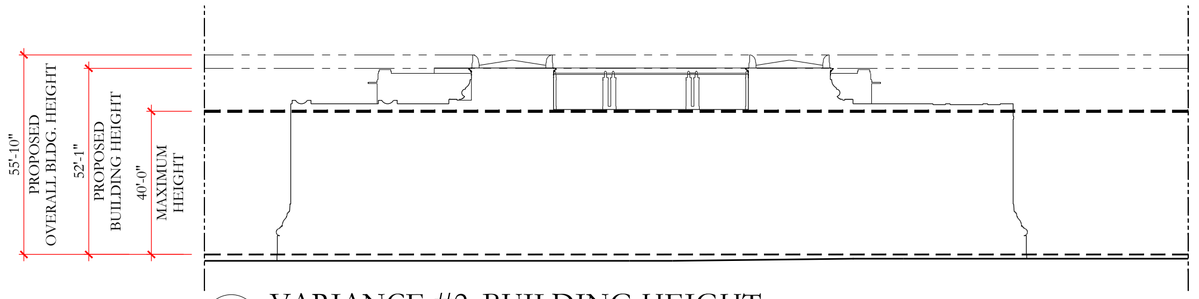


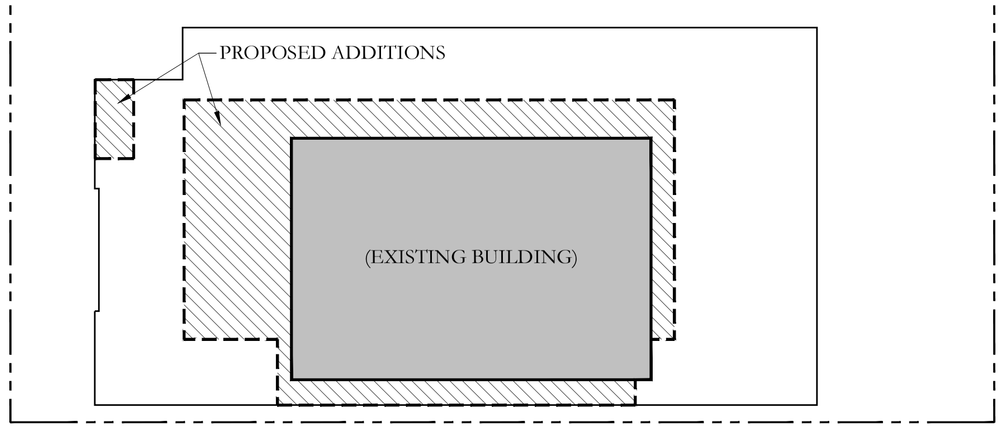
1 VARIANCE #1: VARIANCE FROM PARKING REQUIREMENTS
1"=30'-0"

VARIANCE #1:
Per Section 134-2176, a variance to allow for a reduction in parking spaces from the 264 required parking spaces to the 141 provided parking spaces.



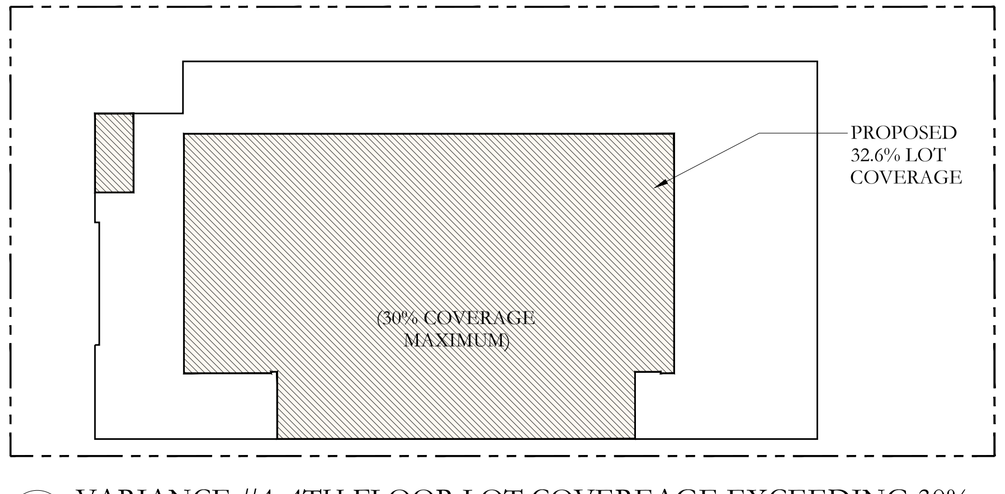
2 VARIANCE #2: BUILDING HEIGHT
1"=30'-0"

VARIANCE #2:
Penthouse/Fourth Floor Addition. The proposed building height (52'-1") and overall building height (55'-10") exceeds the 40' maximum height permitted by the Worth Avenue Design Guidelines.



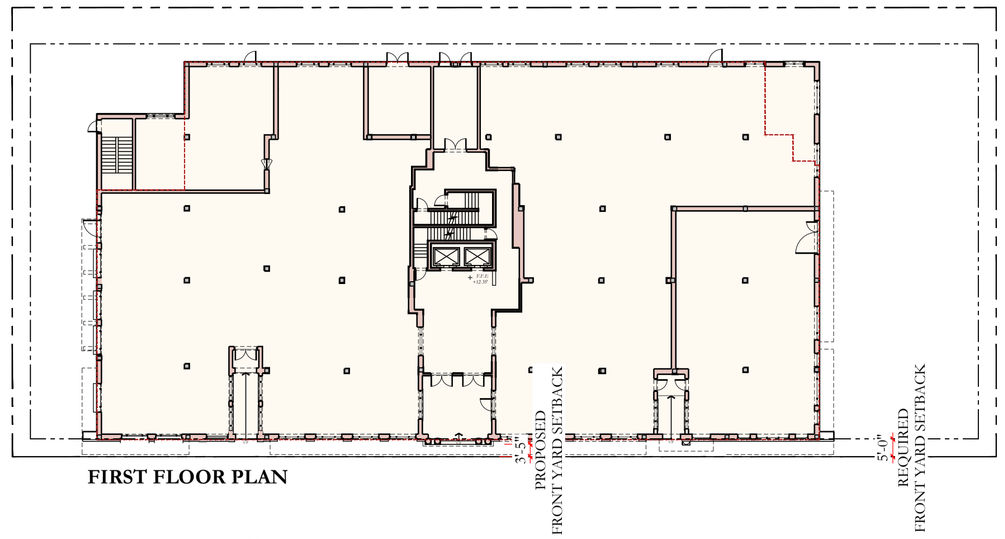
3 VARIANCE #3: 4TH FLOOR FLOOR AREA INCREASE
1"=30'-0"

VARIANCE #3:
Per Section 134-419, a Variance to allow for an expansion of an existing non-conforming building by increasing the existing floor area of the fourth story to 11,238 square feet from 6,785 square feet existing.



4 VARIANCE #4: 4TH FLOOR LOT COVEREAGE EXCEEDING 30%
1"=30'-0"

VARIANCE #4:
Per Section 134-1163(9)c, a Variance for Lot Coverage of 32.6% on the fourth floor in lieu of the 30% maximum allowable by the Zoning Code.



5 VARIANCE #5: FRONT YARD SETBACK
1"=30'-0"

VARIANCE #5:
Per Section 134-1163(5), a Variance from a Front-Yard Set back Requirement of 5' to the proposed 3.5'.

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D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
VARIANCE DIAGRAMS

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
CG

SHEET NO
A-004a

FAIRFAX & SAMMONS
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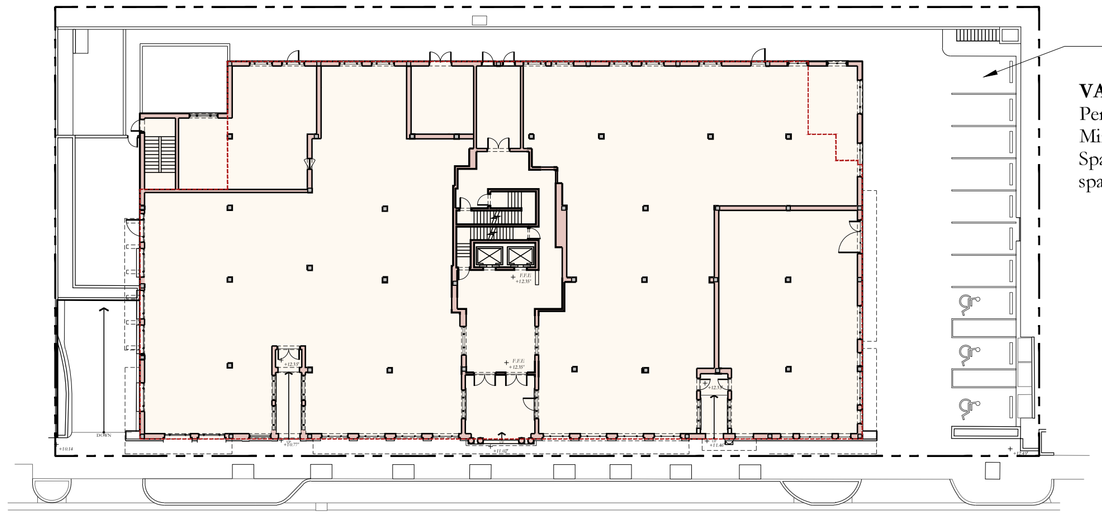
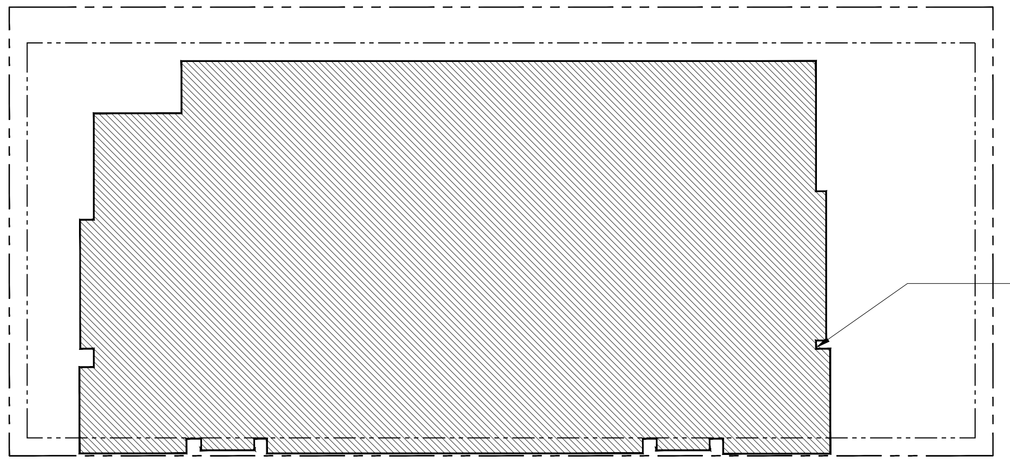
NORTH

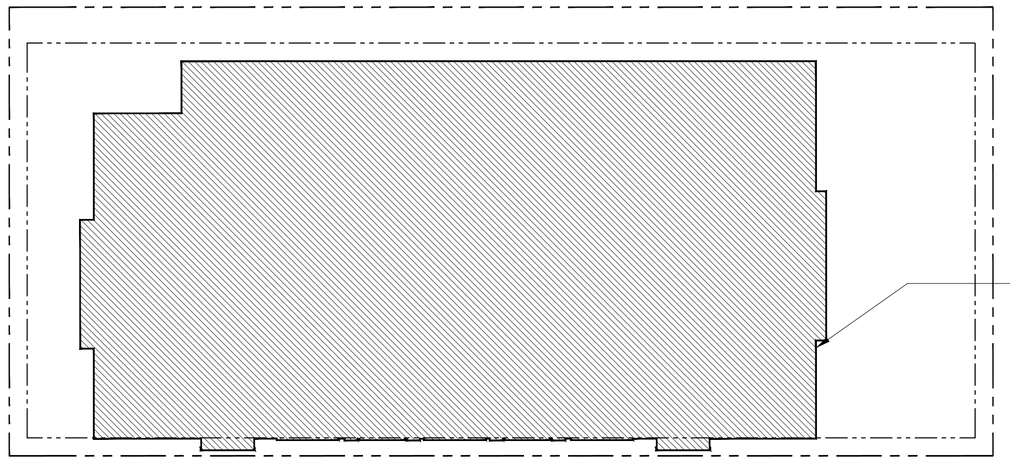


VARIANCE #6:
Per Section 134-2211, a Variance from a Minimum Number of Off-Street Loading Spaces of 3 spaces to the proposed 1 space.

6 VARIANCE #6: VARIANCE FROM OFF STREET LOADING SPACES
1"=30'-0"



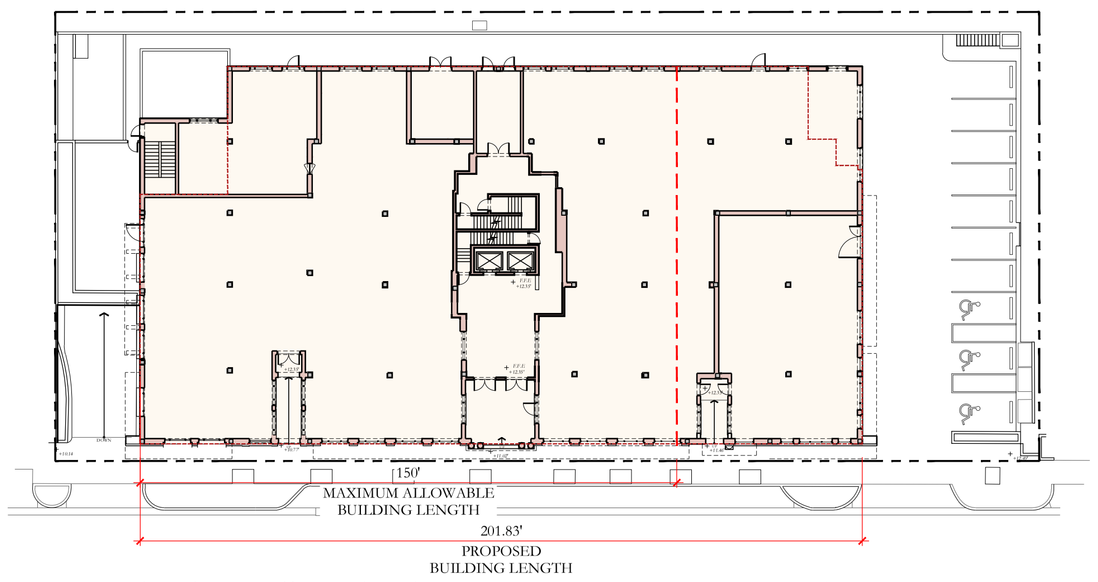
SECOND FLOOR PLAN



THIRD FLOOR PLAN

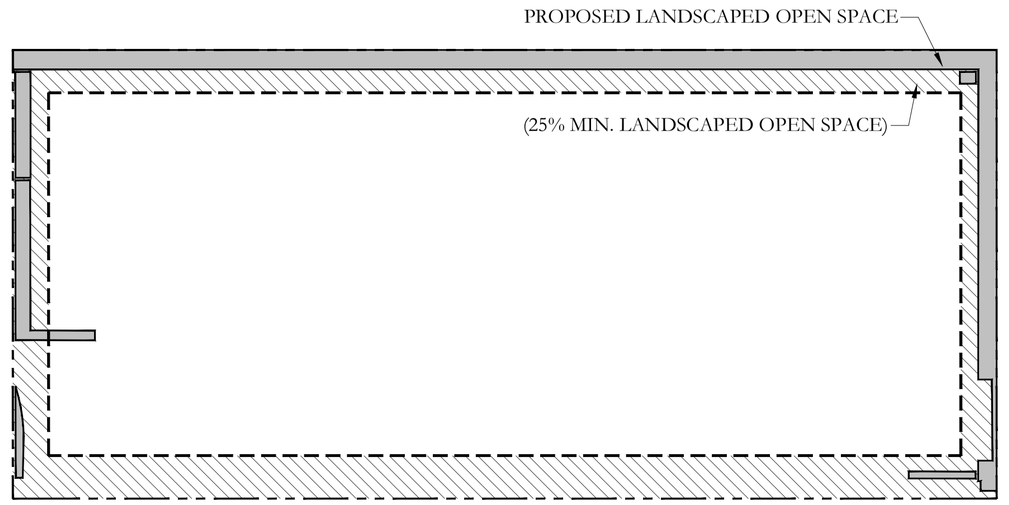
VARIANCE #7:
Per Section 134-1163(9)e, a Variance for Lot Coverage of 64.3% on the second floor and 61.9% on the third floor in lieu of the 60% maximum allowable on the second floor, and 30% maximum allowable on the third floor by the Zoning Code and Worth Avenue Design Guidelines.

7 VARIANCE #7: VARIANCE FOR LOT COVERAGE ON 2ND & 3RD FLOORS
1"=30'-0"



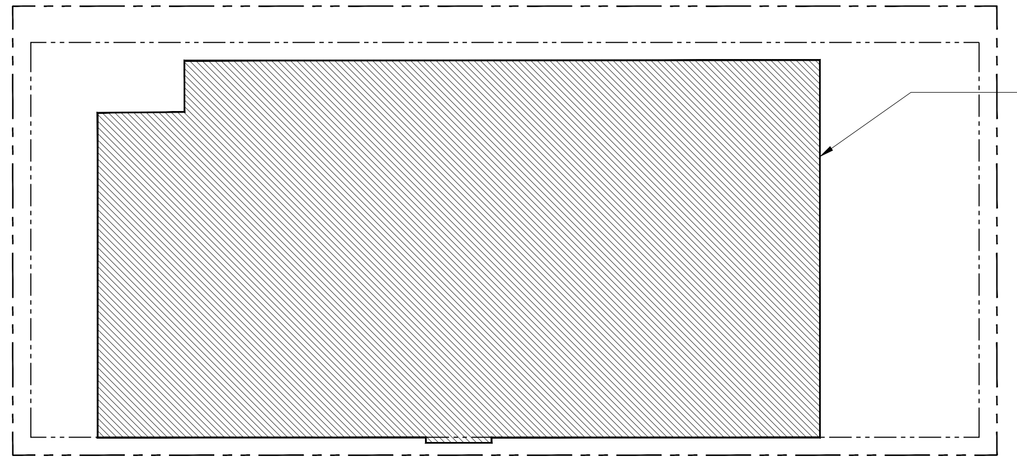
VARIANCE #8:
Per Section 134-1163(10), a Variance for Maximum Building Length of 201.83' in lieu of the 150 feet maximum allowable by the Zoning Code.

8 VARIANCE #8: VARIANCE FOR BUILDING LENGTH
1"=30'-0"

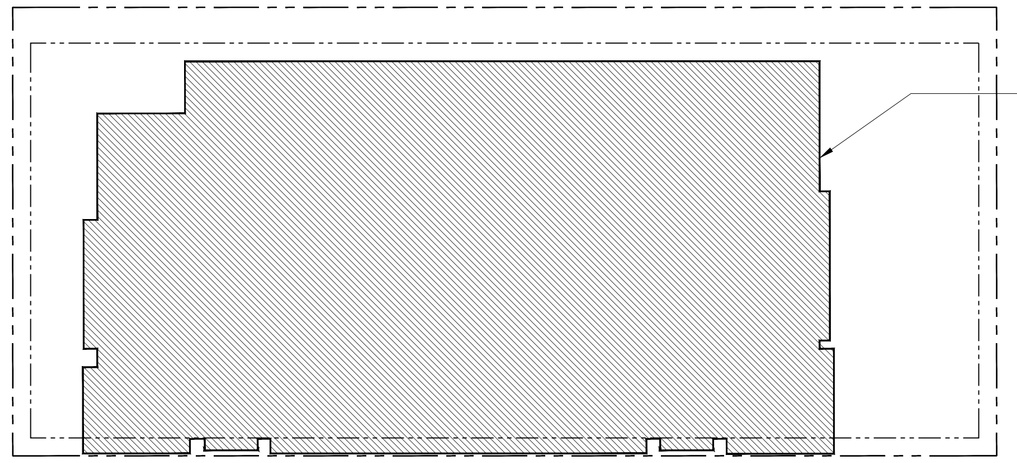


VARIANCE #9:
Per Section 134-1163(11), a Variance for Landscape Open Space (LOS) of 6.29% in lieu of the 25% maximum allowable by the Zoning Code.

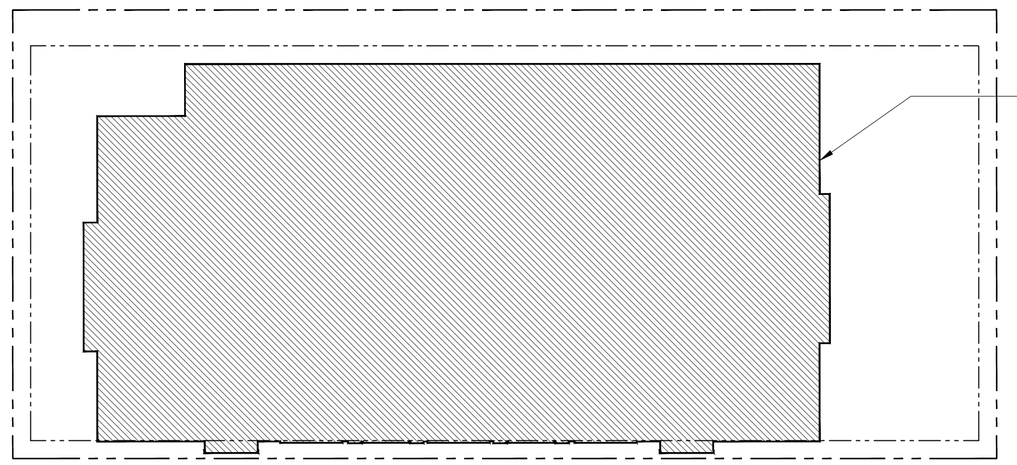
9 VARIANCE #9: LANDSCAPE OPEN SPACE
1"=30'-0"



FIRST FLOOR PLAN



SECOND FLOOR PLAN



THIRD FLOOR PLAN

VARIANCE #10:
Per Section 134-1163(12), a Variance for Floor Area of 20,963 S.F. square feet on the ground floor, 22,146 S.F. square feet on the second floor, and 21,324 S.F. square feet on the third floor in lieu of the 15,000 square feet per floor maximum allowable by the Zoning Code.

10 VARIANCE #10: VARIANCE FOR FLOOR AREA
1"=30'-0"

NORTH

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
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ARCOM CASE #: ARC-23-022

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125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
VARIANCE DIAGRAMS

DATE
FEB. 10, 2023

SCALE
AS NOTED

BY
CG

SHEET NO
A-004b

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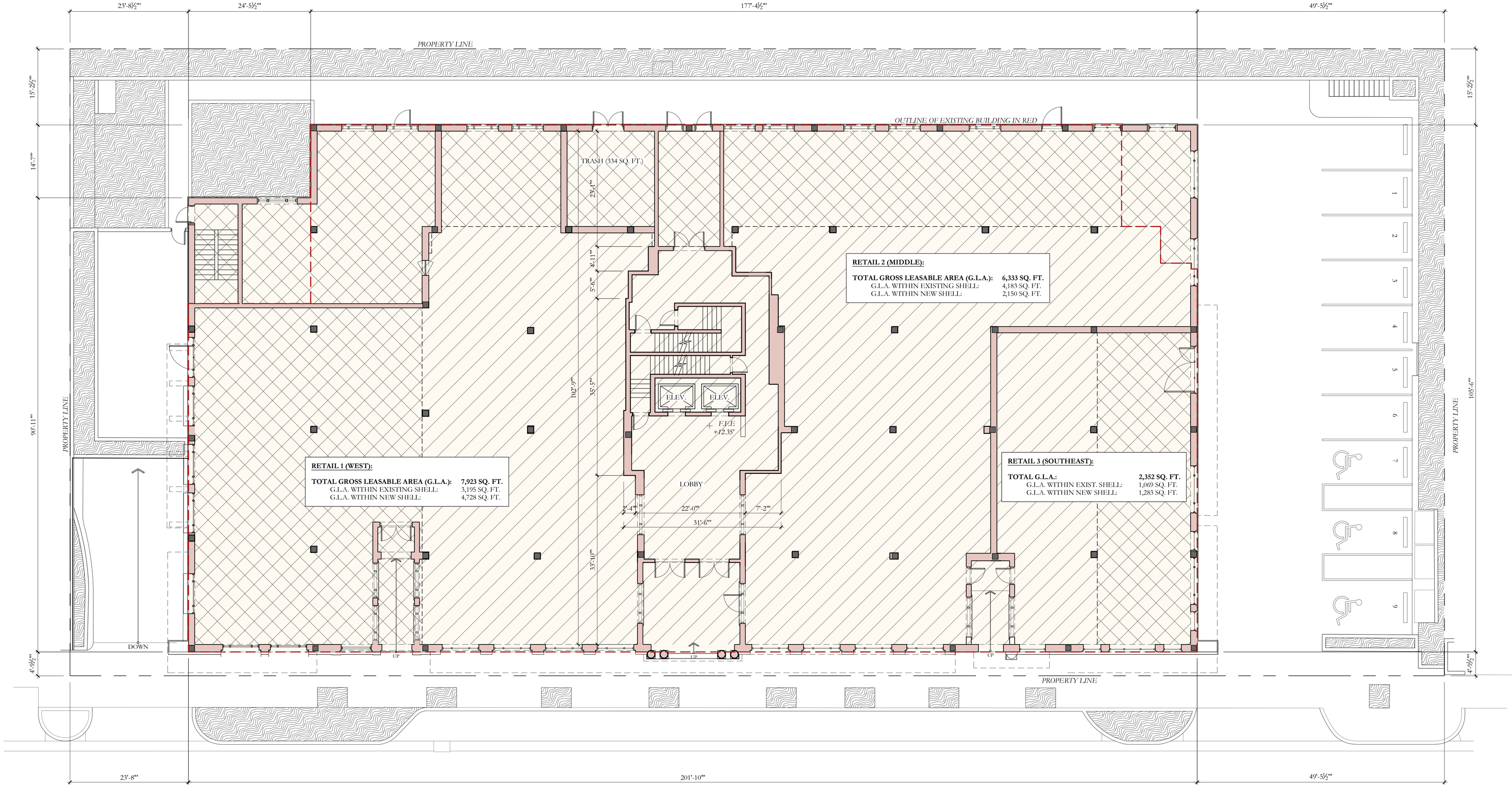

1 PROPOSED FIRST FLOOR PLAN
1"=10'-0"

FIRST FLOOR GROSS LEASABLE AREA (G.L.A.) - RETAIL:

RETAIL TENANT 1 (WEST):	7,923 SQ. FT.
RETAIL TENANT 2 (MIDDLE):	6,333 SQ. FT.
RETAIL TENANT 3 (SOUTHEAST CORNER):	2,352 SQ. FT.
TOTAL RETAIL G.L.A., FIRST FLOOR:	**16,608 SQ. FT.**

FIRST FLOOR FLOOR AREA

EXISTING FLOOR AREA: 19,993 SF
PROPOSED FLOOR AREA: 20,963 SF

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 970 SQ.FT.

EXISTING =19,993 SQ.FT.

OUTLINE OF EXISTING BUILDING

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED FIRST FLOOR PLAN

DATE	SHEET NO
FEB. 10, 2023	A-102
SCALE 1" = 10'-0"	
BY HM	

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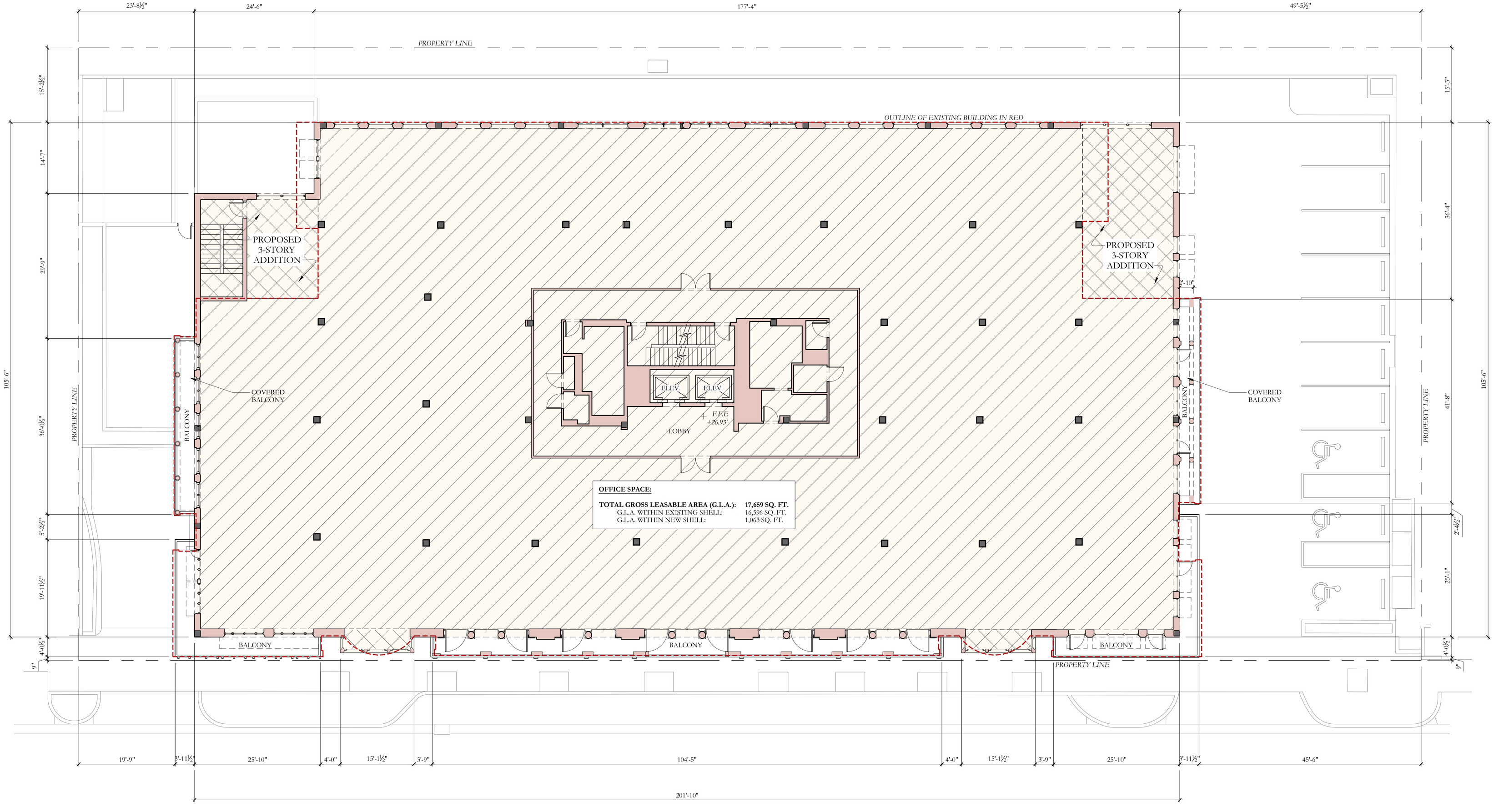

OFFICE SPACE:

TOTAL GROSS LEASABLE AREA (G.L.A.):	**17,659 SQ. FT.**
G.L.A. WITHIN EXISTING SHELL:	16,596 SQ. FT.
G.L.A. WITHIN NEW SHELL:	1,063 SQ. FT.

SECOND FLOOR FLOOR AREA

EXISTING FLOOR AREA:	20,696 SF
PROPOSED FLOOR AREA:	22,146 SF

1 PROPOSED SECOND FLOOR PLAN
1"=10'-0"

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION

EXISTING

OUTLINE OF EXISTING BUILDING

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED SECOND FLOOR PLAN

DATE FEB. 10, 2023	**SHEET NO** A-103
SCALE 1" = 10'-0"	
BY HM	

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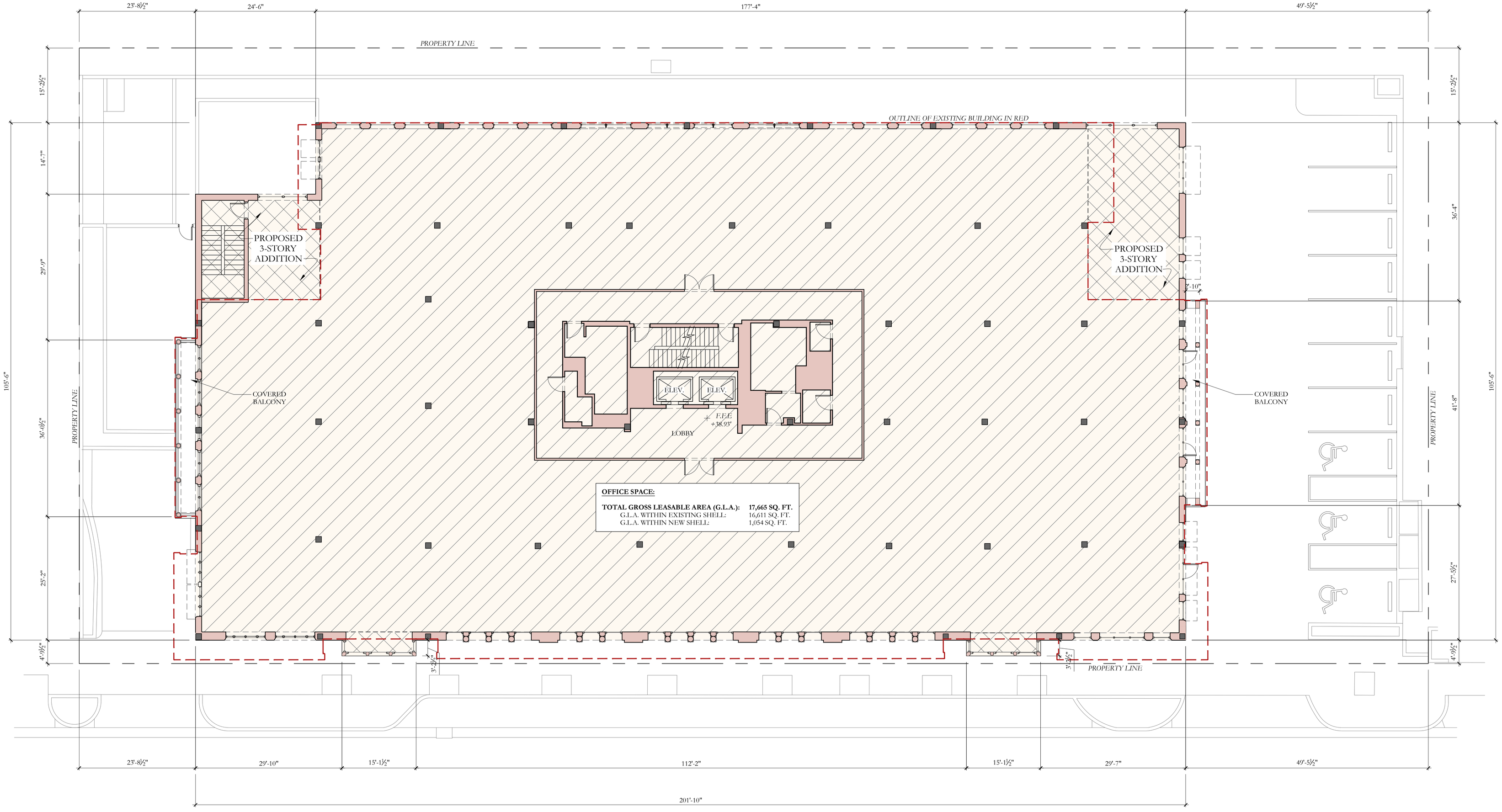

1 PROPOSED THIRD FLOOR PLAN
1"=10'-0"

THIRD FLOOR FLOOR AREA	
EXISTING FLOOR AREA:	19,502 SF
PROPOSED FLOOR AREA:	21,324 SF

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION

EXISTING

OUTLINE OF EXISTING BUILDING

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

PROPOSED THIRD FLOOR PLAN

DATE
FEB. 10, 2023

SCALE
1" = 10'-0"

BY
HM

SHEET NO
A-104

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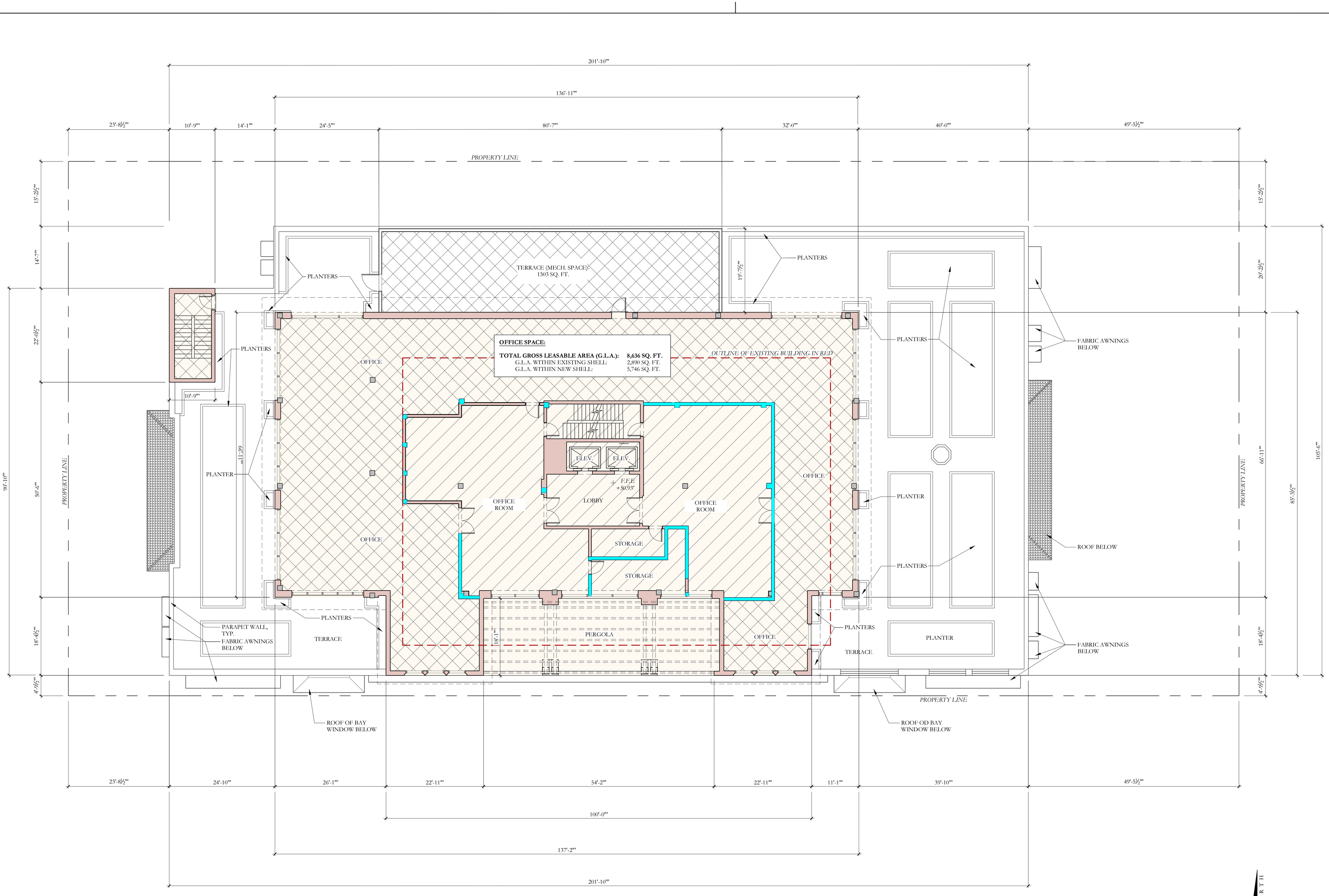

1 PROPOSED FOURTH FLOOR PLAN
1"=10'-0"

FOURTH FLOOR FLOOR AREA	
EXISTING FLOOR AREA:	6,785 SF
PROPOSED FLOOR AREA:	11,238 SF

0 1 25'

NORTH

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

LEGEND:

+5.50' EXISTING SPOT ELEVATION

+5.50' PROPOSED SPOT ELEVATION

NEW ADDITION = 4,453 SQ.FT.

EXISTING =6,785 SQ.FT.

EXISTING WALL OR STRUCT. COLUMN TO REMAIN

OUTLINE OF EXISTING BUILDING

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE
PROPOSED FOURTH FLOOR PLAN

DATE: FEB. 10, 2023
SCALE: 1" = 10'-0"
BY: HM
SHEET NO: A-105

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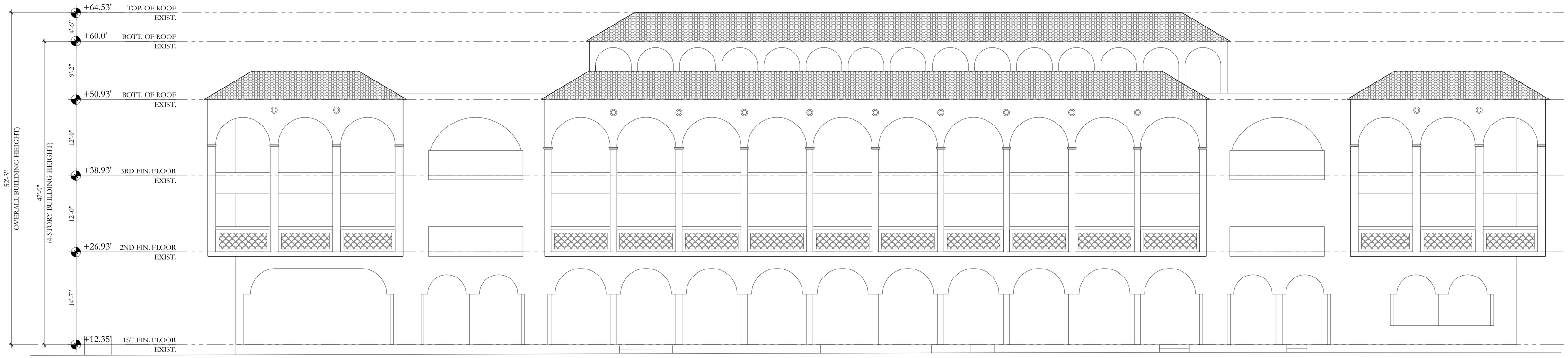

1 EXIST. SOUTH ELEVATION
1/8"=1'-0"

2 PROP. SOUTH ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

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D.R.C. SECOND SUBMITTAL SET	12/27/2022
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D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED SOUTH ELEVATION

DATE FEB. 10, 2023

SCALE 1/8" = 1'-0"

BY SPB

SHEET NO A-110

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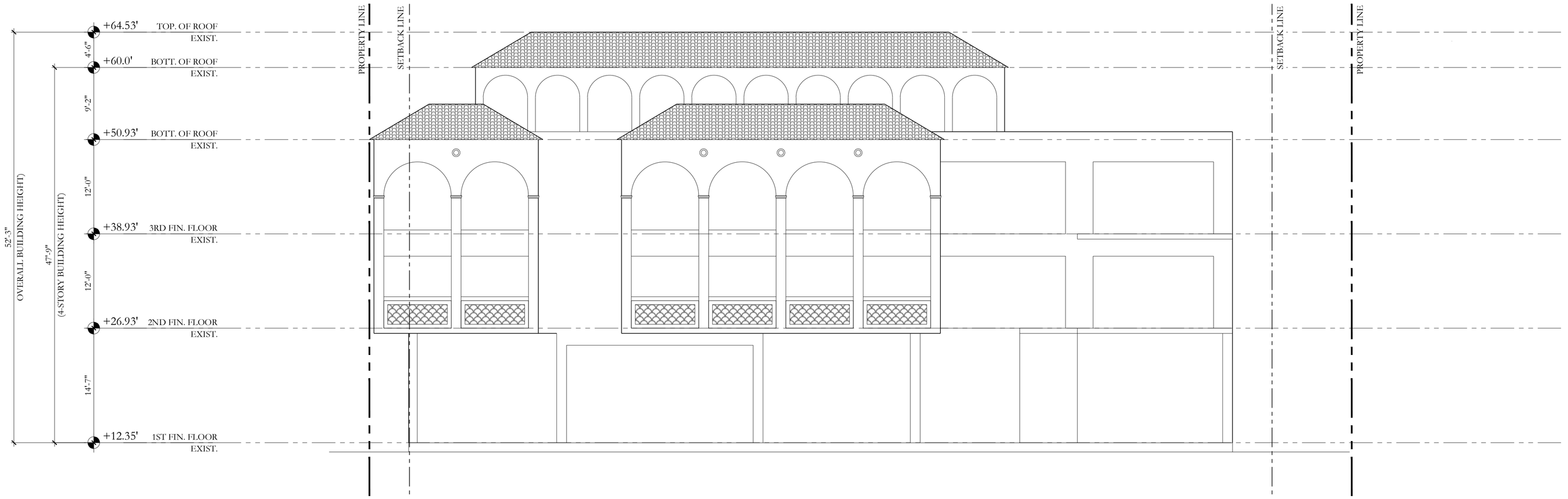

1 EXIST. EAST ELEVATION
1/8"=1'-0"

2 PROP. EAST ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED EAST ELEVATION

DATE FEB. 10, 2023

SCALE 1/8" = 1'-0"

BY SPB

SHEET NO A-111

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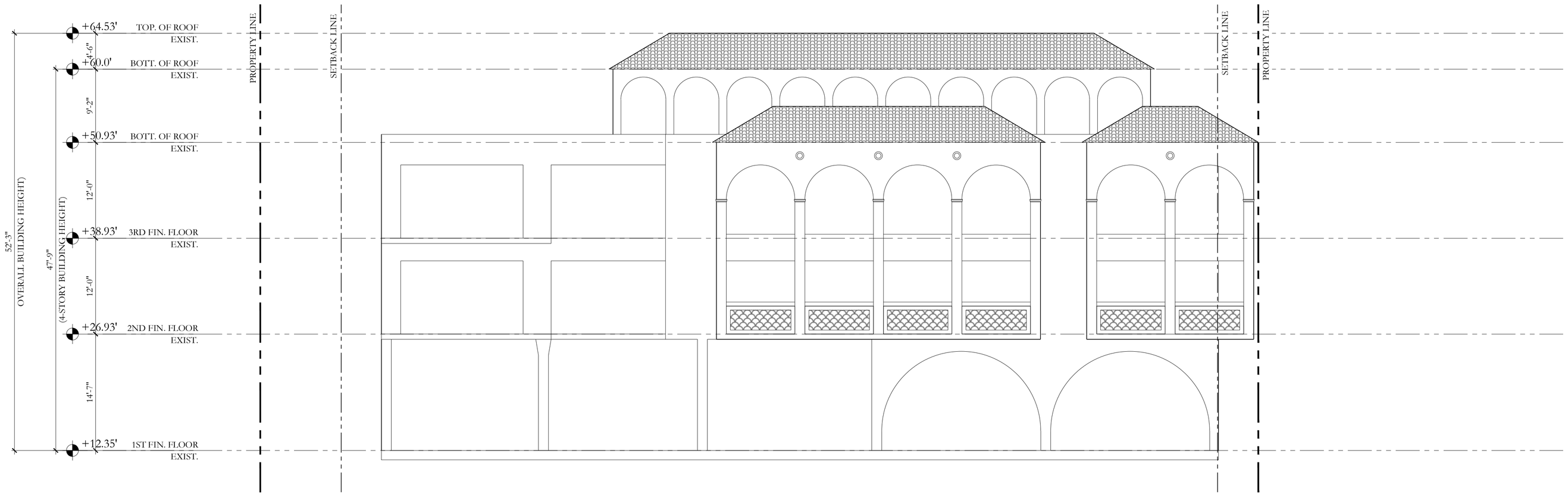

1 EXIST. WEST ELEVATION
1/8"=1'-0"

2 PROP. WEST ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED WEST ELEVATION

DATE FEB. 10, 2023

SCALE 1/8" = 1'-0"

BY SPB

SHEET NO A-112

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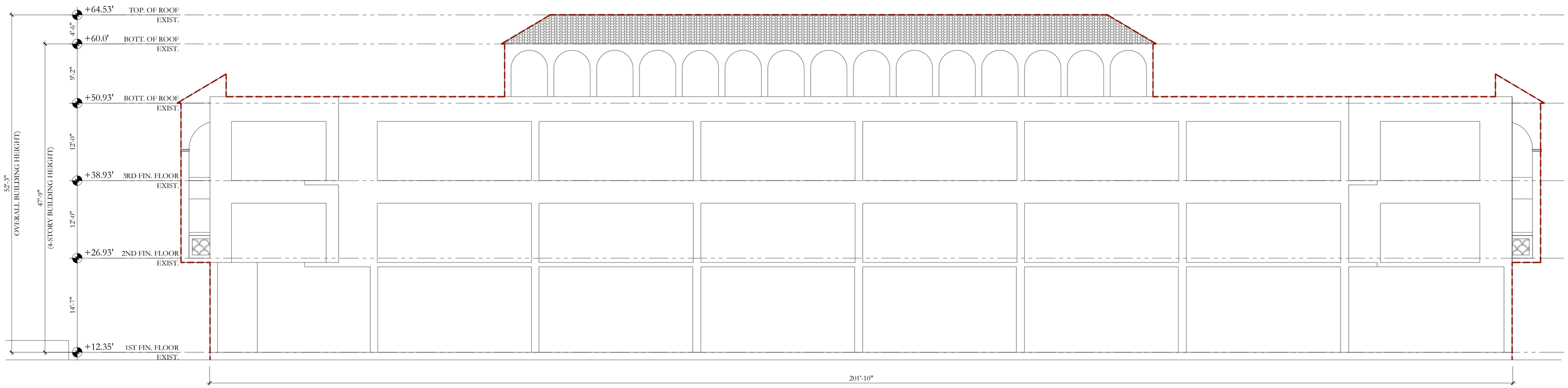

1 EXIST. NORTH ELEVATION
1/8"=1'-0"

2 PROP. NORTH ELEVATION
1/8"=1'-0"

NOTE: ELEVATIONS REFERENCED TO NAVD SURVEY ELEVATIONS

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

EXIST. & PROPOSED NORTH ELEVATION

DATE FEB. 10, 2023

SCALE 1/8" = 1'-0"

BY SPB

SHEET NO A-113

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1 STREET LEVEL VIEW FROM SOUTHEAST

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

STREET LEVEL VIEW FROM SOUTHEAST

DATE FEB. 10, 2023	**SHEET NO** V-001
SCALE N/A	
BY DP	

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1 STREET LEVEL VIEW FROM SOUTHWEST

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

STREET LEVEL VIEW FROM SOUTHWEST

DATE FEB. 10, 2023	**SHEET NO** V-005
SCALE N/A	
BY DP	

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1 VIEW FROM KIRKLAND HOUSE

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

VIEW FROM KIRKLAND HOUSE

DATE	SHEET NO
FEB. 10, 2023	V-006
SCALE: N/A	
BY: DP	

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1 VIEW FROM WINTHROP HOUSE

D.R.C. FINAL SUBMITTAL SET	02/10/2023
D.R.C. SECOND SUBMITTAL SET	12/27/2022
D.R.C. FIRST SUBMITTAL SET	12/08/2022
D.R.C. PRE-APP MEETING SET	11/21/2022

ARCOM CASE #: ARC-23-022

ZONING CASE #: ZON-23-032

125 WORTH AVE.

PALM BEACH, FLORIDA

SHEET TITLE

VIEW FROM WINTHROP HOUSE

DATE FEB. 10, 2023	**SHEET NO** V-007
SCALE N/A	
BY DP	

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TC Development Review Meeting Backup 4-04-2023

Existing Tree/Palm Removal List

SYM	QTY	NAME
CM	2	Caryota mitis / Fishtail Palm
CP	1	Carica papaya / Papaya
LC	1	Livistona chinensis / Chinese Fan Palm

Note:

CONSTRUCTION ACTIVITY SHALL BE SCREENED FROM ADJACENT PROPERTIES AND PUBLIC STREETS THROUGH THE USE OF CONSTRUCTION SCREENS, FENCES, GATES AND/OR VEGETATION PER TOWN CODE. CONSTRUCTION SCREENING SHALL BE INSTALLED PRIOR TO DEMOLITION AND REMAIN FOR THE DURATION OF THE PROJECT. PORTIONS OF CONSTRUCTION SCREENING MAY BE REMOVED WHEN NECESSARY TO COMPLETE CONSTRUCTION ACTIVITIES AND NEW VEGETATION OR SCREENING IS INSTALLED IMMEDIATELY UPON COMPLETION OF SAID WORK.

Existing Plant Symbol Key

Existing tree/palm to remain

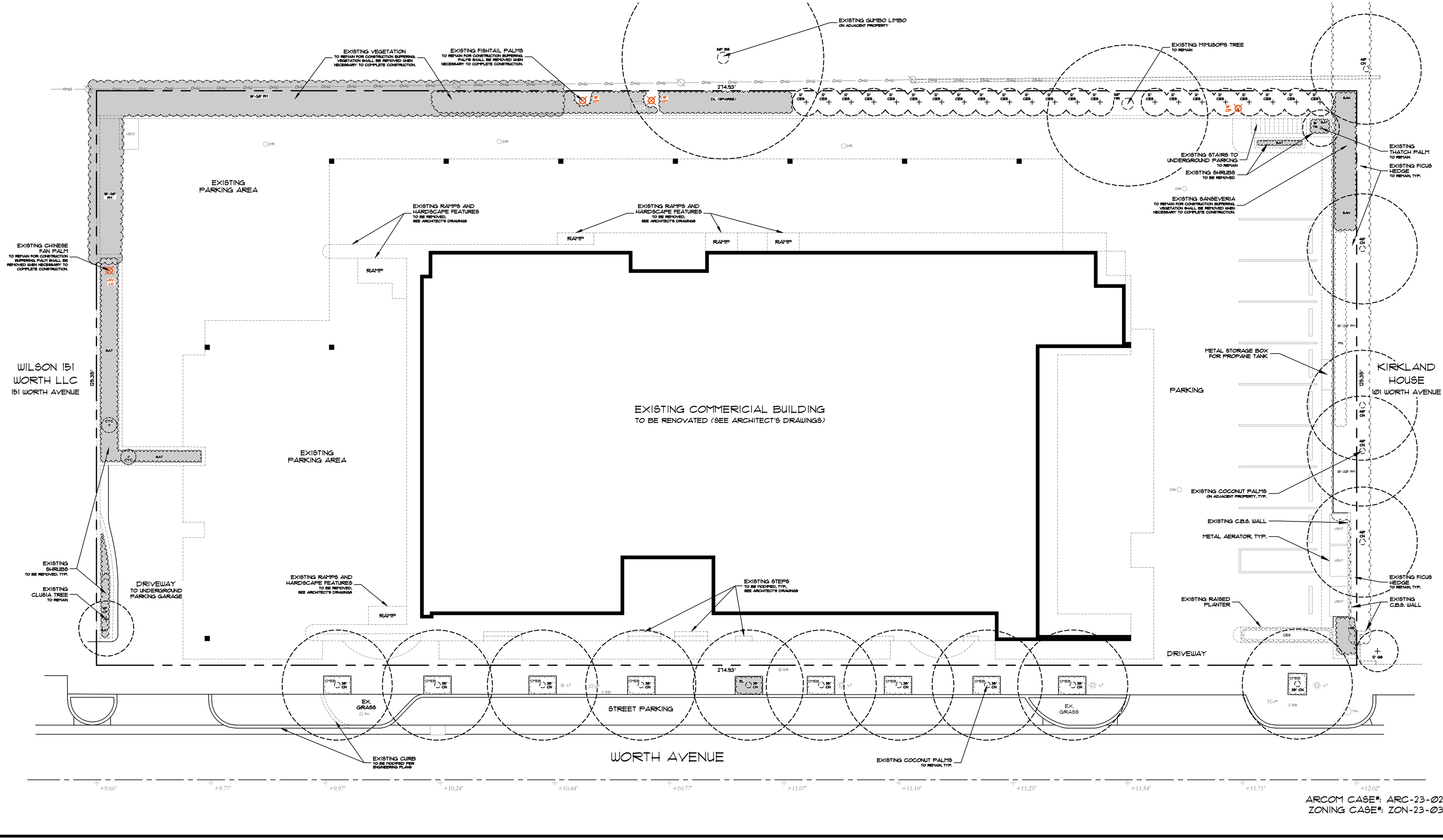
Existing tree/palm to be removed

Existing vegetation to remain

Existing vegetation to be removed

Existing Plant Key

BG = Bursera simaruba / Gumbo Limbo
CAR = Carissa macrocarpa / Carissa
CES = Conocarpus erectus sericeus / Silver Buttonwood
CF = Clusia Flava / Small Leaf Clusia
CM = Caryota mitis / Fishtail Palm
CN = Cocos nucifera / Coconut Palm
CP = Carica papaya / Papaya
CYC = Cycad
DL = Dypsis lutescens / Areca Palm
FM = Ficus microcarpa / Ficus
HIB = Hibiscus rosa-sinensis / Hibiscus
LC = Livistona chinensis / Chinese Fan Palm
LM = Liriope muscari / Liriope
MR = Manilkara Roxburghiana / Mimusops
SAN = Sanseveria spp.
SAT = Schefflera arboricola 'Trinette' / Variegated Dwarf Schefflera
TR = Trinax Radiata / Thatch Palm
UNK = Unknown Plant



ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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Email: mail@pydg.com
License #LC-0000297

125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

EXISTING CONDITIONS AND LANDSCAPE / HARDSCAPE DEMOLITION PLAN

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 13-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
12.21.22
2.20.23 ARCOM

CHARLES C. YANNETTE
LICENSE # LA0001347
2/20/2023

SHEET:
L-1

TC Development Review Meeting Backup 4-04-2023

Existing Plant Symbol Key

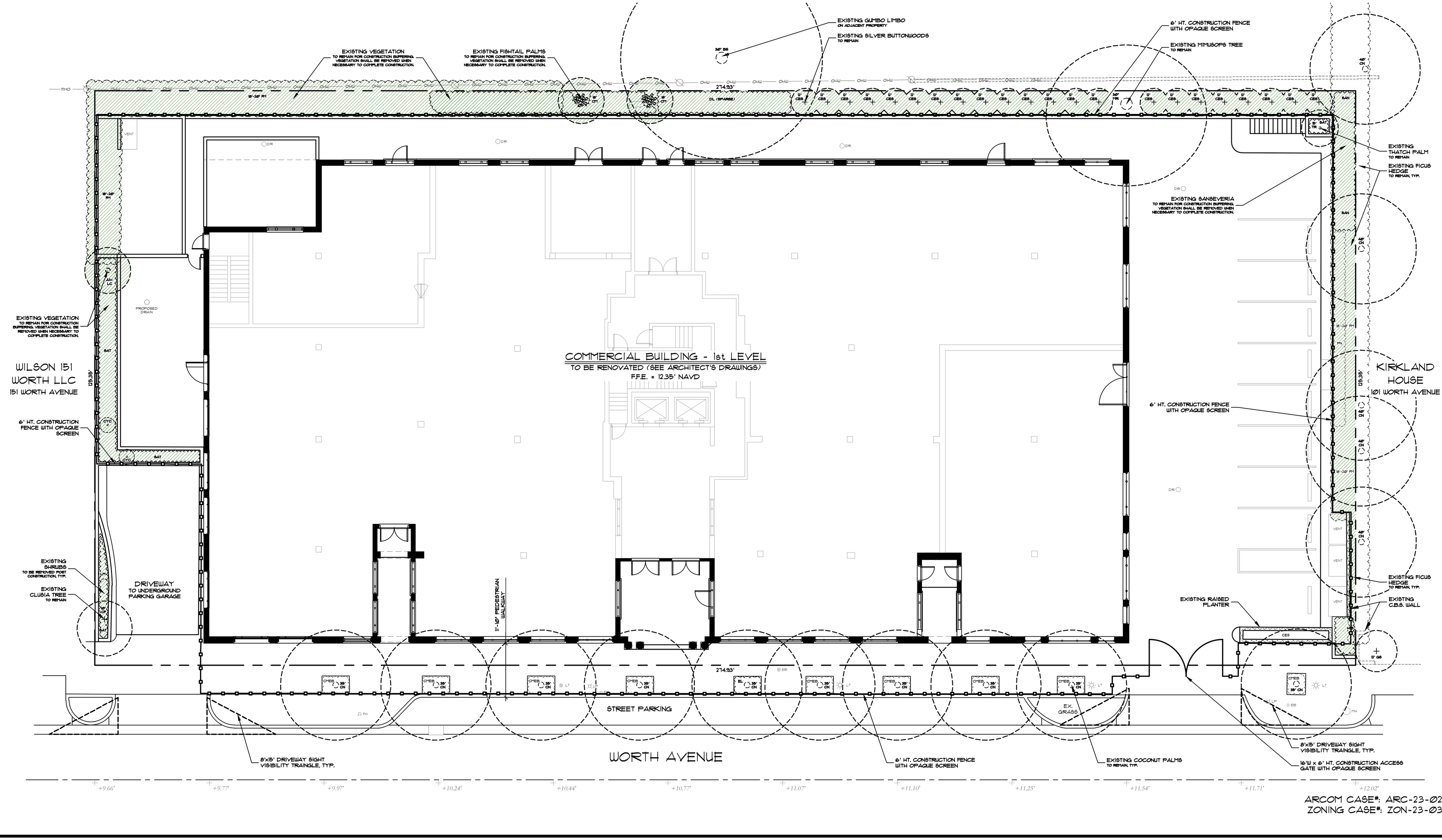
Existing tree/palm to remain for const. buffering.

Existing vegetation to remain for const. buffering.

NOTE: See Sheet L-1 for vegetation removals

Existing Plant Key

BS = Bursera simaruba / Gumbo Limbo
CARE = Carissa macrocarpa / Carissa
CES = Conocarpus erectus sericeus / Silver Buttonwood
CF = Clusia Flava / Small Leaf Clusia
CM = Caryota mitis / Fishtail Palm
CN = Cocos nucifera / Coconut Palm
CP = Carica papaya / Papaya
CYC = Cycad
DL = Dypsis lutescens / Areca Palm
FM = Ficus microcarpa / Ficus
HIB = Hibiscus rosa-sinensis / Hibiscus
LC = Livistona chinensis / Chinese Fan Palm
LM = Liriope muscari / Liriope
MR = Manilkara Roxburghiana / Mimusops
SAN = Sansevieria spp.
SAT = Schefflera arboricola 'Trinette' / Variegated Dwarf Schefflera
TR = Trinax Radiata / Thatch Palm
UNK = Unknown Plant



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ZONING CASE#: ZON-23-032

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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

CONSTRUCTION SCREENING PLAN

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
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12.8.22
12.21.22
2.20.23 ARCOM

CHARLES C. YANNETTE
LICENSE #LA0001347
2/20/2023

SHEET:
L-2

Existing Plant Symbol Key

Existing tree/palm to remain for const. buffering.

Existing vegetation to remain for const. buffering.

NOTE: See Sheet L-1 for vegetation removals

Existing Plant Key

BS = Bursera simaruba / Gumbo Limbo
CARE = Carussa macrocarpa / Carissa
CES = Concarpus erectus sericeus / Silver Buttonwood
CF = Clusia Flava / Small Leaf Clusia
CM = Caryota mitis / Fishtail Palm
CN = Cocos nucifera / Coconut Palm
CP = Carica papaya / Papaya
CYC = Cycad
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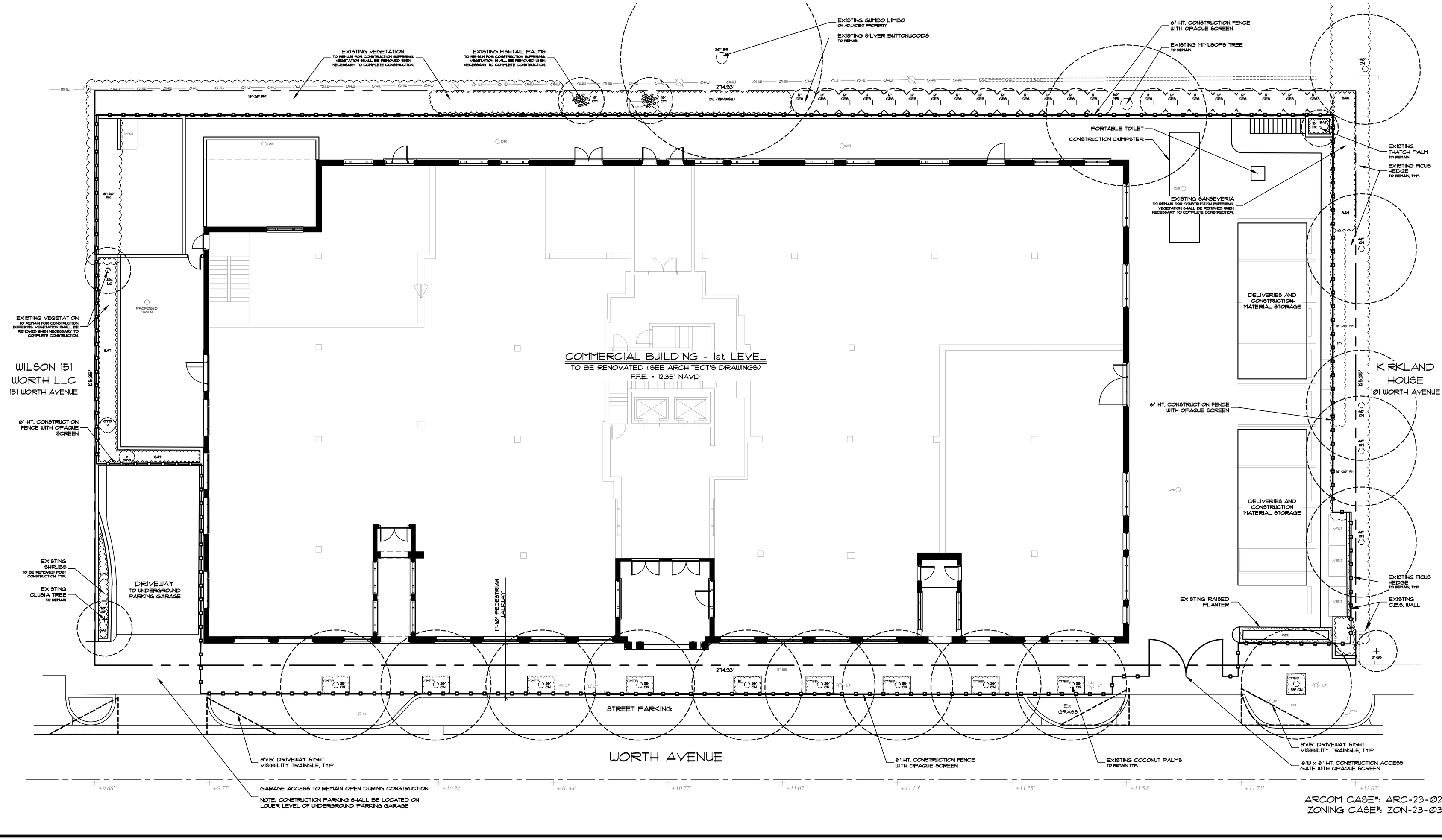
FM = Ficus microcarpa / Ficus
HIB = Hibiscus rosa-sinensis / Hibiscus
LC = Livistona chinensis / Chinese Fan Palm
LM = Liriope muscari / Liriope
MR = Manilkara Roxburgiana / Mimusops
SAN = Sanseveria spp.
SAT = Schefflera arboricola 'Trinette' / Variegated Dwarf Schefflera
TR = Trinax Radiata / Thatch Palm
UNK = Unknown Plant



ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

CONSTRUCTION STAGING PLAN

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
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2.20.23 ARCOM

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LICENSE #LA0001347
2/20/2023

SHEET:
L-3

TC Development Review Meeting Backup 4-04-2023

Truck Route Key

- Ingress Route
- Egress Route

Truck Logistics

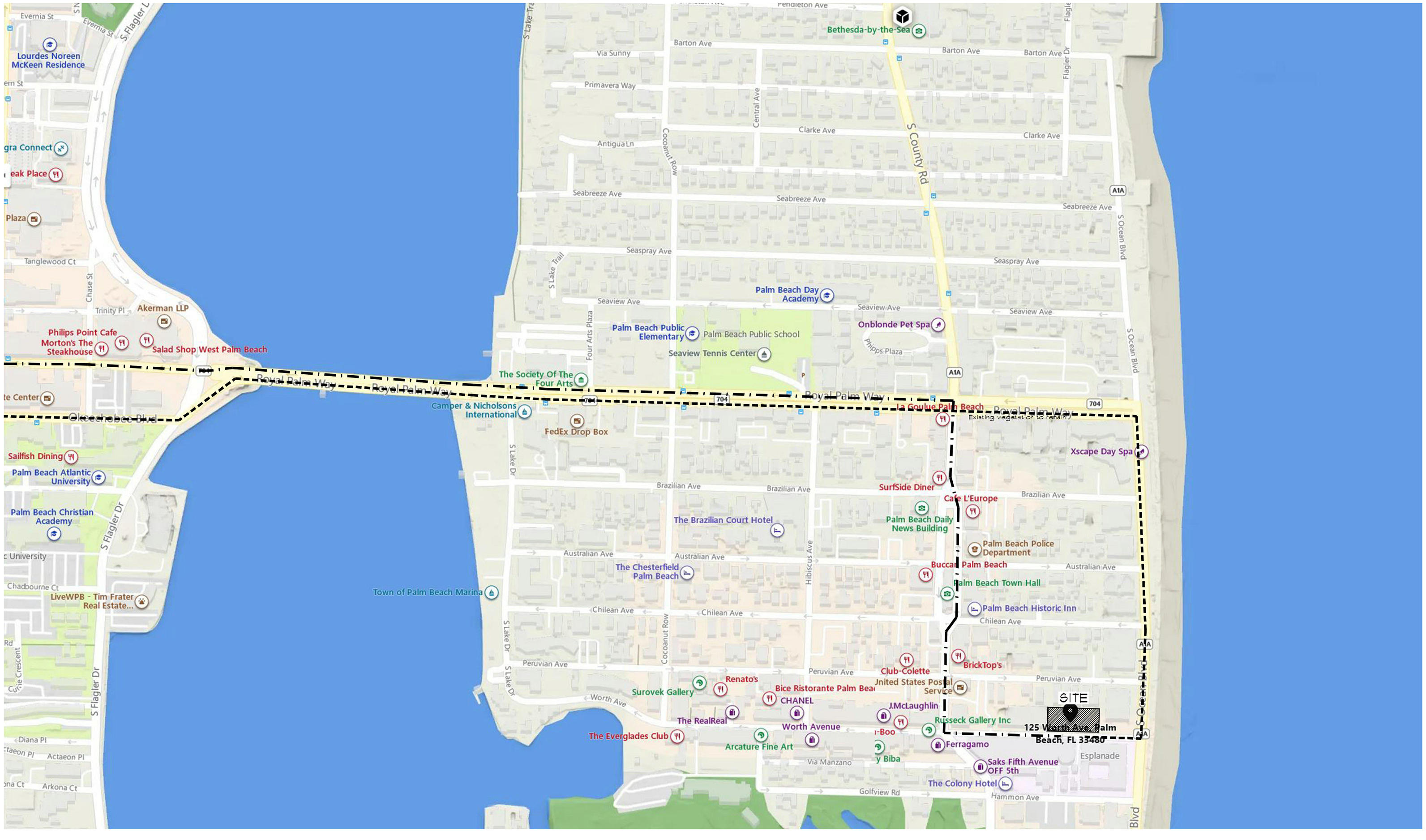
A. **Roadways:** Deliveries and workers will access Palm Beach Island by heading east on Okeechobee Boulevard over the Royal Palm Way Bridge, then continue east on Royal Palm Way to S. Ocean Boulevard. Turn right (south) onto S. Ocean Boulevard and follow south until Worth Avenue. Turn right (west) onto Worth Avenue and the subject property is on the right (north) side of the road. To exit, vehicles will continue west on Worth Avenue to S. County Road where they will turn right (north) and follow S. County Road to Royal Palm Way. Turn left (west) onto Royal Palm Way and take the Royal Palm Way Bridge off of Palm Beach Island.

B. Maximum truck length = Semi Truck with 53' Trailer (i.e. Full range of truck sizes)

C. Estimated number of deliveries generated by this project = 30.000 over project schedule

Construction Schedule

TASK	DURATION (MONTHS)
SITE/BUILDING PREPARATION:	3
REINFORCING FOUNDATION:	4
BLOCK/STEEL DELIVERIES AND CONCRETE POURS:	3
ROOF TRUSS DELIVERIES AND TRUSS SETTING:	2
WINDOW/DOOR DELIVERIES AND INSTALLATION:	2
DRY-IN:	1
INTERIOR FRAMING:	2
ROUGH-IN:	2
DRYWALL:	1
FINISHES:	1
LANDSCAPE/HARDSCAPE INSTALLATION:	1
FINAL INSPECTIONS:	2
TOTAL PROPOSED CONSTRUCTION TIME (FOLLOWING ISSUANCE OF BUILDING PERMIT):	24 MONTHS



ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

TRUCK LOGISTICS

DATE: 10.08.18
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: N/A
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
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LICENSE #LA0001347
2/20/2023

SHEET:
L-4

TC Development Review Meeting Backup 4-04-2023

NOTE: See 'Proposed Plant List' on Sheet L-6.

Town of Palm Beach
Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend			
1	**Property Address:**	125 WORTH AVENUE		
4		Required	Proposed	Proposed w/Existing
5	Lot Size (sq ft)	4,000 sq. ft.	34,462 sq. ft.	34,462 sq. ft.
6	Landscape Open Space (LOS) (Sq Ft and %)	8,615.5 sq. ft. / 25%	2,169.0 sq. ft. / 6.29%	2,169.0 sq. ft. / 6.29%
7	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A
8	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A
9	Native* Trees %	35%	100%	96.3%
10	Native* Palms %	35%	64.3%	62.3%
11	Native* Shrubs %	35%	80.7%	79.8%
12	Native* Vines / Ground Cover %	35%	86.8%	86.8%

*To determine appropriate native vegetation, the ***Institute for Regional Conservation ("IRC"), Natives for Your Neighborhood*** guide shall be used.

Existing Plant Symbol Key

Existing tree/palm to remain

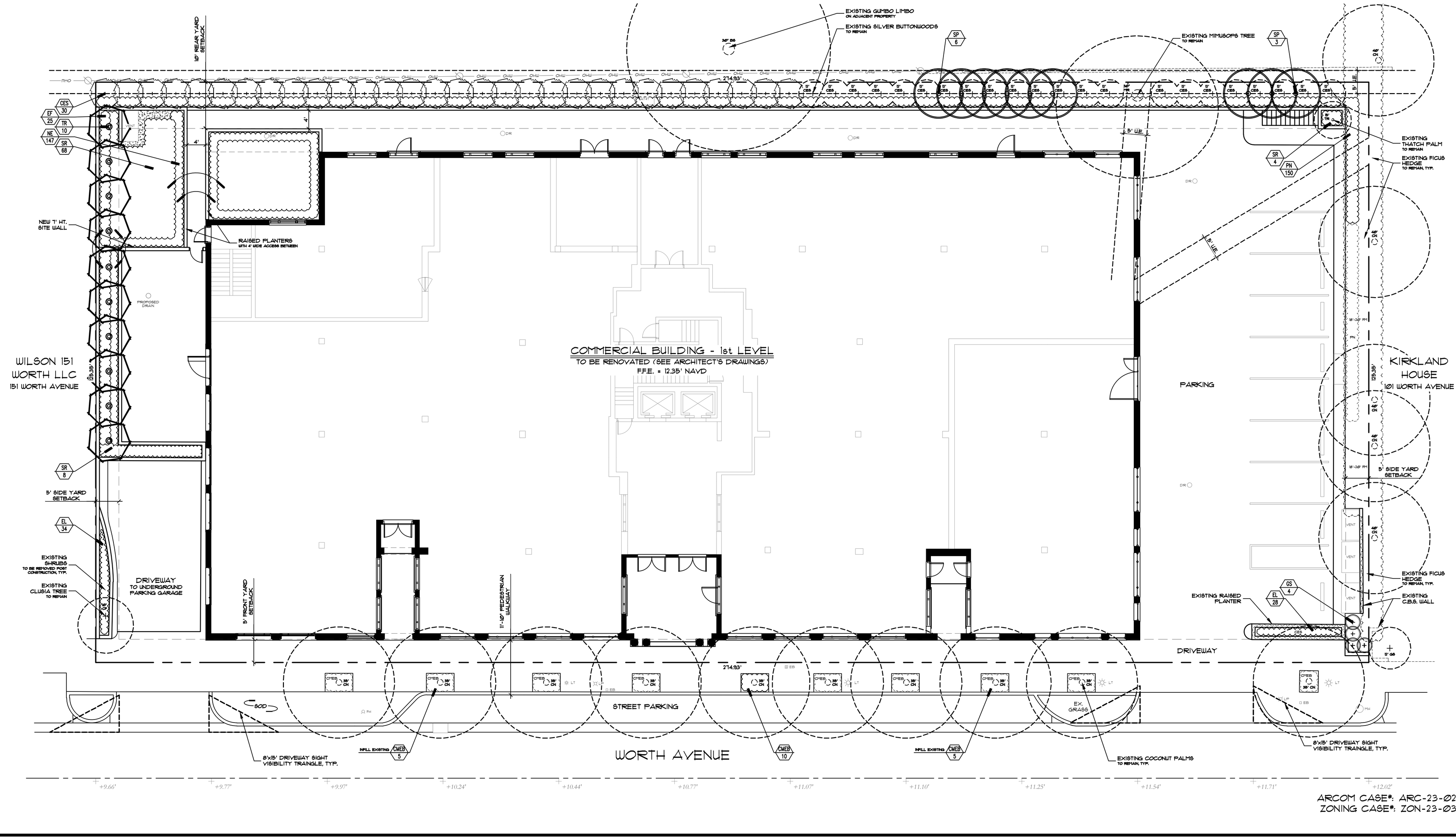
Existing tree/palm to be removed

Existing vegetation to remain

Existing vegetation to be removed

Existing Plant Key

BG = Bursera simaruba / Gumbo Limbo
CAR = Carissa macrocarpa / Carissa
CES = Conocarpus erectus sericeus / Silver Buttonwood
CF = Clusia Flava / Small Leaf Clusia
CM = Caryota mitis / Fishtail Palm
CN = Cocos nucifera / Coconut Palm
CP = Carica papaya / Papaya
CYC = Cycad
DL = Dypsis lutescens / Areca Palm
FM = Ficus microcarpa / Ficus
HIB = Hibiscus rosa-sinensis / Hibiscus
LC = Livistona chinensis / Chinese Fan Palm
LM = Liriope muscari / Liriope
MR = Manilkara Roxburghiana / Mimusops
SAN = Sanseveria spp.
SAT = Schefflera arboricola 'Trinette' / Variegated Dwarf Schefflera
TR = Trinax Radiata / Thatch Palm
UNK = Unknown Plant



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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

PLANTING PLAN - 1st LEVEL

DATE: 10.08.13
DRAWN BY: CCY/BMS
JOB NO.: 13-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
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2.20.23 ARCOM

CHARLES C. YANNETTE
LICENSE #LC0001347
2/20/2023

SHEET:
L-5

NOTE: See 'Proposed Plant List' on Sheet L-6.

Town of Palm Beach
Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend			
1	**Property Address:**	125 WORTH AVENUE		
4		Required	Proposed	Proposed w/Existing
5	Lot Size (sq ft)	4,000 sq. ft.	34,462 sq. ft.	34,462 sq. ft.
6	Landscape Open Space (LOS) (Sq Ft and %)	8,615.5 sq. ft. / 25%	2,169.0 sq. ft. / 6.29%	2,169.0 sq. ft. / 6.29%
7	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A
8	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A
9	Native* Trees %	35%	100%	96.3%
10	Native* Palms %	35%	64.3%	62.3%
11	Native* Shrubs %	35%	80.7%	79.8%
12	Native* Vines / Ground Cover %	35%	86.8%	86.8%

To determine appropriate native vegetation, the **Institute for Regional Conservation ("IRC"), Natives for Your Neighborhood guide shall be used.*

Existing Plant Symbol Key

Existing tree/palm to remain

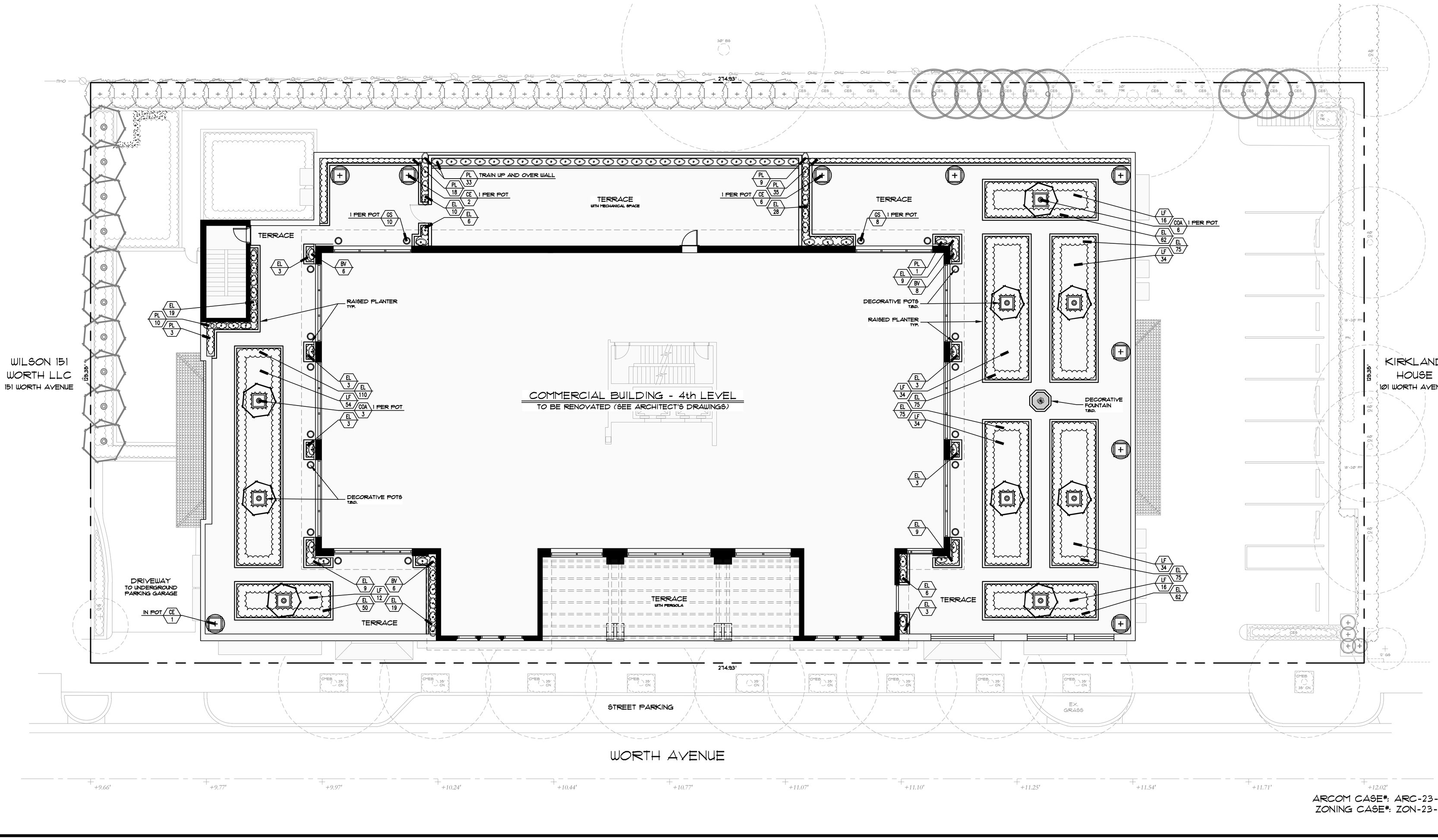
Existing tree/palm to be removed

Existing vegetation to remain

Existing vegetation to be removed

Existing Plant Key

BG = Bursera simaruba / Gumbo Limbo
CAR = Carissa macrocarpa / Carissa
CES = Conocarpus erectus sericeus / Silver Buttonwood
CF = Clusia Flava / Small Leaf Clusia
CM = Caryota mitis / Fishtail Palm
CN = Cocos nucifera / Coconut Palm
CP = Carica papaya / Papaya
CYC = Cycad
DL = Dypsis lutescens / Areca Palm
FM = Ficus microcarpa / Ficus
HIB = Hibiscus rosa-sinensis / Hibiscus
LC = Livistona chinensis / Chinese Fan Palm
LM = Liriope muscari / Liriope
MR = Manilkara Roxburgiana / Mimusops
SAN = Sanseveria spp.
SAT = Schefflera arboricola 'Trinette' / Variegated Dwarf Schefflera
TR = Trinax Radiata / Thatch Palm
UNK = Unknown Plant



ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

PLANTING PLAN - 4th LEVEL

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
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LICENSE #: LA0001347
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SHEET:
L-5A

TC Development Review Meeting Backup 4-04-2023

812 of 1057

TC Development Review Meeting Backup 4-04-2023

NOTE: See 'Proposed Plant List' on Sheet L-6.

Town of Palm Beach
Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend			
1	**Property Address:**	125 WORTH AVENUE		
4		Required	Proposed	Proposed w/Existing
5	Lot Size (sq ft)	4,000 sq. ft.	34,462 sq. ft.	34,462 sq. ft.
6	Landscape Open Space (LOS) (Sq Ft and %)	8,615.5 sq. ft. / 25%	2,169.0 sq. ft. / 6.29%	2,169.0 sq. ft. / 6.29%
7	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A
8	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A
9	Native* Trees %	35%	100%	96.3%
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12	Native* Vines / Ground Cover %	35%	86.8%	86.8%

To determine appropriate native vegetation, the **Institute for Regional Conservation ("IRC"), Natives for Your Neighborhood guide shall be used.*

Existing Plant Symbol Key

Existing tree/palm to remain

Existing tree/palm to be removed

Existing vegetation to remain

Existing vegetation to be removed

Existing Plant Key

BS = Bursera simaruba / Gumbo Limbo
CAR = Carissa macrocarpa / Carissa
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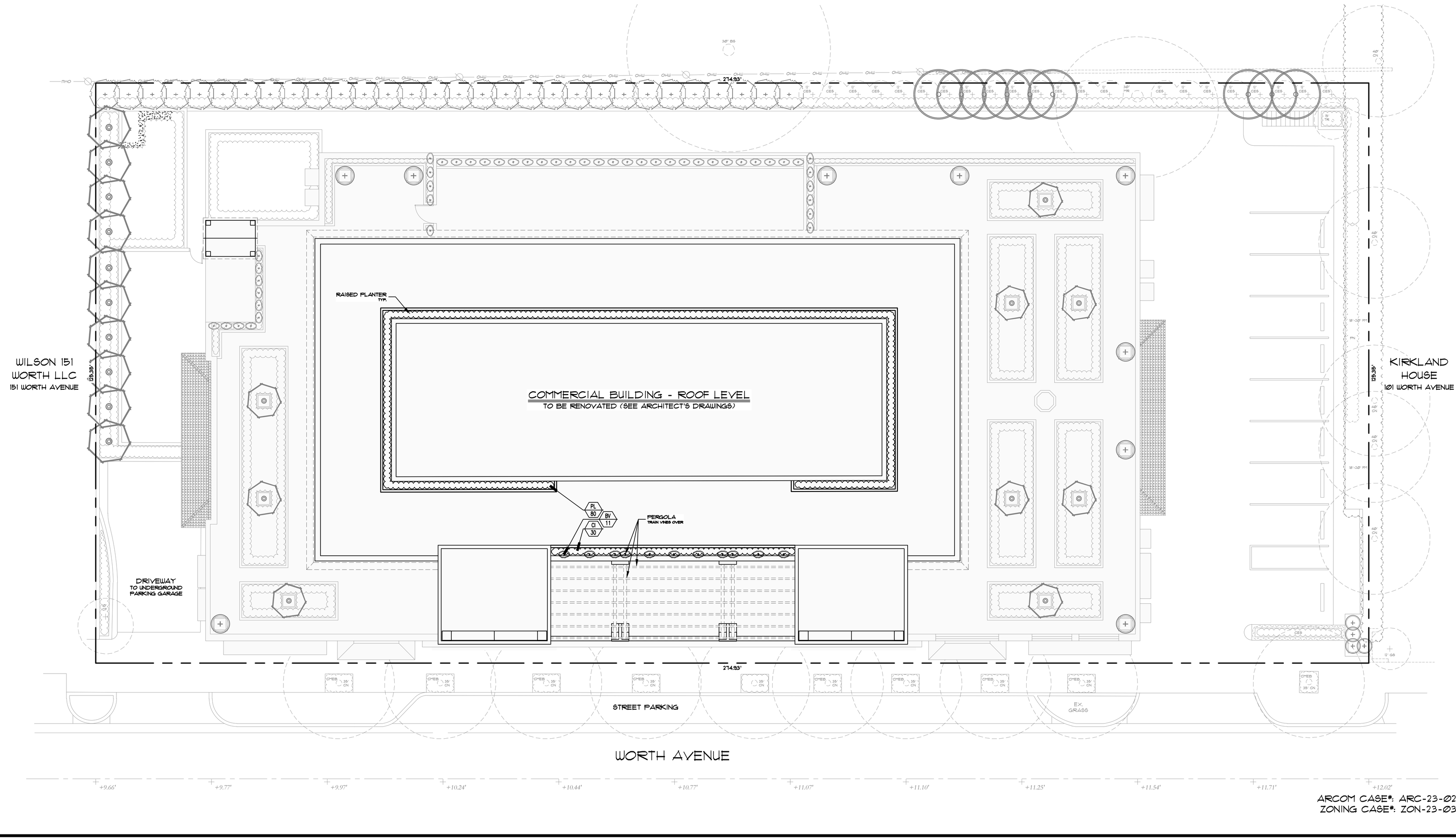
DL = Dypsis lutescens / Areca Palm
FM = Ficus microcarpa / Ficus
HIB = Hibiscus rosa-sinensis / Hibiscus
LC = Livistona chinensis / Chinese Fan Palm
LM = Liriope muscari / Liriope
MR = Manilkara Roxburgiana / Mimusops
SAN = Sanseveria spp.
SAT = Schefflera arboricola 'Trinette' / Variegated Dwarf Schefflera
TR = Trinax Radiata / Thatch Palm
UNK = Unknown Plant



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ZONING CASE#: ZON-23-032

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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

PLANTING PLAN - ROOF LEVEL

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
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12.8.22
12.21.22
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CHARLES C. YANNETTE
LICENSE #LA0001341
2/10/2023

SHEET:
L-5B

TC Development Review Meeting Backup 4-04-2023

Plant Specifications

SPECIES AND SIZE shall conform to those indicated on the drawings. Nomenclature shall conform to STANDARDIZED PLANT NAMES, current edition. All nursery stock shall be in accordance with Grades and Standards for Nursery Plants Parts I & II, latest edition published by the Florida Department of Agriculture and Consumer Services. All plants not otherwise specified as being Florida Fancy or Specimen, shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry. Specimen means an exceptionally heavy, symmetrical, tightly knit plant, so trained or favored in its development that first appearance is unquestionable and outstandingly superior in form, number of branches, compactness and symmetry.

GENERAL REQUIREMENTS

All plants shall be freshly dug, sound, healthy, vigorous, well branched, and free of disease and insect eggs and larvae, and shall have adequate root systems. Trees for planting rows shall be uniform in size and shape. All materials shall be subject to approval by the Landscape Architect. Where any requirements are omitted from the plant list, the plants furnished shall be normal for the variety. Plants shall be pruned prior to delivery only upon the approval of the Landscape Architect.

CONTAINER GROWN STOCK

All container grown material shall be healthy, vigorous, well rooted plants, and established in the container in which they are sold. The plants shall have tops which are good quality and in a healthy growing condition. An established container grown plant shall be grown in that container sufficiently long enough for the new fibrous roots to have developed so that the root mass will retain its shape and hold together when removed from the container. Plant root bound in containers are unacceptable.

MEASUREMENTS

Trees: Height shall be measured from ground to the average height of canopy. Spread shall be measured to the end of branching equally around the crown from the center of the trunk. Measurements are not to include any terminal growth. Single trunk trees shall be free of "V" crotches that could be points of weak limb structure or disease infestation.

Shrubs: Heights shall be measured from the ground to the average points where mature plant growth stops. Spread shall be measured to the end of branching equally around the shrub mass. Measurements are not to include any terminal growth.

Palms: Clear Trunk (C.T.), shall be measured from the ground at the time of installation to the point where the mature aged trunk joins the immature or green portion of the trunk or the head.

Overall height (O.H.), shall be measured from the ground at the time of installation to a point three quarters the length of the unopened bud. Palms with marred or burned trunks will not be accepted.

SOIL

Planting soil for use in preparing backfill for plant pits shall be added at a rate of seventy-five (75%) percent to twenty-five (25%) percent existing soil. This soil mix shall be used in all plant pits except Sabal palms which shall be backfilled with clean sand. Planting soil shall be a fertile, friable natural topsoil or loamy character. It shall contain forty (40) to fifty (50) percent decomposed organic matter and shall be free from heavy clay, stones, lime, plants, roots or other foreign materials or noxious grasses (such as Bermuda or nut grass) and noxious weeds. It shall not contain toxic substances which may be harmful to plant growth.

COMMERCIAL FERTILIZER

Two fertilizer shall be used in all types of plantings, except palms. Granular fertilizer shall be uniform in composition, dry and free flowing. This fertilizer shall be delivered to the site in the original unopened bags, each bearing the Manufacturer's statement of analysis, and shall meet the following requirements: sixteen (16%) percent nitrogen, seven (7%) percent phosphorus, twelve (12%) percent potassium, plus iron. Tablet fertilizer ("Agriform" or equal) in 21 gram size shall meet the following requirements: twenty (20%) percent nitrogen, ten (10%) percent phosphorous, five (5%) percent potassium.

The two fertilizers will be applied at the following rates:

PLANT SIZE	16-7-12	"AGRIFORM" TABLET (21 Grams)
1 gal.	1/4 lb.	1
3 gal.	1/3 lb.	2
7-15 gal.	1/2 lb.	4
1"-6" caliper	2 lbs./1" caliper	2/1" caliper
6" and larger	3 lbs./1" caliper	2/1" caliper

"Florida East Coast Palm Special" will be applied to all palms at installation at a rate of 1/2 lb. per inch of trunk caliper unless otherwise specified.

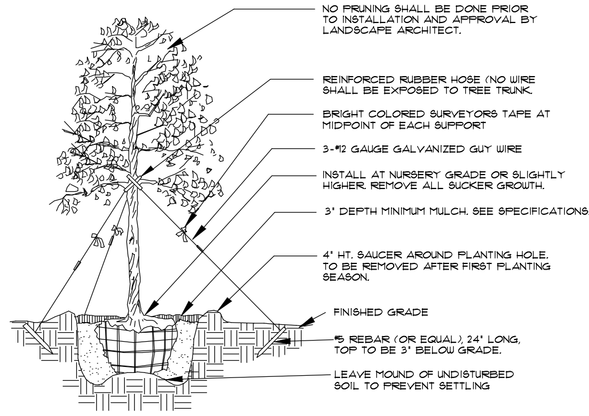
MULCH

Mulch material shall be three (3) inches of shredded melaleuca mulch (sterilized and free of seeds) or approved equal, moistened at the time of application to prevent wind displacement.

SUBSTITUTIONS

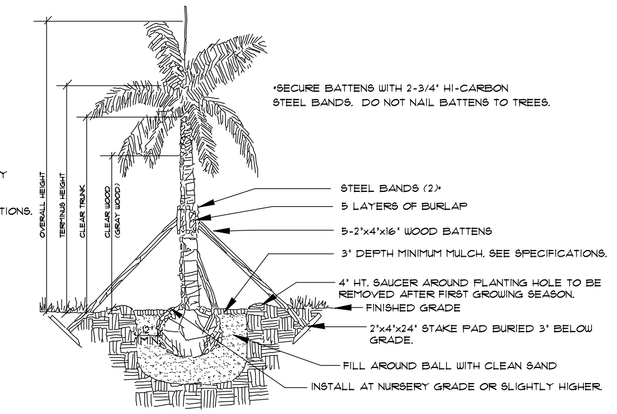
No substitutions of plant material types or size will be allowed without written consent of the Landscape Architect. B&B material will not be accepted as substitute for container grown material unless previously approved. Alternate substitutions shall be indicated in bid.

Planting Details



Tree Planting

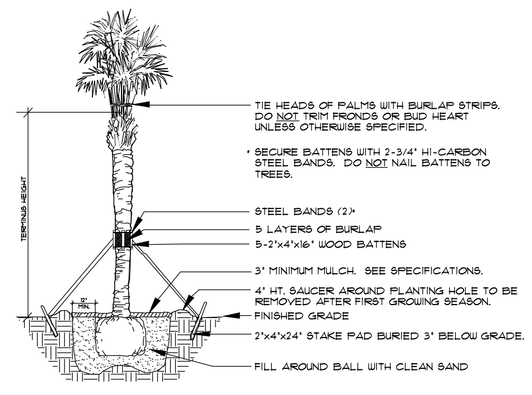
- SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION.
- BRACING - SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE (OR WIRE) ALL TREES TO PREVENT EXCESSIVE MOVEMENT & MAINTAIN A VERTICAL POSITION.



Palm Planting

APPLIES TO: ROYAL PALMS, QUEEN PALMS, ALEXANDER PALMS, MANILA PALMS.

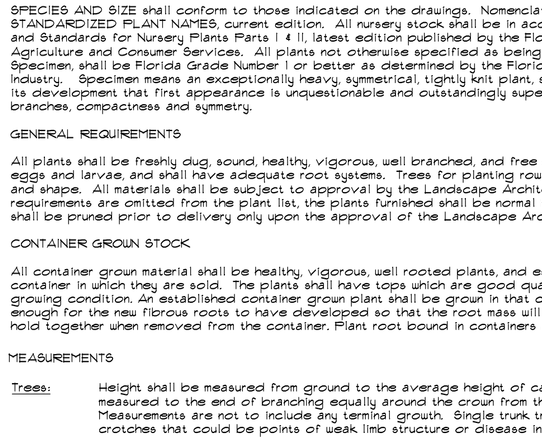
- SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION
- BRACING: SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE ALL PALMS TO PREVENT EXCESSIVE MOVEMENT AND MAINTAIN A VERTICAL POSITION.



Palm Planting

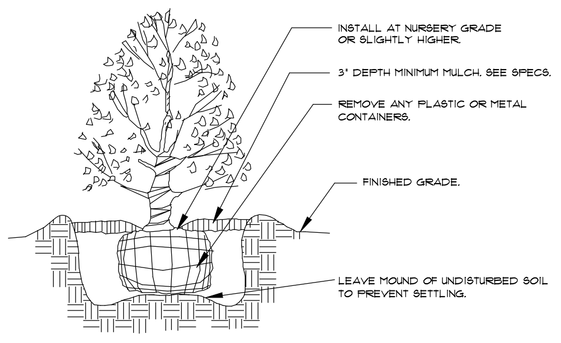
APPLIES TO: SABAL PALMS, WASHINGTON PALMS, CANARY ISLAND DATE PALMS, SENEGAL DATE PALMS

- SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION



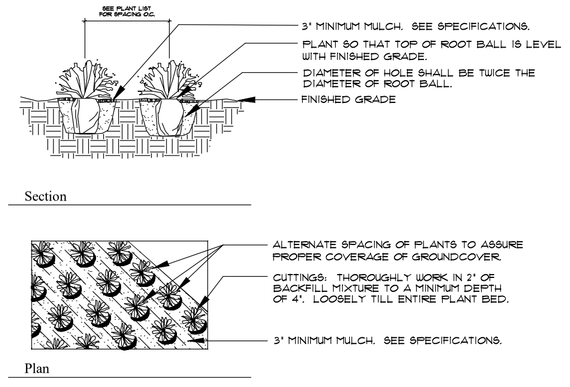
Irregular & Multi-Stem Tree Planting

FOR TREES 6'-14'HT.
NOTE:
SEE SPECIFICATIONS FOR BACKFILL MIXTURES AND FERTILIZATION.
BRACING-SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE (OR WIRE) ALL TREES TO PREVENT EXCESSIVE MOVEMENT AND MAINTAIN A VERTICAL POSITION.



Shrub Planting

- SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION.



Groundcover Planting

- SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION.

Proposed Plant List

	SYM	QTY	NAME	SPECIFICATIONS
	TREES			
*	O CES	30	Conocarpus erectus sericeus / Silver Buttonwood	12' x 6', 2½" cal., full canopy
	PALMS			
*	O COA	9	Coccothrinax argentata / Silver Palm	7' ht., full frond
*	O SP	9	Sabal palmetto / Cabbage Palm	14'-20' ct., slick trunk, stagger heights
	O TR	10	Trrinax radiata / Florida Thatch Palm	8' ct., heavy cal., full frond
	ACCENTS AND SHRUBS			
*	O CE	9	Conocarpus erectus / Green Buttonwood	7' x 4', 4' ct., dense, full canopy, matching specimen
*	O CI	30	Chrysobalanus icaco / Green Cocoplum	3 gal., 24" x 22", full
*	O EF	25	Eugenia foetida / Spanish Stopper	8' x 4', full to base
*	O EL	779	Erdonea littoralis / Golden Creeper	1 gal., 12" x 14"
	O GS	22	Garcinia spicata / Mangosteen	7' x 2½", full to base, matching
	O LF	234	Leucophyllum frutescens / Texas Sage	3 gal., 24" x 22", full
*	O PN	150	Psychotria nervosa / Wild Coffee	3 gal., 24" x 22", full
*	O SR	80	Serenoa repens / Saw Palmetto	15 gal., 36" x 36", full
	GROUNDCOVER AND VINES			
	O BV	31	Bougainvillea Vine	10' ht., full to base, fuschia red flower, espalier to wall/pergola
	O CMEB	20	Carissa macrocarpa 'Emerald Blanket' / Dwarf Carissa	3 gal., 14" x 18", full
*	O NE	147	Nephrolepis exaltata / Boston Fern	1 gal., 18" x 14", full
*	O PL	183	Pentalinon luteum / Wild Allamanda	10' ht., full to base, espalier to wall/pergola

O Denotes Drought Tolerance

* Denotes Florida Native Species

Existing Plant List

	SYM	QTY	NAME	SPECIFICATIONS
	TREES			
*	O CES	22	Conocarpus erectus sericeus / Silver Buttonwood	12' ht.
	O CF	1	Clusia Flava / Small Leaf Clusia	10' ht.
	O MR	1	Manilkara Roxburghiana / Mimusops	30' ht.
	PALMS			
	O TR	1	Trrinax radiata / Florida Thatch Palm	15' ct.
	ACCENTS AND SHRUBS			
*	O CES	10	Conocarpus erectus sericeus / Silver Buttonwood	3' ht.
	O FM	24	Ficus microcarpa / Ficus Hedge	20' ht.
*	O PN	22	Psychotria nervosa / Wild Coffee	3' ht.

Notes

- Prior to the installation of any plant material all existing and imported soils shall be tested and amended to meet the soil specifications and specific plant needs as shown on this plan.
- All plant material, unless specified as being Florida Fancy or Specimen, shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry.
- All plant materials and sod shall have an automatic irrigation system providing 100% coverage. Said system shall consist of an automatic or electronic sensing device or switch that will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
- Maintain positive drainage away from residence.
- All plant material shall be planted, fertilized and mulched as per the Plant Details and Plant Specifications noted on this plan.
- Landscape Contractor shall research plans and contact appropriate agencies to determine location of utilities and obstructions prior to commencing work. Any utilities or unanticipated obstructions shall be reported immediately to the Landscape Architect.
- Landscape Contractor will be responsible for obtaining all necessary permits, licenses, inspections, and insurance as required by the State and local agencies.
- Invasive species, including Brazilian Pepper, Australian Pine, Melaleuca, Snake Plant, Scaevola and Earleaf Acacia shall be eradicated in the development area and removed from the site.

ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

PARKER·YANNETTE
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LANDSCAPE ARCHITECTURE
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825 South U.S. Highway One
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Jupiter, Florida 33477
Telephone:(561) 747-5069
Fax: (561) 747-2041
Email: mail@pydg.com
License #LC-0000297

125 WORTH AVENUE
PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA
PLANT LIST, DETAILS, AND SPECIFICATIONS

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: N/A
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
12.21.22
2.20.23 ARCOM

CHARLES C. YANNETTE
LICENSE #LC0001347
2/20/2023

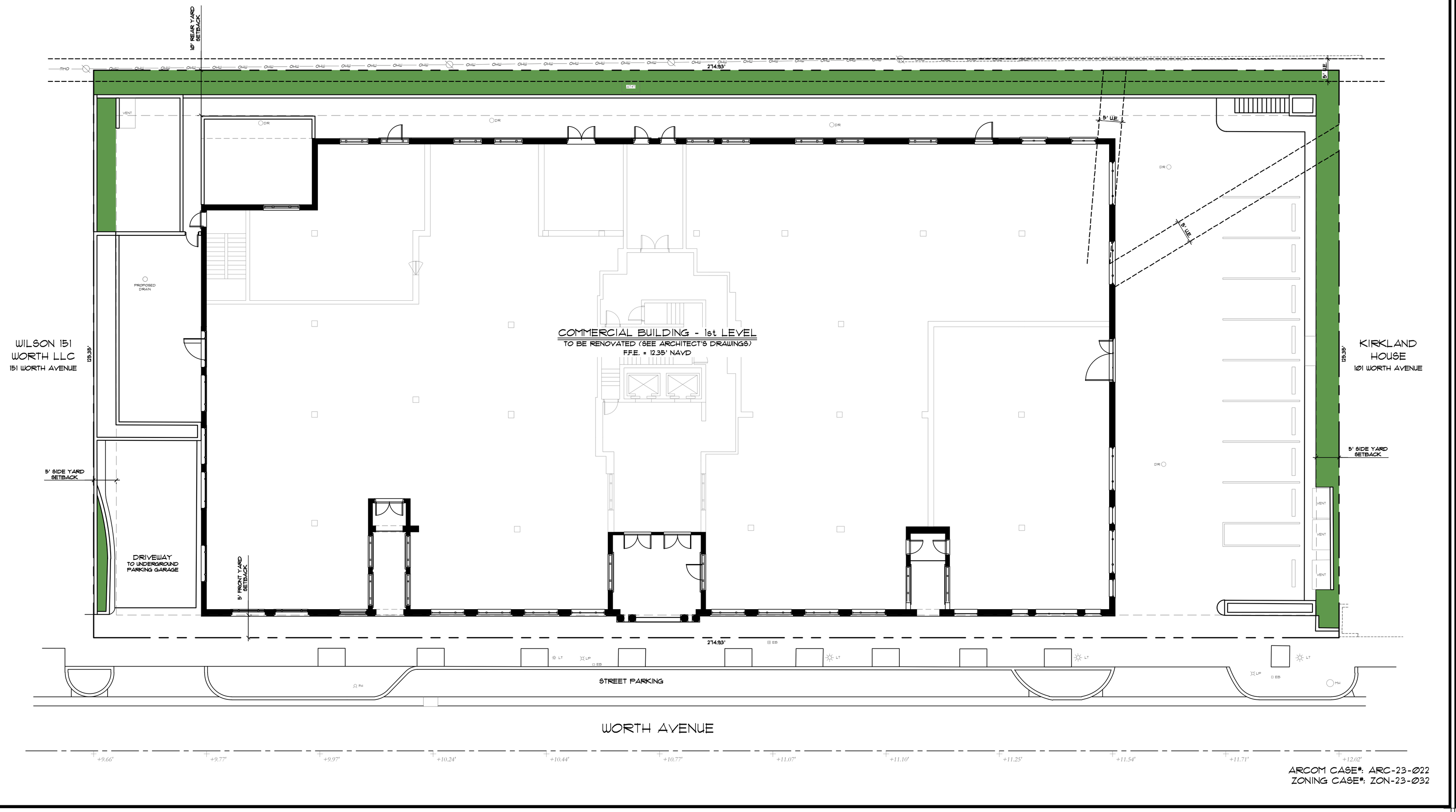
SHEET:
L-6

NOTE: 'Overall Landscape Open Space Diagram' represents both 'Existing' and 'Proposed' open space. Open space remains unchanged throughout project.

Town of Palm Beach
Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend			
3	Property Address:	125 WORTH AVENUE		
4		Required	Proposed	Proposed w/Existing
5	Lot Size (sq ft)	4,000 sq. ft.	34,462 sq. ft.	34,462 sq. ft.
6	Landscape Open Space (LOS) (Sq Ft and %)	8,615.5 sq. ft. / 25%	2,169.0 sq. ft. / 6.29%	2,169.0 sq. ft. / 6.29%
7	Perimeter LOS (Sq Ft and %)	N/A	N/A	N/A
8	Front Yard LOS (Sq Ft and %)	N/A	N/A	N/A
9	Native* Trees %	35%	100%	96.3%
10	Native* Palms %	35%	64.3%	62.3%
11	Native* Shrubs %	35%	80.7%	79.8%
12	Native* Vines / Ground Cover %	35%	86.8%	86.8%

*To determine appropriate native vegetation, the ***Institute for Regional Conservation ("IRC"), Natives for Your Neighborhood*** guide shall be used.



ARCOM CASE#: ARC-23-022
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Email: mail@pydg.com
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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

OVERALL LANDSCAPE OPEN SPACE DIAGRAM

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
12.21.22
2.2023 ARCOM

CHARLES C. YANNETTE
LICENSE # LA0001347
2/10/2023

SHEET:
L-1

TC Development Review Meeting Backup 4-04-2023

Town of Palm Beach

Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend			
1	Property Address:	125 WORTH AVENUE		
4		Required	Proposed	Proposed w/Existing
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Existing Plant Symbol Key

- Existing tree/palm to remain
- Existing vegetation to remain
- Existing/proposed Florida native vegetation

Existing Plant Key

BS = Bursera simaruba / Gumbo Limbo
CAR = Carussa macrocarpa / Carissa
CES = Conocarpus erectus sericeus / Silver Buttonwood
CF = Clusia Flava / Small Leaf Clusia
CM = Caryota mitis / Fishtail Palm
CN = Cocos nucifera / Coconut Palm
CP = Carica papaya / Papaya
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LC = Livistona chinensis / Chinese Fan Palm
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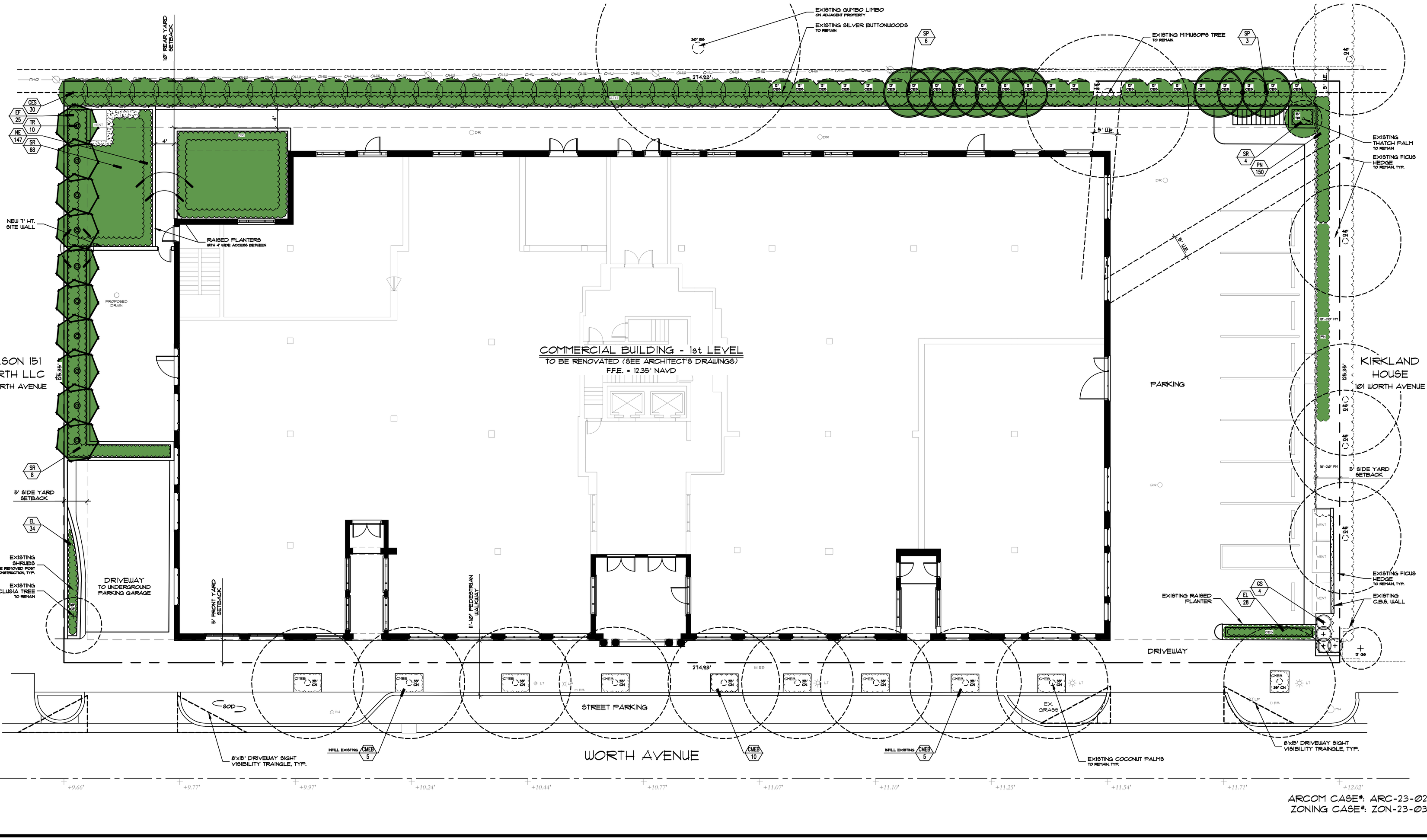

ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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License #LC-0000297

125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

FLORIDA NATIVE LANDSCAPE DIAGRAM - 1st LEVEL

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
12.21.22
2.20.23 ARCOM

CHARLES C. YANNETTE
LICENSE # LA0001347
2/20/2023

SHEET:
L-8

TC Development Review Meeting Backup 4-04-2023

Town of Palm Beach

Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend			
1	Property Address:	125 WORTH AVENUE		
4		Required	Proposed	Proposed w/Existing
5	Lot Size (sq ft)	4,000 sq. ft.	34,462 sq. ft.	34,462 sq. ft.
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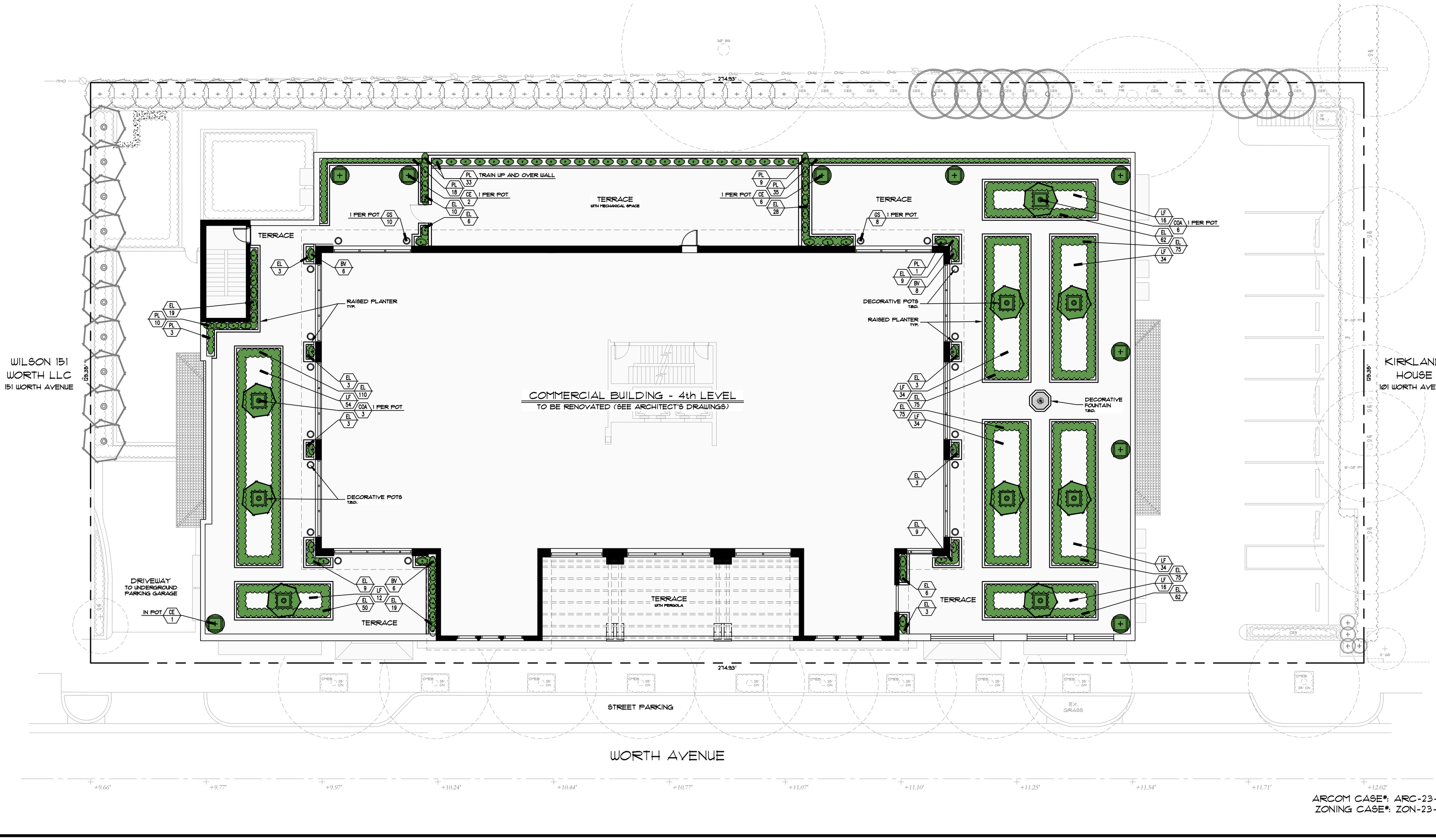

ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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Telephone:(561) 747-5069
Fax: (561) 747-2041
Email: mail@pydg.com
License #LC-0000297

125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

FLORIDA NATIVE LANDSCAPE DIAGRAM - 4th LEVEL

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
12.21.22
2.20.23 ARCOM

CHARLES C. YANNETTE
LICENSE #LA0001347
2/20/2023

SHEET:
L-8A

Town of Palm Beach
Planning Zoning and Building
360 S County Rd
Palm Beach, FL 33480
www.townofpalmbeach.com

Line #	Landscape Legend			
1	**Property Address:**	125 WORTH AVENUE		
4		Required	Proposed	Proposed w/Existing
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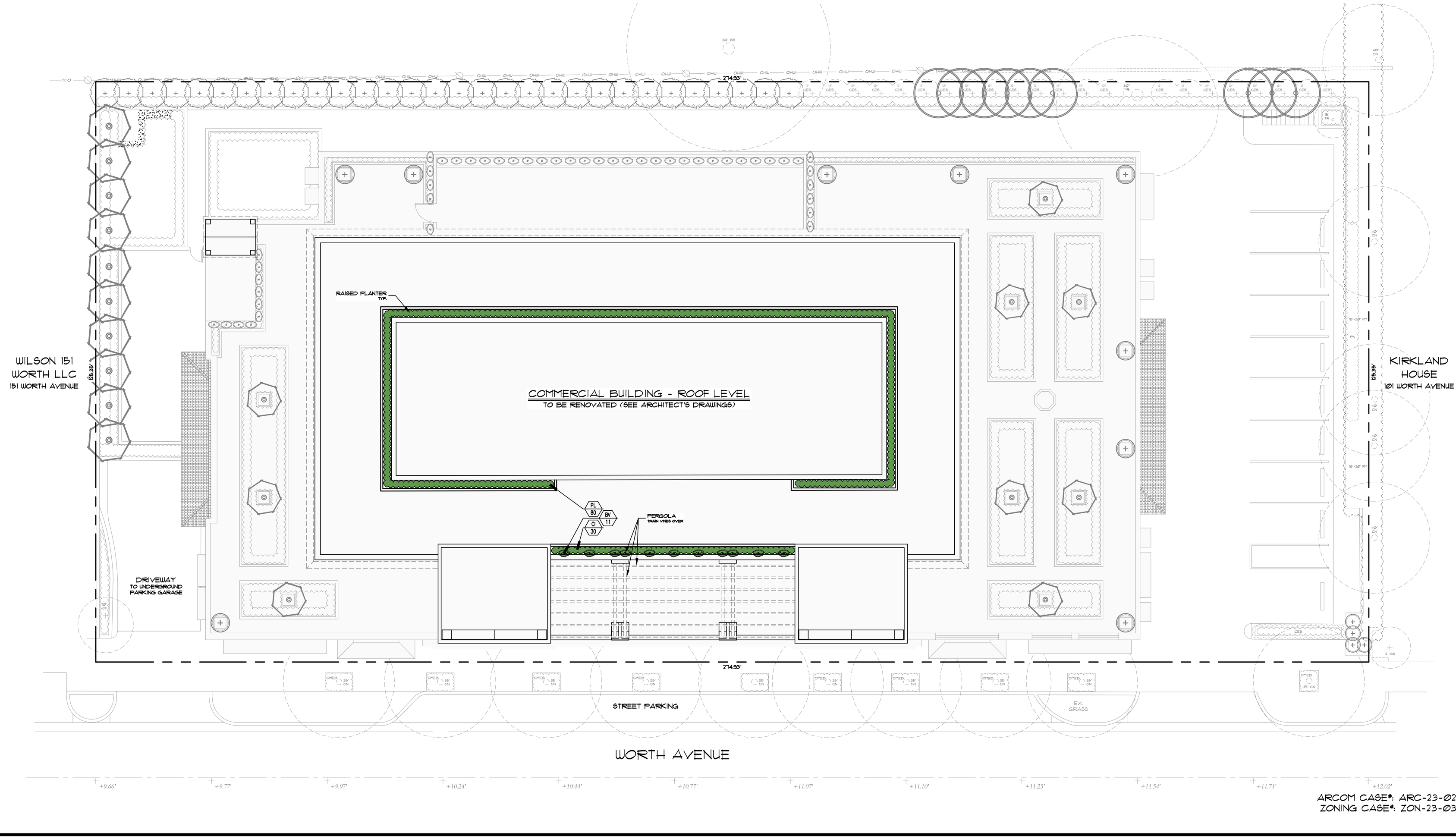

ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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Fax: (561) 747-2041
Email: mail@pydg.com
License #LC-0000297

125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

FLORIDA NATIVE LANDSCAPE DIAGRAM - ROOF LEVEL

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: 1"=10'-0"
FILENAME: 125 Worth 14

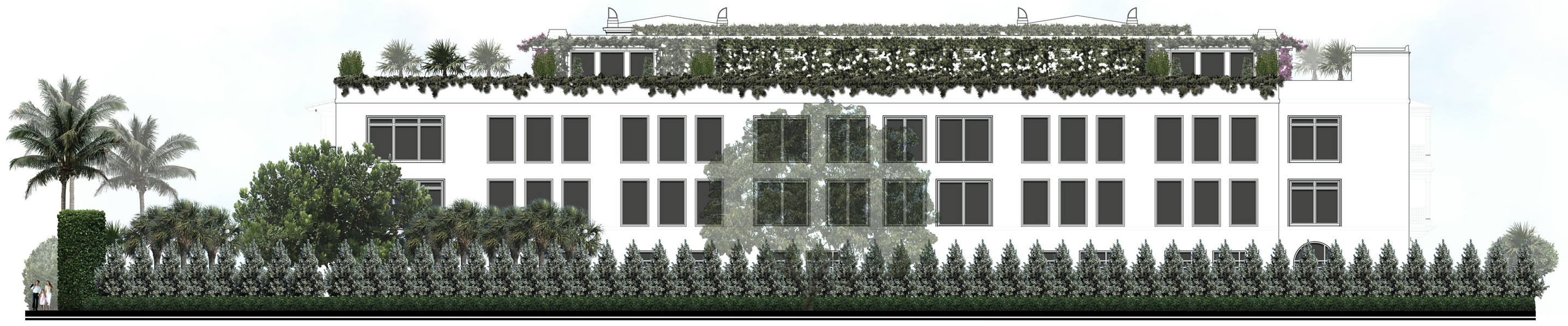
REVISIONS:
11.18.22
12.8.22
12.21.22
2023 ARCOM

CHARLES C. YANNETTE
LICENSE #LA0001341
2/10/2023

SHEET:
L-8B

TC Development Review Meeting Backup 4-04-2023

FRONT (SOUTH) VIEW



REAR (NORTH) VIEW

ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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Suite 330
Jupiter, Florida 33477

Telephone:(561) 747-5069
Fax: (561) 747-2041
Email: mail@pydg.com

License #LC-0000297

125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

PROPOSED LANDSCAPE ELEVATIONS

DATE: 10.08.19
DRAWN BY: CCY/BMS
JOB NO.: 19-117
SCALE: N/A
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
12.21.22
2.2023 ARCOM

CHARLES C. YANNETTE
LICENSE # LA0001347
2/10/2023

SHEET:
L-9

TC Development Review Meeting Backup 4-04-2023

SIDE (WEST) VIEW

SIDE (EAST) VIEW

ARCOM CASE#: ARC-23-022
ZONING CASE#: ZON-23-032

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LANDSCAPE ARCHITECTURE
PLANNING · GRAPHICS

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125 WORTH AVENUE

PREPARED FOR THE FRISBIE GROUP
PALM BEACH, FLORIDA

PROPOSED LANDSCAPE ELEVATIONS

DATE: 10.08.19
DRAWN BY: CCY/BMG
JOB NO.: 19-117
SCALE: N/A
FILENAME: 125 Worth 14

REVISIONS:
11.18.22
12.8.22
12.21.22
2.2023 ARCOM

CHARLES C. YANNETTE
LICENSE #LA0001347
2/10/2023

SHEET:
L-10

TC Development Review Meeting Backup 4-04-2023

LOT 21 BLOCK 16 | LOT 22 BLOCK 16 | LOT 23 BLOCK 16 | LOT 24 BLOCK 16 | LOT 25 BLOCK 16 | LOT 26 BLOCK 16 | LOT 27 BLOCK 16 | LOT 28 BLOCK 16 | LOT 29 BLOCK 16 | LOT 30 BLOCK 16 | LOT 31 BLOCK 16 | LOT 32 BLOCK 16 | LOT 35 BLOCK 16

O/H — O/H — O/H — O/H

℄ 5' U.E. (P), D.B. 18, PG. 49 & D.B. 118, PG. 144

AT&T BOX — WOOD FENCE — 0.3' — G.A. — CATV RISER

RAISED CURB — CONC. — STEPS — WALL — P — RAISED CONC.

WALL CORNER ALONG LINE — 90° — WALL — METAL VENT — CONC. WALL — P

EX. DECK DRAIN TO REMAIN (TYPICAL) DIRECT RUNOFF TOWARDS EX. DRAIN

EX. DECK DRAIN TO REMAIN (TYPICAL) DIRECT RUNOFF TOWARDS EX. DRAIN

APPROXIMATE LIMITS OF BASEMENT AND SUB-BASEMENT LEVELS

5' F.P.L. U.E.

5' F.P.L. U.E. (O.R.B. 2124, PG. 1528)

WALL CORNER ALONG LINE — CONC. WALL — P

PROPOSED DECK DRAIN CONNECT TO EX. DRAINAGE IN BASEMENT

12.35

PROPOSED BUILDING FOOT PRINT

RAISED CONC. — 49.5' — RAISED CONC.

LOT 49 BLOCK 16 — 125'(P) — CONC. WALL — BALCONY — P — CONC. WALL — UNDERGROUND PARKING — RAISED CONC.

ST — #125 3-STORY BUILDING (WITH UNDERGROUND GARAGE) — T.F.F. +12.35'

LOT 36 BLOCK 16 — 125'(P) — SHED — CONC. — RAISED CONC.

CONC. — P — RAISED CONC.

APPROXIMATE LIMITS OF BASEMENT AND SUB-BASEMENT LEVELS

SAW CUT NEAT AND REMOVE EXISTING CONCRETE DRIVE & CURB

19.9' — 41.6'

EX. DECK DRAIN TO REMAIN (TYPICAL) DIRECT RUNOFF TOWARDS EX. DRAIN

LOT 37 BLOCK 16 — METAL VENT — METAL VENT — CONC. WALL

WALL CORNER 0.1'E. — 90° — 0.8 — CONC. WALK — TYPE 'D' CURB — 0.8 — UP — sd — UP — SITE — RAISED CURB — 0.8 — UP — F.F.E. — 9.4 — F.I.C. — 0.9 — CONC. WALK — RAISED CONC. — P — CONC. WALL — 90° — CONC. WALL ALONG LINE — WALL

ASPHALT — CONC. — RAISED CURB — 8' — 15' — BENCHMARK MAG NAIL EL.=10.03 NAVD — ASPHALT — VALLEY CURB — REMOVE CURB & GUTTER, REPLACE WITH TYPE 'F' CURB — CURB INLET EL.=9.77 — EX. FIRE HYDRANT (TYP) — EX. 10" PVC PIPE — P 12" — P 15" — E.B. — P — P 14" — EX. 10" PVC PIPE — P 14" — P 15" — P 12" — RAISED CURB — ASPHALT — VALLEY CURB — 15' — BENCHMARK MAG NAIL EL.=11.46 NAVD — RAISED CURB — 8' — ASPHALT — CONC. WALK — P 12" — n.E.B. — CONC. — T.V.R.I. MANHOLE — EX. 10" PVC PIPE — ASPHALT — DRIVEWAY SIGHT VISIBILITY TRIANGLES (TYPICAL) — EX. STORM MH

sd — EX. STORM MH

(PUBLIC) ℄ WORTH AVE.

DRAINAGE NOTES:
1. EXISTING DRAINAGE SYSTEM IS BASED UPON FOUND DESIGN RECORDS FROM ORIGINAL CONSTRUCTION TOGETHER WITH FIELD VERIFICATION.
2. ADDITIONAL FIELD INVESTIGATION SHALL BE PERFORMED DURING THE DESIGN PHASE TO CONFIRM EXTENT OF EXISTING DRAINAGE CONFIGURATION.
3. THE PROPOSED BUILDING ADDITION DRAINAGE / ROOF DRAINAGE SHALL BE DIRECTED TO THE EXISTING ONSITE DRAINAGE SYSTEM CURRENTLY DRAINING THE SURFACE PARKING ALONG THE PERIMETER OF THE SITE.
4. ALL MAJORITY OF THE IMPROVEMENTS AND CHANGES TO THE SITE ARE LOCATED ABOVE THE LOWER LEVEL PARKING / BASEMENT.

GRAPHIC SCALE
0 5' 10' 20'

N

VERTICAL DATUM
ALL ELEVATIONS SHOWN ARE IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
SURVEY PROVIDED BY WALLACE SURVEYING CORPORATION DATED 10/2/2019

IT'S THE LAW! (FLORIDA STATUTE 556)
CALL TWO (2) BUSINESS DAYS BEFORE YOU DIG
SUNSHINE 811

Randy Wertepny
P.E. 72504
Nov 17, 2022

KESHAVARZ & ASSOCIATES
Civil Engineers • Land Surveyors
711 North Dixie Highway, Suite 201
West Palm Beach, Florida 33401
Tel: (561) 689-8600
Certificate of Authorization No. 4897

No.	Description	Date

CONCEPTUAL GRADING & DRAINAGE PLAN

DATE 11-7-22 | DESIGNED RW | CHECKED MW
SCALE 1"=10 | CAD RW | APPROVED MK

125 WORTH AVE
PALM BEACH COUNTY, FLORIDA

PROJECT No. 19-1300

SHEET No. C-02

PLOT DATE: Nov 17, 2022 TIME: 4:56pm BY: rwertepny
DRAWING: P:\19-1300 125 Worth Ave\KA DWG\C02 Plan.dwg LAYOUT: C-02

REID BURMAN LEBEDEKER XENICK PEPIN

JUSTUS REID*
BERNARD LEBEDEKER
JEFFREY C. PEPIN
DAVID MUNIZ

J. MICHAEL BURMAN*
DEAN XENICK
MEGAN WEGERIF
RICHARD SLAWSON*, **

*Board Certified, Civil Trial Law
**Of Counsel

March 27, 2023

SENT VIA E-MAIL: **dmoore@townofpalmbeach.com, mzeidman@townofpalmbeach.com, blindsay@townofpalmbeach.com, jaraskog@townofpalmbeach.com, lcrampton@townofpalmbeach.com,** and **tcooney@townofpalmbeach.com**
Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobbie Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Re: Development Review Application for 125 Worth Avenue
ARC-23-022, and ZON-23-032

Ladies and Gentlemen;

Please accept this brief as a formal submission on the part of the Kirkland House Condominium Association, Inc. We would like this brief to be included in the formal record. After a review of the Applicant's submission and related materials, we believe that Council must reject the application as it currently stands.

BACKGROUND OF THE PROPERTY

The property, located at 125 Worth Ave. Palm Beach Fl., was issued a certificate of occupancy in 1974. The property sits on .78-acre site and the Palm Beach County property appraisers' office has assigned the property a use code of "17000" which denotes an office building (non-medical) of one to three stories.

According to the Palm Beach County Property Appraiser, the assessed value of the property for 2022 is $28,212,716.00, which is also its taxable value. The total 2022 certified taxes paid amounted to $551,863. These included taxes which benefited the town of Palm Beach including payments toward Worth Avenue local improvements, Palm Beach solid waste, and Palm Beach underground utilities. As was pointed out in the prior City Council meeting taxes are paid based upon the value of a property. However, that assessed value is based in large part upon physical attributes of buildings on the property. In this case, the property has always been assessed a value based upon the understanding that the building is no more than three stories.

Otherwise, the Palm Beach County Property Appraiser describes the building as having 49,401 square total square feet, and being located in the "C-WA" or Commercial-Worth Avenue District. In 2022 the Palm Beach County Property Appraiser found the total market value of the property as being $31,291,355.00. The market value in 2017 was found by the Property Appraiser to be $23,242,993. In October of 2017, 125 Worth Partners LLC obtained the property by special warranty deed.

The Applicant has submitted an appraisal dated December 23, 2022 from Aucamp, Dellenback & Whitney. The appraisal is not a market value appraisal, but rather a depreciated replacement cost appraisal which is intended to provide an opinion regarding the depreciated value of the building alone – without taking into consideration the land value. The appraisal makes several significant observations. First, the appraisal notes that, "In 1974 the subject was improved with a three-story office/bank/retail building . . . ." Next, the appraisal notes that "The subject is currently 95% occupied by multiple tenants. Notable tenants include BB&T Bank, Truist, and Ferretti Group." Photographs of the mechanical penthouse demonstrate no use other than to house mechanical equipment. Specifically, the appraisal notes that, "The property also has a small amount of enclosed space on the 4th floor (rooftop) *sic* where the chiller is currently located. This space consists of 3,037 SF and is not rentable in "as is" condition, but is included in our size herein." The appraisal notes no other use for the rooftop other than as a mechanical space.

PROPOSED SPECIAL EXCEPTIONS

The applicant seeks two special exceptions. The first is to allow the applicant to exceed the existing height regulations. The exception is sought pursuant to Section 134-1165(b)(2).

The second special exception is to permit the applicant to exceed 4,000 square feet GLA (gross leasable area) pursuant to 134-1159(a)(9).

PROPOSED VARIANCES

The applicant seeks not less than ten separate variances. These are as follows:

1) A reduction in parking spaces from the required 264 to 141;
2) A waiver of the 40' maximum height limitation allowed under the Worth Avenue Design Guidelines.
3) A variance for the expansion of the "fourth floor" to allow an increase to 11,238 square feet[1].
4) A variance for lot coverage of 32% on the "fourth floor" from the 30% allowable under the Zoning Code and Worth Avenue Design Guidelines.
5) A variance of the front yard setback from 5' to a proposed 3.5'
6) A variance reducing the number of off-street loading spaces from the required 3 spaces to 1 space.
7) A variance allowing lot coverages of 65.3% and 61.9% for the second and third floors, respectively, in lieu of the 60% maximum allowed under the Zoning Code and Worth Avenue Design Guidelines for the second floor and the 30% maximum allowed under the Zoning Code and Worth Avenue Design Guidelines for the third floor.
8) This variance seeks approval for a building length of 201.83 feet when the code limits the length of a building to 150'.
9) This variance seeks approval to limit the landscape open space to 6.29% instead of the "25% maximum allowable by code".

[1] The fact that the Applicant seeks this variance demonstrates the flaws in the Applicant's Letter of Intent. The applicable permit and Certificate of Occupancy authorized only a mechanical penthouse – not a fourth floor. The Applicant identifies no Town action – i.e., approval of a variance or other act – which authorizes use as an office. The applicant identifies no code provision which authorizes four story buildings on Worth Avenue. In order to obtain the relief sought, the applicant would have to 1) amend the Town's Zoning Code text to allow for four story buildings in the C-WA district. 2) seek approval of the town to change the use of the penthouse from the authorized mechanical penthouse to an office and 3) seek to have the newly permitted office space to be expanded to the requested 11,000+ square feet. The Letter of Intent simply does not seek the relief the Applicant would need.

The Kirkland House acknowledges that some of the variances sought are an attempt to bring existing conditions into conformity as required by town code in a project of this size. However, the net effect of the variances is to incrementally increase the size of each of the existing three stories.

Floor	Existing	Proposed	Gain
First Floor	19,729	21,320	1,591
Second Floor	20,975	22,502	1,527
Third Floor	20,975	21,324	349
Mechanical Penthouse	3,000	11,238	8,238
Total			11,705

THE BUILDING IS CURRENTLY A THREE-STORY BUILDING AND THERE IS NO UNDUE HARDSHIP WHICH WOULD ALLOW AN ADDITIONAL FLOOR

A) 125 WORTH AVENUE IS A THREE-STORY BUILDING

Factually, there are multiple authorities, both legal and historical, which compel the conclusion that the building as it stands now is only a three-story building. The record to date reflects the following:

1) The Applicant's own appraiser refers to the building as a three-story building;
2) The Palm Beach County property appraiser's website refers to the building as being a one to three-story office building;
3) The Worth Avenue Design Guidelines, which was drafted in 1998, in the Section East-End Development Area, specifically states that "The remainder of the block is denominated by the more recently constructed two-story Esplanade shopping mall and *a three-story office building across the Avenue*."

Next, this analysis must consider the permit history and the final permitted plans. The first permit was issued in 1969 to the Carvin Corporation. That permit was for a six-story building with basement parking. That structure was obviously never built and while it appears that the permit was extended once, it ultimately lapsed.

On June 1, 1972, a different permit (Permit No. 51072) was issued for the same property to Richard Vacca/National Land Company to construct a "3 level office building with two (2)

levels of parking with a mechanical penthouse." (Exhibit "A") That permit was reissued on July 6, 1972, and again on March 14, 1973. All three applications and/or permits allow a building of identical description – a 3 level office building with two (2) levels of parking and a mechanical penthouse. (Exhibits "B" and "C"). On March 29, 1974, a Certificate of Approval and Occupancy was issued for permit 51072. That Certificate provides that, ". . . the office building (3 levels with two levels of parking with a mechanical penthouse) built by Lawrence J. Kucera, general contractor was inspected and found to conform to all Code Requirements of the Town of Palm Beach, Florida and is approved for all utility service and the occupancy use stated in the Building Permit only." (Exhibit "D"). The plans submitted to the Town for the construction of the building demonstrate that the mechanical penthouse contained ONLY mechanical HVAC equipment. (Exhibit "E"). Nowhere in the record does there appear a request for a variance to allow the penthouse to be used as office space or as a storage area.

It is also important to note at this point that the phrase, "mechanical penthouse" has a defined meaning in architecture. According to Corelogic, "Mechanical penthouses shelter the building's elevator and other mechanical equipment that is generally located on the roof. This occupancy should be used as a section of a much larger occupancy like a hospital or office building." Corelogic is an online resource for contractors, appraisers, and other building professionals and is the same website used by the Applicant's appraiser for comparative information contained in the Applicant's appraisal. By definition, a mechanical penthouse has a single purpose – to house mechanical equipment. The Applicant makes no specific request to change the use to rentable office space.

Next, one has to acknowledge that the Town's Zoning Code has a definition section, and that the Town is bound by the definitions in its own code. Section 134-2 *Definitions* defines the term, "Story" as follows:

> "134-2 Definitions *"Story* means that portion of a building, other than an attic, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the ceiling next above it. *Habitable space, open patios, accessible roof decks not used exclusively for mechanical equipment*, observation decks and/or similar areas located above the first or second story shall be considered a story for the purpose of this definition."

The definition is consistent with other definitions found elsewhere in authoritative literature. See e.g. International Building Code, 2018 (IBC) which defines a "Penthouse" as "An enclosed, unoccupied rooftop structure used for sheltering mechanical and electrical equipment, tanks, elevators and related machinery and vertical shaft openings". The IBC separately defines the term "story" and the separation of the two definitions clearly indicates that a "Story" and a "Penthouse" are two different and distinct components. The building at 125 Worth Avenue has three stories and a mechanical penthouse, not four stories.

It is also important to appreciate that the construction of the Town Code of Ordinance's zoning provisions are governed by well-established rules. Sec. 134-2(a) Rules of Construction which provides that, "For the purpose of this chapter, the regulations are structured so as to be strictly permissive. As such, only those uses and structures which are specifically permitted in the Code of Ordinances are allowed. If there is no specific language in the Code which addresses a use or a structure, then said use or structure is not permitted."

The foregoing language is highly instructive and should be read in P*ari Materia* with the balance of the Zoning Code. The C-WA District Code acknowledges only one-, two-, and three-story buildings. See, e.g., 134-1163(8), (9), (11). Similarly, the Worth Avenue Design Guidelines, which are expressly incorporated into the Zoning Code (See, Sec 134-233), only allow for buildings between one and three stories in height, even with Special Allowances (See East End Development Area C 1-2 p. 61-62). There are no provisions in the applicable sections of the Zoning Code for four-story buildings, and therefore under the express terms of Sec. 134-2(a) such structures are not permitted. Thus, not only is 125 Worth Avenue not a four-story building, but there is no provision in the Town Code of Ordinances that would permit the construction of such a building. An opinion from staff that the building is in fact four stories would usurp the clear language of the code and the express direction regarding the interpretation of the code found at Sec. 134-2(a) and therefore is entitled to no weight as it is in direct conflict with the permits and certificates of occupancy and insufficient to make the roof into a fourth floor as a matter of law.

THE APPLICANT IS NOT ENTITLED TO THE VARIANCES SOUGHT AS IT HAS NOT DEMONSTRATED ANY "UNNECESSARY AND UNDUE" HARDSHIP

Subdivision II. *Variances* govern the showing that the applicant must make in order to obtain the variances it seeks. Section 134-201 (a) provides:

> "a) The town council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship."

Although different phraseology is often used, the "undue hardship" standard is well recognized under Florida law and a well-reasoned body of caselaw exists which helps to define the contours of the standard. An undue hardship exists when, "no reasonable use can be made of the property without the variance". See, *Bernard v. Town Council of the Town of Palm Beach*, 569 So.2d 853, 855 (Fla. 4th DCA 1990). Other iterations of the test require that the ". . . hardship must be such that it renders it virtually impossible to use the land for the purpose for which it is zoned." See, e.g. *Town of Indialantic v. Nance,* 485 So.2d 1318, 1320 (Fla. 5th DCA), *rev. denied,* 494 So.2d 1152 (Fla.1986). See also*, Thompson v. Planning Comm'n,* 464 So.2d 1231 (Fla. 1st DCA 1985) (hardship necessary to obtain zoning variance may not be found unless there is showing that under present zoning no reasonable use can be made of property.)

It is also important to understand what an "undue hardship" isn't. Neither self-imposed acts, such as a voluntary unity of title agreement, (See, *Maturo v. City of Coral Gables*, 619 So.2d 455, 456 (Fla. 3d DCA 1993); nor the self-originated expectations of the owners (See, *City of Coral Gables v. Geary*, 383 So.2d 1127, (Fla. 3d DCA 1980), constitute an undue hardship. Generally speaking, where a property owner purchases property fully aware of the restrictions applicable to a property, the owner cannot show undue hardship. Compare *Thompson v. Planning Commission of City of Jacksonville*, 464 So.2d 1231 (Fla. 1st DCA 1985)(The fact that the shape

of the parcel impeded the development of on-site parking was not an undue hardship where the property was still able to be used as commercial office space) with *City of Coral Gables v. Geary*, 3838 So.2d 1127 (Fla. 3d DCA 1980)(where it was simply and impracticably impossible for property to be developed in accordance with existing zoning regulations variances were appropriate).

Finally, it is important to note that the question of the viability of a variance is not simply an issue between the Town and the Developer. Neighboring property owners have a right to rely on existing zoning conditions and a continuation of those conditions in the absence of a showing that a variance is necessary. See, *Herrera v. City of Miami*, 600 So.2d 561 (Fla. 3d DCA 1992). The enforcement of those conditions is in the public interest. *Thompson*, Id. at 1238.

In the instant case, there is nary a whiff of undue hardship. The Applicant is a sophisticated real estate developer whose projects include massive condominium developments like the South Flagler house, Via Flagler by The Breakers, The Islands of Islamorada, and Harborview Nantucket. This does not include the myriad of private residences the Applicant has developed within the Town of Palm Beach. The Applicant has the sophistication and wherewithal to retain the best and the brightest – including former Town of Palm Beach officials – to make their case. The Applicant was well aware of the restrictions involved, and was similarly aware that in attempting to develop a property on Worth Avenue those restrictions would be vigorously enforced given the historic significance of the neighborhood.

The instant application is similar to the application filed in *Bernard*, *supra*. There the applicant sought a variance to add a third floor to her residence. At the time Code Section 5.21 contained a restriction against third stories on a residential structure. *Id* @ 854. The applicant attempted to justify the request for a third floor based upon the claimed hardship that the lot was a

"peculiar sized" lot. The decision upholding the town's finding of hardship was quashed with directions that it apply the appropriate "hardship" test – i.e. that no reasonable use of the property could be made without the variance.

Like the applicant in *Bernard,* an effort to apply the undue hardship test must fail. The factual record reveals that the rooftop structure was used solely for mechanical space – that was the use allowed, and the code clearly excepts such spaces from its definition of a "story". The applicant does not claim that it can't reasonably use the building as currently configured, and any such claim would fall flat on its face given that the building has constantly appreciated and is almost fully leased.

Next, the undisputed record reflects that the property continues to appreciate and has done so without a true fourth floor and without the many improvements which will be made by the Applicant even without the variances and special exceptions it seeks. The Applicant's own appraiser notes that the property is 95% leased, and the building is currently usable as an office building in a manner consistent with existing zoning regulations. The existing tenants are financially secure banks and financial concerns. The property has existed – and appreciated – for decades without the variances and exceptions the Applicant seeks. The Applicant's subjective desire to have a bigger building, or make a larger profit, simply does not constitute a hardship – undue or otherwise.

CONCLUSION

For the foregoing reasons, the residents of the Kirkland House request that the application be denied.

Sincerely,

/s/*Bernard Lebedeker, Esq.*

Bernard Lebedeker

EXHIBIT A

Permit No. 51072 Palm Beach, Florida, June 1 19 72

Ar Com # 35-72

Note: See Re-issue of this permit to new general contractor on July 6, 1972.

TO THE BUILDING INSPECTOR
OF PALM BEACH, FLORIDA

The undersigned requests that you grant a building permit to

George Culverhouse, General Contractor

TO CONSTRUCT 3 level office building with two (2) levels of parking

with a mechanical penthouse - 168 required parking spaces

in accordance with plans and specifications submitted with this application.

Located on Lots 38-38/Blk 16 Subdivision Royal Park Addition

On # 125 North Avenue Street, Between S. Ocean Blvd. and So. County Rd.

ZONING DISTRICT C-A Dist.

Occupancy Classification Office Use Only Size of Addition 55,160 Basements, & 49,800 Sq. Ft. Offices

Construction Classification Type II Fire Resistive

Roofing Material Tar & Gravel

Owner's Name National Land Company (Richard P. Vacca)

Builder's Name George Culverhouse See Revised General Contractor

Architect and/or Engineer Robert Michael Kolany, Architect; Frederick P. Wiesinger, Structural Engineers

Approximate Cost @ 1,200,000 Height 40'-Bldg. 12'6" Penthouse Story 3 plus penthouse, machine room only)

Now, therefore, in consideration of this permit, the owner and builder agree to undertake said work in full compliance with Ordinances of the Town of Palm Beach, Florida, and further agree that no work shall be undertaken prior to securing a building permit, issued by the building inspector.

Signed: George Musante

for George Culverhouse

Applicant

The Building Inspector's notes, as shown on the approved plans, will be adhered to.

The granting of this building permit is subject to the following special conditions pertaining thereto, as directed by the building inspector:

See letter dated May 30, 1972, from the Town to Mr. Vacca.
See letter dated June 1, 1972, from National Land Co. to the Town Building Official.

On behalf of the owner and builder, I agree to the terms of said special conditions.

.....

Applicant

FORM #10

EXHIBIT B

Re-issue of Permit No. 51072 Originally issued 5/1/72

Permit No. ..... Palm Beach, Florida, July 6 ..... 19 72.

ArCom #35-72

Note: This permit terminated March 7, 1973 See letter to Town from Stan E. Hall

TO THE BUILDING INSPECTOR
OF PALM BEACH, FLORIDA

The undersigned requests that you grant a building permit to Stan E. Hall & Associates, Inc.

TO CONSTRUCT 3 level office building with two (2) levels of parking with a mechanical penthouse - 165 required parking spaces

in accordance with plans and specifications submitted with this application.

Located on Lot 38-48 Subdivision Royal Park Addn., Blk. 16

On 125 Worth Avenue Street, Between S. Ocean Blvd. and S. County Rd.

ZONING DISTRICT C-A

Occupancy Classification Office use only Size of Addition 55,160° basements, & 49,500 sq. ft. offices

Construction Classification Type II, Fire Resistive

Roofing Material Tar & Gravel

Owner's Name National Land Company (Richard P. Vacca)

Builder's Name Stan E. Hall & Associates

Architect and/or Engineer Robert Michael Kolany, Architect; Frederick P. Wiesinger, Structural Engineers

Approximate Cost $1,200,000 Height 12'6" penthouse for bldg. Story 3 (plus penthouse machine room only)

Now, therefore, in consideration of this permit, the owner and builder agree to undertake said work in full compliance with Ordinances of the Town of Palm Beach, Florida, and further agree that no work shall be undertaken prior to securing a building permit, issued by the building inspector.

Signed:

Stan E. Hall Pres

for Stan E. Hall & Assoc., Inc. *Applicant*

The Building Inspector's notes, as shown on the approved plans, will be adhered to.

The granting of this building permit is subject to the following special conditions pertaining thereto, as directed by the building inspector:

See letter dated May 30, 1972, from the Town to Mr. Vacca.
See letter dated June 1, 1972, from National Land Co., to the Town Building Official

On behalf of the owner and builder, I agree to the terms of said special conditions.

Stan E. Hall

Applicant

PBBD #10

[redacted]

[illegible] March 14, 1973 3 PM

TOWN OF PALM BEACH

BUILDING PERMIT

(Originally Issued June 1, 1972)

No. Re-Issue of # 51072 Palm Beach, Fla., July 6 1972

Builder Stan E. Hall & Associates, Inc. Is Hereby Granted

A Permit To Build a Three Story Office Building w/ Two Basement Levels

On Lot No. 38 Through 48 Blk 16 Block No. Royal Park Addition

Size of Lot 275' Frontage X 125' Deep Size of Building Three Stories 49,000 Square feet in Area

Class of Zone CA District Architect Robert Kolany Owner Nationwide Land Co.

Engineer Frederick Wiesinger by Richard P. Vacca

Subject to all of the Applicable Ordinances of the Town of Palm Beach, Florida, in Regard to this Particular Matter.

Form [illegible] Before [illegible] Concrete or Lathing

[illegible]

[signature] BUILDING OFFICIAL

This Permit Must Be Posted On Premises During Progress of Building.

Inspections to be made by Site Resident Inspector

EXHIBIT C

THIRD RE-ISSUE

Permit No. 51072

Palm Beach, Florida, March 14 1973
Orginally Issued 5-1-72
Second Issue 7-6-72

TO THE BUILDING INSPECTOR
OF PALM BEACH, FLORIDA

The undersigned requests that you grant a building permit to
Lawrence J. Kucera, General Contractor

TO CONSTRUCT 3 level office building with two (2) levels of parking with a mechanical penthouse - 165 required parking spaces

in accordance with plans and specifications submitted with this application.

Located on Lot 39-48 Subdivision Royal Park Addition - Block 16

On 125 Worth Avenue Street, Between S. Ocean and S. County

ZONING DISTRICT C-A

Occupancy Classification office use only Size of Addition 55,160 basements & 48,500 sq. ft. offices

Construction Classification Type II, Fire Resistive

Roofing Material Tar and gravel

Owner's Name National Land Company (Richard P. Vacca)

Builder's Name Lawrence J. Kucera, General Contractor

Architect and/or Engineer Robert Michael Kolany, Architect, Frederick P. Wiesinger, Structural Engineers

Approximate Cost $1,200,000 Height 40' bldg. 12'6 penthouse Story 3 plus penthouse (machine room only)

Now, therefore, in consideration of this permit, the owner and builder agree to undertake said work in full compliance with Ordinances of the Town of Palm Beach, Florida, and further agree that no work shall be undertaken prior to securing a building permit, issued by the building inspector.

Signed:

Lawrence J. Kucera
Applicant

The Building Inspector's notes, as shown on the approved plans, will be adhered to.

The granting of this building permit is subject to the following special conditions pertaining thereto, as directed by the building inspector:

See letter dated May 30, 1972 from the Town to Mr. Vacca
See letter dated June 1, 1972 from National Land Co., to the Town Building Official; See letter dated March 7, 1973, from Town to Mr. Vacca.

I hereby certify that I have read the Town file on construction of this project to date, and I agree to assume full responsibility for the proper completion of this building as described herein from this date forward, in full compliance with all applicable Town ordinances, as set out in my letter to the Town dated March 14, 1973.

On behalf of the owner and builder, I agree to the terms of said special conditions.

Lawrence J. Kucera
Applicant

PBBD #10

EXHIBIT D

Note: This Certificate is for the Main Building Only, not Individual Leaseholds.

OFFICE COPY
Town of Palm Beach
Building Dept.

Certificate of Approval and Occupancy

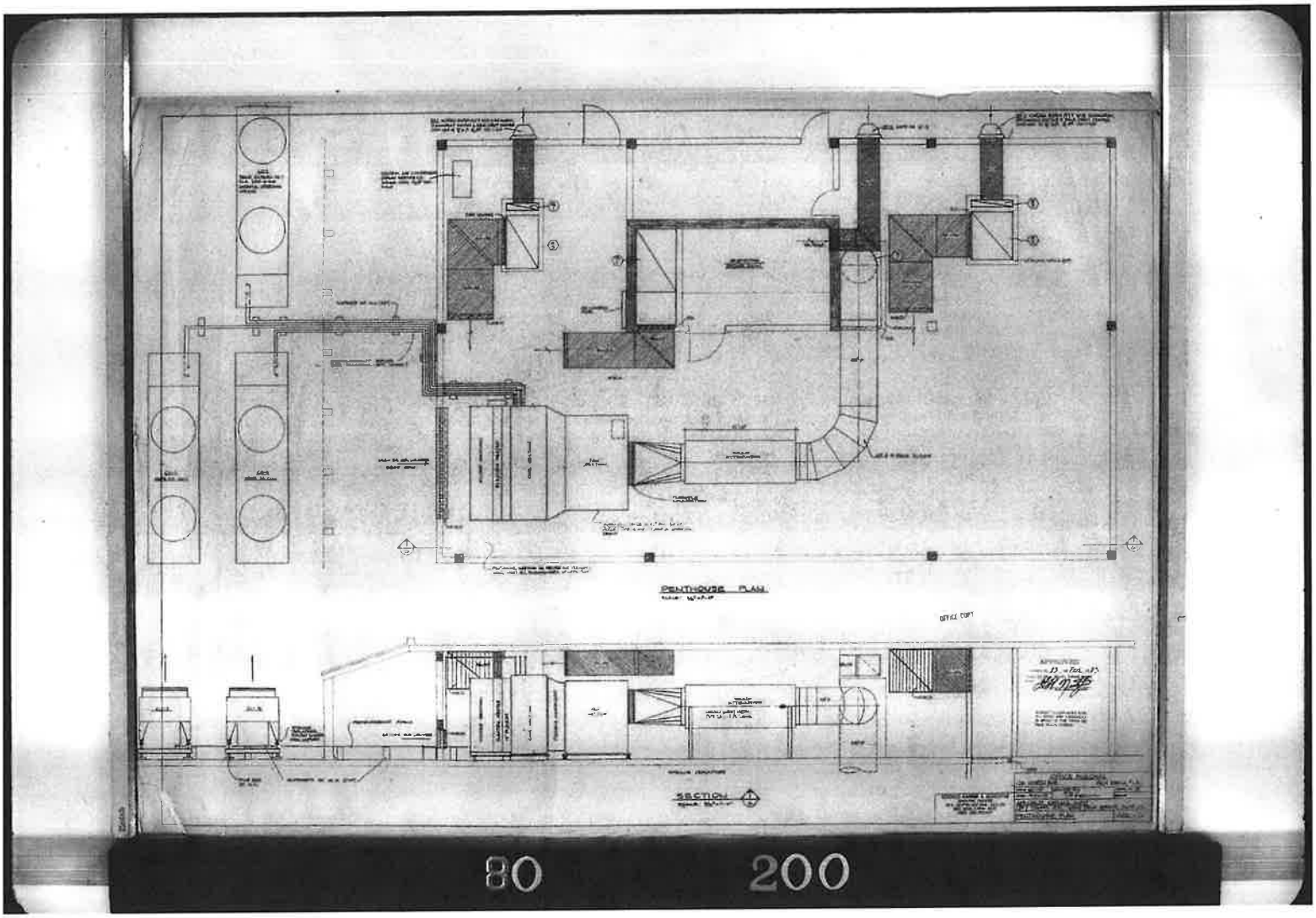
BUILDING INSPECTION DEPARTMENT
TOWN OF PALM BEACH, FLORIDA

Date of Bldg. Permit March 14 1957 | Final Date Approved March 29 1974
Bldg. Permit No. [illegible] | Bldg. Insp. [illegible]
Lot [illegible] Block 16 | Elec. Insp. Arthur Abbott
Sub. Div. [illegible] | Plumb. Insp. Clyde Darrell
Permit Valuation 1,200,000.00 | San. Insp. None
Resident Insp. W. A. Holly

This is to Certify, That the office building (3 levels with two levels of [illegible] with a [illegible] and owned by National Land Company built by [illegible] General Contractor was inspected and found to conform to all Code Requirements of the Town of Palm Beach, Florida, and is approved for all utility services and the occupancy use stated in the Building Permit only.

Town Building Inspector

EXHIBIT E


PENTHOUSE PLAN
SECTION
80
200

Joanie M. Goodman
911 North Ocean Blvd., Palm Beach, FL 33480

March 27, 2023

Dear President, Members of Town Council and Mayor Moore,

This is a second letter of objection to the plans to renovate and expand the office building located at 125 Worth Avenue. The expansion to the rooftop to add an additional story and basement removing 36 parking spaces is insane given the town's current lack of parking and traffic issues.

When my husband, Murray H. Goodman, developed 150 and 151 Worth Avenue he abided by the Worth Avenue Design Guidelines. All projects should have to adhere to the guidelines and maximum building height.

A project with so many variances and special exceptions should be denied. There are no legal hardships. The expansion to each floor and to add the fourth floor will make the building too massive and exceed coverage. What they have done down at the Tiffany building is a disgrace, it looks absolutely terrible.

This quaint town was not built this way and is perfect as is. This is not a city this is Palm Beach with a rich heritage and we need to protect it. I strongly suggest you deny this project as is.

Sincerely,

Joanie Goodman

Emily Leonard

2155 Ibis Isle Road

Apartment 7

Palm Beach, Florida 33480

RE: 125 Worth Avenue

March 27, 2023

Dear Mayor Moore and the Palm Beach Town Council,

I am writing to you to express my opposition to some of the renovation plans at 125 Worth Avenue. Specifically, I oppose the re-imagination of the mechanical roof shed into an actual floor where a tenant would be. I also oppose increasing the footprint laterally.

Since I have moved here, I have noticed that almost all projects require variances to our codes. At what point do we either change the codes, or actually enforce the ones we have that protect our town from overdevelopment?

Thank you for your consideration,

Emily Leonard

917-747-1754

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda
Development Review - New Business

Agenda Title
ZON-22-110 (ARC-22-162) 2773 S OCEAN BLVD (COMBO)—SITE PLAN REVIEW The applicant, Carlyle House Condominium, has filed an application requesting Town Council review and approval for site plan review for demolition and redesign of the pool, pool deck and associated landscape and hardscape. The Architectural Commission shall perform design review of the application.

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-22-110 (ARC-22-162) 2773 S OCEAN BLVD (COMBO)

MEETING: APRIL 04, 2023

ZON-22-110 (ARC-22-162) 2773 S OCEAN BLVD (COMBO)—SITE PLAN REVIEW. The applicant, Carlyle House Condominium, has filed an application requesting Town Council review and approval for site plan review for demolition and redesign of the pool, pool deck and associated landscape and hardscape. The Architectural Commission shall perform design review of the application.

ARCOM NOTICE:
ARC-22-162 (ZON-22-110) 2773 S OCEAN BLVD (COMBO). The applicant, Carlyle House Condominium, has filed an application requesting Architectural Commission review and approval for demolition and redesign of the existing pool, pool deck and associated landscape and hardscape, with Town Council review required for site plan approval.

Applicant: Carlyle House Condominium
Professional: BGS Landscape Architecture & Engineering

THE PROJECT:
The applicant has submitted plans, entitled "Landscape, Hardscape, & Pool 2773 South Ocean Boulevard", as prepared by **BGS Landscape Architecture & Engineering,** dated February 09, 2023.

The following is the scope of work:

- Demolition of the existing pool and pool terrace, provide access to pool area from the ground floor and first floor egress, refinish terrace at first floor level over garage roof, new pool, pool terrace, small shade structure, hardscape, landscape, landscape lighting.
- New lakeside promenade.

The following Special Exception with Site Plan Review and Variances are required to complete the project:

- SITE PLAN REVIEW: Sec. 134-1052(4): Site Plan Review for modifications to an existing multi-family site.

- Per Section 134-1064 – Special exception to height regulations; special exception: Plans as proposed show a change from the existing 26.19% lot coverage to 26.24% which both are above the 22% allowed.

Site Data			
Zoning District	R-D(2)	**Lot Size (SF)**	+/- 126,000 SF
Future Land Use	MULTI-FAMILY HIGH DENSITY		
Landscape Open Space	Existing: 20.98% (25,597 SF) Proposed: 21.69% (26,079 SF) Permitted: 35% (44,108 SF)	**Lot Coverage**	Existing: 25.36% Proposed: 25.36% Permitted: 22%
Crown of Road (C-O-R)	4.92' NAVD	**Year Built**	1971
Surrounding Properties / Zoning			
North	Five-story Condominium Building The Regency / R-D(2)		
South	Six-story Condominium Building Sutton Place / R-D(2)		
East	Eight-story Condominium Building Ambassador / R-D(2)		
West	Lake Worth Lagoon		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the following sections of the Town zoning code.

The proposed includes the demolition of the existing circular pool and decking area in the southwest corner of the site, along Lake Worth Lagoon and the installation of a new rectangular pool and amenity deck in the same area. The existing 5-story building is nonconforming as it pertains to the current open space requirements, but the proposal does minimally improve the condition. The site is also nonconforming as it pertains to lot coverage requirements but there is no change to the building footprint, and a one-for-one SF change from the pool deck shade structure that is 229.59SF in size and will be replaced with a shade structure that is 229.55SF in size. Additionally, the lakefront promenade is proposed with improvements. The project is above the maximum allowable height, and the lot coverage is limited to 22% for five-story. As such an acknowledgement of the nonconforming lot coverage will need to be part of the site plan review.

Approval of the project will require one motion to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria. The Site Plan will be reviewed by Town Council.

Approval of the project will require one motion to be made by the Town Council: (1) for the overall Site Plan of the proposal, including the requested increase over the permitted lot coverage of 22%.

WRB:JGM

RECEIVED
By yfigueroa at 11:35 am, Feb 09, 2023

February 9, 2023

Town of Palm Beach
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL
33480

Re: ARC-22-162 (ZON -22-110) 2773 S OCEAN BLVD (COMBO)

This letter is to serve as our Letter of Intent to request Architectural Review and Site Plan Review for The Carlyle House Condominium located at 2773 South Ocean Boulevard.

We requesting review and approval to demolish the existing pool and pool terrace, provide access to pool area from the ground floor and first floor egress, refinish terrace at first floor level over garage roof, new pool, pool terrace, small shade structure, hardscape, landscape, landscape lighting and all associated improvements as illustrated in the attached Development Review Documents.

The current site conditions of the property have been subject to years of deferred maintenance due to condominium board changes and interior focused agendas every couple years. The pool has been empty and the deck closed for the last two seasons. Last year, the board has focused its attention to facility maintenance, deferred maintenance and opportunities to improve the facility. We have worked with the board on the current design and it was approved by majority vote by current residents for Development Review and Construction.

Updates to current plans reflect all Town of Palm Beach's comments received to date.

Thank you,
BGS Landscape Architecture & Engineering

Donald J. Skowron, Jr. RLA
Manager/Member

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - New Business

Agenda Title

ZON-22-154 (HSB-22-016) 353 PERUVIAN AVE (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES The applicant, Lifestyle Holdings LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for (1) the addition onto an existing second floor, and (2) for commercial uses > 3,000 SF in C-TS zoning district and Variances (1) to reduce the existing north (side) setback requirements in order to retain an existing nonconforming building and (2) to reduce the required parking spaces, (3) to reduce the required on-site loading spaces, (4) to reduce the required overall landscape open space, and (5) to reduce the required overall front yard open space, and from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, which results in demolition of more than 50% of portions of the existing one-story and two-story Historically Significant building and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner building. The Landmarks Preservation Commission will perform design review of the application and review and approved the Floodplain variance. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved this project at the March 22, 2023, meeting, with the back building and front building lighting to return for further review. Carried 7-0.]*

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: HSB-22-016 (ZON-22-154) 353 PERUVIAN AVE (COMBO)

MEETING: MARCH 22, 2023 (LPC)
APRIL 04, 2023 (TC)

HSB-22-016 (ZON-22-154) 353 PERUVIAN AVE (COMBO). The applicant, Lifestyle Holdings LLC, has filed an application requesting Landmarks Preservation Commission review and approval for proposed exterior alterations and additions to a one-story and a two-story Historically Significant Building, requiring variances from the Floodplain requirements from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner building, including demolition of more than 50% of portions of the existing Historically Significant buildings necessitating variance relief from parking and loading space requirements, setback requirements to retain a nonconforming structure, and open space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-22-154 (HSB-22-016) 353 PERUVIAN AVE (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, Lifestyle Holdings LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for (1) the addition onto an existing second floor, and (2) for commercial uses > 3,000 SF in C-TS zoning district and Variances (1) to reduce the existing north (side) setback requirements in order to retain an existing nonconforming building and (2) to reduce the required parking spaces, (3) to reduce the required on-site loading spaces, (4) to reduce the required overall landscape open space, and (5) to reduce the required overall front yard open space, and from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, which results in demolition of more than 50% of portions of the existing one-story and two-story Historically Significant building and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner building. The Landmarks Preservation Commission will perform design review of the application and review and approved the Floodplain variance.

Applicant: Lifestyle Holdings LLC
Design Professional: Jerome Baumoehl Architect
Representative: Maura Ziska

HISTORY:

The subject property contains two structures—an "L" shaped one-story corner retail building and a rear two-story residential building that were designated as 'historically significant' in September of 2022. The property is located within the Royal Park Conservation District. The rear two-story residential structure (since converted into commercial/office use) was designed by the architectural firm of Simonson and Holley in 1949. The residence was constructed at the center of the property with the main façade facing south towards Peruvian Avenue, and a detached garage was constructed at the northwest corner of the property with access from Cocoanut Row. The residence is partially concealed by the front one-story commercial structure which was constructed in 1955.

Figure 1: Subject property location arial.

THE PROJECT:

The applicant has submitted plans entitled "353 PERUVIAN AVENUE (REVISED SECOND SUBMITTAL)" as prepared by Jerome Baumoehl Architect, dated February 13, 2023.

The following is the scope of work for the Project:

ONE-STORY BUILDING

- Remove existing applied moldings from a 1984 renovation and use existing stucco moldings from original building design.
- Replace existing storefront systems with new impact storefronts in the majority of existing/ modified storefront openings.
- Add new awning structures per proposed floor plans/ building elevations.
- Extend existing stucco quoins at corners.

TWO-STORY BUILDING

- Rework existing ground floor layout to accommodate new second floor layout.
- Rework existing second floor to accommodate addition of +/- 564 square feet.
- Rework existing ground and second floor roof structures to accommodate new layout.
- Rework exterior building elevations.
- Replace existing roof with new "Bermuda Style" white cement tile roof.
- Addition of weathervane at roof peak as per original design prepared by Simonson & Holley Architectural firm.

The following Special Exception, Site Plan Review, and/or Variance(s) are required for the application:

- **SPECIAL EXCEPTION with SITE PLAN REVIEW:** Sec. 134-1113(8)(c): building onto second floor.
- **SPECIAL EXCEPTION:** Sec. 134-1109 (11): For uses > 3,000 SF in C-TS zoning district
- **VARIANCE #1:** Sec. 134-1113(6): a variance to maintain an existing nonconforming north side yard setback of 2.5' in lieu of 10' minimum required when C-TS abuts residential district (R-C), and a to maintain an existing nonconforming west front yard setback of 4.6' in lieu of 5' minimum required in the C-TS district, with the demolition of more than 50% cubic volume of a nonconforming structure on a nonconforming lot.
- **VARIANCE #2:** Sec. 134-2176: Variance to not provide the required **4** spaces for new commercial additions and **42** spaces for the retention of the nonconforming commercial building, for a total of **46** required spaces:
- **VARIANCE #3:** Sec. 134-1113(11)(c): Additionally, not less than 35 percent of the required front yard must be landscaped open space in the C-TS district. Proposed 0% Required 35%.
- **VARIANCE #4:** Sec. 134-1113(11)(b): For two-story buildings, the minimum landscaped open space is 25 percent. Proposed 16.7% Required 25%
- **VARIANCE #5:** Sec 134-2211(a): A variance to not provide a loading space.
- **VARIANCE #6:** Chapter 50-114: Historic Buildings – A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception of the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building to maintain a ground floor and additions with a finished floor of 2.38' NAVD and 3.20' NAVD in lieu of the required 7' NAVD.

Site Data			
Zoning District	C-TS	**Future Land Use**	COMMERCIAL
Year of Construction	Residence – 1949 Commercial - 1955	**Architect/Builder:**	Residence - Simonson & Holley Commercial - Earl H. Martin
Lot Size	12,500 SF	**Base Flood Elevation**	AE-6

Lot Coverage	Existing: 52.52% (6565 SF) Proposed: 52.6% (6,579 SF Permitted: 70% (8,750 SF)	**# Parking Spaces**	Required: 46 (42 + 4) Existing: 0 Proposed: 0 ***Variance Requested***
Crown of Road	1.89' NAVD (Cocoanut Row) 2.01' NAVD (Peruvian Ave)	**Side Yard Setback**	Existing north: 2.5' Required: 10' ***Variance requested***
Exist Fin. Floor Elevation	2.38' NAVD and 3.20' NAVD	**Prop. Fin. Floor Elevation**	2.38' NAVD and 3.20' NAVD ***Floodplain Variance requested***
Landscape Open Space (LOS)	Existing: 6% (750 SF) Proposed: 16.7% (2,088 SF) Required: 25% (3,125 SF) ***Variance Requested***	**Front Yard Landscape Open Space**	Existing: 0% Proposed: 0% Required: 35% ***Variance Requested***
Surrounding Properties / Zoning			
North	1963 6-Story Multifamily building / R-C Zoning		
South	1923 4-Story Office building / C-TS 1923 5-Story Office building / C-TS		
East	1927 3-Story Residence / C-TS		
West	1963 4-Story Multifamily building / R-C		

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **application** is **consistent** with the **COMMERCIAL** designation of the Future Land Use Map of the Comprehensive Plan.

STAFF ANALYSIS

The application is presented to the Commission to consider whether all the criteria in section 54-122 have been met. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the above-mentioned sections of the Town zoning code, including requests for: a floodplain variance and 5 other variances mostly attributed to the demolition of more than 50% of an exterior wall square footage, requiring the entire property to be brought up to the code.

As previously stated, the subject property consists of two detached structures on site, a two-story center structure and a one-story commercial 'liner' building. The commercial liner building wraps the corner of the property along Peruvian Avenue and Cocoanut Row. The applicant is proposing substantial alterations to both buildings.

Street-facing façade alterations to the single-story commercial liner building include the removal of the decorative acorn pediment and engaged column door surrounds that were part of a renovation approved by ARCOM in 1984. Additionally, the applicants are requesting to replace the existing storefronts with new divided lite impact storefront systems and four lite doors. New awnings are proposed over the street-fronting fenestration. The changes to the street-fronting elevations are most evident on Sheets A7 and A8 of the architectural plan sets.

The rear courtyard-facing elevations of the commercial liner building are proposed to undergo considerable alterations, including the construction of large divided lite sliding openings designed to create a storefront appearance from the courtyard, in lieu of the original non-public service facades. As the applicant seeks to create a "via-like" experience within the courtyard, and these rear openings are designed to promote internal circulation by allowing thru-traffic from the public sidewalk to the interior courtyard. The proposed fenestration headers are considerably taller than they are on the street-fronting elevations and new awnings are proposed on some openings as they are on the street-fronting elevations. The changes proposed for the courtyard fronting elevations are most evident on Sheets A9 and A10 of the architectural plan sets.

The central two-story building is proposed to undergo numerous exterior alterations as well as a second-floor addition over an existing single-story portion of the building on the west and north sides. The original architectural plans for this structure, provided on pages 2-5, illustrate a building with a brick clad first floor with a simple recessed entryway, a vertical board-and-batten second floor, and a Bermuda style hip roof. Fenestration largely consists of divided lite hung windows, awning, and jalousie windows. Architectural embellishments include exposed wood rafter tails, wood shutters, a wrought iron decorative grill around the entryway, and a projecting louvered roof copula topped with a weathervane.

The most impactful alteration proposed for the building is the +/- 560 SF second-floor addition. Currently, the second floor, which is visible from Peruvian Avenue and Cocoanut Row, is nearly a perfect square, measuring 26'-1" x 27'. The existing ground floor is significantly larger, as a single-story portion was designed to wrap around the west and north sides of the building. The application does not seek to substantially change the footprint of the building, but it does request to add a second floor atop the existing single-story portion, most evident in the "Proposed Second Story" plan on Sheet A16, and the "Proposed Roof" plan on Sheet A17.

As evident on Sheets A18 and A19, the proposed addition has a significant impact on the structure's massing, scale, proportion, and roof shape. The applicant has selected to utilize the building's historic design features in the addition's design, including the use of divided lite hung windows, wood shutters, exposed rafter tails, and exterior cladding materials. Additionally, the character defining cupola roof vent and weathervane are proposed to be reconstructed in new proportions to accommodate the new roof configuration and dimensions of the second floor mass.

Per Sec. 18-302, alterations and additions to designated Historically Significant Buildings (HSBs) shall be designed and undertaken in a manner that are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Such work should not preclude the building's continuation as an HSB. The buildings at 353 Peruvian Avenue benefit significantly from an HSB status, as the designation avails the property to exceptions for flood hazard area requirements of the Florida Building Code.

Staff would note that there are some inconsistencies within the plans, most notably the location of the new air conditioning equipment is absent, and the site plan (Sheet SP), identifies a new pedestrian gate at the southern wide entrance off Peruvian Avenue to be detailed in the landscape set, but those plans do not identify any such gate or fence in that location.

The improvements to the older historically significant structures will exceed both 50% of the value improvements to the structure, and 50% of the demolition of the rear façade of the one-story building and portions of the second floor of the two-story building, all of which triggers the

building's nonconformances to be brought up to the today's zoning requirements. The historically significant building is already nonconforming in construction with the north side setback (variance #1), required parking spaces (variance #2), open space requirements (variance #3 and #4), and loading space requirements (variance #5). These deficiencies must be established through the variance process.

Variance #1 seeks to establish to the existing nonconforming setbacks of the original one-story retail structure, the improvements to the older historically significant structure will exceed both the 50% of the value improvements to the structure and 50% of the demolition of the rear façade, which triggers all of the building's nonconformances to be brought up to the today's zoning requirements. The historically significant building is already nonconforming in the north side setback, Variance #2, the existing side yard one-story setback for the existing structure is proposed to remain at 2.5' in lieu of the 10' minimum required. Staff would note that in the C-TS district, there is no minimum side yard required for one-story structures, but when a C-TS property adjoins property zoned in any R district, a ten-foot side yard is required on that side. Since the neighboring property is R-C, the increased setback is required. Additionally, the front yard setback is required to be 5'-0" for one-story structures under today's Code. The structure, as confirmed by the survey, is setback, 4.6' from the front property line along Cocoanut Row.

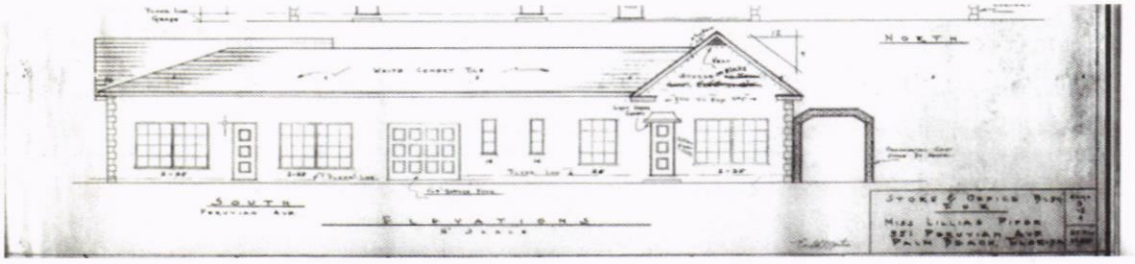
As it pertains to variances #2, a variance to not provide the required **4** spaces for new commercial additions and **42** spaces for the retention of the nonconforming commercial building, for a total of **46** required spaces. The parking requirement breakdown is as follows:

I. 5,100 SF retail liner@ 1/200 = 25.5 spaces or 26 required spaces
II. 1,470 SF 1st floor back building @ 1/200 = 7.35 spaces or 8 required spaces
III. 1,470 SF 2nd floor back building @ 1/200 = 7.35 spaces or 8 required spaces
Total of 42 spaces + the required 4 spaces for new commercial additions
IV. NEW commercial SF requires a parking component at 1 / 200 (Sec. 134-2176). New 700 SF / 200 = 3.5. Variance needed to not provide the required 4 spaces for new commercial additions.

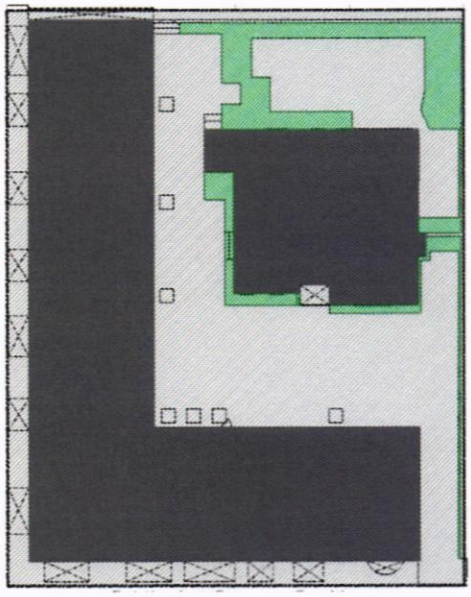
The structure has been a commercial building since 1955 operating without any required parking. The new additions to the rear building trigger their own parking requirements as well. Again, due to the extent of demolition in order to improve the project, the entire site must be calculated towards what would be the required parking component under today's code. Staff notes that it would be physically impossible to provide the amount of parking space on-site due to the footprint and location of the historically significant buildings.

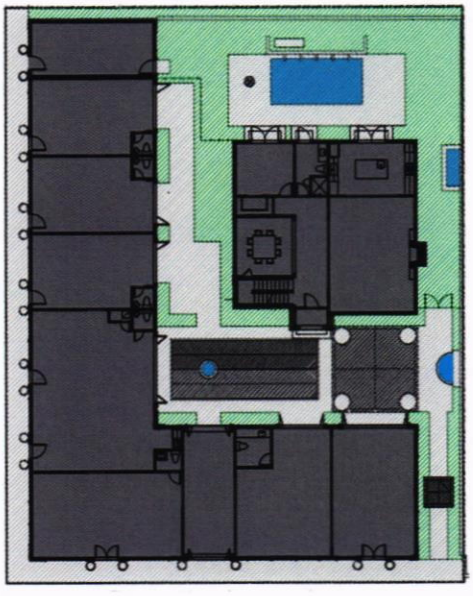
As it pertains to variance #3, the existing site plan places the building constructed in 1955 at the property line, and compliance with the required front yard to achieve the required 35% would be impossible without the substantial demolition of portions of the primary façade. The structure, as

confirmed by the survey, is setback, 4.6' from the front property line along Cocoanut Row (see variance #1). Additionally, while the south elevation complies with the required front yard setback of 5.4', the design as a showroom, office and retail space (with a garage) never conceived or provided for landscaping in the front yard of a walkable and active commercial area.



As it pertains to variance #4, to reduce the required overall open space. In the C-TS zoning district, the Code requires a 25% minimum overall landscaped open space for two-story buildings. The existing condition is 6% and the proposal seeks to increase that amount to 16.7%. It should be noted that for one-story structures, the requirement is 15%. The site contains both a one- and a two-story structure, requiring the more restrictive regulation to be applied. In order to create a viable commercial plaza, hardscape is desired to blend the indoor space into the outdoor courtyard through the use of operable Nana wall storefront systems, even still the applicant has applied green planting areas along the interior façade of the one-story retail liner building.'





As it pertains to variance #5, a variance to not provide a loading space, the zoning code prescribes a minimum number of loading bays based on the amount of commercial square footage available in the building. One space is required for buildings which are between 4,000—25,000 SF. The site currently offers zero loading bays, and has been a commercial building since 1955 operating without any required parking or on-site dedicated loading berths. The site is within a commercial corridor and adjacent to Worth Avenue to the south, as such, it is assumed that the site will utilize existing dedicated on street loading spaces. Staff notes that it would be geometrically and

physically impossible to provide the loading space on-site due to the footprint and location of the historically significant buildings.

As it pertains to variance #6, in order to keep and to expand the rear of the structure and have it closely resembling the appearance of the original, the finished floor of the new structure is proposed to match the existing floor height of the main residence, which is below the current required base flood elevation. A flood plain variance is being requested for the historic structure to allow an addition with a finished floor of 2.38' NAVD and 3.20' NAVD (lowest slab of interior habitable space) in lieu of the 7' required by code. As such, a flood plain variance is necessary for retention of the building at a lower grade, in lieu of the 7' NAVD current minimum—although commercial properties may floodproof the structure, the applicant has expressed long term interest of possibly converting the two-story structure back into a residence. The floodplain waiver is only afforded to landmarked and historically significant buildings in the Town and is in fact one of the greatest benefits of the program for the older historic building stock. The floodplain variance is now reviewed and approved by the LPC.

As it pertains to the two Special Exception requests: Special Exception #1, building onto second floor (Sec. 134-1113(8)(c)) requires Town Council to review and approve a second floor. Although it is an existing two-story building constructed in 1949, and the applicant is proposing a small second story addition, and thus the review is required. Special Exception #2, to permit uses > 3,000 SF in C-TS zoning district (Sec. 134-1109 (11) will allow the applicant the flexibility to utilize the existing historically significant buildings with retail opportunities and showrooms as the building was originally conceived.

Approval of the project will require three separate motions to be made by the Landmarks Preservation Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, (2) the approval of variance #1, for a floodplain with a finished floor of 2.38' and 3.20' NAVD in lieu of the required 7.0' NAVD; (3) that the implementation of the proposed variances **will or will not** cause negative architectural impact to the subject property. The other variances (#1 and #5) requests and Special Exception approval portion of the application is scheduled for review by Town Council.

Approval of the project will require three separate motions to be made by the Town Council: (1) the SPECIAL EXCEPTION with SITE PLAN REVIEW for building onto second floor; (2) the SPECIAL EXCEPTION for commercial uses > 3,000 SF in C-TS zoning district; and (3) for the granting of the variances.

WRB:JGM

RECEIVED
By Emily Lyn at 4:23 pm, Feb 13, 2023

January 23, 2023

JEROME
BAUMOEHL
ARCHITECT, INCORPORATED

Town of Palm Beach
Planning, Building and Zoning Department
360 South County Road
Palm Beach, Florida 33480

Landmarks number :	**HSB - 22-016**
Zoning number :	**ZON - 22-154**
Project :	**353 Peruvian Avenue**

LETTER OF INTENT

Current zoning for the project is C-TS : Commercial, Town Serving

Our current proposal, for architectural improvements / changes to the existing structures include :

ONE-STORY RETAIL BUILDING :

1)Remove existing applied door surround mouldings from 1984 renovation and propose to duplicate existing stucco mouldings from original building design on all door and window surroundings accordingly.
2) Replace existing storefront / doors with impact storefront in the majority of existing Peruvian Avenue and Cocoanut Row Elevation with exception to one opening on East side of Peruvian Elevation. The door / window elevations on rear of building (open to courtyard) have been modified as shown on plans and elevation to accommodate use of courtyard
(Please see proposed floor plans and building elevations).
3) Add new awning structures per proposed floor plans / building elevations.
4) Extend existing stucco quoins are to remain as-is, (no modification)

TWO-STORY RETAIL BUILDING :

1) Rework existing ground floor layout to accommodate proposed second floor layout. Existing footprint remains the same.
(see proposed ground floor plan)
2) Rework existing second floor to accommodate addition of +/- 564 square feet.
3) Rework existing ground and second floor roof structures to accommodate proposed second floor addition utilizing existing architectural vocabulary and detailing, proposing the use of all existing materials and finishes.

AR0014743
AA26001261

THE WORTH AVENUE BUILDING
205 WORTH AVENUE, SUITE 317
PALM BEACH, FLORIDA 33480
VOICE : 561•689•2000
FAX : 561•653•8086

4) Rework exterior building elevations incorporating existing architectural vocabulary, materials, finishes and detailing.
5) Replace existing roof with new "Bermuda Style" white cement tile roof to match existing.
6) Propose the addition of weather vane at roof peak as per original design prepared by Simonson & Holley Architectural firm.

SITE HISTORY :

The two-story building was designed in 1947 as a residential structure for the Savoy Corporation by **Simonson & Holley Architectural** firm the same year they designed the Colony Hotel on Palm Beach. Prior to opening his own studio in 1945, Mr. Byron Simonson worked as a chief draftsman for Addison Mizner (circa 1930) then as a chief designer for Treanor Fatio Architect.

In 1958, **Miss Lillas Piper** commissioned Architect, Earl H. Martin to design a one-story retail structure to be used as her business and office. The addition of this retail structure was built along the corner of Cocoanut Row and Peruvian Avenue. In 1984,alteration were made to the Cocoanut Row and Peruvian Avenue façade including removing existing curb cuts at north end garage on Cocoanut Row and mid building on Peruvian Avenue.

Please note the following:

LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161
Renovation and ~564 sf addition to historically significant commercial property.

SPECIAL EXCEPTION 134-229

SPECIAL EXCEPTION WITH SITE PLAN REVIEW: Section 134-1113(8)(c) building onto second floor.
SPECIAL EXCEPTION: Section 134-1109(11) > 3,000 SF in C-TS zoning district.

The following criteria is met:
1)This proposed use, a retail commercial building, is a permitted use in the C-TS Zoning District with special exception approval for uses over 3000 SF.
2)The design, location and operation of the proposed renovation will not adversely affect public health, safety, welfare or morals.
3)The proposed renovation will not cause substantial injury to the value of other properties in the neighborhood as there are other commercial uses in this area.
4)The proposed renovation will be compatible with the neighborhood as it is permitted.
5)The proposed renovation will comply with all requirements set forth in Article VI of the Zoning Code, if applicable.
6)The proposed renovation will comply with the comprehensive plan, if applicable.
7)The proposed renovation will not result in substantial economic, noise, glare, or odor impacts on adjoining properties this has been a commercial building for many years.
8)Current ingress and egress, parking, loading areas, automotive and pedestrian safety and convenience and traffic flow will not be impacted and will be Peruvian Avenue or Cocoanut Row.
9)There are no signs being proposed.

10)Utility service will remain unchanged or be upgraded so there will no negative impact on health and safety.
11)Refuse and service areas will remain unchanged, thus there will no negative impact on automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
12)The owner/operator of the commercial space has another store in Palm Beach and will be Town Serving
13)N-A – No historic/specimen trees
14)The proposed renovation will not place a greater burden on police or fire protection services.

SITE PLAN REVIEW 134-329

1)The owner of the property is Lifestyle Holdings, LLC (Jay and Letty Biggins) and the entity is in control of the property. A commercial building is a permitted use in the C-TS Zoning District.
2)The proposed renovation is the least intense example of development and will not have a negative impact on the neighborhood, which is a mixed use neighborhood.
3)Ingress, egress, utilities and refuse collection will be via Cocoanut Row or Peruvian Avenue, which is capable of handling traffic and other such uses in a residential neighborhood.
4)N/A
5)The proposed site plan and landscape plan provides for buffers and screening from neighboring properties.
6)The proposed drainage plan meets the Town of Palm Beach' s drainage requirements.
7)The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.
8)The recreation facilities are private and will be screened from the neighboring properties by landscaping.
9)N/A
10)N/A
11) A renovation to two historic buildings will not be overly intrusive on the street and neighborhood.

VARIANCES 134-201 N/A

VARIANCE 1: Sec. 134-1113(6): A variance to maintain an existing nonconforming North side yard setback of 2.5' in lieu of 10 minimum required when C-TS abut residential district (R-C), with the demolition of more than 50% cubic volume of a nonconforming structure on a nonconforming lot.

VARIANCE 2: Section 134-2176 Variance to not provide the required 4 spaces for new commercial additions. Note the intensity of this variance is likely to increase (see variance #1); as such total nonconforming parking for the existing uses shall need to be provided. Provide total SF of all commercial space to calculate parking variance as there are 0 on site resources.NEW commercial SF requires a parking component at 1/200SF (Sec. 134-2176). New 700 SF/200 = 3.5. Variance needed to not provide the required 4 spaces for new

3)The granting of the variances will not confer on the applicant a special privilege that is denied to the neighboring properties. Most neighboring properties are subject to the same constraints.
4)The hardship, which runs with the land, is that the property is nonconforming and historic which when built had less strict zoning restrictions.
5)The variances requested are the minimum necessary to make reasonable use of the land considering the nonconforming aspects of the lot and buildings. The proposed additions are to improve the site and aesthetics of the property.
6)The granting of the variances will not be injurious to the neighborhood. The buildings are in a commercial district where there is ample parking on the nearby streets and public parking lots. Furthermore, many of the future customers will be pedestrians.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - New Business

Agenda Title

ZON-23-026 (ARC-23-011) 220 ARABIAN RD (COMBO)—SPECIAL EXCEPTION AND SITE PLAN REVIEW The applicant, Walter Wick, has filed an application requesting Town Council review and approval for special exception and site plan review to construct a new two-story residence on portions of platted lots which are deficient in lot width in the R-B zoning district. The Architectural Commission will perform design review of the application. ***[This project has been withdrawn by the applicant from the Architectural Review Commission and the Town Council meetings.]***

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - New Business

Agenda Title

ZON-23-034 (ARC-23-026) 171 EL PUEBLO WAY (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES The applicants, Kevin Ryan and Carolyn Pressly-Ryan, has filed an application requesting Town Council review and approval for special exception with site plan review for development of a single-family dwelling on a lot in R-B zoning district which is deficient in lot width and area, and (3) variances for (1) a reduced swimming pool setback, (2) a variance to exceed maximum allowed equipment screening wall height, and (3) a variance to allow a supported second floor balcony to encroach into the required front yard. The Architectural Commission shall perform design review of the application.

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans**
- **Plans**
- **Public Comment - Broberg**
- **Public Comment - Carlino**
- **Public Comment -Pokelpovic**
- **Public Comment -Pokelpovic REVISED**
- **Public Comment - The Garden Club of Palm Beach**
- **Public Comment - Giordano**
- **Public Comment - Murray**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-23-034 (ARC-23-026) 171 EL PUEBLO WAY (COMBO)

MEETING: APRIL 04, 2023

ZON-23-034 (ARC-23-026) 171 EL PUEBLO WAY (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicants, Kevin Ryan and Carolyn Pressly-Ryan, has filed an application requesting Town Council review and approval for special exception with site plan review for development of a single-family dwelling on a lot in R-B zoning district which is deficient in lot width and area, and (4) variances for (1) a reduced swimming pool setback, (2) a variance to exceed maximum allowed equipment screening wall height, (3) a variance to permit a dormer window above maximum allowed building height, and (4) a variance to allow a supported second floor balcony to encroach into the required front yard. The Architectural Commission shall perform design review of the application.

ARCOM NOTICE:
ARC-23-026 (ZON-23-034) 171 EL PUEBLO WAY (COMBO). The applicants, Kevin Ryan and Carolyn Pressly-Ryan, has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family dwelling with final hardscape, landscape and pool; requiring special exception with site plan review to develop a nonconforming lot in the R-B district, a variance for swimming pool setback, a variance for equipment wall height, a setback variance and a building height variance. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: Kevin Ryan & Carolyn Pressly-Ryan
Professional: Jacqueline Albarran
Representative: Maura Ziska, Esq.

HISTORY
The existing one-story CBS structure was designed by architect Agnes Ballard for Mrs. Peggy Howell Taylor in 1951. A garage addition was permitted in 1964 and various permits for maintenance related work have been issued throughout the years.

THE PROJECT:
The applicant has submitted plans, entitled "PRESSLY-RYAN RESIDENCE" as prepared by **SKA Architect + Planner (Jacqueline Albarran)** dated February 9, 2023.

The following is the scope of work:

- Replacement of existing one-story residence with a new one and two-story home with final hardscape, landscape and pool.

The following Special Exception, Site Plan Review and/or Variances are required to complete the project:

- **SPECIAL EXCEPTION WITH SITE PLAN REVIEW: Sec. 134-893(c):** Special Exception with Site Plan Review to construct a new residence on a non-conforming parcel comprised of portions of platted lots which is 85 ft wide in lieu of the 100 ft width required and 9,960 sq. ft. in area in lieu of the 10,000 sq. ft. required.
- **VARIANCE 1: Sec. 134-1757:** A variance for a swimming pool with a north rear-yard setback of 5 ft in lieu of the 10 ft setback required.
- **VARIANCE 2: Sec. 134-11667:** A variance to allow a generator screening wall to exceed the maximum wall height in a street-side yard by 11 inches, to allow for complete screening of the generator.
- **VARIANCE 3: Sec. 134-1093(b)(5)b:** A variance to allow a 2nd story supported entry feature balcony with a 23 ft setback in lieu of the 25 foot setback minimum required.

Site Data			
Zoning District	R-B	**Future Land Use**	SINGLE-FAMILY
Lot Size	Existing: 9,960 SF Required: 10,000 SF ***Special Exception w/ Site Plan Review***	**Crown of Road**	4.87' NAVD
Lot Depth	Existing: 85' Required: 100' ***Special Exception w/ Site Plan Review***	**Lot Width**	Existing: 117.75' Required: 100'
Rear Yard Setback	Req.: 15' 1st FL / 20' 2nd FL Proposed: 18' / 20.5'	**Front Yard Setback**	Req.: 20' 1st FL / 25' 2nd FL Proposed: 22.5' / 25'
Building Height	Permitted: 22' Proposed: 19.6'	**Overall Building Height**	Permitted: 30' Proposed: 29.66'
Side Yard Setback	Req. 12.5' 1st FL/ 15' 2nd FL Proposed: 12.5 / 15' (EAST)	**Street Side Yard Setback**	Req.: 25' 1st FL / 30' 2nd FL / 18' Garage Proposed: 31.25' / 41.25' / 18' Garage (WEST)
Finished Floor Elevation	Required: 7' NAVD Proposed: 7' NAVD	**Zero Datum for Point of Measurement**	7' NAVD
FEMA Flood Zone	AE / X	**Base Flood Elevation**	6' NAVD & None

Lot Coverage	Permitted: 30% Proposed: 27.8%	**Angle of Vision**	Maximum: 102° Proposed: 100.5°
Cubic Content Ratio (CCR)	Maximum: 4.0 Proposed: 3.99	**Enclosed Square Footage**	4,087.2 Sq. Ft.
Landscape Open Space	Required: 45% Proposed: 45.29%	**Front Yard Landscape Open Space**	Required: 40% Proposed: 49%
Surrounding Properties / Zoning			
North	1950 1-Story Residence / R-B Zoning		
South	1981 2-Story Residence / R-B Zoning		
East	1991 1-Story Residence / R-B Zoning		
West	1950 1-Story Residence / R-B Zoning		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires three variances. The application proposes the construction of a single-family residence on a substandard size lot within the R-B Zoning District. Due to the lot's deficiencies in width and area, the application will require a Special Exception with Site Plan Review to be reviewed by Town Council.

The parcel has public frontage along El Pueblo Way and N Ocean Way. Proposed site design features include a two-story mass on El Pueblo Way with a single story wing and side loaded garage off the side of the structure on N Ocean Way. A walkway and garden connect El Pueblo Way with the South facing front door. The side-loaded garage and driveway are separated from the primary façade on the west side of the structure and parcel. The parcel is enclosed on two sides with a masonry wall and a black chain link fence. The site plan also features a rear covered loggia, pool with spa, a water feature, and raised terrace.

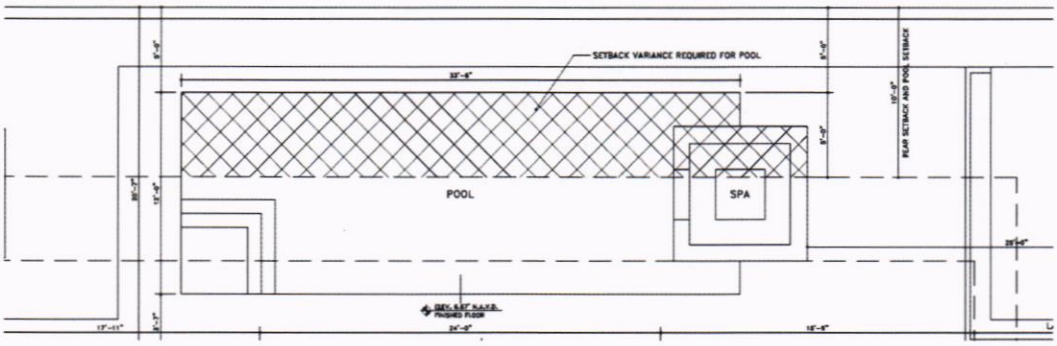
The zoning code for the R-B Zoning District permits for the reduction of a front yard setback up to five feet for the first and second story, provided that the rear yard setback increases by the same dimesion. The applicant proposes a rear yard setback of 18' in lieu of 10' for the first story (+3') and 20' 7" in lieu of 15' for the second story (+5.58'). With the increase of the rear yard setbacks, the applicant proposes to reduce the front yard setback by proposing a first story front yard setback of 22' 6" in lieu of the 25' front yard setback required (-2.5') and a second story front yard setback of 25' in lieu of the 30' required (-5').

The application requires ARCOM to make findings as to whether the following three (3) variances will/will not cause negative architectural impacts to the subject property:

Code Section	Required	Proposed	Variance
Sec.134-1757	10' Swimming Pool Setback	5' Swimming Pool Setback	5' Setback Variance

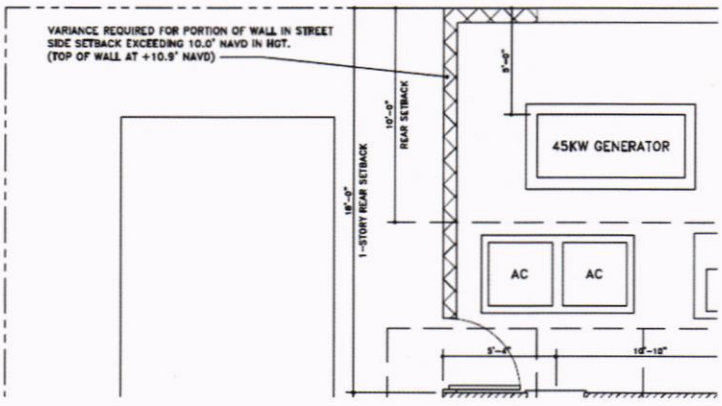
The lot is substandard size in the R-B Zoning District. The applicant is proposing a swimming pool

with a 5' north rear yard setback in lieu of the 10' swimming pool setback required, to achieve a 12' wide swimming pool. The neighboring property is separated from the pool and deck by a concrete masonry wall.



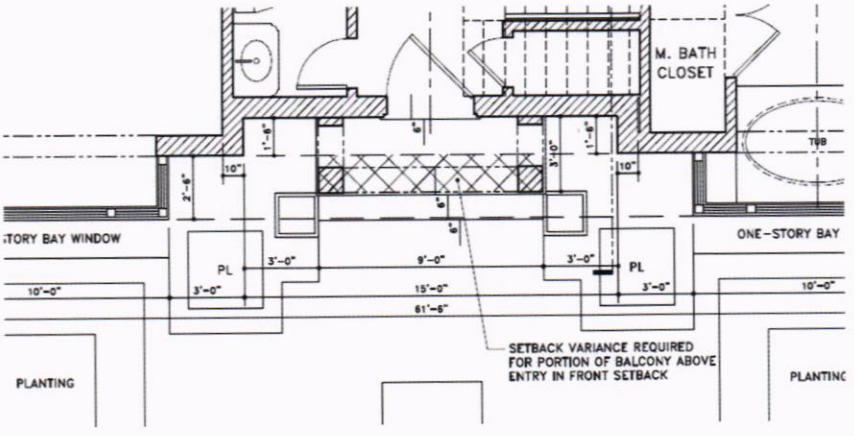
Code Section	Required	Proposed	Variance
Sec. 134-1667	A generator to be completely screened by a masonry wall not exceeding max wall height.	A generator screening wall which exceeds max wall height by 11" to completely screen the generator.	A wall height of 6' 11" in lieu of the 6' maximum permitted in a street side yard setback.

The existing site grade is lower than the required FEMA elevation, resulting in equipment required to be installed on stands or raised equipment pads. The zoning code requires that equipment be screened by a wall as high as the equipment, but not higher than allowed by code. In this instance, the applicant must install a screening wall which is less than 1' higher than allowed by code, so that the generator equipment will be completely screened from the street.



Code Section	Required	Proposed	Variance
Sec. 134-1093(b)(5)b	2nd story balcony features must be located outside of the required 2nd story setback.	A balcony feature which is located at a 23' setback in lieu of the 25' setback required.	2' second story front yard setback encroachment.

The applicant has reduced the front yard setback by increasing the rear yard setback, which is permitted by code. The applicant proposed an one story entry feature with a balcony. Because the balcony is considered a second story feature, it must meet the second story setback requirement. The applicant proposes for the entry to encroach 2' into the required 2nd story setback (but still outside of the one story setback).



Conclusion

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property.

Approval of the project will require two separate motions to be made by Town Council: (1) for the Special Exception with Site Plan Review to construct a new residence on a non-conforming parcel comprised of portions of platted lots which is 85 ft wide in lieu of the 100 ft width required and 9,960 sq. ft. in area in lieu of the 10,000 sq. ft. required, and (2)for the granting of the variances.

WRB:JGM:BMF

RECEIVED
By yfigueroa at 11:57 am, Feb 09, 2023

SKA

SKA
Architect + Planner

ARC-23-026 ZON-23-034
171 El Pueblo Way
Palm Beach, FL 33480

February 9, 2023

We are pleased to submit the first submittal of the accompanying drawings for our project at 171 El Pueblo Way in Palm Beach. We are proposing to replace the existing one- story structure on the site with a new partial two-story home. Upgrades will include a new pool and new landscaping throughout. The existing circular driveway will be removed and replaced with landscaping. A special exception with site plan review is required for the 9,960 square foot non-conforming lot with an 85 foot width. We are requesting a setback Variance for the pool and spa, the balcony over entry, and for the height of the wall to conceal the generator.

Section 18-205

1. The plan for this proposed residence is in conformity with good taste and design and in general contributes to the image of the town and neighborhood as a place of beauty, spaciousness, balance, charm and high quality.
2. The plan for the proposed building or structure is reasonably protected against external and internal noise and other factors that would tend to make the environment less desirable.
3. The proposed building exterior design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.
4. The proposed residence is in harmony with the proposed developments on land in the general area and with the comprehensive plan for the town.
5. The proposed residence is not excessively similar to other structures existing or within 200 feet of the proposed site in respect to one or more of the following features of the exterior design and appearance:
    a) This proposal does not have identical front or side elevations.
    b) This proposal does not have substantially identical size and arrangement of either doors, windows, porticos or other opening or breaks in the elevation facing the street, including reverse arrangement.
    c) We do not have other significant identical features of design such as, but not limited to, material roof line and height of other design elements.
6. The proposed residence is not excessively dissimilar in relation to other structures existing or within 200 feet of the proposed site in respect to one or more of the following features:
    a) Height of building or height of roof.
    b) Other significant design features including, but not limited to, materials or quality of architectural design.
    c) Architectural compatibility.
    d) Arrangements of components of the structure.
    e) Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
    f) Diversity of design that is complimentary with the size and massing of adjacent properties.
    g) Design features that will avoid the appearance of mass through improper proportions.
    h) Design elements that protect the privacy of a neighboring property.

7. N/A
8. The proposed residence is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way.
9. The proposed development is in conformity with the standards of this code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
10. The project's location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features.

SPECIAL EXCEPTION 134-229

New two-story residence, new pool and new landscaping throughout.

1. Section 134-893(c) and 134-329: Special Exception with Site Plan Review to construct a new two-story residence on a non-conforming parcel comprised of portions of platted lots which is 85 ft wide in lieu of the 100 ft minimum required and 9,960 SF in area in lieu of the 10,000 SF minimum required.
2. This proposed use, a single-family residence, is a permitted use in the RB Zoning District with special exception approval for a non-conforming lot 15 feet short of the required lot width.
3. The design, location and operation of the proposed residence will not adversely affect public health, safety, welfare, or morals.
4. The proposed single-family residence will not cause substantial injury to the value of other properties in the neighborhood as there are other residences in this residential district.
5. The proposed single-family residence will be compatible with the neighborhood and purpose of the district as it is permitted.
6. The proposed single-family residence will comply with all requirements set forth in Article VI of the Zoning Code, if applicable.
7. The proposed single-family residence will comply with the comprehensive plan, if applicable.
8. The proposed single-family residence will not result in substantial economic, noise, glare, or odor impacts on properties within the district.
9. Current ingress and egress, parking, loading areas, automotive and pedestrian safety and convenience and traffic flow will not be impacted as a result of the proposed residence.
10. There are no signs being proposed.
11. Utility service will remain unchanged or be improved, thus there will be no negative impact on health and safety.
12. Refuse and service areas will remain unchanged, thus there will no negative impact on automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
13. N/A – Town serving.
14. N-A – No historic/specimen trees
15. The proposed single-family residence will not place a greater burden on police or fire protection services as there is currently a residence on the subject property.

SITE PLAN REVIEW 134-329

The owners of the property, Kevin Ryan and Carolyn Pressly-Ryan are in control of the property. A single-family residence is a permitted use in the RB Zoning District.

1. The proposed single-family residence is the least intense example of development and will not have a negative impact on the neighborhood, which is a residential neighborhood.
2. Ingress, egress, utilities and refuse collection will be via North Ocean Way, which is capable of handling traffic and other such uses in a residential neighborhood.
3. N/A
4. The proposed site plan and landscape plan provides for buffers and screening from neighboring properties.

5. The proposed drainage plan meets the Town of Palm Beach's drainage requirements.
6. The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.
7. The recreation facilities are private and will be screened from the neighboring properties by landscaping.
8. N/A
9. N/A
10. The proposed two-story residence has been designed to coexist harmoniously with the surrounding structures. It will not present a hindrance on the street or neighborhood.

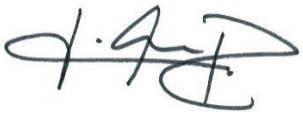
Variance per Section 134-201:

The variance requested are as follows:

1) Section 134-1757: A variance for a swimming pool with a north rear-yard setback of 5 ft in lieu of the 10 ft setback required.
2) Section 134-1729: A variance to allow a generator screening wall to exceed the maximum wall height by 11 inches, to allow for complete screening of the generator.
3) Section 134-1093(b)(5)b: A variance to allow a 2nd story supported entry feature balcony with a 23 ft setback in lieu of the 25-foot setback required.

1. The special circumstances that are peculiar to the land is that this is a corner lot that is undersized and narrow in width, which makes it difficult to add a swimming pool and entry feature without the need for zoning relief and due to the street level being low and the need to screen the generator, a wall height variance is necessary and justified.
2. The applicant was not the cause of the special conditions of the property as they just purchased the property.
3. The granting of the variances will not confer on the applicant a special privilege. There are other situations that would justify a closer setback for proposed swimming pools and entry features on non-conforming lots and some properties have obtained variances from the minimum setbacks due to the property layout and hardships therein. There is also precedence for allowing a taller wall to screen a generator.
4. The hardship, which runs with the land, is that the property is on a corner lot that is bounded by North Ocean Way and El Pueblo Way. Due to the size and shape of the land, there is no feasible location to place a pool except on the north side with zoning relief and no other way to screen the generator without a taller wall. They entry feature encroachment is minor and also due to the non-conforming aspects of the land.
5. The variances requested for the swimming pool, entry feature and wall height are minor requests considering there will be a tall wall and landscaping to screen the swimming pool.
6. The variances requested are reasonable considering there is no other feasible location on the property for the pool and the request for the wall height and entry feature is minor.

Sincerely,



Jacqueline Albarran, Architect P.A

324 Royal Palm Way #227 * Palm Beach, FL 33480 * 561-655-7676 * FAX 561-655-3533

COE & BROBERG LLP
ATTORNEYS AND COUNSELORS
223 PERUVIAN AVENUE
PALM BEACH, FLORIDA 33480

PETER S. BROBERG, ESQ.

TELEPHONE (561) 655-5166
FACSIMILE (561) 655-0055

CHARLES FRANCIS COE
(1890-1956)
GUSTAVE T. BROBERG, JR.
(1920-2001)

March 20, 2023

Architectural Commission
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Re: ARC-23-026 and ZON-23-034
171 El Pueblo Way

Dear Architectural Commission Members:

This office represents Mr. and Mrs. Paul L. Maddock, Jr. who live at 1160 North Ocean Boulevard, adjacent and East of the subject property.

Jacqueline Albarran is a fine architect and is clearly capable of creating a house on a small lot – by example, 116 Colonial Lane which is 2,200 +/- square feet under air.

The variances requested, while not very impactful, are not the problem. The problem is the SIZE of this house. The lot coverages, cubic content ratio and height are at the maximums in the R-B (LOW DENSITY) Zone.

The proposed house, though not exceeding the Code maximums, is just TOO BIG for the lot. The zoning guidelines are just that . . . guidelines. Staying within the Code guidelines does not automatically confer the right to build. The Code also requires the house to fit in the neighborhood. Look at the photos. This proposed house will tower over it's neighbor to the North and is taller than the house across the street.

My family lived "kitty corner" to this property since the subdivision was established, and this property was in harmony with the other houses. This proposed house is simply another instance of jamming as much house as possible on a lot simply to maximize the profit now or when the owner goes to sell. Please protect what's left of the neighborhood.

Sincerely,

Peter S. Broberg

PSB/amm
cc: Honorable Mayor and Town Council Members
Mr. and Mrs. Paul L. Maddock, Jr.

From: Mary Carlino
To: Antonette Fabrizi
Subject: Proposed plan for 171 El Pueblo
Date: Thursday, March 23, 2023 6:34:15 PM

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

To the town of Palm Beach,

We are writing to you as concerned neighbors of the proposed plan for 171 El Pueblo.

We feel the size of the house is way out of scale for the lot and certainly for the surrounding properties. Between the height of the proposed structure and the setback variances the homeowners are requesting it will certainly overpower the neighboring homeowners.

The landscape of the north end has already seen too much over development of large scale homes. We do recognize there will be more change coming to the north end but it is our hope that there will be more careful consideration of the impact these new builds effect lot size and neighboring properties.

The ordinances and setbacks were put in place for a reason so why do we keep allowing variances to allow these homes to get bigger and bigger.

Thank you for your time.

Sincerely,
David and Mary Carlino

Sent from my iPhone

Antonette Fabrizi
Administrative Specialist
Planning, Zoning & Building Department
Town of Palm Beach

March 24th, 2023

Dear Antonette Fabrizi,

I have been notified of the new construction project at 171 El Pueblo Way along with the associated variances. I do have concern with reducing the current pool setback from 10' to 5' and the encroachment on our property line. We have a historically registered Buttonwood tree that is on the southern end of our property and my concern is the root system will be impacted by this variance. We have seen damage to the tree with past construction of the existing wall at the property line.

I believe that the setbacks are established with a purpose, and I do not see these reasons provided as a hardship on the property owner's behalf. We have been the adjacent property owners for 40+ years and feel this variance will unfairly affect us.

Thank you for your consideration.

Michael Poklepovic
1161 N. Ocean Way 33480

Antonette Fabrizi
Administrative Specialist
Planning, Zoning & Building Department
Town of Palm Beach

March 24th, 2023

Dear Antonette Fabrizi,

I have been notified of the new construction project at 171 El Pueblo Way along with the associated variances. I do have concern with reducing the current pool setback from 10' to 5' and the encroachment on our property. We have a historically registered Buttonwood tree that is on the southern edge of our property line directly adjacent to the proposed pool variance, and my concern is the root system will be impacted by this variance. Although healthy now, we have seen damage to the tree with the previous pool construction & wall (approx Year 1997) in which the tree developed a root fungus and could have potentially died, all of which was documented through the Town of Palm Beach Town Manager, Robert J. Doney.

I believe that the setbacks are established with a purpose, and I do not see these reasons provided as a hardship on the property owner's behalf. We have been the adjacent property owners for 40+ years and feel this variance will unfairly affect us and risks this Historic and Specimen Tree. Allowance of this variance would place this Tree at risk of substantial injury, which would be in violation of Ordinance No. 2-73, as established nearly 50 years ago for the protection of key biological specimens. This action could have a lasting impact, killing a 300-400 year old National Champion Buttonwood Tree for the purpose of a larger private residence swimming pool.

I have attached documentation regarding the tree's protective status.

Thank you for your consideration.

Michael Poklepovic
1161 N. Ocean Way 33480

Centennial
1875-1975

1319 Eighteenth Street NW Washington DC 20036 telephone (202) 467-5810

October 24, 1974

Kenneth Van der Hulse
1161 N. Ocean Way
Palm Beach, Florida 33480

Dear Mr. Van der Hulse:

Congratulations! The button mangrove (Conocarpus erectus) growing in your yard at 1161 N. Ocean Way in Palm Beach, Florida, is the new National Champion of the species. This was confirmed by receipt of measurement information obtained by D. L. Lockhart of the Florida Division of Forestry, and forwarded to us by Mr. Robert C. Lay, Acting Chief of Forest Education for the Florida Division of Forestry.

The tree is indeed a handsome specimen and well deserves recognition as the National Champion. Long may it live.

Sincerely,

Richard Pardo

Richard Pardo
Programs Director (ka)

RP/ka
cc: M. W. Kenton & G. A. Krauss

MAYOR EARL E. T. SMITH

COUNCIL
GEORGE G. MATTHEWS, PRESIDENT
YVELYNE DEM MARIX, PRES. PRO TEM
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A. J. KITTS, FIRE CHIEF
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EDWARD A. EHINGER, JR., BUILDING OFFICIAL
KENNETH LANSDOWNE, TAX COLLECTOR-ASSESSOR
ROBERT G. HUTCHEON, TOWN ENGINEER

Town of Palm Beach

P. O. Box 2029
Palm Beach, Florida 33480

March 21, 1974

TO: Affected Property Owners in the Town of Palm Beach

SUBJECT: Historic and Specimen Trees - Ordinance No. 2-73

You have previously been provided with Certified Mail Notice dated February 20, 1974 advising that the Town Council proposed to hold a Public Hearing on this subject in accordance with Ordinance No. 2-73.

In that Notice you were advised that the Town Council was considering the designation of a tree (trees) on your property as set forth on Page (Pages) 15 of the report entitled "Historic and Specimen Trees of Palm Beach, 1973".

The Public Hearing was held on March 12, 1974 and as a result of that Hearing the Town Council has designated the trees set forth in the report on the pages noted above.

We are enclosing a copy of the Certificate by the Town Clerk certifying this action by the Town Council.

This action of the Town Council designates the noted trees on your property as Historic or Specimen trees, and accordingly the trees should not be cut down, removed, destroyed or damaged without further permission from the Town Council.

We are now seeking an appropriate method of identifying the trees in the Town designated by the Town Council, and will contact you later relative to this matter.

On behalf of the Town and its citizens, please accept our thanks for your cooperation in this worthwhile project.

G. R. Frost

GRF:jl
Encs.

THE AMERICAN FORESTRY ASSOCIATION

National Register of Big Trees

proudly presents this certificate of appreciation to

KENNETH VAN DER HULSE

as a nominator of the following National Champion tree:
as of this date the largest reported of its species growing in the United States of America

BUTTON-MANGROVE
COMMON NAME

CONOCARPUS ERECTUS
SCIENTIFIC NAME

Palm Beach, Florida
LOCATION

8/20/74
DATE OF NOMINATION

196 Points
SIZE:

1029 of 1057
TC Development Review Meeting Backup 4-04-2023

Tree location relative to fence line. Setback variance would move the pool from 10' away, to 5' away from property (fence) line at this location, directly adjacent to the tree.

THE GARDEN CLUB OF PALM BEACH 1928

To ARCOM and Town Council of Palm Beach,

In 1973, The Garden Club of Palm Beach encouraged the Town Council to enact the "Historic and Specimen Tree Ordinance Act" (Ordinance No 2-73), and assisted in identifying and documenting rare trees on the island. It was one of the earliest and strictest tree-protection laws in Florida and is currently maintained through a partnership with the Garden Club and the Town Public Works Department.

Today there are 118 trees on the list with 5 being considered High Priority. One of those High Priority trees resides at 1161 North Ocean Way. It is a Green Buttonwood, *Conocarpus erectus* and is approximately 150 years old.

The Garden Club of Palm Beach's mission is to preserve and protect these rare specmen trees. The irreplaceable Green Buttonwood Tree needs to be protected from any new construction within its canopy. A new project being proposed at 171 El Pueblo Way could have a negative impact on the health and vitality of the tree. This tree's root system extends beyond the property line of its home at 1161 North Ocean Way and on to the property at 171 El Pueblo Way. It is imperative to minimize any distress, construction and disturbance in this tree's environment and the Garden Club is concerned that the pending plan for 171 El Pueblo Way fails to take into consideration this tree's circumstances. Accordingly, we ask that ARCOM and the Town Council take into consideration the Historic and Specimen Tree Ordinance Act before granting any variances under consideration for 171 El Pueblo Way. This tree must be protected.

We hope that you will look favorably upon our request and that you work to protect this tree and all trees on the Historic and Specimen Tree List for future generations to enjoy.

Nancy Madden

Nancy Madden

President, The Garden Club of Palm Beach

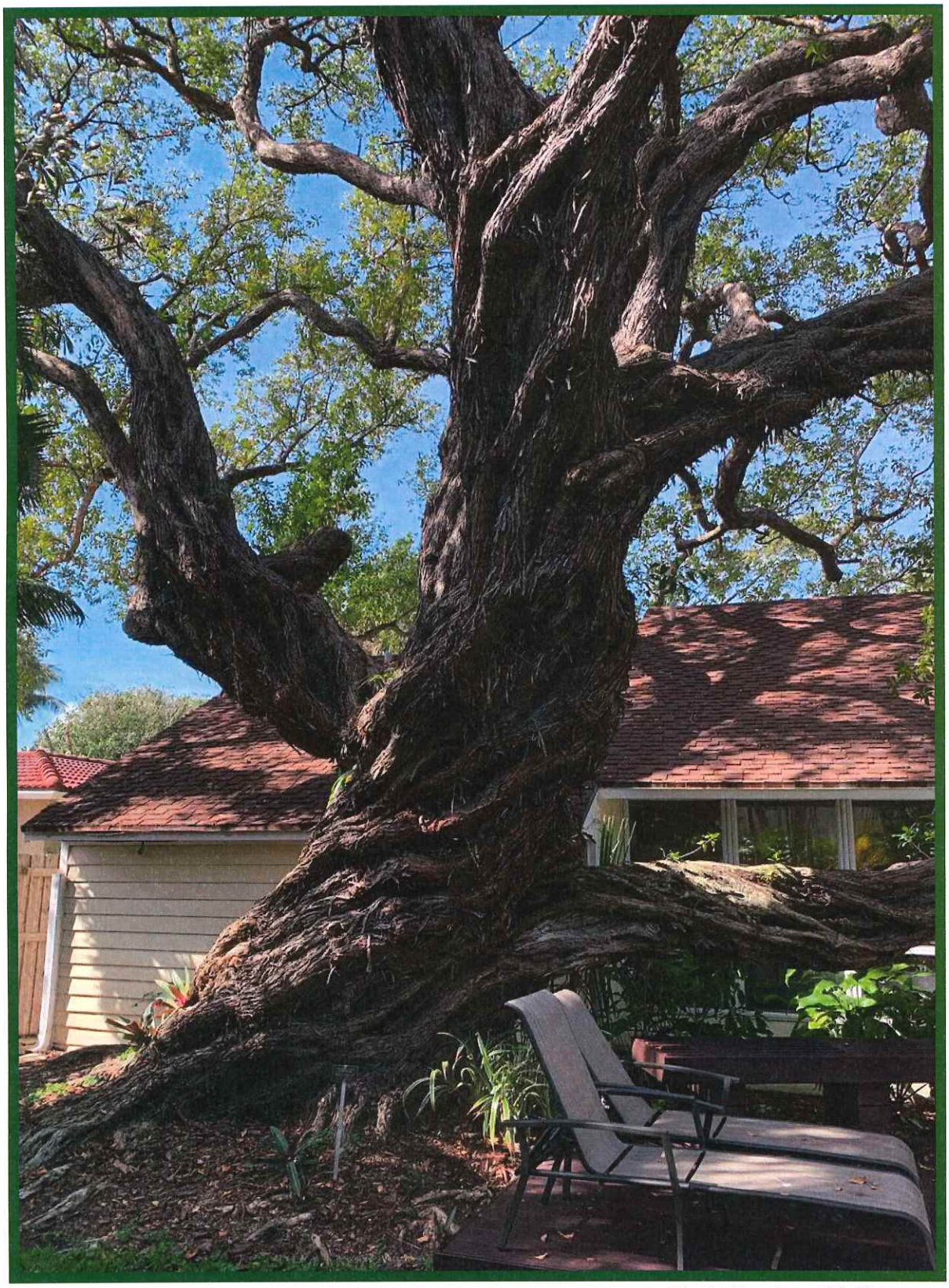


Photo By: Jean Matthews

From: Sallie Giordano
To: Antonette Fabrizi
Subject: proposed Project at 171 El Pueblo
Date: Monday, March 27, 2023 3:36:43 PM

******Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.******

Could you please forward this letter to the members of Arcom as well as the members of the Town Council?

Dear Sirs and Madams,

I am the current and perennial tenant at 1161 North Ocean Way, which is adjacent to 171 El Pueblo. I am writing to express my disapproval of the proposed project at 171 El Pueblo,

Over the last few years, I have developed an ardent affection for the enormous buttonwood tree in my back yard that lords over all the trees in the neighborhood like a big arboreal mother and which is protected by Palm Beach ordinance number 02-73 which makes it illegal to "effectively destroy or damage any historic tree or specimen tree." I have since found out that it is the oldest tree in Palm Beach and that it has actually been placed on the national registry of Big Trees because it is the largest of its species, a National Champion tree in fact.

Currently the lot next door at 171 El Pueblo, which is very small, has a one-story structure and a small pool off to the side, which was obviously granted a variance when it was put in. The current proposed plans describe a new 2-story residence which would surely cost more than 35% of the worth of the current home. This alone should invalidate all past variances. But the plans also propose a new pool all along the rear, only 5’ from the property line (!), and directly over the roots of this tree. There is no way a pool could be dug without significant damage to its root structure.
In addition, it looks in the computer-generated images provided with the variance request that they propose an approximately 15' (!) high ficus hedge all around the back of the pool, reaching mid-way into their proposed 2nd story, which would be forbidden. The list of plants proposes a climbing jasmine on trellis but I believe that would still be prohibited at that height, if it requires a structure to grow on. Nowhere in the proposal is there a tree protection plan of the sort that would be required to be followed, much like at the Norton where they built around the banyon tree. At that time, the town arborist went everyday to make sure that the tree and its roots were safe.

As a Palm Beach native, I remember when almost all the houses in the North End were little bungalows like the one that I rent, and it's been sad to see all the change. I do understand that times change and that people have a right to have the house they want, but they do not have the right to ask for innumerable variances that make a mockery of any and all zoning rules, especially when it threatens such a critical icon of our natural history. If you want more house and recreational space that what a lot clearly can support, then buy a different, larger lot!

Like many others, I am frustrated with all of the new construction that does not respect the feel of our town. In this case, however, this is not about the changing look and feel of our neighborhoods, it is about the preservation of our natural history, and there is no room for tolerance. These variances should not be granted when the preservation of this tree is at stake.

Sincerely yours,
Sallie Giordano
917-882-6216

Reply Forward

March 27, 2023

Architecture Commission
Town of Palm Beach
360 South County Road
Palm Beach, Florida 33480

Re: ARC-23-026 and ZON-23-034
171 El Pueblo Way

Dear Architecture Commission Members:

My wife, Carrie Murray, and I write to express our concern regarding the proposed residence at 171 El Pueblo Way, Palm Beach 33480. For the past 26 years, Carrie and I have enjoyed living in one of the few remaining neighborhoods with homes that do not overwhelm their respective lots, or overlook a neighbor's backyard. The entire east side of North Ocean Way between El Pueblo Way and La Puerta Way (which includes 171 El Pueblo) consists of non-conforming lots with smaller homes. The mass of the proposed residence at 171 El Pueblo overwhelms the neighborhood by maximizing lot coverage, cubic content ratio and height, while simultaneously requiring variances to accommodate the "wish list" of items and amenities sought to be included in the home. The proposed residence will dominate the lot on which it is constructed and dwarf homes with which it is supposed to conform. It is clearly inconsistent with the understated charm of the neighborhood.

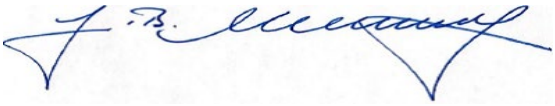
Additionally, our neighborhood is enhanced by an Historic Native Green Buttonwood tree living in the lot adjacent to 171 El Pueblo Way. The large canopy of the tree provides shade and a verdant experience for those walking in the neighborhood. We share the concern expressed by the Town Arborists and the Garden Club of Palm Beach that the location of the proposed swimming pool and the construction of a new six-foot wall (with its underground footers) could negatively impact the health of the tree.

Carrie and I appreciate that the Ryans have reached out to their new neighbors to understand their concerns. We are also grateful that they have selected an experienced, local architect, Jacqueline Albarran, whom we believe will be able to design around the concerns raised about this project

200 La Puerta Way
Palm Beach, FL 33480
561.308.1910
jbinpb@gmail.com

while creating a beautiful home for the Ryan family. We welcome the Ryans to the neighborhood and hope that upon completion of their new home, they will appreciate the efforts made to maintain the understated charm of their new neighborhood.

Very truly yours,



J.B. Murray

Copies to: Honorable Mayor and Town Council Members

200 La Puerta Way
Palm Beach, FL 33480
561.308.1910
jbinpb@gmail.com

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - New Business

Agenda Title

ZON-23-039 (HSB-23-002) 261 SANFORD AVE (COMBO)—VARIANCES

The applicant, Mr. & Mrs. Delaney, has filed an application requesting Town Council review and approval for Site Plan Review for additions and alterations to an existing two-story Historically Significant building involving the demolition of more than 50% of portions of the structure resulting in Variances (1) to retain the existing nonconforming side (west) yard setback and (2) to exceed the maximum lot coverage permitted, and from Chapter 50, Floods, for the required floor elevation of the existing structure, for the renovation and alteration of an existing Historically Significant two-story building. The Landmarks Preservation Commission will perform design review of the application and review and approved the Floodplain variance. *[The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impacts to the subject property. Carried 7-0.] [The Landmarks Preservation Commission approved this project as presented at the March 22, 2023, meeting. Carried 7-0.]*

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: HSB-23-002 (ZON-23-039) 261 SANFORD AVE (COMBO)

MEETING: MARCH 22, 2023 (LPC)
APRIL 04, 2023 (TC)

HSB-23-002 (ZON-23-039) 261 SANFORD AVE (COMBO). The applicant, Mr. & Mrs. Delaney, has filed an application requesting Landmarks Preservation Commission review and approval for proposed additions and alterations to a two-story Historically Significant Buildings involving demolition of more than 50% of a portion of the building as part of an alteration requiring variances from the Floodplain requirements from Chapter 50, Floods, for the required floor elevation of the existing structure and addition, and variances from setbacks and lot coverage,. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-23-039 (HSB-23-002) 261 SANFORD AVE (COMBO)—VARIANCES. The applicant, Mr. & Mrs. Delaney, has filed an application requesting Town Council review and approval for Site Plan Review for additions and alterations to an existing two-story Historically Significant building involving the demolition of more than 50% of portions of the structure resulting in Variances (1) to retain the existing nonconforming side (west) yard setback and (2) to exceed the maximum lot coverage permitted, and from Chapter 50, Floods, for the required floor elevation of the existing structure, for the renovation and alteration of an existing Historically Significant two-story building. The Landmarks Preservation Commission will perform design review of the application and review and approved the Floodplain variance.

Applicant: Mr. & Mrs. Delaney
Professional: SKA Architect + Planner (Daniel Clavijo)

HISTORY:
The subject property was designated 'historically significant' in August of 2022. The property is located within the Canopy Conservation District. The two-story Monterey style dwelling was designed by Howard Chilton in 1945-1946.

THE PROJECT:
The applicant has submitted plans, entitled "Delaney Residence 261 Sanford Avenue", as prepared by **SKA Architect + Planner** dated February 09, 2023.

The following is the scope of work for the Project:

- The renovation includes partial rear demolition, removal and replacing of windows and doors for impact resistance with new wood clad windows, and addition of approximately 100 square feet and along with Landscape/Hardscape modifications.
- Variance #1 Chapter 50-114: Historic Buildings – A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception of the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building to maintain a ground floor and additions with a finished floor of **4.31'** NAVD in lieu of the required 7' NAVD. Additionally, this variance authorization and subsequent eligibility, allows for the installation of mechanical equipment, pool equipment, and a generator below the required base flood elevation.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- Variance #2 Section 134-893(7): A variance to allow an east side yard one-story setback for the existing house to remain to be 8.0' in lieu of the 12.5' minimum required.
- Variance #3 Section 134-893(11): A variance from lot coverage requirements of 30.40% in lieu of the 30.96% existing and 30% max allowed.

Site Data			
Zoning District	R-B	**Lot Size (SF)**	11,950 SF
Future Land Use	SINGLE-FAMILY	**Total Building Size (SF)**	5,528 SF Existing 5,619 SF Proposed
Crown of Road C-O-R	2.78' Sanford Ave 4.7' Kamala Ln	**Flood Zone**	AE 6
Exist Fin. Floor Elevation	4.31' (lowest habitable slab Retail) and 4.84' and 3.07' (garage)	**Prop. Fin. Floor Elevation**	4.31' ***Floodplain Variance requested***
Year of Construction	1945-1946	**Architect/Builder:**	Howard Chilton
Project			
	Required/Allowed	**Existing**	**Proposed**
Lot Coverage	30% (3,858 SF)	30.96% (3,700 SF)	30.4 % (3,632 SF) ***Variance requested***
Cubic Content Ratio (CCR)	3.98	3.58	3.93
Landscape Open Space	45%	47% (5,613 SF)	47% (5,637 SF)
Surrounding Properties / Zoning			
North	2003 Two-story residence / R-B		
South	2005 Two-story residence / R-B		
East	2020 Two-story residence B-048-2020 / R-B		
West	1951 One-story residence / R-B		

STAFF ANALYSIS

As a HSB project the proposed changes must meet the Secretary of the Interior's Standards for Rehabilitation and Sec. 18-306, Sec. 54-122 and 54-123 of the Landmark Preservation Ordinance. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the Town zoning code: floodplain variance and 2 other requested variances.

The renovation includes the partial rear demolition, removal and replacing of windows and doors for impact resistance with new wood clad windows, and addition of approximately 100 square feet and along with landscape modifications of an existing historically significant two-story residence. The Monterey style residence features a front-loaded cantilevered balcony and large bay windows that will not be impacted. The proposal appears to preserve the home's original character defining features, removes previous alterations and additions at the rear of the home, and creates additions that are both compatible with and differentiated from the historic structure as outlines in the Secretary of Interior Standards.

As it pertains to variance #1, in order to keep and to expand the rear of the structure and have it closely resembling the appearance of the original, the finished floor of the new structure is proposed to match the existing floor height of the main residence, which is below the current required base flood elevation. A flood plain variance is being requested for the historic structure to allow an addition with a finished floor of 4.31' (lowest slab of interior habitable space) in lieu of the 7 ft required by code. As such, a flood plain variance is necessary for construction at 4.89' NAVD, in lieu of the 7' NAVD current minimum; the floodplain waiver is only afforded to landmarked and historically significant buildings in the Town and is in fact one of the greatest benefits of the program for the older historic building stock. The floodplain variance is now reviewed and approved by the LPC.

As it pertains to variances #2 and #3, to establish to the existing nonconforming setback and lot coverage of the original, retained structure. The improvements to the older historically significant structure will exceed both the 50% of the value improvements to the structure and 50% of the demolition of the rear façade, which triggers all of the building's nonconformances to be brought up to the today's zoning requirements. The historically significant building is already nonconforming in lot coverage and constructed with the west side setback. Specifically to variance #2, the existing side yard one-story setback for the existing historically significant structure is proposed to remain at 8.0' in lieu of the 12.5' minimum required; due to the extent of demolition to rear façade, all nonconformances must be established. Similarly, as it pertains to variance #3, to permit the lot coverage at 30.40% in lieu of the 30.96% existing and 30% max allowed. The applicant is improving the existing nonconforming area and reducing the overall footprint. The lot coverage is reduced slightly by eliminating the portion of the footprint of the existing footprint and adding a new approximately 100SF addition in the rear portion of the residence, resulting in a new footprint smaller than the portion to be removed.

Approval of the project will require three separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, (2) the approval of variance #1, to construct a ground floor addition with a finished floor of 4.31' NAVD in lieu of the required 7.0' NAVD; (3) that the implementation of the proposed variances will/will not cause negative architectural impact to the subject property. The other variances (#2 and #3) portion of the application is scheduled for review by Town Council.

Approval of the project will require one motions to be made by Town Council: (1) for the granting of the variances.

WRB:JGM

RECEIVED
By yfigueroa at 7:59 am, Feb 09, 2023

SKA

ARCHITECT + PLANNER

Re:
261 Sanford Avenue
Palm Beach, Florida 33480
Date:
February 3, 2023

SKA Architect+Planner - LETTER OF INTENT
RELATED TO THE REQUEST OF RENOVATION, ADDITION, AND VARIANCES FOR AN EXISTING HISTORICALLY SIGNIFICANT PROPERTY AT 261 SANFORD AVENUE

We are pleased to submit the accompanying drawings for the request of a renovation, addition, and variances for an existing Historically Significant Property at 261 Sanford Avenue. Please note the following:

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

Our proposal for renovation includes partial rear demolition, removal and replacing of windows and doors for impact resistance with new wood clad windows, and addition of approximately 100 square feet. Landscape/Hardscape modifications.

B) ARCOM 18-205 N/A

B) ARCOM 18-206 N/A

C) SPECIAL EXCEPTION 134-229 N/A

D) SITE PLAN REVIEW 134-329 N/A

E) VARIANCES 134-201

Due to more than 50% demolition to an existing elevation, the house requires the following variances:

Section 50-114: A request for a flood plain variance on a historically significant home in order to renovate with an existing finished floor elevation of 4.31' NAVD in lieu of the 7.00' NAVD minimum required.

Section 134-893(7): A variance to allow an east side yard one-story setback for the existing house to remain to be 8.0' in lieu of the 12.5' minimum required.

Section 134-893(11): A variance to a lot coverage of 30.40% in lieu of the 30.96% existing and the 30% max allowed.

Reasoning for hardship request:

1)The Historically Significant Building program allows designated houses to maintain their existing Finish Floor Level should demolition or cost of renovation exceed 50%

2)The applicant was not the cause of the special conditions of the property or residence. The existing house was already non-conforming in lot coverage (from previous work) and at the west side single story setback (since original design in 1945).

3)The granting of the variances will not confer on the applicant a special privilege that is denied to the neighboring properties. Most neighboring properties are subject to the same constraints.

5)The variances requested are the minimum necessary to make reasonable use of the land considering the nonconforming aspects of the lot and house. The proposed additions are to improve the site and livability of the property.

6)The granting of the variances will not be injurious to the neighborhood. The renovations to the single family will be beneficial to the neighborhood.

F) OTHER N/A

Sincerely,

Daniel Clavijo

TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda

Development Review - New Business

Agenda Title

ZON-23-041 (ARC-23-032) 176 SEMINOLE AVE (COMBO)—VARIANCES The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Town Council review and approval for four (4) Variances required to convert an existing two-car garage into interior storage space and to construct a second-story addition over the rear garage with site and landscape alterations, including (1) to eliminate required garage parking spaces, (2) to construct a second floor addition with reduced rear setbacks, (3) to exceed the maximum allowable Cubic Content Ratio (CCR), and (4) to reduce the overall Landscape Open Space below the required minimum. The Architectural Commission will perform the design review component of the application.

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**
- **Letter of Intent**
- **Plans**
- **Plans**

TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

TO: Mayor and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-23-041 (ARC-23-032) 176 SEMINOLE AVE (COMBO)

MEETING: APRIL 04, 2023

ZON-23-041 (ARC-23-032) 176 SEMINOLE AVE (COMBO)—VARIANCES. The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Town Council review and approval for four (4) Variances required to convert an existing two-car garage into interior storage space and to construct a second-story addition over the rear garage with site and landscape alterations, including (1) to eliminate required garage parking spaces, (2) to construct a second floor addition with reduced rear setbacks, (3) to exceed the maximum allowable Cubic Content Ratio (CCR), and (4) to reduce the overall Landscape Open Space below the required minimum. The Architectural Commission will perform the design review component of the application.

ARCOM NOTICE:
ARC-23-032 (ZON-23-041) 176 SEMINOLE AVE (COMBO). The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Architectural Commission review and approval for the conversion of a rear vehicular garage into storage space, for the construction of a second-floor addition over the existing single-story garage, and landscape and hardscape alterations requiring four variances to eliminate required garage parking, to construct a second floor addition with a reduced rear setback, to exceed the maximum allowable Cubic Content Ratio (CCR), and to reduce landscape open space below code requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Applicant: William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust
Professional: Smith and Moore Architects, Inc (Harold J. Smith)
Representative: Maura Ziska

HISTORY:
The existing two-story residence was built in 2005. The structure received Special Exception with Site Plan Review in 2003 due to the nonconforming width (89') of the R-B zoned parcel. Additionally, the design received variance approval for a swimming pool setback and a side yard setback for the two story portion of the residence, pursuant to SE-28-2003.

THE PROJECT:
The applicant has submitted plans, entitled "Second Submittal 176 Seminole Ave", as prepared by **Smith and Moore Architects, Inc** dated February 09, 2023.

The following is the scope of work for the project:

- Construction of a new 478 SF second floor addition above-story attached garage requiring a variance from setback requirements and to exceed Cubic Content Ratio (CCR).
- Conversion of existing garage into storage space requiring a variance and removal of driveway area to green space and garden area.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

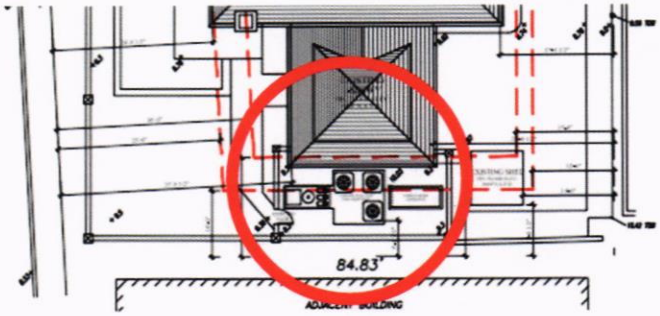
- **Variance 1:** Sec. 134-893(b)(9): A variance to allow the proposed addition with a rear yard setback of 14 feet in lieu of the 15-foot minimum required.
- **Variance 2:** Sec. 134-2179(b): A variance to have zero (0) garage parking spaces in lieu of the two (2) garage parking spaces required.
- **Variance 3:** Sec. 134-893(13): A variance for a Cubic Content Ratio (CCR) of 4.41 in lieu of the 4.0 maximum allowed and the 4.05 existing.
- **Variance 4:** 134-893(b)(12)(a): A variance for a Landscape Open Space (LOS) of 37.8% in lieu of the 45% minimum required.

Site Data			
Zoning District	R-B	**Lot Size (SF)**	10,197 SF
Future Land Use	SINGLE FAMILY	**FEMA Zone**	X
Total Building Size (SF)	3,474 SF + 712 SF non ac	**Lot Coverage**	Existing: 24.81% Proposed: 24.16% Permitted: 30%
Landscape Open Space (LOS)	Existing: 36% (3,647 SF) Proposed: 37.8% (3,847 SF) Required: 45% (4,585 SF) ***Variance required****	**Cubic Content Ratio (CCR)**	Existing: 4.05 Proposed: 4.41 Permitted: 4.0 ***Variance required***
Crown of Road (COR)	8.74' NAVD (Seminole)	**Finished Floor Elevation**	8.93' NAVD (garage)
Surrounding Properties / Zoning			
North	1992 One-story Single-family residence / R-B		
South	1969 One-story Commercial / C-TS		
East	Vacant (pool) / R-B		
West	1974 Two-story synagogue Temple Emanuel / C-TS		

STAFF ANALYSIS

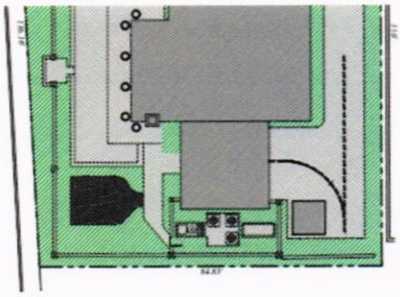
This application is presented to the Commission to consider whether all of the criteria in Sec. 18-205 have been met. A review of the project indicates that the application, as proposed, appears to be inconsistent with the abovementioned sections of the Town zoning code.

The proposal is for a construction of a 478 SF second story addition above an existing one-story garage requiring a variance from setback requirements and to exceed Cubic Content Ratio (CCR). Variance #1 seeks to establish to permit the reduction by 1'-0" of the required side (south) setback for the addition of the second floor. The existing setback is 14'-)" and for ease of construction that applicant is proposing to build coterminous to the one-story portion. One story structures setback have a requirement of 12'-6" that is increased to 15'-0" for two story portions.

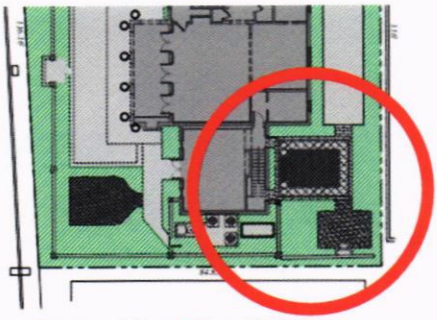


Staff is supportive of the request as the setback relief impacts only the southern property which is commercially zoned.

As it pertains to Variance #2, to forgo 2 required off-street parking spaces in an enclosed garage to convert it to storage space and vertical circulation, staff is supportive of the request. The garage is located in the southeastern portion of the site and accessed from Seminole Avenue in a long driveway approach.

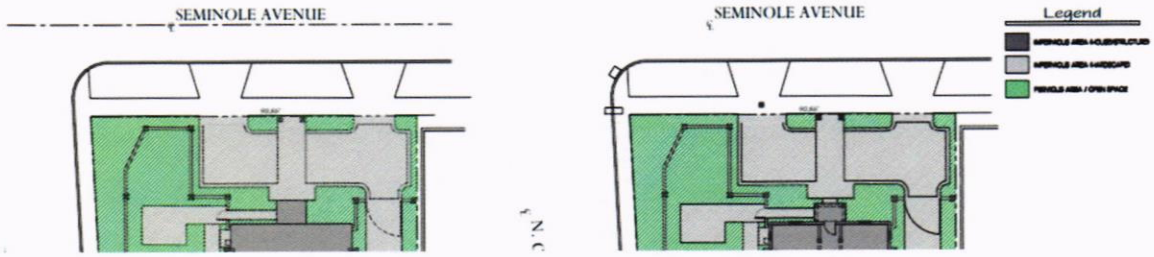


Existing Open Space Graphic



Proposed Open Space Graphic

The front motorcourt is designed with a circular driveway configuration which can accommodate the required on-site "storage" of two parked vehicles and the elimination of the expansaive rear paved area and backup portion of the driveway driveway improves the overall landscape open space of the site.



As it pertains to Variance #3, to exceed the maximum Cubic Content Ratio (CCR) of 4.41 in lieu of the 4.0 maximum allowed and the 4.05 existing, staff maintains that the approval will increase the overall mass of the building. Designed in 2003, the structure features a one story portion in the southern portion of the site. At times, one-story portions of houses can serve as transitional designs to sensitively address massing concerns to abutting properties; however, this garage portion abuts the discordant zoning commercial district C-TS which allows three stories in height under the special exception process. The garage is located 28'-6" setback from the eastern property line that

abuts a site improved with a pool and garden lawn. The structure is located14'-0" setback from the southern property line and abuts a one-story commercial building. There certainly has been much discussion over the merit of CCR in reducing or controlling the massing of the property. The subject structure is currently over the allowable CCR (likely an oversight during permit review). In this instance, staff opines that the addition of the new second floor over the existing one-story portion would not overwhelm the overall massing of the property on site—as the main design features a square two-story mass more proximate to both streets at the corner site.

As it pertains to Variance #4, to reduce the required Landscape Open Space (LOS) of 37.8% in lieu of the 45% minimum required, staff is supportive of the request due to the circumstances of the zoning requirement. Per the record plans, at the time of its construction, the property complied with the minimum Landscape Open Space requirements-which in 2003 was 40%. This was increased in 45% in 2005, pursuant to Ord. 01-05. The applicant has made considerable efforts to bring the subject property to compliance. The existing condition is 36%, or 3,647 SF of green space. The applicant through the reduction of the rear garage access driveway increased this amount by 200 SF to 3,847 SF.

Approval of the subject project will require two (2) separate motions to be made by the Architectural Review Commission: (1) that the overall design of the project is in accordance with the criteria provided below, subject to any imposed conditions, and (2) that the implementation of the proposed variances will or will not cause negative architectural impact to the subject property.

Approval of the project will require one motions to be made by Town Council: (1) for the granting of the variances.

WRB:JGM

RECEIVED
By yfigueroa at 8:26 am, Feb 09, 2023

SMITH AND MOORE ARCHITECTS, INC.

Harold Smith • Jonathan Moore • Peter Papadopoulos • Daniel Kahan

Re: 176 Seminole Avenue
Palm Beach, FL 33480

January 4, 2023
UPDATED: January 18, 2023

LETTER OF INTENT (LOI)
ARC-23-032
ZON-23-041

PROPOSED RENOVATION TO A TWO-STORY HOUSE IN THE R-B DISTRICT

Please find for review the attached drawings for our project at 176 Seminole Avenue in the R-B Zoning District of Palm Beach. The existing house on the property was built in 2005. The proposal is for a second-story addition above an existing garage. As part of the project, the existing garage will be converted into storage and vertical circulation to the new space above. The area of driveway that is being removed will be converted into a garden. No changes are being proposed to the existing footprint or existing volume of the residence. We believe the proposal is in accordance with the following guidelines:

ARCHITECTURAL REVIEW IN ACCORDANCE WITH SECTION 18-205 AND 18-206:

Sec. 18-205. - Criteria for building permit.

1. The plan for this proposed residence is in conformity with good taste and design and in general contributes to the image of the town and neighborhood as a place of beauty, spaciousness, balance, charm and high quality.
2. The plan for the proposed building or structure is reasonably protected against external and internal noise and other factors that would tend to make the environment less desirable.
    a. The plans show that major entertaining spaces are centrally located on the site placing these spaces far as possible from neighboring properties.
    b. The pool area is located at the rear of the residence.
    c. The proposed generator and pool equipment are located in a walled enclosure on the North side of the house.
3. The proposed building exterior design and appearance is not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance value.
4. The proposed residence is in harmony with the proposed developments on land in the general area and with the compressive plan for the town.

1500 South Olive Avenue • West Palm Beach, Florida 33401
Telephone (561) 835-1888 • Fax (561) 832-7015
www.smithmoorearchitects.com • Florida AAC No. 001285

5. The proposed residence is not excessively similar to any other structure existing or within 200 feet of the proposed site in respect to one or more of the following features of the exterior design and appearance:

    a. This proposal does not have apparently visible identical front or side elevations.
    b. This proposal does not have substantially identical size and arrangement of either doors, windows, porticos or other opening or breaks in the elevation facing the street, including reverse arrangement.
    c. We do not have other significant identical features of design such as, but not limited to, material roof line and height of other design elements.
6. The proposed residence is not excessively dissimilar in relation to any other structures existing or within 200 feet of the proposed site in respect to one or more of the following features:
    a. Height of building or height of roof.
    b. Other significant design features including, but not limited to, materials or quality of architectural design.
    c. Architectural compatibility.
    d. Arrangements of components of the structure.
    e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
    f. Diversity of design that is complimentary with the size and massing of adjacent properties.
    g. Design features that will avoid the appearance of mass through improper proportions.
    h. Design elements that protect the privacy of a neighboring property.
7. The proposed addition or accessory structure is subservient in style and massing to the principal or main structure. This is not applicable; however, the design keeps the garage wing subservient to the principal mass.
8. The proposed residence is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
9. The proposed development is in conformity with the standards of this code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved. The proposed design meets the zoning code without requiring variances.
10. The projects 'location and design adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways and similar features. The proposed residence does not negatively impact any existing natural features.

Sec. 134-201. - Criteria for Variances.

VARIANCE 1: Section 134-893(b)(9): A variance to allow the proposed addition with a rear yard setback of 14 feet in lieu of the 15 foot minimum required.
VARIANCE 2: Section 134-2179(b): A variance to forgo 2 required off-street parking spaces in an enclosed garage to convert it to storage space and vertical circulation.
VARIANCE 3: Section 134-893(13): A variance for Cubic Content Ratio (CCR) of 4.41 in lieu of the 4.0 maximum allowed and the 4.05 existing.
VARIANCE 4: 134-893(b)(12)(a): A variance for a Landscape Open Space (LOS) of 37.8% in lieu of the 45% minimum required.
1) The property is located in the R-B Zoning District and the residence was constructed in 2005 and non-conforming to today' s code in area as well as situated on an irregular shaped corner lot.

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2) The applicant was not the cause of the special conditions of the property or residence. The non-conformities and irregularities of the lot were existing prior to the applicant owning the property.
3) The granting of the variances will not confer on the applicant a special privilege that is denied to the neighboring properties.
4) The hardship, which runs with the land, is that the property is nonconforming, irregular in shape and is situated on a corner. The existing garage, although conforming to code, is not functional because of the narrow driveway.
5) The variances requested are the minimum necessary to make reasonable use of the land considering the non-functioning garage and opportunity to bring the home up to today's living standards and add greenspace.
6) The granting of the variances will not be injurious to the neighborhood. A renovated single family residence will be beneficial to the neighborhood.

Sincerely,

Daniel Kahan
Principal Architect

1500 South Olive Avenue · West Palm Beach, Florida 33401
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TOWN OF PALM BEACH

Town Council Meeting Development Review on: April 4, 2023

Section of Agenda
Time Extensions, Waivers and Three Strikes

Agenda Title
Permit Extension - 250 Queens Lane

Presenter

ATTACHMENTS:

- **PZB Staff Memorandum**

TOWN OF PALM BEACH

Information for Town Council Meeting on: April 4, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: Waiver of Town Code Section 18-237, For Building Permit Extension at 250 Queens Lane

Date: March 20, 2023

STAFF RECOMMENDATION

Staff recommends that the Town Council consider the request from contractor Blueline Construction Group (Scott Nelson) regarding a time extension in which to complete renovations and additions at 250 Queens Lane and to extend the permit duration until August 17, 2023 – another six months.

GENERAL INFORMATION

The property is owned by Mara Raphael & John Mendell. They purchased the property in May of 2020. Work began in late 2021. Based upon the size of the home and additions, the permit was originally valid for 16 months. The contractor states in his February 17, 2023, letter that the trusses took eight (8) months to receive, along with other changes to the project as directed by the owner. The master permit expired on February 7, 2023.

They are requesting approval to extend the permit by six months, which will have an expiration date of August 17, 2023.

Staff has no objection to this request.

Attachments: Letter from Scott Nelson, Blueline Construction Group
Permit Summary for the Property
Property Appraiser Details for the Property

February 17, 2023

Town of Palm Beach
Building Division
Attn: Wayne Bergman

Re: 250 Queens Lane Permit Extension

Mr. Bergman,

Good morning. It has come to my attention that our permit **(#B 21 89379)** expired on February 7, 2023, and unfortunately, we are not completed with the project.

We have encountered numerous delays starting with the trusses that took eight (8) months to receive along with owner changes. I do not want to give you excuses but we are requesting an extension of six (6) months to complete the project. My project manager thinks it can be done in five, but I want to request six months in case there are any other unforeseen delays.

Respectfully submitted,

Scott Nelson
561-281-8714
Scott@bluelineconstructiongroup.com
CGC 1527899

Property Detail

Parcel Control Number:	50-43-43-03-12-000-0810	Location Address:	250 QUEENS LN		
Owners:	MENDELL JOHN R JR ,RAPHAEL MARA				
Mailing Address:	250 QUEENS LN,PALM BEACH FL 33480 3240				
Last Sale:	MAY-2020	Book/Page#:	31468 / 1811	Price:	$2,900,000
Property Use Code:	0100 - SINGLE FAMILY	Zoning:	R-B - Low Density Residential (50-PALM BEACH)		
Legal Description:	PALM BEACH SHORES - PALM BEACHLTS 81 TO 83 INC & W 17 FT OF LT 84	Total SF:	2394	Acres	0.1662

2022 Values (Current)

Improvement Value	$980,800
Land Value	$2,526,062
Total Market Value	$3,506,862
Assessed Value	$2,103,536
Exemption Amount	$50,000
Taxable Value	$2,053,536

All values are as of January 1st each year.

2022 Taxes

Ad Valorem	$31,983
Non Ad Valorem	$864
Total Tax	$32,847

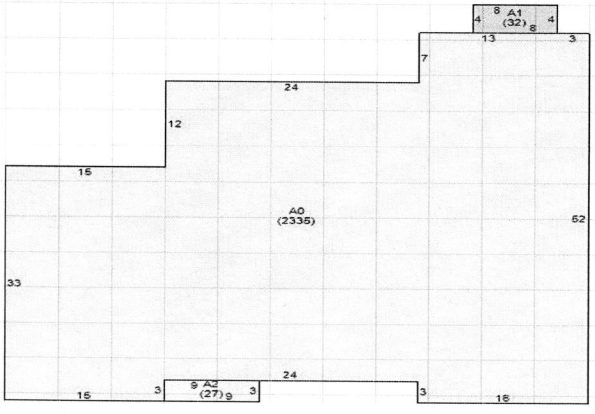
2023 Qualified Exemptions

Homestead
Additional Homestead

Applicants

MENDELL JOHN R JR &
RAPHAEL MARA

Building Footprint (Building 1)



Subarea and Square Footage (Building 1)

Description	Area Sq. Footage
FST Finished Storage	32
BAS Base Area	2335
FOP Finished Open Porch	27
Total Square Footage :	2394
Total Area Under Air :	2335

Extra Features

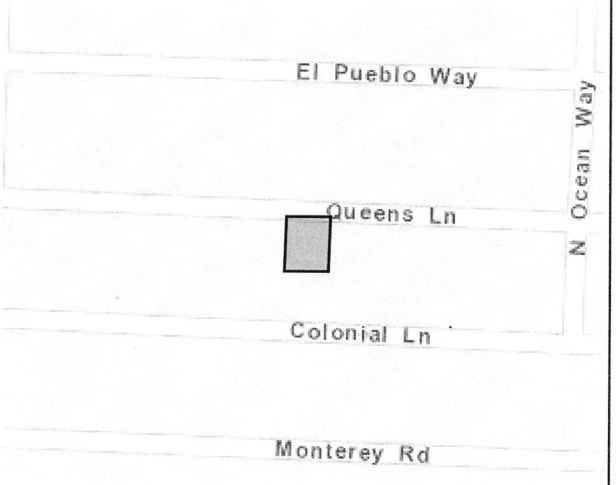
Description	Year Built	Unit
Patio	1968	225
Pool - In-Ground	1968	1

Unit may represent the perimeter, square footage, linear footage, total number or other measurement.

Structural Details (Building 1)

Description	
1. Exterior Wall 1	WSF: STUCCO
2. Year Built	1968
3. Air Condition Desc.	HTG & AC
4. Heat Type	FORCED AIR DUCT
5. Heat Fuel	ELECTRIC
6. Bed Rooms	4
7. Full Baths	3
8. Half Baths	0
9. Exterior Wall 2	NONE
10. Roof Structure	GABLE/HIP
11. Roof Cover	CONCRETE TILE
12. Interior Wall 1	DRYWALL
13. Interior Wall 2	N/A
14. Floor Type 1	CARPETING
15. Floor Type 2	N/A
16. Stories	1

MAP



Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcgov.org/PAPA 3/17/2023

Owner: MENDELL JOHN R JR ,RAPHAEL MARA PCN: 50434303120000810 1 of 1

Permit number	Permit type	Permit type name	Permit description	Permit Address	Customer Nu	Customer	Customer Last Name	Applicati	Issue date	Approval state
A-23-02796	a-a01	A-ARCOM STAFF APPROVAL	ARCOM- REMOVAL OF SOUTH SITE WALL, REMOVAL OF POOL AND LANDSCAPE MODIFICATIONS.	250 QUEENS LN	603092		NIEVERA WILLIAMS DESIGN INC	2/8/2023	3/2/2023	final
U-23-12330	u-p02	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** DELIVERY OF DRYWALL	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	1/30/2023	2/10/2023	issued
U-22-12128	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: Scott Nelson - (561) 281-8714	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	12/16/2022	12/27/2022	issued
U-22-12129	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: Scott Nelson - (561) 281-8714	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	12/16/2022	12/27/2022	issued
U-22-11281	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	9/19/2022	9/20/2022	final
U-22-11282	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	9/19/2022	9/20/2022	final
U-22-10596	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	7/20/2022	8/18/2022	final
U-22-10597	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	7/20/2022	8/18/2022	final
U-22-10415	u-p02	U-USE OF/WORK IN ROW	PARKING LARGE CONSTRUCTION VEHICLE USE OF ROW LOADING AND UNLOADING OF DUMP TRUCKS (4-6 LOADS). DUMP TRUCK PARKED ON ROAD. MACHINE LOADING FROM INSIDE THE PROPERTY.	250 QUEENS LN	542582		S MACDONALD CONTRACTING LLC	7/5/2022	7/15/2022	issued
U-22-10083	u-p02	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- DELIVERY OF ROOF TILES, UNLOAD TRUCK	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	5/25/2022	6/10/2022	issued
U-22-09930	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	5/6/2022	5/13/2022	final
U-22-09931	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	5/6/2022	5/13/2022	final
U-22-09664	u-p02	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** ROW TRUCK PARKING TO OFF LOAD TRUSSES.	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	4/7/2022		canceled
U-22-09472	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	3/1/2022	3/7/2022	final
U-22-09473	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER*****CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	3/1/2022	3/7/2022	final
B-22-92706	b-r01	R-REVISION	REVISION BUILDING: UPDATED NOA'S FOR NEW WINDOWS/DOORS.	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	1/6/2022	1/10/2022	final
U-22-09123	u-p05	U-CONSTRUCTION PARKING	PARKING FOR TWO (2) TRUCKS	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	1/4/2022	1/20/2022	final
U-22-09124	u-p05	U-CONSTRUCTION PARKING	PARKING FOR TWO (2) TRUCKS	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	1/4/2022	1/20/2022	final
B-21-92086	b-r03	FEE CHARGE	REFUND FOR PARKING THAT WAS NOT APPROVED IN PUBLIC WORKS	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	11/17/2021	11/17/2021	final
U-21-08757	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	11/1/2021	11/12/2021	final
U-21-08758	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	11/1/2021	11/12/2021	final
U-21-08759	u-p05	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	11/1/2021		canceled
U-21-08735	u-p02	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF ROW FOR EXCAVATOR DROP OFF	250 QUEENS LN	605393		RAPID REMOVAL INC	10/28/2021	11/4/2021	issued
B-21-90980	b-f01	F-FLOOD PLAIN DEVELOPMENT	(SEE PERMIT CONDTIONS) FLOOD PLAIN DEVELOPMENT - RENOVATION (INTERIOR & EXTERIO	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	8/31/2021	10/7/2021	issued
B-21-90507	b-e01	E-ELECTRICAL	INSTALL 200A OVERHEAD TEMPORARY POWER POLE	250 QUEENS LN	534389		PANEL ELECTRIC INC	8/3/2021	10/19/2021	issued
B-21-89379	b-b01	B-RESIDENTIAL NEW CONSTRUCTION/ADDITION	*****PRIVATE PROVIDER*****(SEE PERMIT CONDITIONS) INTERIOR AND EXTERIOR RENOVATION (ADDING SQ FT PER CONTRACTOR)	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	6/2/2021	10/7/2021	issued
A-21-01656	a-a01	A-ARCOM STAFF APPROVAL	STAFF APPROVAL: MINOR HANRDSCAPE & LANDSCAPE REVISIONS, MINOR ARCHITECTURAL REVISIONS	250 QUEENS LN	603092		NIEVERA WILLIAMS DESIGN INC	5/10/2021	5/11/2021	final
B-21-88415	b-d02	D-DEMOLITION	*****PRIVATE PROVIDER***** INTERIOR & EXTERIOR SELECTIVE DEMO-REMOVAL OF POOL AND HARDSCAPE. OWNER LISTED AS MENDELL	250 QUEENS LN	605891		BLUELINE CONSTRUCTION GROUP LLC	4/14/2021	6/14/2021	issued

Count: 58

<Filter is Empty>

TC Development Review Meeting Backup 4-04-2023

Permit number	Permit type	Permit type name	Permit description	Permit Address	Customer Nu	Customer	Customer Last Name	Applicati	Issue date	Approval state
Z-20-00307	z-01	Z-DEVELOPMENT REVIEW PERMIT	1) Section 134-229; Section 134-329 and Section 134-893(b): Special Exception with Site Plan Review to allow the renovation of an existing one story residence by demolishing more than 50% cubic on a lot with a width of 77 feet in lieu of the 100 foot minimum required, a depth of 94 feet in lieu of the 100 foot minimum required, and an area of 7,238 square feet in lieu of the 10,000 square foot minimum required in the R-B Zoning District. Additionally, the applicant is proposing to construct a 409 square foot one story master bedroom addition and add a cabana and swimming pool that will require the following variances to be requested: 2) Section 134-893(7): to allow a west side yard setback for the addition and to allow the house to remain non-conforming with both having a setback of 5.3 feet in lieu of the 12.5 foot minimum required in the R-B Zoning District. 3) Section 134-893(12): to allow the non-conforming landscape open space to remain at 28.5% in lieu of the 45% minimum required. 4) Section 134-1757: to allow a swimming pool with a 5.2 foot rear yard setback in lieu of the 10 foot minimum required. 5) Section 134-2179: To eliminate the requirement for the two car garage that is required for a demolition of more than 50% cubic foo	250 QUEENS LN	602091		KOCHMAN AND ZISKA	11/10/2020		pending
B-17-68899	b-r01	R-REVISION	REVISION ELECTRICAL RISER PLAN	250 QUEENS LN	603987		WINGATE CORPORATION LLC	11/29/2017	7/9/2018	final
B-17-67108	b-r01	R-REVISION	REVISION BUILDING AS BUILTS/ELECTRCAL AS BUILTS NO CHANGE IN VALUE	250 QUEENS LN	603987		WINGATE CORPORATION LLC	9/1/2017	9/13/2017	final
B-16-61629	b-g01	G-GAS	SUB GAS - INSTALL 3/4 CSST GAS LINE FOR RANGE.	250 QUEENS LN	603987		WINGATE CORPORATION LLC	12/21/2016	12/28/2016	final
B-16-61382	b-b11	B-WINDOWS/DOORS/SHUTTERS/GARAGE DOORS	SUB WINDOW - WINDOW INSTALLATION-DRAWING SUBMITTED WITH ORIGINAL PERMIT	250 QUEENS LN	603987		WINGATE CORPORATION LLC	12/5/2016	1/19/2017	final
B-16-61293	b-r01	R-REVISION	REVISION- BUILDING- STRENGTHENING TRUSSES OVER DINING ROOM AREA	250 QUEENS LN	603987		WINGATE CORPORATION LLC	11/29/2016	12/7/2016	final
B-16-60157	b-e01	E-ELECTRICAL	SUB- ELECTRICAL- WIRING AS PER APPROVED PLANS (TAKING OVER B-15-52202-NO INSPECTIONS UNDER THIS PERMIT) SEE DISCHARGE LETTER ATTACHED	250 QUEENS LN	603987		WINGATE CORPORATION LLC	9/26/2016	10/5/2016	final
B-16-59528	b-r01	R-REVISION	REVISION- BUILDING & ELECTRICAL- REVISION SEE CLOUDED AREA	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/30/2016	9/8/2016	final
B-16-59030	b-r02	R-CHANGE OF CONTRACTOR/QUALIFIER	TAKING OVER PERMIT B15-52202 PER TRAFNSER LETTER FROM PREVIOUS GC TIM GIVENS - NEW GC WINGATE - INTERIOR DEMO.	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/9/2016		canceled
B-16-58866	b-r02	R-CHANGE OF CONTRACTOR/QUALIFIER	TAKING OVER PERMIT B15-52190 PER TRANSFER LETTER FROM PREVIOUS GC TIM GIVENS - NEW GC WINGATE - INTERIOR DEMO.	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/3/2016		canceled
B-16-58868	b-r02	R-CHANGE OF CONTRACTOR/QUALIFIER	TAKING OVER PERMIT B-15-52188 PER TRANSFER LETTER FROM PREVIOUS CONTRACTOR MICHALE CHRISTIE PLUMBING - NEW MATTIS PLUMBING	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/3/2016		canceled
B-16-58872	b-d01	D-INTERIOR DEMOLITION	TAKING OVER PERMIT B15-52187 PER TRANSFER LETTER FROM PREVIOUS GC TIM GIVENS TO NEW GC WINGATE - ORIGNAL VALUE $1500.00 NEW VALUE THIS PERMIT $10,000 - FEE ON DIFFERENCE $85	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/3/2016	8/5/2016	final
B-16-58873	b-p02	P-DEMOLITION	TAKING OVER PERMIT B-15-52188 PER ATACHED TRANSFER LETTER - ORIGINAL CONTRACTOR MICHAEL CHRISTIE NEW CONTRACTOR MATTIS PLUMBING - ORIGINAL VALUE $500 DIFFERENCE $1000 THI	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/3/2016	8/5/2016	final
B-16-58874	b-b02	B-RESIDENTIAL ALTERATION	TAKING OVER PERMIT B-15-52290 PER TRANSFER LETTER FOR BATHROOM REMODEL MASTER BATHROOM REMODEL GUEST - INTERIOR ALTERAITON. ORIGINAL VALUE $15,000 NEW VALUE $153,150 D	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/3/2016	8/5/2016	final
B-16-58875	b-p01	P-PLUMBING	TAKING OVER PERMIT B-15-52291 PER LETTER FOR BATHROOM REMODEL - BATHROOM GUEST INTERIOR ALTERATION PLUMBING - ORIGINAL VALUE $1500 NEW VALUE $12400 - DIFFERENCE THIS PER	250 QUEENS LN	603987		WINGATE CORPORATION LLC	8/3/2016	8/5/2016	final
B-15-54033	b-r04	R-PERMIT UPDATE-CHG OF PLANS & VALUE/CORRECTION	PERMIT UPDATE & ADD VALUE; REPLACE EXISTING FPE 200 AMP PANEL W/NEW 200 AMP SQ D PANEL. +1000.00.	250 QUEENS LN	534389		PANEL ELECTRIC INC	12/29/2015	12/30/2015	final
B-15-53484	b-r01	R-REVISION	REVISION-MECHANICAL PLAN- (1 PAGE/3 COPIES)	250 QUEENS LN	535132		TIM GIVENS BLDG & REMODELING I	11/23/2015	12/2/2015	final
B-15-52290	b-b02	B-RESIDENTIAL ALTERATION	COMPLETE REMODEL IN KTICHEN (1) BATHROOM, PER PLAN	250 QUEENS LN	535132		TIM GIVENS BLDG & REMODELING I	10/5/2015	10/12/2015	canceled
B-15-52291	b-p01	P-PLUMBING	SUB- PLUMBING WORK FOR KITCHEN AND BATHROOM	250 QUEENS LN	535132		TIM GIVENS BLDG & REMODELING I	10/5/2015	10/12/2015	canceled
B-15-52292	b-m01	M-MECHANICAL	SUB- MECHANICAL- REPLACE ALL DUCT WORK & GRILLS DUE TO MOLD (EMERGENCY)	250 QUEENS LN	535132		TIM GIVENS BLDG & REMODELING I	10/5/2015	10/12/2015	final
B-15-52202	b-e01	E-ELECTRICAL	SUB- ELECTRIC WORK FOR KITCHEN AND BATHROOM REMODEL	250 QUEENS LN	535132		TIM GIVENS BLDG & REMODELING I	10/1/2015	10/12/2015	canceled

Count: 58

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TC Development Review Meeting Backup 4-04-2023