TENTATIVE:
SUBJECT TO
REVISION

TOWN OF PALM BEACH

TOWN MANAGER'S OFFICE

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

DECEMBER 13, 2017

9:45 AM

Town Council Meeting

Welcome!

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

I. CALL TO ORDER AND ROLL CALL

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

IV. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. APPROVAL OF AGENDA

VII. PUBLIC HEARINGS

A. RESOLUTION NO. 210-2017 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 142 Seaspray Avenue 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. Page 9

B. RESOLUTION NO. 211-2017 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 315 Seaspray Avenue 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. Page 40

VIII. DEVELOPMENT REVIEWS

A. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

a. **SITE PLAN REVIEW #1-2017** The application of 235 Via V PB LLC (Stuart Kapp, Manager); relative to property commonly known as **235 Via Vizcaya**., described as lengthy legal description on file; located in the R-A Zoning District. The applicant is requesting a site plan review to allow the construction of a 7,444 square foot two-story, single family residence on a non-conforming platted lot which is 15,344 square feet in area in lieu of the 20,000 square foot minimum area required; 47.25 in width in lieu of the 125 foot minimum required; and 97.58 feet in depth in lieu of the 150 foot minimum required. [Attorney: Frank Lynch, Esq.] [The Architectural Commission denied the project at the September 27, 2017 meeting. Carried 4-3] **Request for Deferral to January 15, 2018 Town Council Meeting per Letter Dated November 7, 2017 from Francis Lynch** Page 65

b. **VARIANCE #21-2017** The application of Vera Alfieri Monforte; relative to property commonly known as **218 Miraflores Dr.,** described as lengthy legal description on file; located in the R-B Zoning District. The applicant is proposing to construct a 1,230 square foot second story addition on the west side of the one story residence that will create two bedrooms, a gym and two bathrooms. The following variances are being requested: 1) lot Page 67

coverage of 33.7% in lieu of the 30% maximum allowed for a two story residence, 2) a west side yard setback of 13 feet in lieu of the 15 foot minimum required, 3) a rear yard setback of 13.91 feet in lieu of the 15 foot minimum required. [Attorney: Maura Ziska, Esq.] [The Architectural Commission deferred the project to the January 24, 2018 meeting. Carried 7-0.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated December 4, 2017 from Maura Ziska**

c. **Z-17-00034 SITE PLAN REVIEW** Zoning District: R B Low Density Residential. The application of SHULMAN ALAN L, Owner, relative to property located at **377 N LAKE WAY**, legal description on file, is described below. Site Plan Review to allow the construction of a 7,465 square foot two story, single family residence on a non conforming platted lot which is 89.11 feet in width in lieu of the 100 foot minimum width required in the R B Zoning District. [Applicant's Representative Maura Ziska Esq] [The Architectural Commission deferred the project to the January 24, 2018 meeting. Carried 7-0.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated December 4, 2017 from Maura Ziska** Page 69

2. New Business

a. **Z-17-00020 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: CT-S Town-Serving Commercial. The application of CARRIAGE HOUSE PROPERTIES PART, Owner, relative to property located at **264 S COUNTY RD** SUITE: SITE, legal description on file, is described below. PLEASE NOTE: THIS PROJECT ENCOMPASES BOTH 264 & 270 S COUNTY RD. 1. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the CT-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation: Sunday through Wednesday 11:00 a.m. to 12:00 midnight; Thursday through Saturday 11:00 a.m. to 2:00 a.m. 2. A request for a special exception to provide 68 night-time (after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House. [Applicant's Representative: Maura Ziska Esq] Page 71

b. **Z 17 00031 VARIANCE(S)** Zoning District: R A Estate Residential The application of SOLIMINE EMIL &, Owner, relative to property located at **830 S OCEAN BLVD**, legal description on file, is described below. A variance request to allow the construction of a 590 square foot two story infill addition for two guest bedrooms that will result in a lot coverage of 26.2% in Page 336

lieu of the 24.6% existing and the 25% maximum allowed. [Applicant's Representative Maura Ziska Esq] **Request for Withdraw per Letter Dated October 25, 2017 from Maura Ziska.**

c. **Z-17-00042 SITE PLAN REVIEW WITH VARIANCE(S)** Page 338
Zoning District: R-A Estate Residential. The application of OCEAN VILLA HOLDINGS LLC, Owner, relative to property located at **1700 S OCEAN BLVD,** legal description on file, is described below. Site Plan Review to allow construction of a new 8,917 square foot two-story residence on a non-conforming platted lot which is 15,005 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning District and 100 feet in depth in lieu of the 150 foot minimum depth required in the R-A Zoning District. The following variance is being requested in conjunction with this application:
1) A request to have a building height plane setback of 53 feet in lieu of the 59 foot minimum setback required. 2) A request to allow the existing 3-4 foot wall to remain as screening for the proposed swimming pool in lieu of the 6 foot minimum height required when a swimming pool is located in the street side yard. 3) A request to eliminate the requirement to have a 6 foot tall hedge on the outside of the required wall. [Applicant's Representative: Maura Ziska Esq] [The Architectural Commission deferred the project to the January 24, 2017 meeting. Carried 6-0 with all in favor.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated December 4, 2017 from Maura Ziska**

d. **Z-17-00043 VARIANCE(S)** Zoning District: R-B Low Density Residential. The application of HORGEN JAY C &, Owner, relative to property located at **322 CLARKE AVE**, legal description on file, is described below. The subject property is 33,082 square feet in total area. The applicant is requesting a variance to split the lot which would result in one lot with 85 feet of frontage on Clarke Avenue in lieu of the 100 foot minimum width required in the R-B Zoning District. The two resulting lots would have the following areas: 310 Clarke Avenue (east lot) - 15,198 square feet; and 322 Clarke Avenue (west lot) - 17,883 square feet. Both parcels would exceed the minimum area requirement in the R-B Zoning District, which is 10,000 square feet. All improvements will be removed from 310 Clarke Avenue and the following variances are being requested in order to split the properties and return 322 Clarke Avenue back to its previous condition: 1. To have an east side yard setback for the main house of 8 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 2. To have an east side yard setback for the guest house/garage of 5.9 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 3. To have a cubic content ratio of 4.55 in lieu of the 3.92 maximum allowed; 4. To have a landscaped Page 344

open space in the front yard of 29.2 % in lieu of the 40 % minimum required. 5. To allow the two story detached garage to remain on 322 Clarke Avenue once the lot is split and becomes less then 20,000 square feet which would only allow a one story accessory structure with a l 5 foot height. [Applicant's Representative: Maura Ziska Esq] [Landmarks Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the landmark property with the caveat to improve the variance for the landscape open space conditions in the front of the property. Carried 7-0.]

e. **Z-17-00044 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: PUD-A Planned Unit Development A. The application of BREAKERS PALM BEACH INC, Owner, relative to property located at **1 S COUNTY RD SUITE: HOTEL**, legal description on file, is described below. This application requests Special Exception approval to expand the seating capacity of the existing Seafood Bar restaurant. More efficient internal space utilization will allow an additional 53 seats in the previously-approved 6,111 square foot restaurant, for a total of 230 seats. No additional restaurant square footage is requested. [Applicant's Representative: James M. Crowley Esq] Page 349

f. **Z-17-00045 VARIANCE(S)** Zoning District: R-A Estate Residential. The application of TROPIN KENNETH G TRUST, Owner, relative to property located at **1695 N OCEAN WAY**, legal description on file, is described below. This application is a request to approve two side (north) setback variances for existing structures at 1695 North Ocean Way: the main house and the guest house. The applicant is proposing to combine the lots at 1565 and 1695 North Ocean Way into a single lot by Unity of Title, which causes the combined lot area to exceed 60,000 S.F., thereby increasing the side setback from a minimum of 15' to a minimum of 30'. Both the main house and the guest house, which meet existing setback requirements, will become nonconforming as a result of the lot combination. The main house setback is 15.1' in lieu of the 30' minimum required for lots over 60,000 S.F., and the guest house setback is 15.2' in lieu of the 30' minimum required for lots over 60,000 S.F. No further encroachments into the setback are requested or authorized pursuant to this application. [Applicant's Representative: James M. Crowley Esq] Page 352

g. **Z-17-00046 SPECIAL EXCEPTION** Zoning District: C-TS Town-Serving Commercial. The application of PEMS PARTNERSHIP LTD, Owner, relative to property located at **180 ROYAL PALM WAY**, legal description on file, is described below. Section 134-1109(b) - A special exception request for approval to use the subject building totaling 13,559 square foot as a bank (IBERIABANK). The subject tenant space was most recently used as a Sabadell United Bank, N.A. branch office with Page 356

its customers and clients being more than 50% town persons in satisfaction of the requirements of Section 134-299(12). [Applicant's Representative: Peter Broberg Esq]

h. **Z-17-00047 VARIANCE(S)** Zoning District: R-B Low Density Residential. The application of MANOOGIAN ARMEN A TRUST, Owner, relative to property located at **224 S OCEAN BLVD,** legal description on file, is described below. Construction of three dormers on existing third story. 1. Sec. 134-893 (b)(10)b To allow a building height of +37'-7 1/2" in lieu of the 22'-0" maximum allowable. 2. Sec. 134-893 (b)(10)c 134-2: To allow an overall building height of 42'-1 3/4" in lieu of the 30'-0" maximum allowable. 3. Sec. 134-2 Definitions Building, height of (applicable only in the R-B districts) To allow dormer windows in a non-habitable third story space which is not permitted by Code. [Applicant's Representative: Jose Gonzalez, Architect] [The Architectural Commission deferred this project to the January 24, 2017 meeting. Carried 6-0 with all in favor.] **Request for Deferral Per Letter Dated December 7, 2017 from Jose Gonzalez** Page 359

3. Other

IX. ORDINANCES

A. First Reading

1. ORDINANCE NO. 30-2017 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, As Follows: At Article I, In General, Section 134-2, Definitions And Rules Of Construction, By Creating Definitions For An Outdoor Promotional Event Use And A Property Identification Yard Sign; At Article VI, District Regulations, Sections 134-1109, 134-1159 And 134-1259, Special Exception Uses, By Conditionally Allowing Outdoor Promotional Events As A Special Exception Use In The C-TS, C-WA And C-PC Commercial Zoning Districts; At Article VIII, Supplementary District Regulations, By Adding A Division 18, Outdoor Promotional Activities, Section 134-2115, Standards And Criteria For Outdoor Promotional Activities; At Article XI, Signs, By Modifying Section 134-2437, Building Identification, Business Identification Signs, By Adding "Property Identification Yard Signs" To The Title And Allowing Property Identification Yard Signs On Properties That Meet Certain Criteria In All Of The Commercial Zoning Districts; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date Page 364

X. ANY OTHER MATTERS

XI. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: No written materials received after 3:30 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

Note 3: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

Note 5: Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 6: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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

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

COMMUNICATIONS 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 Any citizen is entitled to be heard on any official agenda item

ITEMS: 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: December 13, 2017

Section of Agenda
Public Hearings

Agenda Title
RESOLUTION NO. 210-2017 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 142 Seaspray Avenue 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.

Presenter

ATTACHMENTS:

- **Memorandum Dated November 21, 2017 From John S. Page, Director of Planning, Zoning & Building**
- **Resolution # 210-2017**
- **142 Seaspray Avenue Designation Report**
- **Exceprt of Landmarks Preservation Commission Meeting of November 13, 2017**
- **Landmark Designation Procedure**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director of Planning, Zoning and Building

Re: Landmark Designation of 142 Seaspray Avenue
Resolution No. 210-2017

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends ratification of the property known as 142 Seaspray Avenue as a Town landmark.

LANDMARKS PRESERVATION COMMISSION RECOMMENDATION

At the Public Hearing for Designation held during the November 13, 2017 meeting of the Landmarks Preservation Commission, the Commission voted (7-0) to recommend to the Town Council that the above mentioned property be designated as a landmark. In accordance with Section 54-164 (a) (11) of Chapter 54 of the Town of Palm Beach Code of Ordinances, the Town Council shall hold a public hearing within ninety (90) days of the final decision of the Landmarks Commission to consider ratification of the Commission's recommendation.

GENERAL INFORMATION

The property meets the following criteria for designation as a landmark of the Town of Palm Beach:

> Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
>
> Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or a specimen inherently valuable for the study of a period, style, method of construction or 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.

OWNER CONSENT

The property owner, Mockingbird Home LLC, was properly notified of the hearing before the Landmarks Preservation Commission. They have consented to the pending designation. No person attended for the owner.

TOWN ATTORNEY REVIEW

Please be advised that the Town Attorney has reviewed Resolution No. 210-2017 relating to 142 Seaspray Avenue, and has approved it as to legal form and sufficiency.

Attachments

cc: John C. Randolph, Town Attorney
John Lindgren, AICP, Planning Administrator
Janet Murphy, Town Consultant
Emily Stillings, Town Consultant
Mockingbird Home LLC

RESOLUTION NO. 210-2017

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 142 SEASPRAY AVENUE 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 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 designated, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as **142 Seaspray Avenue** and the property to be landmarked is legally described as follows:

LOTS 495 AND 497, OF POINCIANA PARK 2ND ADDITION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 86, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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 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 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 Town Council of the Town of Palm Beach this 13th day of December, 2017.

Gail L. Coniglio, Mayor	Richard M. Kleid, Town Council President
	Danielle H. Moore, Council President Pro Tem
	Julie Araskog, Town Council Member
ATTEST:	Bobbie Lindsay, Town Council Member
Kathleen Dominguez, Town Clerk	Margaret A. Zeidman, Town Council Member

142 Seaspray Avenue



DESIGNATION REPORT

November 13, 2017

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

142 Seaspray Avenue

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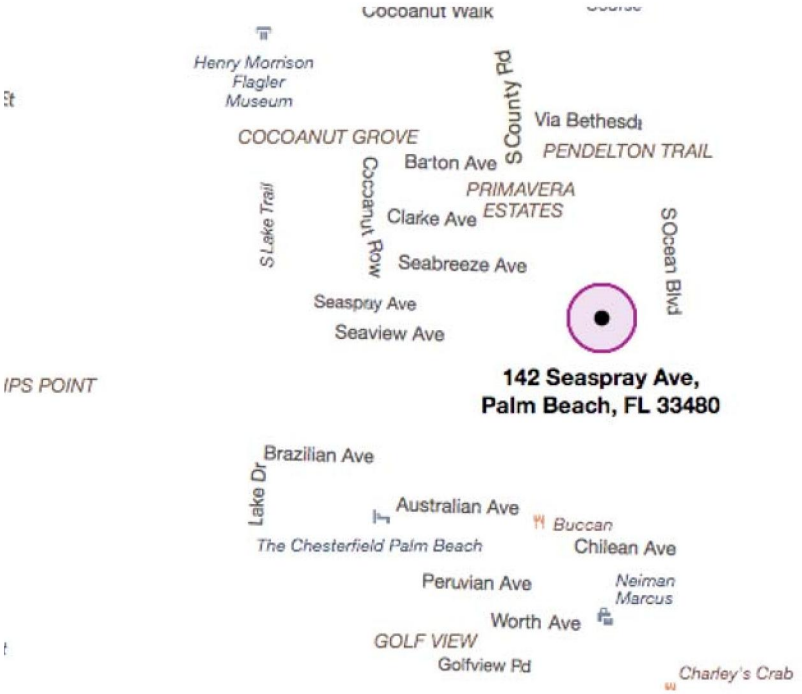
Report produced by Murphy Stillings, LLC

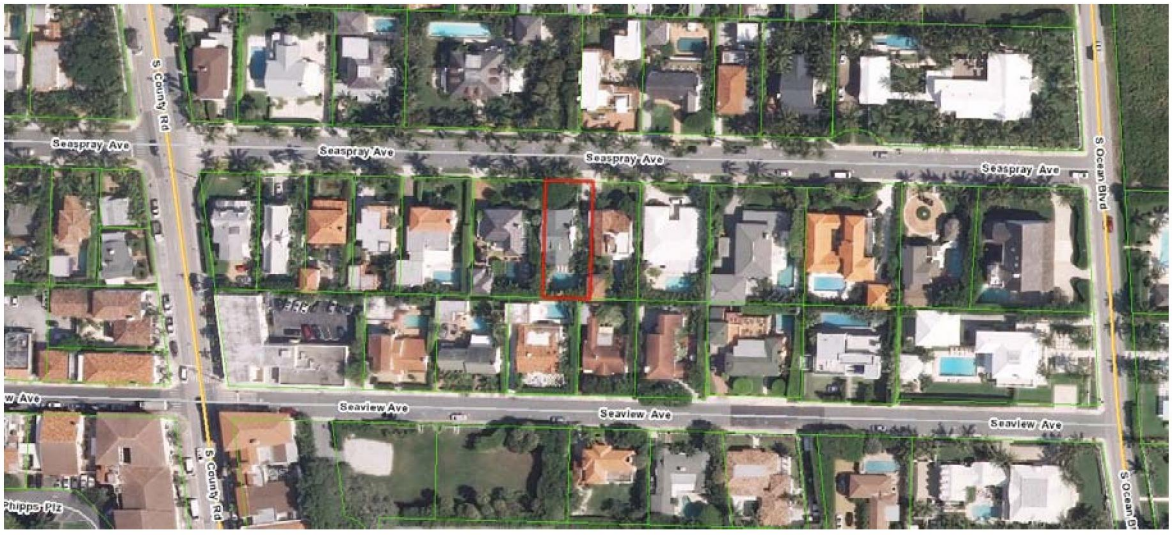
I. General Information

Location:	142 Seaspray Avenue Palm Beach, Florida
Date of Construction:	Original - 1920 Renovations - 1954
First Owner:	City Builders Realty Company
Current Owner:	Mockingbird Home LLC
Architect:	Original – City Builders Realty Company 1954 Renovation – William Kemp Caler, Sr.
Builder/Contractor:	Original - City Builders Realty Company 1954 Renovation – D.H. Plockelman
Present Use:	Residential
Present Zoning:	RB
Palm Beach County Tax Folio Number:	50-43-43-22-07-000-4950
Current Legal Description:	Lots 495 and 497, of Poinciana Park 2nd Addition, according to the map or plat thereof as recorded in Plat Book 6, Page 86, Public Records of Palm Beach County, Florida

II. Location Map

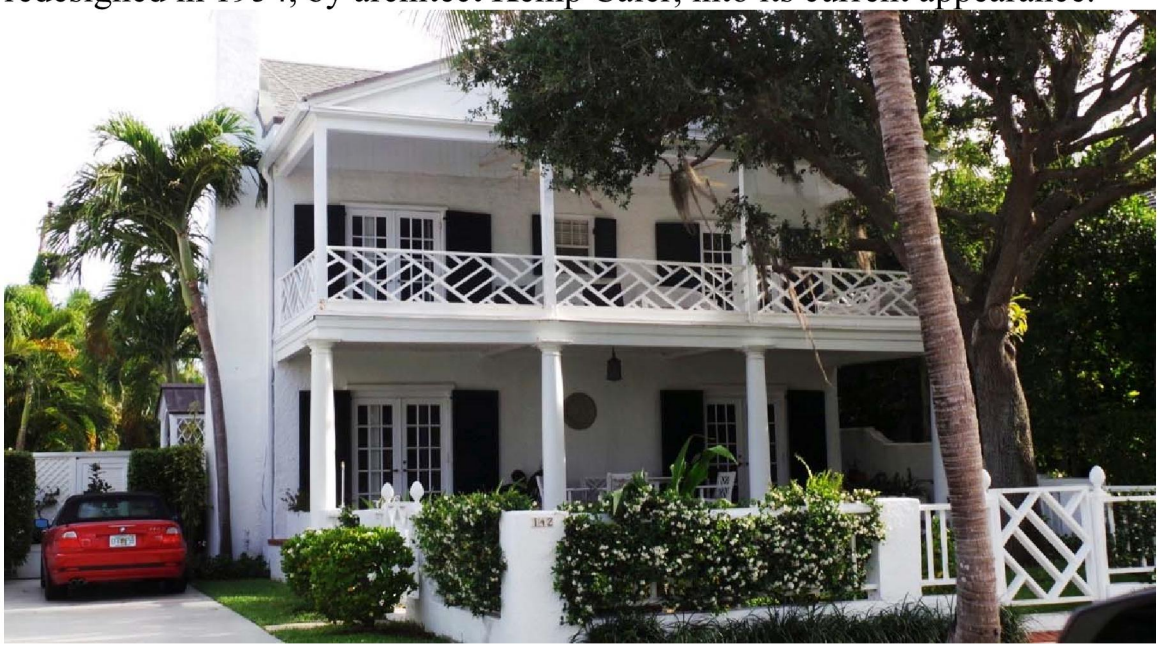
142 Seaspray Avenue





III. Architectural Information

The single-family residence located at 142 Seaspray Avenue is a very attractive example of a variation on the Colonial Revival style of architecture referred to as Southern Colonial Revival. The residence was originally designed and built by City Builder's Realty Company in 1920 during Palm Beach's housing boom in the Poinciana Park subdivision.[1] Originally designed in the Colonial Revival style with some Mission Revival style elements, the house was redesigned in 1954, by architect Kemp Caler, into its current appearance.[2]

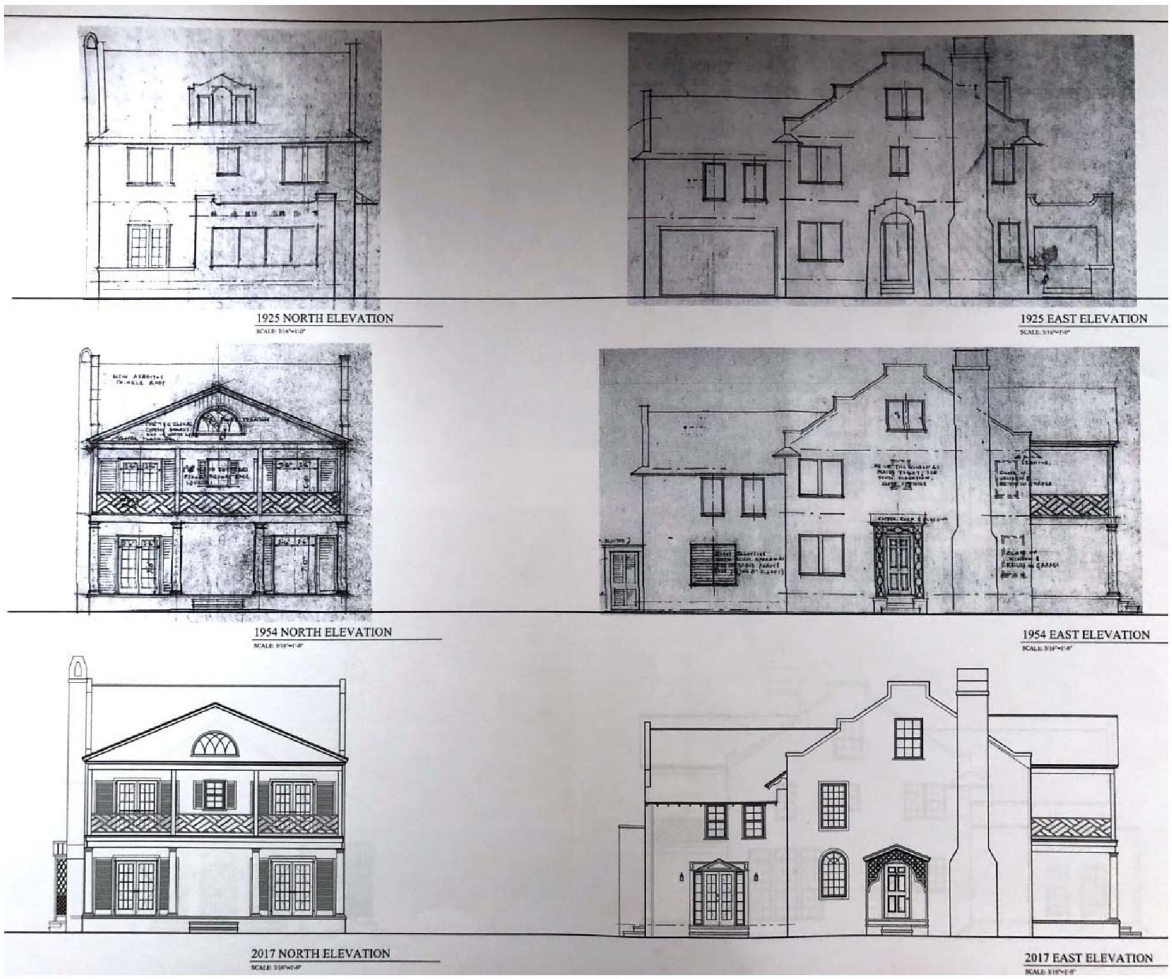


Main (North) Façade

Southern Colonial Revival houses originated from the Southern plantations in the 18th and 19th century. Colonial Revival designs are rarely historically correct, but instead are reflections of a variety of colonial styles and influences. Colonial Revival style houses are usually two stories in height, symmetrical, with rectangular or square plans. Side or rear wings are often featured and the roofs are generally hipped or gabled. The most popular exterior wall finish is wood siding, but brick, shingles and stucco are also seen. Other common stylistic characteristics include centrally placed, columned projecting entry bays, rectangular double-hung sash windows, shutters, gable-end exterior chimneys, pediments, and entry porches.

[1] Building Permit No. 7019 dated January 2, 1920 on file with the Town of Palm Beach. The original design included a one-story porch on the western portion of the front façade with a stepped parapet and a Mission Revival style door surround at the main entrance on the east façade.
[2] Building Permit No. 30054 dated August 16, 1954 on file with the Town of Palm Beach.

142 Seaspray Avenue is a three-bay wide, two-story dwelling constructed of wood and hollow clay tile covered with rough stucco. The roof is comprised of cross gables surfaced with asphalt shingles. The rear and side gable ends retain the parapet style of the residence's original 1920 design. The residence has a symmetrical main façade and a rectangular plan.



Depiction of 142 Seaspray Avenue by Smith and Moore Architects
Showing the North and East Facades of the
1920 design, 1954 design by Caler, and existing in 2017

The focal point of the house is the two-floor, full facade porch. The porches are located under a front facing wood surfaced gable with a centered arched transom. The porch is supported by round columns on the first floor and square wood posts on the second floor. The decorative wood railing on the second floor porch adds visual interest to residence and its design is continued in the fence enclosing the front yard of the property. The north façade contains two sets of multi-light French doors flanked by louvered shutters on each floor that lead to the porches. A four-over-four multi-light sash window with louvered

shutters is centrally located on the second floor. The porch ceilings are wood with exposed rafters. Vertically applied wood and an attic vent are located above the doors of the second floor porch. Adding to the feeling of a southern plantation home is the large oak tree located in the front yard.



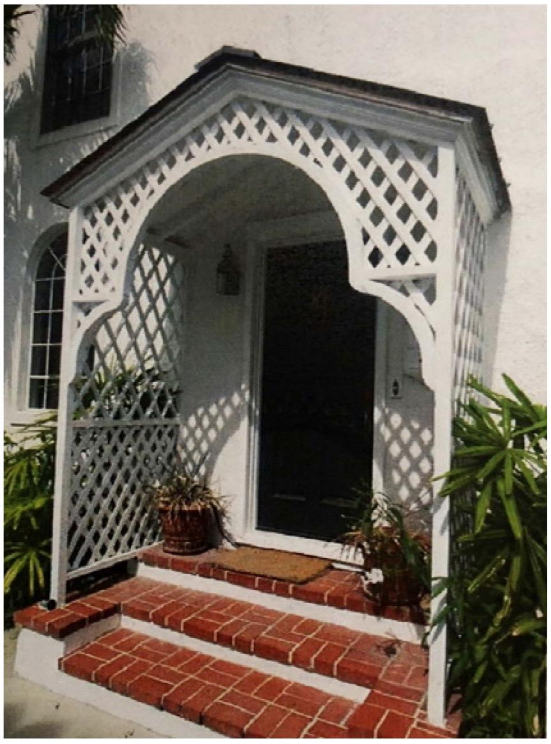
North Facade



Second Floor Porch

The main entrance to the residence is located on the east façade just south of the exterior chimney. The driveway, also located on the east side of the property, leads to the entrance. The entrance is comprised of a paneled wood

door sheltered by a gabled roof with lattice arch and sides.[3] The fenestration on the east and west facades is comprised of multi-light French doors and sash windows with one arched multi-light window located south of the entrance.[4]



Main Entrance on East Facade

A tall fence and gate with lattice is located to the south of the entrance, enclosing the rear yard and the pool, which was installed in 1971.[5] The rear of the residence was altered in 1982 to its current design.[6] The rear (south) façade has three sets of multi-light French doors with an arched stucco trim on the first floor and three false openings with shutters on the second. A pair of French doors with sidelights and a stucco pediment above is located at the rear of the east facade.

[3] It is unknown if the entrance was altered after the 1954 alterations or if the design as drawn was changed during the construction in 1954.
[4] The arched window was likely installed in 1982 when alterations were made to the rear of the residence.
[5] Building Permit No. 5171 on file with the Town of Palm Beach.
[6] Building Permit No. 13762 dated July 19, 1982 on file with the Town of Palm Beach.



South Façade

In addition to the 1954 alterations designed by Caler and the changes to the rear façade in 1982, other changes to the residence include the replacement of windows and doors with hurricane-impact resistant windows and doors, interior remodeling, roof repairs, and ordinary repairs and maintenance. The house maintains the integrity of Kemp Caler's design, which included some of the design elements of the original 1920 design. The current owners received approval from the Landmarks Preservation Commission in July 2017 to renovate the residence based on Caler's design.[7]

IV. Historical Information

[7] COA No. 34-2017 Presented by Smith and Moore Architects.

The house at 142 Seaspray Avenue is located in the Poinciana Park Subdivision. Poinciana Park was platted and largely developed by Oscar A. Jose and his City Builders Realty Company. Jose created Poinciana Park by purchasing tracts of land south of the Breakers and the Royal Poinciana Hotel from Lake Worth to the Atlantic Ocean. This area became the "Sea" streets with Sea Breeze platted in 1914 followed by Sea Spray in 1917 and the north side of Sea View in 1923.[8] A brochure designed and distributed by City Builders Realty Company titled "Poinciana Park, The Preferred Location," goes into great detail about the many advantages of wintering in Palm Beach and the benefits of owning a house in centrally located Poinciana Park, close to all of the town's amenities but removed from the "rush and bustle of the hotel center."[9] Oscar Jose was one of the early developers to recognize the potential in Palm Beach for building something other than a grand estate or spending the season at a hotel. Poinciana Park was an attempt to make Palm Beach more family oriented and the Palm Beach life-style more accessible to the "upper-middle class."[10]

Many of the earlier houses by City Builders Realty Company were bungalows or a variation of the Colonial Revival style. At the time, the houses were called "cottages" and residents were considered part of the "cottage colony." In the 1920s, City Builders Realty Company began building more Mediterranean Revival style houses as the popularity of the style grew rapidly in Palm Beach. The original design of the residence at 142 Seaspray Avenue was Colonial Revival with some Mission Revival elements and is an example of the changing architectural tastes of the time. During the residence's early years the home appears to have been rented by seasonal occupants.

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[8] Sea Breeze, Sea Spray and Sea View were the original spellings of the Poinciana Park Avenues. A January 28, 1917 City Builders Realty Company advertisement in the Palm Beach Post stated, "We have platted a new addition to Poinciana Park and we are advertising for a name for the new street. $10.00 for an acceptable name." The street was named Sea Spray Avenue.

[9] "Poinciana Park, The Preferred Location," Brochure distributed by City Builders Realty. No Date. Located in the Poinciana Park file at the Preservation Foundation of Palm Beach. Ownership or seasonal rental of a house in Poinciana Park included a membership in the Sea Spray Beach Club. Located on the ocean side of South Ocean Boulevard and Seaspray Avenue, the fashionable club provided members with an Olympic-sized salt water pool, tennis courts, changing rooms, a solarium, and popular dining facilities. They had sports programs for children and Oscar Jose's son, who had been a boxing champion, taught John F. Kennedy to box at the Sea Spray Beach Club. Beginning in 1929, Oscar Jose recognized that many residents of Poinciana Park were becoming year round residents rather than just seasonal occupants so they opened the Sea Spray Beach Club as the "Summer Bath Club" for their members who stayed in town during the summer months.

[10] "Preservationist's Home Gets Landmarks' OK," Palm Beach Daily News, 22 January 1998.

Following the bust of the land boom of the 1920s and the Great Depression, the 1940's brought the War years and a new kind of living in the Town of Palm Beach. Housing styles became simpler and many of the large estates were subdivided to make room for new houses with a more casual lifestyle. The building slowdown lasted until after World War II. The period from the end of World War II to the early 1970s was a golden era of economic growth and in 1954 the owner of 142 Seaspray Avenue, Michael Hayes O'Brien, commissioned Kemp Caler to re-design the residence to its current appearance.[11] Much of the residential architecture in the United States following WWII drew the nation's colonial roots and this may have been the inspiration for the southern colonial design elements utilized by Caler..

William "Kemp" Caler was a well established architect in Palm Beach and Jupiter Island. After receiving his architectural degree from Georgia Tech in 1935, Kemp Caler worked in the architectural profession in Miami for several years before moving to Palm Beach in 1941. After serving in WWII, Caler returned to Palm Beach and restarted his architectural career working with John Volk. In 1950 and 1953 Kemp Caler and Raymond Plockelman worked together as Caler & Plockelman. They split amicably in 1953 and Caler began practicing on his own under his own name, "Kemp Caler, Architect."[12]

In 2016, Mockingbird Home LLC purchased the residence from M. Heyward Whetsell, Jr. and Sherrill Whetsell who had owned the home for twenty years. Mockingbird Home LLC is in the process of renovating the residence based on the architecture of Caler's 1954 design.

[11] In 1955, O'Brien files for bankruptcy and the courts auctioned off the property.
[12] The residence located at 153 Cocoanut Row by Caler and Plockelman was designated as a Town of Palm Beach Landmark in 2014.

V. Architects Biography

City Builders Realty Company

One of the earliest companies to successfully construct and promote real estate development in the Town of Palm Beach was the Indianapolis based City Builders Realty Company headed by Oscar A. Jose. In 1914, City Builders Realty Company became part of a growing number of successful Midwestern firms who opened offices in South Florida prior to the 1920s Boom Time Era. Indiana contemporaries of Jose included City of Hollywood developer Joseph Young and Miami Beach developer Carl Fisher. These astute businessmen were instrumental in promoting South Florida as a desirable place to reside.

Beginning in 1914, City Builders Realty Company purchased tracts of land from Palm Beach pioneers including William Lanehart, Elisha Dimick, Frederick Robert, Henry Maddock, H.F. Hammon, E.M. Brelsford and Harvey Geer.[13] These combined parcels, renamed Poinciana Park by Jose, extended from Lake Worth to the Atlantic Ocean south of the Royal Poinciana Hotel and the Breakers Hotel. The streets were named Sea Breeze Avenue, Sea Spray Avenue and Sea View Avenue, and included 820 lots, though most properties encompassed three or four of the twenty-five foot wide lots. The Company provided water, electric and sewer connections, sidewalks and lush landscaping. In the 1910s, houses were marketed as complete packages for families, fully furnished for a seasonal residence, however, by the 1920s they were being marketed for both seasonal and permanent residence. Additional amenities included the private Sea Spray Beach Club, nearby public and private schools, dockage for private yachts and attractive term financing for those who desired to finance their house. Commercial buildings were prohibited from the Poinciana Park Subdivision.

City Builders Realty Company designed and constructed a number of the houses in Poinciana Park. The company also marketed lots to other Palm Beach builders and architects who maintained the size, scale and quality of residences as originally established within the subdivision. Designed to impress an upscale market of both the permanent homebuyers and those interested in leasing seasonal Palm Beach residences, City Builders Realty Company made a lasting impression on Palm Beach architecture and lifestyle.

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[13] Information found in the Poinciana Park file at the Preservation Foundation of Palm Beach. The paper lists land title searches of properties in Poinciana Park.

William Kemp Caler, Sr.

William Kemp Caler was born in Troy, New York on January 6, 1912. His family moved to Miami at an early age, where he went to school, graduating from high school there in 1930. He earned an architectural degree from Georgia Tech in Atlanta in 1935. After Georgia Tech he returned to Florida and settled in Palm Beach. In the late 1930s he designed houses in Palm Beach and Jupiter Island.

During World War II, Caler served as a Naval officer in Jacksonville, Florida and in the South Pacific with the 101st SEABEES. After the war, he returned to Palm Beach to work with John Volk and continued his successful career. He married his wife Sarah Seward Anthony in 1943 and they had two children; William Kemp Caler, Jr., born in 1944 and Rosa May Seward Caler born in 1946. In 1947, they moved into a house he designed for the family at 250 Nightingale Trail. In 1950, Caler formed a partnership with Raymond Plockelman as Caler & Plockelman Architects with an office in Palm Beach. In 1951, he returned to Naval service as a Commander and the entire family moved to Trinidad for two years. Upon return in 1953 he resumed his partnership with Raymond Plockelman but later that year the partnership ended amicably and Kemp Caler returned to practicing architecture in Palm Beach under his own name. He kept his office in Palm Beach but in 1954 moved his family to Hobe Sound, Florida. He became well connected in Martin County and designed many houses on Jupiter Island.[14]

Caler remained active in Palm Beach's civic and professional activities, serving on the Town's Architectural Review Commission (ARCOM) in intermittent terms, whenever called upon, for 30 years. A few of Kemp Caler's distinctive Palm Beach commissions include the McLennan house at 576 Island Drive (1969) and the Frank Prior House at 1045 South Ocean Boulevard (1969). One of his last commissions was Lilly Pulitzer's house "Jungle" at

[14] Nathaniel Pryor Reed, A Different Vision: The History of the Hobe Sound Company and the Jupiter Island Club. " In his years on Jupiter Island, Kemp Caler built an astonishing number of houses. His work was distinctive, traditional approach with unusual attention paid to unexpected custom features. The effort to which Mr. Caler was most proud was the Johnson Boathouse, his stunning recreation of the Old New York Yacht Club shore station. His last commission on Jupiter Island was the Marshall Field residence." In the 1940s he built homes for the Reed Family, Spindrift and Casuarina, and the Golf House for the Jupiter Island Club.

710 S. County Road where he spent over a year working with Lilly to design the house. Kemp Caler passed away on November 9, 1989 at the age of 77.[15]

VI. Statement of Significance

The residence located at 142 Seaspray Avenue is a unique example of a residence whose architectural changes reflect the history of the Town of Palm Beach. The residence is a good example of the variation of the Colonial Revival style, known as Southern Colonial. The charming two-story porch with decorative railing is one of the distinguishing features the residence.

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 criteria that 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 residence at 142 Seaspray Avenue reflects the broad cultural and economic history of the Town of Palm Beach. Built during the 1920s Land Boom in the Poinciana Park subdivision, one of the Island's first successful large residential developments, and then redesigned during the post WWII boom the home exemplifies the history of the Town. The house is also important because it helps maintain the historic fabric and character of Seaspray Avenue, the Sea Streets, and the development of the town through two boom periods.

(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."

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[15] Correspondence with William Kemp Caler, Jr. Most of Kemp Caler's work was in the Town of Palm Beach and Jupiter Island, but he also worked in Lost Tree Village, John's Island, Country Club of Florida and Port Royal Naples.

The residence located at 142 Seaspray Avenue is a very good example of the variation of the Colonial Revival style, known as Southern Colonial. The focal point of the house is the two-story porch with decorative wood railing. The house is also a specimen inherently valuable for its unique architectural history. While altered by Kemp Caler in the 1950s with the notable addition of the two-story porch, it retains elements from its original 1920s design by City Builders Realty Company including the roof's parapet elements, entrance location, and scale along the street.

(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."

142 Seaspray Avenue is a very good representation of the design work of the architect William Kemp Caler Sr. Caler's design for the residence shows his ability to introduce significant architectural features to an existing residence while preserving original elements and maintaining the scale and character of the neighborhood. Kemp Caler practiced architecture from the mid 1930s to the 1980s designing homes in Palm Beach, Jupiter Island and Hobe Sound. In addition to practicing architecture he also contributed to the Town by serving on the Architectural Review Commission in intermittent terms for 30 years.

VIII. Selected Bibliography

Caler, Jr., William Telephone and E-mail correspondence with Kemp Caler's son William "Bill" Caler. Including information from Nathaniel P. Reed's book A Different Vision: The History of the Hobe Sound Company and the Jupiter Island Club.

Curl, Donald W. Palm Beach County: An Illustrated History. Northridge, California: Windsor Publications, Inc., 1987.

The Historical Society of Palm Beach County. Historical and Architectural Files; Palm Beach County History Online

The Palm Beach Daily News. Archived Articles Online

The Palm Beach Post. Archived Articles Online

The Preservation Foundation of Palm Beach. Files on Poinciana Park; 142 Seaspray Avenue file

Sanborn Insurance Map of Palm Beach. New York: Sanborn Map Co., 1919 and 1926. City of West Palm Beach Public Library, Florida Room.

Town of Palm Beach. Building Permits, 1919– 2017.

West Palm Beach City Directories. Asheville, NC: Florida-Piedmont Directory Company, 1916 -1986. These city directories included Town of Palm Beach directories and information on Palm Beach residents.

IX. Florida Master Site File Form

Florida Master Site File

HISTORICAL STRUCTURE FORM

Electronic Version 1.1.0

Site # PB09454
Recorder # Jane S. Day
Field Date 10/6/2010
Form Date 10/19/2010
FormNo 201010
FormNo = Field Date (YYYYMM)

First Site Form Recorded for this Site? NO

GENERAL INFORMATION

Site Name (address if none) Sherrill Whetsell, House — Multiple Listing (DHR only)
Other Names — >>
Survey or Project Name Palm Beach Historic Sites Survey, Phase V — Survey#
National Register Category Building(s)

LOCATION & IDENTIFICATION

Address

Street No.	Direction	Street Name	Street Type	Direction Suffix
142		Seaspray	Avenue	

Cross Streets (nearest/ between) South Ocean Blvd. & S. County Rd.
City / Town (within 3 miles) Town of Palm Beach — In Current City Limits? YES
County Palm Beach — Tax Parcel #(s) 50-43-43-22-07-000-4950
Subdivision Name Poinciana park 2nd Add — Block — Lot 495, 497
Ownership Private Individual
Name of Public Tract (e.g., park)
Route to (especially if no street address) On the south side of Seaspray Ave. between S. Ocean Blvd. and S. County Rd.

MAPPING

USGS 7.5' Map Name — Publication Date — >> PALM BEACH;1983
Township: — Range: — Section: — 1/4 section: — >> 43S ;43E ;22;UNSP
Irregular Section Name:
Landgrant
UTM: Zone — Easting — Northing
Plat or Other Map (map's name, location)

DESCRIPTION

Style Shingle — Other Style
Exterior Plan Irregular — Other Exterior Plan
Number of Stories 2
Structural System(s) — >> Wood frame
Other Structural System(s) Hollow clay tile
Foundation Type(s) — >> Continuous
Other Foundation Types
Foundation Material(s) — >> Concrete Block
Other Foundation Material(s)
Exterior Fabric(s) — >> Stucco
Other Exterior Fabric(s)
Roof Type(s) — >> Gable
Other Roof Type(s)
Roof Material(s) — >>
Other Roof Material(s)
Roof Secondary Structure(s) (dormers etc) — >>
Other Roof Secondary Structure(s)
Number of Chimneys 1
Chimney Material Brick
Other Chimney Material(s) stucco on exterior
Chimney Location(s) east exterior wall

Page 1 of 3

HISTORICAL STRUCTURE FORM

8PB09454

DESCRIPTION (continued)

Window Descriptions: 4/4 DHS, French doors, fixed

Main Entrance Description (stylistic details): on the east facade with a gable hood

Porches: #open: 2 #closed: #incised: Location(s): 1st floor veranda - n, 2nd floor veranda - n

Porch Roof Types(s): gable

Exterior Ornament: shutters, exposed rafters, decorative railings, attic vent, columns

Interior Plan: Unknown Other Interior Plan:

Condition: Good

Structure Surroundings

Commercial: NONE of this category Residential: ALL this category

Institutional: NONE of this category Undeveloped: NONE of this category

Ancillary Features (Number / type of outbuildings, major landscape features):

Archaeological Remains (describe): none observed

If archaeological remains are present, was an Archaeological Site Form completed?

Narrative Description (optional): A 1954 renovation changed the character of this house.

HISTORY

Construction year: 1919

Architect (last name first): unknown Builder (last name first): City Builders Realty Co.

Changes in Locations or Conditions

Type of Change	Year of Change	Date Change Noted	Description of Changes
>> Delisted from National Register;1954;10/1/2010;			

Structure Use History

Use: Year Use Started: Year Use Ended: >> Private residence;1919;

Other Structure Uses:

Ownership History (especially original owner, dates, profession, etc.):

RESEARCH METHODS

Research Methods: >> Examine local property records

Other research methods:

SURVEYOR'S EVALUATION OF SITE

Potentially Eligible for a Local Register? NO Name of Local Register if Eligible: Palm Beach Landmarks

Idividually Eligible for National Register? NO

Potential Contributor to NR District? NO

Area(s) of historical significance: >> Architecture

Other Historical Associations:

Explanation of Evaluation (required): This 1919 home has been altered and no longer has its architectural integrity.

HISTORICAL STRUCTURE FORM

8PB09454

DOCUMENTATION (Photos, Plans, etc.)

Photographic Negatives or Other Collections Not Filed with FMSF, Including Field Notes, Plans, other Important Documents.

Document type: _____ Maintaining Organization: _____

File or Accession #: _____ Descriptive Information: _____

>> _____

RECORDER INFORMATION

Recorder Name (Last, First) Day, Jane S.

Recorder Address / Phone 728 Granada Dr., Boca Raton, FL 33432 561-362-4473

Recorder Affiliation Research Atlantica Other Affiliation Town of Palm Beach

Is a Text-Only Supplement File Attached (Surveyor Only)? _____

****** MASTER SITE FILE USE ONLY ******

SHPO's Evaluation of Resource

Date _____

Cultural Resource Type: SS

Electronic Form Used: S110

Form Type Code: HSTR

Form Quality Ranking: NEW

Form Status Code: SCAT

Supplement Information Status: NO SUPPLEMENT

Supplement File Status: NO SUPPLEMENT FILE

FMSF Staffer:

Computer Entry Date: 11/15/2004

Form Comments: _____

REQUIRED PAPER ATTACHMENTS	(1) USGS 7.5" MAP WITH STRUCTURE PINPOINTED IN RED (2) LARGE SCALE STREET OR PLAT MAP (3) PHOTO OF MAIN FACADE, B&W, AT LEAST 3"X5"

Page 3 of 3

I. DESIGNATION HEARINGS

Item 1: 142 Seaspray Ave.
Owner: Mockingbird Home LLC

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this Colonial Revival style, 1920 City Builders Realty Company home. Ms. Stillings pointed out the design features, some of which include the full façade front porch, a cross-gabled roof design, a front facing dormer window, a one story front porch and the entrance surround on the east façade. Ms. Stillings pointed out that the home's current appearance was the result of a 1954 redesign by Kemp Caler. She also added that the owner brought forward their home for landmark designation consideration. Ms. Stillings testified that the building meets 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; and
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.

Mr. Cooney asked for confirmation that the Town had proof of publication and notice with regard to this landmark designation hearing. Ms. Churney provided confirmation.

Motion made by Ms. Fairfax and second by Mr. Gannon that the designation report be made part of the record. Motion carried with all in favor.

Mr. Cooney asked for public comment and there was none.

Ms. Hufty questioned if owner requested landmark designation. Ms. Stillings responded that the owner did request the designation.

Ms. Hufty questioned the general criteria for landmarking. There was a short discussion regarding this topic.

Motion made by Ms. Fairfax and second by Mr. Gannon that 142 Seaspray Avenue be recommended 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. Motion carried with all in favor.

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.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda
Public Hearings

Agenda Title
RESOLUTION NO. 211-2017 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 315 Seaspray Avenue 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.

Presenter

ATTACHMENTS:

- **Memorandum Dated November 21, 2017 From John S. Page, Director of Planning, Zoning and Building**
- **Resolution No. 211-2017**
- **315 Seaspray Avenue Designation Report**
- **Excerpt of Landmark Preservation Commission Meeting on November 13, 2017**
- **Landmark Designation Procedure**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director of Planning, Zoning and Building

Re: Landmark Designation of 315 Seaspray Avenue
Resolution No. 211-2017

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends ratification of the property known as 315 Seaspray Avenue as a Town landmark.

LANDMARKS PRESERVATION COMMISSION RECOMMENDATION

At the Public Hearing for Designation held during the November 13, 2017 meeting of the Landmarks Preservation Commission, the Commission voted (7-0) to recommend to the Town Council that the above mentioned property be designated as a landmark. In accordance with Section 54-164 (a) (11) of Chapter 54 of the Town of Palm Beach Code of Ordinances, the Town Council shall hold a public hearing within ninety (90) days of the final decision of the Landmarks Commission to consider ratification of the Commission's recommendation.

GENERAL INFORMATION

The property meets the following criteria for designation as a landmark of the Town of Palm Beach:

> Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
>
> Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.

OWNER CONSENT

The property owner, Nadine Netter Levy, was properly notified of the hearing before the Landmarks Preservation Commission. They have consented to the pending designation. No person attended for the owner.

TOWN ATTORNEY REVIEW

Please be advised that the Town Attorney has reviewed Resolution No. 211-2017 relating to 315 Seaspray Avenue, and has approved it as to legal form and sufficiency.

Attachments

cc: John C. Randolph, Town Attorney
John Lindgren, AICP, Planning Administrator
Janet Murphy, Town Consultant
Emily Stillings, Town Consultant
Nadine Netter Levy

RESOLUTION NO. 211-2017

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 315 SEASPRAY AVENUE 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 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 designated, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as **315 Seaspray Avenue** and the property to be landmarked is legally described as follows:

POINCIANA PARK SECOND ADDITION LOTS 402 AND 404.

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 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 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 Town Council of the Town of Palm Beach this 13th day of December, 2017.

_____	_____
Gail L. Coniglio, Mayor	Richard M. Kleid, Town Council President
	_____
	Danielle H. Moore, Council President Pro Tem
	_____
	Julie Araskog, Town Council Member
	_____
ATTEST:	Bobbie Lindsay, Town Council Member
_____	_____
Kathleen Dominguez, Town Clerk	Margaret A. Zeidman, Town Council Member

315 Seaspray Avenue



DESIGNATION REPORT

November 13, 2017

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

315 Seaspray Avenue

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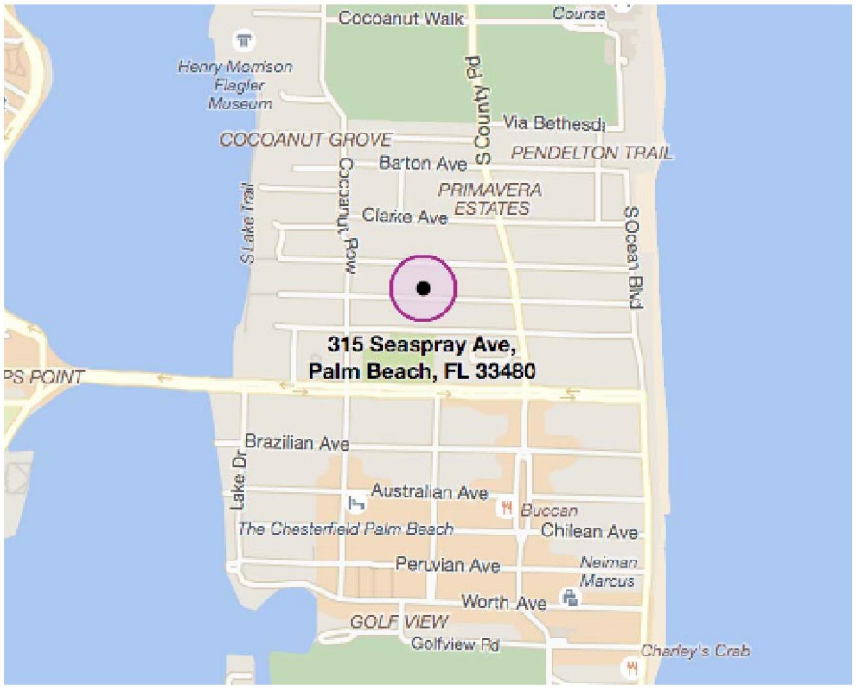
Report produced by Murphy Stillings, LLC

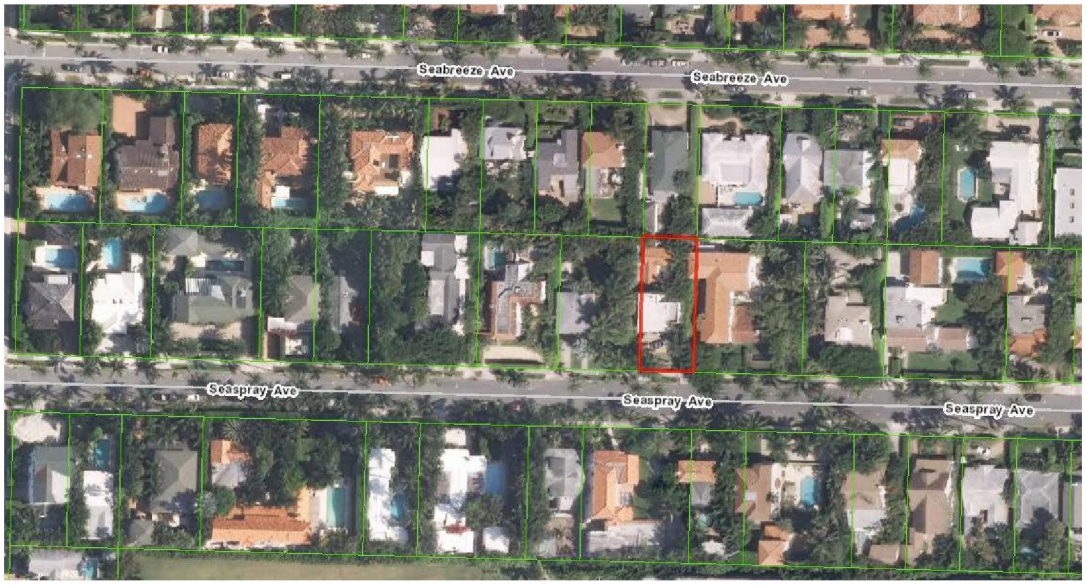
I. General Information

Location:	315 Seaspray Avenue Palm Beach, Florida
Date of Construction:	1924
First Owner:	Henrietta M. Wyeth
Original Name:	Casa Hermosa
Current Owner:	Nadine Netter Levy
Builder/Contractor:	Alfred H. Lauenborg
Present Use:	Residential
Present Zoning:	RB
Palm Beach County Tax Folio Number:	50434322070004020
Current Legal Description:	Poinciana Park Second Addition Lots 402 and 404

II. Location Map

315 Seaspray Avenue





III. Architectural Information

The single-family residence located at 315 Seaspray Avenue is an attractive example of the Mission Revival style of architecture designed and built by Alfred (A.H.) Lauenborg in 1924 during the height of Palm Beach's housing boom. The house sits on the north side of Seaspray Avenue in the heart of the Poinciana Park subdivision.

The Mission Revival style developed in southern California in the 1880s when architects became inspired by their Hispanic heritage and advocated for the use of features commonly found in early Spanish colonial missions. Buildings display minimal ornamentation and are generally considered "classically simple."[1] The style includes mission-shaped roof parapets and/or parapets raised at the corners, flat roofs accented with red clay tiles, stucco walls, and arched windows or doors particularly on the ground level. This eclectic style was popular throughout South Florida during the 1920's building boom.



315 Seaspray Avenue is an asymmetrical two-story house constructed of wood and hollow clay tile and covered with stucco. The interesting focal point of this dwelling is the wide chimney that tapers at an angle past the roofline. It is very uncommon in Palm Beach to have chimneys on the front façade, making this house particularly noteworthy. The flat roof has a parapet along the front

[1] From Wilderness to Metropolis: The History of Architecture of Dade County (1825 – 1940). Miami, Florida: Metropolitan Dade County, 1992. p. 86. The Mission style is often confused with the Mediterranean Revival style.

façade slightly raised at the corners with red clay barrel tiles accenting the ridge. There is also an angled roofline on the eastern wing that is covered with red clay barrel tiles.

The front entry is offset on the west portion of the front façade and the large, rectangular wooden doors are recessed behind an arched opening with wood columns, creating a small entry porch. On the first story the two large front windows and the two smaller recessed windows are all eight-light casement windows set in blind arches atop stone sills. On the second story, the three front windows are eight-light casement windows atop stone sills, while the recessed windows to the east are eight-light casement windows set in blind arches atop stone sills. A wide arched porte cochere with a decorative metal gate extends from the west wall, creating a vista to the rear.



Entrance

Over the years, 315 Seaspray Avenue has had some additions and alterations. In 1969, E.B. Walton installed new windows on the second story of the front façade that were longer and lower than the original windows. In 1976, the rear garage apartment was demolished and replaced with the current one-story apartment and utility building. This stucco-covered building has cross-gabled roofs covered with red clay barrel tiles and French doors opening onto the pool deck. In 2007, a 175 square foot second story addition was constructed at the northeast corner of the house over an existing patio. Architect Ames Bennett

designed this addition and recessed it from the front façade, thereby not significantly affecting the historic character of the dwelling.[2]



2007 Addition



1969 Window Alterations

IV. Historical Information

The house at 315 Seaspray Avenue is located in the Poinciana Park Subdivision. Poinciana Park was platted and largely developed by Oscar A. Jose and his City Builders Realty Company. By the Roaring Twenties, America's economic prosperity coupled with the vibrant Florida Land Boom had changed Palm Beach into a major resort with a hotel-based economy.[3] The hotel boom from the turn of the century through the mid-1920s also provided a catalyst for entrepreneurs to create a residential infrastructure. In the teens and 1920s, subdivisions were laid out and interior streets began to be dotted with speculative houses.[4] Jose created Poinciana Park by purchasing tracts of land south of the Breakers and the Royal Poinciana Hotel from Lake Worth to the Atlantic Ocean. This area became the "Sea" streets with Sea Breeze platted in 1914 followed by Sea Spray in 1917 and the north side of Sea View in 1923.[5] A brochure designed and distributed by City Builders Realty Company titled "Poinciana Park, The Preferred Location," goes into great detail about the many advantages of wintering in Palm Beach and the benefits of owning a

[2] Variance #7-2007 was obtained for this addition. At unspecified dates, wood windows and doors were replaced with aluminum windows and doors.
[3] Polly Anne Earl. Palm Beach: An Architectural Legacy. Rizzoli: New York, p. 17.
[4] Ibid.
[5] Sea Breeze, Sea Spray and Sea View were the original spellings of the Poinciana Park Avenues. A January 28, 1917 City Builders Realty Company advertisement in the Palm Beach Post stated, "We have platted a new addition to Poinciana Park and we are advertising for a name for the new street. $10.00 for an acceptable name." The street was named Sea Spray Avenue.

house in centrally located Poinciana Park, close to all of the town's amenities but removed from the "rush and bustle of the hotel center."[6] Jose hired auctioneers to stand on the back of pick-up trucks that were driven around to properties up for sale and auction them off to those bidders following the truck. When bidding got slow, Jose's son, Oscar Jose, Jr., would pass out watches to attract more bidders.[7]

Oscar A. Jose came to Palm Beach in 1912 and was one of the early developers to recognize the potential in Palm Beach for building something other than a grand estate or spending the season at a hotel. Poinciana Park was an attempt to make Palm Beach more family oriented, including a nearby school, and the Palm Beach life-style more accessible to the "upper-middle class."[8] In addition to building, selling and leasing properties, City Builders Realty Company sold many lots in Poinciana Park to individual buyers and other developers such as A.H. Lauenborg. Lot sales came with stipulations regarding the quality of houses to be built so that no "cheap" houses could be built in Poinciana Park.[9]

Mrs. Henrietta M. Wyeth commissioned A.H. Lauenborg to construct 315 Seaspray Avenue in early 1924 and named it Casa Hermosa. This commission was at the height of the south Florida building boom and A.H. Lauenborg had seventeen houses under way in Palm Beach and West Palm Beach when 315 Seaspray Avenue was started in March of 1924.[10]

Henrietta Wyeth was a nationally recognized play-write and her husband J. Russell Wyeth was an artist and astronomer.[11] Henrietta and J. Russell Wyeth are listed as living at 315 Seaspray Avenue in 1924 and 1925, before moving

[6] "Poinciana Park, The Preferred Location," Brochure distributed by City Builders Realty. No Date. Located in the Poinciana Park file at the Preservation Foundation of Palm Beach. Ownership or seasonal rental of a house in Poinciana Park included a membership in the Sea Spray Beach Club. Located on the ocean side of South Ocean Boulevard and Seaspray Avenue, the fashionable club provided members with an Olympic-size pool, tennis courts, a solarium and popular dining facilities.[6]

[7] Casey O'Connor. "Palm Beach's Future Rests in the Hands of Those Who Cherish the Past." Palm Beach Daily News .22 February 2002, p. 12, 44.

[8] "Preservationist's Home Gets Landmarks' OK," Palm Beach Daily News, 22 January 1998.

[9] Advertisement in Palm Beach Post.

[10] "17 Houses Under Way." Palm Beach Post. 28 March 1924. The only other known house in Palm Beach was 160 Seabreeze Avenue.

[11] "Hour With Mozart Planned by 4 Arts." Palm Beach Post. 21 March 1943. Mrs. Henrietta Wyeth is a graduate of the University of Washington in dramatics and journalism. She studied under Thatcher Hughes at Columbia and was chosen to work with Prof. G.P. Baker in his famous 47 Workshop at Radcliffe. She is a member of the League of American Penwomen and the American Dramatists of New York and has won several playwriting contests.

to 218 Everglades Avenue in 1926.[12] When not wintering in Palm Beach, the Wyeths lived in Boston. John R. and Margaret McDonald of Milwaukee, Wisconsin lived at 315 Seaspray Avenue from 1926-1929. They had spent many winter seasons at the Royal Poinciana Hotel prior to spending the late 1920s winter seasons at 315 Seaspray Avenue. During the 1930s and 1940s, it appears that different seasonal occupants rented the house. The excellent in town location and the popularity of spending the winter season in Palm Beach made the home a superb rental opportunity.

The current owner of 315 Seaspray Avenue, Nadine Netter Levy, purchased the house in 2013 and has been an outstanding steward of the historic dwelling.

V. Builder's Biography

Alfred H. Lauenborg was a very prolific and highly respected builder and developer who started working in Palm Beach County in 1916. He was a major builder and developer of moderate houses in the West Palm Beach neighborhoods of Hillcrest, Flamingo Park and Grandview Heights in the early to mid 1920s, while also building larger houses in Palm Beach. As early as 1923, A.H. Lauenborg had started the Lauenborg Building & Investment Company that included the services of homebuilders, real estate, insurance, loans and rentals to meet the needs of the growing seasonal and year-round residents. A.H. Lauenborg was the president, William Halsey, of Halsey & Griffith, was the vice president and Lauenborg's wife Eunice, was the secretary and treasurer.

An article published in the Palm Beach Post on January 3, 1926, and titled "A.H. Lauenborg: Home Builder and Home Financier Is Taking Active Part in Promoting Ocean Waterway" describes his active roll in promoting the "Palm Beach Harbor" project and provides a good bit of information about his life and business:

"Men and institutions have demonstrated during long and successful careers that their ability to handle the affairs of clients is based on knowledge, experience and a sense of responsibility, are entitled to the priority of claim on the patronage of discriminating men and women. That is why the organization headed and directed by A.H. Lauenborg has proven itself capable of handling the thousand and one technical problems that are presented to the expert developer for solution. Years of experience in the north and in the Palm Beaches stand behind the claim of the Lauenborg Company to the business of conservative

[12] J. Russell and Henrietta Wyeth owned the properties at 218 and 222 Everglades Avenue.

people. As president of the Lauenborg Building and Investment Company and as an individual prior to incorporation, Mr. Lauenborg has built more than one hundred homes ranging from Palm Beach mansions to the modest but attractive bungalows of working people in the pretty suburbs of West Palm Beach and adjacent districts. And he is going bigger and stronger that ever."[13]

The Lauenborg's remained in Palm Beach County through the 1950s, however, A.H. Lauenborg's most prolific years as a homebuilder and developer were from 1923 – 1925 at the height of the South Florida land and housing boom.[14]

VI. Statement of Significance

315 Seaspray Avenue is significant as one of the few surviving examples of Mission style houses constructed in the Town of Palm Beach during the South Florida land and housing boom. It is also significant as having a distinctive wide tapered chimney on the front façade which is a feature rarely seen in Palm Beach.

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 criteria that 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 house located at 315 Seaspray Avenue reflects the broad cultural and economic history of the Town of Palm Beach. Seaspray Avenue is part of the Poinciana Park subdivision that was one of the Island's first successful large residential developments. Palm Beach's growing popularity in the teens and twenties attracted entrepreneurs to create infrastructure and subdivisions for residential development at convenient in-town locations. Poinciana Park was intended for the upper middle class family who desired to either spend the winter season in Palm Beach or establish a permanent year round residence

[13] The remainder of the article discusses A.H. Lauenborg's involvement on promoting the Palm Beach Harbor.

[14] A. H. Lauenborg and Lauenborg Building & Investments Company built at least 22 houses in West Palm Beach between 1923 and 1925, along with houses in Palm Beach. Information provided by the City of West Palm Beach Historic Preservation Division.

and the success of the neighborhood helped create another dimension to the development of Palm Beach. 315 Seaspray Avenue is also important because it helps maintain the historic fabric of Seaspray Avenue, the surrounding Sea Streets and the development of the town during the 1920's.

> (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."

The residence located at 315 Seaspray Avenue is a very good example of the Mission style of architecture designed and constructed in 1924. The interesting focal point of this dwelling is the wide chimney that tapers at an angle past the roofline. It is very uncommon in Palm Beach to have chimneys on the front façade, making this house particularly noteworthy. The parapet along the front façade, which is slightly raised at the corners with red clay barrel tiles accenting the top, is another Mission style feature that distinguishes the architectural character of the house. And its classically simple style differentiates it from the more ornate Mediterranean Revival style houses being constructed during the same time period.

VIII. Selected Bibliography

Curl, Donald W. Palm Beach County: An Illustrated History. Northridge, California: Windsor Publications, Inc., 1987.

Earl, Polly Anne. Palm Beach: An Architectural Legacy. Rizzoli: New York, 2002.

From Wilderness to Metropolis: The History of Architecture of Dade County (1825 – 1940). Miami, Florida: Metropolitan Dade County, 1992.

The Historical Society of Palm Beach County. Historical and Architectural Files; Palm Beach County History Online

O'Connor, Casey. "Palm Beach's Future Rests in the Hands of Those Who Cherish the Past." Palm Beach Daily News. 22 February 2002. Interview with Polly Earl, granddaughter of Oscar A. Jose.

The Palm Beach Daily News. Archived Articles Online

The Palm Beach Post. Archived Articles Online

The Preservation Foundation of Palm Beach. Files on Poinciana Park; 315 Seaspray Avenue file.

Sanborn Insurance Map of Palm Beach. New York: Sanborn Map Co. 1926. City of West Palm Beach Public Library, Florida Room.

Town of Palm Beach. Building Permits, 1924– 2017.

West Palm Beach City Directories. Asheville, NC: Florida-Piedmont Directory Company, 1924 -1986. These city directories included Town of Palm Beach directories and information on Palm Beach residents.

IX. Florida Master Site File Form

Florida Master Site File

HISTORICAL STRUCTURE FORM

Electronic Version 1.1.0

Site #: PB06761
Recorder #: Jane S. Day
Field Date: 10/6/2010
Form Date: 10/19/2010
FormNo: 201010
FormNo = Field Date (YYYYMM)

First Site Form Recorded for this Site? NO

GENERAL INFORMATION

Site Name (address if none) Neil Kozokoff, House
Multiple Listing (DHR only)
Other Names >>
Survey or Project Name Palm Beach Historic Sites Survey, Phase V
Survey#
National Register Category Building(s)

LOCATION & IDENTIFICATION

Address

Street No.	Direction	Street Name	Street Type	Direction Suffix
315		Seaspray	Avenue	

Cross Streets (nearest/ between) South Ocean Blvd. & S. County Rd.
City / Town (within 3 miles) Town of Palm Beach
In Current City Limits? YES
County Palm Beach
Tax Parcel #(s) 50-43-43-22-07-000-4020
Subdivision Name Poinciana park, 2nd Add
Block
Lot 402, 404
Ownership Private Individual
Name of Public Tract (e.g., park)
Route to (especially if no street address) On the north side of Seaspray Ave. between Cocoanut Row and S. County Rd.

MAPPING

USGS 7.5' Map Name
Publication Date
>> PALM BEACH;1983
Township:
Range:
Section:
1/4 section:
>> 43S ;43E ;22;UNSP
Irregular Section Name:
Landgrant
UTM: Zone
Easting
Northing
Plat or Other Map (map's name, location)

DESCRIPTION

Style Mission
Other Style
Exterior Plan Irregular
Other Exterior Plan
Number of Stories 2
Structural System(s)
>> Wood frame
Other Structural System(s) hollow clay tile
Foundation Type(s)
>> Unspecified by recorder
Other Foundation Types
Foundation Material(s)
>> Unspecified
Other Foundation Material(s)
Exterior Fabric(s)
>> Stucco
Other Exterior Fabric(s)
Roof Type(s)
>> Flat
Other Roof Type(s)
Roof Material(s)
>> Tar & gravel
Other Roof Material(s) barrel tile
Roof Secondary Structure(s) (dormers etc)
>>
Other Roof Secondary Structure(s)
Number of Chimneys 1
Chimney Material Brick
Other Chimney Material(s) stucco on exterior
Chimney Location(s) south exterior

HISTORICAL STRUCTURE FORM

8PB06761

DESCRIPTION (continued)

Window Descriptions: casement

Main Entrance Description (stylistic details): on the south facade with an arched opening

Porches: #open ____ #closed ____ #incised 1 Location(s): covered entry - s

Porch Roof Types(s): incised under the main roof of the house

Exterior Ornament: parapet, columns

Interior Plan: Unknown Other Interior Plan: ____

Condition: Good

Structure Surroundings

Commercial: NONE of this category Residential: ALL this category

Institutional: NONE of this category Undeveloped: NONE of this category

Ancillary Features (Number / type of outbuildings, major landscape features): ____

Archaeological Remains (describe): none observed

If archaeological remains are present, was an Archaeological Site Form completed? ____

Narrative Description (optional): ____

HISTORY

Construction year: 1924

Architect (last name first): unknown Builder (last name first): Lauenborg, A.H.

Changes in Locations or Conditions

Type of Change	Year of Change	Date Change Noted	Description of Changes
>>			

Structure Use History

Use: ____ Year Use Started: ____ Year Use Ended: ____ >> Private residence;1924;

Other Structure Uses: ____

Ownership History (especially original owner, dates, profession, etc.): ____

RESEARCH METHODS

Research Methods: ____ >> Examine local property records

Other research methods: ____

SURVEYOR'S EVALUATION OF SITE

Potentially Eligible for a Local Register? INSUFF. INFO Name of Local Register if Eligible: Palm Beach Landmarks

Idividually Eligible for National Register? INSUFF. INFO

Potential Contributor to NR District? INSUFF. INFO

Area(s) of historical significance: ____ >> Architecture

Other Historical Associations: ____

Explanation of Evaluation (required): This Mission style house is in scale with the neighborhood. It is worthy of further study.

HISTORICAL STRUCTURE FORM

8PB06761

DOCUMENTATION (Photos, Plans, etc.)

Photographic Negatives or Other Collections Not Filed with FMSF, Including Field Notes, Plans, other Important Documents.

Document type: _____ Maintaining Organization: _____

File or Accession #: _____ Descriptive Information: _____

>> _____

RECORDER INFORMATION

Recorder Name (Last, First) Day, Jane S.

Recorder Address / Phone 728 Granada Dr., Boca Raton, FL 33432 561-362-4473

Recorder Affiliation Research Atlantica Other Affiliation Town of Palm Beach

Is a Text-Only Supplement File Attached (Surveyor Only)? _____

****** MASTER SITE FILE USE ONLY ******

SHPO's Evaluation of Resource

Date _____

Cultural Resource Type: SS

Electronic Form Used: S110

Form Type Code: HSRM

Form Quality Ranking: NRM

Form Status Code: SCAT

Supplement Information Status: NO SUPPLEMENT

Supplement File Status: NO SUPPLEMENT FILE

FMSF Staffer:

Computer Entry Date: 11/15/2004

Form Comments: _____

REQUIRED PAPER ATTACHMENTS	(1) USGS 7.5" MAP WITH STRUCTURE PINPOINTED IN RED
	(2) LARGE SCALE STREET OR PLAT MAP
	(3) PHOTO OF MAIN FACADE, B&W, AT LEAST 3"X5"

I. DESIGNATION HEARINGS

Item 2: 315 Seaspray Ave.
Owner: Nadine Netter Levy; Nadine Netter Levy Trust; Nadine Netter Levy Trust Title Holder

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran and Mr. Cooney.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Mission Revival style, 1924 Alfred Laurenborg home. Ms. Murphy pointed out the design features, some of which include the wide chimney that tapers at angle past the roofline, the column entry porch, the parapet roof with the Spanish tile on top and the wide arched porte cochère. Ms. Murphy testified that the building meets 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; and

Mr. Cooney asked for confirmation that the Town had proof of publication and notice with regard to this landmark designation hearing. Ms. Churney provided confirmation.

Motion made by Ms. Albarran and second by Mr. Gannon that the designation report be made part of the record. Motion carried with all in favor.

Motion made by Ms. Albarran and second by Mr. Segraves that 315 Seaspray Avenue be recommended to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161.

Mr. Cooney asked for public comment and there was none.

Ms. Hufty inquired about the metal work on the chimney. Ms. Murphy and Mr. Lindgren responded.

Ms. Hufty asked about a book referenced in the designation report. Ms. Murphy responded.

Motion carried with all in favor.

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.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - Old Business

Agenda Title

SITE PLAN REVIEW #1-2017 The application of 235 Via V PB LLC (Stuart Kapp, Manager); relative to property commonly known as **235 Via Vizcaya**., described as lengthy legal description on file; located in the R-A Zoning District. The applicant is requesting a site plan review to allow the construction of a 7,444 square foot two-story, single family residence on a non-conforming platted lot which is 15,344 square feet in area in lieu of the 20,000 square foot minimum area required; 47.25 in width in lieu of the 125 foot minimum required; and 97.58 feet in depth in lieu of the 150 foot minimum required. [Attorney: Frank Lynch, Esq.] [The Architectural Commission denied the project at the September 27, 2017 meeting. Carried 4-3] **Request for Deferral to January 15, 2018 Town Council Meeting per Letter Dated November 7, 2017 from Francis Lynch**

Presenter

ATTACHMENTS:

- **Letter Dated November 7, 2017 From Francis Lynch**

The Law Offices of

BRETON, LYNCH, EUBANKS & SUAREZ-MURIAS, P.A.

Peter L. Breton
Francis X. J. Lynch
John R. Eubanks, Jr.
Marta M. Suarez-Murias
Robert J. Sniffen – Of Counsel
Jack Schramm Cox, Chartered – Of Counsel

www.blesmlaw.com
Sender's Direct Line: (561) 721-4004
E-Mail: flynch@blesmlaw.com

605 North Olive Avenue, 2nd Floor
West Palm Beach, FL 33401
Phone: (561) 721-4000
Facsimile: (561) 721-4001

November 7, 2017

VIA E-MAIL

Mr. Paul Castro
Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Re: 235 Via Vizcaya
Site Plan Review #1-2017

Dear Paul:

We request a deferral of the above matter as applicant's ARCOM application will not be heard until the December 15, 2017 ARCOM meeting. We ask that this be deferred to the January 15, 2018 Town Council meeting.

Should you have any questions or comments, please feel free to contact me.

Sincerely,

FRANCIS X. J. LYNCH

FXJL/kh

Z:\Data\04597\1\ltr-castro deferral2.doc

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - Old Business

Agenda Title

VARIANCE #21-2017 The application of Vera Alfieri Monforte; relative to property commonly known as **218 Miraflores Dr.,** described as lengthy legal description on file; located in the R-B Zoning District. The applicant is proposing to construct a 1,230 square foot second story addition on the west side of the one story residence that will create two bedrooms, a gym and two bathrooms. The following variances are being requested: 1) lot coverage of 33.7% in lieu of the 30% maximum allowed for a two story residence, 2) a west side yard setback of 13 feet in lieu of the 15 foot minimum required, 3) a rear yard setback of 13.91 feet in lieu of the 15 foot minimum required. [Attorney: Maura Ziska, Esq.] [The Architectural Commission deferred the project to the January 24, 2018 meeting. Carried 7-0.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated December 4, 2017 from Maura Ziska**

Presenter

ATTACHMENTS:

- **Letter Dated December 4, 2017 From Maura Ziska**

KOCHMAN & ZISKA PLC

Ronald S. Kochman*
Maura A. Ziska

Marvin S. Rosen, *Counsel*•

*Also admitted in New York
•Also admitted in Michigan

Esperanté
222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960
Facsimile: (561) 802-8995

VIA E-MAIL

December 4, 2017

Paul Castro
Kelly Churney
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: VAR 21-2017 218 Miraflores

Dear Paul and Kelly:

Please **defer** the above referenced matters **from the December 13, 2017** Town Council agenda **to the February 14, 2018** Town Council agenda. The reason for the deferral is due to ARCOM deferring the project at the November 29, 2017 meeting. Please call me if you have any questions or comments with the foregoing. Thank you.

Sincerely,

Maura Ziska

Maura A. Ziska

MAZ/jch
cc: Architect

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - Old Business

Agenda Title

Z-17-00034 SITE PLAN REVIEW Zoning District: R B Low Density Residential. The application of SHULMAN ALAN L, Owner, relative to property located at **377 N LAKE WAY**, legal description on file, is described below. Site Plan Review to allow the construction of a 7,465 square foot two story, single family residence on a non conforming platted lot which is 89.11 feet in width in lieu of the 100 foot minimum width required in the R B Zoning District. [Applicant's Representative Maura Ziska Esq] [The Architectural Commission deferred the project to the January 24, 2018 meeting. Carried 7-0.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated December 4, 2017 from Maura Ziska**

Presenter

ATTACHMENTS:

- **Letter Dated December 4, 2017 From Maura Ziska**

KOCHMAN & ZISKA PLC

Ronald S. Kochman*
Maura A. Ziska

Marvin S. Rosen, *Counsel*•

*Also admitted in New York
•Also admitted in Michigan

Esperanté
222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960
Facsimile: (561) 802-8995

VIA E-MAIL

December 4, 2017

Paul Castro
Kelly Churney
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: Z-17-00034 377 N Lake Way

Dear Paul and Kelly:

Please **defer** the above referenced matters **from the December 13, 2017** Town Council agenda **to the February 14, 2018** Town Council agenda. The reason for the deferral is due to ARCOM deferring the project at the November 29, 2017 meeting. Please call me if you have any questions or comments with the foregoing. Thank you.

Sincerely,

Maura A. Ziska

MAZ/jch
cc: Architect
00036797.DOC

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z-17-00020 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: CT-S Town-Serving Commercial. The application of CARRIAGE HOUSE PROPERTIES PART, Owner, relative to property located at **264 S COUNTY RD** SUITE: SITE, legal description on file, is described below. PLEASE NOTE: THIS PROJECT ENCOMPASES BOTH 264 & 270 S COUNTY RD. 1. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the CT-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation: Sunday through Wednesday 11:00 a.m. to 12:00 midnight; Thursday through Saturday 11:00 a.m. to 2:00 a.m. 2. A request for a special exception to provide 68 night-time (after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House. [Applicant's Representative: Maura Ziska Esq]

Presenter

ATTACHMENTS:

- **Memorandum dated November 21, 2017 from John S. Page, Director of Planning, Zoning and Building**
- **Comments from the Development Review Committee**
- **Letter Dated December 5, 2017 From Josh Levy**
- **Opposition Letter Schaefer and Zilly**
- **Opposition Letter Attachment 1 of 5**
- **Opposition Letter Attachment 2 of 5**
- **Opposition Letter Attachment 3 of 5**
- **Opposition Letter Attachment 4 of 5**

- **Opposition Letter Attachment 5 of 5**
- **Opposition Letter Geist**
- **E-Mail Dated November 29, 2017 From Pepper**
- **Letter Dated December 1, 2017 From Eubanks**
- **Letter Dated December 5, 2017 From Eubanks**
- **Letter Dated December 5, 2017 From Josh Levy Attachment**
- **Letter Dated December 6, 2017 From Eubanks**
- **Letter 2 Dated December 6, 2017 from Eubanks**
- **Letter Dated December 7, 2017 from Eubanks**
- **Exhibit A**
- **Exhibit B**
- **Exhibit C**
- **Exhibit D**
- **Exhibit E**
- **Exhibit F**
- **Exhibit G**
- **Exhibit H**
- **Exhibit I**
- **Exhibit J**
- **Exhibit K**
- **Exhibhit L**
- **Exhibit M**
- **Exhibht N**
- **Exhibit O**
- **Exhibit P**
- **Exhibit Q**
- **Exhibit R**
- **Exhibit S**
- **Exhibit T**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director, Planning, Zoning & Building Department

Subject: **Z-17-00020 SPECIAL EXCEPTION WITH SITE PLAN REVIEW**
264 S COUNTY RD SUITE: SITE

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council require the applicant to meet all conditions and comments as provided for in the Development Review Comments (DRC) Report attached.

BACKGROUND

An application has been received for the following project:

REQUEST:

PLEASE NOTE: THIS PROJECT ENCOMPASES BOTH 264 & 270 S COUNTY RD.

1. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the CT-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation: Sunday through Wednesday 11:00 a.m. to 12:00 midnight; Thursday through Saturday 11:00 a.m. to 2:00 a.m.
2. A request for a special exception to provide 68 night-time (after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House.

ADDRESS: 264 S COUNTY RD SUITE: SITE

OWNER: CARRIAGE HOUSE PROPERTIES PART

OWNER'S REPRESENTATIVE: KOCHMAN & ZISKA PLC

PROPERTY CONTROL NO.: 50-43-43-22-10-000-0120

ZONING DISTRICT: C-TS Town-Serving Commercial

LEGAL DESCRIPTION: PL OF PHIPPS PLAZA LT L

Staff recommends that the Town Council consider the presentations by the applicant and Staff, as well as the report of the Development Review Committee (attached) and comments from interested parties regarding the application.

Attachment

cc: John C. Randolph, Town Attorney
Paul W. Castro, Zoning Administrator
pf & zf

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 6/29/17

APPLICATION NO.: Z-17-00020 **APPLICATION TYPE:** SPECIAL EXCEPTION WITH SITE PLAN REVIEW

ADDRESS: 264 S COUNTY RD SUITE: SITE

DESCRIPTION:

PLEASE NOTE: THIS PROJECT ENCOMPASES BOTH 264 & 270 S COUNTY RD.
1. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the CT-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation: Sunday through Wednesday 11:00 a.m. to 12:00 midnight; Thursday through Saturday 11:00 a.m. to 2:00 a.m.
2. A request for a special exception to provide 68 night-time (after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	7/14/2017	No Comment.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	8/29/2017	I am concerned about the logic that each vehicle will have 4 occupants; I believe that we will see single occupancy vehicles and couples. It would take all spaces available to handle the proposed club attendees during large events. Will all available spaces be open?
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	7/14/2017	Proposal shows a increase in occupancy with tables. We need a life safety plan with exit corridors and travel distance. Parking concerns for Emergency Vehicle access.
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	7/14/2017	I have no comment regarding this project.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	7/14/2017	No Comment.
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	7/14/2017	Conversion of "restaurant" to "club" equals intensification of use. Absence of off-street parking will create constant traffic circulation problems. Applicant must produce traffic concurrency documentation, acceptable to the Town, attesting to the adequacy of parking and traffic circulation.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	7/14/2017	No Comment.

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 6/29/17

PZB - ZONING	Paul Castro, Zoning Administrator	7/14/2017	The principle of equivalency calculations are incorrect. The applicant cannot use previously granted relief for a different land use in its calculations. The application also is also difficient as there is no reference to who the representative of "Carriage House" is on the applicant line. I believe there will be significant negative impacts to South County Road in that area and Phipps Plaza. There is absolutley no off-street parking for this use and assembly of club members for events will increase parking demand in that area. Staff will be requiring concurrency and a parking and traffic circulation study by the Town's consulant as part of the Town's reivew of the application. In addition, Exhibit C of the application related to the Parking Statement is not completed. The application requires a detailed parking statement which includes details of all available off-street parking. There is no information regarding the number of employees per shift nor any indication where employees would park. The attorney wrote "N/A", not applicable. See memorandums from American Consulting Engineers of Florida regarding parking and traffic circulation and traffic concurrancy (attached).

Kimley»Horn

December 5, 2017

Josh Levy
221 N. Hogan Street Suite 400
Jacksonville, Florida 32202

Re: ***Carriage House/264 Grill***
Parking Evaluation
Palm Beach, Florida
Kimley-Horn #140379000

Dear Mr. Levy:

Kimley-Horn and Associates, Inc. was retained to provide a parking evaluation for the above-mentioned site. The site is located at 264/270 South County Road in the Town of Palm Beach, Florida. The proposed plan of development includes the merging of these adjacent properties. The PCN's for the two sites are 50-43-43-22-10-000-0120 and 50-43-43-22-10-000-0110, respectively. *Figure 1* shows the site location. Buildout is expected by 2019.

Currently, 264 South County Road consists of a quality restaurant with 118 seats while the 270 South County Road property consists of 3,039 square feet of general commercial retail on the first floor and 2 apartment units on the second floor. The current plan of development includes combining these two parcels into one property containing private club use. The existing and proposed site plans have been attached for reference.

The site is grandfathered to not have to provide any on-site parking per the Town's Principle of Equivalency Calculation which would allow the property to be redeveloped with 66 parking spaces to use as a credit for the new use. The Principle of Equivalency Calculation is shown in *Table 1*. The table explains how the Principle of Equivalency determines the 66 parking spaces and how that translates to a 264-member cap for a private club.

Table 1: Existing Required Parking

Floor Level	Space	Area	Parking Ratio	Parking Count (spaces)
1st Floor	Dining Area	2,081 SF (118 seats)	1:3	39.3
1st Floor	Retail Area	2,101 SF	1 : 200 Gross	10.5
1st Floor	Back of House	2,490 SF	1 : 300 Gross	8.3
2nd Floor	Back of House	369 SF	1 : 300 Gross	1.2
1st Floor	Residential Units	938 SF	2 spaces/unit	2.0
	Each Unit			
	Total 1 Unit			
2nd Floor	Residential Units	3,185 SF	2 spaces/unit	4.0
	Each Unit			
	Total 2 Units			
			Total Spaces	**66**

Town of Palm Beach Parking Code

Article 9.2, Section 134-2176 of the Town of Palm Beach Land Development Standards defines the parking requirements for 'social, swimming, golf, tennis and yacht clubs' in the Town of Palm Beach; this use most closely represents the proposed use for this site. Per this Standard, The Town of Palm Beach requires 1 parking space for every 4 members of a private social club. Based upon these requirements, a 264-member social club equates to 66 parking spaces and should be allowed without any on-site or other off-street parking arrangement per the Town's Principle of Equivalency. The calculation is summarized in *Table 2*.

Table 2: Palm Beach Required Parking

Land Use	Intensity	Palm Beach Parking Rate	Required Parking
Social Club	264 Members	1 Space per 4 Members	66

Although no on-site or other off-street parking is required, this study identifies a potential supplemental off-street parking location to help offset the expected parking demand during peak evening hours.

The nearby commercially zoned lot located at 230 Royal Palm Way contains 68 off-street parking spaces. The location of the parking lot is within the Commercial-Town Serving (C-TS) area and can be seen in *Figure 2*. It is anticipated that all 68 off-street parking spaces will be available to be utilized by employees, patrons, and valet services of the club on an after 5 PM basis.

Because club attendance is anticipated to peak in the evening AND lunch time operations will be expressly limited (see below), off-street parking spaces are anticipated to be in highest demand during the peak evening hours after 5:00 PM; therefore, the off-street parking in the lot will only be secured in the evening when patron demand is the highest. The commercially zoned lot and the paths for the valet services are illustrated in *Figure 3.* As illustrated in *Figure 3*, the lot provides at least 68 spaces and direct access to Royal Palm Way.

The club is proposing to limit lunch service to a maximum of 118 seats. The parking lot at 230 Royal Palm Way will not be available for use during the lunchtime peak hours; however, there is public parking within the vicinity of the site in public areas that will accommodate the 118 seat use during lunchtime. It should be noted that dedicated parking was not provided or required by the Town for the 264 Grill which was open for lunch with 118 seats.

The on-street parking supply in the vicinity of the project exceeds the 66-space parking demand and will accommodate any patrons who do not wish to use the valet services and the lot located at 230 Royal Palm Way. It should be noted that due to the location and use of this proposed development, it is reasonable to assume that some patrons will choose to walk or use shared-ride services; therefore, the parking demand is likely overestimated compared to the code calculation.

Conclusion

This analysis was prepared to address the Town of Palm Beach Code parking requirements for private social club use. As previously mentioned, **the site is not required to provide on-site or supplemental shared parking** per the Town's Principle of Equivalency for the proposed use. On-street parking within the vicinity of the site will accommodate the peak parking demand during the day with no incremental impact when compared to the prior use. During peak evening hours, the 68-space supplemental shard parking lot at 230 Royal Palm Way will itself be sufficient to meet the 66-space anticipated demand for a 264-member private club. Application of Article 9.2, Section 134-2176 of the Town of Palm Beach Land Development Standards, although not required, equates the 66 spaces allowed to a 264-member social club. Therefore, the club will be limited to 264 members. Therefore, as demonstrated in this summary, there is adequate parking provided for this project site.

Should you have any questions, please contact me via e-mail at adam.kerr@kimley-horn.com or via phone at (561) 840-0874.

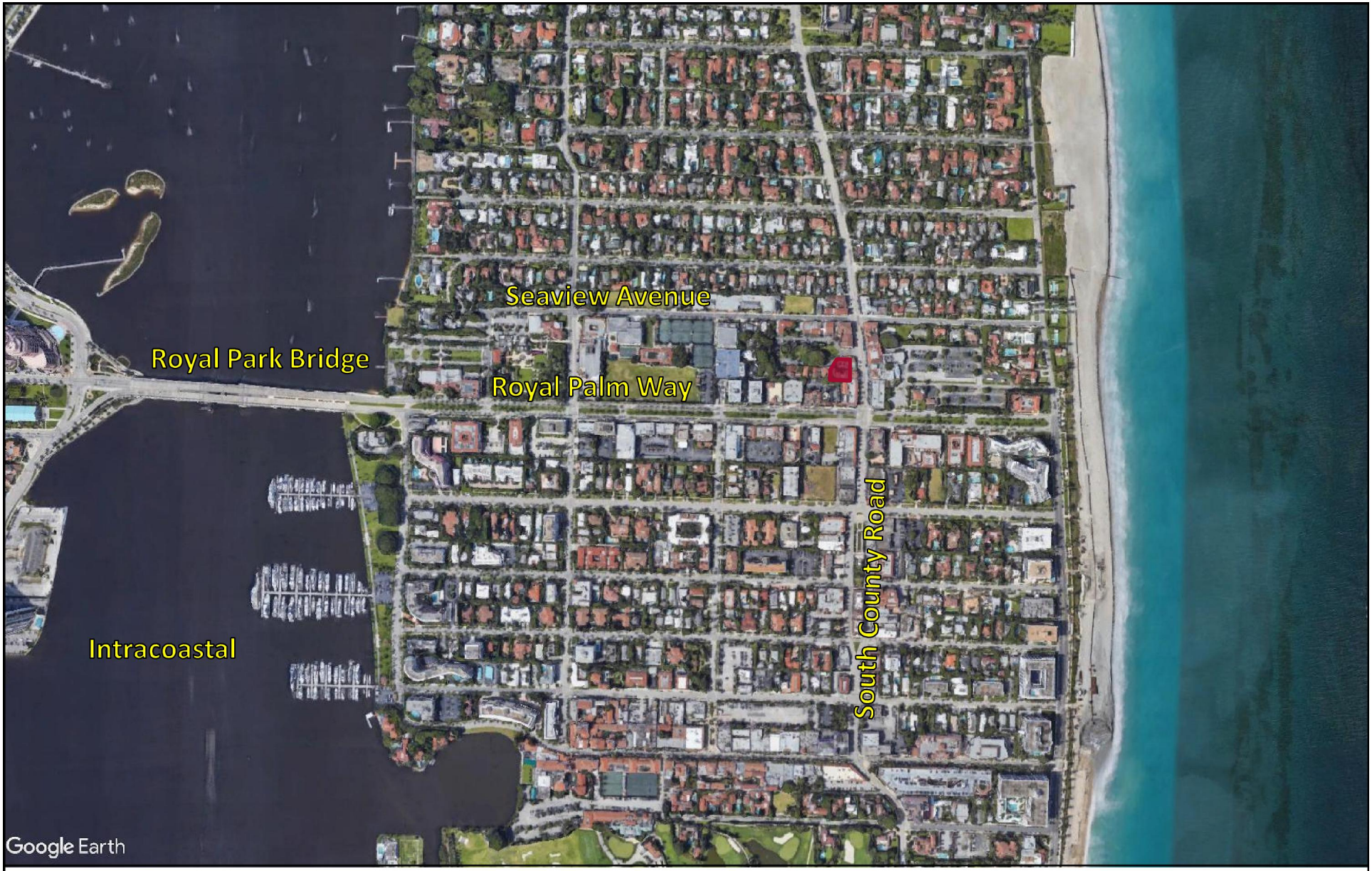
Please contact me at 561-840-0874 if you have any questions.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

Adam B. Kerr, P.E.
Transportation Engineer

Florida Registration
Number 64773
Certificate of Authorization
Number CA00000696

K:\WPB_TPTO\1403\140379000 - 264 Grill\Parking Analysis\2017-11-29 230 Royal Palm Way.docx



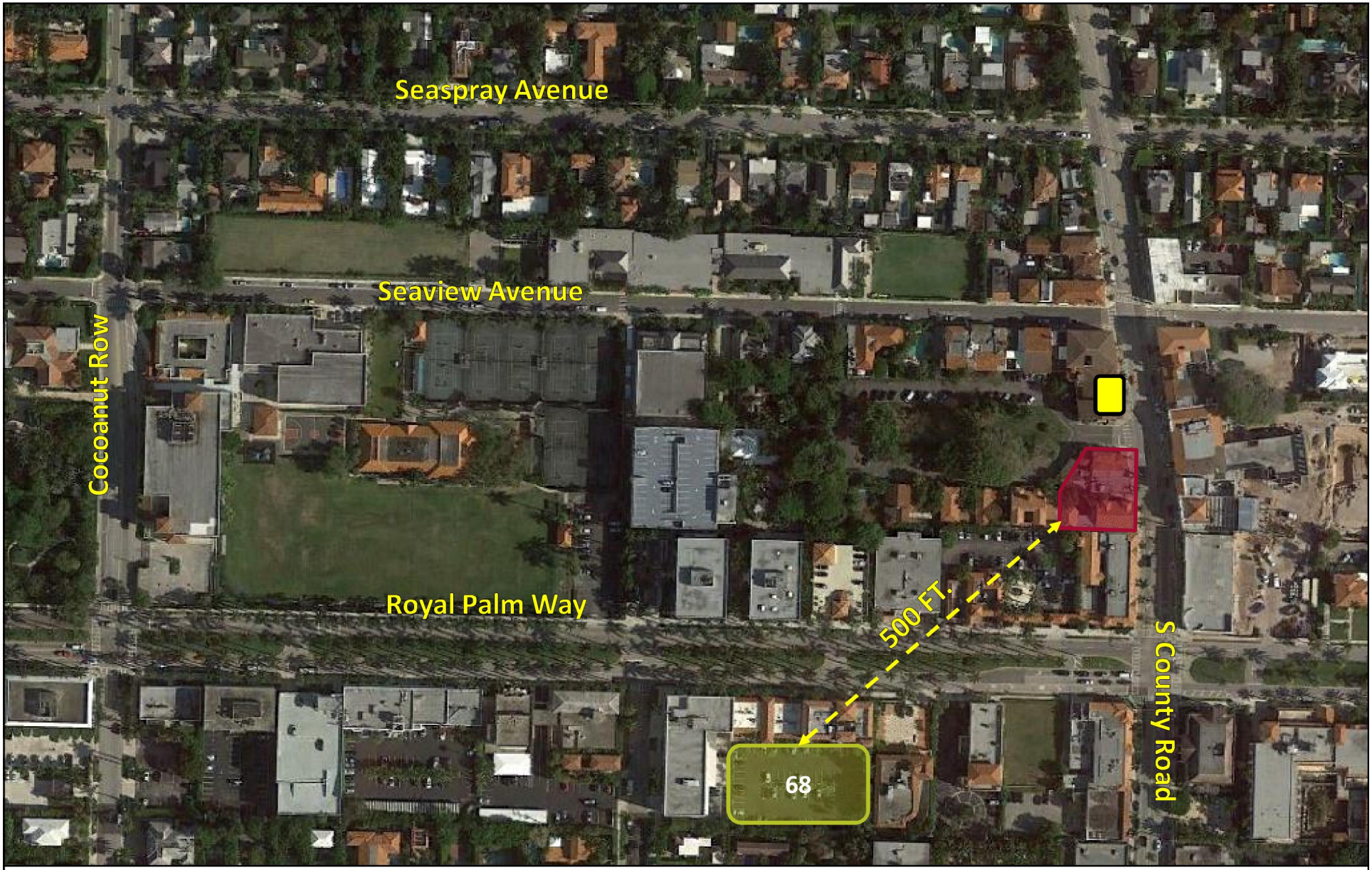
NORTH

LEGEND

SITE

FIGURE 1
Site Location
Carriage House
KHA # 14037900

Kimley»Horn



NORTH

LEGEND

- SITE
- 230 ROYAL PALM WAY (68 SPACES)
- VALET DROP-OFF/PICK-UP LOCATION

FIGURE 2
Parking Lot Location
Carriage House
KHA # 14037900

Kimley»Horn



FIGURE 3
Valet Operations
Carriage House
KHA # 14037900

Kimley»Horn

From:	Pat Gayle-Gordon
To:	Kathleen Ruderman; Kelly Churney
Cc:	John Page; Paul Castro
Subject:	FW: Modified application for Carriage House Club
Date:	Wednesday, November 22, 2017 11:17:54 AM
Attachments:	MODIFIED Z-17-00020 264-270 S COUNTY RD RECORD REV 2 (Part 1 of 5).pdf

From: john schaefer [mailto:johnschaefer8@yahoo.com]
Sent: Wednesday, November 22, 2017 11:14 AM
To: Gail Coniglio <GConiglio@TownofPalmBeach.com>; Town Council <TCouncil@TownofPalmBeach.com>; Town Clerks Staff <TownClerk@townofpalmbeach.com>
Subject: Modified application for Carriage House Club

Ladies and Gentlemen
The developers of the Carriage House Club at Phipps Plaza are on your agenda for December 13. My wife and I own a residence in Phipps Plaza and we are very concerned with this expansion and intensification of use of what had been a limited hour restaurant operation. That restaurant closed several years ago. The application is quite long and contains some very interesting and questionable interpretations of what is allowed in Town. It also is not fully responsive to the Town's staff concerns about circulation, parking, on site refuse disposal and loading areas. We believe that this will negatively impact Phipps Plaza, an historic residential area. I am forwarding the application to you to give you more time to review and consider it. I am told that you generally have very full agendas and that you receive materials related to all agenda items only a few days in advance. There are five sections that I will forward to you. I tried to send all as an attachment to this email but it exceeded the fixed limit the Town has in place. I have attached the first here and will forward others in separate emails.
Thanks in advance for your time and consideration.
John Schaefer and Pamela Zilly

Z-17-00020
Zoning Application/Case#

264 & 270 South County Rd.
Property Address

TOWN OF PALM BEACH ZONING APPLICATION CHECKLIST

INSTRUCTIONS TO APPLICANT: Your complete submission will include a disc, payment of fees, and other documents as indicated below. Please refer to detailed instruction sheets for reference. Incomplete or incorrectly prepared applications will not be accepted.

N/A **NOTE: If the Zoning Administrator has told you that your project must be referred to ARCOM or the Landmarks Preservation Commission prior to your Town Council hearing, you are required to submit the ARCOM or LPC application package including the ARCOM/LPC application, one full size set of signed & sealed plans, and the appropriate ARCOM/LPC filing fee. This must be submitted at the same time that you submit for your variance, special exception or site plan review. Be sure to use the correct COMBO NOTICE and include a copy of that application with your submittal.**

- **DIGITAL SUBMISSION REQUIREMENTS** The contents of your disc must include the following:

✓ Disc properly labeled with case number and street address and containing files as indicated on attached instruction sheet and as indicated below. Refer to instruction sheet for proper formatting and naming conventions.

✓ Copy of this checklist prepared by staff

✓ TYPED Application (including a location map which clearly shows the subject property, displays a North arrow, indicates nearby cross streets and indicates house numbers of the properties shown. MUST include a parking statement).

✓ Notice Affidavit (or appropriate Combo Notice if applicable)

✓ Tax map identifying 300-foot radius and subject property (obtained from property appraiser)

✓ List of all property owners within 300-foot radius (obtained from property appraiser)

✓ Sample envelope – scanned copy of the envelope and contents (see instructions)

✓ Letters from other agencies: __ Dept. Environmental Protection ✓ Traffic Concurrency __ Army Corps of Engineers __Other

n/a Any associated correspondence

- **NON-DIGITAL SUBMISSION REQUIREMENTS** NOTE: All full-size plans must include the zoning case number, be signed and sealed and be folded together as one set.

✓ One (1) full-sized set of signed & sealed plans including streetscape (Submit original and include on disc)

✓ One (1) full-sized set of signed and sealed existing floor plans & elevations (Submit original and include on disc)

n/a One (1) full-sized set of signed and sealed paving and drainage plans (Submit original and include on disc)

n/a One (1) current survey (abstracted), including any historic trees (Submit original and include on disc)

✓ Twelve (12) mini-sets of the Zoning Application (including a location map which clearly shows the subject property, displays a North arrow, indicates nearby cross streets, indicates house numbers of properties shown and MUST include a parking statement), reduced plans (maximum size 11 x 17) including existing floor plan and elevations with plans stapled to applications. ALL PLANS MUST INCLUDE ZONING CASE NUMBER

- **AFFIDAVIT OF MAILING (ORIGINAL must be submitted to the Town no later than FIVE DAYS AFTER SUBMITTAL DEADLINE).** Notices to surrounding property owners (see instructions). If this project is a "COMBO" be sure to include correct notice and both applications.

- **FEE:** $1,500

Logan Elliott
TOWN STAFF

6/20/17
DATE

Rev 06/15/2017

Additional fee: $500 10/20/17

THIS APPLICATION IS BEING MODIFIED TO ADD A SPECIAL EXCEPTION REQUEST TO THE ZONING APPLICATION TO ALLOW SUPPLEMENTAL OFF-SITE SHARED PARKING AT 230 ROYAL PALM WAY.

MODIFIED ZONING APPLICATION
TOWN OF PALM BEACH

MODIFIED Z-17-00020
(Zoning Case Number)

This application includes requests for:
X Site Plan Review
X Special Exception
___ Variance

TO BE HEARD BY THE TOWN COUNCIL ON DECEMBER 13, 2017 AFTER 9:00 A.M., IN THE TOWN OF PALM BEACH COUNCIL CHAMBERS LOCATED ON THE 2ND FLOOR, 360 SOUTH COUNTY ROAD, PALM BEACH.
Pursuant to the Town Zoning Code of Ordinances, Sections 134-172 (Special Exceptions and Variances) and/or 134-328 (Site Plan Review), this application is being sent to all property owners within 300' of the location of the subject zoning application. A copy of this application along with all exhibits such as large drawings and other supporting documents that are not attached to this application are available for inspection at the Town's Planning, Zoning & Building Department, 360 S. County Rd., east entrance, weekdays between the hours of 8:30 a.m. and 4:30 p.m. All interested persons may appear and be heard at said Public Hearing and may likewise submit written statements prior to and at said Public Hearing. If any person decides to appeal any decision made by the Town Council with respect to this matter, he/she will need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

I. **SUBJECT ADDRESS**: 264 and 270 So. County Rd AND 230 Royal Palm Way

Zoning District: C-TS and C-OPI

Fee Simple Property Owner's Name: Carriage House Properties Partners LLC, a Delaware limited liability company AND JHD ASSOCIATES, LLC

Legal Description: Lots K and L of PHIPPS PLAZA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and For Palm Beach County, Florida, recorded in Plat Book 20, Page 72 AND See attached Exhibit "A" for legal description of 230 Royal Palm Way.

Name and address of person who can receive service of process for purposes of litigation in Palm Beach County: Maura Ziska, Esq. 222 Lakeview Ave, Suite 1500 W. Palm Beach, FL 33401
Applicant Name: Carriage House and JHD Associates, LLC
Contact phone: c/o Maura Ziska 561-802-8960

II. **DESCRIPTION OF THE REQUEST TO BE HEARD BY TOWN COUNCIL, citing applicable Town Zoning Code Section Number(s):**
A. Applicable Zoning Code Section Number(s):

1. Section 134-329 Review by Town Council.
2. Section 134-1109 Special Exception (4) Private social, swimming, golf, tennis and yacht clubs.
3. Section 134-2182(c) Special Exception for supplemental off-site shared parking in C-OPI Commercial Zoning District.

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B. Description of request by Zoning Section Number(s):

1. **A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the C-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation:**

   Sunday through Wednesday 11:00 a.m. to 12:00 midnight;
   Thursday through Saturday 11:00 a.m. to 2:00 a.m.

2. **A request for a special exception to provide 68 night-time(after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House.**

III. **APPLICATIONS CONTAINING SPECIAL EXCEPTIONS**

If the application contains requests for Special Exceptions, complete **Exhibit B,** and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in Exhibit B (Requirements for granting Special Exceptions by the Town Council as stated in the Towns Zoning Code at Section 134-229).

Special Exception approval should be granted as the Carriage House will prove to be town serving based on the demographics of Palm Beach and the town serving report submitted herein. Furthermore, the special exception to provide 68 off-site shared parking spaces at the 230 Royal Palm Way should be approved as the criteria required to allow such will be met and the parking provides the most feasible location for additional parking considering the traffic circulation and valet operation. See below criteria:

Supplemental off-site shared parking. A commercial use may make available to another existing commercial use the former's required or supplemental parking spaces for use by patrons or employees if the following conditions are met:

1) Granting of such supplemental off-site shared parking shall not be granted to expand, enlarge or intensify an existing use or proposed use, or the development or redevelopment of a property or structure. **The proposed supplemental off-site shared parking is not intended to expand the use of the private club as the proposed number of members and the principle of equivalency requires zero (0) on-site parking spaces. The subject request is to alleviate parking concerns in the area.**
2) The applicant establishes to the satisfaction of the town staff, at the applicant's expense, that all other establishments using the existing parking spaces will primarily utilize these spaces at different times of the day, week, month or year from that of the applicant's use, and that the sharing of such parking spaces will not result in conflicting or overlapping usage of the parking facilities. **The proposed use of 68 parking spaces are to be used after 5 p.m. so there will not be any conflict with the office use of the same parking spaces.**
3) The owner of the parking lot shall enter into a written agreement with the town which identifies the number of shared parking spaces, the hours the shared parking will be used by other businesses, and the location of the shared parking within the parking lot. Said agreement shall have the applicant acknowledge that all parties sharing parking shall not have overlapping or conflicting hours of operation. In addition, as part of the written agreement, the supplemental shared parking lot owner shall be required to obtain a business tax receipt and annually provide the town with an inventory of those businesses and the number of spaces the businesses are individually using in the supplemental parking lot at the time of renewal of the business tax receipt. **To be provided if the subject application is approved.**

4) Supplemental off-site shared parking shall be only for uses no more than 1,500 feet from the off-site supplemental shared parking lot. **The subject parking lot is within 1500 feet of the proposed Carriage House Club.**

5) The applicant shall provide evidence which shall prove to the satisfaction of the town that the supplemental off-site shared parking use shall not cause over uses or parking congestion of the shared parking lot, or increase noise, light or traffic impacts upon neighboring residential districts. **The proposed parking lot is located around the corner on Royal Palm Way, which is a commercial area in town and becomes mostly vacant after 5 pm.**

IV. APPLICATIONS CONTAINING SITE PLAN REVIEW

If the application contains Site Plan Review, complete **Exhibit C**, and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in **Exhibit C** (Site Plan Review by Town Council as stated in the Town's Zoning Code at Section 134-329).

The Site Plan Review should be approved as there are no proposed modifications to the site.

V. SITE HISTORY

Please provide a detailed history in chronological order of all zoning-related requests processed on or after January 1, 1970 applicable to this property.

264 South County Road

Special Exception 28-93 requested 16 outdoor seats was denied.

Special Exception 30-95 with Variance was granted to allow 264 Grill to expand from 1,931 s.f. to exceed 2,000 s.f. and increase seats from 89 to 103 seats without providing the additional 5 parking spaces required.

Special Exception 36-97 was granted to allow restaurant to expand from 2,461 s.f. to 3,407 s.f. and allow 15 additional seats.

Special Exception 14-2005 requested 8 outdoor seats and allow a new operator with 118 seats approved as to new operator, denied as to outdoor seats.

270 South County Road

Special Exception 17-98 with Variance was granted to allow an office on the first floor in the C-TS Zoning District.

230 Royal Palm Way

Variance 18-2007 was *approved* to allow an identification sign for Fidelity Investments above the first floor to be at a height of 15.6 feet in lieu of the 15 foot maximum allowed.

Site Plan Review 2-2006 with SE and V was *approved* to modify the site plan, elevations and interiors of the buildings including upgrading the façade and a mansard style parapet roof proposed on the existing building along with two tower features. Reconfiguration of interior layout with no increase in gross leasable floor area. Enclosing the existing staircase in the rear of the building is proposed to increase security and maintain a consistent appearance.

Site Plan Review 15-2002 with Special Exception, Variances and Flood Variance to demolish and rebuild a four-story office building was *denied* by Town Council.

Special Exception 39-96 was *approved* to allow a variance for 1 required parking space for Muriel Siebert and Company stock brokerage firm.

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Respectfully submitted,

Applicant's Signature

Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

Co-Applicant's Signature
John O'Connor for JHD Associates, LLC

Property Owner's Signature
(or his/her duly authorized attorney)
Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

Fee Simple Property Owner's Signature
John O'Connor for JHD Associates, LLC

EXHIBIT A

Legal Description of the Property

230 Royal Palm Way

This Document is Unofficial & Unverified

PARCEL 1:

Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

Together with:

An Access Easement contained in that Declaration of Covenants and Restrictions for The Seminole Building as recorded in Official Record Book 9970, Page 1164, Public Records of Palm Beach County, Florida, described as follows:

The South 135 feet of Lot 40, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida, LESS and EXCEPT the South 73 feet of the West 57 feet of Lot 40.

PARCEL 2:

Lot 40, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

Together with:

An Access Easement contained in that Declaration of Covenants and Restrictions for The Seminole Building as recorded in Official Record Book 9970, Page 1164, Public Records of Palm Beach County, Florida, described as follows:

The East 16 feet of the West 44 feet of the North 65 feet of Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

And

The South 135 feet of Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

{5894198.2}

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EXHIBIT B - REQUEST FOR SPECIAL EXCEPTION

1. The use is a permitted special exception use as set forth in article VI of this chapter.

A private club is a special exception use in the C-TS Zoning District. The building is a Town of Palm Beach Historic Landmark designed by Addison Mizner. It was previously a restaurant before it was abandoned and left vacant for the last several years. The proposal is to do an extensive renovation and upgrade the building to bring it back to its landmarked character and use it for a private club for Palm Beach residents. Supplemental off-site shared parking is allowed in the C-OPI Zoning District under Section 134-2182(c).

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 Club will not adversely impact the public health, safety, welfare or morals of the Town as the Carriage House will be an exclusive, upscale club with a small membership that will cater to Town of Palm Beach residents and their guests and offer lunch and dinner to their members as well as some special events. The club use will not create any additional noises or other nuisances then the previous restaurant and will not be a negative impact on the neighborhood. The building will be renovated to restore its landmarked design as well as be upgraded to meet current building codes. Supplemental off-site shared parking will protect the public as it will create additional parking spaces to be used at night and facilitate valet operations and traffic circulation.

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 Club will not affect the value of other properties in the neighborhood as the property is in a commercial zoning district and many of the current buildings are in disrepair. The applicant plans to do an extensive renovation to restore the buildings landmarked quality. The supplemental parking will not have an impact on value as it is in a commercial district that is vacant in the evenings.

4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

The proposed Club will be compatible with the neighborhood as a Club is a contemplated special exception use in the C-TS Zoning District. All of the requirements to meet concurrency have been or will be met. There are other private clubs in commercial and residential zoning districts throughout the Town.

5. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

The proposed Club and supplemental off-site shared parking will comply with all other yard, other open space and any special requirements set forth in Article VI.

6. The use will comply with all elements of the comprehensive plan.

The proposed Club and supplemental off-site shared parking will comply with the comprehensive plan, as further stated in Exhibit "E" attached hereto.

7. The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

The proposed Club will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district, as there will be limited changes to the exterior of the space except signage. Furthermore, the renovation will include state of the art soundproofing for window and interior walls and flooring which will further reduce any noise impacts. There will be interior garage holding space which will be kept inside until the trash collection occurs so odor will be minimized. The supplemental off-site shared parking will not impact adjoining properties as it will occur after hours when businesses in the area are closed.

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.

Adequate ingress, egress and parking is provided on site and on South County Road and surrounding streets where there is open parking. There is ample public street parking in the vicinity and the Club will have valet parking with pick upon South County Road. The proposed supplemental off-site shared parking spaces at 230 Royal Palm Way are not required per the code but will improve parking and valet operations for the members of the Club.

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.

The proposed signage will meet with the Town's requirements and be permitted as required by the Town of Palm Beach building department.

10. Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

The utility service will be upgraded if necessary.

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.

The refuse and service areas will be upgraded if necessary.

12. The proposed 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 townpersons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine its credibility and the appropriateness of the applicant's conclusions. 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 Club will be Town Serving as the members selected will account for 50% or more of the members are "townpersons". A town serving report will be submitted herein as further support.

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.

N/A

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.

The proposed Club should not place a greater burden on Town services as there is ample parking on the surrounding streets and the use as a Club is a less intense use as compared to other commercial operations such as restaurants. Furthermore, the supplemental off-site shared parking will reduce traffic and parking concerns.

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EXHIBIT C – SITE PLAN REVIEW

THE FOLLOWING ARE THE REASONS WHY THE SITE PLAN SHOULD BE APPROVED PURSUANT TO SECTION 134-329:

1. Sufficiency of statements on ownership and control of the subject property and the 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 the intended purpose and to ensure that such common facilities will not become a future liability for the Town.

The owner of the property is Carriage House Properties Partners LLC, a Delaware limited liability company and is the entity in control of the property. The property does not have any common open space, common facilities or common lands which would become a future liability for the Town.

2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon.

There are no site plan changes planned with this application.

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.

Ingress, egress, utilities and refuse collection will be improved.

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 or emergency.

The valet pick up will be in the same location as the previous restaurant, which was an acceptable location that worked well for the previous restaurant.

5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

No permanent external site plan changes are proposed.

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 capacity.

Drainage will remain the same or be upgraded if required.

7. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

The utility hook ups will remain the same or be upgraded if required.

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 the uses within the property, and the relationship to community-wide open spaces and recreation facilities.

N/A

9. Such other standards as may be imposed by this chapter for the particular use or activity involved.

N/A

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.

The building and site remain the same and there is no change to the height of the commercial structures.

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, 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.

The building and site remain the same and there is no change to the visible bulk or site.

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EXHIBIT D - PARKING STATEMENT

Please provide a detailed parking statement which includes details of all available off-street parking, including information regarding the number of parking spaces designated for service use (for example: lawn service, pool service, etc), staff/employee use, etc.

COMMERCIAL PROPERTIES MUST:

PROVIDE NUMBER OF OFF-STREET PARKING SPACES AVAILABLE FOR EMPLOYEES ON THE SUBJECT PROPERTY:

PROVIDE NUMBER OF EMPLOYEES/STAFF PER SHIFT:

INDICATE LOCATION WHERE EMPLOYEES PARK OFF SITE:

This provision is Not Applicable as a private club is not a commercial use per the definition of the code below in Section 134-1:

- ***Commercial use*** **means use of land or structures thereon or portions thereof, for the purpose of conducting business, including the provision of goods and/or services, not otherwise identified under the definition of other generic uses, to the general public or segments thereof. For the purposes of this definition, timesharing, motel and/or hotel uses and occupancy of residential properties for periods of less than three months more frequently than three times per calendar year shall be considered commercial uses.**

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EXHIBIT "E"

Land Use Element

- **OBJECTIVE 1:** Future growth and development within the Town shall be managed to maintain and enhance the Town's unique physical and historic character with emphasis on its visual qualities, and compatibility and harmony among its diverse land uses.

  Compliance: There are no new structures, no new uses, no additional impervious surface(s), the exterior of the existing structure will be preserved and there are no new subdivisions. The safe and convenient flow of traffic is being maintained. Therefore, this project complies with Objective 1.

- **OBJECTIVE 2:** Maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.

  Compliance: The proposed project will revitalize, refresh and invigorate the Carriage House back into its Historic Landmarked tradition. No new development or redevelopment is proposed. The existing "Town-Serving" function will remain as it has for numerous years. The commercial use will preserve and enhance the small-scale commercial quaintness of the town. The Carriage House application will remain a compatible use both is scale and character with the surrounding neighborhood. Therefore, this project complies with Objective 2.

- **OBJECTIVE 3:** Development orders or permits for new development or redevelopment shall be issued for construction in the floodplain or coastal high hazard area only if they meet the building elevations identified in the Flood Insurance Rate Maps (FIRM)

  Compliance: The existing building meets or exceeds the established FIRM elevation standards. Therefore, this project complies with Objective 3.

- **OBJECTIVE 4:** No new urban development shall be permitted on or over submerged lands or lands predominantly characterized by Tidal Swamp (TM) soils as identified in the Soil Survey of Palm Beach County.

  Compliance: The Carriage House has existed since approximately 1929. There's no new structures proposed and never has the site been consider constructed on submerged lands. Therefore, this project complies with Objective 4.

- **OJECTIVE 5:** Development orders and permits for new development or redevelopment, or building permits for developments that have been issued development orders prior to the adoption of the Comprehensive Plan, shall be issued only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.

  Compliance: A complete and through concurrency analysis has been conducted for this project. All existing infrastructure is in place to serve the project. There is no additional square footage being requested as a component of this application. All existing facilities and services are available to meet the Town's adopted level of service as established within the Capital Improvements

Element. Therefore, this project complies with Objective 5.

- **OBJECTIVE 6:** Efforts shall continue to be made to control blighting influences or other negative impacts to the Town, and redevelopment will be encouraged in areas experiencing deterioration, when appropriate.

  Compliance: The Town's Code of Ordinances proactively addresses potential problems and authorizes Code Enforcement to cite those property owners in need of remedial action. The adaptive reuse of this historic and treasured structure will demonstrate compliance with the Town's Code of Ordinances. Therefore, this project complies with Objective 6.

- **OBJECTIVE 7:** The number of uses incompatible with the range and location of land uses, identified in the Town's Future Land Use Plan Map, shall be reduced by attrition; and, no new uses shall be permitted that are inconsistent with the community's character and the Town's Future Land Use Plan Map.

  Compliance: The Town not only allows, but encourages historic and landmarked structures to be upgraded, maintained and used in a manner which maintains the historic character and overall property values of the community. The proposed project is compatible with the surrounding land use pattern. Moreover, this site has never been identified as a non-conforming use. Therefore, this project complies with Objective 7.

- **OBJECTIVE 8:** The Town shall protect its natural resources. The measurement of this objective is the extent to which natural resources are preserved.

  Compliance: This project intends to maintain the natural environment by designing the club to follow all applicable Town standards with respect to: (i) landscaping, (ii) drainage, (iii) protection of air quality, (iv) removal of prohibited plant materials and the like. Therefore, this project complies with Objective 8.

- **OBJECTIVE 9**: The Town shall protect its inheritance of structures and neighborhoods having historic or architectural merit. The measurement of this objective is the extent to which historic or architectural structures or neighborhoods are preserved, and the degree to which the following policies are implemented.

  Compliance: The proposed project clearly intends to protect this historically significant property and the site's aesthetic character and value through the active participation in the Town's Historic Landmarks Preservation Commission ("HLPC"). Any future modifications or alterations to the site will require HLPC approval. Therefore, this project complies with Objective 9.

- **OBJECTIVE 10:** The Town will coordinate and comply with any resource planning and management plan prepared pursuant to Chapter 380 FS.

  Compliance: This project and its owner will support the Town's efforts to continue to coordinate with other governments in securing full resources by the State and other agencies for programs of their design, creation and/or benefit, and continue to ensure the protection of local self-determination in matters which are not demonstrated to be of actual regional significance. Therefore, this project complies with Objective 10.

- **OBJECTIVE 11:** Provide for Planned Unit Developments, and other innovative regulations and techniques that will assist the Town in maintaining its high

standards, quality of life, and appropriate mix and location of land use types and structures; and, in ensuring that new development is compatible with existing surrounding properties.

- Compliance: While not directly applicable to this project, nevertheless, the club supports and encourage the Town to develop news LDR's which offer innovative regulations and techniques that will assist the Town in maintaining its high development standards, wonderful quality of life while ensuring that new development is compatible with existing surrounding properties. Therefore, this project complies with Objective 11.

- **OBJECTIVE 12:** The Town shall coordinate its coastal area population with the Regional Hurricane Evacuation Plan. The measurement of this objective will be the degree to which the Town coordinates with the appropriate Evacuation Plan.

  Compliance: The project supports the Town's education and notification process to emphasize the unpredictability of the power of an approaching storm and the need to evacuate early upon an evacuation warning. Therefore, this project complies with Objective 12.

- **OBJECTIVE 13:** The Town of Palm Beach shall continue to implement corrective measures on all access points identified by the Town as inadequate.

  Compliance: There are no new access points proposed by this project. The club intends to maintain the existing access features currently existing and in place for the entire site. Therefore, this project complies with Objective 13.

Historic Preservation Element:

The Carriage House application intends to maintain the historic and cultural significance of the property. The applicant clearly recognizes the important value of linking the past with the present while creating a unique community asset and a "sense of place" which offers a source of pride for the Town. The Carriage House application for a private club will:

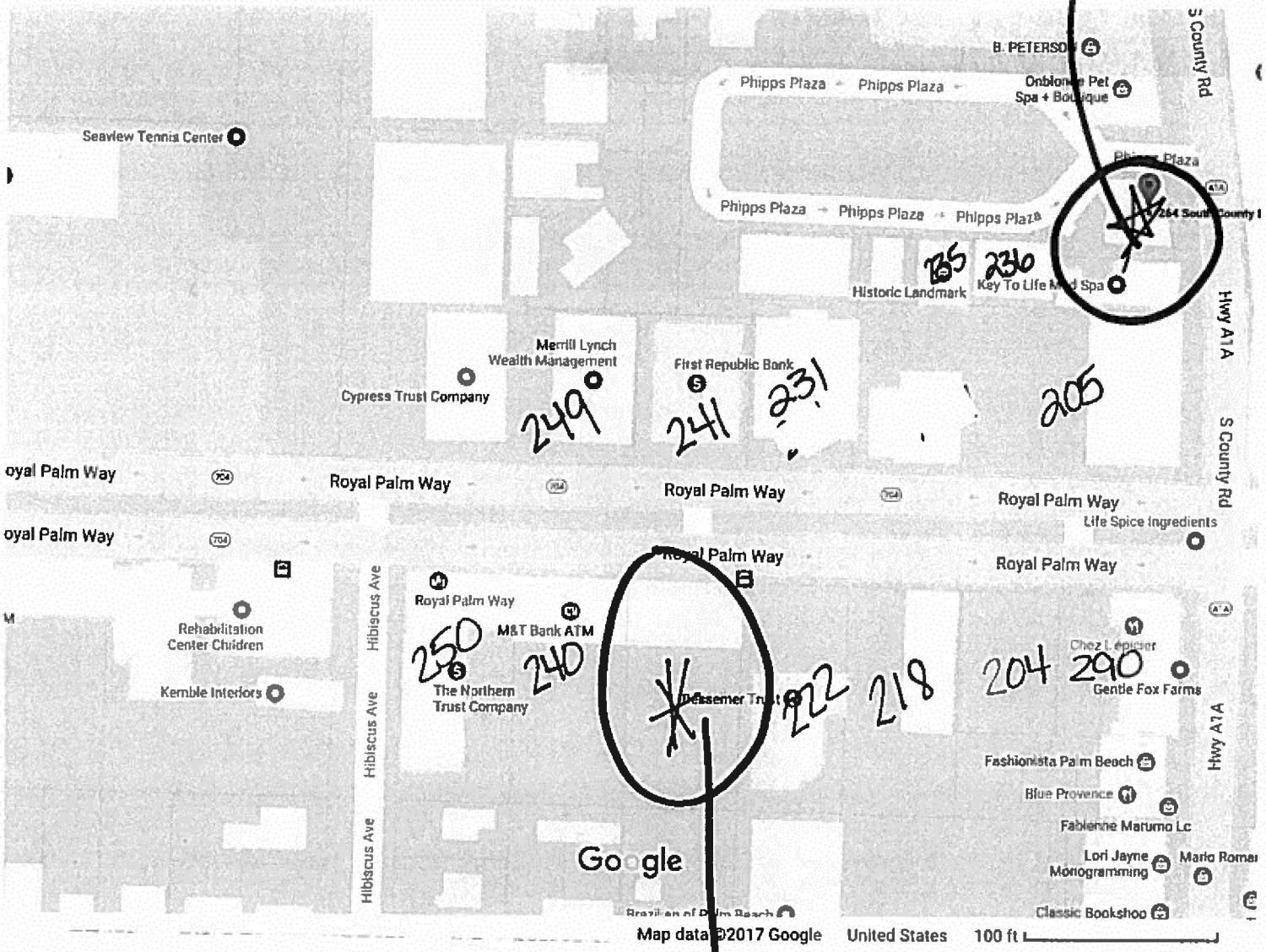
1. Safeguard/enhance that which reflects the Town's history and heritage
2. Stabilize and improve property values
3. Foster civic pride in the notable accomplishments of the Town's past
4. Protect the Town's attraction to residents and visitors
5. Strengthen the economy of the Town
6. Promote the education, pleasure and welfare of residents

- **OBJECTIVE 1:** The Town shall protect and preserve its prehistoric and historic resources. The measurement of this objective shall be the extent to which such resources are protected.

  Compliance: Beginning in 1927, structures designed, built or modified in Palm Beach have been regulated by an advisory body of the Town of Palm Beach. The original body was called the Art Jury. Members such as Addison Mizner, Maurice Fatio, and Charles Perrochet assisted in a sort of design critique to help ensure the beauty and visual harmony that made Palm Beach a unique community. The applicant recognizes that the subject structure, an Addison Mizner work, deserves the utmost care in preserving and protecting the past. The applicant fully commits to preserving and protecting the unique architectural and cultural feature(s) of the site. Therefore, this project complies with Objective 1.

264 / 270 S County Rd

Google Maps 264 S County Rd



Subject:

★ 264 & 270 S County Rd

&

230 Royal Palm Way

★ 230 Royal Palm Way

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NOTICE AFFIDAVIT

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

BEFORE ME THIS DAY PERSONALLY APPEARED MAURA ZISKA 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 Exhibit A; and

2. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners' mailing addresses and property control numbers dated no more than 90 days prior to the Town Council hearing at which the subject application will be heard, and as recorded in the latest official tax rolls for the subject property and all other property within three hundred (300) feet of the real property described in Exhibit A, or all property within three hundred (300) feet of all contiguous property owned wholly or in part by the owner of the real property described in Exhibit A, if applicable; and

3. A copy of each page of the application plus supporting documentation is included in each envelope submitted for mailing, using the label provided by the Property Appraiser.

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this 20 day of October 2017, by

Maura Ziska
_____ who is personally known to me ~~or who has produced~~
(Name of person acknowledging)

_____ ~~as identification~~ and who did (did not) take an oath.
(type of identification)

Jamie Hudak
_____
(Signature of Person Taking Acknowledgment)

_____
(Printed Name of Acknowledger)

_____
(Title or Rank)

_____
(Serial Number, if any)

(Notary Seal)

JAMIE HUDAK
MY COMMISSION # FF 974896
EXPIRES: July 17, 2020
Bonded Thru Notary Public Underwriters

Maura Ziska
_____
Applicant's Signature
Maura Ziska
_____
Applicant's Printed Name
222 Lakeview Avenue. Ste. 1500
_____
Street Address
West Palm Beach, Fl 33401
_____
City, State, Zip Code
(561) 802-8960
_____
Telephone Number

00015102

Property Appraiser GIS - Property Detail list by parcel control number

Buffer:

50434322100000110	Acres 0.12	Sales instr WD	MTG	PL OF PHIPPS PLAZA LT K
CARRIAGE HOUSE PROPERTIES PRTNRS LLC	Value $ 1,994,400.00	Price $2,650,000.00	PUSE STORE/OFFICE/RESIDENTI	
221 N HOGAN ST STE 400	Taxbl $ 1,994,400.00	Date 12/28/2016	TaxDist 50411	
	Bldg $ 1,019,200.00	Book 28816		
JACKSONVILLE FL 32202 4201	Land $ 975,200.00	Page 1702	NAV	
50434322100000120	Acres 0.17	Sales instr WD	MTG	PL OF PHIPPS PLAZA LT L
CARRIAGE HOUSE PROPERTIES PARTNERS LLC	Value $ 3,881,925.00	Price $5,600,000.00	PUSE STORES	
221 N HOGAN ST STE 400	Taxbl $ 3,288,362.00	Date 1/5/2017 1	TaxDist 50411	
	Bldg $ 1,890,100.00	Book 28817		
JACKSONVILLE FL 32202 4201	Land $ 1,991,825.00	Page 1486	NAV	
50434323050250390	Acres 0.46	Sales instr WD	MTG	ROYAL PARK ADD LT 39 BLK E
JHD ASSOCIATES LLC	Value $ 11,000,000.00	Price $0.00	PUSE OFFICE MULTISTORY	
230 ROYAL PALM WAY # 200	Taxbl $ 11,000,000.00	Date 1/26/2016	TaxDist 50411	
	Bldg $ 0.00	Book 28071		
PALM BEACH FL 33480 4303	Land $ 0.00	Page 1414	NAV	

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50434322080006640	Acres 3.22	Sales instr	MTG	POINCIANA PARK 3RD ADD, LTS 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722,
PALM BEACH DAY SCHOOL	Value $ 8,169,537.00	Price $	PUSE PRV SCHL/COLL	
241 SEAVIEW AVE	Taxbl $ 0.00	Date	TaxDist 50411	
	Bldg $ 7,544,419.00	Book		
PALM BEACH FL 33480 4234	Land $ 625,118.00	Page	NAV	
50434322080007540	Acres 0.12	Sales instr DT	MTG	POINCIANA PARK 3RD ADD LTS 754 & 756
230 SOUTH COUNTY ROAD LLC.	Value $ 799,947.00	Price $3,500,000.00	PUSE STORES	
625 N FLAGLER DR STE 509	Taxbl $ 714,283.00	Date 3/8/2012 1	TaxDist 50411	
	Bldg $ 137,134.00	Book 25066		
WEST PALM BCH FL 33401 4025	Land $ 662,813.00	Page 1397	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434322080007581 230 SOUTH COUNTY ROAD LLC 625 N FLAGLER DR STE 509 WEST PALM BCH FL 33401 4025	Acres 0.18 Value $ 1,996,781.00 Taxbl $ 1,786,013.00 Bldg $ 630,705.00 Land $ 1,366,076.00	Sales instr DT Price $3,500,000.00 Date 3/8/2012 1 Book 25066 Page 1397	MTG PUSE STORE/OFFICE/RESIDENTI TaxDist 50411 NAV	POINCIANA PARK 3RD ADD N 65.82 FT OF LTS 758, 760, 762 & N 65.82 FT OF LT 764 (LESS ELY 15 FT COUNTY RD R/W)	
50434322080007582 230 SOUTH COUNTY ROAD LLC 625 N FLAGLER DR STE 509 WEST PALM BCH FL 33401 4025	Acres 0.10 Value $ 1,554,980.00 Taxbl $ 1,297,188.00 Bldg $ 608,300.00 Land $ 946,680.00	Sales instr DT Price $3,500,000.00 Date 3/8/2012 1 Book 25066 Page 1397	MTG PUSE STORE/OFFICE/RESIDENTI TaxDist 50411 NAV	POINCIANA PARK 3RD ADD S 35.22 FT OF LTS 758, 760, 762 & 764 /LESS E 15 FT CO RD R/W/	
50434322080007660 AGINCOURT REALTY TRUST PO BOX 3368 PALM BEACH FL 33480 1568	Acres 0.35 Value $ 2,941,448.00 Taxbl $ 2,941,448.00 Bldg $ 851,657.00 Land $ 2,089,791.00	Sales instr WD Price $1,265,000.00 Date 9/30/1999 Book 11377 Page 0287	MTG PUSE STORES TaxDist 50411 NAV	POINCIANA PARK 3RD ADD LTS 766, 768, 770, 772, 774 & W 15 FT OF LT 776	
50434322080007761 MYURA ANTHONY J & 169 SEAVIEW AVE PALM BEACH FL 33480 4232	Acres 0.17 Value $ 2,477,404.00 Taxbl $ 555,525.00 Bldg $ 384,146.00 Land $ 2,093,258.00	Sales instr RD Price $550,000.00 Date 12/1/1992 Book 07512 Page 1010	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	POINCIANA PARK 3RD ADD E 10 FT OF LT 776, LTS 778 & 780 & W 15 FT OF LT 782	
50434322090000032 BAYARD JOSEPHINE L 222 PHIPPS PLZ PALM BEACH FL 33480 4241	Acres 0.25 Value $ 2,020,484.00 Taxbl $ 1,404,356.00 Bldg $ 513,339.00 Land $ 1,507,145.00	Sales instr LE Price $10.00 Date 4/22/2011 Book 24506 Page 1277	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	PLAZA PLAT, S 3 FT OF W 12.30 FT OF E 70 FT OF LT 3, LT 4 (LESS SLY 88 FT OF E 62 FT), W 10 FT OF LT 5 (LESS N 78 FT), LT 1A, LT 4A &	
50434322090000041 KHAWLY RAMEZ BOX 3285 PALM BEACH FL 33480 1485	Acres 0.13 Value $ 1,765,208.00 Taxbl $ 1,198,177.00 Bldg $ 179,782.00 Land $ 1,585,426.00	Sales instr WD Price $500,000.00 Date 10/25/2011 Book 24815 Page 418	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	PLAZA PLAT SLY 88 FT OF E 62 FT OF LT 4 & N 78 FT OF W 10 FT OF LT 5 AS IN OR10903P110	

Property Appraiser GIS - Property Detail list by parcel control number

50434322090000051 JAMES SYLVIA S 2 GOLFVIEW RD PALM BEACH FL 33480 4608	Acres 0.16 Value $ 986,626.00 Taxbl $ 986,626.00 Bldg $ 4,190.00 Land $ 982,436.00	Sales instr WD Price $950,000.00 Date 8/23/2007 Book 22052 Page 1490	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	PLAZA PL IN E 65 FT OF LT 5 & LT 5-A
50434322100000012 VOLK JOHN K 206 PHIPPS PLZ PALM BEACH FL 33480 4241	Acres 0.26 Value $ 1,486,220.00 Taxbl $ 1,340,800.00 Bldg $ 519,218.00 Land $ 967,002.00	Sales instr LE Price $0.00 Date 2/22/2007 Book 21440 Page 1080	MTG PUSE STORE/OFFICE/RESIDENTI TaxDist 50411 NAV	PL OF PHIPPS PLAZA W 3.8 FT OF LT A, LTS B, C, D & LT E (LESS W 10 FT, N 30.33 FT OF W 92.88 FT OF E 96 FT & SLY 56.07 FT OF W 89.48 FT OF E 96 FT AS IN OR6306P1355 &
50434322100000052 PHIPPS PLAZA PARTNERS LLC 209 PHIPPS PLZ PALM BEACH FL 33480 4241	Acres 0.18 Value $ 2,544,627.00 Taxbl $ 2,544,627.00 Bldg $ 1,725,649.00 Land $ 818,978.00	Sales instr WD Price $3,000,000.00 Date 9/17/2003 Book 15870 Page 964	MTG PUSE OFFICE ONE STORY TaxDist 50411 NAV	PL OF PHIPPS PLAZA E 5 FT OF W 10 FT, N 30.33 FT OF W 92.88 FT OF E 96 FT & SLY56.07 FT OF W 89.48 FT OF E 96 FT OF LT E AS IN OR6306P1355 &OR7453P1102
50434322100000060 RUMBOUGH MARGARETHA W 232 PHIPPS PLZ PALM BEACH FL 33480 4241	Acres 0.19 Value $ 4,090,961.00 Taxbl $ 2,413,793.00 Bldg $ 1,048,760.00 Land $ 3,042,201.00	Sales instr WD Price $2,275,000.00 Date 9/1/1999 1 Book 11359 Page 0896	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	PL OF PHIPPS PLAZA LT F
50434322100000070 GEIST BRADLEY & 234 PHIPPS PLZ PALM BEACH FL 33480 4241	Acres 0.07 Value $ 2,294,575.00 Taxbl $ 1,524,876.00 Bldg $ 759,519.00 Land $ 1,535,056.00	Sales instr WD Price $1,704,685.00 Date 9/6/2011 1 Book 24750 Page 1554	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	PL OF PHIPPS PLAZA LT G
50434322100000080 BRYAN KATHERINE 630 PARK AVE NEW YORK NY 10065 6560	Acres 0.06 Value $ 2,161,246.00 Taxbl $ 2,161,246.00 Bldg $ 626,190.00 Land $ 1,535,056.00	Sales instr WD Price $2,138,500.00 Date 3/21/2014 Book 26698 Page 307	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	PL OF PHIPPS PLAZA LT H

Property Appraiser GIS - Property Detail list by parcel control number

50434322100000101
PHIPPS PLAZA PROPERTIES PARTNERS LLC
221 N HOGAN ST STE 400

JACKSONVILLE FL 32202 4201

Acres 0.04 | Sales instr WD
Value $ 815,606.00 | Price $1,950,000.00
Taxbl $ 815,606.00 | Date 6/27/2017
Bldg $ 187,629.00 | Book 29227
Land $ 627,977.00 | Page 1316

MTG
PUSE SINGLE FAMILY
TaxDist 50411

NAV

PL OF PHIPPS PLAZA LT J /LESS WLY 50.86 FT/

50434322100000102
CINQUE PARTNERS LTD
PO BOX 2411

PALM BEACH FL 33480 2411

Acres 0.07 | Sales instr WD
Value $ 1,396,525.00 | Price $10.00
Taxbl $ 1,396,525.00 | Date 9/26/2003
Bldg $ 309,118.00 | Book 16190
Land $ 1,087,407.00 | Page 1155

MTG
PUSE MULTIFAMILY < 10 UNITS
TaxDist 50411

NAV

PL OF PHIPPS PLAZA WLY 50.86 FT OF LT J

50434323030000010
FIRST UNION NATL BANK OF FL
PO BOX 36246

CHARLOTTE NC 28236 6246

Acres 0.15 | Sales instr QC
Value $ 863,278.00 | Price $16,370,800.00
Taxbl $ 863,278.00 | Date 4/1/1992 1
Bldg $ 0.00 | Book 07208
Land $ 863,278.00 | Page 1211

MTG
PUSE FINANCIAL
TaxDist 50411

NAV

REV PL OF COLUMBUS COLONADE LTS 1 TO 3 INC

50434323040000010
FIRST UNION NATL BANK OF FL
PO BOX 36246

CHARLOTTE NC 28236 6246

Acres 2.71 | Sales instr QC
Value $ 22,738,379.00 | Price $16,370,800.00
Taxbl $ 18,700,000.00 | Date 4/1/1992 1
Bldg $ 7,463,342.00 | Book 07208
Land $ 15,275,037.00 | Page 1211

MTG
PUSE FINANCIAL
TaxDist 50411

NAV

EAST PLAZA
LT 1, WLY 1.50 FT OF LT 2, LTS 8 THRU 12 & PRIVATE ROADS & ALLEYS

50434323040000021
SEAVIEW HOLDINGS INC
605 N OLIVE AVE FL 2

WEST PALM BEACH FL 33401 4005

Acres 0.24 | Sales instr TD
Value $ 2,477,628.00 | Price $2,350,000.00
Taxbl $ 2,477,628.00 | Date 1/10/2014
Bldg $ 0.00 | Book 26566
Land $ 2,477,628.00 | Page 1688

MTG
PUSE VACANT
TaxDist 50411

NAV

EAST PLAZA
LT 2 (LESS WLY 1.50 FT) & LT 3

50434323040000040
CORAL BEACH CORP
1209 N OLIVE AVE

WEST PALM BEACH FL 33401 3515

Acres 0.32 | Sales instr DT
Value $ 3,307,161.00 | Price $1,600,000.00
Taxbl $ 3,307,161.00 | Date 1/9/2014 1
Bldg $ 0.00 | Book 26566
Land $ 3,307,161.00 | Page 1679

MTG
PUSE VACANT
TaxDist 50411

NAV

EAST PLAZA
LT 4 & W 65 FT OF LT 5

Property Appraiser GIS - Property Detail list by parcel control number

50434323050020232 SHAFFER MARGARET S 306 HIBISCUS AVE PALM BEACH FL 33480 4322	Acres 0.19 Value $ 2,486,928.00 Taxbl $ 1,001,947.00 Bldg $ 602,996.00 Land $ 1,883,932.00	Sales instr WD Price $800,000.00 Date 5/1/1996 1 Book 09240 Page 0824	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD 60 FT OF LTS 24 TO 28 INC	N 60 FT OF E 1/2 OF LT 23 & N BLK 2
50434323050020261 301 BRAZILIAN AVE LLC PO BOX 805 NEW YORK NY 10150 0805	Acres 0.21 Value $ 2,275,834.00 Taxbl $ 2,275,834.00 Bldg $ 15,116.00 Land $ 2,260,718.00	Sales instr WD Price $1,800,000.00 Date 6/20/2013 Book 26129 Page 1111	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD BLK 2	S 120 FT OF LTS 26 TO 28 INC
50434323050210100 PALM BEACH TOWN OF PO BOX 2029 PALM BEACH FL 33480 2029	Acres 1.72 Value $ 5,043,303.00 Taxbl $ 0.00 Bldg $ 875,853.00 Land $ 4,167,450.00	Sales instr Price $ Date Book Page	MTG PUSE MUNICIPAL TaxDist 50411 NAV	ROYAL PARK ADD	LTS 10 TO 14 INC BLK A
50434323050210151 PEABEY ASSOC 249 ROYAL PALM WAY STE 301 PALM BEACH FL 33480 4333	Acres 1.34 Value $ 23,645,410.00 Taxbl $ 20,292,426.00 Bldg $ 16,301,626.00 Land $ 7,343,784.00	Sales instr WD Price $13,950,000.00 Date 7/1/1983 1 Book 03992 Page 0620	MTG PUSE OFFICE MULTISTORY TaxDist 50411 NAV	ROYAL PARK ADD FT), S 135 FT OF LT 16 & ALL LT 58 BLK A	LT 15 (LESS E 25 FT OF N 65
50434323050210171 FJK TEE JAY LTD PO BOX 3243 PALM BEACH FL 33480 1443	Acres 0.31 Value $ 5,092,423.00 Taxbl $ 5,092,423.00 Bldg $ 2,981,923.00 Land $ 2,110,500.00	Sales instr WD Price $2,400,000.00 Date 12/28/1998 Book 10853 Page 0042	MTG PUSE OFFICE MULTISTORY TaxDist 50411 NAV	ROYAL PARK ADD	S 134 FT OF LT 17 BLK A
50434323050210172 PHIPPS PLAZA PROPERTY 206 PHIPPS PLZ PALM BEACH FL 33480 4241	Acres 0.00 Value $ 2,791.00 Taxbl $ 2,791.00 Bldg $ 0.00 Land $ 2,791.00	Sales instr Price $ Date Book Page	MTG PUSE VACANT TaxDist 50411 NAV	ROYAL PARK ADD OF LT 17 BLK A	S 1 FT OF N 16 FT OF W 57 FT

Property Appraiser GIS - Property Detail list by parcel control number

50434323050210173 RUMBOUGH MARGARETHA W TR 232 PHIPPS PLAZA PALM BEACH FL 33480 4241	Acres 0.02 Value $ 29,657.00 Taxbl $ 29,657.00 Bldg $ 0.00 Land $ 29,657.00	Sales instr WD Price $2,275,000.00 Date 9/1/1999 1 Book 11359 Page 0896	MTG PUSE VACANT TaxDist 50411 NAV	ROYAL PARK ADD BLK A	N 16 FT OF E 43 FT OF LT 17
50434323050210180 231 ROYAL PALM WAY LLC 4 GROVE ISLE DR STE 1 MIAMI FL 33133 4126	Acres 0.32 Value $ 8,789,215.00 Taxbl $ 8,588,930.00 Bldg $ 6,592,090.00 Land $ 2,197,125.00	Sales instr WD Price $8,925,000.00 Date 12/28/2010 Book 24287 Page 304	MTG PUSE OFFICE MULTISTORY TaxDist 50411 NAV	ROYAL PARK ADD LT 18 BLK A	
50434323050210190 205 ROYAL PALM WAY LLC 222 LAKEVIEW AVE STE 1550 WEST PALM BEACH FL 33401 6229	Acres 0.99 Value $ 11,305,451.00 Taxbl $ 11,305,451.00 Bldg $ 4,475,092.00 Land $ 6,830,359.00	Sales instr WD Price $14,000,000.00 Date 1/8/2016 1 Book 28048 Page 306	MTG PUSE FINANCIAL TaxDist 50411 NAV	ROYAL PARK ADD	LTS 19 THRU 21 BLK A
50434323050220220 FIRST UNION NATL BANK OF FL PO BOX 36246 CHARLOTTE NC 28236 6246	Acres 2.71 Value $ 19,873,473.00 Taxbl $ 18,050,630.00 Bldg $ 1,432,273.00 Land $ 18,441,200.00	Sales instr QC Price $16,370,800.00 Date 4/1/1992 1 Book 07208 Page 1211	MTG PUSE FINANCIAL TaxDist 50411 NAV	ROYAL PARK ADD P392) & LT 59 BLK B	LT 22 TO 26 INC, LT 27 (LESS S 103.09 FT OF E 208.15 FT & TH PT OF NLY 3 FT IN DB972
50434323050240421 LAKE TRAIL 294 HIBISCUS AVE PALM BEACH FL 33480 4301	Acres 0.10 Value $ 1,038,600.00 Taxbl $ 1,038,600.00 Bldg $ 333,630.00 Land $ 704,970.00	Sales instr WD Price $760,000.00 Date 5/26/2001 Book 12601 Page 950	MTG PUSE STORE/OFFICE/RESIDENTI TaxDist 50411 NAV	ROYAL PARK ADD BLK D	S 42 FT OF N 130 FT OF LT 42
50434323050240422 REHABILITATION CENTER FOR 300 ROYAL PALM WAY PALM BEACH FL 33480 4305	Acres 0.82 Value $ 9,140,957.00 Taxbl $ 0.00 Bldg $ 3,502,457.00 Land $ 5,638,500.00	Sales instr Price $ Date Book Page	MTG PUSE ORPHNG/NON-PROF TaxDist 50411 NAV	ROYAL PARK ADD LT 42 & LT 43 BLK D	S 70 FT OF LT 42, N 88 FT OF

Property Appraiser GIS - Property Detail list by parcel control number

50434323050250011 HICKS ERIC R & 305 HIBISCUS AVE PALM BEACH FL 33480 4328	Acres 0.11 Value $ 1,700,622.00 Taxbl $ 1,465,349.00 Bldg $ 330,490.00 Land $ 1,370,132.00	Sales instr WD Price $1,750,000.00 Date 6/18/2012 Book 25275 Page 731	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD	N 50 FT OF LT 1 BLK E
50434323050250012 KASPER CYNTHIA 309 HIBISCUS AVE PALM BEACH FL 33480 4343	Acres 0.11 Value $ 1,785,885.00 Taxbl $ 966,814.00 Bldg $ 278,739.00 Land $ 1,507,146.00	Sales instr WD Price $565,000.00 Date 5/1/1997 1 Book 09810 Page 1873	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD BLK E	S 50 FT OF N 100 FT OF LT 1
50434323050250013 FRANKEL FRANK 249 BRAZILIAN AVE PALM BEACH FL 33480 4620	Acres 0.18 Value $ 2,869,892.00 Taxbl $ 2,026,015.00 Bldg $ 734,769.00 Land $ 2,135,123.00	Sales instr WD Price $1,900,000.00 Date 3/28/2006 Book 20192 Page 1266	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD	S 80 FT OF LT 1 BLK E
50434323050250021 MATTHEWS JACK & 245 BRAZILIAN AVE PALM BEACH FL 33480 4620	Acres 0.21 Value $ 3,738,508.00 Taxbl $ 2,560,650.00 Bldg $ 1,226,599.00 Land $ 2,511,909.00	Sales instr WD Price $3,350,000.00 Date 7/11/2005 Book 18948 Page 1138	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD	W 50 FT OF LT 2 BLK E
50434323050250022 MURDOCK LINTON F & 243 BRAZILIAN AVE PALM BEACH FL 33480 4620	Acres 0.21 Value $ 3,738,508.00 Taxbl $ 1,027,352.00 Bldg $ 1,226,599.00 Land $ 2,511,909.00	Sales instr WD Price $100.00 Date 7/1/1990 1 Book 06659 Page 1046	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD	LT 2 (LESS W 50 FT) BLK E
50434323050250030 FLORIDA CAPITAL MGMT LLC PO BOX 3243 PALM BEACH FL 33480 1443	Acres 0.41 Value $ 2,206,199.00 Taxbl $ 2,206,199.00 Bldg $ 16,177.00 Land $ 2,190,022.00	Sales instr WD Price $2,500,000.00 Date 2/28/2005 Book 18208 Page 435	MTG PUSE MULTIFAMILY < 10 UNITS TaxDist 50411 NAV	ROYAL PARK ADD	LT 3 BLK E

Property Appraiser GIS - Property Detail list by parcel control number

50434323050250050 ARCA 21 LLC 1701 W HILLLSBORO BLVD STE 207 DEERFIELD BEACH FL 33442 1566	Acres 0.76 Value $ 5,788,125.00 Taxbl $ 5,788,125.00 Bldg $ 0.00 Land $ 5,788,125.00	Sales instr WD Price $6,000,000.00 Date 4/28/2014 Book 26764 Page 53	MTG PUSE VACANT COMMERCIAL TaxDist 50411 NAV	ROYAL PARK ADD BLK E	LT 5 & LT 6 (LESS E 15 FT)
50434323050250061 CAMPANIELLO THOMAS 225 E 57TH ST NEW YORK NY 10022 2822	Acres 0.06 Value $ 305.00 Taxbl $ 305.00 Bldg $ 0.00 Land $ 305.00	Sales instr QC Price $100.00 Date 3/1/1994 1 Book 08186 Page 0717	MTG PUSE VACANT COMMERCIAL TaxDist 50411 NAV	ROYAL PARK ADD	E 15 FT OF LT 6 BLK E
50434323050250071 CAMPANIELLO THOMAS 225 E 57TH ST NEW YORK NY 10022 2822	Acres 0.33 Value $ 2,320,487.00 Taxbl $ 2,040,361.00 Bldg $ 473,687.00 Land $ 1,846,800.00	Sales instr WD Price $600,000.00 Date 3/1/1994 1 Book 08186 Page 0718	MTG PUSE STORES TaxDist 50411 NAV	ROYAL PARK ADD	W 7 FT OF S 112.5 FT OF LT 7, N 67.5 FT OF LT 7, W 7 FT OF S 55.88 FT OF LT 35 & S 75 FT OF LT 36 /LESS E 16.7 FT OF N 19.12 FT/ IN DB747P564 BLK E
50434323050250351 CAMPANIELLO THOMAS 225 E 57TH ST NEW YORK NY 10022 2822	Acres 0.29 Value $ 3,989,879.00 Taxbl $ 3,581,201.00 Bldg $ 1,489,879.00 Land $ 2,500,000.00	Sales instr WD Price $300,000.00 Date 3/1/1985 1 Book 04498 Page 1924	MTG PUSE STORE/OFFICE/RESIDENTI TaxDist 50411 NAV	ROYAL PARK ADD	N 125 FT OF LT 35 & E 13 FT OF N 125 FT OF LT 36 BLK E
50434323050250352 MILTON PARTNERSHIP LTD 277 BROADWAY # 601 NEW YORK NY 10007 2029	Acres 0.15 Value $ 1,693,600.00 Taxbl $ 1,257,961.00 Bldg $ 338,050.00 Land $ 1,355,550.00	Sales instr WD Price $100.00 Date 5/1/1997 1 Book 09806 Page 0501	MTG PUSE STORES TaxDist 50411 NAV	ROYAL PARK ADD	S 75 FT OF LT 35 /LESS E 5 FT & W 7 FT OF S 55.88 FT/ & E 16.7 FT OF N 19.12 FT OF S 75 FT OF LT 36 IN DB747P387 BLK E
50434323050250361 204 RPW LLC 251 ROYAL PALM WAY STE 215 PALM BEACH FL 33480 4310	Acres 0.25 Value $ 2,627,246.00 Taxbl $ 2,627,246.00 Bldg $ 933.00 Land $ 2,626,313.00	Sales instr WD Price $3,000,000.00 Date 11/5/2015 Book 27941 Page 1430	MTG PUSE VACANT COMMERCIAL TaxDist 50411 NAV	ROYAL PARK ADD BLK E	W 87 FT OF N 125 FT OF LT 36

Property Appraiser GIS - Property Detail list by parcel control number

50434323050250370	Acres 0.46	Sales instr WD	MTG	ROYAL PARK ADD LT 37 BLK E	
218 ROYAL PALM WAY LLC	Value $ 5,829,580.00	Price $5,400,000.00	PUSE OFFICE MULTISTORY		
4 GROVE ISLE DR STE 1	Taxbl $ 5,829,580.00	Date 12/28/2010	TaxDist 50411		
	Bldg $ 2,679,580.00	Book 24287			
MIAMI FL 33133 4126	Land $ 3,150,000.00	Page 245	NAV		
50434323050250380	Acres 0.43	Sales instr WD	MTG	ROYAL PARK ADD LT 38 BLK E	
BESSEMER BUILDING CORP	Value $ 5,750,876.00	Price $1,400,000.00	PUSE PROF OFFICES		
222 ROYAL PALM WAY	Taxbl $ 5,750,876.00	Date 1/1/1988 1	TaxDist 50411		
	Bldg $ 2,821,376.00	Book 05543			
PALM BEACH FL 33480 4303	Land $ 2,929,500.00	Page 0385	NAV		
50434323050250400	Acres 0.46	Sales instr WD	MTG	ROYAL PARK ADD LT 40 BLK E	
JHD ASSOCIATES LLC	Value $ 6,000,000.00	Price $0.00	PUSE OFFICE MULTISTORY		
230 ROYAL PALM WAY # 200	Taxbl $ 6,000,000.00	Date 1/26/2016	TaxDist 50411		
	Bldg $ 0.00	Book 28071			
PALM BEACH FL 33480 4303	Land $ 0.00	Page 1414	NAV		
50434323050250411	Acres 0.46	Sales instr WD	MTG	ROYAL PARK ADD	LOT 41 BLK E
EPIC RPW LLC	Value $ 14,208,113.00	Price $16,750,000.00	PUSE OFFICE MULTISTORY		
15 WATTS ST FL 5	Taxbl $ 14,208,113.00	Date 5/23/2016	TaxDist 50411		
	Bldg $ 10,533,113.00	Book 28324			
NEW YORK NY 10013 1677	Land $ 3,675,000.00	Page 1806	NAV		
50434323050260310	Acres 1.38	Sales instr CT	MTG	ROYAL PARK ADD	LTS 31 TO 33 INC BLK F
160 ROYAL PALM LLC	Value $ 9,918,950.00	Price $10,000,100.00	PUSE MOTEL		
160 ROYAL PALM WAY	Taxbl $ 9,918,950.00	Date 10/22/2009	TaxDist 50411		
	Bldg $ 2,676,350.00	Book 23506			
PALM BEACH FL 33480 4254	Land $ 7,242,600.00	Page 1148	NAV		
50434323050260340	Acres 0.46	Sales instr WD	MTG	ROYAL PARK ADD LT 34 BLK F	
PEMS PARTNERSHIP LTD	Value $ 6,600,871.00	Price $5,750,000.00	PUSE FINANCIAL		
PO BOX 1625	Taxbl $ 6,004,612.00	Date 4/1/1992 1	TaxDist 50411		
	Bldg $ 2,900,871.00	Book 07194			
WEST PALM BEACH FL 33402 1625	Land $ 3,700,000.00	Page 0146	NAV		

Property Appraiser GIS - Property Detail list by parcel control number

50434323050270330 336 PARTNERS INC 336 S COUNTY RD PALM BEACH FL 33480 6744	Acres 0.39 Value $ 5,031,770.00 Taxbl $ 5,031,770.00 Bldg $ 7,951.00 Land $ 5,023,819.00	Sales instr WD Price $1,550,000.00 Date 8/1/1999 1 Book 11283 Page 0093	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD LT 33 BLK G	
50434323050270371 BAKER JON M & 5 ARLINGTON ST APT 4 BOSTON MA 02116 3418	Acres 0.19 Value $ 4,007,540.00 Taxbl $ 2,899,915.00 Bldg $ 1,955,394.00 Land $ 2,052,146.00	Sales instr WD Price $6,850,000.00 Date 3/27/2017 Book 29028 Page 607	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD OF LT 40 BLK G	W 44.75 FT OF LT 37 & E 3.5 FT
50434323050270372 WIGGINS SHARON & 228 BRAZILIAN AVE PALM BEACH FL 33480 4621	Acres 0.19 Value $ 3,932,221.00 Taxbl $ 2,487,394.00 Bldg $ 1,880,075.00 Land $ 2,052,146.00	Sales instr WD Price $3,950,000.00 Date 5/11/2007 Book 21725 Page 1406	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD BLK G	E 48.25 FT OF W 93 FT OF LT 37
50434323050270401 WELLER THOMAS C JR 234 BRAZILIAN AVE PALM BEACH FL 33480 4621	Acres 0.19 Value $ 4,028,375.00 Taxbl $ 3,880,636.00 Bldg $ 1,976,229.00 Land $ 2,052,146.00	Sales instr WD Price $3,650,000.00 Date 2/12/2010 Book 23694 Page 55	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD	W 48.25 FT OF LT 40 BLK G
50434323050270402 ARREDONDO MARISA V 232 BRAZILIAN AVE PALM BEACH FL 33480 4621	Acres 0.19 Value $ 4,179,142.00 Taxbl $ 3,999,917.00 Bldg $ 2,126,996.00 Land $ 2,052,146.00	Sales instr WD Price $4,550,000.00 Date 5/8/2015 1 Book 27531 Page 893	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	ROYAL PARK ADD 40 BLK G	E 48.25 FT OF W 96.5 FT OF LT
50434323080000010 LIPPINCOTT VIRGINIA G TR 318 W COLLEGE AVE DECATUR GA 30030 5230	Acres 0.00 Value $ 602,000.00 Taxbl $ 583,220.00 Bldg $ 602,000.00 Land $ 0.00	Sales instr WD Price $10.00 Date 1/23/2006 Book 20025 Page 1299	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 1-A	

Property Appraiser GIS - Property Detail list by parcel control number

50434323080000020 DUSAULT ALLEN J TRUST PO BOX 1565 NEW CANAAN CT 06840 1565	Acres 0.00 Value $ 600,900.00 Taxbl $ 581,889.00 Bldg $ 600,900.00 Land $ 0.00	Sales instr DT Price $10.00 Date 8/4/2004 1 Book 17526 Page 785	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS COND APT 1-B
50434323080000030 BROOKINS CAROLE L TRUST 226 BRAZILIAN AVE APT 2A PALM BEACH FL 33480 4651	Acres 0.00 Value $ 605,900.00 Taxbl $ 587,939.00 Bldg $ 605,900.00 Land $ 0.00	Sales instr WD Price $10.00 Date 6/9/2017 1 Book 29164 Page 1297	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 2-A IN OR1700P257
50434323080000040 WILLIAMS NANCY J 226 BRAZILIAN AVE APT 2B PALM BEACH FL 33480 4651	Acres 0.00 Value $ 605,000.00 Taxbl $ 412,795.00 Bldg $ 605,000.00 Land $ 0.00	Sales instr 00 Price $86,000.00 Date 1/1/1978 1 Book 02952 Page 1392	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS COND APT 2-B
50434323080000050 LOWE DAVID B 226 BRAZILIAN AVE APT 2C PALM BEACH FL 33480 4651	Acres 0.00 Value $ 605,000.00 Taxbl $ 605,000.00 Bldg $ 605,000.00 Land $ 0.00	Sales instr WD Price $620,000.00 Date 5/12/2017 Book 29084 Page 1399	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 2-C
50434323080000060 LABADAN RENATO & 226 BRAZILIAN AVE # 2D PALM BEACH FL 33480 4651	Acres 0.00 Value $ 605,000.00 Taxbl $ 448,651.00 Bldg $ 605,000.00 Land $ 0.00	Sales instr QC Price $10.00 Date 10/12/2013 Book 26454 Page 1801	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 2-D
50434323080000070 NASTASIC VIDOSAVA 267 MERRAIN RD PALM BEACH FL 33480 3113	Acres 0.00 Value $ 610,000.00 Taxbl $ 592,900.00 Bldg $ 610,000.00 Land $ 0.00	Sales instr QC Price $10.00 Date 4/30/2014 Book 27099 Page 1772	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 3-A IN OR1704P85

Property Appraiser GIS - Property Detail list by parcel control number

50434323080000080 MUNRO ALLISON & 226 BRAZILIAN AVE APT 3B PALM BEACH FL 33480 4651	Acres 0.00 Value $ 610,000.00 Taxbl $ 111,714.00 Bldg $ 610,000.00 Land $ 0.00	Sales instr WD Price $10.00 Date 6/5/2009 1 Book 23298 Page 1980	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 3-B IN OR1676P1229
50434323080000090 RUTHERFURD PATRICIA O 226 BRAZILIAN AVE APT 3C PALM BEACH FL 33480 4651	Acres 0.00 Value $ 610,000.00 Taxbl $ 378,849.00 Bldg $ 610,000.00 Land $ 0.00	Sales instr WD Price $397,700.00 Date 10/15/2004 Book 17698 Page 339	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 3-C IN OR1706P1014
50434323080000100 QUINN THOMAS H 226 BRAZILIAN AVE APT 3D PALM BEACH FL 33480 4651	Acres 0.00 Value $ 610,000.00 Taxbl $ 610,000.00 Bldg $ 610,000.00 Land $ 0.00	Sales instr WD Price $890,000.00 Date 9/11/2015 Book 27801 Page 1919	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	VILLA DEL SUR APTS CONDOMINIUMAPT 3-D IN OR1719P1276
50434323110000010 SHENOUDA STEVEN G 227 BRAZILIAN AVE APT 2A PALM BEACH FL 33480 4601	Acres 0.00 Value $ 395,000.00 Taxbl $ 332,875.00 Bldg $ 395,000.00 Land $ 0.00	Sales instr WD Price $417,930.00 Date 5/7/2015 1 Book 27530 Page 1845	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2A
50434323110000020 ASSENZIO DAWN A 100 SUNRISE AVE APT 502 PALM BEACH FL 33480 3941	Acres 0.00 Value $ 275,000.00 Taxbl $ 219,615.00 Bldg $ 275,000.00 Land $ 0.00	Sales instr WD Price $190,000.00 Date 12/6/2002 Book 14523 Page 939	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2B
50434323110000030 GREZELL MARGARITA 227 BRAZILIAN AVE # 2-C PALM BEACH FL 33480 4601	Acres 0.00 Value $ 195,000.00 Taxbl $ 93,941.00 Bldg $ 195,000.00 Land $ 0.00	Sales instr WD Price $275,000.00 Date 2/28/2006 Book 19993 Page 1404	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2C

Property Appraiser GIS - Property Detail list by parcel control number

50434323110000040 MAXSON KELLI 227 BRAZILIAN AVE APT 2D PALM BEACH FL 33480 4601	Acres 0.00 Value $ 275,000.00 Taxbl $ 75,605.00 Bldg $ 275,000.00 Land $ 0.00	Sales instr WD Price $92,000.00 Date 12/1/1998 Book 10801 Page 0891	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2D
50434323110000050 YARIV TAMARA 1634 TROTTER CT WELLINGTON FL 33414 1022	Acres 0.00 Value $ 275,000.00 Taxbl $ 275,000.00 Bldg $ 275,000.00 Land $ 0.00	Sales instr WD Price $335,000.00 Date 5/17/2016 Book 28314 Page 140	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2E
50434323110000060 SMITH HILLEN J JR 227 BRAZILIAN AVE APT 2F PALM BEACH FL 33480 4649	Acres 0.00 Value $ 395,000.00 Taxbl $ 207,020.00 Bldg $ 395,000.00 Land $ 0.00	Sales instr RD Price $400,000.00 Date 2/7/2008 1 Book 22436 Page 131	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO UNIT 2-F
50434323110000070 SCHOONMAKER PETER L & 491 PLASS RD PLEASANT VALLEY NY 12569 5515	Acres 0.00 Value $ 395,000.00 Taxbl $ 330,088.00 Bldg $ 395,000.00 Land $ 0.00	Sales instr WD Price $0.00 Date 3/29/2012 Book 25173 Page 1986	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2G
50434323110000080 HAAS ROBERTA TR PO BOX 237 HANALEI HI 96714 0237	Acres 0.00 Value $ 275,000.00 Taxbl $ 219,615.00 Bldg $ 275,000.00 Land $ 0.00	Sales instr WD Price $10.00 Date 3/28/2001 Book 12532 Page 834	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2H
50434323110000090 NESTORA VERONICA 227 BRAZILIAN AVE APT 2-I PALM BEACH FL 33480 4649	Acres 0.00 Value $ 275,000.00 Taxbl $ 116,203.00 Bldg $ 275,000.00 Land $ 0.00	Sales instr WD Price $115,900.00 Date 11/20/1998 Book 10782 Page 0947	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2I

Property Appraiser GIS - Property Detail list by parcel control number

50434323110000100 HENSELER R ALAN 9 WASHINGTON VALLEY RD MORRISTOWN NJ 07960 3414	Acres 0.00 Value $ 195,000.00 Taxbl $ 169,400.00 Bldg $ 195,000.00 Land $ 0.00	Sales instr WD Price $200,000.00 Date 12/9/2009 Book 23590 Page 1573	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2J
50434323110000110 PALM BEACH BRAZILIAN LLC 102 SEMINARY ST NEW CANAAN CT 06840 4503	Acres 0.00 Value $ 275,000.00 Taxbl $ 219,615.00 Bldg $ 275,000.00 Land $ 0.00	Sales instr QC Price $10.00 Date 8/8/2013 1 Book 26255 Page 984	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2K
50434323110000120 HAESTAD AUBIN L & 227 BRAZILIAN AVE APT 2L PALM BEACH FL 33480 6004	Acres 0.00 Value $ 395,000.00 Taxbl $ 273,866.00 Bldg $ 395,000.00 Land $ 0.00	Sales instr WD Price $360,000.00 Date 6/16/2014 Book 26863 Page 867	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 2L
50434323110000130 LOWE DAVID B 226 BRAZILIAN AVE APT 2C PALM BEACH FL 33480 4651	Acres 0.00 Value $ 405,000.00 Taxbl $ 224,376.00 Bldg $ 405,000.00 Land $ 0.00	Sales instr WD Price $380,000.00 Date 3/10/2014 Book 26663 Page 554	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3A
50434323110000140 PAZ ETTY 227 BRAZILIAN AVE APT 3B PALM BEACH FL 33480 6005	Acres 0.00 Value $ 283,000.00 Taxbl $ 172,578.00 Bldg $ 283,000.00 Land $ 0.00	Sales instr LE Price $10.00 Date 6/6/2013 1 Book 26132 Page 91	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3B
50434323110000150 BOLAND THOMAS P 227 BRAZILIAN AVE # 3C PALM BEACH FL 33480 6005	Acres 0.00 Value $ 400,000.00 Taxbl $ 311,452.00 Bldg $ 400,000.00 Land $ 0.00	Sales instr WD Price $145,000.00 Date 4/15/2002 Book 13695 Page 1771	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNITS 3C & 3D

Property Appraiser GIS - Property Detail list by parcel control number

50434323110000170 MURPHY ROBERT W & 227 BRAZILIAN AVE APT 3E PALM BEACH FL 33480 4648	Acres 0.00 Value $ 283,000.00 Taxbl $ 149,461.00 Bldg $ 283,000.00 Land $ 0.00	Sales instr WD Price $10.00 Date 3/4/2016 1 Book 28174 Page 800	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3E
50434323110000180 MURPHY KATHLEEN A 227 BRAZILIAN AVE APT 3F PALM BEACH FL 33480 4648	Acres 0.00 Value $ 405,000.00 Taxbl $ 405,000.00 Bldg $ 405,000.00 Land $ 0.00	Sales instr WD Price $79,000.00 Date 4/17/2010 Book 23806 Page 786	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3F
50434323110000190 GERARD ALICE MCCOY TRUST PO BOX 648 LOXAHATCHEE FL 33470 0648	Acres 0.00 Value $ 405,000.00 Taxbl $ 405,000.00 Bldg $ 405,000.00 Land $ 0.00	Sales instr WD Price $10.00 Date 9/15/2016 Book 28608 Page 938	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3G
50434323110000200 LESHER JAMES B 1400 WILLOW AVE APT 2002 LOUISVILLE KY 40204 2524	Acres 0.00 Value $ 283,000.00 Taxbl $ 224,939.00 Bldg $ 283,000.00 Land $ 0.00	Sales instr WD Price $335,000.00 Date 3/27/2008 Book 22540 Page 879	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3H
50434323110000210 BISHOP SUSAN 400 CENTRAL PARK W APT 9C NEW YORK NY 10025 5838	Acres 0.00 Value $ 283,000.00 Taxbl $ 224,939.00 Bldg $ 283,000.00 Land $ 0.00	Sales instr WD Price $109,500.00 Date 4/17/1998 Book 10359 Page 1110	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3I
50434323110000220 FRANCES C BURNS LIVING TRUST 71 RIDGE RD SOUTHAMPTON NY 11968 3608	Acres 0.00 Value $ 203,000.00 Taxbl $ 174,240.00 Bldg $ 203,000.00 Land $ 0.00	Sales instr WD Price $10.00 Date 11/10/2014 Book 27171 Page 648	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	BRAZILIAN OF PALM BEACH CONDO DWELLING UNIT 3J

Property Appraiser GIS - Property Detail list by parcel control number

50434323110000230	Acres 0.00	Sales instr WD	MTG	BRAZILIAN OF PALM BEACH CONDO
MAASS ROBB R &	Value $ 283,000.00	Price $240,000.00	PUSE CONDOMINIUM	DWELLING UNIT 3K
340 ROYAL POINCIANA WAY STE 321	Taxbl $ 224,939.00	Date 12/24/2009	TaxDist 50411	
	Bldg $ 283,000.00	Book 23617		
PALM BEACH FL 33480 4096	Land $ 0.00	Page 1049	NAV	
50434323110000240	Acres 0.00	Sales instr QC	MTG	BRAZILIAN OF PALM BEACH CONDO
HARDING JACQUELINE K	Value $ 405,000.00	Price $10.00	PUSE CONDOMINIUM	DWELLING UNIT 3L
227 BRAZILIAN AVE APT 3L	Taxbl $ 343,085.00	Date 1/11/2016	TaxDist 50411	
	Bldg $ 405,000.00	Book 28160		
PALM BEACH FL 33480 4602	Land $ 0.00	Page 1593	NAV	
50434323110000250	Acres 0.00	Sales instr WD	MTG	BRAZILIAN OF PALM BEACH CONDO
SIMPSON JAMES S &	Value $ 629,200.00	Price $658,000.00	PUSE CONDOMINIUM	DWELLING UNIT PH A
506 MONTGOMERY LN	Taxbl $ 629,200.00	Date 1/10/2014	TaxDist 50411	
	Bldg $ 629,200.00	Book 26590		
WAYNE PA 19087 4438	Land $ 0.00	Page 1877	NAV	
50434323110000260	Acres 0.00	Sales instr DT	MTG	BRAZILIAN OF PALM BEACH CONDO
DONALDSON VICTORIA	Value $ 550,000.00	Price $650,000.00	PUSE CONDOMINIUM	DWELLING UNIT PH B
227 BRAZILIAN AVE APT 4B	Taxbl $ 464,074.00	Date 11/15/2012	TaxDist 50411	
	Bldg $ 550,000.00	Book 25595		
PALM BEACH FL 33480 6025	Land $ 0.00	Page 1923	NAV	
50434323110000270	Acres 0.00	Sales instr WD	MTG	BRAZILIAN OF PALM BEACH CONDO
BRADLEY WILLIAM W TRUST &	Value $ 598,600.00	Price $10.00	PUSE CONDOMINIUM	DWELLING UNIT PH C
711 5TH AVE FL 9	Taxbl $ 598,600.00	Date 2/24/2009	TaxDist 50411	
	Bldg $ 598,600.00	Book 23131		
NEW YORK NY 10022 3168	Land $ 0.00	Page 1310	NAV	
50434323110000280	Acres 0.00	Sales instr WD	MTG	BRAZILIAN OF PALM BEACH CONDO
FRANZKE VOLKER TERRANCE	Value $ 598,600.00	Price $875,000.00	PUSE CONDOMINIUM	DWELLING UNIT PH D
11 BERRYMAN STREET	Taxbl $ 598,600.00	Date 5/16/2008	TaxDist 50411	
TORONTO ONTARIO	Bldg $ 598,600.00	Book 22658		
M5R1M5 CANADA	Land $ 0.00	Page 611	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434323150000030 CAMPANIELLO THOMAS & 225 E 57TH ST NEW YORK NY 10022 2822	Acres 0.00 Value $ 6,717,481.00 Taxbl $ 3,376,980.00 Bldg $ 6,717,481.00 Land $ 0.00	Sales instr QC Price $10.00 Date 12/9/2016 Book 28766 Page 1931	MTG PUSE STORES CONDO TaxDist 50411 NAV	PHIPPS PLAZA COND	UNIT C
50434323150000120 EGLIN EDITH B 201 PHIPPS PLAZA APT 2 PALM BEACH FL 33480 4238	Acres 0.00 Value $ 700,000.00 Taxbl $ 552,136.00 Bldg $ 700,000.00 Land $ 0.00	Sales instr WD Price $332,500.00 Date 4/1/1994 1 Book 08252 Page 0928	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	PHIPPS PLAZA COND	UNIT A-2
50434323150000130 HOFFSTOT HENRY P III & RD 4 BOX 98 LIGONIER PA 15658 9804	Acres 0.00 Value $ 635,000.00 Taxbl $ 635,000.00 Bldg $ 635,000.00 Land $ 0.00	Sales instr QC Price $10.00 Date 5/5/2003 1 Book 15401 Page 20	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	PHIPPS PLAZA COND	UNIT A-3
50434323150000140 DE HARRIET MARY 201 PHIPPS PLZ APT 4 PALM BEACH FL 33480 4238	Acres 0.00 Value $ 675,000.00 Taxbl $ 194,296.00 Bldg $ 675,000.00 Land $ 0.00	Sales instr WD Price $215,000.00 Date 7/1/1984 1 Book 04452 Page 0925	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	PHIPPS PLAZA COND	UNIT A-4
50434323150000150 SCHAEFER JOHN H & 3 E 77TH ST # 15C NEW YORK NY 10075 1710	Acres 0.00 Value $ 470,000.00 Taxbl $ 470,000.00 Bldg $ 470,000.00 Land $ 0.00	Sales instr WD Price $1,000,000.00 Date 4/29/2011 Book 24498 Page 137	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	PHIPPS PLAZA COND	UNIT A-5
50434323150000160 EGLIN EDITH B 201 PHIPPS PLZ APT 2 PALM BEACH FL 33480 4238	Acres 0.00 Value $ 570,000.00 Taxbl $ 570,000.00 Bldg $ 570,000.00 Land $ 0.00	Sales instr WD Price $459,355.00 Date 1/31/2000 Book 11586 Page 1568	MTG PUSE CONDOMINIUM TaxDist 50411 NAV	PHIPPS PLAZA COND	UNIT A-6

Property Appraiser GIS - Property Detail list by parcel control number

50434327780000010	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 4,715,174.00	Price $	PUSE HOTEL CONDO	CU-1 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 4,715,174.00	Date	TaxDist 50411	
	Bldg $ 4,715,174.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780000020	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 1,317,957.00	Price $	PUSE HOTEL CONDO	CU-2 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 1,317,957.00	Date	TaxDist 50411	
	Bldg $ 1,317,957.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780000080	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 1,088,748.00	Price $	PUSE HOTEL CONDO	HU IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 1,088,748.00	Date	TaxDist 50411	
	Bldg $ 1,088,748.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780001000	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 193,751.00	Price $240,000.00	PUSE HOTEL CONDO	RU-100 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 193,751.00	Date 5/28/2015	TaxDist 50411	
	Bldg $ 193,751.00	Book 27579		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 98	NAV	
50434327780001010	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 396,876.00	Price $250,000.00	PUSE HOTEL CONDO	RU-101 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 396,876.00	Date 1/12/2017	TaxDist 50411	
	Bldg $ 396,876.00	Book 28829		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 499	NAV	
50434327780001020	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
SUITE 102 LLC	Value $ 298,751.00	Price $475,000.00	PUSE HOTEL CONDO	RU-102 OR20957P873
543 8TH AVE FL 3	Taxbl $ 298,751.00	Date 8/3/2004 1	TaxDist 50411	
	Bldg $ 298,751.00	Book 17370		
NEW YORK NY 10018 4302	Land $ 0.00	Page 922	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780001030	Acres 1.00	Sales instr DT	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 396,251.00	Price $10.00	PUSE HOTEL CONDO	RU-103 OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 396,251.00	Date 8/26/2015	TaxDist 50411	
	Bldg $ 396,251.00	Book 27791		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 177	NAV	
50434327780001040	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
LEVINE NOEL &	Value $ 554,376.00	Price $950,000.00	PUSE HOTEL CONDO	RU-104 OR20957P873
660 PARK AVE	Taxbl $ 554,376.00	Date 7/26/2004	TaxDist 50411	
	Bldg $ 554,376.00	Book 17326		
NEW YORK NY 10065 5963	Land $ 0.00	Page 1959	NAV	
50434327780001050	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
FJA1 LLC	Value $ 237,501.00	Price $560,000.00	PUSE HOTEL CONDO	RU-105 OR20957P873
755 PARK AVE STE 7A	Taxbl $ 237,501.00	Date 3/15/2005	TaxDist 50411	
	Bldg $ 237,501.00	Book 18289		
NEW YORK NY 10021 4282	Land $ 0.00	Page 1330	NAV	
50434327780001060	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
LEVINE NOEL &	Value $ 245,001.00	Price $550,000.00	PUSE HOTEL CONDO	RU-106 OR20957P873
660 PARK AVE	Taxbl $ 245,001.00	Date 7/26/2004	TaxDist 50411	
	Bldg $ 245,001.00	Book 17327		
NEW YORK NY 10065 5963	Land $ 0.00	Page 24	NAV	
50434327780001070	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 283,126.00	Price $214,270.00	PUSE HOTEL CONDO	RU-107 OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 283,126.00	Date 10/31/2013	TaxDist 50411	
	Bldg $ 283,126.00	Book 26424		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 1349	NAV	
50434327780001080	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 238,751.00	Price $	PUSE HOTEL CONDO	RU-108 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 238,751.00	Date	TaxDist 50411	
	Bldg $ 238,751.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

504343277800010 82 RUDOLPH DONNA J T TRUST 371 MIDLOCK RD FAIRFIELD CT 06824 7844	Acres 1.00 Value $ 213,751.00 Taxbl $ 213,751.00 Bldg $ 213,751.00 Land $ 0.00	Sales instr WD Price $585,000.00 Date 2/21/2007 Book 21453 Page 162	MTG PUSE HOTEL CONDO TaxDist 50411 NAV	BRAZILIAN COURT HOTEL AND CONDOMINIUM RU-108B IN OR20957P873
504343277800010 90 CSC BRAZILIAN LP 1801 S AUSTRALIAN AVE WEST PALM BEACH FL 33409 6465	Acres 1.00 Value $ 708,126.00 Taxbl $ 708,126.00 Bldg $ 708,126.00 Land $ 0.00	Sales instr Price $ Date Book Page	MTG PUSE HOTEL CONDO TaxDist 50411 NAV	BRAZILIAN COURT HOTEL AND CONDOMINIUM RU-109 IN OR20957P873
504343277800011 00 CRAFT PHILIP C 42 DIVISION EASTON CT 06612 1612	Acres 1.00 Value $ 201,876.00 Taxbl $ 201,876.00 Bldg $ 201,876.00 Land $ 0.00	Sales instr WD Price $500,000.00 Date 2/15/2007 Book 21431 Page 336	MTG PUSE HOTEL CONDO TaxDist 50411 NAV	BRAZILIAN COURT HOTEL AND CONDOMINIUM RU-110 IN OR20957P873
504343277800011 10 CSC BRAZILIAN LP 1801 S AUSTRALIAN AVE WEST PALM BEACH FL 33409 6465	Acres 0.00 Value $ 830,001.00 Taxbl $ 830,001.00 Bldg $ 830,001.00 Land $ 0.00	Sales instr WD Price $810,000.00 Date 6/28/2012 Book 25318 Page 1969	MTG PUSE HOTEL CONDO TaxDist 50411 NAV	BRAZILIAN COURT HOTEL AND CONDOMINIUM RU-111.112
504343277800011 30 MODEL BENNETT 945 5TH AVE # 1003 NEW YORK NY 10021 2661	Acres 1.00 Value $ 195,001.00 Taxbl $ 195,001.00 Bldg $ 195,001.00 Land $ 0.00	Sales instr WD Price $453,000.00 Date 2/26/2007 Book 21454 Page 847	MTG PUSE HOTEL CONDO TaxDist 50411 NAV	BRAZILIAN COURT HOTEL AND CONDOMINIUM RU-113 IN OR20957P873
504343277800011 40 CSC BRAZILIAN LP 1801 S AUSTRALIAN AVE WEST PALM BEACH FL 33409 6465	Acres 1.00 Value $ 408,751.00 Taxbl $ 408,751.00 Bldg $ 408,751.00 Land $ 0.00	Sales instr Price $ Date Book Page	MTG PUSE HOTEL CONDO TaxDist 50411 NAV	BRAZILIAN COURT HOTEL AND CONDOMINIUM RU-114 IN OR20957P873

Property Appraiser GIS - Property Detail list by parcel control number

50434327780001150	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
SEASIDE PARTNERS LLC	Value $ 1,095,626.00	Price $10.00	PUSE HOTEL CONDO	RU-115 IN OR20957P873
PO BOX 2327	Taxbl $ 1,095,626.00	Date 9/9/2015 1	TaxDist 50411	
	Bldg $ 1,095,626.00	Book 27832		
BANGOR ME 04402 2327	Land $ 0.00	Page 1305	NAV	
50434327780001160	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
PATI H GERBER 1997 TRUST	Value $ 853,751.00	Price $2,102,500.00	PUSE HOTEL CONDO	RU-116 IN OR20957P873
800 E NORTHWEST HWY STE 510	Taxbl $ 853,751.00	Date 2/16/2007	TaxDist 50411	
	Bldg $ 853,751.00	Book 21433		
PALATINE IL 60074 6511	Land $ 0.00	Page 1622	NAV	
50434327780001170	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
APPLEGATE L THOMAS &	Value $ 1,136,251.00	Price $2,515,000.00	PUSE HOTEL CONDO	RU-117 IN OR20957P873
8650 KELLER RD	Taxbl $ 1,136,251.00	Date 9/13/2007	TaxDist 50411	
	Bldg $ 1,136,251.00	Book 22116		
CINCINNATI OH 45243 1135	Land $ 0.00	Page 1184	NAV	
50434327780001180	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 726,876.00	Price $	PUSE HOTEL CONDO	RU-118 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 726,876.00	Date	TaxDist 50411	
	Bldg $ 726,876.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780001190	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
DANZIGER GIGI GUGGENHEIM	Value $ 206,876.00	Price $465,000.00	PUSE HOTEL CONDO	RU-119 IN OR20957P873
150 BRADLEY PL	Taxbl $ 206,876.00	Date 9/21/2007	TaxDist 50411	
	Bldg $ 206,876.00	Book 22137		
PALM BEACH FL 33480 3804	Land $ 0.00	Page 324	NAV	
50434327780001200	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 200,001.00	Price $	PUSE HOTEL CONDO	RU-120 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 200,001.00	Date	TaxDist 50411	
	Bldg $ 200,001.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780001210	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 197,501.00	Price $	PUSE HOTEL CONDO	RU-121 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 197,501.00	Date	TaxDist 50411	
	Bldg $ 197,501.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780001220	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 393,126.00	Price $	PUSE HOTEL CONDO	RU-122 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 393,125.00	Date	TaxDist 50411	
	Bldg $ 393,126.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780001230	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
GRENIER BART A	Value $ 350,626.00	Price $789,600.00	PUSE HOTEL CONDO	RU-123 IN OR20957P873
22 LIBERTY DR UNIT 4A	Taxbl $ 350,626.00	Date 9/14/2007	TaxDist 50411	
	Bldg $ 350,626.00	Book 22112		
BOSTON MA 02210 1280	Land $ 0.00	Page 1949	NAV	
50434327780001240	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
STILLMAN ROBERT S	Value $ 217,501.00	Price $275,000.00	PUSE HOTEL CONDO	RU-124 IN OR20957P873
940 SWEETWATER LN	Taxbl $ 217,501.00	Date 5/6/2016 1	TaxDist 50411	
	Bldg $ 217,501.00	Book 28283		
BOCA RATON FL 33431 7132	Land $ 0.00	Page 1446	NAV	
50434327780001250	Acres 3.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 1,131,251.00	Price $	PUSE HOTEL CONDO	RU-125 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 606,989.00	Date	TaxDist 50411	
	Bldg $ 1,131,251.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780001280	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 541,876.00	Price $	PUSE HOTEL CONDO	RU-128 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 541,876.00	Date	TaxDist 50411	
	Bldg $ 541,876.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780001290	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
POPOWICH DAVID &	Value $ 943,126.00	Price $1,800,000.00	PUSE HOTEL CONDO	RU-129 IN OR20957P873
301 AUSTRALIAN AVE # 129	Taxbl $ 700,815.00	Date 11/23/2004	TaxDist 50411	
	Bldg $ 943,126.00	Book 17839		
PALM BEACH FL 33480 4627	Land $ 0.00	Page 943	NAV	
50434327780001300	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
NEXUS ONE MANAGEMENT INC	Value $ 372,501.00	Price $375,000.00	PUSE HOTEL CONDO	RU-130 IN OR20957P873
7365 MAIN ST STE 1	Taxbl $ 372,501.00	Date 5/6/2016 1	TaxDist 50411	
	Bldg $ 372,501.00	Book 28283		
STRATFORD CT 06614 1300	Land $ 0.00	Page 1462	NAV	
50434327780001310	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
ASTROP WILLIAM B &	Value $ 374,376.00	Price $698,500.00	PUSE HOTEL CONDO	RU-131 IN OR20957P873
205 BLACKLAND RD	Taxbl $ 374,376.00	Date 3/2/2007 1	TaxDist 50411	
	Bldg $ 374,376.00	Book 21496		
ATLANTA GA 30342 4001	Land $ 0.00	Page 1272	NAV	
50434327780001320	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 273,751.00	Price $	PUSE HOTEL CONDO	RU-132 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 273,751.00	Date	TaxDist 50411	
	Bldg $ 273,751.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780002010	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 591,251.00	Price $10.00	PUSE HOTEL CONDO	RU-201 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 591,251.00	Date 10/31/2013	TaxDist 50411	
	Bldg $ 591,251.00	Book 26424		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 1346	NAV	
50434327780002020	Acres 1.00	Sales instr QC	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
COLLINS GRATTAN LLC	Value $ 271,876.00	Price $10.00	PUSE HOTEL CONDO	RU-202 IN OR20957P873
18856 120TH TER N	Taxbl $ 271,876.00	Date 8/30/2013	TaxDist 50411	
	Bldg $ 271,876.00	Book 26291		
JUPITER FL 33478 3714	Land $ 0.00	Page 1371	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780002030	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CHEUNG CHIEH T &	Value $ 391,251.00	Price $821,750.00	PUSE HOTEL CONDO	RU-203 IN OR20957P873
1000 PARK AVE APT 2C	Taxbl $ 391,251.00	Date 8/3/2004 1	TaxDist 50411	
	Bldg $ 391,251.00	Book 17373		
NEW YORK NY 10028 0934	Land $ 0.00	Page 141	NAV	
50434327780002040	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 225,626.00	Price $210,000.00	PUSE HOTEL CONDO	RU-204 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 225,626.00	Date 5/1/2015 1	TaxDist 50411	
	Bldg $ 225,626.00	Book 27517		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 283	NAV	
50434327780002042	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 262,501.00	Price $260,000.00	PUSE HOTEL CONDO	RU-204B IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 262,501.00	Date 3/28/2015	TaxDist 50411	
	Bldg $ 262,501.00	Book 27524		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 717	NAV	
50434327780002050	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CHEUNG CHIEH T &	Value $ 243,126.00	Price $503,500.00	PUSE HOTEL CONDO	RU-205 IN OR20957P873
1000 PARK AVE APT 2C	Taxbl $ 243,126.00	Date 8/3/2004 1	TaxDist 50411	
	Bldg $ 243,126.00	Book 17372		
NEW YORK NY 10028 0934	Land $ 0.00	Page 1919	NAV	
50434327780002060	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 197,501.00	Price $230,000.00	PUSE HOTEL CONDO	RU-206 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 197,501.00	Date 8/31/2012	TaxDist 50411	
	Bldg $ 197,501.00	Book 25460		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 1771	NAV	
50434327780002070	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
DINOSAUR PARTNERS BC LLC	Value $ 263,919.00	Price $744,875.00	PUSE HOTEL CONDO	RU-207 IN OR20957P873
333 BEAVERTAIL RD	Taxbl $ 263,919.00	Date 9/29/2005	TaxDist 50411	
	Bldg $ 263,919.00	Book 19354		
JAMESTOWN RI 02835 2723	Land $ 0.00	Page 342	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780002080	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 761,251.00	Price $	PUSE HOTEL CONDO	RU-208 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 761,251.00	Date	TaxDist 50411	
	Bldg $ 761,251.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780002090	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 748,751.00	Price $	PUSE HOTEL CONDO	RU-209 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 748,751.00	Date	TaxDist 50411	
	Bldg $ 748,751.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780002100	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 190,626.00	Price $235,000.00	PUSE HOTEL CONDO	RU-210 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 190,626.00	Date 12/29/2014	TaxDist 50411	
	Bldg $ 190,626.00	Book 27258		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 1143	NAV	
50434327780002110	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 386,876.00	Price $290,000.00	PUSE HOTEL CONDO	RU-211 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 386,876.00	Date 10/31/2012	TaxDist 50411	
	Bldg $ 386,876.00	Book 25604		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 581	NAV	
50434327780002120	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 380,001.00	Price $	PUSE HOTEL CONDO	RU-212 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 380,001.00	Date	TaxDist 50411	
	Bldg $ 380,001.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780002130	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
SINHA ROBIN KUMAR	Value $ 193,126.00	Price $427,500.00	PUSE HOTEL CONDO	RU-213 IN OR20957P873
322 W 57TH ST APT 24V	Taxbl $ 193,126.00	Date 1/12/2007	TaxDist 50411	
	Bldg $ 193,126.00	Book 21312		
NEW YORK NY 10019 3731	Land $ 0.00	Page 1191	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780002140	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
FAIRFAX & SAMMONS INVESTMENTS LLC	Value $ 191,251.00	Price $465,000.00	PUSE HOTEL CONDO	RU-214 IN OR20957P873
67 GANSEVOORT ST	Taxbl $ 191,251.00	Date 2/14/2007	TaxDist 50411	
	Bldg $ 191,251.00	Book 21424		
NEW YORK NY 10014 1402	Land $ 0.00	Page 1996	NAV	
50434327780002150	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
SCHWARTZ MERCEDES E	Value $ 208,126.00	Price $405,600.00	PUSE HOTEL CONDO	RU-215 IN OR20957P873
888 PARK AVE	Taxbl $ 208,126.00	Date 2/13/2007	TaxDist 50411	
	Bldg $ 208,126.00	Book 21424		
NEW YORK NY 10075 0235	Land $ 0.00	Page 1959	NAV	
50434327780002160	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 1,096,251.00	Price $	PUSE HOTEL CONDO	RU-216 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 1,096,251.00	Date	TaxDist 50411	
	Bldg $ 1,096,251.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780002170	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
DEVIVO MICHAEL &	Value $ 359,376.00	Price $707,750.00	PUSE HOTEL CONDO	RU-217 IN OR20957P873
205 BROOKVILLE LN	Taxbl $ 359,376.00	Date 3/8/2007 1	TaxDist 50411	
	Bldg $ 359,376.00	Book 21520		
OLD BROOKVILLE NY 11545 2305	Land $ 0.00	Page 1866	NAV	
50434327780002180	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
BARDWIL JAMES A	Value $ 357,501.00	Price $744,766.00	PUSE HOTEL CONDO	RU-218 IN OR20957P873
198 HIGHLAND RD	Taxbl $ 357,501.00	Date 3/5/2007 1	TaxDist 50411	
	Bldg $ 357,501.00	Book 21501		
RYE NY 10580 1883	Land $ 0.00	Page 1954	NAV	
50434327780002190	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 399,376.00	Price $415,000.00	PUSE HOTEL CONDO	RU-219 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 399,376.00	Date 11/6/2015	TaxDist 50411	
	Bldg $ 399,376.00	Book 27923		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 281	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780002200	Acres 1.00	Sales instr QC		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 406,876.00	Price $303,450.00		PUSE HOTEL CONDO	RU-220 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 406,876.00	Date 5/8/2014 1		TaxDist 50411	
	Bldg $ 406,876.00	Book 26794			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 315		NAV	
50434327780002210	Acres 1.00	Sales instr		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 425,001.00	Price $		PUSE HOTEL CONDO	RU-221 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 425,001.00	Date		TaxDist 50411	
	Bldg $ 425,001.00	Book			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page		NAV	
50434327780002212	Acres 0.00	Sales instr		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 261,251.00	Price $		PUSE HOTEL CONDO	RU-221B IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 261,251.00	Date		TaxDist 50411	
	Bldg $ 261,251.00	Book			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page		NAV	
50434327780002213	Acres 0.00	Sales instr		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 225,626.00	Price $		PUSE HOTEL CONDO	RU-221C IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 225,626.00	Date		TaxDist 50411	
	Bldg $ 225,626.00	Book			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page		NAV	
50434327780002220	Acres 1.00	Sales instr WD		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 208,751.00	Price $225,000.00		PUSE HOTEL CONDO	RU-222 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 208,751.00	Date 12/27/2012		TaxDist 50411	
	Bldg $ 208,751.00	Book 25685			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 304		NAV	
50434327780002230	Acres 1.00	Sales instr WD		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
DEMELIO KAREN L	Value $ 225,626.00	Price $439,000.00		PUSE HOTEL CONDO	RU-223 IN OR20957P873
4 SYCAMORE GROVE	Taxbl $ 225,626.00	Date 9/21/2007		TaxDist 50411	
THE PARK	Bldg $ 225,626.00	Book 22130			
CABINTEELY DUBLIN 18 IRELAND	Land $ 0.00	Page 290		NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780002240	Acres 1.00	Sales instr QC	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
GORDON ALLEN J & MARJORIE A GOOMAN	Value $ 193,751.00	Price $10.00	PUSE HOTEL CONDO	RU-224 IN OR20957P873
300 W 55TH ST # 9L	Taxbl $ 193,751.00	Date 7/10/2014	TaxDist 50411	
	Bldg $ 193,751.00	Book 27162		
NEW YORK NY 10019 5168	Land $ 0.00	Page 1955	NAV	
50434327780002250	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 371,251.00	Price $	PUSE HOTEL CONDO	RU-225 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 359,610.00	Date	TaxDist 50411	
	Bldg $ 371,251.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780002260	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
FLORIDA MPH LLC	Value $ 353,751.00	Price $369,500.00	PUSE HOTEL CONDO	RU-226 IN OR20957P873
529 S FLAGLER DR APT PH1	Taxbl $ 353,751.00	Date 1/19/2017	TaxDist 50411	
	Bldg $ 353,751.00	Book 28872		
WEST PALM BEACH FL 33401 5930	Land $ 0.00	Page 585	NAV	
50434327780002270	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
GORDON LARRY &	Value $ 208,751.00	Price $365,000.00	PUSE HOTEL CONDO	RU-227 IN OR20957P873
10970 SW 69TH AVE	Taxbl $ 208,751.00	Date 9/17/2007	TaxDist 50411	
	Bldg $ 208,751.00	Book 22120		
MIAMI FL 33156 3931	Land $ 0.00	Page 403	NAV	
50434327780002280	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 540,001.00	Price $	PUSE HOTEL CONDO	RU-228 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 540,001.00	Date	TaxDist 50411	
	Bldg $ 540,001.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780002290	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 813,751.00	Price $	PUSE HOTEL CONDO	RU-229 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 813,751.00	Date	TaxDist 50411	
	Bldg $ 813,751.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

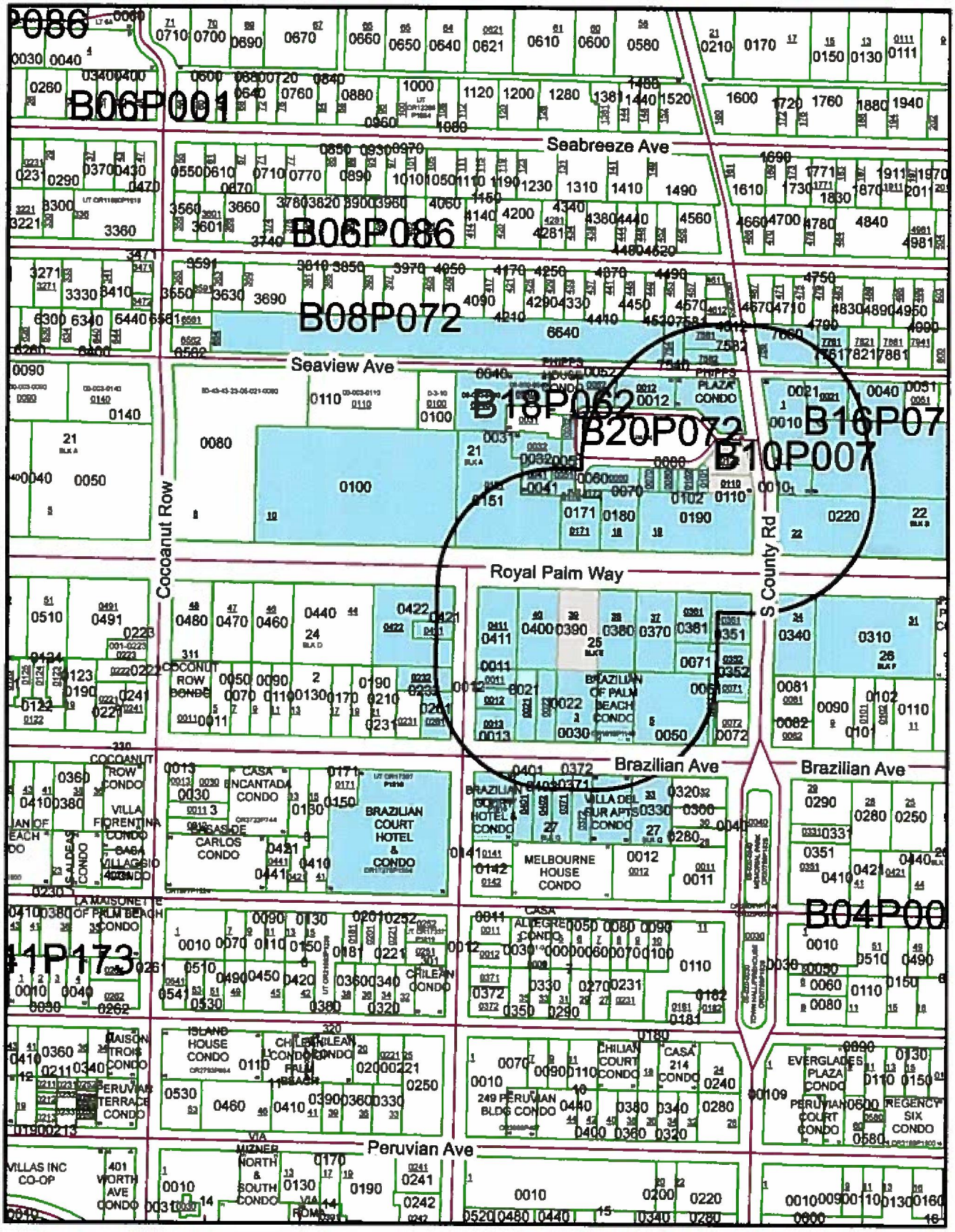
50434327780002300	Acres 1.00	Sales instr WD		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 413,126.00	Price $292,500.00		PUSE HOTEL CONDO	RU-230 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 413,126.00	Date 10/11/2012		TaxDist 50411	
	Bldg $ 413,126.00	Book 25530			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page 1298		NAV	
50434327780002310	Acres 1.00	Sales instr WD		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
SPRINGFED LLC	Value $ 411,876.00	Price $860,200.00		PUSE HOTEL CONDO	RU-231 IN OR20957P873
PO BOX 14270	Taxbl $ 411,876.00	Date 2/14/2007		TaxDist 50411	
	Bldg $ 411,876.00	Book 21453			
JACKSON WY 83002 4270	Land $ 0.00	Page 211		NAV	
50434327780002320	Acres 1.00	Sales instr WD		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
GUGGENHEIM DAVID S &	Value $ 348,751.00	Price $800,000.00		PUSE HOTEL CONDO	RU-232 IN OR20957P873
PO BOX 614	Taxbl $ 348,751.00	Date 5/10/2007		TaxDist 50411	
	Bldg $ 348,751.00	Book 21727			
CHADDS FORD PA 19317 0608	Land $ 0.00	Page 418		NAV	
50434327780002330	Acres 0.00	Sales instr		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 1,105,001.00	Price $		PUSE HOTEL CONDO	RU-233 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 592,908.00	Date		TaxDist 50411	
	Bldg $ 1,105,001.00	Book			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page		NAV	
50434327780002340	Acres 1.00	Sales instr WD		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
DAY NATHANIEL B &	Value $ 1,053,751.00	Price $2,425,000.00		PUSE HOTEL CONDO	RU-234 IN OR20957P873
1 HILLSIDE DR	Taxbl $ 1,053,751.00	Date 9/14/2007		TaxDist 50411	
	Bldg $ 1,053,751.00	Book 22115			
GREENWICH CT 06830 4751	Land $ 0.00	Page 300		NAV	
50434327780002350	Acres 1.00	Sales instr		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 614,376.00	Price $		PUSE HOTEL CONDO	RU-235 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 463,574.00	Date		TaxDist 50411	
	Bldg $ 614,376.00	Book			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page		NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780002360	Acres 1.00	Sales instr		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 524,376.00	Price $		PUSE HOTEL CONDO	RU-236 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 395,665.00	Date		TaxDist 50411	
	Bldg $ 524,376.00	Book			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page		NAV	
50434327780002370	Acres 1.00	Sales instr		MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 523,751.00	Price $		PUSE HOTEL CONDO	RU-237 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 395,193.00	Date		TaxDist 50411	
	Bldg $ 523,751.00	Book			
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page		NAV	
50434327780003010	Acres 1.00	Sales instr	WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
GM PROPERTIES LLC	Value $ 640,001.00	Price	$1,095,000.00	PUSE HOTEL CONDO	RU-301 IN OR20957P873
333 NE 23RD ST	Taxbl $ 640,001.00	Date	8/25/2004	TaxDist 50411	
	Bldg $ 640,001.00	Book	17459		
MIAMI FL 33137 4926	Land $ 0.00	Page	1334	NAV	
50434327780003020	Acres 1.00	Sales instr	WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CHASBRO APARTMENTS LLC	Value $ 405,001.00	Price	$10.00	PUSE HOTEL CONDO	RU-302 IN OR20957P873
249 ROYAL PALM WAY STE 301	Taxbl $ 405,001.00	Date	5/11/2012	TaxDist 50411	
	Bldg $ 405,001.00	Book	25320		
PALM BEACH FL 33480 4333	Land $ 0.00	Page	172	NAV	
50434327780003030	Acres 1.00	Sales instr	WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
303 BC LLC	Value $ 351,876.00	Price	$500,000.00	PUSE HOTEL CONDO	RU-303 IN OR20957P873
PO BOX 287	Taxbl $ 351,876.00	Date	7/1/2016 1	TaxDist 50411	
	Bldg $ 351,876.00	Book	28419		
NORWALK CT 06853 0287	Land $ 0.00	Page	1685	NAV	
50434327780003040	Acres 1.00	Sales instr	WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
NORDECK STEPHEN A TRUST &	Value $ 238,126.00	Price	$290,000.00	PUSE HOTEL CONDO	RU-304 IN OR20957P873
1187 COAST VILLAGE RD # 108	Taxbl $ 238,126.00	Date	4/24/2013	TaxDist 50411	
	Bldg $ 238,126.00	Book	25995		
SANTA BARBARA CA 93108 2737	Land $ 0.00	Page	821	NAV	

Property Appraiser GIS - Property Detail list by parcel control number

50434327780003050	Acres 1.00	Sales instr QC	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
WIENER LYNN	Value $ 205,001.00	Price $200,000.00	PUSE HOTEL CONDO	RU-305 IN OR20957P873
6705 S RED RD STE 608	Taxbl $ 205,001.00	Date 6/30/2005	TaxDist 50411	
	Bldg $ 205,001.00	Book 18899		
MIAMI FL 33143 3649	Land $ 0.00	Page 1919	NAV	
50434327780003060	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
FLORIDA MPH LLC	Value $ 182,501.00	Price $350,000.00	PUSE HOTEL CONDO	RU-306 IN OR20957P873
529 S FLAGLER DR APT PH1	Taxbl $ 182,501.00	Date 12/9/2016	TaxDist 50411	
	Bldg $ 182,501.00	Book 28771		
WEST PALM BEACH FL 33401 5930	Land $ 0.00	Page 1052	NAV	
50434327780003070	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 185,001.00	Price $	PUSE HOTEL CONDO	RU-307 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 185,001.00	Date	TaxDist 50411	
	Bldg $ 185,001.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780003080	Acres 1.00	Sales instr	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
CSC BRAZILIAN LP	Value $ 185,001.00	Price $	PUSE HOTEL CONDO	RU-308 IN OR20957P873
1801 S AUSTRALIAN AVE	Taxbl $ 185,001.00	Date	TaxDist 50411	
	Bldg $ 185,001.00	Book		
WEST PALM BEACH FL 33409 6465	Land $ 0.00	Page	NAV	
50434327780003090	Acres 1.00	Sales instr WD	MTG	BRAZILIAN COURT HOTEL AND CONDOMINIUM
SEREV INVESTMENTS LIMITED PARTNERSHIP	Value $ 188,126.00	Price $10.00	PUSE HOTEL CONDO	RU-309 IN OR20957P873
1055 CELESTIAL ST	Taxbl $ 188,126.00	Date 2/10/2010	TaxDist 50411	
	Bldg $ 188,126.00	Book 23712		
CINCINNATI OH 45202 1627	Land $ 0.00	Page 315	NAV	



Dorothy Jacks, CFA
Palm Beach County
Property Appraiser

Location: Downtown Service Center

0 65 130 260 390 520 Feet

Map Scale

Notes:

Produced on: 10/13/2017

Key

Selected Parcels 100 300 500

Others 200 400

Town of Palm Beach
Planning, Zoning and Building
P.O. Box 2029
Palm Beach, FL 33480
Z-17-00020 MOD

Sample

THIS APPLICATION IS BEING MODIFIED TO ADD A SPECIAL EXCEPTION REQUEST TO THE ZONING APPLICATION TO ALLOW SUPPLEMENTAL OFF-SITE SHARED PARKING AT 230 ROYAL PALM WAY.

MODIFIED ZONING APPLICATION
TOWN OF PALM BEACH

MODIFIED Z-17-00020
(Zoning Case Number)

This application includes requests for:
_X_ Site Plan Review
_X_ Special Exception
___ Variance

TO BE HEARD BY THE TOWN COUNCIL ON DECEMBER 13, 2017 AFTER 9:00 A.M., IN THE TOWN OF PALM BEACH COUNCIL CHAMBERS LOCATED ON THE 2ND FLOOR, 360 SOUTH COUNTY ROAD, PALM BEACH. Pursuant to the Town Zoning Code of Ordinances, Sections 134-172 (Special Exceptions and Variances) and/or 134-328 (Site Plan Review), this application is being sent to all property owners within 300' of the location of the subject zoning application. A copy of this application along with all exhibits such as large drawings and other supporting documents that are not attached to this application are available for inspection at the Town's Planning, Zoning & Building Department, 360 S. County Rd., east entrance, weekdays between the hours of 8:30 a.m. and 4:30 p.m. All interested persons may appear and be heard at said Public Hearing and may likewise submit written statements prior to and at said Public Hearing. If any person decides to appeal any decision made by the Town Council with respect to this matter, he/she will need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

I. **SUBJECT ADDRESS**: 264 and 270 So. County Rd AND 230 Royal Palm Way

Zoning District: C-TS and C-OPI

Fee Simple Property Owner's Name: Carriage House Properties Partners LLC, a Delaware limited liability company AND JHD ASSOCIATES, LLC

Legal Description: Lots K and L of PHIPPS PLAZA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and For Palm Beach County, Florida, recorded in Plat Book 20, Page 72 AND See attached Exhibit "A" for legal description of 230 Royal Palm Way.

Name and address of person who can receive service of process for purposes of litigation in Palm Beach County: Maura Ziska, Esq. 222 Lakeview Ave, Suite 1500 W. Palm Beach, FL 33401
Applicant Name: Carriage House and JHD Associates, LLC
Contact phone: c/o Maura Ziska 561-802-8960

II. **DESCRIPTION OF THE REQUEST TO BE HEARD BY TOWN COUNCIL, citing applicable Town Zoning Code Section Number(s):**
A. Applicable Zoning Code Section Number(s):

1. Section 134-329 Review by Town Council.
2. Section 134-1109 Special Exception (4) Private social, swimming, golf, tennis and yacht clubs.
3. Section 134-2182(c) Special Exception for supplemental off-site shared parking in C-OPI Commercial Zoning District.

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B. Description of request by Zoning Section Number(s):

1. **A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the C-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation:**

   Sunday through Wednesday 11:00 a.m. to 12:00 midnight;
   Thursday through Saturday 11:00 a.m. to 2:00 a.m.

2. **A request for a special exception to provide 68 night-time(after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House.**

III. **APPLICATIONS CONTAINING SPECIAL EXCEPTIONS**

If the application contains requests for Special Exceptions, complete **Exhibit B,** and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in Exhibit B (Requirements for granting Special Exceptions by the Town Council as stated in the Towns Zoning Code at Section 134-229).

Special Exception approval should be granted as the Carriage House will prove to be town serving based on the demographics of Palm Beach and the town serving report submitted herein. Furthermore, the special exception to provide 68 off-site shared parking spaces at the 230 Royal Palm Way should be approved as the criteria required to allow such will be met and the parking provides the most feasible location for additional parking considering the traffic circulation and valet operation. See below criteria:

Supplemental off-site shared parking. A commercial use may make available to another existing commercial use the former's required or supplemental parking spaces for use by patrons or employees if the following conditions are met:

1) Granting of such supplemental off-site shared parking shall not be granted to expand, enlarge or intensify an existing use or proposed use, or the development or redevelopment of a property or structure. **The proposed supplemental off-site shared parking is not intended to expand the use of the private club as the proposed number of members and the principle of equivalency requires zero (0) on-site parking spaces. The subject request is to alleviate parking concerns in the area.**
2) The applicant establishes to the satisfaction of the town staff, at the applicant's expense, that all other establishments using the existing parking spaces will primarily utilize these spaces at different times of the day, week, month or year from that of the applicant's use, and that the sharing of such parking spaces will not result in conflicting or overlapping usage of the parking facilities. **The proposed use of 68 parking spaces are to be used after 5 p.m. so there will not be any conflict with the office use of the same parking spaces.**
3) The owner of the parking lot shall enter into a written agreement with the town which identifies the number of shared parking spaces, the hours the shared parking will be used by other businesses, and the location of the shared parking within the parking lot. Said agreement shall have the applicant acknowledge that all parties sharing parking shall not have overlapping or conflicting hours of operation. In addition, as part of the written agreement, the supplemental shared parking lot owner shall be required to obtain a business tax receipt and annually provide the town with an inventory of those businesses and the number of spaces the businesses are individually using in the supplemental parking lot at the time of renewal of the business tax receipt. **To be provided if the subject application is approved.**

4) Supplemental off-site shared parking shall be only for uses no more than 1,500 feet from the off-site supplemental shared parking lot. **The subject parking lot is within 1500 feet of the proposed Carriage House Club.**

5) The applicant shall provide evidence which shall prove to the satisfaction of the town that the supplemental off-site shared parking use shall not cause over uses or parking congestion of the shared parking lot, or increase noise, light or traffic impacts upon neighboring residential districts. **The proposed parking lot is located around the corner on Royal Palm Way, which is a commercial area in town and becomes mostly vacant after 5 pm.**

IV. APPLICATIONS CONTAINING SITE PLAN REVIEW

If the application contains Site Plan Review, complete **Exhibit C**, and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in **Exhibit C** (Site Plan Review by Town Council as stated in the Town's Zoning Code at Section 134-329).

The Site Plan Review should be approved as there are no proposed modifications to the site.

V. SITE HISTORY

Please provide a detailed history in chronological order of all zoning-related requests processed on or after January 1, 1970 applicable to this property.

264 South County Road

Special Exception 28-93 requested 16 outdoor seats was denied.

Special Exception 30-95 with Variance was granted to allow 264 Grill to expand from 1,931 s.f. to exceed 2,000 s.f. and increase seats from 89 to 103 seats without providing the additional 5 parking spaces required.

Special Exception 36-97 was granted to allow restaurant to expand from 2,461 s.f. to 3,407 s.f. and allow 15 additional seats.

Special Exception 14-2005 requested 8 outdoor seats and allow a new operator with 118 seats approved as to new operator, denied as to outdoor seats.

270 South County Road

Special Exception 17-98 with Variance was granted to allow an office on the first floor in the C-TS Zoning District.

230 Royal Palm Way

Variance 18-2007 was *approved* to allow an identification sign for Fidelity Investments above the first floor to be at a height of 15.6 feet in lieu of the 15 foot maximum allowed.

Site Plan Review 2-2006 with SE and V was *approved* to modify the site plan, elevations and interiors of the buildings including upgrading the façade and a mansard style parapet roof proposed on the existing building along with two tower features. Reconfiguration of interior layout with no increase in gross leasable floor area. Enclosing the existing staircase in the rear of the building is proposed to increase security and maintain a consistent appearance.

Site Plan Review 15-2002 with Special Exception, Variances and Flood Variance to demolish and rebuild a four-story office building was *denied* by Town Council.

Special Exception 39-96 was *approved* to allow a variance for 1 required parking space for Muriel Siebert and Company stock brokerage firm.

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Respectfully submitted,

Maura Ziska

Applicant's Signature

Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

Co-Applicant's Signature
John O'Connor for JHD Associates, LLC

Maura Ziska

Property Owner's Signature
(or his/her duly authorized attorney)
Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

Fee Simple Property Owner's Signature
John O'Connor for JHD Associates, LLC

EXHIBIT A

Legal Description of the Property

230 Royal Palm Way

This is not a certified copy

PARCEL 1:

Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

Together with:

An Access Easement contained in that Declaration of Covenants and Restrictions for The Seminole Building as recorded in Official Record Book 9970, Page 1164, Public Records of Palm Beach County, Florida, described as follows:

The South 135 feet of Lot 40, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida, LESS and EXCEPT the South 73 feet of the West 57 feet of Lot 40.

PARCEL 2:

Lot 40, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

Together with:

An Access Easement contained in that Declaration of Covenants and Restrictions for The Seminole Building as recorded in Official Record Book 9970, Page 1164, Public Records of Palm Beach County, Florida, described as follows:

The East 16 feet of the West 44 feet of the North 65 feet of Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

And

The South 135 feet of Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

{5894198:2}

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EXHIBIT B - REQUEST FOR SPECIAL EXCEPTION

1. The use is a permitted special exception use as set forth in article VI of this chapter.

A private club is a special exception use in the C-TS Zoning District. The building is a Town of Palm Beach Historic Landmark designed by Addison Mizner. It was previously a restaurant before it was abandoned and left vacant for the last several years. The proposal is to do an extensive renovation and upgrade the building to bring it back to its landmarked character and use it for a private club for Palm Beach residents. Supplemental off-site shared parking is allowed in the C-OPI Zoning District under Section 134-2182(c).

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 Club will not adversely impact the public health, safety, welfare or morals of the Town as the Carriage House will be an exclusive, upscale club with a small membership that will cater to Town of Palm Beach residents and their guests and offer lunch and dinner to their members as well as some special events. The club use will not create any additional noises or other nuisances then the previous restaurant and will not be a negative impact on the neighborhood. The building will be renovated to restore its landmarked design as well as be upgraded to meet current building codes. Supplemental off-site shared parking will protect the public as it will create additional parking spaces to be used at night and facilitate valet operations and traffic circulation.

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 Club will not affect the value of other properties in the neighborhood as the property is in a commercial zoning district and many of the current buildings are in disrepair. The applicant plans to do an extensive renovation to restore the buildings landmarked quality. The supplemental parking will not have an impact on value as it is in a commercial district that is vacant in the evenings.

4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

The proposed Club will be compatible with the neighborhood as a Club is a contemplated special exception use in the C-TS Zoning District. All of the requirements to meet concurrency have been or will be met. There are other private clubs in commercial and residential zoning districts throughout the Town.

5. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

The proposed Club and supplemental off-site shared parking will comply with all other yard, other open space and any special requirements set forth in Article VI.

6. The use will comply with all elements of the comprehensive plan.

The proposed Club and supplemental off-site shared parking will comply with the comprehensive plan, as further stated in Exhibit "E" attached hereto.

7. The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

The proposed Club will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district, as there will be limited changes to the exterior of the space except signage. Furthermore, the renovation will include state of the art soundproofing for window and interior walls and flooring which will further reduce any noise impacts. There will be interior garage holding space which will be kept inside until the trash collection occurs so odor will be minimized. The supplemental off-site shared parking will not impact adjoining properties as it will occur after hours when businesses in the area are closed.

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.

Adequate ingress, egress and parking is provided on site and on South County Road and surrounding streets where there is open parking. There is ample public street parking in the vicinity and the Club will have valet parking with pick upon South County Road. The proposed supplemental off-site shared parking spaces at 230 Royal Palm Way are not required per the code but will improve parking and valet operations for the members of the Club.

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.

The proposed signage will meet with the Town's requirements and be permitted as required by the Town of Palm Beach building department.

10. Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

The utility service will be upgraded if necessary.

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.

The refuse and service areas will be upgraded if necessary.

12. The proposed 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 townpersons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine its credibility and the appropriateness of the applicant's conclusions. 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 Club will be Town Serving as the members selected will account for 50% or more of the members are "townpersons". A town serving report will be submitted herein as further support.

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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.

N/A

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.

The proposed Club should not place a greater burden on Town services as there is ample parking on the surrounding streets and the use as a Club is a less intense use as compared to other commercial operations such as restaurants. Furthermore, the supplemental off-site shared parking will reduce traffic and parking concerns.

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EXHIBIT C – SITE PLAN REVIEW

THE FOLLOWING ARE THE REASONS WHY THE SITE PLAN SHOULD BE APPROVED PURSUANT TO SECTION 134-329:

1. Sufficiency of statements on ownership and control of the subject property and the 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 the intended purpose and to ensure that such common facilities will not become a future liability for the Town.

The owner of the property is Carriage House Properties Partners LLC, a Delaware limited liability company and is the entity in control of the property. The property does not have any common open space, common facilities or common lands which would become a future liability for the Town.

2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon.

There are no site plan changes planned with this application.

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.

Ingress, egress, utilities and refuse collection will be improved.

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 or emergency.

The valet pick up will be in the same location as the previous restaurant, which was an acceptable location that worked well for the previous restaurant.

5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

No permanent external site plan changes are proposed.

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 capacity.

Drainage will remain the same or be upgraded if required.

7. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

The utility hook ups will remain the same or be upgraded if required.

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 the uses within the property, and the relationship to community-wide open spaces and recreation facilities.

N/A

9. Such other standards as may be imposed by this chapter for the particular use or activity involved.

N/A

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.

The building and site remain the same and there is no change to the height of the commercial structures.

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, 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.

The building and site remain the same and there is no change to the visible bulk or site.

MODIFIED Z-17-00020
Zoning Case Number

EXHIBIT D - PARKING STATEMENT

Please provide a detailed parking statement which includes details of all available off-street parking, including information regarding the number of parking spaces designated for service use (for example: lawn service, pool service, etc), staff/employee use, etc.

COMMERCIAL PROPERTIES MUST:

PROVIDE NUMBER OF OFF-STREET PARKING SPACES AVAILABLE FOR EMPLOYEES ON THE SUBJECT PROPERTY:

PROVIDE NUMBER OF EMPLOYEES/STAFF PER SHIFT:

INDICATE LOCATION WHERE EMPLOYEES PARK OFF SITE:

This provision is Not Applicable as a private club is not a commercial use per the definition of the code below in Section 134-1:

- ***Commercial use*** **means use of land or structures thereon or portions thereof, for the purpose of conducting business, including the provision of goods and/or services, not otherwise identified under the definition of other generic uses, to the general public or segments thereof. For the purposes of this definition, timesharing, motel and/or hotel uses and occupancy of residential properties for periods of less than three months more frequently than three times per calendar year shall be considered commercial uses.**

MODIFIED Z-17-00020
Zoning Case Number

EXHIBIT "E"

Land Use Element

- **OBJECTIVE 1:** Future growth and development within the Town shall be managed to maintain and enhance the Town's unique physical and historic character with emphasis on its visual qualities, and compatibility and harmony among its diverse land uses.

  Compliance: There are no new structures, no new uses, no additional impervious surface(s), the exterior of the existing structure will be preserved and there are no new subdivisions. The safe and convenient flow of traffic is being maintained. Therefore, this project complies with Objective 1.

- **OBJECTIVE 2:** Maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.

  Compliance: The proposed project will revitalize, refresh and invigorate the Carriage House back into its Historic Landmarked tradition. No new development or redevelopment is proposed. The existing "Town-Serving" function will remain as it has for numerous years. The commercial use will preserve and enhance the small-scale commercial quaintness of the town. The Carriage House application will remain a compatible use both is scale and character with the surrounding neighborhood. Therefore, this project complies with Objective 2.

- **OBJECTIVE 3:** Development orders or permits for new development or redevelopment shall be issued for construction in the floodplain or coastal high hazard area only if they meet the building elevations identified in the Flood Insurance Rate Maps (FIRM)

  Compliance: The existing building meets or exceeds the established FIRM elevation standards. Therefore, this project complies with Objective 3.

- **OBJECTIVE 4:** No new urban development shall be permitted on or over submerged lands or lands predominantly characterized by Tidal Swamp (TM) soils as identified in the Soil Survey of Palm Beach County.

  Compliance: The Carriage House has existed since approximately 1929. There's no new structures proposed and never has the site been consider constructed on submerged lands. Therefore, this project complies with Objective 4.

- **OJECTIVE 5:** Development orders and permits for new development or redevelopment, or building permits for developments that have been issued development orders prior to the adoption of the Comprehensive Plan, shall be issued only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.

  Compliance: A complete and through concurrency analysis has been conducted for this project. All existing infrastructure is in place to serve the project. There is no additional square footage being requested as a component of this application. All existing facilities and services are available to meet the Town's adopted level of service as established within the Capital Improvements

Element. Therefore, this project complies with Objective 5.

- **OBJECTIVE 6:** Efforts shall continue to be made to control blighting influences or other negative impacts to the Town, and redevelopment will be encouraged in areas experiencing deterioration, when appropriate.

  Compliance: The Town's Code of Ordinances proactively addresses potential problems and authorizes Code Enforcement to cite those property owners in need of remedial action. The adaptive reuse of this historic and treasured structure will demonstrate compliance with the Town's Code of Ordinances. Therefore, this project complies with Objective 6.

- **OBJECTIVE 7:** The number of uses incompatible with the range and location of land uses, identified in the Town's Future Land Use Plan Map, shall be reduced by attrition; and, no new uses shall be permitted that are inconsistent with the community's character and the Town's Future Land Use Plan Map.

  Compliance: The Town not only allows, but encourages historic and landmarked structures to be upgraded, maintained and used in a manner which maintains the historic character and overall property values of the community. The proposed project is compatible with the surrounding land use pattern. Moreover, this site has never been identified as a non-conforming use. Therefore, this project complies with Objective 7.

- **OBJECTIVE 8:** The Town shall protect its natural resources. The measurement of this objective is the extent to which natural resources are preserved.

  Compliance: This project intends to maintain the natural environment by designing the club to follow all applicable Town standards with respect to: (i) landscaping, (ii) drainage, (iii) protection of air quality, (iv) removal of prohibited plant materials and the like. Therefore, this project complies with Objective 8.

- **OBJECTIVE 9:** The Town shall protect its inheritance of structures and neighborhoods having historic or architectural merit. The measurement of this objective is the extent to which historic or architectural structures or neighborhoods are preserved, and the degree to which the following policies are implemented.

  Compliance: The proposed project clearly intends to protect this historically significant property and the site's aesthetic character and value through the active participation in the Town's Historic Landmarks Preservation Commission ("HLPC"). Any future modifications or alterations to the site will require HLPC approval. Therefore, this project complies with Objective 9.

- **OBJECTIVE 10:** The Town will coordinate and comply with any resource planning and management plan prepared pursuant to Chapter 380 FS.

  Compliance: This project and its owner will support the Town's efforts to continue to coordinate with other governments in securing full resources by the State and other agencies for programs of their design, creation and/or benefit, and continue to ensure the protection of local self-determination in matters which are not demonstrated to be of actual regional significance. Therefore, this project complies with Objective 10.

- **OBJECTIVE 11:** Provide for Planned Unit Developments, and other innovative regulations and techniques that will assist the Town in maintaining its high

standards, quality of life, and appropriate mix and location of land use types and structures; and, in ensuring that new development is compatible with existing surrounding properties.

- Compliance: While not directly applicable to this project, nevertheless, the club supports and encourage the Town to develop news LDR's which offer innovative regulations and techniques that will assist the Town in maintaining its high development standards, wonderful quality of life while ensuring that new development is compatible with existing surrounding properties. Therefore, this project complies with Objective 11.

- **OBJECTIVE 12:** The Town shall coordinate its coastal area population with the Regional Hurricane Evacuation Plan. The measurement of this objective will be the degree to which the Town coordinates with the appropriate Evacuation Plan.

  Compliance: The project supports the Town's education and notification process to emphasize the unpredictability of the power of an approaching storm and the need to evacuate early upon an evacuation warning. Therefore, this project complies with Objective 12.

- **OBJECTIVE 13:** The Town of Palm Beach shall continue to implement corrective measures on all access points identified by the Town as inadequate.

  Compliance: There are no new access points proposed by this project. The club intends to maintain the existing access features currently existing and in place for the entire site. Therefore, this project complies with Objective 13.

Historic Preservation Element:

The Carriage House application intends to maintain the historic and cultural significance of the property. The applicant clearly recognizes the important value of linking the past with the present while creating a unique community asset and a "sense of place" which offers a source of pride for the Town. The Carriage House application for a private club will:

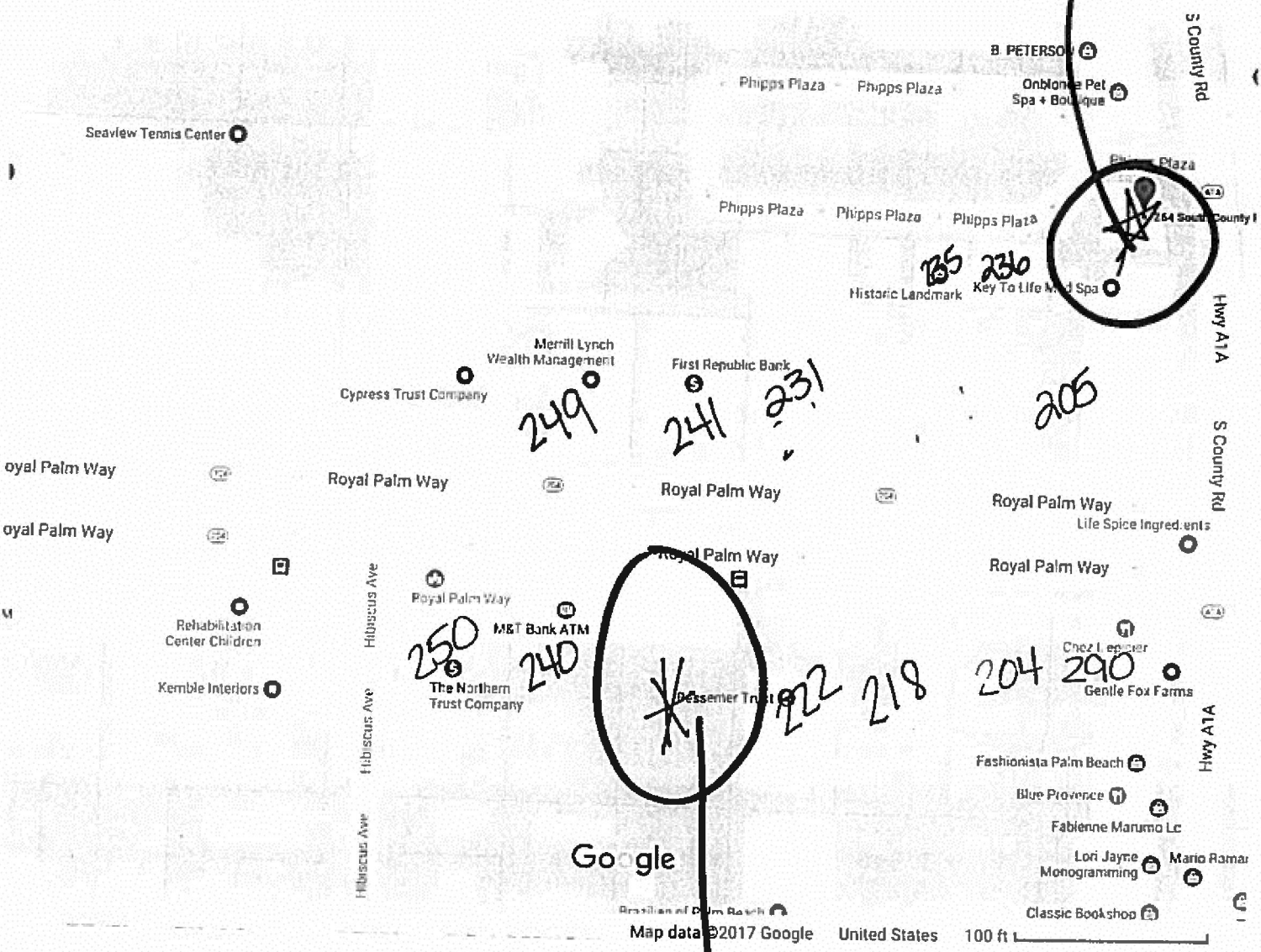
1. Safeguard/enhance that which reflects the Town's history and heritage
2. Stabilize and improve property values
3. Foster civic pride in the notable accomplishments of the Town's past
4. Protect the Town's attraction to residents and visitors
5. Strengthen the economy of the Town
6. Promote the education, pleasure and welfare of residents

- **OBJECTIVE 1:** The Town shall protect and preserve its prehistoric and historic resources. The measurement of this objective shall be the extent to which such resources are protected.

  Compliance: Beginning in 1927, structures designed, built or modified in Palm Beach have been regulated by an advisory body of the Town of Palm Beach. The original body was called the Art Jury. Members such as Addison Mizner, Maurice Fatio, and Charles Perrochet assisted in a sort of design critique to help ensure the beauty and visual harmony that made Palm Beach a unique community. The applicant recognizes that the subject structure, an Addison Mizner work, deserves the utmost care in preserving and protecting the past. The applicant fully commits to preserving and protecting the unique architectural and cultural feature(s) of the site. Therefore, this project complies with Objective 1.

2641270 S County Rd

Google Maps 264 S County Rd



Subject:

★ 264 & 270 S County Rd

&

230 Royal Palm Way

★230 Royal Palm Way

N

The Carriage House

Palm Beach



THE CARRIAGE HOUSE

INTRODUCTION

Introduction

The Carriage House will be a luxurious high-end, Private Members Club in Palm Beach. It will exude old-school glamour combined with ultra-hip modern touches

The Club will contain:

- Ultra high end specification and fit out
- Individually designed bars and lounges
- World class dining and service
- Exclusive entertainment spaces

A world-class team of advisors is being assembled to build a very high end product:

- Interior and Exterior design
- Food and Beverage
- Branding
- Legal and planning
- Services for members with high expectations

The Carriage House will be the destination for the discerning and sophisticated crowd to be seen and heard in Palm Beach





THE CONCEPT

The Concept

The Carriage House offers a unique experience. With a sophisticated and exclusive feel, The Carriage House is the place to be in Palm Beach: Dine, unwind & mingle in style…

Design	Intimate	Luxurious	Chic
Positioning	High End	Exclusive	Unique
Behaviours / Mood	Traditional	Social	Elegance
Tone of Voice	Highbrow	Outspoken	Bold







THE INSPIRATION

The Inspiration

The Carriage House takes its inspiration from London's finest private member clubs including Mark's Club, 5 Hertford Street, and Annabelle's…









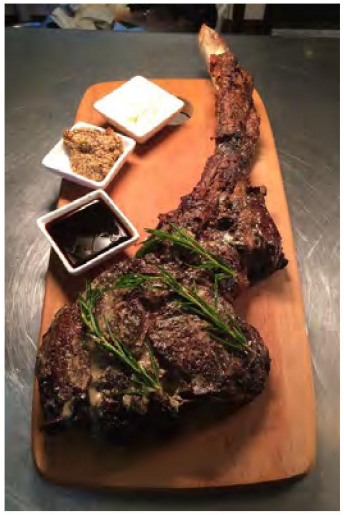
The Inspiration

With the highest standards of sophistication, interior design and service, The Carriage House will deliver a top international guest experience tailored specifically to Palm Beach's unique personality.











LOCATION & ASSETS

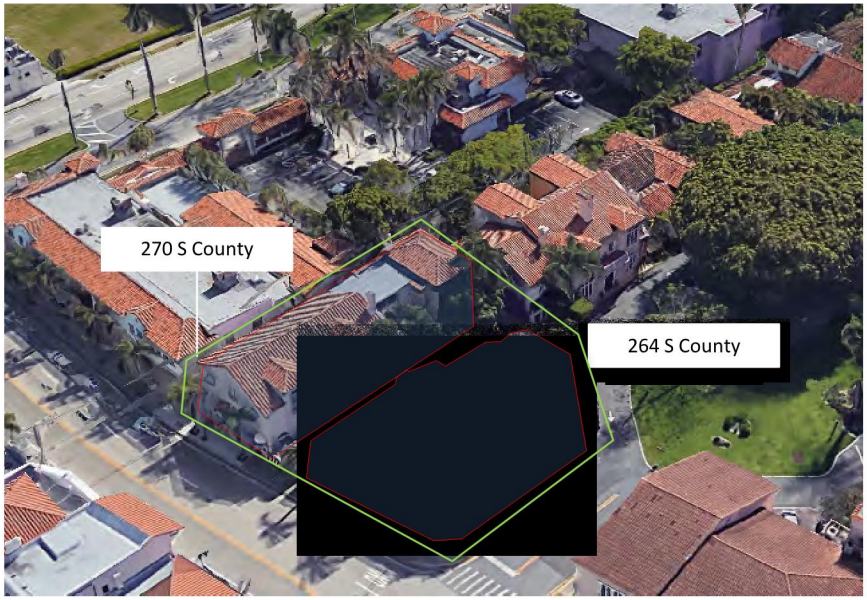
LOCATION

The Carriage House will be centrally located in the heart of Palm Beach. Surrounded by the areas most prestigious restaurants, existing members clubs, retail stores and residences



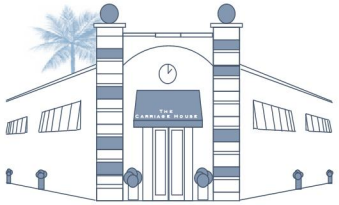
Property Overview





	Club (264 S County)	Club (270 S County)
Address	264 S County, Palm Beach, Florida	270 S County, Palm Beach, Florida
Sqft / Zoning	5,200 Sq Ft / Commercial Town Serving	5,892 Sq Ft / Commercial Town Serving
Overview	Landmarked building would serve as core of carriage club Food and beverage operation. 118 seats and valet parking grandfathered.	Mediterranean revival commercial building - not landmarked – will be fully renovated with exterior elements to compliment 264 S. County. Outside areas will serve as transition area between 264 and 270. Kitchen to be located on the 1st floor with membership areas (card rooms etc.) on the 2nd

Conceptual Programming

Property	264 S County	270 S County
Overview		
	• Ultimate Guest Entertaining • Superb Food and Wines • High end Living Room Dining	• Effortless Elegance • traditional décor • Palm beach overlays
Programming	• Dining • Bar and Lounges • EU Café experience	• Intimate Living and Lounge rooms • Bar • Card games & Media areas
Preliminary Renders		

Restore the original Mizner (264 S. County) and Fatio (270 S. County) designs Both built in 1930



Initial Design Concept
The English Bar



Initial Design Concept
The Dining Room



CARRIAGE HOUSE | *264/270 South County Road, Palm Beach, Florida*

CONCEPTUAL FIRST FLOOR PLAN

SCALE: 1"=20'

9.5.17



GLIDDENSPINA + PARTNERS

CONCEPTUAL SECOND FLOOR PLAN

SCALE: 1"=20' 9.5.17



GLIDDENSPINA + PARTNERS

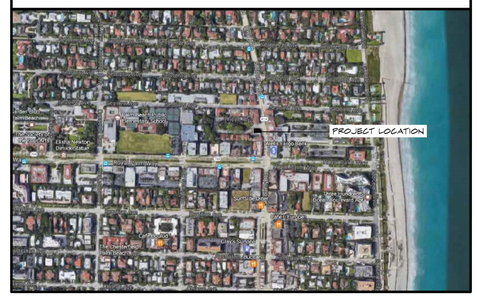
CARRIAGE SP.DWG



1 SITE PLAN
SCALE: 1" = 40'-0"

MODIFIED ZONING CASE # Z-17-00020

LOCATION MAP



GLIDDEN SPINA + PARTNERS
207 SIXTH STREET
WEST PALM BEACH, FLORIDA 33401
ph: 561.684.6844 • gliddenspina.com
FL Lic # AA26002399
Architecture • Interior Design
Keith M. Spina # AR13419

Town Council Submittal for:
264 +270 South County Road
Palm Beach, Florida

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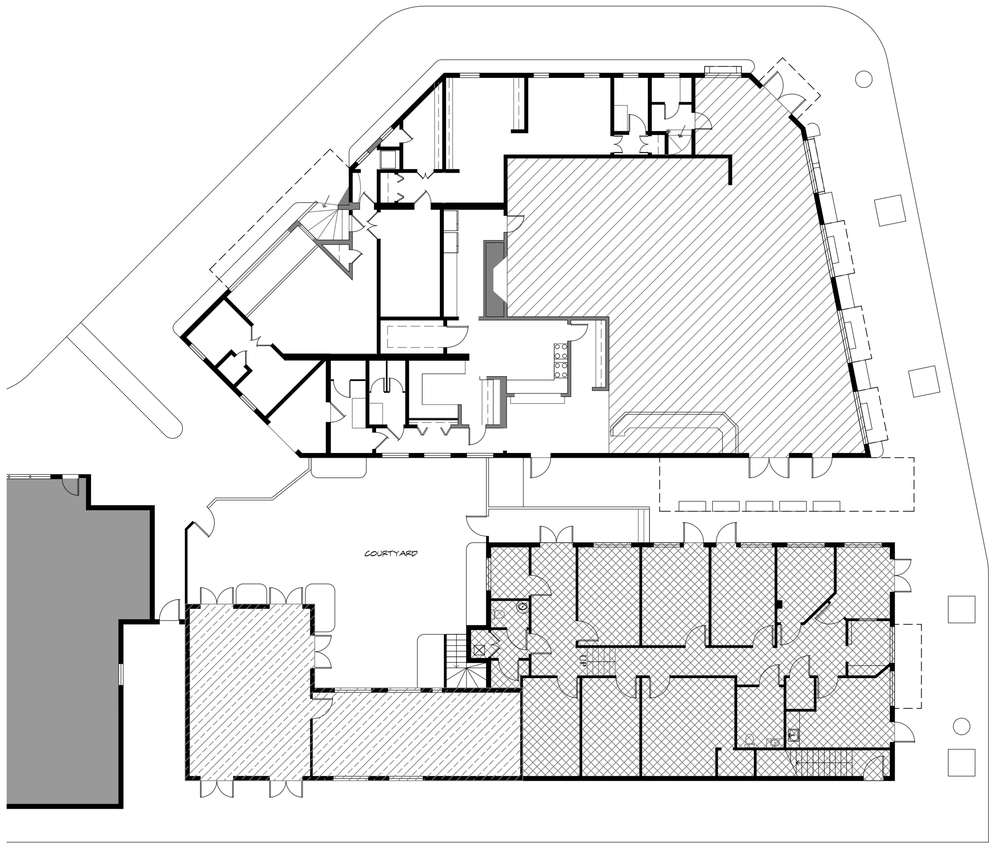
Revisions:
⚠ 10/16/17 REVISION

Project no:	17007
Date:	06.23.17
Drawn by:	PD
Project Architect:	JAG

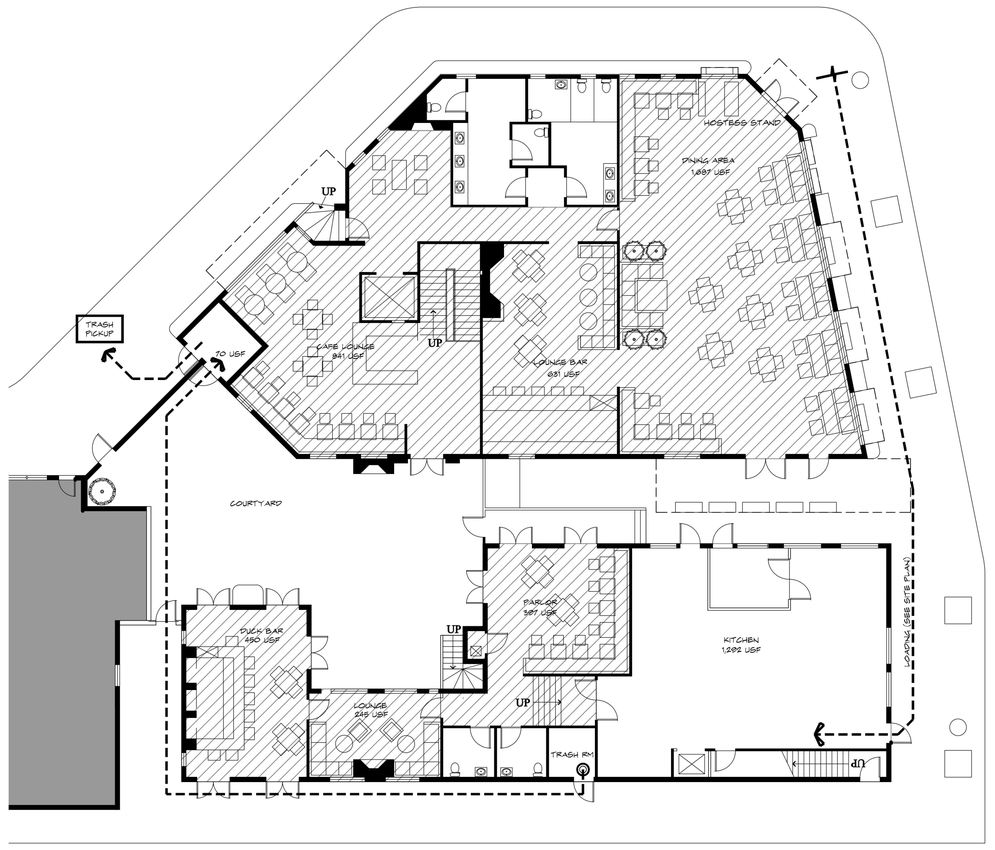
SITE PLAN

SP-1

PRINCIPLE OF EQUIVALENCY CALCULATIONS



1 EXISTING FIRST FLOOR PLAN
SCALE 3/32" = 1'-0"



2 PROPOSED FIRST FLOOR PLAN
SCALE 3/32" = 1'-0"

CARRIAGE HOUSE - ANALYSIS OF EXISTING FOR REQUIRED PARKING

	SPACE	AREA	PARKING RATIO	PARKING COUNT
	1ST FLOOR - DINING AREA	2,081 SF. (118 SEATS)	1:3	39.3 SPACES
	1ST FLOOR - RETAIL AREA	2,101 SF.	1 : 200 GROSS	10.5 SPACES
	1ST FLOOR - BACK OF HOUSE	2,490 SF.	1 : 300 GROSS	8.3 SPACES
	2ND FLOOR - BACK OF HOUSE	369 SF.	1 : 300 GROSS	1.2 SPACES
	1ST FLOOR - RESIDENTIAL UNITS EACH UNIT TOTAL 1 UNITS	938 SF. -	2 SPACES/UNIT	2.0 SPACES
	2ND FLOOR - RESIDENTIAL UNITS EACH UNIT TOTAL 2 UNITS	3,185 SF. -	2 SPACES/UNIT	4.0 SPACES
	TOTAL			66 SPACES

CARRIAGE HOUSE - ANALYSIS OF REQUIRED PARKING TO MEMBERS COUNT

PARKING/MEMBERS COUNT CALCULATION

66 SPACES X 4 PERSONS PER SPACE = 264 MEMBERS

MODIFIED ZONING CASE # Z-17-00020

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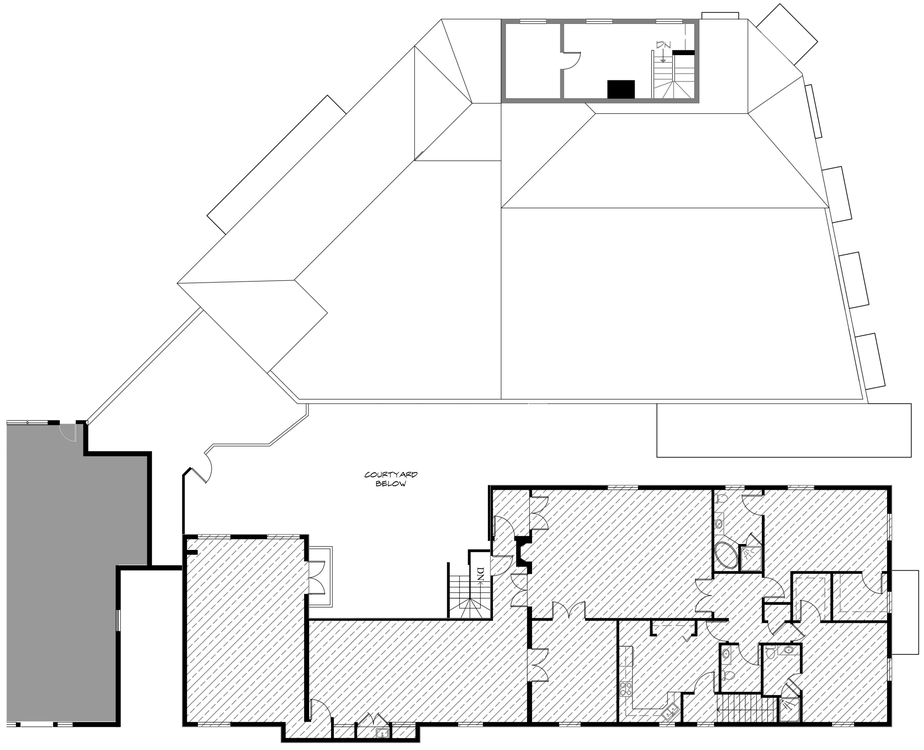
Revisions:
⚠ 10/16/17 REVISION

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Project Architect:	JAG

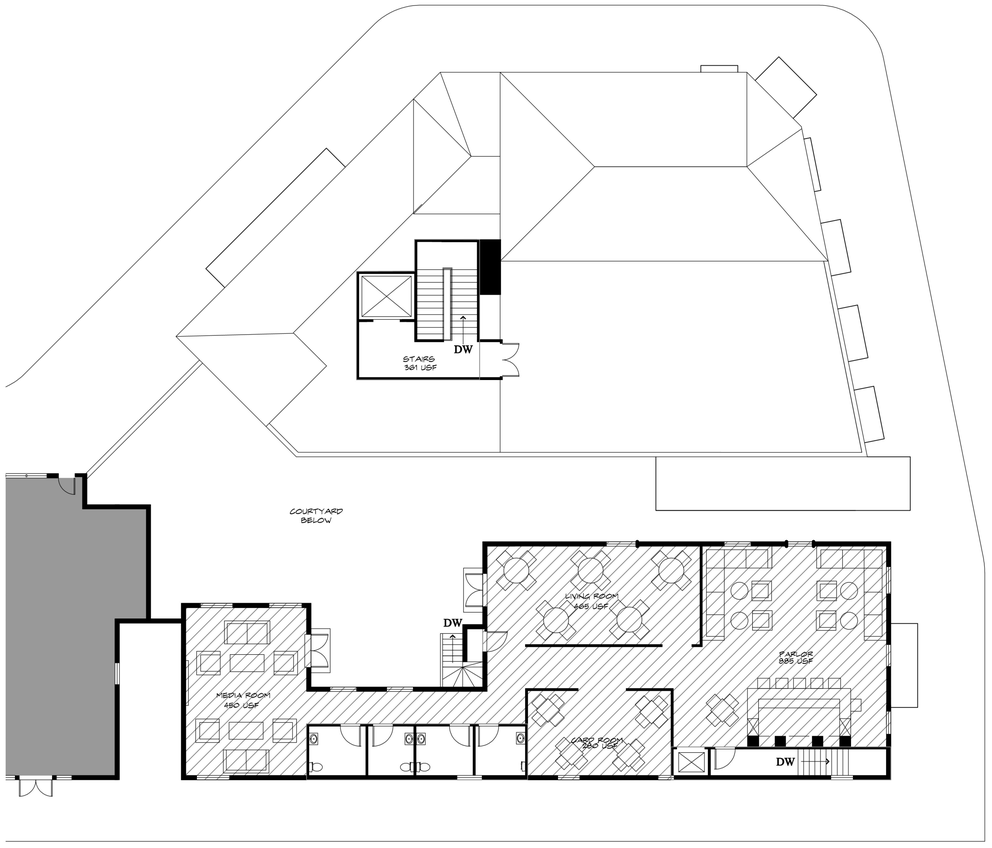
EXISTING AND PROPOSED FIRST FLOOR PLANS

A-1.0

PRINCIPLE OF EQUIVALENCY CALCULATIONS



1 EXISTING SECOND FLOOR PLAN
SCALE 3/32" = 1'-0"



2 PROPOSED SECOND FLOOR PLAN
SCALE 3/32" = 1'-0"

CARRIAGE HOUSE - ANALYSIS OF EXISTING FOR REQUIRED PARKING

	SPACE	AREA	PARKING RATIO	PARKING COUNT
	1ST FLOOR - DINING AREA	2,081 SF. (118 SEATS)	1:3	39.3 SPACES
	1ST FLOOR - RETAIL AREA	2,101 SF.	1 : 200 GROSS	10.5 SPACES
	1ST FLOOR - BACK OF HOUSE	2,490 SF.	1 : 300 GROSS	8.3 SPACES
	2ND FLOOR - BACK OF HOUSE	369 SF.	1 : 300 GROSS	1.2 SPACES
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	2ND FLOOR - RESIDENTIAL UNITS EACH UNIT TOTAL 2 UNITS	3,185 SF. -	2 SPACES/UNIT	4.0 SPACES
	TOTAL			66 SPACES

CARRIAGE HOUSE - ANALYSIS OF REQUIRED PARKING TO MEMBERS COUNT

PARKING/MEMBERS COUNT CALCULATION

66 SPACES X 4 PERSONS PER SPACE = 264 MEMBERS

MODIFIED ZONING CASE # Z-17-00020

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Revisions:
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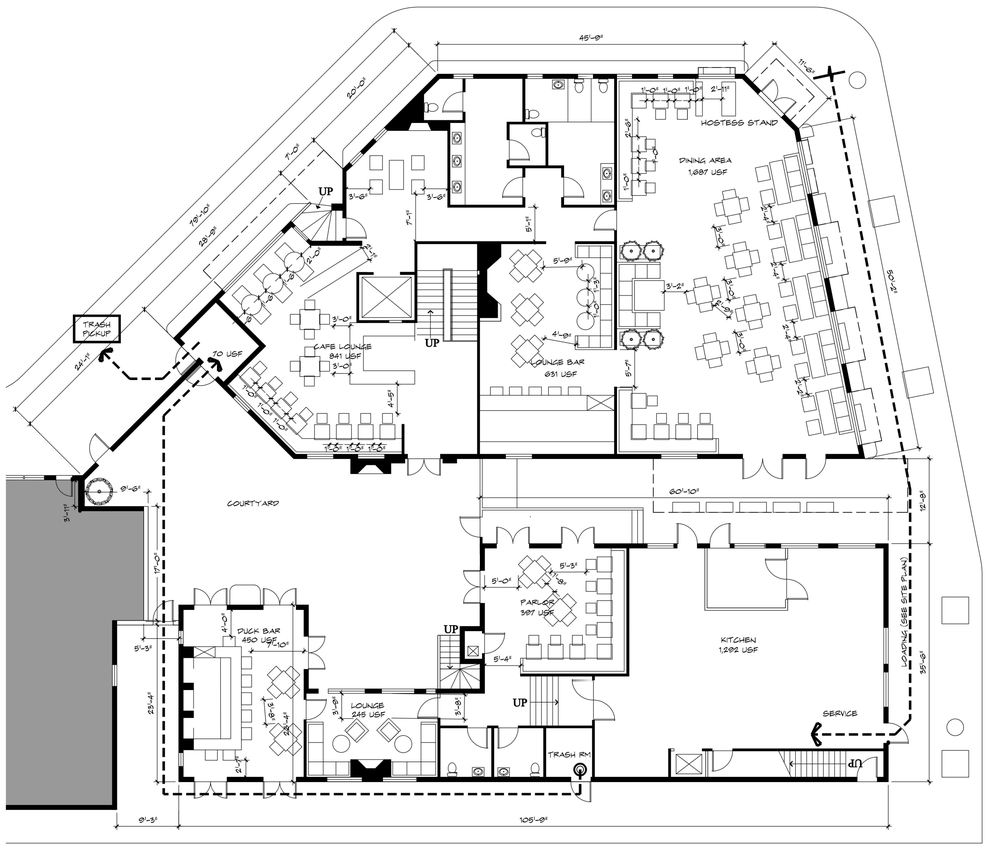
Project no: 17007
Date: 06.23.17
Drawn by: PD
Project Architect: JAG

EXISTING AND PROPOSED SECOND FLOOR PLANS

A-1.1

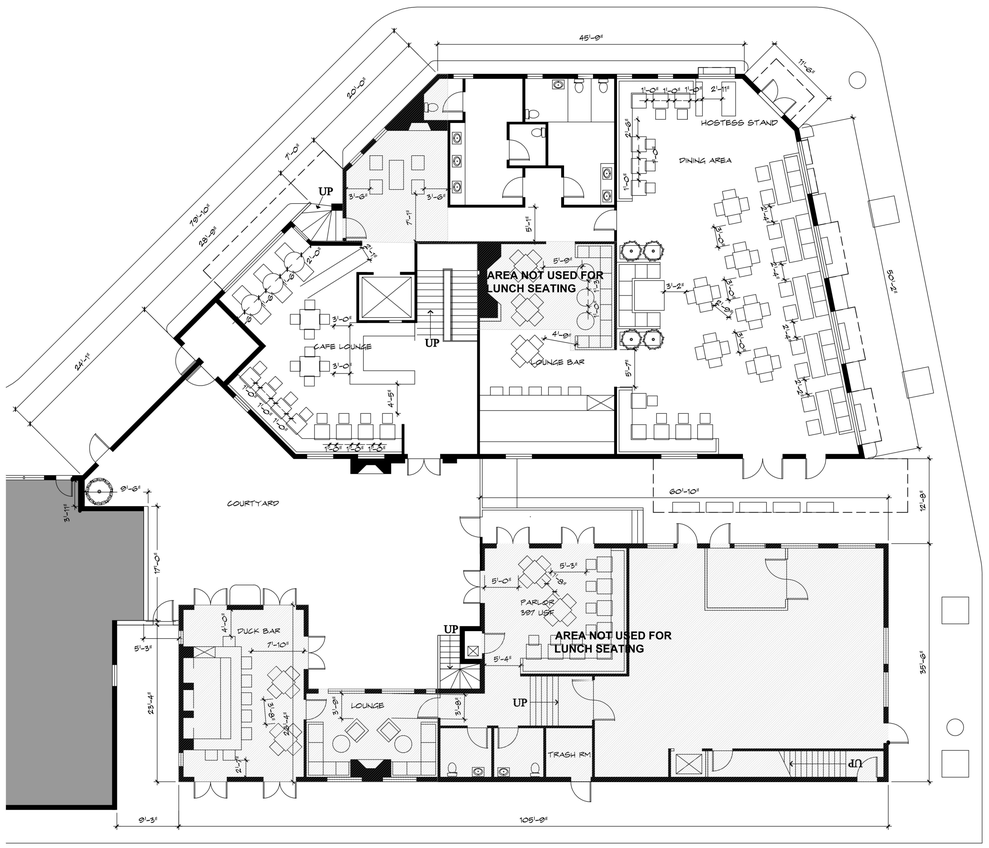
PROPOSED FLOOR PLANS

CARRIAGE FP.DWG


45'-0"
20'-0"
1'-0"
78'-10"
58'-0"
11'-8"
HOSTESS STAND
DINING AREA
1,687 USF
UP
3'-6"
3'-8"
7'-1"
5'-11"
2'-11"
1'-0"
1'-0"
1'-0"
2'-8"
5'-8"
3'-2"
2'-0"
2'-0"
2'-0

CARRIAGE FP.DWG

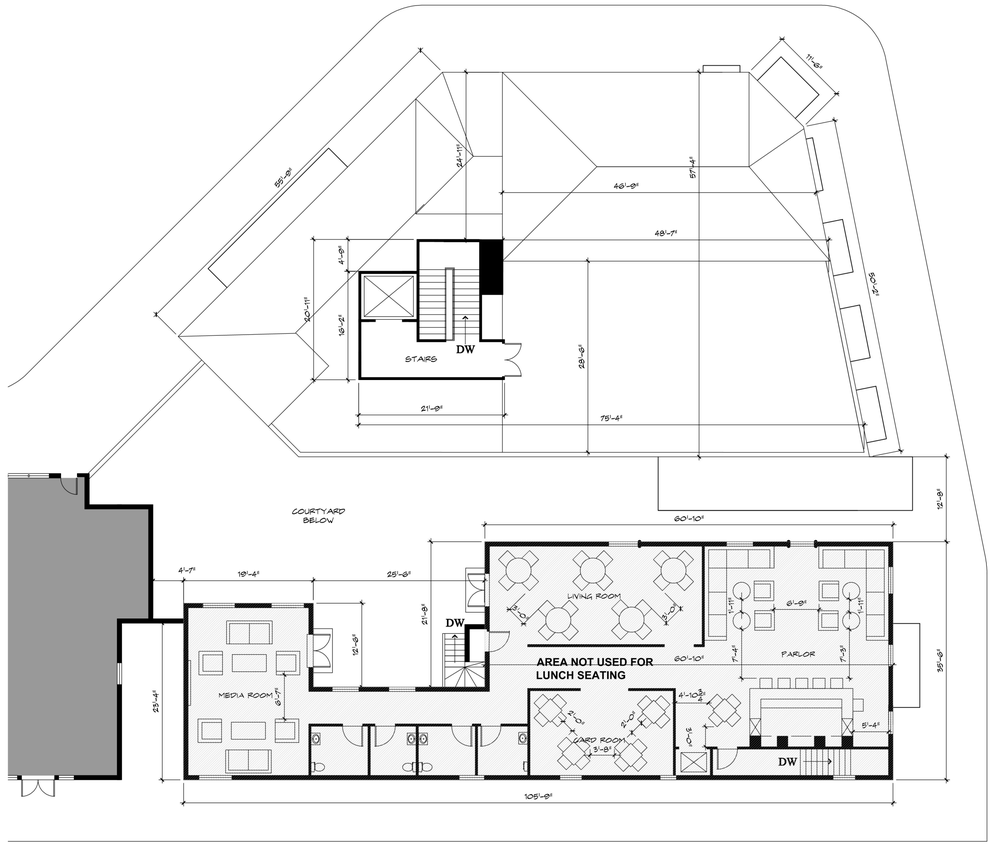
PROPOSED LUNCH FLOOR PLAN



1 PROPOSED FIRST FLOOR LUNCH SEATING PLAN

SCALE: 3/32" = 1'-0"

TOTAL LUNCH SEATS = 118 SEATS



2 PROPOSED SECOND FLOOR LUNCH SEATING PLAN

SCALE: 3/32" = 1'-0"

MODIFIED ZONING CASE # Z-17-00020

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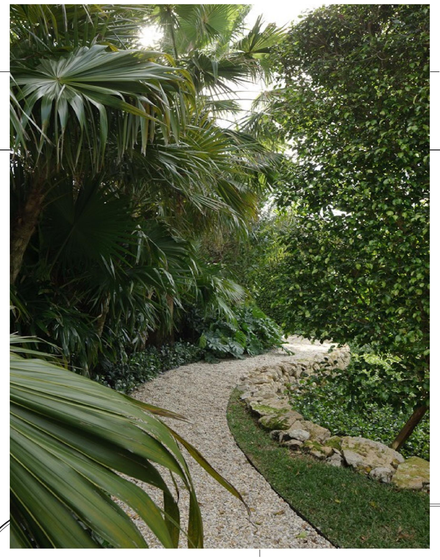
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10/16/17 REVISION

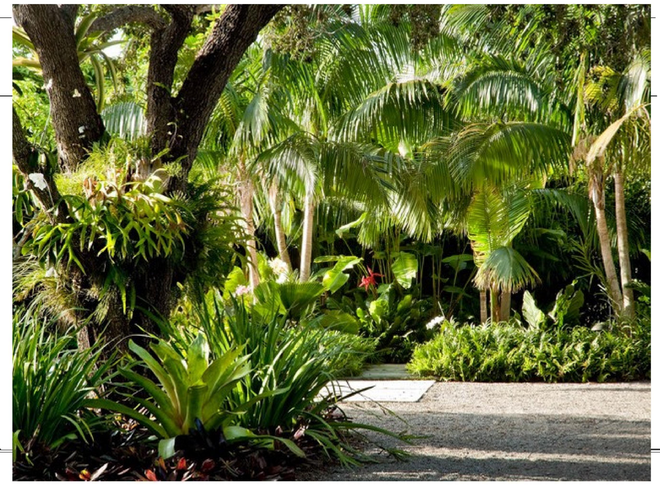
Project no:	17007
Date:	06.23.17
Drawn by:	PD
Project Architect:	JAG

PROPOSED DIMENSIONED FLOOR PLANS

A1.2A



Winding paths, through lushly planted beds

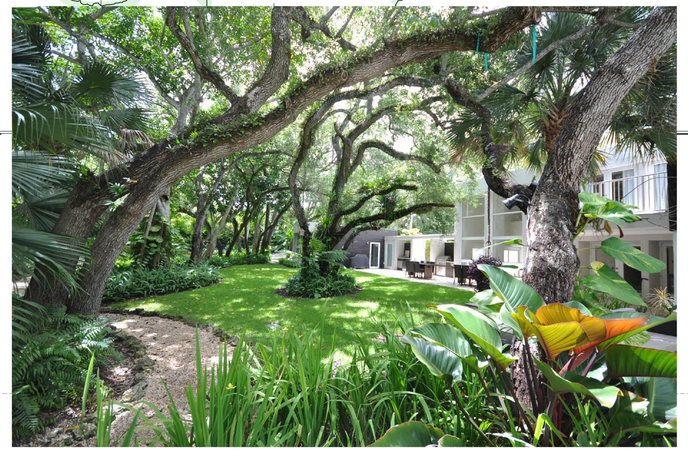


Ferns, cycads, elephant ears planted amongst native gumbo limbo trees, banyan trees, poinciana trees and multi trunk palms



Topography (graded fill and lawn) along with landscaped beds within the newly formed islands





Winding paths and raised lawns & trees under planted with philodendron & bromeliads

REVISION SUMMARY:		
REV. NO.	DATE	DESC.
1	2/21/17	CONCEPTUAL PLAN DEVELOPMENT

MARIO F. NIEVERA

State of Florida
Landscape Architect
Registration No.
6666856

Conceptual Landscape Improvement Plan for Phipps Plaza Park Palm Beach, Florida

SCALE: 1/32" = 1'-0"

07 SEP 2017

NIEVERA WILLIAMS
DESIGN

223 Sunset Avenue
Suite 150
Palm Beach, Florida 33480
P: 561-659-2820
F: 561-659-2113

NIEVERAWILLIAMS.COM

CP1

[redacted]



SOUTH COUNTY ROAD - EAST SIDE OF STREET

NTS


264 S. County Road
THE PLAZA
ONBLONDE
Valet Area
Service/Loading


264 S. County Road
Existing Valet/Loading
PHIPPS PLAZA
2 HOUR PARKING
9:00AM TO 6:00PM
PASSENGER LOADING ONLY
NO UNATTENDED VEHICLES ALLOWED TOW-AWAY ZONE


Trash

Phipps Plaza



Trash/Recycle Collection Area

264 S. County Road

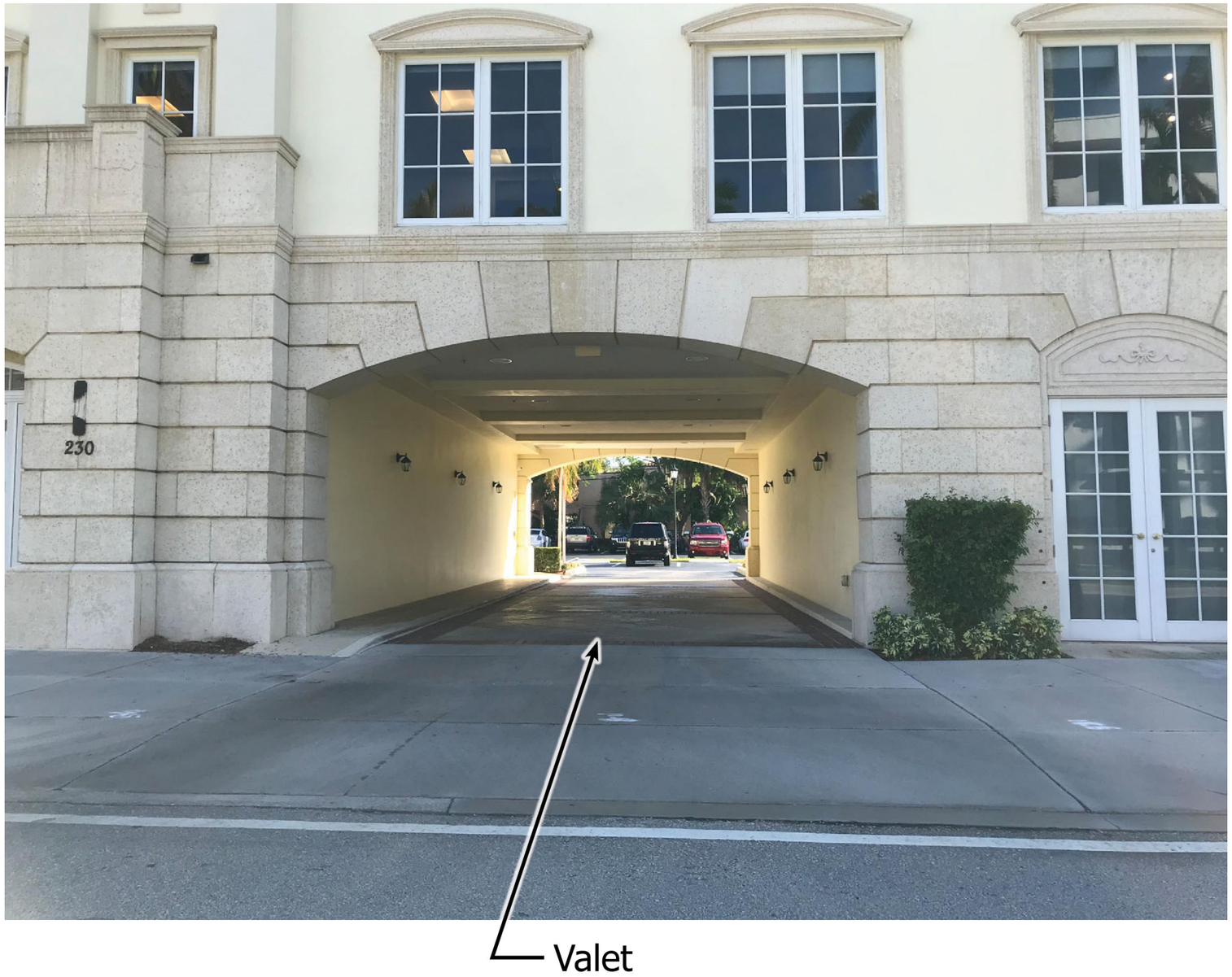



221
270
264
Delivery

230 Royal Palm Way



230 Royal Palm Way



Kimley»Horn

October 17, 2017

Josh Levy
221 N. Hogan Street Suite 400
Jacksonville, Florida 32202

Re: ***Carriage House/264 Grill***
Parking Evaluation
Palm Beach, Florida
Kimley-Horn #140379000

Dear Mr. Levy:

Kimley-Horn and Associates, Inc. was retained to provide a parking evaluation for the above-mentioned site. The site is located at 264/270 South County Road in the Town of Palm Beach, Florida. The proposed plan of development includes the merging of these adjacent properties. The PCN's for the two sites are 50-43-43-22-10-000-0120 and 50-43-43-22-10-000-0110, respectively. *Figure 1* shows the site location. Buildout is expected by 2019.

Currently, 264 South County Road consists of a quality restaurant with 118 seats while the 270 South County Road property consists of 3,039 square feet of general commercial retail on the first floor and 2 apartment units on the second floor. The current plan of development includes combining these two parcels into one property containing private club use. The existing and proposed site plans have been attached for reference.

The site is grandfathered to not have to provide any on-site parking per the Town's Principle of Equivalency Calculation which would allow the property to be redeveloped with 66 parking spaces to use as a credit for the new use. The Principle of Equivalency Calculation is shown in *Table 1*. The table explains how the Principle of Equivalency determines the 66 parking spaces and how that translates to a 264-member cap for a private club.

Table 1: Existing Required Parking

Floor Level	Space	Area	Parking Ratio	Parking Count (spaces)
1st Floor	Dining Area	2,081 SF (118 seats)	1:3	39.3
1st Floor	Retail Area	2,101 SF	1 : 200 Gross	10.5
1st Floor	Back of House	2,490 SF	1 : 300 Gross	8.3
2nd Floor	Back of House	369 SF	1 : 300 Gross	1.2
1st Floor	Residential Units	938 SF	2 spaces/unit	2.0
	Each Unit			
	Total 1 Unit			
2nd Floor	Residential Units	3,185 SF	2 spaces/unit	4.0
	Each Unit			
	Total 2 Units			
			Total Spaces	**66**

Town of Palm Beach Parking Code

Article 9.2, Section 134-2176 of the Town of Palm Beach Land Development Standards defines the parking requirements for 'social, swimming, golf, tennis and yacht clubs' in the Town of Palm Beach; this use most closely represents the proposed use for this site. Per this Standard, The Town of Palm Beach requires 1 parking space for every 4 members of a private social club. Based upon these requirements, a 264-member social club equates to 66 parking spaces and should be allowed without any on-site or other off-street parking arrangement per the Town's Principle of Equivalency. The calculation is summarized in *Table 2*.

Table 2: Palm Beach Required Parking

Land Use	Intensity	Palm Beach Parking Rate	Required Parking
Social Club	264 Members	1 Space per 4 Members	66

Although no on-site or other off-street parking is required, this study identifies a potential supplemental off-street parking location to help offset the expected parking demand during peak evening hours.

The nearby commercially zoned lot located at 230 Royal Palm Way contains 68 off-street parking spaces. The location of the parking lot is within the Commercial-Town Serving (C-TS) area and can be seen in *Figure 2*. It is anticipated that all 68 off-street parking spaces will be available to be utilized by employees, patrons, and valet services of the club on an after 5 PM basis.

Because club attendance is anticipated to peak in the evening AND lunch time operations will be expressly limited (see below), off-street parking spaces are anticipated to be in highest demand during the peak evening hours after 5:00 PM; therefore, the off-street parking in the lot will only be secured in the evening when patron demand is the highest. The commercially zoned lot and the paths for the valet services are illustrated in *Figure 3.* As illustrated in *Figure 3*, the lot provides at least 68 spaces and direct access to Royal Palm Way.

The club is proposing to limit lunch service to a maximum of 118 seats. The parking lot at 230 Royal Palm Way will not be available for use during the lunchtime peak hours; however, there is public parking within the vicinity of the site in public areas that will accommodate the 118 seat use during lunchtime. It should be noted that dedicated parking was not provided or required by the Town for the 264 Grill which was open for lunch with 118 seats.

The on-street parking supply in the vicinity of the project exceeds the 66-space parking demand and will accommodate any patrons who do not wish to use the valet services and the lot located at 230 Royal Palm Way. It should be noted that due to the location and use of this proposed development, it is reasonable to assume that some patrons will choose to walk or use shared-ride services; therefore, the parking demand is likely overestimated compared to the code calculation.

Conclusion

This analysis was prepared to address the Town of Palm Beach Code parking requirements for private social club use. As previously mentioned, **the site is not required to provide on-site or supplemental shared parking** per the Town's Principle of Equivalency for the proposed use. On-street parking within the vicinity of the site will accommodate the peak parking demand during the day with no incremental impact when compared to the prior use. During peak evening hours, the 68-space supplemental shard parking lot at 230 Royal Palm Way will itself be sufficient to meet the 66-space anticipated demand for a 264-member private club. Application of Article 9.2, Section 134-2176 of the Town of Palm Beach Land Development Standards, although not required, equates the 66 spaces allowed to a 264-member social club. Therefore, the club will be limited to 264 members. Therefore, as demonstrated in this summary, there is adequate parking provided for this project site.

Should you have any questions, please contact me via e-mail at adam.kerr@kimley-horn.com or via phone at (561) 840-0874.

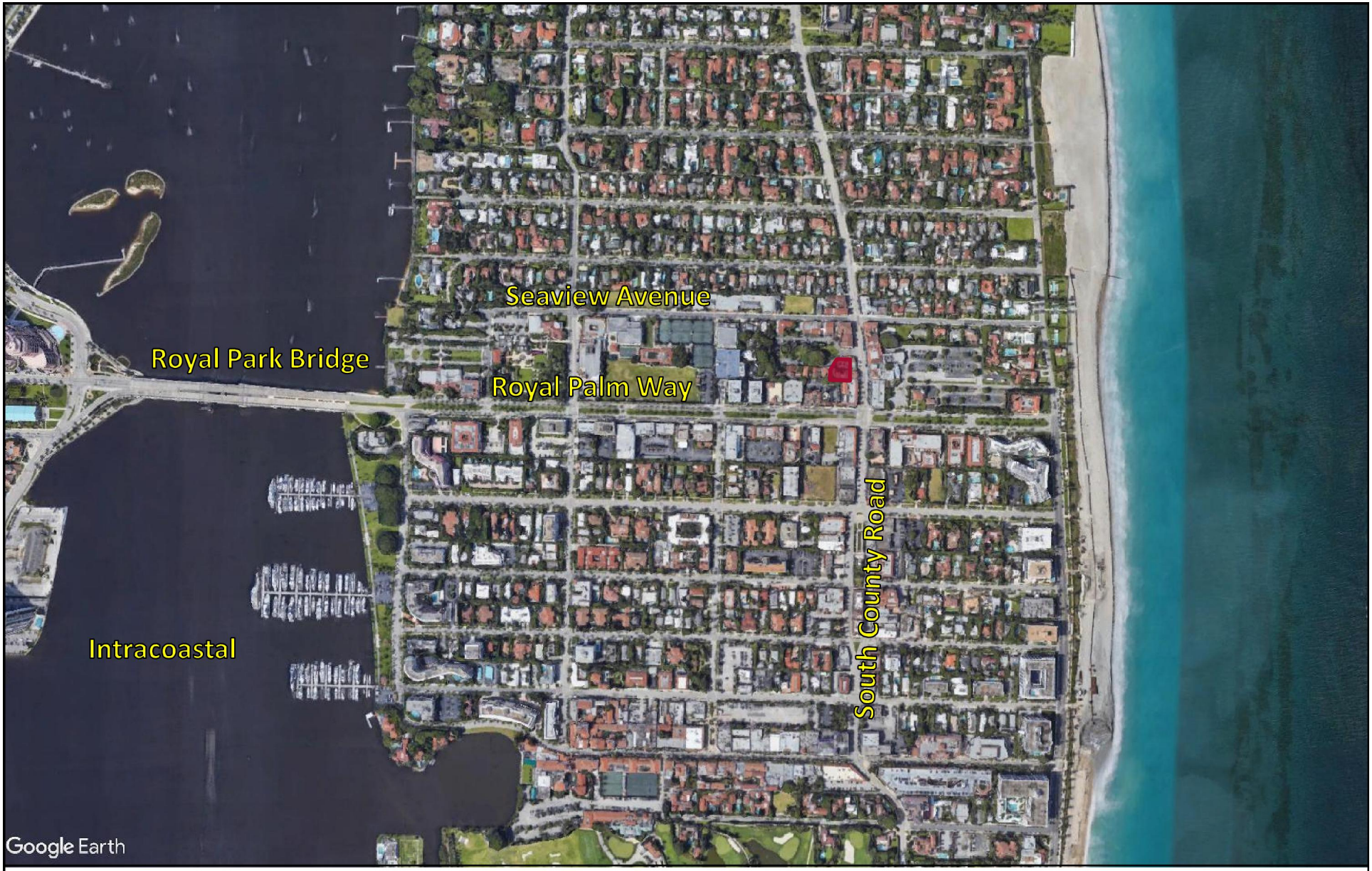
Please contact me at 561-840-0874 if you have any questions.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

ADAM B. KERR
No. 64773
STATE OF FLORIDA
PROFESSIONAL ENGINEER

Adam B. Kerr, P.E.
Transportation Engineer
17 OCT 17
Florida Registration
Number 64773
Certificate of Authorization
Number CA00000696

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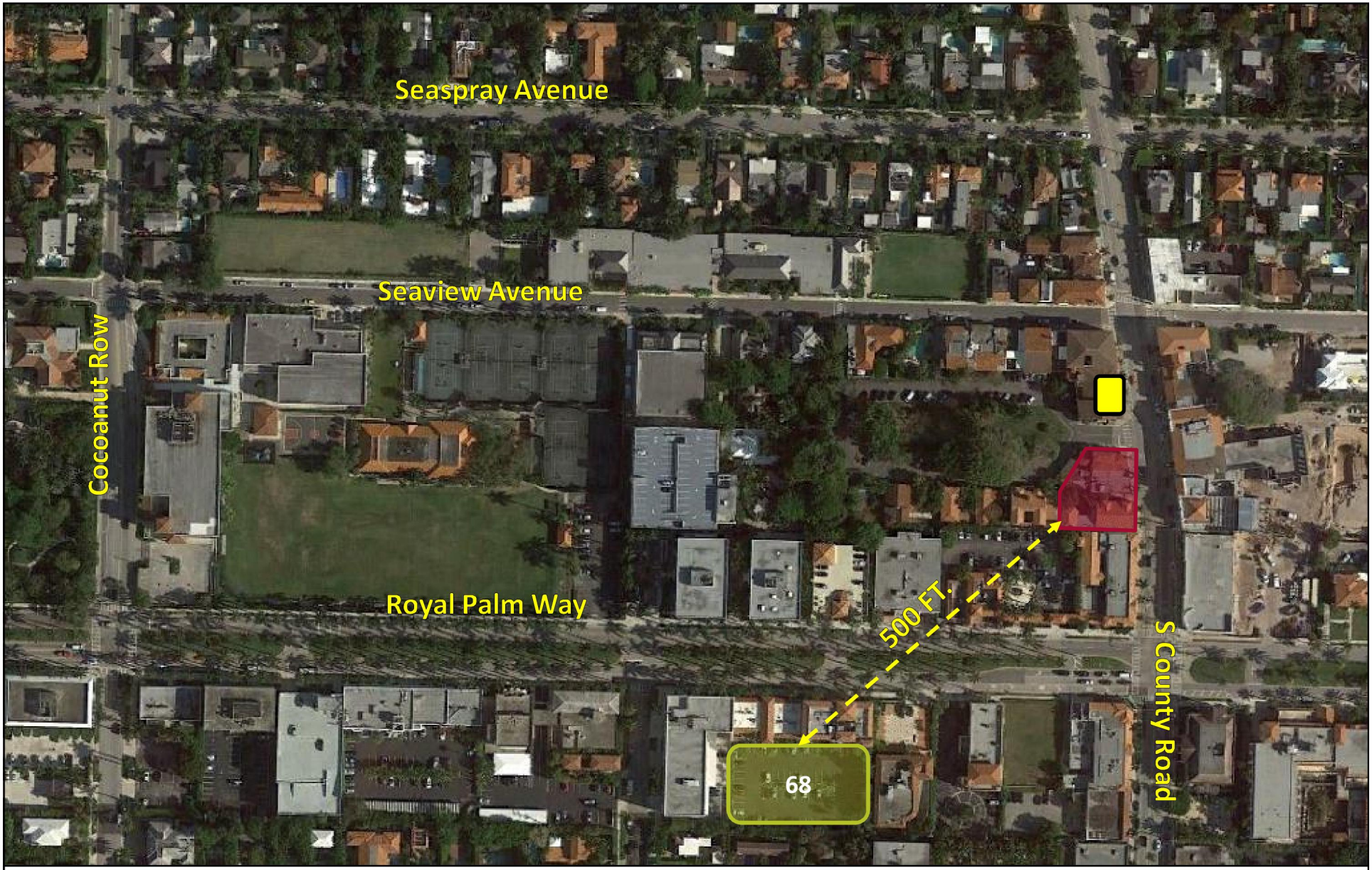
NORTH

LEGEND

SITE

FIGURE 1
Site Location
Carriage House
KHA # 14037900

Kimley»Horn



NORTH

LEGEND

- SITE
- 230 ROYAL PALM WAY (68 SPACES)
- VALET DROP-OFF/PICK-UP LOCATION

FIGURE 2
Parking Lot Location
Carriage House
KHA # 14037900

Kimley»Horn



LEGEND

NORTH

INBOUND VALET CIRCULATION

OUTBOUND VALET CIRCULATION

SITE

230 ROYAL PALM WAY (68 SPACES)

VALET DROP-OFF/PICK-UP LOCATION

FIGURE 2
Parking Lot Location
Carriage House
KHA # 14037900

Kimley»Horn


GLIDDENSPINA
+ PARTNERS
HOPKINS MARINE HARDWARE CO.

BATH & TENNIS CLUB



Architect: Joseph Urban
Year Built: 1926

Historic Renovation Completed in 2012, Ballinger Award Winner

SOCIETY OF THE FOUR ARTS FITZ-DIXON BUILDING



Architect: William Manley King
Year Built: 1928

Former Palm Beach Public School, Historic Renovation Completed 2013

255 SOUTH COUNTY



Architect: Fatio, Volk, Wyeth
Year Built: 1927-1955

Original “First National Bank”, Historic Renovation Currently Underway

ROYAL POINCIANA PLAZA



Architect: John Volk
Year Built: 1959

Renovation Started with Del Frisco’s Grille, 25 new tenants by 2018

205 - 221 ROYAL PALM WAY



Year Built: 1921

Banker’s Row building anchored by JP Morgan Private Bank

264 S County – Carriage House

After meeting with the Town of Palm Beach – Public Works Department on 9/1/17, which included Paul Brazil (Director of Public Works) and Patricia Strayer (Town Engineer), the traffic and logistics plan least impactful to the surrounding businesses and residents is proposed as follows:

Traffic Plan:

All delivers and traffic associated with the project will use Royal Palm Way to S. County as the primary roads to access the jobsite, thus minimizing any impact on local residents.

Logistics Plan:

Hedrick Brothers proposes creating a temporary lane at the East bound traffic lane (see logistics plan) of Phipps Plaza to bypass a staging area for the project located directly on the North-West corner of 264 S County (Note: The Town of Palm Beach owns and maintains both Phipps Park Road and the center landscaped island). Flag men with be stationed at the West and East sides of the property to direct traffic and delivers to ensure smooth flow of traffic. Only three (3) parking passes will be issued for the project by the Town of Palm Beach. These parking passes will be used to street park on the East corner of the intersection of S County Rd and Seaview Ave, in efforts to minimize disturbance to daily parking activities on S County Rd. All construction parking will be in West Palm Beach, with the workforce vanned in daily.

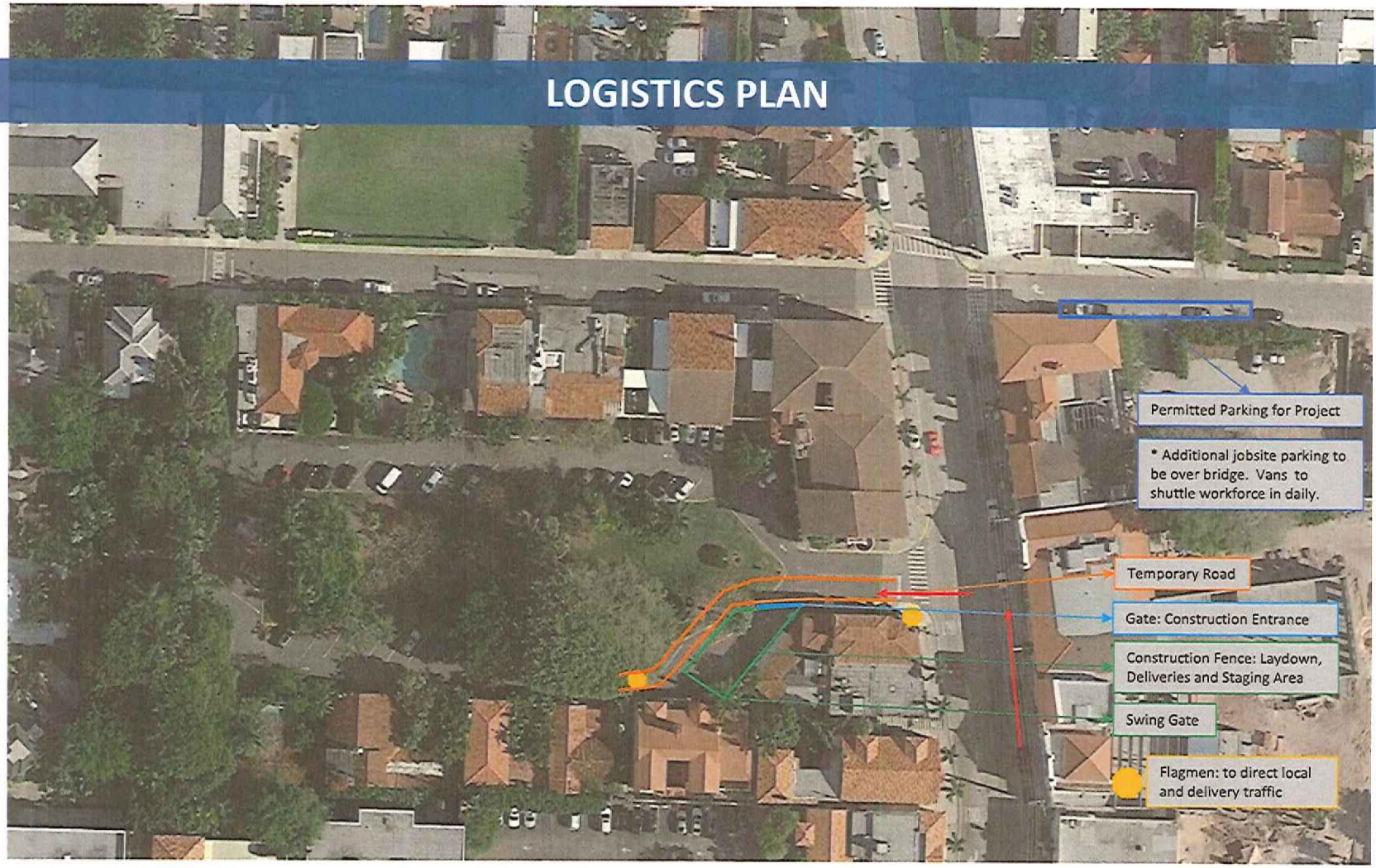
Hedrick Brothers has reviewed the proposed renovations, and is in agreement with the 12 – 18-month construction schedule for 264 and 270 S County Rd.

TRAFFIC PLAN



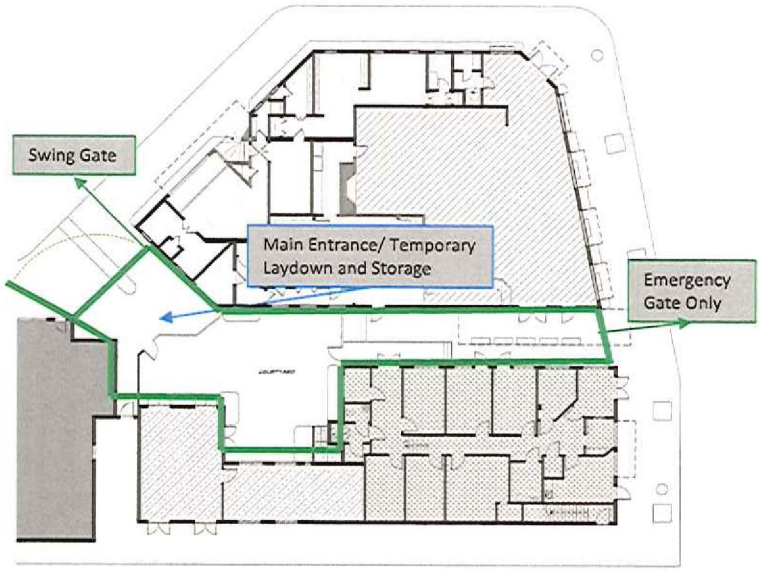
HEDRICK BROTHERS CONSTRUCTION

LOGISTICS PLAN



HEDRICK BROTHERS CONSTRUCTION

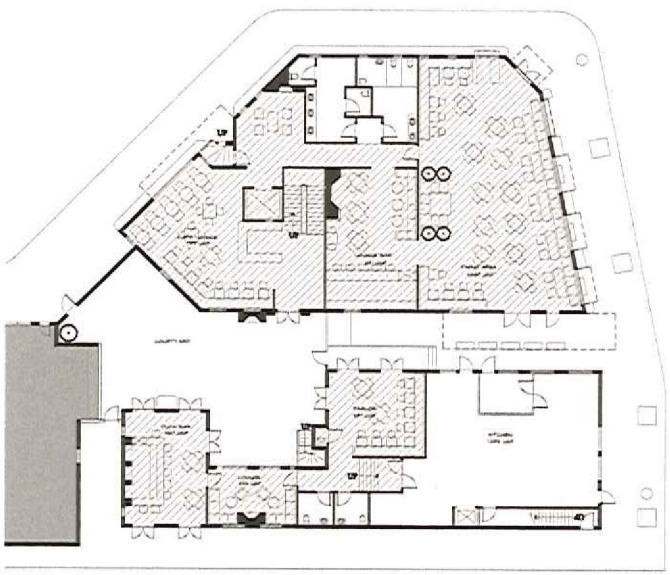
CARRIAGE FP.DWG



1 EXISTING FIRST FLOOR PLAN

CARRIAGE HOUSE - ANALYSIS OF EXISTING FOR REQUIRED PARKING

SPACE	AREA	PARKING RATIO	PARKING COUNT
1ST FLOOR - FITNESS AREA (NO SEATS)	5,000 SF	1/5	10 SPACES
1ST FLOOR - RETAIL AREA	2,521 SF	1 / 500 UNITS	5 SPACES
1ST FLOOR - BACK OF HOUSE	2,400 SF	1 / 500 UNITS	5 SPACES
2ND FLOOR - BACK OF HOUSE	500 SF	1 / 500 UNITS	1 SPACES
1ST FLOOR - RESIDENTIAL UNITS BACK UNIT TOTAL UNITS	956 SF	2 SPACES/UNIT	2 SPACES
2ND FLOOR - RESIDENTIAL UNITS BACK UNIT TOTAL 2 UNITS	1,985 SF	2 SPACES/UNIT	4 SPACES
TOTAL			22 SPACES



2 PROPOSED FIRST FLOOR PLAN

CARRIAGE HOUSE - ANALYSIS PARKING TO SEATING

PARKING/SEATING COUNT CALCULATION

22 SPACES = 1 PERSON PER SPACE + 154 PERSONS

GLUCKSMAN IRIBARNE SPINA ARCHITECTS

237 SIXTH STREET
WEST PALM BEACH, FLORIDA 33401
ph 561 659 8844 - gisarchitects.com

Town Council Submittal for:
264 +270 South County Road
Palm Beach, Florida

PROPOSED FIRST FLOOR PLANS

HEDRICK BROTHERS CONSTRUCTION

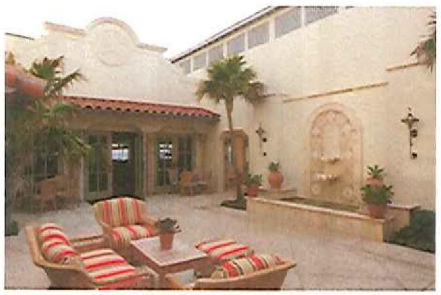
LANDMARKED PROJECTS | PALM BEACH

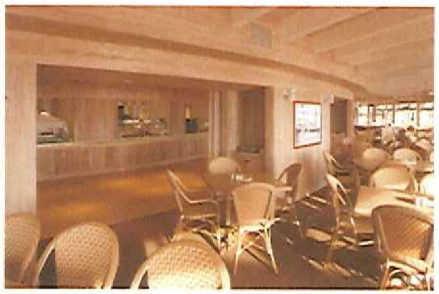


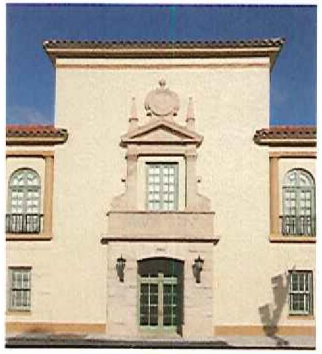
Bath & Tennis Club | Palm Beach

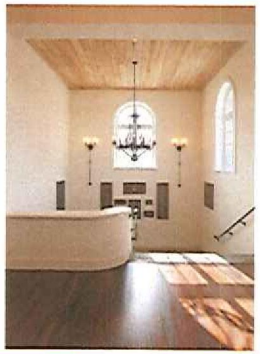


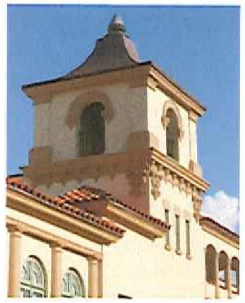
Town Hall Renovation / Restoration | Palm Beach









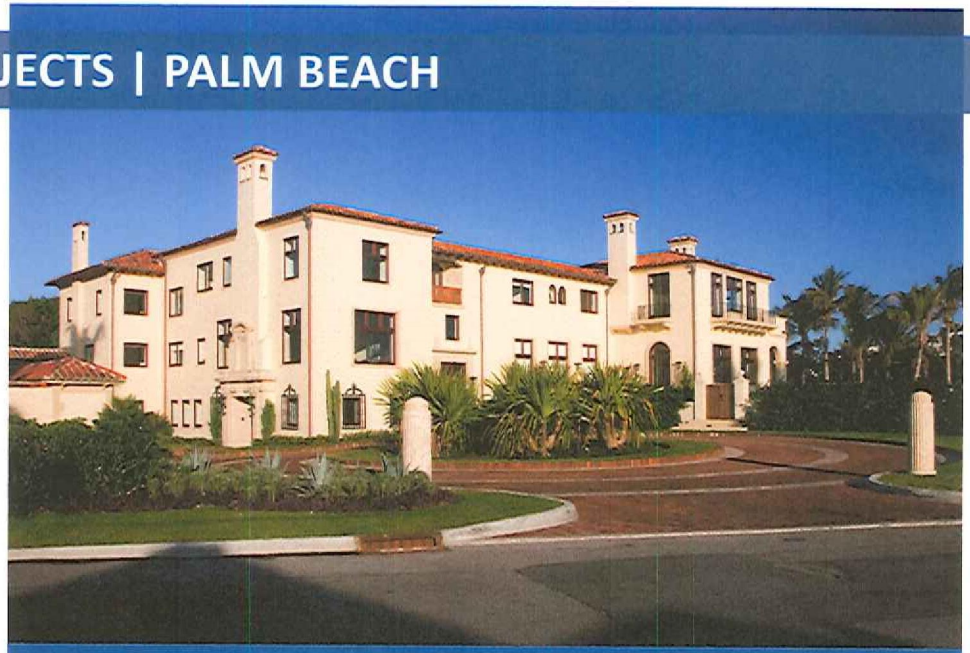


HEDRICK BROTHERS CONSTRUCTION

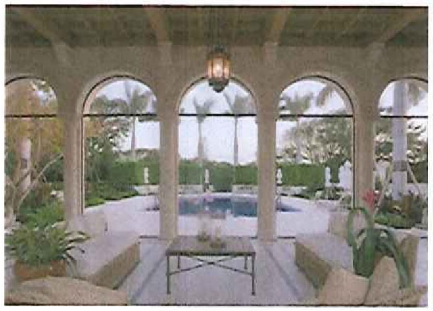
LANDMARKED PROJECTS | PALM BEACH

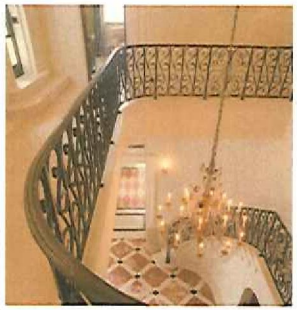


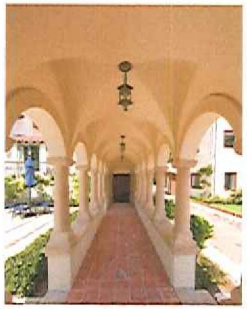
1500 South Ocean Boulevard | Palm Beach



710 South Ocean Boulevard | Palm Beach









HEDRICK BROTHERS CONSTRUCTION

Carriage House

Town Serving Report

Overview

The following report was compiled by an independent marketing company, Altima International, Inc. to demonstrate how the proposed private, members only club will be Town Serving, specifically catering to (over 90%) the existing residents of Palm Beach.

Location

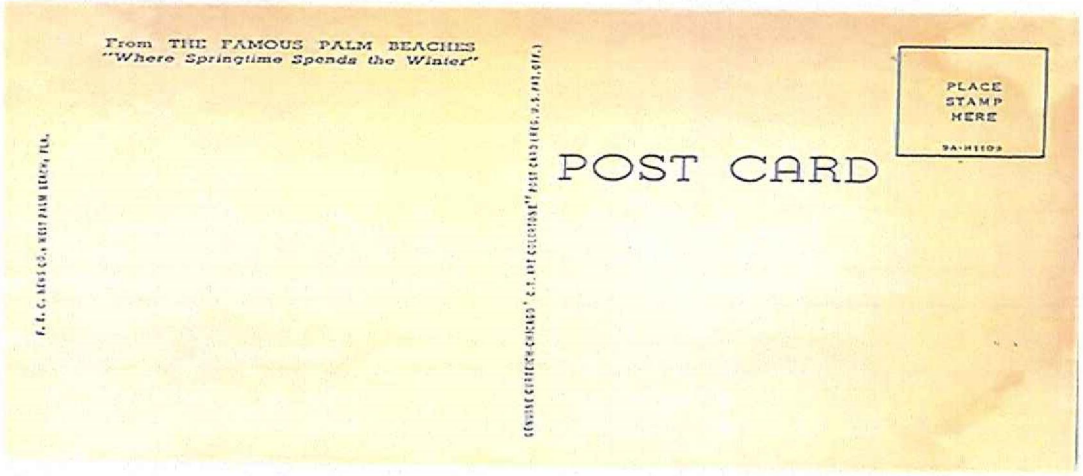
- The iconic Mizner building located at 264 South County Road will undergo a full renovation and be restored to reflect the original design intent of this Landmark historic property.
- The neighboring 270 building will be upgraded and incorporated to create an elegant, intimate and timeless European-style private club setting.

Palm Beach Style

- Palm Beach is home to the most discerning and well-traveled individuals. They frequent places where they are immediately recognized and catered to in a highly personalized fashion whether in Capri, St. Moritz, London, Marbella, the Hamptons, Newport, etc. Carriage House operations will be designed to appeal to them and to deliver a very exclusive experience to meet their expectations.

Phipps Plaza History





Phipps Plaza History

- Originally known as The Plaza or Plaza Circle, Phipps Plaza has a rich and storied history as a prominent Place Maker in Palm Beach. The initial concept of Plaza Circle, which was quite forward thinking back in the Twenties, was to build a mixed used center to facilitate creative patterns of use, paying particular attention to the shared physical, cultural, and social identities that define Palm Beach and support its ongoing evolution.

Phipps Plaza History

- Top architects of the day including Addison Mizner, Maurice Fatio and Marion Syms Wyeth lent their talents to designing different sections with some of them living onsite and opening offices. Local architect John Volk came along in the 1940s and added to the burgeoning reputation of Phipps Plaza as a place of unique characteristics meant to capitalize on the local community's assets with the potential to contribute to the overall Palm Beach lifestyle.

Phipps Plaza History

- Burdines opened the first Palm Beach Shop in Phipps Plaza, the fourth in their growing chain of retail stores focused on “Sunshine Fashions”. Burdines joined other shopping destinations such as Bonwit Teller and Brooks Brothers which originally operated out of Phipps Plaza. Palm Beachers visited Phipps Plaza to lunch, shop, and have their hair styled back in the day. Restaurant Flamingo which opened in 1926 was a popular dining spot which eventually became La Chaumiere.

PALM BEACH POST 12.10.1929

The Plaza Is Center for Smartest Shops of Winter Colony

Great Variety Found in Trading District

Leading Houses of Fashion and Many Professions Locate in Section

Located in the heart of the Palm Beach business and residential section, within easy access of homes and hotels alike, The Plaza and attendant buildings are becoming more and more popular with owners and proprietors of smart and leading businesses of the colony.

One of the most lively and attractive centers of activity in the community, The Plaza is a beautiful setting for the fashionable establishments it includes and for the smartly-dressed men and women who frequent them. Its architecture, half-hidden by gay tropical flowers and trees, lend a truly Palm Beach atmosphere to the entire district.

Among the names to be found in The Plaza directory are famous houses which maintain shops in the world's fashion centers. Palm Beach's only bank, smart restaurants, brokers, contractors, hair-dressers, attorneys, physicians, artists, decorators, architects, real estate brokers, landscape architects, tilemakers, and wearing apparel shops of every description.

PALM BEACH POST 12.10.1929

Tuesday Morning, December 10, 1929 THE PALM

The Plaza Is Center for Sm

GREAT VARIETY FOUND IN TRADING DISTRICT

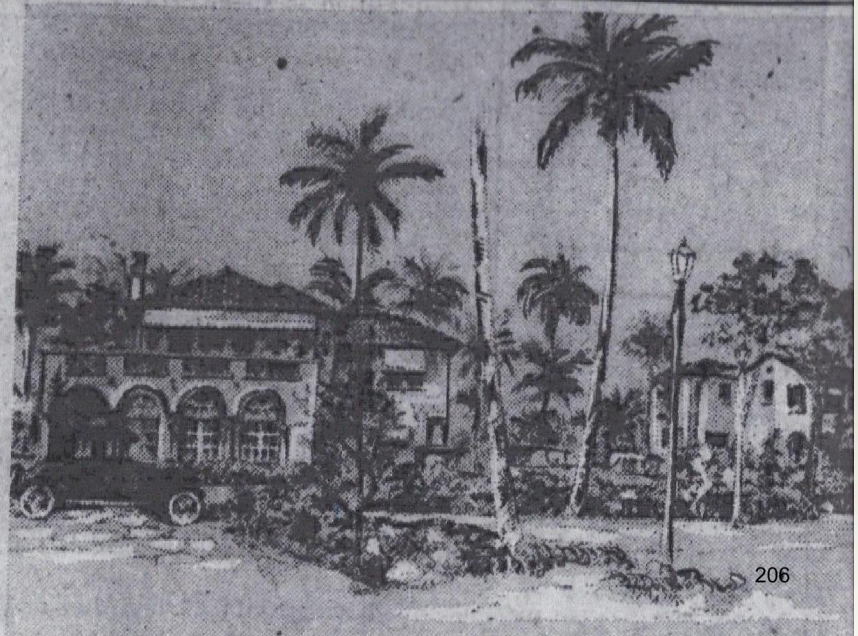
Leading Houses of Fashion and Many Professions Locate In Section

Located in the heart of the Palm Beach business and residential section, within easy access of homes and hotels alike, The Plaza and attendant buildings are becoming more and more popular with owners and proprietors of smart and leading businesses of the colony.

One of the most lively and attractive centers of activity in the community, The Plaza is a beautiful setting for the fashionable establishments it includes and for the smartly-dressed men and women who frequent them. Its architecture, half hidden by gay tropical flowers and trees, lend a truly Palm Beach atmosphere to the entire district.

Among the names to be found in The Plaza directory are famous houses which maintain shops in the world's fashion centers. Palm Beach's only bank, smart restau-

View Of The Plaza



Civic & Community Involvement

- The Carriage House plans to actively participate in support of the Town of Palm Beach. As a new private venue, the Carriage House offers a unique experience which can be provided through recommendations of and hosted by a Member in order to raise awareness and funds for worthwhile local Palm Beach organizations.

The Carriage House Vision

- This European-styled members-only enclave will appeal to well-traveled, Palm Beachers looking for a safe, sophisticated “go to” spot.
- The Carriage House is designed to be privately operated for Members Only and not advertised or marketed for public access.

Private Club Operations

- Well-trained, experienced professional staff will be empowered to provide warm, personal, and meticulous attention to Club Members whether it's for a impromptu backgammon game or high tea with a client in town. Carriage House plans to serve lunch and dinner in a private club setting.

The Team

- After living abroad in London for a number of years, Michael Bickford of Round Hill Capital has setup roots in Palm Beach including building a home and enrolling his eldest locally.
- He is assembling a world-class team of advisors to deliver a very exclusive private club experience befitting Palm Beach.

The Members

- Membership at The Carriage House would be limited to by invitation only with preference offered to Palm Beach residents and business owners. Those invited for membership will enjoy a private club atmosphere with various rules and regulations regarding dress code and decorum befitting an exclusive private member establishment similar in look and style to 5 Hertford Street in London.

Palm Beach Residents

- Palm Beach Population:
- 8,358
- Median Age:

  .....67.4
- Total Housing Units: 9,091
- Total Households: 4,799
- Average Household Size: 1.74

Palm Beach Seasonal Residents

- About 145,000 snowbirds flock to Palm Beach County in the winter, raising population about 11 percent, according to the county's figures. The Town of Palm Beach's population soars with **an extra 75 percent** (based on 2010 U.S. Census figures and Palm Beach County's estimate of seasonal units and average persons per household.)

From: Pat Gayle-Gordon
To: Kathleen Ruderman; Kelly Churney
Cc: John Page; Paul Castro
Subject: FW: Carriage House Club (CHC)
Date: Monday, November 27, 2017 8:30:07 AM

-----Original Message-----
From: geist bradley [mailto:bradley.geist@gmail.com]
Sent: Wednesday, November 22, 2017 6:08 PM
To: Town Clerks Staff <TownClerk@townofpalmbeach.com>
Cc: John Eubanks <jeubanks@blesmlaw.com>
Subject: Carriage House Club (CHC)

Dear Sir/Madam
Please forward the e-mail below to the Mayor and all Members of the Town Council. Please confirm receipt of this e-mail and my request.
Thank you.
Bradley B. Geist
234 Phipps Plaza

Dear Mayor Coniglio and Members of the Town Council:
My wife, Catharine Warren, and I reside at 234 Phipps Plaza. We write regarding the recently filed Modified Zoning Application Z-17-00020 (MZA). We shall not be able to attend the hearing on this case; however, our lawyer, John Eubanks , will be present and will address our and many of our neighbors' concerns.
I have received , read and fully support the e-mail which John Schaffer sent to each of you on November 22nd. Further I am enclosing under a separate e-mail a copy of the Parking Analysis and Traffic Circulation Study prepared for Paul Castro by American Consulting and dated September1, 2017 (Project No. 5089725 , Authorization # 28) , hereinafter " AC's Report "
CHC's MZA fails to address any of the myriad of deficiencies noted in AC's Report. Further the MZA , which now seeks a Special Exemption for off-site shared supplemental parking, failed to inform the Town Council that its request for off-site shared supplemental parking under Ord. 25-2015 was recently DENIED. Since this Ordinance will " sunset " on December 13 , 2017 , CHC is disingenuously seeking a second bite of the apple in its MZA , despite the apparent fact that the requirements for off-site shared supplemental parking are the same under the Ordinance and pursuant to a Special Exemption.
Moreover, several new issues have now come to light in view of CHC's MZA:
Part 4 of the MZA includes a proposed construction plan that (1) appropriates a portion of the public roadway (southeast corner of Phipps Plaza) for construction vehicles and materials; (2) proposes a new temporary (12-18 months) roadway to be built on the southeastern corner of the Phipps Plaza Garden, which will necessitate the removal of at least two large specimen trees; necessitate the loss of public parking spaces ; and impedes ingress and egress of residential as well as emergency vehicles.
Further, the MZA does not address any HVAC issues or loading dock requirements both of which may very well require approval from Landmarks.
Nonetheless, for all of the many other reasons advanced above , as well as in Mr. Schaffer' e-mail, and the AC Report , I respectfully seek the Mayor's and Town Council Members' denial of CHC's Modified Zoning Application in its entirety.
Respectfully ,
Bradley B. Geist

Sent from my iPad

From: Kelly Churney
To: Kathleen Ruderman
Subject: FW: Valet Parking Route for 264 S. County Road
Date: Thursday, November 30, 2017 11:19:31 AM

I didn't see you copied on this. Sorry if you have already received this.

Kelly Churney
Office Assistant III

Town of Palm Beach
Planning, Zoning & Building
360 S. County Rd.
Palm Beach, FL 33480
561-227-6408
561-835-4621 (fax)
www.townofpalmbeach.com

From: John Page
Sent: Thursday, November 30, 2017 8:46 AM
To: Paul Castro <PCastro@TownofPalmBeach.com>; Kelly Churney <KChurney@TownofPalmBeach.com>
Subject: FW: Valet Parking Route for 264 S. County Road

For out zoning files…..Carriage House

John S. Page
Planning, Zoning & Building Director

Town of Palm Beach
PZB Department
360 S. County Road
Palm Beach, FL 33480
Phone: 561-227-6405
Fax: 561-835-4621
www.townofpalmbeach.com

From: Tom Bradford
Sent: Wednesday, November 29, 2017 7:19 PM
To: John Page <JPage@TownofPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: FW: Valet Parking Route for 264 S. County Road

FYI

Thomas G. Bradford
Town Manager

Town of Palm Beach
Town Manager's Office
360 S. County Road
Palm Beach, FL 33480
Phone: 561-838-5410
Fax: 561-838-5411
www.townofpalmbeach.com

From: Anne Pepper [mailto:annepepper@mac.com]
Sent: Wednesday, November 29, 2017 6:05 PM
To: Gail Coniglio <GConiglio@TownofPalmBeach.com>; Town Council <TCouncil@TownofPalmBeach.com>; Tom Bradford <TBradford@TownofPalmBeach.com>
Subject: Valet Parking Route for 264 S. County Road

Dear Mayor and Town Council Members,

The increased intensity of use proposed for the site at 264 S. County Road is not suitable for this neighborhood. Phipps Plaza is one of only a handful(sadly) of historical districts in the town. The residents there will be adversely affected by this project with its lack of parking, its late night hours and noise associated with a club. Clubs often are the venues for private parties which carry on far later, larger and louder than the quiet neighborhood restaurants which have occupied the Carriage House site for many years. Sufficient parking has always been a requirement to maintain the character and livability of our town. No permit for a commercial operation should be granted without taking this aspect into consideration. Parking is already difficult in Phipps Plaza and the residents object to their permitted spaces being used for the proposed club which though not supposed to, will be because there is no enforcement at night.

Further, the proposed route for the return of valet parked cars makes absolutely no sense. As currently designed, cars will be raced by valet parkers a very long distance down a fully residential street to avoid keeping club members waiting. Seaspray Avenue has 8 landmarked houses in this block and is the home to many year round residents. To have more cars speeding down this road will put our residents, their vehicles and their families in danger. This street is already used as a cut through to County Road whenever the bridge is up and traffic is backed up on Cocoanut. We need a permanent speed trap on our street because people do speed on it when cutting through. Just imagine how fast valet parkers are going to go?

There must be a better route. Has the applicant asked to use Wells Fargo Parking lot which is directly across the street? Has the applicant sought to see if they could use the 1 block of Seaview- a very short block- whereas the middle block of Seaspray is in fact 2-blocks-the 200 and 300 blocks? Has the applicant sought to turn left off the ocean block of Seaview to bring the car in front of the Carriage House?

The BEST solution using the Royal Palm Way/ Fidelity lot is the simplest and most direct and does not impact residential neighborhoods. A cars exits the lot and turns east on Royal Palm Way, getting into the left lane on County Road-1/2 a block away . At the light the vehicle turns left onto County Road. When safe to do so the driver makes a U-turn to deliver the car to the patron who has had a very short wait.

U-turns are legal and safe when properly executed. According to the Florida statues this

maneuver can be made provided it is executed safely, does not interfere with other traffic and is not posted as prohibited which it is not on S. County Road.

Please keep this commercial traffic out of our residential neighborhoods where congestion and speeding present real dangers to residents. And please do not make mid-town overly congested where so many grandfathered restaurant locations struggle to find parking. Keep this proposal in an appropriate as far as numbers, hours, and parking.

Sincerely,

Anne C. Pepper
333 Seaspray AVe.

Anne Pepper
annepepper@me.com

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December 1, 2017

Via Email
Paul Castro, Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Via Email
John C. Randolph, Esq.
Jones Foster Johnston & Stubbs, P.A.
505 South Flagler Drive, Ste. 1100
West Palm Beach, FL 33401

Re: Objection to Applying the Expired Code Provisions to Modified Application for Special Exception for Off-Street Parking for Proposed Carriage House Club at 264 and 270 South County Road
Zoning Case # Z-17-00020

Dear Paul and Skip:

As a follow up to our conversations, our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners"). In that capacity it has come to our attention that Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") is seeking a Special Exception for off-street parking in conjunction with a Modified Application to change the use of those properties located at 264 and 270 South County Road ("Property") from an abandoned restaurant, retail store, and apartments into a private club ("Club").

As you may recall, at the November 15, 2017 Town Council meeting, the Town Council voted (at the Town Staff's request) to allow those changes to Section 134-2182 which were added as part of Ordinance 25-2015 to sunset on December 13, 2017. As a result, in accordance with Section 134-2183 the language of Section 134-2182 will revert back to the previous provisions of the sections of the Code as of 12:01 a.m. on December 13, 2017.

At the same time, the Carriage House has apparently filed a Modified Application in October, 2017 seeking a Special Exception for Supplemental off-site shared parking under the requirements and language of the then existing version of Section 134-2182, which will have sunsetted and will no longer exist prior to any consideration of the Modified Application by the Town Council. As you know, the previous provisions of the Code, which will be in place as of the Town Council Meeting on December 13, 2017, are more extensive and include additional requirements, especially under subsection 134-2813(c). A copy of the language that subsection is attached hereto.

For example, Section 134-2812(c)(1) includes requirements that "any area used for off-site

shared parking shall be accessible only to and used by parking attendants ***and shall have controlled access in the form of gates or other barriers acceptable to the town that can be accessed and used only by parking attendants.***" (emphasis added). Subsection (c)(3) provides that the "applicant shall provide evidence ... that the off-site shared parking use shall not increase noise, light or traffic impacts upon neighboring residential districts" while subsection (c)(7) provides that the Town Council "***may impose such additional conditions that it deems necessary to minimize noise, light and traffic impacts upon neighboring residential districts.***" (emphasis added) Similarly, subsection (c)(6) makes it clear that "such parking shall not be used to meet required parking for new construction ***or expansion or addition to existing floor area.***" (emphasis added). Finally, Section 134-2182(c)(8) clearly provides that any "approval ***shall initially be limited to a period of six months,*** whereupon a subsequent review shall be made at a public hearing of the town council at which the interim approval may be renewed, modified or revoked." (emphasis added). Such language provides additional restrictions and controls by the Town over off-site shared parking while also acting to protect the "neighboring residential districts." With the sunsetting of the prior version of Section 134-2182, each of these restrictions necessarily applies to the Carriage House's Application yet have not been addressed, much less met.

As we discussed, while the Applicant (or Town Staff) may attempt to argue that because it filed its Application before the sunset of the language from Ordinance 15-2015, the Carriage House has a vested right to proceed under the prior provisions of Section 134-2182. Such an argument is legally deficient. Clearly the Applicant cannot request (and/or the Staff approve of) having the Town Council examine the Application for Special Exception under standards which legally do not exist. To do so would be to urge error on the Town Council and result in the quashing of any potential development order(s) on a Petition for Writ of Certiorari as the Town Council would on its face failing to follow the essential requirements of the law by applying the wrong law to its consideration, thereby making any resulting "approval" a legal nullity.

In addition, the case law is clear that there is no "vested rights" to proceed under certain language of a statute, especially when the statute is set to sunset and/or is subject to change. For example, in the case of *Gulf Atlantic Office Properties v. Department of Revenue*, 133 So. 3d 537 (Fla. 2d DCA 2014) Gulf Atlantic had not only received permission, but also commenced construction on a project based upon provisions of the Florida Enterprise Zone Act, which would make certain building materials used tax exempt or subject to reimbursement under provisions of a particular statute, when the statute expired and sunsetted. As a result, Gulf Atlantic argued that it was entitled to a tax refund because it had commenced construction prior to the sunset of the statute.

The Court did not find merit in the argument. Instead, the Court found that "[w]hile we recognize Gulf Atlantic as making a vested rights argument, ***we note that it has no vested rights*** to its claim against the Department in this case ***because Gulf Atlantic commenced the project prior to the statute's sunset.***" Citing to the case of *R.A.M. of S. Fla., Inc. v. WCI Cmtys., Inc.*, 869 So. 2d 1210, 1218 (Fla. 2d DCA 2004) the Court indicated that:

A vested right has been defined as an immediate, fixed right to present or future

> enjoyment and also as an immediate right of present enjoyment, or a present fixed right of future enjoyment. [T]o be vested, a right ***must be more than a mere expectation based on an anticipation of the continuance of an existing law***, it must have become a title, legal or equitable, to the present or future enforcement of a demand. *Gulf Atlantic*, 133 So. 3d at __ (emphasis added).

As a result, the Court found that "***at all times relevant*** to this case, both the EZ statute and ***the related tax-reimbursement statute had sunset dates included.***" *Id.* Therefore, "[b]ecause Gulf Atlantic ***was on notice that the EZ statute would sunset any vested right claim must fail.***" *Id.*

In the same way, Carriage House (who was only at the ***Application phase*** of its project) has (at best) nothing more than a mere expectation that the version of Section 134-2182 at the time of its Modified Application would continue as existing law, especially since the provisions specifically provided a sunset date. As such, Carriage House was on notice of the same and any claim that it has a vested right to proceed under the now expired version of Section 134-2182 legally must fail.

In light of the above, the Neighboring Property Owners object to any consideration (must less potential approval) of any Modified Application under which Carriage House is seeking to obtain a Special Exception for Off-Street Parking under those provisions which no longer exist in the Town Code. Instead, the Application must be considered under all of the revived provisions of Section 134-2182 including, but not limited to, all of the additional provisions and restrictions under subsection (c). Failure to do so would only invite the quashing of any development order(s) and need to start the Application process over again.

Very truly yours,

John R. Eubanks, Jr.

JRE:mar
Attachment

cc: Mayor and Town Council Members
Thomas G. Bradford, Town Manager
Town Clerk

(c) *Supplemental off site shared parking. A conforming use may lease to another existing conforming use of the former's required or supplemental parking spaces for use by patrons or employees of the latter, provided:*

(1) The area to be used for off-site shared parking shall be in the C TS, C WA, C PC or C OPI zoning district, and, except for shared parking within a parking garage or underground/underbuilding parking area, any area used for off-site shared parking shall be accessible only to and used by parking attendants and shall have controlled access in the form of gates or other barriers acceptable to the town that can be accessed and used only by parking attendants.

(2) Off-site shared parking shall be located no more than 500 feet from the use of the off-site shared parking is intended to serve.

(3) The applicant shall provide evidence which shall prove to the satisfaction of the town council that the off-site shared parking use shall not increase noise, light or traffic impacts upon neighboring residential districts.

(4) A traffic planner or traffic engineer establishes to the satisfaction of the town council, at the applicant's expense, that all other establishments using the existing parking spaces will primarily utilize these spaces at different times of the day, week, month or year from that of the applicant's use, and that the sharing of such parking spaces will not result in conflicting or overlapping usage of the parking facilities.

(5) If the director of planning, zoning and building department should determine that professional advice and/or consultant is required to review the applicant's parking findings, the expense of such professional advice shall be borne by the applicant pursuant to sections 134.171 and 134.172

(6) Off-site shared parking shall only be supplemental, and such parking shall not be used to meet required parking for new construction or expansion or addition to existing floor area.

(7) The town may impose such additional conditions that it deems necessary to minimize noise, light and traffic impacts upon neighboring residential districts.

(8) The approval shall initially be limited to a period of six months, whereupon a subsequent review shall be made at a public hearing of the town council at which the interim approval may be renewed, modified or revoked.

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December 5, 2017

Via Email
Paul Castro, Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Via Email
John C. Randolph, Esq.
Jones Foster Johnston & Stubbs, P.A.
505 South Flagler Drive, Ste. 1100
West Palm Beach, FL 33401

Re: Objection to Modified Application for Proposed Carriage House Club at 264 and 270 South County Road
Violation of Minimum Number of Handicapped Parking Spaces
Zoning Case # Z-17-00020

Dear Paul and Skip:

As you know, our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners"). In that capacity it has come to our attention that the plans and designs submitted by Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") as part of its Modified Application for the substantial alterations required to change the use of those properties located at 264 and 270 South County Road ("Property") from an abandoned restaurant, retail store, and apartments into a private club ("Club") do not include any handicapped parking whatsoever. For this reason alone, the Modified Application should be denied.

As you are aware, Chapter 553 of the Florida Statutes entitled the "Florida Americans with Disabilities Accessibility Implementation Act" sets forth the minimum handicapped accessibility standards within the State. In doing so, Section 553.503 both adopts the Florida Accessibility Code for Building Construction ("FACBC") as well as incorporates the Federal Americans with Disabilities Act ("ADA") Standards for Accessible Design and related regulations provided in 28 C.F.R. parts 35 and 36 and 49 C.F.R. part 37.

More importantly, F.S. §553.513 provides that ***"[i]t shall be the responsibility of each local government and*** each code enforcement agency ... ***to enforce the provisions of this part.***" (emphasis added). As a result, the courts have found that a city has a statutory, non-discretionary duty to comply with the accessibility issues identified under Chapter 553. Despite this statutory duty, the Applicant's Site Plan has absolutely no provision for any handicapped parking spaces.

Lest the Applicant claim that it is not required to comply with Chapter 553, it is very clear under Section 201.1 of the FACBC that "[t]his code establishes standards for accessibility to places

of public accommodation and commercial facilities by individuals with disabilities Florida [and] ***shall also apply … to private clubs*** pursuant to Section 553.505 F.S." (emphasis added). As such, the proposed Carriage House Club must meet the standards of both the ADA and the FACBC, including those for both the minimum number of parking spaces and the size thereof.

The FACBC sets forth the detailed requirements for accessibility issues including parking. Section 208.2 of the FACBC along with Table 208.2 establishes the minimum number of accessible parking spaces required. In accordance with the American Consulting Engineers Report dated September 1, 2017, with 278 seats available in the Club, the minimum number of parking spaces required for the Club would be between 93 (under the Town's Ordinances) and 131 parking spaces (ITE, Parking Generation Manual). The Applicant appears to have since reduced the total number of seats available to 264 within its Modified Application, which would equate to a minimum number of 89 parking spaces (under the Town's Ordinances) and 125 spaces (under the ITE Parking Generation Manual). Using even the smallest of these numbers, a simple review of Table 208.2 of the FACBC (a copy of which is attached hereto) demonstrates that the Club would (at a minimum) require 4 accessible parking spaces, including one van accessible space in accordance with Section 208.2.4.

However, there are ***no handicapped spaces identified at all*** within the Carriage House Application plans or presentations. Given that it is the Town's "responsibility to enforce the provisions" of Chapter 553 and the ADA, neither the Applicant nor the Town can overlook the minimum handicapped parking requirements under both State and Federal Law. As such, the Modified Application must be denied in its present format.

Very truly yours,

John R. Eubanks, Jr.

Enclosure

cc: Mayor and Town Council Members
Thomas G. Bradford, Town Manager
Town Clerk

Table 208.2 Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

Advisory 208.2 Minimum Number. The term "parking facility" is used Section 208.2 instead of the term "parking lot" so that it is clear that both parking lots and parking structures are required to comply with this section. The number of parking spaces required to be accessible is to be calculated separately for each parking facility; the required number is not to be based on the total number of parking spaces provided in all of the parking facilities provided on the site.

208.2.1 Hospital Outpatient Facilities. Ten percent of patient and visitor parking *spaces* provided to serve hospital outpatient *facilities* shall comply with 502.

Advisory 208.2.1 Hospital Outpatient Facilities. The term "outpatient facility" is not defined in this code but is intended to cover facilities or units that are located in hospitals and that provide regular and continuing medical treatment without an overnight stay. Doctors' offices, independent clinics, or other facilities not located in hospitals are not considered hospital outpatient facilities for purposes of this code.



LEGEND

NORTH

INBOUND VALET CIRCULATION

OUTBOUND VALET CIRCULATION

VEHICLE DROP-OFF LOCATION

SITE

230 ROYAL PALM WAY (68 SPACES)

VEHICLE PICK-UP LOCATION

PROPOSED CROSSWALK

FIGURE 3
Valet Operations
Carriage House
KHA # 14037900

Kimley»Horn

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December 6, 2017

Via Email
Paul Castro, Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Via Email
John C. Randolph, Esq.
Jones Foster Johnston & Stubbs, P.A.
505 South Flagler Drive, Ste. 1100
West Palm Beach, FL 33401

Re: Objection to Modified Application for Special Exception for Off-Street Parking for Proposed Carriage House Club at 264 and 270 South County Road For Improper Location of Valet Stand in FDOT Right-of-Way Zoning Case # Z-17-00020

Dear Paul and Skip:

As you know, our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners"). In that capacity it has come to our attention that Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") is proposing to utilize a valet stand located on the A1A right-of-way in the public parking spaces and "passenger loading zone" just north of Phipps Plaza as part of its Modified Application to change the use of those properties located at 264 and 270 South County Road ("Property") from an abandoned restaurant, retail store, and apartments into a private club ("Club"). Please be advised that the Florida Department of Transportation ("FDOT") has indicated that no such use can be made of its right-of-way absent the entry into a lease of its right-of-way property along with the required permits, which have not been applied for by the Applicant.

More specifically, upon inquiry by Mrs. Volk as to whether Carriage House had a permit to place its valet stand[1] for the Club at the proposed location, she received the attached e-mail from Susan Day, the FDOT District Right of Way Manager. Ms. Day indicated that "[i]n actuality, any continuing use of the Department's right-of-way ***for a business would not be allowed by permit but by a lease.***" (emphasis added). Ms. Day further stated that "it does not appear that we have been contacted by the developer regarding the possibility of a lease." However, in the event there was an application she "would circulate a request internally ... ***to determine if a lease could even be granted in a given location.***" (emphasis added) At that time "[a]ll transportation needs and requirements are considered during this review." To the extent there was any objection "***we would not move forward***

[1] While Ms. Volk's inquiry was regarding the valet stand, the same issues are present for the use of the area for the loading zone for the Club.

unless the objection is able to be addressed and lifted." (emphasis added) At the same time, Ms. Day provided Ms. Volk the attached guidelines for leasing which indicate that "the average time [to process a lease request] takes ***four to six months*** from the date of receipt … ." (emphasis in original) As a result, until such time as the Applicant has secured the proper lease and permission from the FDOT to utilize its right-of-way, clearly the Town Council cannot move forward with (much less approve) the Carriage House's Modified Application seeking to utilize FDOT right-of-way as the proposed location for the Club's valet and loading zone.

Very truly yours,

John R. Eubanks, Jr.

JRE:mar
Attachment

cc: Mayor and Town Council Members
Thomas G. Bradford, Town Manager
Town Clerk

From: Susan.Day@dot.state.fl.us
To: volklory@aol.com
Sent: 11/30/2017 4:52:19 PM Eastern Standard Time
Subject: Leasing FDOT property

This is to follow up with you in writing regarding an earlier conversation we had today about your concerns regarding the proposed Carriage House Club located at 264 South County Road in Palm Beach. You asked if a permit had been applied for to allow the operation of a valet stand in the Department's right-of-way. In actuality, any continuing use of the Department's right-of-way for a business would not be allowed by permit but by a lease. In this instance, it does not appear that we have been contacted by the developer regarding the possibility of a lease.

As I mentioned, my office serves as the coordinator for all lease requests from the public and would circulate a request internally to other offices in order to determine if a lease could even be granted in a given location. All transportation needs and requirements are considered during this review, and all units must agree that a lease could be executed before we proceed in the process. If one office has an objection to a lease, we would not move forward unless the objection is able to be addressed and lifted.

I am attaching our guidelines for leasing and am also including a link to our procedure below, in case you would like additional information:

http://www.fdot.gov/rightofway/documents/ROWmanual/ch10s06.pdf

I hope this is helpful to you. Regards - Susan

Susan Day

District Right of Way Manager

Florida Department of Transportation - District Four

3400 W. Commercial Blvd., Fort Lauderdale, FL 33309

(954) 777-4290

susan.day@dot.state.fl.us

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)
A BRIEF GUIDELINE FOR THE PURCHASE OR LEASE OF FDOT-OWNED PROPERTY

If you have expressed an interest in purchasing or leasing FDOT-owned property, there is a process that we are required to follow in order to evaluate your request. The time for this process varies, but the average time takes ***four to six months*** from date of receipt of your inquiry. Complex cases may take longer. Please see the table on page two for detailed information regarding time frames.

The first thing FDOT must do is determine if FDOT does own the property and if the property may indeed be sold or leased. In order to make this decision, the following information is needed in order to expedite the handling of your request:

- ✓ Letter or e-mail making request noting intended use of / need for the property. Letter or e-mail should include the name and address of interested party (applicant) and whether he or she is an abutting owner or tenant;
- ✓ The size and location of the property requested for lease or purchase, containing sufficient information to precisely locate the property on a detailed FDOT map, as well as a simple sketch or drawing to help identify the property;
- ✓ Proof of FDOT ownership (title and/or State Project and Parcel Number), if available; and
- ✓ If a lease is requested, the proposed use of the property. **NOTE: No signs will be permitted on leased property.**

Typically, it takes four to six weeks for FDOT to assess whether the property may be eligible for sale or lease. This involves consultation with the various units within FDOT and, if it is determined that the property may be sold or leased, culminates in the District Secretary officially making a declaration to this effect. During the process, you will be notified of any limitations or restrictions that may exist in your situation and will of course be notified of the final decision. NOTE: If Federal funds were used when FDOT originally purchased the property, the Federal Highway Administration (FHWA) or Director of the Office of Right of Way must concur with any decision to sell or lease the property. This adds another layer to the processing time.

In addition to the above, the following will apply if the property is determined available for sale or lease:

- ❖ The property must be surveyed and a legal description prepared. Depending on FDOT workload, FDOT may request that this be done at the applicant's expense. FDOT must review and approve the legal description. **Do <u>not</u> proceed in having this done until FDOT has requested you to do so.**
- ❖ The property must also be appraised. Again, depending on FDOT workload, FDOT may request that this be done at the applicant's expense. The applicant must choose a State certified general real estate appraiser and the appraisal must meet certain state standards. FDOT must review the appraisal to determine that it does indeed meet those standards. If it does not, it will be rejected, with specific reasons cited, and the appraisal must be corrected until standards are met. If the appraisal is not approved by FDOT as having met standards, the applicant will not be reimbursed for this cost. **Again, do <u>not</u> proceed in having this done until FDOT has requested you to do so.** FDOT also has the right not to sell or lease its property. In the event that FDOT chooses not to sell or lease the property after the applicant has been authorized to have an appraisal prepared, the applicant will be reimbursed for the appraisal and, if applicable, the survey costs.
- ❖ In most situations, FDOT must offer the property to the public through a competitive bid process. If someone other than the applicant is the successful bidder, the applicant will be reimbursed for the cost of the appraisal and the survey, if applicable. In some situations, it may be possible to negotiate a sale or lease, although this is the exception rather than the rule. You will be notified as to whether the property may be negotiated or if it must go to public sale. If a lease may be negotiated, the applicant would be required to submit a signed and notarized affidavit confirming his or her ownership or tenancy of adjacent property, with a copy of a deed or lease for that property attached. Other relevant information may be requested by FDOT, as well. If FDOT and the applicant are unable to reach agreement during negotiations, FDOT may then offer the property to the public through the competitive bid process. **NOTE FOR SALES ONLY:** In all cases where the property is declared to be surplus and available for sale by public bid and in some cases where the sale may be negotiated, statute requires that the local municipality in whose jurisdiction the property is located may be given the right of first refusal to acquire the property. If the right of first refusal is given to the local government, the local government shall notify FDOT if it is interested in exercising its right of first refusal to acquire the property. If a negative response - or no response at all - is received, FDOT will proceed to the next step, which is the sale of the property.
- ❖ The **buyer or lessee** is to pay **<u>all</u>** costs including closing costs, fees, documentary taxes, and other related expenses, including the appraisal and any survey costs. Proof of payment of appraisal and survey costs that have been incurred by the applicant and approved by FDOT must be provided to FDOT for reimbursement by the successful buyer or lessee, if different than the applicant.
- ❖ FDOT is required to retain certain mineral rights in our deeds when selling property, unless written justification providing a reason not to do so is submitted by the applicant and accepted by FDOT.

Please address all inquiries to:
Florida Department of Transportation, Right of Way Office, Property Management, Third Floor, Attn: Property Management Administrator, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421. Telephone: (954) 777-4242 - Facsimile: (954) 777-4261 – E-mail: dan.marwood@dot.state.fl.us

Typical Time Frames	
Action	**Time Required (Estimate)**
Circulation to all FDOT Department Heads	4 – 6 weeks
Create a Sketch and Legal Description	3 weeks
Produce an appraisal	3 months
Appraisal Review	1 month
Lease Renewal	3 – 4 weeks (Note: This is after the appraisal is received)

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December 6, 2017

Via Email
Paul Castro, Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Via Email
John C. Randolph, Esq.
Jones Foster Johnston & Stubbs, P.A.
505 South Flagler Drive, Ste. 1100
West Palm Beach, FL 33401

Re: Objection to Modified Application for Special Exception for Off-Street Parking for Proposed Carriage House Club at 264 and 270 South County Road Due to Failure to Meet Traffic Performance Standards Zoning Case # Z-17-00020

Dear Paul and Skip:

Once again, our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners"). In that capacity it has come to our attention that the Modified Application by the Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") is fatally deficient in that there is no evidence that it meets the Palm Beach County Traffic Performance Standards ("TPS"). As such the Town Council cannot consider, much less approve, the Modified Application.

As you are aware, Article 12 of the Palm Beach County Unified Land Development Code prohibits a municipality from issuing any "Site Specific Development Order," including a special exception, unless the applicant submits evidence to the Town that the proposed project conforms to the County TPS. The Applicant has failed to submit sufficient evidence of such conformity.

While the Applicant may argue that it has provided the Town with a letter from the County Engineering Department dated June 20, 2017 (the only letter from the County contained in response to our office's Public Records Request) to satisfy the TPS requirements, such letter is clearly insufficient. The June 20, 2017 letter is specifically based upon a May 24, 2017 Traffic Impact Analysis from Kimley-Horn with a revision date of June 15, 2017. The record, however, reflects that Kimley-Horn subsequently revised its Traffic Impact Analysis multiple times ***after*** the County letter. Therefore, the County letter is not based on the most current Traffic Impact Statement.

Moreover, the revisions to the Kimley-Horn Traffic Impact Analysis were substantial. The August 30, 2017 version of the Traffic Impact Analysis (the last one we have received from the

Town in response to our Public Records Request) increased both the "net new daily trips" and the "net new pm peak hour trips." The net new daily trips increased from 67 to 377 trips (an increase of 310 trips), while the net new pm peak hour trips increased from 7 to 36 trips (an increase of 29 trips). These new traffic impacts have not been presented to or considered by the County Traffic Division. Therefore, the County letter cannot be accepted as evidence of compliance with the County TPS.

More importantly, the County Engineering Letter does not include or make any analysis regarding the new Special Exception for Supplemental Off-Site Parking contained within the Modified Application filed by the Applicant. At the time the June 20, 2017 County Engineering Letter was issued, Carriage House had only applied for a single Special Exception "for a special exception with site plan review approval to allow a private club 'Carriage House' to operate at 264 and 270 South County Road." The second Special Exception for Supplemental Off-Site Parking at 230 Royal Palm Way was not filed until October 2017 as part of the Applicant's Modified Application. Therefore, the June 20, 2017 County Engineering Letter clearly cannot be accepted as evidence of compliance with the County TPS to support the Modified Application. Therefore, there is no record evidence that the requested Special Exception for Supplemental Off-Site Parking at 230 Royal Palm Way is in conformity with the County TPS.

In light of the above, there is no record evidence that ***either of*** the Special Exceptions requested by the Carriage House are in conformity with the County Traffic Performance Standards. As a result, the Modified Application and each of the Special Exceptions therein must be denied.

Very truly yours,

John R. Eubanks, Jr.

JRE:mar

cc: Mayor and Town Council Members
Thomas G. Bradford, Town Manager
Town Clerk

The Law Offices of
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December 7, 2017

Via Email
Honorable Gail Coniglio, Mayor, and
Town Council of Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Re: Objection to Modified Application for Special Exception (With Site Plan Review) to Change of Use of 264 and 270 South County Road to Private Club and for Special Exception for Supplemental Off-Site Shared Parking Zoning Case # Z-17-00020

Dear Mayor and Town Council:

Our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners").[1] In that capacity we are in receipt of that initial Zoning Application filed in June of 2017 ("Initial Application")[2] for Special Exception and Site Plan Review filed on behalf of Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") seeking to change the use of the property located at 264 and 270 South County Road ("Property") from an abandoned restaurant, retail space, and apartments to a private club ("Club").[3] We are also more recently in receipt of a modified Application filed in October 2017 ("Modified Application") by Carriage House which added to the Initial Application a new and separate request for a second Special Exception for Supplemental Off-Site Shared Parking to be located at 230 Royal Palm Way. In light of a series of fatal deficiencies in both the Initial and the Modified Application, along with the adverse effects of the proposed Club on the historic Phipps Plaza neighborhood, the Neighboring Property Owners object to the consideration, much less approval, of the Modified Application by the Town Council.

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[1] As reflected in the aerial attached hereto as Exhibit "A" each of the Neighboring Property Owners own property located within 300 feet of the proposed Club the location. *See also*, Notice Affidavit and mailing matrix attachments in both the Initial and Modified Application reflecting inclusion of Neighboring Property Owners.

[2] A copy of the Initial Application (without Exhibits) is attached hereto as Exhibit "B."

[3] Only the 264 South County Road portion of the Property was formerly used as a restaurant, 264 The Grill, Inc. ("264 The Grill"), while the 270 South County Road Property presently consists of 2,101 s.f. of retail space and three apartment units totaling over 4,000 s.f. on the first and second floors. As such, the inclusion of the 270 South County Property as part of the proposed Club itself is a significant increase in the intensification of the use of the Property.

I. Proposed Change from Restaurant to Private Club Resulting In Intensification of Use

As you may recall, the 264 South County Road property was previously the site of "264 The Grill" restaurant which contained 118 seats, 15 of which were granted to "264 The Grill, Inc." the lessee (not the property owner) of 264 South County Road ("264 Property") as part of an increase in square footage under a Special Exception with Variance (#36-97) by the Town Council in 1997. Despite granting the special exception with variance, the discussion and focus on the Town Council at the time was on concerns over the continued encroachment of commercial businesses upon the otherwise quiet residential Phipps Plaza neighborhood. In light of the potential disturbance to the neighboring property owners, 264 The Grill's operating hours were set from 11:30 a.m. to 11:30 p.m. The Town further required 264 The Grill to enter into a Declaration of Use Agreement for its leasehold interest in 1997. *See*, Exhibit "C." Among the restrictions within the Declaration of use Agreement were that: a) neither Phipps Plaza nor the entrance or exit thereto could be used as passenger loading or unloading zone, or for any turnaround by the restaurant's parking attendants; b) such passenger loading and unloading zones could not be moved or relocated without prior Town Council approval; and c) 264 The Grill was limited to only 15 additional seats over the original 103. More importantly, the approval of the 15 additional seats was only for the operation of "264 The Grill, Inc., by Victor de Marinis, owner" such that "***any proposed new restaurant operator … shall be required to obtain all new zoning approvals*** from the Town Council." (emphasis added)

In June of 2015, 264 The Grill closed its doors for the last time thereby terminating the Special Exception with Variance and Declaration of Use Agreement which was (a "covenant running with the ***Leasehold*** Property") the basis for the additional 15 seats enjoyed by its operator. In July of 2015 the 264 Property was sold to Rockhopper Properties, LLC. *See*, Exhibit "D." With the termination of the prior lease and completion of the sale, the 264 Property's use as a non-conforming restaurant was intentionally abandoned. Thereafter, ownership of the 264 Property was turned over again by a sale in January of 2017 to Carriage House (*see*, Exhibit "D") with an eye towards using it for a totally different use by special exception as a proposed private Club.

As a result, as reflected in the Initial Application (p. 4) and Modified Application (p.6) the 264 Property "was previously a restaurant ***before it was abandoned and left vacant for the last several years***." As an intentionally abandoned special exception use[4] under Section 134-228 of the Town Code[5] "the special exception use shall thereby be ***immediately terminated and may not thereafter be revived except upon new application and approval by the town council.***" Similarly, under Section 134-392(a) upon an abandonment of any non-conforming use[6], "***such nonconforming use shall not thereafter be revived.***"

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[4] Because the prior 264 The Grill restaurant was a commercial establishment with greater than 3,000 s.f. of gross leasable area it was a use by special exception use under Section 134-1109(11) of the Town Code.

[5] Even if the use of the 264 Property had not been "intentionally abandoned" the discontinuance of its nonconforming use for a period of two years even without the intention of the owner to abandon "shall be an abandonment thereof."

[6] In addition being a Special Exception use, the prior 264, The Grill was also a nonconforming use as it did not have sufficient parking.

As a result, the Applicant may not use the prior use of the 264 Property, the fact that the Property was a non-conforming use (for lack of parking), or any of the approvals provided to its lessee for its use as 264 The Grill as the basis for claiming any vested rights, especially since the proposed Club is an entirely different use expanding well beyond the site of the original restaurant. Instead, Carriage House must start from scratch and demonstrate that it can conform to the present Town Code requirements for a Special Exception (and Site Plan Review) use as a private club within the C-TS Town Serving zoning district, as well demonstrate that it meets the requirements for a Special Exception for Supplemental Off-Site Shared Parking.

Nevertheless, within both its Initial Application and Modified Application, Carriage House starts from the presumption that it is somehow entitled to rely upon the prior use of the 264 South County property as a springboard from which it can expand under its Application. Such presumption is reflected in the fact that, despite adding over 6,000 s.f. of space with the inclusion of the 270 South County Road property ("270 Property") to the proposed Club, Carriage House disingenuously represents to the Town Council in its Site Plan Application that: a) "There are no site plan changes planned within this application;" b) "The valet parking will be in the same location as was implemented by the previous restaurant ... ;" c) "the principle of equivalency requires zero (0) parking on site parking spaces;" d) "No permanent external site plan changes are proposed;" e) "The building and site remain the same and there is no change to the height, of the commercial structures;" and f) The building and site remain the same and there is no change to the visible bulk on site." Modified Application, Exhibit "E;" *see also*, Initial Application, p.6. Finally, in addressing the Parking Statement of the Site Plan application, Carriage House, which would require simply responded "N/A" as the Applicant, believes that "This provision is Not Applicable as a private club is not a commercial use per the definition of the code below in Section 134-1."[7] As a result the Applicant simply assumes in essence that 264 The Grill can merely re-open as a much larger Club in the same manner it operated years ago, despite the intentional abandonment of the prior use and a massive increase in size and intensity.

On its face, the Application itself reflects a huge intensification of use in that:

- The change in the use of the 270 Property represents an increase in intensity of use from retail and apartment use to an active club use.

[7] What the Applicant overlooks is that while it claims that "a private club is not a commercial use" such that it claims it does not have to provide the additional employee information required for "Commercial Properties" (a position which the Neighboring Property Owners disagree with) the Applicant has ***failed to respond to the general provisions applicable to all applications*** (located above the "Commercial Properties Must" language) which states, "Please provide a detailed parking statement ***which includes details of all available off-street parking, including information regarding the number of parking spaces designated for service use ... staff/employee use etc.***" (emphasis added) By failing to provide such basic information, ***neither the Initial nor Modified Application is complete and cannot be considered by the Town Council.*** Moreover, whether technically "Not Applicable" or not, the failure to provide information regarding the proposed Club's employees and where they will park leads to the inescapable conclusion that there is not sufficient parking available for them. Without providing such information it will be impossible for the Town Council to determine whether the Applicant has met standards 2, 3, and 4 of the requirements for its Special Exception, including whether the use will be compatible with adjoining development, will cause substantial injury to the value of surrounding property and/or whether the use will the public health, safety and welfare of the surrounding property owners. Finally, whether the Applicant wants to provide such information or not, the Town Council can require such information and place restrictions on parking through a Declaration of Use Agreement.

- The use of the 270 Property is also much more intense as the hours for retail space are typically 9:00 am to 6:00 p.m. or, at most, 9:00 p.m. and there were very few vehicle trips generated by the present 3 upstairs apartments
- The hours of the 264 The Grill were from 11:30am to 11:30pm all week, while the proposed much larger Club is seeking hours of 11:00 a.m. to 12:00 midnight from Sunday to Wednesday and from 11:00 a.m. to 2:00 a.m. from Thursday to Saturday, which exceed the normal 12:00 midnight closing time for commercial operations within 50 feet of residential property set forth in Section 22-273 of the Code.
- The number of proposed seats will increase from 118 to at least 278 seats (per the Applicant's traffic report) and possibly up to 291 seats (per the Town Fire Marshall). *See* Exhibit "F."[8]
- The two properties can accommodate from 439 to up to 926 people without tables and chairs (depending on the adopted code utilized) for special events with large crowds at the Property which creates an even greater need for parking than either the proposed Club use or 264 The Grill which operated on an hourly turnover rate. *See*, Exhibit "F."

As a result, despite the fact that the Application represents a huge increase in square footage as well as an in increase (at a minimum) of 2.35 times the number of tables over the operation of 264 The Grill, and has the additional ability to have special events which could pack in even more people and require more parking, Carriage House somehow claims that "***there are no site plan changes with this application***" and its proposed Club should be approved ***without providing one new parking space*** for day time operations for lunch (for a proposed "voluntarily restricted" 118 seats) and relying upon a Special Exception for Off-Site Shared Parking to expand its operation to 264 seats after 5 p.m. without even bothering to inform the Town (or the Neighboring Property Owners) of the actual availability of off-street parking spaces, the number of employees per shift or the location where those employees will park as part of its Application.

II. Fatal Flaws in Application

Even the most cursory of reviews demonstrates a series of fatal flaws in the Application. As such the Application should not be considered much less approved by the Town Council.

A. Failure to Address or Provide for Sufficient Parking or Traffic Circulation

The most blatant shortfall in the Initial Application and the Modified Application comes in the form of the lack of parking required for the proposed Club. While the Applicant claims in its Modified Application that "parking is provided on site and on South County Road and surrounding streets where there is open parking" and that "***there is ample public street parking in the vicinity***" (emphasis added) it refuses to complete the required Parking Statement of the Application to provide any actual details as to how many spaces are available and where such "ample public street parking" is located. Fortunately, the Town obtained an independent review

[8] The Applicant appears to have recently changed the maximum number of seats to 264 to match its address and number of members.

of the Application by American Consulting. *See*, Exhibit "G" (without attachments).[9] As set forth in more detail within the resulting parking study dated September 1, 2017:

- ***A private Club is more intense in use*** as it is likely to have social events which require parking all and once and does not enjoy the hourly turnover of a restaurant;
- The ***existing site does not provide for any off-street parking leaving all parking entirely dependent on on-street parking***;
- The Application ***does not provide any customer/employee parking*** and ***does not address the number of employees*** working any given shift;
- While there are ***44 parking spaces*** in Phipps Plaza ***30 of them are "permit parking only"*** from 9:00 a.m. to 12:00 midnight ***and therefore are not available for use.*** The remaining 14 spaces are restricted to 2 hours use from 9:00 a.m. to 6:00 p.m. and therefore at best could be shared with the proposed Club.
- The parking requirements for the requested ***278 seats in the proposed Club equates to a minimum 93 spaces under the Town Code*** (i.e. 1 parking space per 3 seats in a restaurant for 278 seats) and 131 spaces under the ITE Parking Generation Manual guidelines, ***leaving a shortage of 57 parking spaces*** under the Town Code ***and 95 parking spaces under the ITE standards neither of which can not be completely offset by the 22 on-street spaces*** which are available to all of the area businesses;
- The proposed Club ***would not have adequate parking ingress and egress or off-street parking or loading under Section 134-229(8), (11) of the Town Code;***
- The ***Applicant provided no detailed valet parking or circulation plan*** showing drop off/pick up locations and ***parking locations with parking capacity***;
- The ***additional trips generated each day*** under the proposed Club "***would impact traffic circulation*** as customers or valets look for available parking in the residential neighborhood of Phipps Plaza or surrounding residential streets on South County Road."
- While ***the valet station*** of the proposed Club is identified as being ***on South County Road*** there is no on street or off-street queuing available which "***will cause extreme traffic circulation and congestion issues"*** and could impact the intersection of South County and Seaview Avenue.
- Any queuing issue or traffic on South County ***would create a back up on the critical north-south major roadway of SR A1A*** as well as the major intersection to get off the island of Palm Beach.[10]

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[9] Many of the same issues identified in the American Consulting report were also included within the notes of the Departmental Comments Meeting (Exhibit "H") in which Mr. Castro notes: a) the "principle of equivalency calculations are incorrect"; b) there "is absolutely no off-street parking for this use"; c) "assembly of Club members for events will increase parking demand in that area"; d) "the application requires a detailed parking statement which includes details of all available off-street parking"; e) "there is no information regarding the number of employees per shift no any indication where employees would park".

[10] While not specifically mentioned in the American Consulting report, the ***proposed valet area on South County Road cannot be permitted as the Applicant does not have permission to use the FDOT right-of-way*** for such a business purpose (*see infra*, p. 9) and the valet ***could not be located in front of the 264 or 270 South County Road properties as the area is designated as a right turn lane.*** *See*, Exhibit "I."

- The valet station queuing "and the circulation issue cause by motorist searching for on-street parking ***would impact emergency vehicle response time***."
- There is no area identified for the service of the proposed club and no loading areas for delivery trucks.
- The Traffic Impact Analysis Statement dated August 14, 2017 included "parking calculations which are inconsistent with the zoning application." (emphasis added).

As such, the Town's own consultant concluded that ***"[t]he application is found to be deficient"*** in a series of critical areas. Based on these deficiencies alone the Application should not even be considered.

B. Principle of Equivalency Does Not Apply

Rather than dealing with the above deficiencies, including the obvious lack of parking[11] and insufficient traffic circulation, the Carriage House seeks to merely ignore such real world problems by steadfastly relying upon the "principle of equivalency." The Applicant argues that it is entitled to the presumption of the availability of 66 parking spaces (*see*, below table) under the "principle of equivalency" based upon the ***prior abandoned uses*** of the 264 and 270 South County Road Properties, regardless of whether any such parking spaces exist. Thereafter, because the Applicant believes it is "entitled" to the equivalent of 66 parking spaces, the Carriage House claims that (at the ratio of 4 members for each parking space) it has the right to 264 Club Members. Unfortunately for the Applicant, the ***principle of equivalency does not apply in the present case*** in light of the abandonment of the prior use of (at least)[12] the 264 Property.

Floor Level	Space	Area	Parking Ration	Parking Count (spaces)
1st Floor	Dining Area	2,081 SF (118 seats)	1:3	39.3
1st Floor	Retail Area	2,101 SF	1 : 200 Gross	10.5
1st Floor	Back of House	2,490 SF	1 : 300 Gross	8.3
2nd Floor	Back of House	369 SF	1 : 300 Gross	1.2
1st Floor	Residential Units	938 SF	2 spaces/unit	2.0
	Each Unit			
	Total 1 Unit			
2nd Floor	Residential Units	3,185 SF	2 spaces/unit	4.0
	Each Unit			
	Total 2 Units			
			Total Spaces	**66**

On its face Section 134-2175(d) of the Town Code, addressing the principle of equivalency, only applies to "evaluating off-street parking in ***existing uses*** ... as follows."

[11] Notably there is no off-street parking on the same lot as the proposed Club under Section 134-2177 of the Town Code.

[12] It is unclear whether the use of the 270 Property may have also been abandoned.

Similarly, under subsection (d)(2) the principle of equivalency is only used "in evaluating off-street parking ***for existing uses.***" The theory being that so long as there is an ***existing use*** (whether it is conforming or non-conforming as to parking) the owner of the property is entitled to change uses and only account for any increase in parking. However, upon the abandonment of a prior use, an applicant must obtain new approvals and meet ***all*** the then existing Code provisions, including the required off-street parking.

In the present case, there simply is ***no "existing use"*** of the 264 South County Property for the Applicant to rely upon. As detailed above, (*see*, p. 2-3):

- The 264 Property was the site of "264 The Grill" restaurant which was a prior existing non-conforming use due to a lack of parking.
- 264 The Grill was granted a Special Exception with Variance (#36-97) allowing for 118 seats, 15 of which were granted to the operator as part of an increase in square footage.
- The Declaration of Use Agreement required by the Town specifically provided that "any proposed new restaurant owner ... ***shall be required to obtain all new zoning approvals*** from the Town Council."
- In 2015, 264 The Grill closed its doors, terminating the Special Exception with Variance and the Declaration of Use Agreement under Section 134-228 of the Town Code.
- The 264 Property was sold in July of 2015 thereby intentionally abandoning the prior use.
- The 264 Property was sold again in January of 2017 to the Applicant with the intention of creating a private Club.
- As a result, as admitted by the Applicant the 264 Property "***was previously a restaurant before it was abandoned and left vacant for the last several years.***"

As a result, with the abandonment of restaurant and termination of the prior use, there is no "existing use" of the 264 Property to support the application of the principle of equivalency. In the absence of an "existing use" of the 264 Property, the Applicant cannot be "credited" for the 39.3 parking spaces attributed to the 118 seats in the dining area or the 8.3 and 1.2 parking spaces attributable (respectively) to the 1st floor and 2nd floor "Back of House" of the abandoned restaurant.

As a result, even assuming the principal of equivalency is available to the 270 Property, the Applicant still must be able to demonstrate the availability of at least 49 off-street parking spaces to support the operation of the Club. As detailed by the American Consulting Report, there are no off-street parking spaces available whatsoever, and only 14 on street parking spaces, which are restricted to 2 hours use from 9:00 a.m. to 6:00 p.m., are available within the Phipps Plaza parking area. As a result, the proposed Club is remains drastically short of the required minimum parking, and the Modified Application should be denied.

C. Special Exception for Supplemental Off-Site Shared Parking Does Not Cure Parking Deficiencies

While the Applicant may claim that its newly added request for a Special Exception for Supplemental Off-Site Shared Parking within its Modified Application somehow "cures" the

above lack of parking, such is not the case. Instead, the Applicants request for Supplemental Off-Site Shared Parking is on its face improper and must be denied.

As a preliminary matter, on its face, the Special Exception for Supplemental Off-Site Shared Parking does not meet the standards of Section 134-2182(c) of the Town Code in that:

- Clearly, the proposed Off-Site Shared Parking ***is being used to "expand, enlarge, or intensify ... a proposed use, or the development or redevelopment of a property or structure"*** in violation of subsection (c)(2). As demonstrated above, the Applicant remains short on required parking. As a result, the Applicant has indicated that it will "voluntarily" limit the number of seats available for lunch (which in and of itself will create an administrative enforcement nightmare) to 118 in order to meet what it claims to be the parking available under the "principle of equivalency" for parking during that time period. Thereafter, the only way for the Club to be able to utilize all 264 seats (or pack in even more people for "special events") is through the use of Off-Site Shared Parking at 230 Royal Palm Way. As a result, by definition, the Off-Site Shared Parking is being used to expand, enlarge or intensify a proposed use in the development or re-development of the 264 and 270 Properties.

- The proposed Off-Site Shared Parking also does not meet the standards of Section 134-2182(c)(5) as it will necessarily "***increase noise, light or traffic impacts on the surrounding neighboring residential districts***." The Applicant claims that there will be no adverse impact on the surrounding neighboring residential districts because the proposed "parking lot is located around the corner on Royal Palm Way, which is a commercial part of town." The problem is not where the parking lot is located but how the valets must return to those patrons waiting for their vehicles. As identified within the proposed valet circulation in Figure 2 of the Modified Application (see, Exhibit "J") upon leaving 230 Royal Palm Way back to the Club all returning vehicles necessarily pass by those residences on the west side of Cocoanut Row when traveling from south to north and then turn right and proceed east through the residential neighborhood on Seaspray Avenue in order to return to the proposed valet area. More importantly, such valet runs will begin just as residents are returning home at night around 5:00 p.m. (although, per the sign posted at the proposed valet location, the valet cannot be used, if at all, until 6:00 p.m.) and continue well into the night until 11:30 p.m. Sunday through Wednesday and until the early hours of the morning at 2:00 a.m. from Thursday to Saturday. Clearly, such a commercial valet operation racing at night through residential neighborhoods to return cars to waiting patrons ***will "increase noise, light or traffic impacts on the surrounding neighboring districts."***[13]

[13] In documents produced to the Neighboring Property Owners yesterday afternoon, after complaints by the homeowners on Seaspray Avenue, the Applicant is now seeking to modify the valet return so that it backtracks from Royal Palm Way to South County Road, but would terminate across the street from the proposed valet stand. Such a proposed return pick up on the east side of South County Road would be improper given that: a) there is no loading zone located in the proposed return area, so the valet return would be blocking public parking; b) the area is located in the FDOT's right-of-way and would require a lease and permits from the FDOT, which have not been applied for, much less granted (*see, infra* p. 9); and c) public safety would require at a minimum an identified and signalized cross walk from the valet drop off on the west side of South County Road to the valet return area on the east side of the road, which (again) would require FDOT permission, which has yet to be applied for, much less granted.

- Added to the above, as identified within the American Consulting study, there is no on street or off-street queuing available which ***"will cause extreme traffic circulation and congestion issues"*** and could impact the intersection of South County and Seaview Avenue.

As such, the proposed Special Exception for Supplemental Off-Site Shard Parking should be denied.

D. Failure to Obtain FDOT Approval for Use of Right-Of-Way For Proposed Valet and Loading Area

Even if above issues could somehow be overlooked, the Applicant cannot locate its business valet stand and loading areas on the right-of-way of the Florida Department of Transportation ("FDOT") absent the required lease and permit(s). More specifically, as detailed further within our correspondence dated December 6, 2017 (Exhibit "K") upon inquiry by Mrs. Volk as to whether Carriage House had a permit to place its proposed valet stand for the Club on the road right-of-way, she received an e-mail from Susan Day, the FDOT District Right of Way Manager. Ms. Day indicated that "[i]n actuality, any continuing use of the Department's right-of-way ***for a business would not be allowed by permit but by a lease***." Ms. Day further stated that "it does not appear that we have been contacted by the developer regarding the possibility of a lease." As a result, clearly the Town Council cannot move forward with (much less approve) the Modified Application, which relies upon the use of the FDOT right-of-way as an integral part of its site plan, until such time as the Applicant has secured the proper lease and permission from the FDOT to utilize its right-of-way for a valet stand and loading dock for the Club.

E. Failure to Provide Handicapped Parking

In addition to having an inadequate ***number*** of parking spaces for its day to day operations, on its face, the Application ***fails to provide for any handicapped parking spaces whatsoever***. As detailed further within the correspondence from our office dated December 5, 2017 (Exhibit "L") Chapter 553 of the Florida Statutes entitled the "Florida Americans with Disabilities Accessibility Implementation Act" ("Act") sets forth the minimum handicapped accessibility standards which include minimum parking standards. Section 553.513 further provides that ***"[i]t shall be the responsibility of each local government and*** each code enforcement agency ... ***to enforce the provisions of this part.***" (emphasis added). As a result, the courts have found that a city has a statutory, non-discretionary duty to comply with the accessibility issues identified under Chapter 553. Pursuant to F.S. §553.505 such provisions "***shall also apply ... to private clubs***." (emphasis added).

Under the Act and the Florida Accessibility Code for Building Construction ("FACBC") the proposed Club would require 4 accessible parking spaces, including one van accessible space under Section 208.2.4 of the FACBC. Neither the Applicant nor the Town can overlook such minimum handicapped parking requirements under both State and Federal law. In fact, to do so could expose the Town to potential liability as parties discriminated against by a lack of handicapped parking may file suit against an owner, lessee, and the municipality. As such, the Modified Application must be denied in its present form.

F. Failure to Meet County Traffic Performance Standards

As detailed further within that correspondence from our office dated December 6, 2017, (Exhibit "M") the Applicant has failed to meet the Palm Beach County Traffic Performance Standards ("TPS") necessary to demonstrate traffic concurrency. Article 12 of the Palm Beach County Unified Land Development Code prohibits a municipality from issuing any "Site Specific Development Order," including a special exception, unless the applicant submits evidence to the Town that the proposed project conforms to the County TPS.

The only attempt to comply with the County TPS by the Applicant in the records is a letter from the County Engineering Department dated June 20, 2017. The letter however, is wholly insufficient given that it is based upon a May 24, 2017 Traffic Impact Analysis from Kimley-Horn with a revision date of June 15, 2017 when the record, however, reflects that there were revisions to the Traffic Impact Analysis three times after the County letter on August 14, 2017, August 25, 2017, and finally August 30, 2017. Such revisions resulted in substantial increases in both the "net new daily trips" and the "net new pm peak hour trips" which were not included in the June 20, 2017 County Engineering Letter.

More importantly, the County Engineering Letter did not (and could not) include, much less make any analysis regarding, the new Special Exception for Supplemental Off-Site Parking at 230 Royal Palm Way contained within the Modified Application, which was not filed until October 2017. As such, there is no record evidence that ***either of*** the Special Exceptions requested by the Carriage House are in conformity with the County Traffic Performance Standards. Therefore, the Modified Application and each of the Special Exceptions sought therein must be denied.

G. Failure to Provide Complete Site Plan

Outside of the above fatal flaws, ***no Site Plan was provided by the Applicant.*** Only proposed "floor plans" were submitted which do not comply with the Town's Code and are ***insufficient*** for the Town Council to make a proper review of the Application. Under Section 134-327(4) of the Town Code, applications for a site plan review ***must include two copies of a site plan*** containing the title of the project, the name of the architect and engineer...and...an ***exact survey of the property drawn to scale of sufficient size*** to show:

a. ***Boundaries of the project***, any existing streets, buildings ... easements and section lines.
b. ***Exact location of all buildings*** and structures.
c. ***Access and traffic flows*** and how vehicular traffic will be separated from pedestrian and other types of traffic.
d. ***Off-street parking and off-street loading areas***; ...
f. All screens and buffers;
g. ***Refuse collection areas***; and
h. Access to utilities and points of utilities hook ups. (emphasis added).

Noticeably absent in the Carriage House Application is any survey, much less one showing the boundaries, and the exact locations of buildings and structures. Instead, the Applicant has only provided several proposed "floor plans" presenting what it proposes to place inside the structures with pictures of proposed loading and refuse collection areas. In addition, as noted in the Town's traffic and parking study, there is no access, traffic flows, or off-street parking analysis. In addition to the above requirements, subsection (5) of Section 134-327 further requires "Tabulations of total gross acreage in the project and the percentages thereof proposed to be devoted to" various uses, ground coverage by structures and impervious surface coverage. Subsection (6) requires further tabulations on the derivation of off-street parking and off-street loading spaces. In light of the failure to include such required information the Application is incomplete and cannot even be reviewed by the Town Council, much less approved.

H. Inclusion of Property Not Zoned for Club Use

Another shortcoming of the Application is that because it lacks "an exact survey of the property" as required by Section 134-327 of the Town Code, it is difficult to tell exactly what properties are being included in the Application. Some quick measurements and calculations, however, demonstrate that the Application is in fact including part of yet a third property located at 238 Phipps Plaza, the zoning for which does not allow the purposed Club.

Looking at the floor plans for the proposed Club shows that there are supposed to be 79 feet and 9 and ¾ inches of frontage along Phipps Plaza. *See*, Composite Exhibit "N." A close up of that area, however, demonstrates that there are (at best) only 67.28 feet along Phipps Plaza using both the 264 and 270 Properties. As a result, the proposed floor plans of the Club necessarily encroach upon the adjacent property at 238 Phipps Plaza. *See*, Exhibit "O." This inclusion of a part of the property at 238 Phipps Plaza property can also easily be seen in the floor plans (existing and proposed) in Sheet A-1.0 (Exhibit "P") of the Application which shows the removal of a median between the driveways of 270 Property and 238 Phipps Plaza which serves as the property line between the two properties and the use of the 238 Phipps Plaza driveway and front access as part of the "Courtyard" for the proposed first floor plan of the project. In fact, as you can see from the attached picture (Exhibit "Q") there is presently a survey stake in the median between the two properties as part of the recent purchase of 238 Phipps by a separate entity. Finally, the Conceptual First Floor Plan (Exhibit "R") attached shows the entire driveway area (up to the front door) of 238 Phipps Plaza as well as part of the alleyway as being included as part of the proposed Courtyard area. As such, it is clear that the Applicant is using more than just 264 and 270 Properties in an attempt to meet the standards in the Town's Code and gain Site Plan Approval.

Instead, Carriage House is clearly using a portion of the 238 Phipps Plaza property in its proposed Site Plan, despite the fact the Application itself does not reference 238 Phipps Plaza by name or legal description (which is lot J of Phipps Plaza and is not owned by the Applicant) as part of the proposed Club, for good reason. As reflected in Exhibit "S", the 238 Phipps Plaza property is located in zoning district R-C Medium Residential which does not allow for the use of the property as a private club. Even if the Applicant tries to argue that the dividing boundary for the R-C Medium Residential District is uncertain or abuts the physical structure on the 238

Phipps Plaza property the Town Code puts an end to any such "uncertainty." Section 134-753 of the Code provides that "Where such district boundaries are indicated as ***approximately following*** street lines, alley lines ***or lot lines such lines shall be construed to be such boundaries.*** (emphasis added). As such, the lot line between 238 Phipps Plaza and 270 Property is also the zoning district boundary. Given that the floor plans included within the Application demonstrate that a portion of the proposed Club is located on 238 Phipps Plaza in the R-C district in which a private club is not allowed, the Application cannot be reviewed much less approved by the Town Council in its present form. Again, had the Applicant included a complete survey showing the exact boundaries of the properties as required by Section 134-327(4) of the Town Code such a shortcoming would have been obvious.

I. Insufficient Town Serving Report

Because the 264 and 270 Properties are located in the C-TS zoning district, Carriage House is required to provide a Town Serving Report. Section 134-229(12) of the Town Code requires that:

> (12) ... 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.

Instead of providing such evidence, the Applicant provided a woefully deficient "Town Serving Report" (Exhibit "T") describing the "Location," the "Palm Beach Style," the "Phipps Plaza History," the "Civic and Community Involvement," the "Private Club Operation," the Vision," and even the "Team" for the proposed Club. Nowhere, however, was there any "evidence" that "***50 percent of the customers of the proposed use will be town persons"*** much less any credible data or information indicating the proposed Club would be Town Serving.

Instead, at best, the "Report" claims that "Membership at the Carriage House will be limited to by invitation only ***with preference offered to Palm Beach resident and business members.***" (emphasis added). Such a claimed ***preference*** to residents and business members (who often are not from Palm Beach and therefore not "town persons") does not equate to information which can be relied upon or certified by an independent certified public accountant to demonstrate the proposed Club is in fact Town Serving. Likewise such a "preference" in membership does not equate to strict restrictions in the charter of the Club that at least 50 percent of the members must be Town persons.

Furthermore, even a potential restriction on membership does not equate to whether "50

percent ***of the customers of the proposed use*** will be town persons."[14] (emphasis added). Questions still remain whether membership will be vertical in nature, such that children and grandchildren are included as well as whether parent and grandparents are included. Likewise, the potential for unlimited "guests" of the family and extended family or "business acquaintances" of members could easily turn the proposed Club into nothing more than a gathering and eating place for those from off the island who "know" a member. Finally, there has been no list of customer/client addresses or certification thereof by an independent certified public accountant or data from similar operation provided by the Applicant. As such, the Town Serving Report does not comply with the minimum requirements of the Town Code and is insufficient for the Application to move forward.

J. Failure to Comply With Yard, Opens Space and Need for Variances

In addition to the above flaws, the Application does not satisfy Sec. 134-229(5), which requires a special exception use to "comply with yard, open space, and any special requirements set out in article VI for the particular use involved." Such special exception standards do not make an exception for nonconforming buildings as the language does not say "except when the building is a nonconforming building." A review of the documents in the Application shows the buildings do not appear to satisfy the minimum setbacks, minimum landscaped open space, minimum required front yard landscaped open space, and maximum lot coverage. Without the required boundary survey, which should have been submitted as part of the Site Plan Application, it is impossible to tell for certain. As such, since it is the Applicant's burden to demonstrate that it has satisfied each and every requirement for granting a Special Exception, these omissions make it impossible to fully review much less approve the Application. Furthermore, if the buildings are indeed nonconforming, as it appears, then the Applicant must apply for and the Town Council must grant variances for the minimum setbacks, minimum landscaped open space, parking and any other aspects of the building, site or use that do not satisfy the C-TS district regulations before any special exception could be approved.

K. Clear Intent to Add Outdoor Seating in Courtyard and Rooftop

In addition to the above, it is clear from the documents attached to the various filings with the Town that if the Modified Application is approved, the Applicant will come back in short order seeking to add outdoor dining in the courtyard and on the rooftop. The floor plans prepared by the Applicant's architect and attached to the Kimley Horn Traffic Impact Analysis show numerous tables and chairs in the courtyard and an outdoor bar and more tables and chairs on the roof of 264 South County Road. While the floor plans included in the actual Application and Modified Application have conveniently deleted these outdoor tables, chairs and bar, they continue to show a new elevator and staircase leading to the rooftop of 264 South County Road as well as other modifications consistent with outdoor seating.

As the Town Council may be aware, the original 264, The Grill was repeatedly turned down for application(s) seeking outdoor dining over concerns on the adverse effects to the surrounding residential neighborhood. *See*, Modified Application, p.3 ("Site History") As such,

[14] Notably, the standard under Section 134-229(12) is 50% of the ***customers, not members*** must be town persons.

even if the Application could somehow go forward, the Town Council would need to make it absolutely clear that outdoor seating and dining are a non-starter such that even if the proposed Club could be approved (which it cannot) a condition of approval would be an unambiguous restriction against any outdoor seating.

L. Adverse Effects on Neighboring Property Owners

Even if the Town Council could overlook all of the above (which they cannot), the Modified Application should not go forward, much less be approved, due to the overwhelming adverse consequences on the residential Neighboring Property Owners. Phipps Plaza, which was landmarked as part of the Phipps Plaza Historic District in 1982, is a unique enclave of residential properties nestled behind a façade of commercial (mostly retail) buildings. It simply is not designed to handle the increase in intensity of use and the traffic and parking increase which would come from the proposed Club.

Phipps Plaza has limited vehicle access with only one entrance from and exit to South County Road from which traffic is forced into a one way counterclockwise loop around a center green space. As noted in the Town's parking study, there are only 44 parking spaces within Phipps Plaza, 30 of which are a permit parking only (between 9:00 a.m. and 12:00 a.m.) for the residents and guests of Phipps Plaza. The remaining 14 spaces are 2 hour parking between 9:00 a.m. and 6:00 p.m. In light of the inadequate parking, Club members will either use up the supply of public, on-street parking spaces, to the detriment of other businesses and residents, or they and their guests will give up circling the block and either usurp the permit-only spaces on Phipps Plaza or double park legitimate permit holders.

At the same time, as detailed above, there is no room for either a valet or stacking of cars for the proposed Club as it would either block access into and out of the Phipps Plaza neighborhood, or based upon the newly proposed location, obstruct clog a major artery of the Town. Similarly, the only proposed location of the loading dock required by Section 134 -2211 of the Code for the operation of the proposed Club is on the FDOT road right-of-way in an area time restricted for a "passenger loading zone" from 6:00 p.m. to 12:00 a.m., thereby imposing the burden (once again) on the Neighboring Property Owners to dodge or squeeze around large delivery trucks which will no doubt bypass the on street "loading zone," to gain access to their property. At the same time, the pictures of the proposed location for the garbage and refuse from the greatly expanded use of the Club, including food waste will be stored not on the 264 and 270 Properties, near the residential and office garbage areas on the property to the north.

Even outside of the trash location, it is the Neighboring Property Owners who will bear the brunt of the odors from the proposed 264 seat Club including the restaurant and bars, as well as the music and noise of the potential Club, which will only increase during "special events." In addition, given that Carriage House has indicated that it wants to be open beginning at 11:00 each day and as late as 2:00 a.m. on Thursdays to Saturdays, there will simply be no relief for the Neighboring Property Owners from the constant press of third parties from outside the Phipps Plaza community being ever present in the small neighborhood.

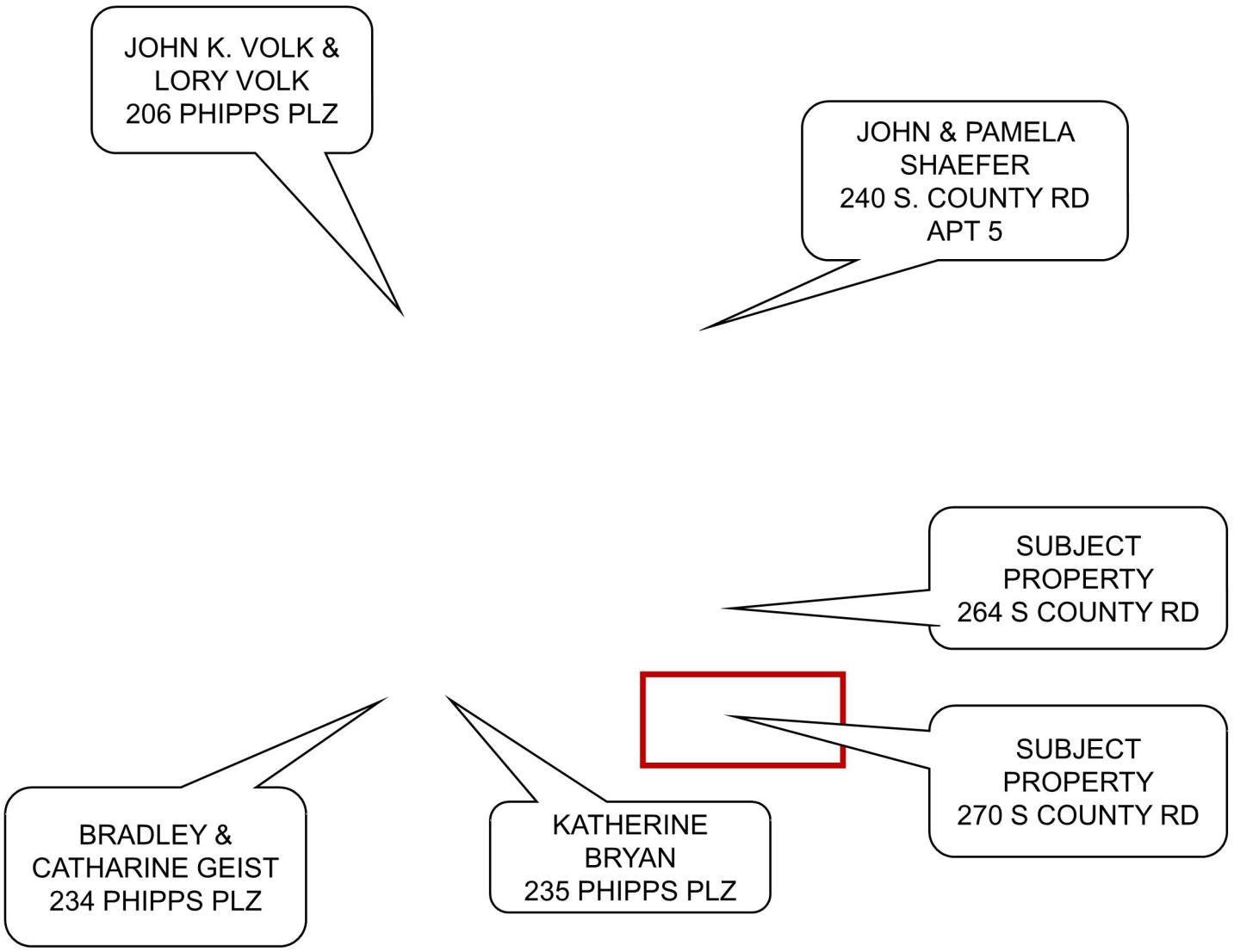
While the Applicant will claim such issues are exaggerated, the simple fact is that the

noise of a "Club" with over two times the number of seats as the prior restaurant operating in the enclosed space of Phipps Plaza will be significant. Just the potential alone of cars driving around Phipps Plaza with their lights shining into the Neighboring Property Owners' properties late at night will be incredibly stressful. As a result, the Neighboring Property Owners are clearly adversely affected and will necessarily suffer a greater impact than the general community at large. As a result, the Neighboring Property Owners respectfully request that the Town Council deny the Modified Application.

Very truly yours,

John R. Eubanks, Jr.

cc: John Page, Director of Planning, Zoning and Building
Paul Castro, Zoning Administrator
John C. "Skip" Randolph, Esq.
Town Clerk, Town of Palm Beach (via Email & Hand Delivery)


JOHN K. VOLK &
LORY VOLK
206 PHIPPS PLZ
JOHN & PAMELA
SHAEFER
240 S. COUNTY RD
APT 5
SUBJECT
PROPERTY
264 S COUNTY RD
SUBJECT
PROPERTY
270 S COUNTY RD
BRADLEY &
CATHARINE GEIST
234 PHIPPS PLZ
KATHERINE
BRYAN
235 PHIPPS PLZ

ZONING APPLICATION
TOWN OF PALM BEACH

Z-17-00020
(Zoning Case Number)

This application includes requests for:
X Site Plan Review
X Special Exception
___ Variance

TO BE HEARD BY THE TOWN COUNCIL ON AUGUST 9, 2017 AFTER 9:30 A.M., IN THE TOWN OF PALM BEACH COUNCIL CHAMBERS LOCATED ON THE 2ND FLOOR, 360 SOUTH COUNTY ROAD, PALM BEACH.
Pursuant to the Town Zoning Code of Ordinances, Sections 134-172 (Special Exceptions and Variances) and/or 134-328 (Site Plan Review), this application is being sent to all property owners within 300' of the location of the subject zoning application. A copy of this application along with all exhibits such as large drawings and other supporting documents that are not attached to this application are available for inspection at the Town's Planning, Zoning & Building Department, 360 S. County Rd., east entrance, weekdays between the hours of 8:30 a.m. and 4:30 p.m.

All interested persons may appear and be heard at said Public Hearing and may likewise submit written statements prior to and at said Public Hearing. If any person decides to appeal any decision made by the Town Council with respect to this matter, he/she will need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

I. SUBJECT ADDRESS: 264 and 270 South County Road Zoning District: C-TS

Fee Simple Property Owner's Name: Carriage House Properties Partners LLC, a Delaware limited liability company

Legal Description: Lots K and L of PHIPPS PLAZA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and For Palm Beach County, Florida, recorded in Plat Book 20, Page 72.

Name and address of person who can receive service of process for purposes of litigation in Palm Beach County: Maura Ziska, Esq. 222 Lakeview Ave, Suite 1500 West Palm Beach, FL 33401

Applicant Name: Carriage House

Contact phone: c/o Maura Ziska 561-802-8960

II. **DESCRIPTION OF THE REQUEST TO BE HEARD BY TOWN COUNCIL, citing applicable Town Zoning Code Section Number(s):**
A. Applicable Zoning Code Section Number(s):

1. Section 134-329 Review by Town Council.

2. Section 134-1109 Special Exception (4) Private social, swimming, golf, tennis and yacht clubs.

3.

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Zoning Case Number

B. Description of request by Zoning Section Number(s):

A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the C-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements.

III. APPLICATIONS CONTAINING SPECIAL EXCEPTIONS

If the application contains requests for Special Exceptions, complete **Exhibit A,** and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in Exhibit A (Requirements for granting Special Exceptions by the Town Council as stated in the Towns Zoning Code at Section 134-229).

Special Exception approval should be granted as the Carriage House will prove to be town serving based on the demographics of Palm Beach and the town serving report submitted herein.

IV. APPLICATIONS CONTAINING SITE PLAN REVIEW

If the application contains Site Plan Review, complete **Exhibit B,** and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in **Exhibit B** (Site Plan Review by Town Council as stated in the Town's Zoning Code at Section 134-329).

The Site Plan Review should be approved as there are no modifications to the site except signage.

V. SITE HISTORY

Please provide a detailed history in chronological order of all zoning-related requests processed on or after January 1, 1970 applicable to this property.

264 South County Road

Special Exception 28-93 requested 16 outdoor seats was denied.

Special Exception 30-95 with Variance was granted to allow 264 Grill to expand from 1,931 s.f. to exceed 2,000 s.f. and increase seats from 89 to 103 seats without providing the additional 5 parking spaces required.

Special Exception 36-97 was granted to allow restaurant to expand from 2,461 s.f. to 3,407 s.f. and allow 15 additional seats.

Special Exception 14-2005 requested 8 outdoor seats and allow a new operator with 118 seats approved as to new operator, denied as to outdoor seats.

270 South County Road

Special Exception 17-98 with Variance was granted to allow an office on the first floor in the C-TS Zoning District.

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Respectfully submitted,

Maura Ziska

Applicant's Signature

Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

Maura Ziska

Property Owner's Signature
(or his/her duly authorized attorney)
Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

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Zoning Case Number

EXHIBIT A - REQUEST FOR SPECIAL EXCEPTION

1. The use is a permitted special exception use as set forth in article VI of this chapter.

A private club is a special exception use in the C-TS Zoning District. The building is a Town of Palm Beach Historic Landmark designed by Addison Mizner. It was previously a restaurant before it was abandoned and left vacant for the last several years. The proposal is to do an extensive renovation and upgrade to the building to bring it back to its landmarked character and use it for a private club for Palm Beach residents.

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 Club will not adversely impact the public health, safety, welfare or morals of the Town as the Carriage House will be an exclusive, upscale club with a small membership that will cater to Town of Palm Beach residents and their guests and offer breakfast, lunch and dinner to their members as well as some special events. The club use will not create any additional noises or other nuisances then the previous restaurant and will not be a negative impact on the neighborhood. The building will be renovated to restore its landmarked design as well as be upgraded to meet current building codes.

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 Club will not affect the value of other properties in the neighborhood as the property is in a commercial zoning district.

4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

The proposed Club will be compatible with the neighborhood as a Club is a contemplated special exception use in the C-TS Zoning District. All of the requirements to meet concurrency have been met.

5. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

The proposed Club will comply with all other yard, other open space and any special requirements set forth in Article VI.

6. The use will comply with all elements of the comprehensive plan.

The proposed Club will comply with the comprehensive plan, if applicable.

7. The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

The proposed Club will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district, as there will be limited changes to the exterior of the space except signage.

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.

Adequate ingress, egress and parking is provided on site and on South County Road and surrounding streets where there is open parking. There are approximately 66 open parking spaces in the vicinity and the Club will have valet parking with pick upon South County Road.

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.

The proposed signage will meet with the Town's requirements and be permitted as required by the Town of Palm Beach building department.

10. Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

The utility service will be upgraded if necessary.

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.

The refuse and service areas will be upgraded if necessary.

12. The proposed 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 townpersons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine its credibility and the appropriateness of the applicant's conclusions. 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 Club will be Town Serving as the members selected will account for 50% or more of the members are "townpersons". A town serving report will be submitted herein as further support.

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.

N/A

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.

The proposed Club should not place a greater burden on Town services as there is ample parking on the surrounding streets and the use as a Club is a less intense use as compared to other commercial operations such as restaurants.

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EXHIBIT B – SITE PLAN REVIEW

THE FOLLOWING ARE THE REASONS WHY THE SITE PLAN SHOULD BE APPROVED PURSUANT TO SECTION 134-329:

1. Sufficiency of statements on ownership and control of the subject property and the 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 the intended purpose and to ensure that such common facilities will not become a future liability for the Town.

The owner of the property is Carriage House Properties Partners LLC, a Delaware limited liability company and is the entity in control of the property. The property does not have any common open space, common facilities or common lands which would become a future liability for the Town.

2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon.

There are no site plan changes planned with this application.

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.

Ingress, egress, utilities and refuse collection will remain the same.

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 or emergency.

The valet parking will be in the same location as was implemented by the previous restaurant.

5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

No permanent external site plan changes are proposed.

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 capacity.

Drainage will remain the same or be upgraded if required.

7. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

The utility hook ups will remain the same or be upgraded if required.

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 the uses within the property, and the relationship to community-wide open spaces and recreation facilities.

N/A

9. Such other standards as may be imposed by this chapter for the particular use or activity involved.

N/A

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.

The building and site remain the same and there is no change to the height of the commercial structures.

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, 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.

The building and site remain the same and there is no change to the visible bulk or site.

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EXHIBIT C - PARKING STATEMENT

Please provide a detailed parking statement which includes details of all available off-street parking, including information regarding the number of parking spaces designated for service use (for example: lawn service, pool service, etc), staff/employee use, etc.

COMMERCIAL PROPERTIES MUST:

PROVIDE NUMBER OF OFF-STREET PARKING SPACES AVAILABLE FOR EMPLOYEES ON THE SUBJECT PROPERTY:

PROVIDE NUMBER OF EMPLOYEES/STAFF PER SHIFT:

INDICATE LOCATION WHERE EMPLOYEES PARK OFF SITE:

N/A



GLIDDENSPINA PARTNERS

Architecture + Interior Design
207 Sixth Street
West Palm Beach, FL 33401
561.684.6844

SUBJECT
264/270 S County Rd

LOCATION MAP 1

Victor de Marinis
264 So. County Rd
Palm Beach, Fla
33480

NOV-20-1997 10:45am 97-415725
ORB 10094 Pg 1390

DECLARATION OF USE AGREEMENT

THIS DECLARATION OF AGREEMENT ("Agreement") is made and entered into as of this 19th day November, by and between 264 The Grill, Inc ("Owner") and the TOWN OF PALM BEACH, a municipal corporation existing under the laws of the State of Florida("Town").

This is not a certified copy

RECITALS

WHEREAS, Owner has a Leasehold Estate in the following described property situated, lying and being in the Town of Palm Beach, Palm Beach County, Florida ("Leasehold Property").

A portion of Lot L, Phipps Plaza, as recorded in Plot book 20, Page 72, of the public records of Palm Beach County, Florida.

WHEREAS, the Town has granted the Owner a special exception (#36-97) to allow the Owner to expand its restaurant space at the Leasehold Property from 2,461 sq. ft. to 3,407.1 sq. ft. and add 15(fifteen) more seats; and

WHEREAS, as part of granting such approvals, the Town requires that the Owner comply with certain use requirements at the Leasehold Property.

NOW, THEREFORE, in consideration of Ten and 00/100($10.00) dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the Town agree as follows:

1. The passenger loading and unloading zones can not be moved or relocated without prior Town council approval.

2. The applicant shall be limited to only the 15(fifteen) additional seats above the 103(one hundred three) seats previously approved.

3. The existing main entrance on the southeast corner of the restaurant shall be converted to use only as fire exit and shall be equipped with panic hardware.

4. Phipps Plaza or the entrance thereto shall not be used as a passenger loading and unloading zone or for turn around movements by the restaurant's parking attendants.

5. The Declaration of Use Agreement required for the approval of Special Exception #30-95 shall also apply to this approval.

6. This approval is specifically for the operation of 264 The Grill, Inc. by Victor de Marinis, owner. Any proposed new restaurant operator at this location shall be required to obtain all new zoning approvals from the Town Council.

This Agreement shall be a covenant running with the Leasehold Property and shall be binding upon the Owner, Its successors and assigns, and shall constitute notice to all persons whomsoever of the terms and provisions herein set forth.

This Agreement shall be recorded in the public records of Palm Beach County, Florida.

IN WITNESS WHEREOF the parties have executed and entered into this agreement as of the date set forth above.

Signed, sealed and delivered
in the presence of:

OWNER:

264 The Grill, Inc.

Witness

By: _____
Victor de Marinis
Its: President

Pamela J. Cristiano

Print Name

Unofficial Document

TOWN OF PALM BEACH

Witness

By: Robert J. Doney
Robert J. Doney, Town Manager

LINDA L. GEORGE
Print Name

ATTEST:

Witness

Mary ~~Pollitt~~, Town Clerk
Susan Eichhorn, Acting Town Clerk

Cindy Cousins
Print Name

APPROVED AS TO LEGAL SUFFICIENCY:

John C. Randolph, Town Attorney

Reviewed by Robert L. Moore
Director of Planning Zoning & Building

This is Not a Certified Copy

CONSENT OF LANDLORD

Carriage House, Inc is the Landlord of that certain property equally described under "Leasehold Property". The Landlord hereby consents to the terms and provision of the Declaration of Use Agreement entered into by Owner. Landlord shall have no liability whatsoever with respect to the compliance (or non-compliance) by Owner with requirements set forth in said Declaration of Use.

Carriage House, Inc
Landlord

By: [signature]

Its: President

Dated: 11-10-97

This is not a certified copy

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 10th day of November, 1997, by Victor de Marinis, President of 264 The Grill, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced Florida Driver's License Number _____ as identification and who did not take an oath.

Signature of Notary Public

Pamela J. Cristiano
Printed Name of Notary Public

Commission No.: _____

Commission Expires:

PAMELA J. CRISTIANO
My Comm Exp. 8/1/2000
Bonded By Service Ins
No. CC585103
[ ] Personally Known [ ] Other I.D.

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 10th day of November, 1997, by A. Jeanne Marks, President of Carriage House Inc., a Florida corporation, on behalf of the corporation. She is personally known to me or has produced Florida Driver's License Number _____ as identification and who did not take an oath.

Signature of Notary Public

Pamela J. Cristiano
Printed Name of Notary Public

Commission No.: _____

Commission Expires:

PAMELA J. CRISTIANO
My Comm Exp. 8/1/2000
Bonded By Service Ins
No. CC585103
[ ] Personally Known [ ] Other I.D.

This is not a Certified Copy

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 19 day of NOVEMBER, 1997, by Robert J. Doney, the Town Manager of The Town of Palm Beach, a Florida municipal corporation. He is personally known to me or has produced Florida Driver's License Number PERSONALLY KNOWN as identification and who did not take an oath.

Mary P McQuaig
Signature of Notary Public

OFFICIAL NOTARY SEAL
MARY P MCQUAIG
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC597742
MY COMMISSION EXP. OCT. 31,2000

McQuaig, Mary P
Printed Name of Notary Public

Commission No. CC597742

Commission Expires: Oct 31, 2000

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 19 day of NOVEMBER, 1997, by Robert L. Moore, the Director of Planning, Zoning & Building of The Town of Palm Beach, a Florida municipal corporation. He is personally known to me or has produced Florida Driver's License Number PERSONALLY KNOWN as identification and who did not take an oath.

Mary P McQuaig
Signature of Notary Public

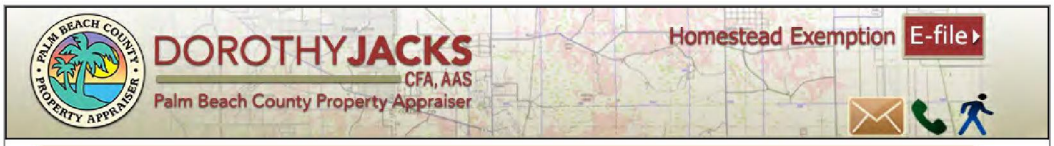
OFFICIAL NOTARY SEAL
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McQuaig, Mary P
Printed Name of Notary Public

Commission No. CC597742

Commission Expires: Oct 31, 2000

This is not a certified copy



Location Address	264 S COUNTY RD
Municipality	PALM BEACH
Parcel Control Number	50-43-43-22-10-000-0120
Subdivision	PHIPPS PLAZA IN
Official Records Book	28817 Page 1486
Sale Date	JAN-2017
Legal Description	PL OF PHIPPS PLAZA LT L

Owners

CARRIAGE HOUSE PROPERTIES PARTNERS LLC

Mailing address

221 N HOGAN ST STE 400

JACKSONVILLE FL 32202 4201

Sales Date	Price	OR Book/Page	Sale Type	Owner
JAN-2017	$5,600,000	28817 / 01486	WARRANTY DEED	CARRIAGE HOUSE PROPERTIES PARTNERS LLC
JUL-2015	$5,250,000	27691 / 00903	WARRANTY DEED	ROCKHOPPER PROPERTIES LLC
AUG-1996	$100	09451 / 00634	WARRANTY DEED	ECLECTIC INC &
DEC-1992	$293,400	07571 / 01013	WARRANTY DEED	

No Exemption Information Available.

Number of Units 0 *Total Square Feet 5183 Acres 0.1663

Use Code 1100 - STORES Zoning CTS - (50-PALM BEACH)

Tax Year	2017 P	2016	2015
Improvement Value	$1,890,100	$1,540,820	$1,349,620
Land Value	$1,991,825	$1,448,600	$944,581
Total Market Value	$3,881,925	$2,989,420	$2,294,201

P = Preliminary

All values are as of January 1st each year

Tax Year	2017 P	2016	2015
Assessed Value	$3,288,362	$2,989,420	$1,519,036
Exemption Amount	$0	$0	$0
Taxable Value	$3,288,362	$2,989,420	$1,519,036

Tax Year	2017 P	2016	2015
Ad Valorem	$59,242	$51,418	$33,037
Non Ad Valorem	$9,763	$9,413	$9,275
Total tax	$69,005	$60,831	$42,312

THIS APPLICATION IS BEING MODIFIED TO ADD A SPECIAL EXCEPTION REQUEST TO THE ZONING APPLICATION TO ALLOW SUPPLEMENTAL OFF-SITE SHARED PARKING AT 230 ROYAL PALM WAY.

MODIFIED ZONING APPLICATION
TOWN OF PALM BEACH

MODIFIED Z-17-00020
(Zoning Case Number)

This application includes requests for:
X Site Plan Review
X Special Exception
___ Variance

TO BE HEARD BY THE TOWN COUNCIL ON DECEMBER 13, 2017 AFTER 9:00 A.M., IN THE TOWN OF PALM BEACH COUNCIL CHAMBERS LOCATED ON THE 2ND FLOOR, 360 SOUTH COUNTY ROAD, PALM BEACH.
Pursuant to the Town Zoning Code of Ordinances, Sections 134-172 (Special Exceptions and Variances) and/or 134-328 (Site Plan Review), this application is being sent to all property owners within 300' of the location of the subject zoning application. A copy of this application along with all exhibits such as large drawings and other supporting documents that are not attached to this application are available for inspection at the Town's Planning, Zoning & Building Department, 360 S. County Rd., east entrance, weekdays between the hours of 8:30 a.m. and 4:30 p.m. All interested persons may appear and be heard at said Public Hearing and may likewise submit written statements prior to and at said Public Hearing. If any person decides to appeal any decision made by the Town Council with respect to this matter, he/she will need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

I. **SUBJECT ADDRESS**: 264 and 270 So. County Rd AND 230 Royal Palm Way

Zoning District: C-TS and C-OPI

Fee Simple Property Owner's Name: Carriage House Properties Partners LLC, a Delaware limited liability company AND JHD ASSOCIATES, LLC

Legal Description: Lots K and L of PHIPPS PLAZA, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and For Palm Beach County, Florida, recorded in Plat Book 20, Page 72 AND See attached Exhibit "A" for legal description of 230 Royal Palm Way.

Name and address of person who can receive service of process for purposes of litigation in Palm Beach County: Maura Ziska, Esq. 222 Lakeview Ave, Suite 1500 W. Palm Beach, FL 33401
Applicant Name: Carriage House and JHD Associates, LLC
Contact phone: c/o Maura Ziska 561-802-8960

II. **DESCRIPTION OF THE REQUEST TO BE HEARD BY TOWN COUNCIL, citing applicable Town Zoning Code Section Number(s):**
A. Applicable Zoning Code Section Number(s):

1. Section 134-329 Review by Town Council.
2. Section 134-1109 Special Exception (4) Private social, swimming, golf, tennis and yacht clubs.
3. Section 134-2182(c) Special Exception for supplemental off-site shared parking in C-OPI Commercial Zoning District.

B. Description of request by Zoning Section Number(s):

1. **A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the C-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation:**

   Sunday through Wednesday 11:00 a.m. to 12:00 midnight;
   Thursday through Saturday 11:00 a.m. to 2:00 a.m.

2. **A request for a special exception to provide 68 night-time(after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House.**

III. APPLICATIONS CONTAINING SPECIAL EXCEPTIONS

If the application contains requests for Special Exceptions, complete **Exhibit B,** and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in Exhibit B (Requirements for granting Special Exceptions by the Town Council as stated in the Towns Zoning Code at Section 134-229).

Special Exception approval should be granted as the Carriage House will prove to be town serving based on the demographics of Palm Beach and the town serving report submitted herein. Furthermore, the special exception to provide 68 off-site shared parking spaces at the 230 Royal Palm Way should be approved as the criteria required to allow such will be met and the parking provides the most feasible location for additional parking considering the traffic circulation and valet operation. See below criteria:

Supplemental off-site shared parking. A commercial use may make available to another existing commercial use the former's required or supplemental parking spaces for use by patrons or employees if the following conditions are met:

1) Granting of such supplemental off-site shared parking shall not be granted to expand, enlarge or intensify an existing use or proposed use, or the development or redevelopment of a property or structure. **The proposed supplemental off-site shared parking is not intended to expand the use of the private club as the proposed number of members and the principle of equivalency requires zero (0) on-site parking spaces. The subject request is to alleviate parking concerns in the area.**
2) The applicant establishes to the satisfaction of the town staff, at the applicant's expense, that all other establishments using the existing parking spaces will primarily utilize these spaces at different times of the day, week, month or year from that of the applicant's use, and that the sharing of such parking spaces will not result in conflicting or overlapping usage of the parking facilities. **The proposed use of 68 parking spaces are to be used after 5 p.m. so there will not be any conflict with the office use of the same parking spaces.**
3) The owner of the parking lot shall enter into a written agreement with the town which identifies the number of shared parking spaces, the hours the shared parking will be used by other businesses, and the location of the shared parking within the parking lot. Said agreement shall have the applicant acknowledge that all parties sharing parking shall not have overlapping or conflicting hours of operation. In addition, as part of the written agreement, the supplemental shared parking lot owner shall be required to obtain a business tax receipt and annually provide the town with an inventory of those businesses and the number of spaces the businesses are individually using in the supplemental parking lot at the time of renewal of the business tax receipt. **To be provided if the subject application is approved.**

4) Supplemental off-site shared parking shall be only for uses no more than 1,500 feet from the off-site supplemental shared parking lot. **The subject parking lot is within 1500 feet of the proposed Carriage House Club.**

5) The applicant shall provide evidence which shall prove to the satisfaction of the town that the supplemental off-site shared parking use shall not cause over uses or parking congestion of the shared parking lot, or increase noise, light or traffic impacts upon neighboring residential districts. **The proposed parking lot is located around the corner on Royal Palm Way, which is a commercial area in town and becomes mostly vacant after 5 pm.**

IV. APPLICATIONS CONTAINING SITE PLAN REVIEW

If the application contains Site Plan Review, complete **Exhibit C**, and briefly describe below the reasons why such application should be approved. This explanation should be a summary of information provided in **Exhibit C** (Site Plan Review by Town Council as stated in the Town's Zoning Code at Section 134-329).

The Site Plan Review should be approved as there are no proposed modifications to the site.

V. SITE HISTORY

Please provide a detailed history in chronological order of all zoning-related requests processed on or after January 1, 1970 applicable to this property.

264 South County Road

Special Exception 28-93 requested 16 outdoor seats was denied.

Special Exception 30-95 with Variance was granted to allow 264 Grill to expand from 1,931 s.f. to exceed 2,000 s.f. and increase seats from 89 to 103 seats without providing the additional 5 parking spaces required.

Special Exception 36-97 was granted to allow restaurant to expand from 2,461 s.f. to 3,407 s.f. and allow 15 additional seats.

Special Exception 14-2005 requested 8 outdoor seats and allow a new operator with 118 seats approved as to new operator, denied as to outdoor seats.

270 South County Road

Special Exception 17-98 with Variance was granted to allow an office on the first floor in the C-TS Zoning District.

230 Royal Palm Way

Variance 18-2007 was *approved* to allow an identification sign for Fidelity Investments above the first floor to be at a height of 15.6 feet in lieu of the 15 foot maximum allowed.

Site Plan Review 2-2006 with SE and V was *approved* to modify the site plan, elevations and interiors of the buildings including upgrading the façade and a mansard style parapet roof proposed on the existing building along with two tower features. Reconfiguration of interior layout with no increase in gross leasable floor area. Enclosing the existing staircase in the rear of the building is proposed to increase security and maintain a consistent appearance.

Site Plan Review 15-2002 with Special Exception, Variances and Flood Variance to demolish and rebuild a four-story office building was *denied* by Town Council.

Special Exception 39-96 was *approved* to allow a variance for 1 required parking space for Muriel Siebert and Company stock brokerage firm.

MODIFIED Z-17-00020
Zoning Case Number

Respectfully submitted,

Applicant's Signature

Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

Co-Applicant's Signature
John O'Connor for JHD Associates, LLC

Property Owner's Signature
(or his/her duly authorized attorney)
Maura Ziska, Attorney for Carriage House
Typed name & telephone # 561-802-8960

Fee Simple Property Owner's Signature
John O'Connor for JHD Associates, LLC

EXHIBIT A

Legal Description of the Property

230 Royal Palm Way

This is a Non-Certified Copy

PARCEL 1:

Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

Together with:

An Access Easement contained in that Declaration of Covenants and Restrictions for The Seminole Building as recorded in Official Record Book 9970, Page 1164, Public Records of Palm Beach County, Florida, described as follows:

The South 135 feet of Lot 40, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida, LESS and EXCEPT the South 73 feet of the West 57 feet of Lot 40.

PARCEL 2:

Lot 40, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

Together with:

An Access Easement contained in that Declaration of Covenants and Restrictions for The Seminole Building as recorded in Official Record Book 9970, Page 1164, Public Records of Palm Beach County, Florida, described as follows:

The East 16 feet of the West 44 feet of the North 65 feet of Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

And

The South 135 feet of Lot 39, Block E, REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, according to the Plat thereof as recorded in Plat Book 4, Page(s) 1, of the Public Records of Palm Beach County, Florida.

MODIFIED Z-17-00020
Zoning Case Number

EXHIBIT B - REQUEST FOR SPECIAL EXCEPTION

1. The use is a permitted special exception use as set forth in article VI of this chapter.

A private club is a special exception use in the C-TS Zoning District. The building is a Town of Palm Beach Historic Landmark designed by Addison Mizner. It was previously a restaurant before it was abandoned and left vacant for the last several years. The proposal is to do an extensive renovation and upgrade the building to bring it back to its landmarked character and use it for a private club for Palm Beach residents. Supplemental off-site shared parking is allowed in the C-OPI Zoning District under Section 134-2182(c).

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 Club will not adversely impact the public health, safety, welfare or morals of the Town as the Carriage House will be an exclusive, upscale club with a small membership that will cater to Town of Palm Beach residents and their guests and offer lunch and dinner to their members as well as some special events. The club use will not create any additional noises or other nuisances then the previous restaurant and will not be a negative impact on the neighborhood. The building will be renovated to restore its landmarked design as well as be upgraded to meet current building codes. Supplemental off-site shared parking will protect the public as it will create additional parking spaces to be used at night and facilitate valet operations and traffic circulation.

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 Club will not affect the value of other properties in the neighborhood as the property is in a commercial zoning district and many of the current buildings are in disrepair. The applicant plans to do an extensive renovation to restore the buildings landmarked quality. The supplemental parking will not have an impact on value as it is in a commercial district that is vacant in the evenings.

4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

The proposed Club will be compatible with the neighborhood as a Club is a contemplated special exception use in the C-TS Zoning District. All of the requirements to meet concurrency have been or will be met. There are other private clubs in commercial and residential zoning districts throughout the Town.

5. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

The proposed Club and supplemental off-site shared parking will comply with all other yard, other open space and any special requirements set forth in Article VI.

6. The use will comply with all elements of the comprehensive plan.

The proposed Club and supplemental off-site shared parking will comply with the comprehensive plan, as further stated in Exhibit "E" attached hereto.

7. The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

The proposed Club will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district, as there will be limited changes to the exterior of the space except signage. Furthermore, the renovation will include state of the art soundproofing for window and interior walls and flooring which will further reduce any noise impacts. There will be interior garage holding space which will be kept inside until the trash collection occurs so odor will be minimized. The supplemental off-site shared parking will not impact adjoining properties as it will occur after hours when businesses in the area are closed.

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.

Adequate ingress, egress and parking is provided on site and on South County Road and surrounding streets where there is open parking. There is ample public street parking in the vicinity and the Club will have valet parking with pick upon South County Road. The proposed supplemental off-site shared parking spaces at 230 Royal Palm Way are not required per the code but will improve parking and valet operations for the members of the Club.

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.

The proposed signage will meet with the Town's requirements and be permitted as required by the Town of Palm Beach building department.

10. Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

The utility service will be upgraded if necessary.

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.

The refuse and service areas will be upgraded if necessary.

12. The proposed 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 townpersons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine its credibility and the appropriateness of the applicant's conclusions. 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 Club will be Town Serving as the members selected will account for 50% or more of the members are "townpersons". A town serving report will be submitted herein as further support.

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.

N/A

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.

The proposed Club should not place a greater burden on Town services as there is ample parking on the surrounding streets and the use as a Club is a less intense use as compared to other commercial operations such as restaurants. Furthermore, the supplemental off-site shared parking will reduce traffic and parking concerns.

MODIFIED Z-17-00020
Zoning Case Number

EXHIBIT C – SITE PLAN REVIEW

THE FOLLOWING ARE THE REASONS WHY THE SITE PLAN SHOULD BE APPROVED PURSUANT TO SECTION 134-329:

1. Sufficiency of statements on ownership and control of the subject property and the 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 the intended purpose and to ensure that such common facilities will not become a future liability for the Town.

The owner of the property is Carriage House Properties Partners LLC, a Delaware limited liability company and is the entity in control of the property. The property does not have any common open space, common facilities or common lands which would become a future liability for the Town.

2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon.

There are no site plan changes planned with this application.

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.

Ingress, egress, utilities and refuse collection will be improved.

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 or emergency.

The valet pick up will be in the same location as the previous restaurant, which was an acceptable location that worked well for the previous restaurant.

5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

No permanent external site plan changes are proposed.

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 capacity.

Drainage will remain the same or be upgraded if required.

7. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

The utility hook ups will remain the same or be upgraded if required.

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 the uses within the property, and the relationship to community-wide open spaces and recreation facilities.

N/A

9. Such other standards as may be imposed by this chapter for the particular use or activity involved.

N/A

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.

The building and site remain the same and there is no change to the height of the commercial structures.

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, 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.

The building and site remain the same and there is no change to the visible bulk or site.

MODIFIED Z-17-00020
Zoning Case Number

EXHIBIT D - PARKING STATEMENT

Please provide a detailed parking statement which includes details of all available off-street parking, including information regarding the number of parking spaces designated for service use (for example: lawn service, pool service, etc), staff/employee use, etc.

COMMERCIAL PROPERTIES MUST:

PROVIDE NUMBER OF OFF-STREET PARKING SPACES AVAILABLE FOR EMPLOYEES ON THE SUBJECT PROPERTY:

PROVIDE NUMBER OF EMPLOYEES/STAFF PER SHIFT:

INDICATE LOCATION WHERE EMPLOYEES PARK OFF SITE:

This provision is Not Applicable as a private club is not a commercial use per the definition of the code below in Section 134-1:

- ***Commercial use*** **means use of land or structures thereon or portions thereof, for the purpose of conducting business, including the provision of goods and/or services, not otherwise identified under the definition of other generic uses, to the general public or segments thereof. For the purposes of this definition, timesharing, motel and/or hotel uses and occupancy of residential properties for periods of less than three months more frequently than three times per calendar year shall be considered commercial uses.**

MODIFIED Z-17-00020
Zoning Case Number

EXHIBIT "E"

Land Use Element

- **OBJECTIVE 1:** Future growth and development within the Town shall be managed to maintain and enhance the Town's unique physical and historic character with emphasis on its visual qualities, and compatibility and harmony among its diverse land uses.

  Compliance: There are no new structures, no new uses, no additional impervious surface(s), the exterior of the existing structure will be preserved and there are no new subdivisions. The safe and convenient flow of traffic is being maintained. Therefore, this project complies with Objective 1.

- **OBJECTIVE 2:** Maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.

  Compliance: The proposed project will revitalize, refresh and invigorate the Carriage House back into its Historic Landmarked tradition. No new development or redevelopment is proposed. The existing "Town-Serving" function will remain as it has for numerous years. The commercial use will preserve and enhance the small-scale commercial quaintness of the town. The Carriage House application will remain a compatible use both is scale and character with the surrounding neighborhood. Therefore, this project complies with Objective 2.

- **OBJECTIVE 3:** Development orders or permits for new development or redevelopment shall be issued for construction in the floodplain or coastal high hazard area only if they meet the building elevations identified in the Flood Insurance Rate Maps (FIRM)

  Compliance: The existing building meets or exceeds the established FIRM elevation standards. Therefore, this project complies with Objective 3.

- **OBJECTIVE 4:** No new urban development shall be permitted on or over submerged lands or lands predominantly characterized by Tidal Swamp (TM) soils as identified in the Soil Survey of Palm Beach County.

  Compliance: The Carriage House has existed since approximately 1929. There's no new structures proposed and never has the site been consider constructed on submerged lands. Therefore, this project complies with Objective 4.

- **OJECTIVE 5:** Development orders and permits for new development or redevelopment, or building permits for developments that have been issued development orders prior to the adoption of the Comprehensive Plan, shall be issued only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.

  Compliance: A complete and through concurrency analysis has been conducted for this project. All existing infrastructure is in place to serve the project. There is no additional square footage being requested as a component of this application. All existing facilities and services are available to meet the Town's adopted level of service as established within the Capital Improvements

Element. Therefore, this project complies with Objective 5.

- **OBJECTIVE 6:** Efforts shall continue to be made to control blighting influences or other negative impacts to the Town, and redevelopment will be encouraged in areas experiencing deterioration, when appropriate.

  Compliance: The Town's Code of Ordinances proactively addresses potential problems and authorizes Code Enforcement to cite those property owners in need of remedial action. The adaptive reuse of this historic and treasured structure will demonstrate compliance with the Town's Code of Ordinances. Therefore, this project complies with Objective 6.

- **OBJECTIVE 7:** The number of uses incompatible with the range and location of land uses, identified in the Town's Future Land Use Plan Map, shall be reduced by attrition; and, no new uses shall be permitted that are inconsistent with the community's character and the Town's Future Land Use Plan Map.

  Compliance: The Town not only allows, but encourages historic and landmarked structures to be upgraded, maintained and used in a manner which maintains the historic character and overall property values of the community. The proposed project is compatible with the surrounding land use pattern. Moreover, this site has never been identified as a non-conforming use. Therefore, this project complies with Objective 7.

- **OBJECTIVE 8:** The Town shall protect its natural resources. The measurement of this objective is the extent to which natural resources are preserved.

  Compliance: This project intends to maintain the natural environment by designing the club to follow all applicable Town standards with respect to: (i) landscaping, (ii) drainage, (iii) protection of air quality, (iv) removal of prohibited plant materials and the like. Therefore, this project complies with Objective 8.

- **OBJECTIVE 9**: The Town shall protect its inheritance of structures and neighborhoods having historic or architectural merit. The measurement of this objective is the extent to which historic or architectural structures or neighborhoods are preserved, and the degree to which the following policies are implemented.

  Compliance: The proposed project clearly intends to protect this historically significant property and the site's aesthetic character and value through the active participation in the Town's Historic Landmarks Preservation Commission ("HLPC"). Any future modifications or alterations to the site will require HLPC approval. Therefore, this project complies with Objective 9.

- **OBJECTIVE 10:** The Town will coordinate and comply with any resource planning and management plan prepared pursuant to Chapter 380 FS.

  Compliance: This project and its owner will support the Town's efforts to continue to coordinate with other governments in securing full resources by the State and other agencies for programs of their design, creation and/or benefit, and continue to ensure the protection of local self-determination in matters which are not demonstrated to be of actual regional significance. Therefore, this project complies with Objective 10.

- **OBJECTIVE 11:** Provide for Planned Unit Developments, and other innovative regulations and techniques that will assist the Town in maintaining its high

standards, quality of life, and appropriate mix and location of land use types and structures; and, in ensuring that new development is compatible with existing surrounding properties.

- Compliance: While not directly applicable to this project, nevertheless, the club supports and encourage the Town to develop news LDR's which offer innovative regulations and techniques that will assist the Town in maintaining its high development standards, wonderful quality of life while ensuring that new development is compatible with existing surrounding properties. Therefore, this project complies with Objective 11.

- **OBJECTIVE 12:** The Town shall coordinate its coastal area population with the Regional Hurricane Evacuation Plan. The measurement of this objective will be the degree to which the Town coordinates with the appropriate Evacuation Plan.

  Compliance: The project supports the Town's education and notification process to emphasize the unpredictability of the power of an approaching storm and the need to evacuate early upon an evacuation warning. Therefore, this project complies with Objective 12.

- **OBJECTIVE 13:** The Town of Palm Beach shall continue to implement corrective measures on all access points identified by the Town as inadequate.

  Compliance: There are no new access points proposed by this project. The club intends to maintain the existing access features currently existing and in place for the entire site. Therefore, this project complies with Objective 13.

Historic Preservation Element:

The Carriage House application intends to maintain the historic and cultural significance of the property. The applicant clearly recognizes the important value of linking the past with the present while creating a unique community asset and a "sense of place" which offers a source of pride for the Town. The Carriage House application for a private club will:

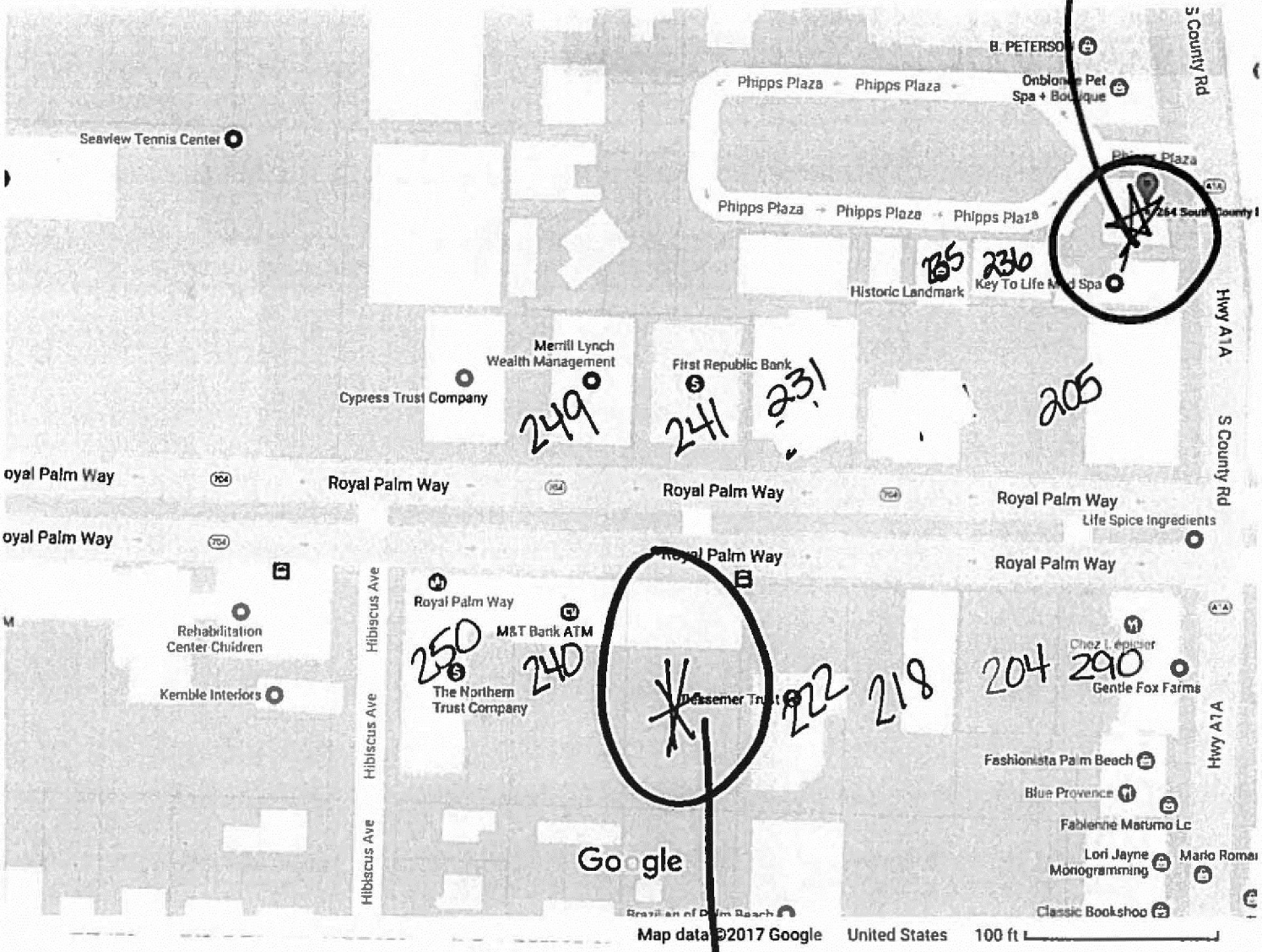
1. Safeguard/enhance that which reflects the Town's history and heritage
2. Stabilize and improve property values
3. Foster civic pride in the notable accomplishments of the Town's past
4. Protect the Town's attraction to residents and visitors
5. Strengthen the economy of the Town
6. Promote the education, pleasure and welfare of residents

- **OBJECTIVE 1:** The Town shall protect and preserve its prehistoric and historic resources. The measurement of this objective shall be the extent to which such resources are protected.

  Compliance: Beginning in 1927, structures designed, built or modified in Palm Beach have been regulated by an advisory body of the Town of Palm Beach. The original body was called the Art Jury. Members such as Addison Mizner, Maurice Fatio, and Charles Perrochet assisted in a sort of design critique to help ensure the beauty and visual harmony that made Palm Beach a unique community. The applicant recognizes that the subject structure, an Addison Mizner work, deserves the utmost care in preserving and protecting the past. The applicant fully commits to preserving and protecting the unique architectural and cultural feature(s) of the site. Therefore, this project complies with Objective 1.

264/270 S County Rd

Google Maps 264 S County Rd



Subject:

★ 264 & 270 S County Rd

&

230 Royal Palm Way

★ 230 Royal Palm Way

N

Town of Palm Beach Fire-Rescue

MEMORANDUM

DATE: August 21, 2017

TO: Paul Castro, Zoning Administrator

FROM: Martin DeLoach, Fire Marshal

RE: Zoning Case #Z-17-00020 – 246 & 270 S. County Rd.

Per the adopted fire code the occupancy number for the above structure is based on several factors:

ASSEMBLY USE	SQ. FT. PER PERSON	METER SQ. PER PERSON
Concentrated use, without fixed seating	7 net	0.65 net
Less concentrated use, without fixed seating	15 net	1.4 net
Bench-type seating	1 person per 18 linear in.	1 person per 455 linear mm.
Fixed Seating	Use number of fixed seats	Use number of fixed seats
Waiting spaces	See 12.1.7.2 and 13.1.7.2	See 12.1.7.2 and 13.1.7.2
Kitchens	100	9.3

The proposed 1st floor plan has identified several separate areas. The seats were counted in each area; however, the bench seating as per code allows one person for every 18 inches. I counted the seats aligned with the tables.

Kitchen 1,292 sq. ft.	1 person for every 100 square feet = 13 people		13 people
Parlor 397 sq. ft.	24 seats concentrated use 1 per seven sq. ft.		57 people
	Less concentrated use 1 person per 15 sq. ft.		26 people
Lounge 245 sq. ft.	10 seats	Concentrated	35 people
		Less Concentrated	16 people
Duck Bar	16 seats	Concentrated	64 people
		Less Concentrated	30 people
Café Lounge 911 sq. ft.	38 seats	Concentrated	130 people
		Less Concentrated	64 people
Lounge Bar 631 sq. ft.	10 seats	Concentrated	90 people
		Less Concentrated	42 people
Dining Area 1,687 sq. ft.	101 seats	Concentrated	241 people
		Less Concentrated	112 people

Total seats as shown in the proposed 1st floor plan is 214.

Total number of people for the 1st floor, using gross square footage calculating the less concentrated formula without defining staff serving areas versus patron areas is 300 people. This would be without any tables or chairs.

The proposed 2nd floor plan has four identified spaces:

Media Room 450 sq. ft.	8 seats	Concentrated	64 people
		Less Concentrated	30 people
Parlor 885 sq. ft.	23 seats	Concentrated	126 people
		Less Concentrated	59 people
Living Room 465 sq. ft.	26 seats	Concentrated	66 people
		Less Concentrated	31 people
Card Room 280 sq. ft.	20 seats	Concentrated	40 people
		Less Concentrated	49 people

The total number of seats that are on the proposed 2nd floor plan is 77.

The total occupancy on the 2nd floor using the concentrated formula is 296.
The total occupancy on the 2nd floor using less concentrated formula is 139.

The proposed seating for the 1st and 2nd floors based on seating counts form the proposed plans is 291.

The building will accommodate up to 926 people without tables and chairs based on the adopted code with one person for every 7 sq. ft.

The building will accommodate up to 439 people without tables and chairs based on the adopted fire code with one person for every 15 sq. ft.

Other factors that would be applied to the building to establish an occupancy number are not included in the data. There is an assumption that door and exit corridors meet the widths and are prescribed in the code.

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Date: September 1, 2017

To: Paul Castro (Town of Palm Beach)

Cc: John Page (Town of Palm Beach); Brian Mirson (American); David Bredahl (American)

From: Arpita Guha (American)

Subject: **Parking Analysis and Traffic Circulation Memorandum**

Carriage House Club located at 264 and 270 South County Road
North of Royal Palm Way and West of South County Road, Town of Palm Beach
American Project No: 5089725, Authorization # 28

The purpose of this memorandum is to evaluate the proposed land use change, parking requirements and traffic circulation for the proposed Carriage House Club located at 264 and 270 South County Road in the Town of Palm Beach.

The location was previously occupied as a quality restaurant, retail and residential uses but the quality restaurant closed several years ago and left vacant. The Carriage House is proposed to be an exclusive, upscale private club with a maximum membership of 264 (with 278 seats) that the applicant states will cater to the Town of Palm Beach, serving breakfast, lunch, dinner and hosting special club events.

The private club is of assembly use in nature and therefore, will require a majority of its parking spaces during club events all at one time unlike a quality restaurant, retail or residential that existed in those tenant spaces previously. A quality restaurant which existed in the past, has a typical turnover rate of an hour or longer but guests do not all arrive at the same time. Customers typically make reservations and arrive accordingly; therefore, demanding fewer parking spaces. Typically there are more special events in a private club than in a quality restaurant. The retail and the residential land uses that existed in the past also do not typically have trips arriving all at once.

PARKING ANALYSIS

The existing site does not provide for any off-street parking. All parking for the proposed club would be entirely dependent on on-street parking.

The zoning application for the Carriage House Club does not provide any customer/employee parking. The applicant did not address the number of employees working per shift at the proposed Club and where these employees would park. The application states that there are approximately 66 on-street parking spaces on South County Road and Phipps Plaza. The zoning application shows the calculations to document that the proposed club is allowed 66 parking spaces based on application of principle of equivalency in accordance with the Town of Palm Beach Code of Ordinance Section 134-2176 on existing use. While this is being categorized as a private club in the application, it more resembles a quality restaurant with private membership. In addition, these calculations were reviewed by the Town of Palm Beach staff and they believe that the parking calculations in the zoning application based on principle of equivalency are incorrect and that the proposed club will be allowed to inherit 58 parking spaces and not 66 spaces. The calculations for parking spaces based on existing use, includes an additional 15 seats for the quality restaurant that were granted by variance and also includes 2,101 square feet of retail instead of 1,888 square feet as stated in the application.

In context of these parking spaces, it should be noted that 30 of the 44 spaces along Phipps Plaza are "permit parking only" between the hours of 9:00 am and 12:00 am midnight and would not be available for the Carriage House Club's use. The remaining 14 are 2-hour parking between 9:00 am and 6:00 pm. Along South County Road, there are 22, two-hour, public on-street parking spaces for all area businesses to use.

To determine the number of parking spaces required for the Carriage House Club, we referenced the Town of Palm Beach Code of Ordinance Section 134-2176 and the Institute of Transportation Engineers (ITE) Parking Generation Manual 4th Edition. The Town of Palm Beach Code of Ordinance Section 134-2176 is based on the principal of equivalency. As noted above, a variance was granted for additional seats for the previous quality restaurant that the applicant now cannot use for the proposed use of a private club. The excerpts from these two sources used for estimation of parking demand have been attached to this memorandum as **Appendix A. Table 1** shows that the estimated parking requirements for a private club quality restaurant (which this use most resembles) with 278 seats would be between 93 (Town of Palm Beach ordinance) and 131 parking spaces (ITE, Parking Generation Manual). According to the zoning application, there are 66 on-street parking spaces available, of which 30 should not be included due to permit only parking (Phipps Plaza). The remaining 36, two-hour, public on-street parking spaces would not be available solely to the proposed Carriage House Club, but would be shared with the other businesses in the area.

While technically meeting the principal of equivalency of Zoning Code of Ordinance 134-2175 (f), the proposed Club would not have adequate ingress and egress, or off-street parking or loading under Section 134-229 (8) of the code. In reality, there is a parking space availability shortage of a minimum of 57 spaces. There is not enough available parking on the street to accommodate this use. There will be significant negative parking impacts and the application does not comply with Section 134-229 (8), (11) of the code related to parking, ingress/egress and service.

Table 1: Parking Supply vs Parking Demand for Proposed Land Use

Proposed Land Use	Parking Demand Town of Palm Beach (1a)	Parking Demand ITE (1b)	Parking Supply (2)	Parking Space Shortage
Private Club/Quality Restaurant with 278 Seats	93	131	66 of which *30* along Phipps Plaza are Permit Parking Only. Available public parking = 36	Based on Town of Palm Beach calculations: Shortage: 93 – 36 = 57
	Demand exceeds supply	***Demand exceeds supply***		Based on ITE calculations: Shortage: 131 – 36 = 95

(1a)Based on Town of Palm Beach Code of Ordinance Section 134-2176
(1b)Based on ITE Parking Generation Manual 4th Edition for peak period parking demand
(2)Source: Zoning Application Package Page 41 of the PDF received

TRAFFIC CIRCULATION

During the PM peak hour, the total trips generated by the proposed Carriage House Club would be 72 vehicle trips based upon the applicant's *Traffic Impact Analysis Statement* dated June 15, 2017. Even with this conservative trip generation rate, the additional trips would impact traffic circulation, as customers or valets look for available parking in the residential neighborhood of Phipps Plaza or surrounding residential streets and on South County Road. Moreover, breakfast and lunch hour operations and day-time charitable events are also anticipated for the proposed private club. During these day-time hours, the members and the guests of the proposed private club will be competing with the other businesses for available on-street parking.

The zoning application states that there will be a valet station on South County Road. As there is no on-street or off-street queuing available, this will cause extreme traffic circulation and congestion issues. Specifically, in the southbound direction, vehicle stacking at the valet station will cause queuing back-up into the intersection of Seaview Avenue and South County Road because of the close distance between Phipps Plaza and Seaview Avenue (less than 150 feet). This queuing would have a negative impact on Seaview Avenue and South County Road traffic operation. South County Road is a major roadway running north-south through the Town and is designated as State Road (SR) A1A. Any queuing issue or traffic back up along this critical north-south roadway will cause a negative effect to

the traffic circulation through the Town. Moreover, previous experiences have shown that car parking on South County Road result in queuing and blocking traffic impacting the traffic circulation in the area. The annual average daily traffic (AADT) on South County Road/SR A1A is 13,800 vehicles per day based on 2016 FDOT Florida Traffic Online.

Palm Beach Day Academy, located at 241 Seaview Avenue (575 feet west of South County Road), has an enrollment of 470 students in grades pre-primary (age 2) through grade 9. There is potential for traffic circulation and traffic congestion issues in the area during morning drop-off and afternoon pick-up times that coincide with the Carriage House Club hours of operation.

EMERGENCY VEHICLES

The valet station queuing on South County Road and the circulation issues caused by motorist searching for on-street parking would impact emergency vehicle response time. Palm Beach Fire Rescue Station # 2 is located approximately 1.2 miles north of the property.

CONCLUSION

The Carriage House is proposed to be an exclusive, upscale private membership club (with 278 seats) that the applicant states will cater to Town of Palm Beach serving breakfast, lunch, dinner and hosting special club events. The private club is of assembly use in nature and therefore, will require majority of its parking spaces during club events all at one time unlike a quality restaurant, retail or residential that existed in those tenant spaces previously. A quality restaurant which existed in the past, has a typical turnover rate of an hour or longer but guests do not all arrive at the same time. They make their reservation and arrive accordingly; therefore, demanding fewer parking spaces. Typically there are more special events in a private club than in a quality restaurant. The retail and the residential land uses that existed in the past also do not typically have trips arriving all at once.

The number of seats assigned to the proposed club in the application is 278. The maximum number of people the building could accommodate as proposed up to 439 without tables and chairs based on the adopted fire code of less concentrated assembly use with one person for every 15 square feet and up to 926 people without tables and chairs based on the adopted fire code of concentrated assembly use with one person for every 7 square feet. While we think these numbers are high, we think that there could be realistically 300 members and guests attend a club event at one time. The Carriage House Club traffic generated would congest the street network and overwhelm the parking in the Town for these types of event during peak season. This does not include the parking for the employees. The

detailed information on building occupancy received from the Town of Palm Beach Fire Marshal is included in **Appendix B**.

As submitted, the application for the proposed Carriage House Club does not meet minimum parking standard to warrant a change in land use. While technically meeting the principal of equivalency of Zoning Code of Ordinance 134-2175 (f), the proposed Club would not have adequate ingress and egress, or off-street parking or loading under Section 134-229 (8) of the code. There also may be significant negative impacts created with refuse or service areas, however, the applicant did not address Section 134-229 (11) related to this issue. In addition, the applicant failed to address employee parking, valet operations and where the refuse areas are and how they will be managed in a way to not negatively impact the area.

The application is found to be deficient in the following areas and no solution has been proposed.

- The applicant did not address the number of employees per shift, the parking requirements and where the employees would park.
- The applicant inaccurately indicated almost double the number of available parking spaces of what exists by including permit only spaces into account. The zoning application reflects incorrect parking information along Phipps Plaza.
- The applicant did not address special events as a part of the proposed private club and whether the club operation will have noise impacts on the community and neighborhood.
- The applicant did not request special exception for off-site shared parking. The application lacks identifying surrounding land-uses showing the location of potential parking, hours of operation and any restrictions that would apply.
- The applicant did not address service and loading areas for delivery trucks.
- The application lacks a detailed valet parking circulation plan showing drop-off/pick-up location (that will not impede local traffic circulation) and parking location(s) with capacity.
- The applicant did not provide any solution to handle the parking requirement when a large group of people arrive to attend an event in the proposed private club at the same time representing the typical assembly nature of the proposed land use.
- The application has a *Traffic Impact Analysis Statement* dated August 14, 2017 that includes parking calculations which are inconsistent with the zoning application.

- The *Traffic Impact Analysis Statement* should be revisited and revised in conjunction with the parking requirements and operations, especially at the intersection of Phipps Plaza and South County Road.
- The *Traffic Impact Analysis Statement* states a total of 46 parking spaces along Phipps Plaza compared to 44 spaces shown in the zoning application.

APPENDIX A

Parking Demand Estimation Sources

Sec. 134-2175. - Number of parking spaces required—Generally.

(a)

Under this division, the following shall be provided:

(1)

At the time of the erection of any building or structure, minimum off-street parking facilities shall be required with adequate provisions for ingress and egress, in accordance with sections 134-2172 through 134-2174 and the schedule of off-street parking requirements, as prescribed in section 134-2176.

(2)

At the time any building or structure is enlarged or increased in capacity by adding dwelling units, guestrooms, floor area or seats, minimum off-street parking facilities with adequate provisions for ingress and egress shall be required, in accordance with section 134-2 and sections 134-2172 through 134-2174 and the schedule of off-street parking requirements, as prescribed in section 134-2176.

(3)

Except as provided in subsection (f), at the time any use or occupancy of an existing building is changed to a new use or occupancy having differing off-street parking requirements, the parking requirement for the new use or occupancy shall be computed on the basis of the schedule of off-street parking requirements in the section 134-2176. This requirement shall be compared to the requirements of the existing use or occupancy, and, if the total number of spaces required under the new use or occupancy exceeds that of the existing use or occupancy, the difference shall constitute that number of additional off-street parking spaces to be provided, with adequate provisions for ingress and egress, in accordance with sections 134-2172 and the schedule of off-street parking requirements as prescribed in section 134-2176.

(b)

Except as provided in subsection (f), a use, building or structure, lawfully in existence at the effective date of this division, which shall be made nonconforming on the effective date of the ordinance from which this division derives or any applicable amendment thereto, may be continued even though off-street parking may not be provided in full compliance with this division, but the degree of nonconformity due to a deficiency in providing the required off-street parking spaces may not be increased, either by reducing the number of parking spaces which are provided on the effective date of the ordinance from which this chapter is derived or by changing the use or occupancy of an existing building to a use or occupancy which increases the requirement for off-street parking. For existing buildings or establishments therein which are nonconforming with respect to the current parking requirements, and which involve only those uses requiring one space per 200 or 250 square of gross leasable area, whichever is applicable, and which may be required under this chapter to provide additional parking spaces as a result of a change in use, such establishments shall be required only to provide that number of spaces over and above the number of spaces that would have been required at one space per 200 or 250 square feet of floor area gross leasable area, whichever is applicable.

(c)

Continued availability of required number of off-street parking spaces. After providing for the proper number of required off-street parking spaces so as to permit a principal use of property to be established as set forth in the schedule of off-street parking contained in section 134-2176, such required off-street parking shall continue to be available in undiminished number for sole use as an integral part of the continuance of the principal use(s) unless meeting the shared parking as provided for in sections 134-2177, 134-2178 and 134-2182. If for any reason such required off-street parking is not available at all times in connection with the principal use, such principal use shall be discontinued until such time as the proper number of required off-street parking spaces shall again be made available for use in connection with the principal use.

(d)

The principle of equivalency for evaluating off-street parking in existing uses is as follows:

(1)

Definition of principle of equivalency as applied to the schedule of off-street parking requirements. The principal of equivalency, as it relates to the schedule of off-street parking requirements, shall be defined as an automobile parking space required by section 134-2176 for establishing an inventory of automobile parking spaces for a conforming or nonconforming use of an existing building, or structure or use, for the purpose of determining the net off-street parking requirement for the establishment of a proposed new use to be permitted in the building, or structure or use.

(2)

In evaluating off-street parking for existing uses, the principle of equivalency shall be applied when the use or occupancy of an existing building is being changed to a new use or occupancy having a differing off-street parking requirement for the purpose of establishing compliance with this chapter.

(3)

The following floor area equivalencies may be used as a minimum guide in the application of the schedule of off-street parking requirements:

a.

One permanent seat equals six square feet of floor area in seating areas of occupancies requiring seating.

b.

One moveable seat equals 15 square feet of floor area in seating areas of occupancies requiring seating.

c.

The remainder of areas external to actual seating areas shall provide required parking according to the schedule of applicable parking requirements.

d.

One school student equals 20 square feet of floor area.

(e)

For the purpose of this section, a landmarked commercially zoned building is exempt from providing additional required off-street parking if increased occupancy or use is created by interior building improvements which create more gross leasable area. However, all other provisions of subsections (a) through (d) apply.

(f)

In the 200 Block of Peruvian Avenue and Bradley Place in the C-TS zoning district, existing buildings or establishments therein which are nonconforming with respect to the current parking requirements, and which involve only those uses requiring one space per 200 or 250 square feet of gross leasable area, whichever is applicable, shall not be required to provide additional parking spaces as a result of a change from a use which alters the parking ratio from one space per 250 square feet to a use which requires one space for every 200 square feet of gross leasable area.

(Ord. No. 2-74, § 6.21(C), 3-26-74; Ord. No. 1-99, § 2, 4-5-99; Ord. No. 1-00, § 8, 2-22-00; Ord. No. 1-04, § 37, 3-9-04; Ord. No. 5-09, § 30, 4-15-09; Ord. No. 5-2011, § 5, 3-9-11; Ord. No. 25-2015 , § 3, 11-12-15)

Sec. 134-229. - Requirements for granting.

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.

(2)

The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

(3)

The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

(4)

The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

(5)

The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

(6)

The use will comply with all elements of the comprehensive plan.

(7)

The use 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.

(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.

(10)

Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

(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.

(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.

(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.

(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.

(Ord. No. 2-74, § 6.40(a)—(m), (r), 3-26-74; Ord. No. 3-77, § 11, 3-29-77; Ord. No. 5-78, § 12, 3-31-78; Ord. No. 7-79, § 12, 3-30-79; Ord. No. 4-80, § 6, 3-31-80; Ord. No. 1-85, §§ 3(b), 4(d), (e), 2-11-85; Ord. No. 1-90, § 4(d), 2-5-90; Ord. No. 1-91, § 4(c), (d), 4-23-91; Ord. No. 1-96, § 7, 2-5-96; Ord. No. 1-99, § 6, 4-5-99; Ord. No. 2-2011, § 2, 7-13-11; Ord. No. 7-2014, § 9, 5-14-14)

Sec. 134-2176. - Same—Schedule.

The schedule of off-street parking required by this division shall be as follows:

Use			Spaces Required Per Unit
(1)	Single-family dwellings		Two per dwelling unit of 3,000 feet of floor area or less, plus one additional space per each 3,000 square feet or portion thereof of floor area above 3,000 square feet.
	Two-family dwellings and townhouses		Two per dwelling unit, plus one additional per each five family dwelling units or portion thereof. Any unit larger than 3,000 square feet shall provide three parking spaces plus one additional per each five dwelling units or portion thereof.
(2)	Multifamily dwellings (three units or more), number of units and required parking spaces as follows:		
	a.	Three	Eight
	b.	Four	11
	c.	Five	13
	d.	Six or more units	Two per dwelling unit plus one per five units or portion thereof
(3)	Houses of worship, theaters and auditoriums		One per four permanent seats in the main auditorium.
(4)	Social, swimming, golf, tennis and yacht clubs		One per four members.
(5)	Retail, commercial and personal service establishments and banks and financial institutions, excluding brokerage and trust companies		One per 200 square feet of gross leasable area (GLA)
(6)	Hotels, condo-hotels, motels, motor inns and timesharing uses		One and three-fourths per unit with two or fewer rooms, and 2.75 per unit with more than two rooms; plus one for each 2.5 seats of conference capacity including auditorium, ballroom, banquet facilities, convention hall, gymnasium, meeting rooms, or other similar places of assembly.
(7)	Libraries, museums and nonprofit cultural centers		One per 500 square feet
(8)	Medical or dental offices or clinics		One per 250 square feet of gross leasable area (GLA)
(9)	Restaurants, nightclubs or other eating places		One for each three proposed fixed seats, and/or one for each 45 square feet of floor area in the proposed public seating area not

			having fixed seats, plus one for each 300 square feet of floor area in the remainder of the floor area
(10)	Reserved		
(11)	Schools (public or private):		
	a.	Grades one—six	One per 14 students
	b.	Grades seven—nine	One per nine students
	c.	Grades ten—12	One per three students
(12)	Accessory commercial retail and service uses in hotels and condo hotels		One per 250 square feet except for a restaurant, nightclub, bar, or other entry place which shall require the same as subsection (9) of this section, and except for conference facilities and similar places of assembly which shall require the same as subsection (6) of this section
(13)	Office, professional and business service establishments, institutions, institutions, and brokerage and trust companies		One per 250 square feet of gross leasable area (GLA)
(14)	Group home and foster care facilities		One space per each four resident occupants or fraction thereof, plus one per each employee in the largest work shift, with a minimum of two parking spaces
(15)	Required off-street parking exception for commercial parking garages in the C-WA zoning district		Number of required parking spaces attributed to uses on a commercial property within a parking garage in the C-WA district may be reduced by a maximum of 15 percent in order to provide off-site supplemental parking for other off-site commercial uses in the same district. The application can only be approved if the property owner provides evidence satisfactory to the town at the time of application and on an annual renewal basis that said parking exception will not negatively impact the parking of all on-site uses. Those off-site commercial uses in the C-WA district that are allowed to share the parking garage shall not be allowed to use said shared parking as a basis to develop or redevelop property, or expand or intensify the use of property. (See footnote 1 for requirements in granting an exception)

Footnote 1: An off-street parking exception application may be approved or denied by the director of planning, zoning and building or designee after 15 days of a legal notice being published in a

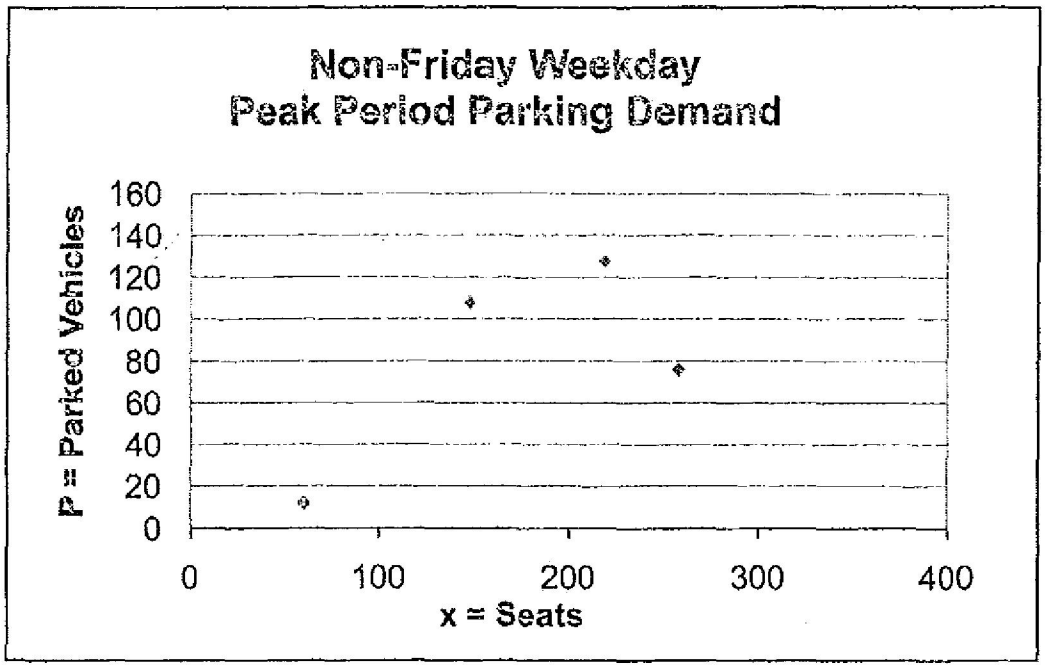
newspaper of general circulation in Palm Beach or West Palm Beach with a summary of the request for such off-street parking exception. Said notice shall be paid by the applicant and shall not be part of the application fee. Any approval or denial of an application for an exception to the off-street parking requirements in subsection (15) of this section may be appealed to the town council based on sections 134-141—134-145 of the Code. There shall be no fee associated with this type of an administrative appeal.

(Ord. No. 2-74, § 6.21(C), 3-26-74; Ord. No. 1-84, § 4(d), 3-1-84; Ord. No. 1-92, § 4(a), 2-3-92; Ord. No. 1-94, § 4(a), (e), 2-7-94; Ord. No. 1-95, § 2(a), 1-23-95; Ord. No. 1-96, § 10, 2-5-96; Ord. No. 1-97, § 3, 2-17-97; Ord. No. 1-99, § 27, 4-5-99; Ord. No. 1-00, § 9, 2-22-00; Ord. No. 1-01, § 7, 2-19-01; Ord. No. 1-04, § 11, 3-9-04; Ord. No. 5-09, § 24, 4-15-09; Ord. No. 7-09, § 7, 5-13-09; Ord. No. 25-2015, § 4, 11-12-15)

Land Use: 931
Quality Restaurant

Average Peak Period Parking Demand vs. Seats
On a: Non-Friday Weekday

Statistic	Peak Period Demand
Peak Period	7:00–8:00 p.m.
Number of Study Sites	4
Average Size of Study Sites	171 Seats
Average Peak Period Parking Demand	0.47 vehicles per seat
Standard Deviation	0.24
Coefficient of Variation	52%
Range	0.20–0.73 vehicles per 1,000 sq. ft. GFA
85th Percentile	0.67 vehicles per 1,000 sq. ft. GFA
33rd Percentile	0.34 vehicles per 1,000 sq. ft. GFA



APPENDIX B

Information on Building Occupancy from

Town of Palm Beach Fire-Rescue Department

Town of Palm Beach Fire-Rescue

MEMORANDUM

DATE: August 21, 2017

TO: Paul Castro, Zoning Administrator

FROM: Martin DeLoach, Fire Marshal

RE: Zoning Case #Z-17-00020 – 246 & 270 S. County Rd.

Per the adopted fire code the occupancy number for the above structure is based on several factors:

ASSEMBLY USE	SQ. FT. PER PERSON	METER SQ. PER PERSON
Concentrated use, without fixed seating	7 net	0.65 net
Less concentrated use, without fixed seating	15 net	1.4 net
Bench-type seating	1 person per 18 linear in.	1 person per 455 linear mm.
Fixed Seating	Use number of fixed seats	Use number of fixed seats
Waiting spaces	See 12.1.7.2 and 13.1.7.2	See 12.1.7.2 and 13.1.7.2
Kitchens	100	9.3

The proposed 1st floor plan has identified several separate areas. The seats were counted in each area; however, the bench seating as per code allows one person for every 18 inches. I counted the seats aligned with the tables.

Kitchen 1,292 sq. ft.	1 person for every 100 square feet = 13 people		13 people
Parlor 397 sq. ft.	24 seats concentrated use 1 per seven sq. ft.		57 people
	Less concentrated use 1 person per 15 sq. ft.		26 people
Lounge 245 sq. ft.	10 seats	Concentrated	35 people
		Less Concentrated	16 people
Duck Bar	16 seats	Concentrated	64 people
		Less Concentrated	30 people
Café Lounge 911 sq. ft.	38 seats	Concentrated	130 people
		Less Concentrated	64 people
Lounge Bar 631 sq. ft.	10 seats	Concentrated	90 people
		Less Concentrated	42 people
Dining Area 1,687 sq. ft.	101 seats	Concentrated	241 people
		Less Concentrated	112 people

Total seats as shown in the proposed 1st floor plan is 214.

Total number of people for the 1st floor, using gross square footage calculating the less concentrated formula without defining staff serving areas versus patron areas is 300 people. This would be without any tables or chairs.

The proposed 2nd floor plan has four identified spaces:

Media Room 450 sq. ft.	8 seats	Concentrated	64 people
		Less Concentrated	30 people
Parlor 885 sq. ft.	23 seats	Concentrated	126 people
		Less Concentrated	59 people
Living Room 465 sq. ft.	26 seats	Concentrated	66 people
		Less Concentrated	31 people
Card Room 280 sq. ft.	20 seats	Concentrated	40 people
		Less Concentrated	49 people

The total number of seats that are on the proposed 2nd floor plan is 77.

The total occupancy on the 2nd floor using the concentrated formula is 296.
The total occupancy on the 2nd floor using less concentrated formula is 139.

The proposed seating for the 1st and 2nd floors based on seating counts form the proposed plans is 291.

The building will accommodate up to 926 people without tables and chairs based on the adopted code with one person for every 7 sq. ft.

The building will accommodate up to 439 people without tables and chairs based on the adopted fire code with one person for every 15 sq. ft.

Other factors that would be applied to the building to establish an occupancy number are not included in the data. There is an assumption that door and exit corridors meet the widths and are prescribed in the code.

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 6/29/17

APPLICATION NO.: Z-17-00020 **APPLICATION TYPE:** SPECIAL EXCEPTION WITH SITE PLAN REVIEW

ADDRESS: 264 S COUNTY RD SUITE: SITE

DESCRIPTION: PLEASE NOTE: THIS PROJECT ENCOMPASES BOTH 264 & 270 S COUNTY RD. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the C-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	7/14/2017	No Comment.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	8/29/2017	I am concerned about the logic that each vehicle will have 4 occupants; I believe that we will see single occupancy vehicles and couples. It would take all spaces available to handle the proposed club attendees during large events. Will all available spaces be open?
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	7/14/2017	Proposal shows a increase in occupancy with tables. We need a life safety plan with exit corridors and travel distance. Parking concerns for Emergency Vehicle access.
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	7/14/2017	I have no comment regarding this project.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	7/14/2017	No Comment.
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	7/14/2017	Conversion of "restaurant" to "club" equals intensification of use. Absence of off-street parking will create constant traffic circulation problems. Applicant must produce traffic concurrency documentation, acceptable to the Town, attesting to the adequacy of parking and traffic circulation.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	7/14/2017	No Comment.

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 6/29/17

PZB - ZONING	Paul Castro, Zoning Administrator	7/14/2017	The principle of equivalency calculations are incorrect. The applicant cannot use previously granted relief for a different land use in its calculations. The application also is also difficient as there is no reference to who the representative of "Carriage House" is on the applicant line. I believe there will be significant negative impacts to South County Road in that area and Phipps Plaza. There is absolutley no off-street parking for this use and assembly of club members for events will increase parking demand in that area. Staff will be requiring concurrency and a parking and traffic circulation study by the Town's consulant as part of the Town's reivew of the application. In addition, Exhibit C of the application related to the Parking Statement is not completed. The application requires a detailed parking statement which includes details of all available off-street parking. There is no information regarding the number of employees per shift nor any indication where employees would park. The attorney wrote "N/A", not applicable. See memorandums from American Consulting Engineers of Florida regarding parking and traffic circulation and traffic concurrancy (attached).

PLANNING, ZONING & BUILDING DEPARTMENT
DEPARTMENTAL COMMENTS MEETING

Z-17-00020 Date of Meeting: 8/13/17

Address: 264 S. County Rd

Please provide comments in the designated space, along with a detailed explanation.

POLICE DEPARTMENT
NO COMMENT ✓ COMMENTS _____

Name Ben Hurd Position Capt Signature [signature] Date 6/29/17

FIRE-RESCUE DEPARTMENT
NO COMMENT _____ COMMENTS Proposal shows a increase in occupancy with Table W. need a life Safety plan with exit corridor & travel distances. Parkin Concern for Emergency Vehicles 90 days

Name Marcia DeLoach Position Fire Marshal Signature [signature] Date 6-29-2017

PUBLIC WORKS DEPARTMENT
NO COMMENT _____ COMMENTS _____

Name Position Signature Date

COMPREHENSIVE PLAN & ARCOM/LPC
NO COMMENT ✓ COMMENTS _____

Name John Lindgren Position Plan. Admin Signature [signature] Date 7/7/17

BUILDING
NO COMMENT ✓ COMMENTS _____

Name William Bucklew Position Building Official Signature [signature] Date 6/29/17

ZONING
NO COMMENT_____ COMMENTS The principle of equivalency calculations are incorrect. The applicant cannot vary previously granted relief for a different land use in the calculations
Name Paul Castro Position Zoning Admin. Signature Paul Castro Date 6/29/17

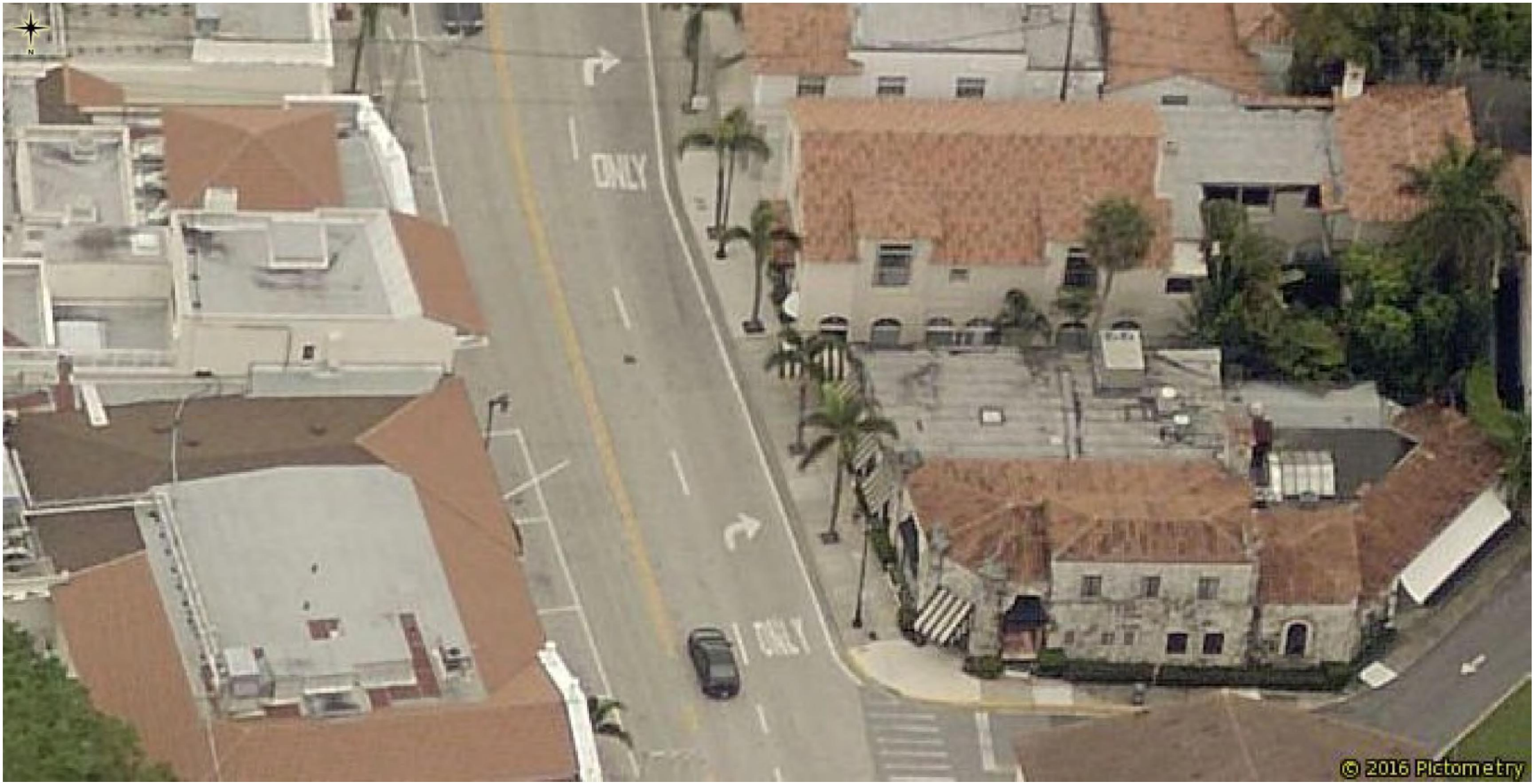
TOWN MANAGER
NO COMMENT ✓ COMMENTS_____
Name JAY RUDNITSKY Position Deputy TM Signature [signature] Date 7-13-17

PLANNING, ZONING & BUILDING DEPARTMENT
NO COMMENT_____ COMMENTS_____
Conversion of "restaurant" to "Club" = intensification of use. Absence of off-street parking will create constant traffic circulation problems.
John Pepe 6/29/17
DIRECTOR, PLANNING, ZONING & BUILDING DATE

OTHER: The application also is also deficient as there is no reference to/or the representative of "Equinox House" is on the applicant team. I believe there will be significant negative impacts to South County Road in that area and Phipps Plaza. There is absolutely no off-street parking for this use and ~~[illegible]~~ assembly of Club members for events will increase parking demand in that area. Staff will be requiring concurrence and a parking and traffic circulation study by the Town's Consultant as part of the Town's review of the application.

In addition, Exhibit C of the application related to the Parking Statement is not completed. The application requires a detailed parking statement which includes details of all available off-street parking. There is no information regarding the number of employees per shift nor any indication where employees would park. The attorney wrote "N/A" not applicable

Turn Lane in Front of 264 S County



01/31/2016



FIGURE 2
Parking Lot Location
Carriage House
KHA # 14037900

Kimley»Horn

The Law Offices of
BRETON, LYNCH, EUBANKS & SUAREZ-MURIAS, P.A.

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December 6, 2017

Via Email
Paul Castro, Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Via Email
John C. Randolph, Esq.
Jones Foster Johnston & Stubbs, P.A.
505 South Flagler Drive, Ste. 1100
West Palm Beach, FL 33401

Re: Objection to Modified Application for Special Exception for Off-Street Parking for Proposed Carriage House Club at 264 and 270 South County Road For Improper Location of Valet Stand in FDOT Right-of-Way Zoning Case # Z-17-00020

Dear Paul and Skip:

As you know, our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners"). In that capacity it has come to our attention that Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") is proposing to utilize a valet stand located on the A1A right-of-way in the public parking spaces and "passenger loading zone" just north of Phipps Plaza as part of its Modified Application to change the use of those properties located at 264 and 270 South County Road ("Property") from an abandoned restaurant, retail store, and apartments into a private club ("Club"). Please be advised that the Florida Department of Transportation ("FDOT") has indicated that no such use can be made of its right-of-way absent the entry into a lease of its right-of-way property along with the required permits, which have not been applied for by the Applicant.

More specifically, upon inquiry by Mrs. Volk as to whether Carriage House had a permit to place its valet stand[1] for the Club at the proposed location, she received the attached e-mail from Susan Day, the FDOT District Right of Way Manager. Ms. Day indicated that "[i]n actuality, any continuing use of the Department's right-of-way ***for a business would not be allowed by permit but by a lease.***" (emphasis added). Ms. Day further stated that "it does not appear that we have been contacted by the developer regarding the possibility of a lease." However, in the event there was an application she "would circulate a request internally ... ***to determine if a lease could even be granted in a given location.***" (emphasis added) At that time "[a]ll transportation needs and requirements are considered during this review." To the extent there was any objection "***we would not move forward***

[1] While Ms. Volk's inquiry was regarding the valet stand, the same issues are present for the use of the area for the loading zone for the Club.

unless the objection is able to be addressed and lifted." (emphasis added) At the same time, Ms. Day provided Ms. Volk the attached guidelines for leasing which indicate that "the average time [to process a lease request] takes ***four to six months*** from the date of receipt … ." (emphasis in original) As a result, until such time as the Applicant has secured the proper lease and permission from the FDOT to utilize its right-of-way, clearly the Town Council cannot move forward with (much less approve) the Carriage House's Modified Application seeking to utilize FDOT right-of-way as the proposed location for the Club's valet and loading zone.

Very truly yours,

John R. Eubanks, Jr.

JRE:mar
Attachment

cc: Mayor and Town Council Members
Thomas G. Bradford, Town Manager
Town Clerk

From: Susan.Day@dot.state.fl.us
To: volklory@aol.com
Sent: 11/30/2017 4:52:19 PM Eastern Standard Time
Subject: Leasing FDOT property

This is to follow up with you in writing regarding an earlier conversation we had today about your concerns regarding the proposed Carriage House Club located at 264 South County Road in Palm Beach. You asked if a permit had been applied for to allow the operation of a valet stand in the Department's right-of-way. In actuality, any continuing use of the Department's right-of-way for a business would not be allowed by permit but by a lease. In this instance, it does not appear that we have been contacted by the developer regarding the possibility of a lease.

As I mentioned, my office serves as the coordinator for all lease requests from the public and would circulate a request internally to other offices in order to determine if a lease could even be granted in a given location. All transportation needs and requirements are considered during this review, and all units must agree that a lease could be executed before we proceed in the process. If one office has an objection to a lease, we would not move forward unless the objection is able to be addressed and lifted.

I am attaching our guidelines for leasing and am also including a link to our procedure below, in case you would like additional information:

http://www.fdot.gov/rightofway/documents/ROWmanual/ch10s06.pdf

I hope this is helpful to you. Regards - Susan

Susan Day

District Right of Way Manager

Florida Department of Transportation - District Four

3400 W. Commercial Blvd., Fort Lauderdale, FL 33309

(954) 777-4290

susan.day@dot.state.fl.us

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)
A BRIEF GUIDELINE FOR THE PURCHASE OR LEASE OF FDOT-OWNED PROPERTY

If you have expressed an interest in purchasing or leasing FDOT-owned property, there is a process that we are required to follow in order to evaluate your request. The time for this process varies, but the average time takes ***four to six months*** from date of receipt of your inquiry. Complex cases may take longer. Please see the table on page two for detailed information regarding time frames.

The first thing FDOT must do is determine if FDOT does own the property and if the property may indeed be sold or leased. In order to make this decision, the following information is needed in order to expedite the handling of your request:

- ✓ Letter or e-mail making request noting intended use of / need for the property. Letter or e-mail should include the name and address of interested party (applicant) and whether he or she is an abutting owner or tenant;
- ✓ The size and location of the property requested for lease or purchase, containing sufficient information to precisely locate the property on a detailed FDOT map, as well as a simple sketch or drawing to help identify the property;
- ✓ Proof of FDOT ownership (title and/or State Project and Parcel Number), if available; and
- ✓ If a lease is requested, the proposed use of the property. **NOTE: No signs will be permitted on leased property.**

Typically, it takes four to six weeks for FDOT to assess whether the property may be eligible for sale or lease. This involves consultation with the various units within FDOT and, if it is determined that the property may be sold or leased, culminates in the District Secretary officially making a declaration to this effect. During the process, you will be notified of any limitations or restrictions that may exist in your situation and will of course be notified of the final decision. NOTE: If Federal funds were used when FDOT originally purchased the property, the Federal Highway Administration (FHWA) or Director of the Office of Right of Way must concur with any decision to sell or lease the property. This adds another layer to the processing time.

In addition to the above, the following will apply if the property is determined available for sale or lease:

- ❖ The property must be surveyed and a legal description prepared. Depending on FDOT workload, FDOT may request that this be done at the applicant's expense. FDOT must review and approve the legal description. **Do <u>not</u> proceed in having this done until FDOT has requested you to do so.**
- ❖ The property must also be appraised. Again, depending on FDOT workload, FDOT may request that this be done at the applicant's expense. The applicant must choose a State certified general real estate appraiser and the appraisal must meet certain state standards. FDOT must review the appraisal to determine that it does indeed meet those standards. If it does not, it will be rejected, with specific reasons cited, and the appraisal must be corrected until standards are met. If the appraisal is not approved by FDOT as having met standards, the applicant will not be reimbursed for this cost. **Again, do <u>not</u> proceed in having this done until FDOT has requested you to do so.** FDOT also has the right not to sell or lease its property. In the event that FDOT chooses not to sell or lease the property after the applicant has been authorized to have an appraisal prepared, the applicant will be reimbursed for the appraisal and, if applicable, the survey costs.
- ❖ In most situations, FDOT must offer the property to the public through a competitive bid process. If someone other than the applicant is the successful bidder, the applicant will be reimbursed for the cost of the appraisal and the survey, if applicable. In some situations, it may be possible to negotiate a sale or lease, although this is the exception rather than the rule. You will be notified as to whether the property may be negotiated or if it must go to public sale. If a lease may be negotiated, the applicant would be required to submit a signed and notarized affidavit confirming his or her ownership or tenancy of adjacent property, with a copy of a deed or lease for that property attached. Other relevant information may be requested by FDOT, as well. If FDOT and the applicant are unable to reach agreement during negotiations, FDOT may then offer the property to the public through the competitive bid process. **NOTE FOR SALES ONLY:** In all cases where the property is declared to be surplus and available for sale by public bid and in some cases where the sale may be negotiated, statute requires that the local municipality in whose jurisdiction the property is located may be given the right of first refusal to acquire the property. If the right of first refusal is given to the local government, the local government shall notify FDOT if it is interested in exercising its right of first refusal to acquire the property. If a negative response - or no response at all - is received, FDOT will proceed to the next step, which is the sale of the property.
- ❖ The **buyer or lessee** is to pay **<u>all</u>** costs including closing costs, fees, documentary taxes, and other related expenses, including the appraisal and any survey costs. Proof of payment of appraisal and survey costs that have been incurred by the applicant and approved by FDOT must be provided to FDOT for reimbursement by the successful buyer or lessee, if different than the applicant.
- ❖ FDOT is required to retain certain mineral rights in our deeds when selling property, unless written justification providing a reason not to do so is submitted by the applicant and accepted by FDOT.

Please address all inquiries to:
Florida Department of Transportation, Right of Way Office, Property Management, Third Floor, Attn: Property Management Administrator, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421. Telephone: (954) 777-4242 - Facsimile: (954) 777-4261 – E-mail: dan.marwood@dot.state.fl.us

Typical Time Frames	
Action	**Time Required (Estimate)**
Circulation to all FDOT Department Heads	4 – 6 weeks
Create a Sketch and Legal Description	3 weeks
Produce an appraisal	3 months
Appraisal Review	1 month
Lease Renewal	3 – 4 weeks (Note: This is after the appraisal is received)

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December 5, 2017

Via Email
Paul Castro, Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Via Email
John C. Randolph, Esq.
Jones Foster Johnston & Stubbs, P.A.
505 South Flagler Drive, Ste. 1100
West Palm Beach, FL 33401

Re: Objection to Modified Application for Proposed Carriage House Club at 264 and 270 South County Road
Violation of Minimum Number of Handicapped Parking Spaces
Zoning Case # Z-17-00020

Dear Paul and Skip:

As you know, our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners"). In that capacity it has come to our attention that the plans and designs submitted by Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") as part of its Modified Application for the substantial alterations required to change the use of those properties located at 264 and 270 South County Road ("Property") from an abandoned restaurant, retail store, and apartments into a private club ("Club") do not include any handicapped parking whatsoever. For this reason alone, the Modified Application should be denied.

As you are aware, Chapter 553 of the Florida Statutes entitled the "Florida Americans with Disabilities Accessibility Implementation Act" sets forth the minimum handicapped accessibility standards within the State. In doing so, Section 553.503 both adopts the Florida Accessibility Code for Building Construction ("FACBC") as well as incorporates the Federal Americans with Disabilities Act ("ADA") Standards for Accessible Design and related regulations provided in 28 C.F.R. parts 35 and 36 and 49 C.F.R. part 37.

More importantly, F.S. §553.513 provides that ***"[i]t shall be the responsibility of each local government and*** each code enforcement agency ... ***to enforce the provisions of this part.***" (emphasis added). As a result, the courts have found that a city has a statutory, non-discretionary duty to comply with the accessibility issues identified under Chapter 553. Despite this statutory duty, the Applicant's Site Plan has absolutely no provision for any handicapped parking spaces.

Lest the Applicant claim that it is not required to comply with Chapter 553, it is very clear under Section 201.1 of the FACBC that "[t]his code establishes standards for accessibility to places

of public accommodation and commercial facilities by individuals with disabilities Florida [and] ***shall also apply … to private clubs*** pursuant to Section 553.505 F.S." (emphasis added). As such, the proposed Carriage House Club must meet the standards of both the ADA and the FACBC, including those for both the minimum number of parking spaces and the size thereof.

The FACBC sets forth the detailed requirements for accessibility issues including parking. Section 208.2 of the FACBC along with Table 208.2 establishes the minimum number of accessible parking spaces required. In accordance with the American Consulting Engineers Report dated September 1, 2017, with 278 seats available in the Club, the minimum number of parking spaces required for the Club would be between 93 (under the Town's Ordinances) and 131 parking spaces (ITE, Parking Generation Manual). The Applicant appears to have since reduced the total number of seats available to 264 within its Modified Application, which would equate to a minimum number of 89 parking spaces (under the Town's Ordinances) and 125 spaces (under the ITE Parking Generation Manual). Using even the smallest of these numbers, a simple review of Table 208.2 of the FACBC (a copy of which is attached hereto) demonstrates that the Club would (at a minimum) require 4 accessible parking spaces, including one van accessible space in accordance with Section 208.2.4.

However, there are ***no handicapped spaces identified at all*** within the Carriage House Application plans or presentations. Given that it is the Town's "responsibility to enforce the provisions" of Chapter 553 and the ADA, neither the Applicant nor the Town can overlook the minimum handicapped parking requirements under both State and Federal Law. As such, the Modified Application must be denied in its present format.

Very truly yours,

John R. Eubanks, Jr.

Enclosure

cc: Mayor and Town Council Members
Thomas G. Bradford, Town Manager
Town Clerk

Table 208.2 Parking Spaces

Total Number of Parking Spaces Provided in Parking Facility	Minimum Number of Required Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

Advisory 208.2 Minimum Number. The term "parking facility" is used Section 208.2 instead of the term "parking lot" so that it is clear that both parking lots and parking structures are required to comply with this section. The number of parking spaces required to be accessible is to be calculated separately for each parking facility; the required number is not to be based on the total number of parking spaces provided in all of the parking facilities provided on the site.

208.2.1 Hospital Outpatient Facilities. Ten percent of patient and visitor parking *spaces* provided to serve hospital outpatient *facilities* shall comply with 502.

Advisory 208.2.1 Hospital Outpatient Facilities. The term "outpatient facility" is not defined in this code but is intended to cover facilities or units that are located in hospitals and that provide regular and continuing medical treatment without an overnight stay. Doctors' offices, independent clinics, or other facilities not located in hospitals are not considered hospital outpatient facilities for purposes of this code.

The Law Offices of
BRETON, LYNCH, EUBANKS & SUAREZ-MURIAS, P.A.

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December 6, 2017

Via Email
Paul Castro, Zoning Administrator
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

Via Email
John C. Randolph, Esq.
Jones Foster Johnston & Stubbs, P.A.
505 South Flagler Drive, Ste. 1100
West Palm Beach, FL 33401

Re: Objection to Modified Application for Special Exception for Off-Street Parking for Proposed Carriage House Club at 264 and 270 South County Road Due to Failure to Meet Traffic Performance Standards Zoning Case # Z-17-00020

Dear Paul and Skip:

Once again, our office represents John and Lory Volk, the property owners of 206 Phipps Plaza, John Schaefer, the owner of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza (collectively "Neighboring Property Owners"). In that capacity it has come to our attention that the Modified Application by the Carriage House Properties Partners, LLC ("Carriage House" or "Applicant") is fatally deficient in that there is no evidence that it meets the Palm Beach County Traffic Performance Standards ("TPS"). As such the Town Council cannot consider, much less approve, the Modified Application.

As you are aware, Article 12 of the Palm Beach County Unified Land Development Code prohibits a municipality from issuing any "Site Specific Development Order," including a special exception, unless the applicant submits evidence to the Town that the proposed project conforms to the County TPS. The Applicant has failed to submit sufficient evidence of such conformity.

While the Applicant may argue that it has provided the Town with a letter from the County Engineering Department dated June 20, 2017 (the only letter from the County contained in response to our office's Public Records Request) to satisfy the TPS requirements, such letter is clearly insufficient. The June 20, 2017 letter is specifically based upon a May 24, 2017 Traffic Impact Analysis from Kimley-Horn with a revision date of June 15, 2017. The record, however, reflects that Kimley-Horn subsequently revised its Traffic Impact Analysis multiple times ***after*** the County letter. Therefore, the County letter is not based on the most current Traffic Impact Statement.

Moreover, the revisions to the Kimley-Horn Traffic Impact Analysis were substantial. The August 30, 2017 version of the Traffic Impact Analysis (the last one we have received from the

Town in response to our Public Records Request) increased both the "net new daily trips" and the "net new pm peak hour trips." The net new daily trips increased from 67 to 377 trips (an increase of 310 trips), while the net new pm peak hour trips increased from 7 to 36 trips (an increase of 29 trips). These new traffic impacts have not been presented to or considered by the County Traffic Division. Therefore, the County letter cannot be accepted as evidence of compliance with the County TPS.

More importantly, the County Engineering Letter does not include or make any analysis regarding the new Special Exception for Supplemental Off-Site Parking contained within the Modified Application filed by the Applicant. At the time the June 20, 2017 County Engineering Letter was issued, Carriage House had only applied for a single Special Exception "for a special exception with site plan review approval to allow a private club 'Carriage House' to operate at 264 and 270 South County Road." The second Special Exception for Supplemental Off-Site Parking at 230 Royal Palm Way was not filed until October 2017 as part of the Applicant's Modified Application. Therefore, the June 20, 2017 County Engineering Letter clearly cannot be accepted as evidence of compliance with the County TPS to support the Modified Application. Therefore, there is no record evidence that the requested Special Exception for Supplemental Off-Site Parking at 230 Royal Palm Way is in conformity with the County TPS.

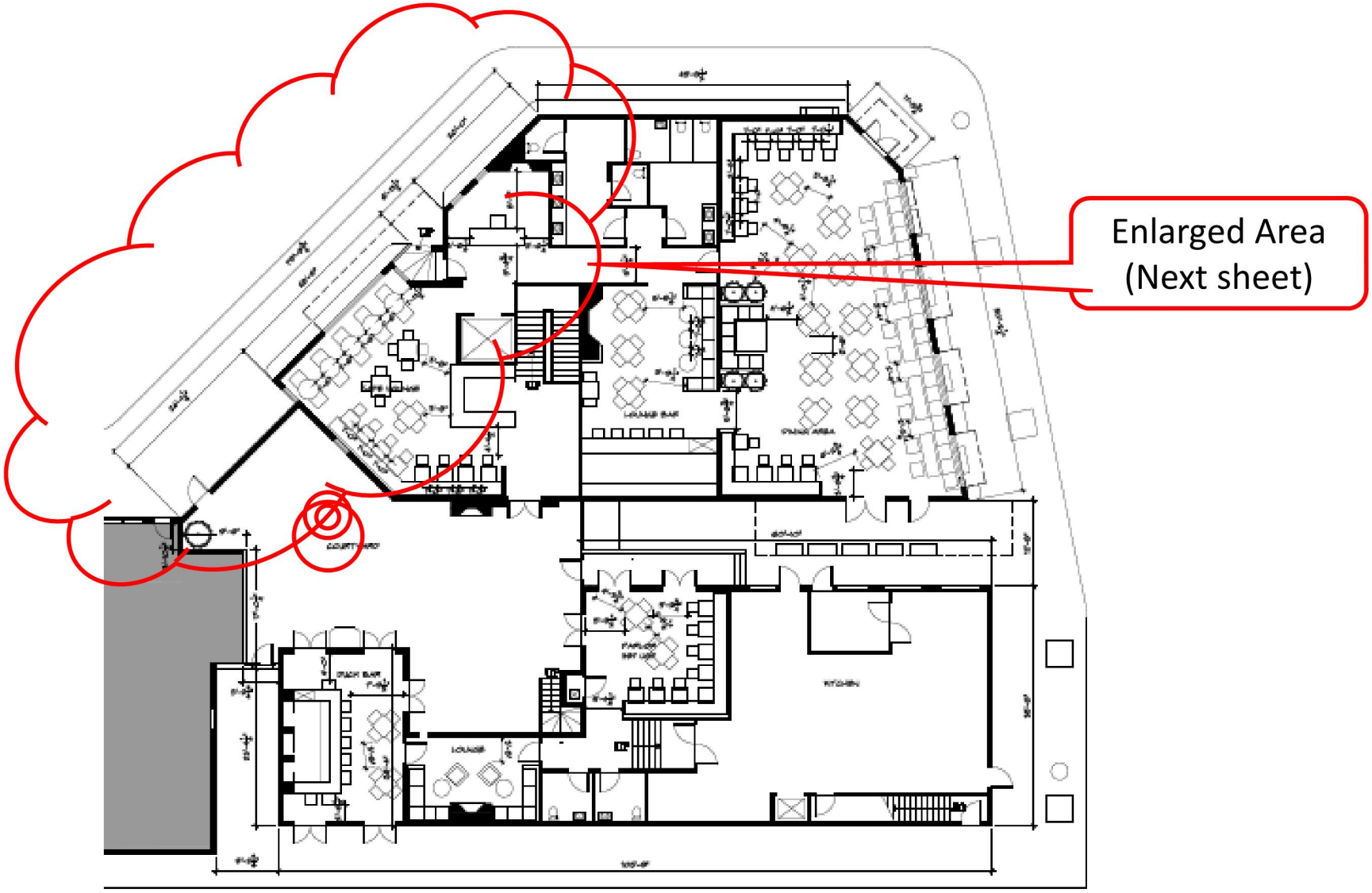
In light of the above, there is no record evidence that ***either of*** the Special Exceptions requested by the Carriage House are in conformity with the County Traffic Performance Standards. As a result, the Modified Application and each of the Special Exceptions therein must be denied.

Very truly yours,

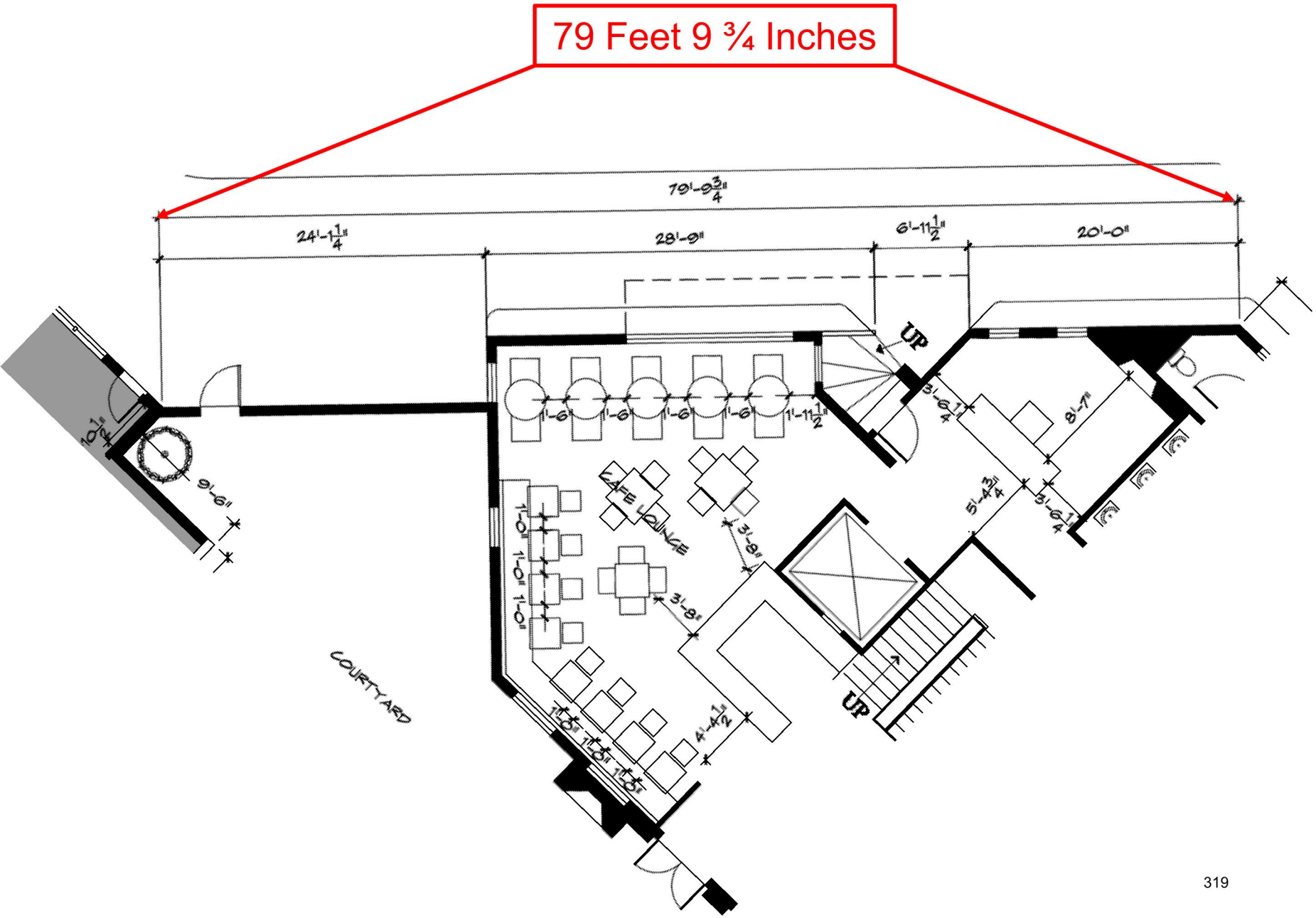
John R. Eubanks, Jr.

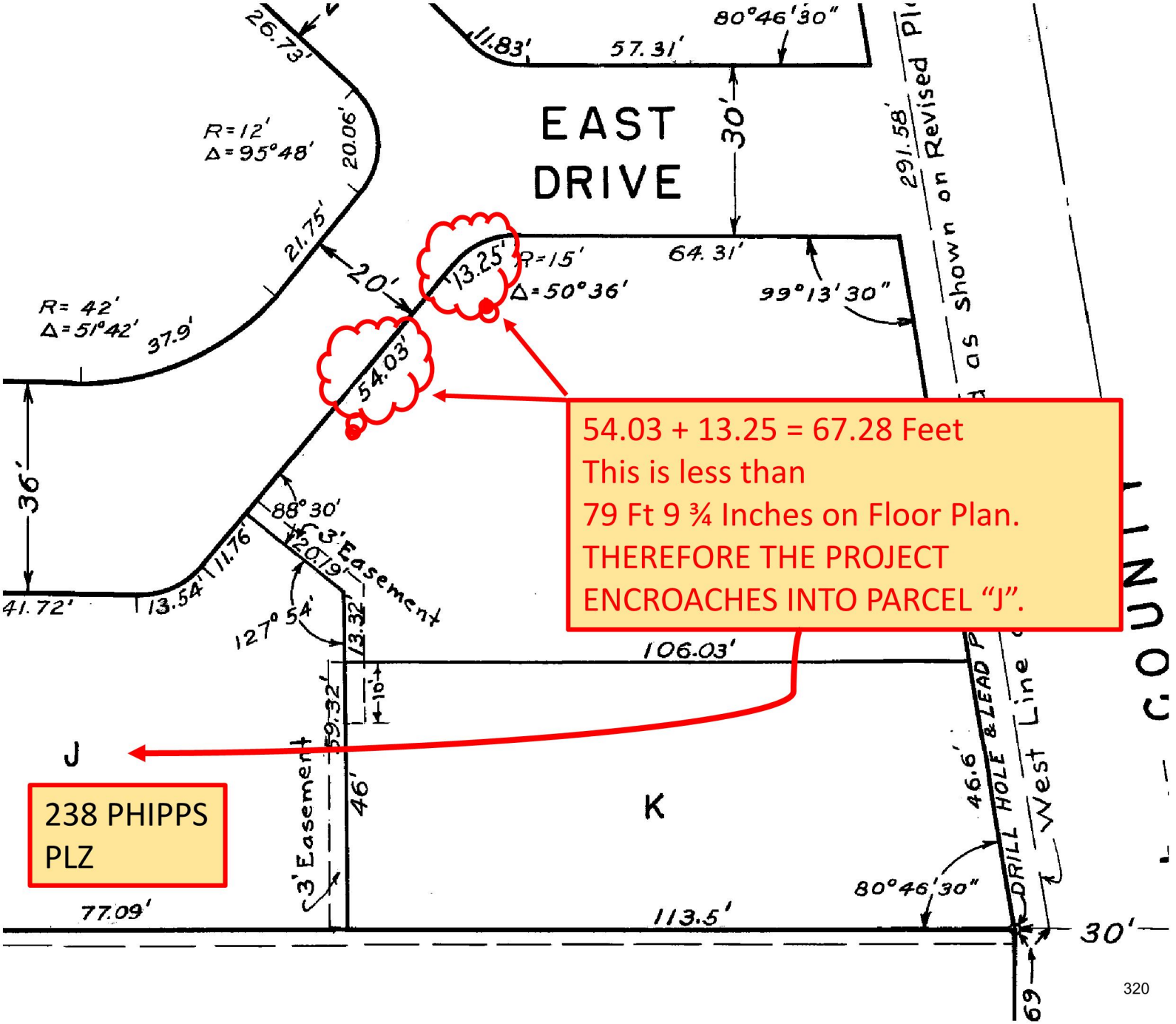
JRE:mar

cc: Mayor and Town Council Members
Thomas G. Bradford, Town Manager
Town Clerk

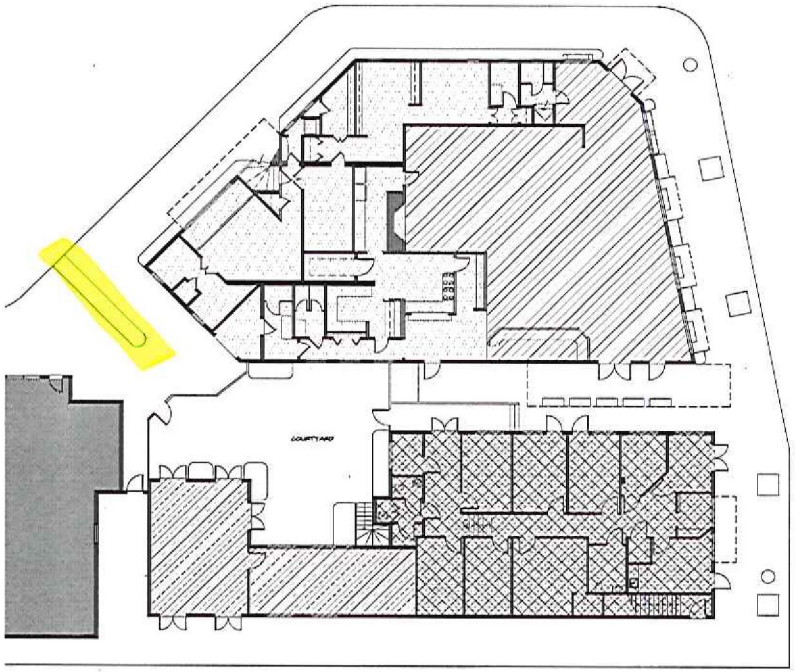


1 PROPOSED FIRST FLOOR PLAN


79 Feet 9 ¾ Inches
79'-9¾"
24'-1¼"
28'-9"
6'-11½"
20'-0"
UP
3'-6¼"
8'-7"
5'-4¾"
3'-6¼"
1'-6"
1'-6"
1'-6"
1'-6"
1'-11½"
10½"
9'-6"
CAFE LOUNGE
3'-8"
3'-8"
1'-0"
1'-0"
1'-0"
1'-0"
COURTYARD
1'-5"
1'-5"
1'-5"
1'-5"
4'-4½"
UP

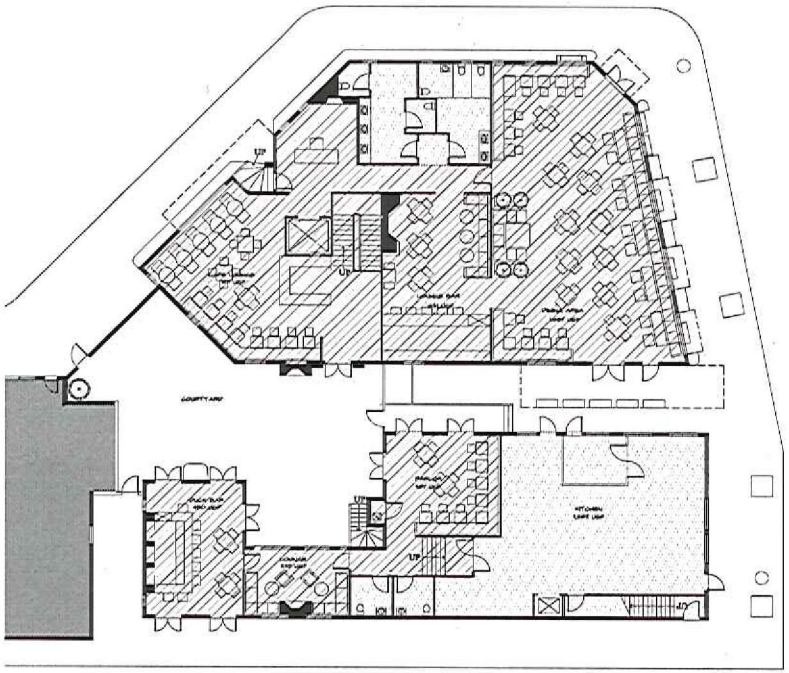

EAST
DRIVE
30'
80°46'30"
11.83'
57.31'
291.58'
as shown on Revised Pl
R=12'
Δ=95°48'
20.06'
21.75'
20'
13.25'
R=15'
Δ=50°36'
64.31'
99°13'30"
R=42'
Δ=51°42'
37.9'
54.03'
54.03 + 13.25 = 67.28 Feet
This is less than
79 Ft 9 ¾ Inches on Floor Plan.
THEREFORE THE PROJECT
ENCROACHES INTO PARCEL "J".
36'
88°30'
12.019'
3' Easement
11.76'
41.72'
13.54'
127°54'
13.32'
106.03'
59.32'
10'
J
238 PHIPPS
PLZ
3' Easement
46'
K
46.6'
DRILL HOLE & LEAD P
West Line
80°46'30"
77.09'
113.5'
30'
69'

CARRIAGE FP.DWG



1 EXISTING FIRST FLOOR PLAN

SCALE: 3/32" = 1'-0"



2 PROPOSED FIRST FLOOR PLAN

SCALE: 3/32" = 1'-0"

CARRIAGE HOUSE - ANALYSIS OF EXISTING FOR REQUIRED PARKING

	SPACE	AREA	PARKING RATIO	PARKING COUNT
	1ST FLOOR - DINING AREA	[illegible] SF (114 SEATS)	1/3	38 1/3 SPACES
	1ST FLOOR - RETAIL AREA	2,101 SF.	1 : 300 GROSS	10 1/3 SPACES
	1ST FLOOR - BACK OF HOUSE	2,480 SF.	1 : 300 GROSS	8 1/3 SPACES
	2ND FLOOR - BACK OF HOUSE	369 SF.	1 : 300 GROSS	1.2 SPACES
	1ST FLOOR - RESIDENTIAL UNITS EACH UNIT TOTAL 1 UNITS	956 SF. -	2 SPACES/UNIT	2.0 SPACES
	2ND FLOOR - RESIDENTIAL UNITS EACH UNIT TOTAL 2 UNITS	1,186 SF. -	2 SPACES/UNIT	4.0 SPACES
	TOTAL			66 SPACES

CARRIAGE HOUSE - ANALYSIS PARKING TO SEATING

PARKING/SEATING COUNT CALCULATION

66 SPACES X 4 PERSONS PER SPACE = 264 PERSONS

ZONING CASE # Z-17-00020

GLIDDEN SPINA + PARTNERS

Architecture + Interior Design

Town Council Submittal for:
264 +270 South County Road
Palm Beach, Florida

Revisions:

Project No: 1707
Date: 06.29.17
Drawn by: JB
Project Architect: JAG

EXISTING AND PROPOSED FIRST FLOOR PLANS

A-1.0



CARRIAGE HOUSE | *264/270 South County Road, Palm Beach, Florida*

CONCEPTUAL FIRST FLOOR PLAN

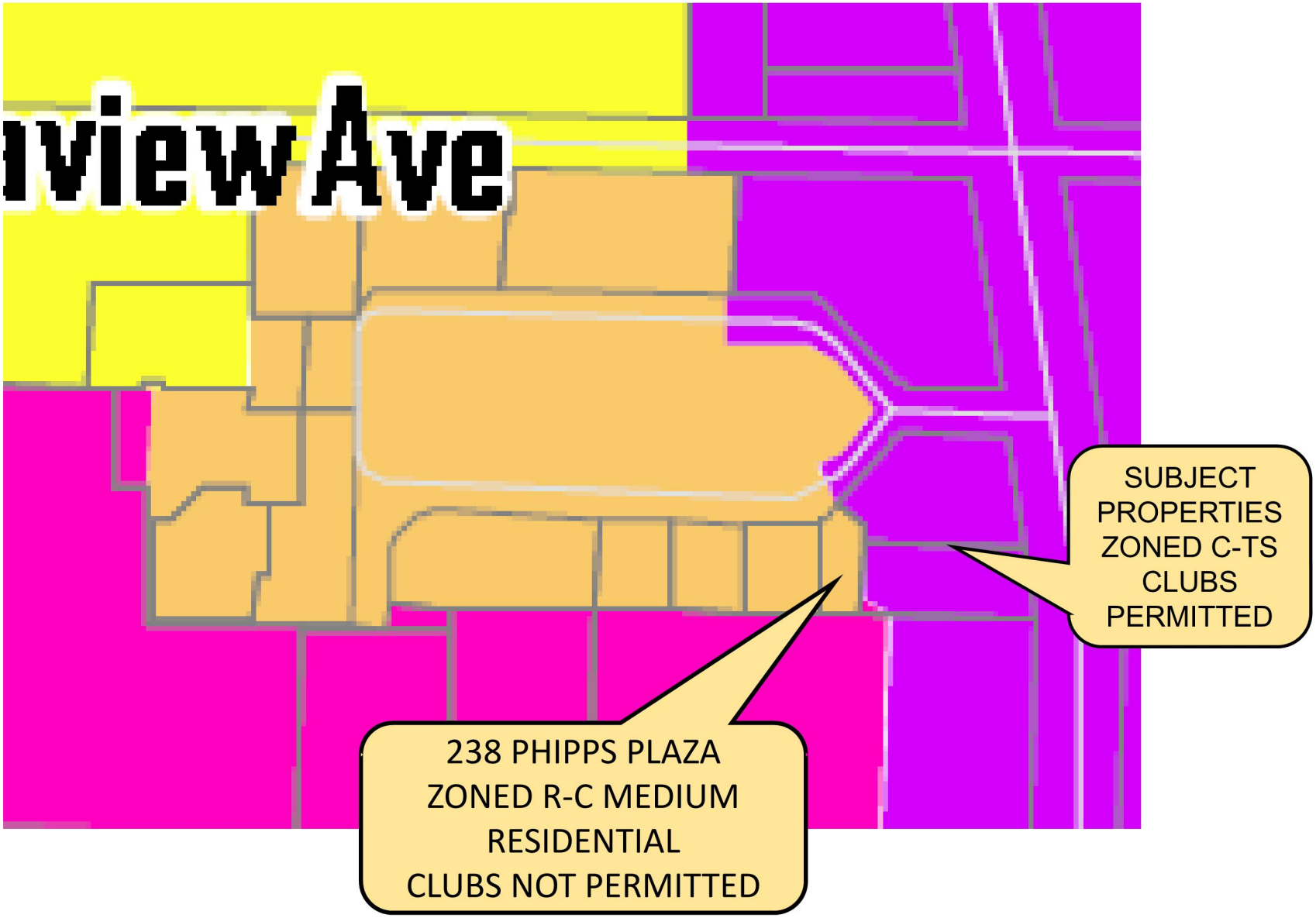
SCALE: 1"=20'

4.28.17



GLIDDENSPINA + PARTNERS

BLOWUP OF ZONING MAP



Carriage House

Town Serving Report

Overview

The following report was compiled by an independent marketing company, Altima International, Inc. to demonstrate how the proposed private, members only club will be Town Serving, specifically catering to (over 90%) the existing residents of Palm Beach.

Location

- The iconic Mizner building located at 264 South County Road will undergo a full renovation and be restored to reflect the original design intent of this Landmark historic property.
- The neighboring 270 building will be upgraded and incorporated to create an elegant, intimate and timeless European-style private club setting.

Palm Beach Style

- Palm Beach is home to the most discerning and well-traveled individuals. They frequent places where they are immediately recognized and catered to in a highly personalized fashion whether in Capri, St. Moritz, London, Marbella, the Hamptons, Newport, etc. Carriage House operations will be designed to appeal to them and to deliver a very exclusive experience to meet their expectations.

Civic & Community Involvement

- The Carriage House plans to actively participate in support of the Town of Palm Beach. As a new private venue, the Carriage House offers a unique experience which can be provided through recommendations of and hosted by a Member in order to raise awareness and funds for worthwhile local Palm Beach organizations.

The Carriage House Vision

- This European-styled members-only enclave will appeal to well-traveled, Palm Beachers looking for a safe, sophisticated "go to" spot.
- The Carriage House is designed to be privately operated for Members Only and not advertised or marketed for public access.

Private Club Operations

- Well-trained, experienced professional staff will be empowered to provide warm, personal, and meticulous attention to Club Members whether it's for a impromptu backgammon game or high tea with a client in town. Carriage House plans to serve breakfast, lunch and dinner in a private club setting.

The Team

- After living abroad in London for a number of years, Michael Bickford of Round Hill Capital has setup roots in Palm Beach including renovating a home on Gulfstream Road and enrolling his eldest in the Palm Beach Day Academy.
- He is assembling a world-class team of advisors to deliver a very exclusive private club experience befitting Palm Beach.

The Members

- Membership at The Carriage House would be limited to by invitation only with preference offered to Palm Beach residents and business owners. Those invited for membership will enjoy a private club atmosphere with various rules and regulations regarding dress code and decorum befitting an exclusive private member establishment similar in look and style to 5 Hertford Street in London.

Palm Beach Residents

- Palm Beach Population:
- 8,358
- Median Age:

  .....67.4
- Total Housing Units: 9,091
- Total Households: 4,799
- Average Household Size: 1.74

Palm Beach Seasonal Residents

- About 145,000 snowbirds flock to Palm Beach County in the winter, raising population about 11 percent, according to the county's figures. The Town of Palm Beach's population soars with **an extra 75 percent** (based on 2010 U.S. Census figures and Palm Beach County's estimate of seasonal units and average persons per household.)

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z 17 00031 VARIANCE(S) Zoning District: R A Estate Residential The application of SOLIMINE EMIL &, Owner, relative to property located at **830 S OCEAN BLVD**, legal description on file, is described below. A variance request to allow the construction of a 590 square foot two story infill addition for two guest bedrooms that will result in a lot coverage of 26.2% in lieu of the 24.6% existing and the 25% maximum allowed. [Applicant's Representative Maura Ziska Esq]
Request for Withdraw per Letter Dated October 25, 2017 from Maura Ziska.

Presenter

ATTACHMENTS:

- **Letter Dated October 25, 2017 from Maura Ziska**

KOCHMAN & ZISKA PLC

Ronald S. Kochman*
Maura A. Ziska

Marvin S. Rosen, *Counsel* •

*Also admitted in New York
•Also admitted in Michigan

Esperanté
222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960
Facsimile: (561) 802-8995

VIA FACSIMILE: 561-838-5411

October 25, 2017

Mayor and Town Council
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: ***Z-17-00031; 830 S Ocean Blvd.***

Dear Mayor and Town Council:

Please **withdraw** the above referenced matter from the **TOWN COUNCIL** agenda. Please call me if you have any questions or comments with the foregoing. Thank you.

Sincerely,

Maura Ziska

Maura A. Ziska

/maz
cc: architect
00036794

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z-17-00042 SITE PLAN REVIEW WITH VARIANCE(S) Zoning District: R-A Estate Residential. The application of OCEAN VILLA HOLDINGS LLC, Owner, relative to property located at **1700 S OCEAN BLVD,** legal description on file, is described below. Site Plan Review to allow construction of a new 8,917 square foot two-story residence on a non-conforming platted lot which is 15,005 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning District and 100 feet in depth in lieu of the 150 foot minimum depth required in the R-A Zoning District. The following variance is being requested in conjunction with this application:
1) A request to have a building height plane setback of 53 feet in lieu of the 59 foot minimum setback required. 2) A request to allow the existing 3-4 foot wall to remain as screening for the proposed swimming pool in lieu of the 6 foot minimum height required when a swimming pool is located in the street side yard. 3) A request to eliminate the requirement to have a 6 foot tall hedge on the outside of the required wall. [Applicant's Representative: Maura Ziska Esq] [The Architectural Commission deferred the project to the January 24, 2017 meeting. Carried 6-0 with all in favor.] **Request for Deferral to February 14, 2018 Town Council Meeting per Letter Dated December 4, 2017 from Maura Ziska**

Presenter

ATTACHMENTS:

- **Memorandum dated November 21, 2017 from John S. Page, Director of Planning, Zoning and Building**
- **Comments from the Development Review Committee**
- **Letter Dated December 4, 2017 From Maura Ziska**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director, Planning, Zoning & Building Department

Subject: **Z-17-00042 SITE PLAN REVIEW WITH VARIANCE(S)**
1700 S OCEAN BLVD

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council require the applicant to meet all conditions and comments as provided for in the Development Review Comments (DRC) Report attached.

BACKGROUND

An application has been received for the following project:

REQUEST:

Site Plan Review to allow construction of a new 8,917 square foot two-story residence on a non-conforming platted lot which is 15,005 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning District and 100 feet in depth in lieu of the 150 foot minimum depth required in the R-A Zoning District. The following variance is being requested in conjunction with this application:
1) A request to have a building height plane setback of 53 feet in lieu of the 59 foot minimum setback required. 2) A request to allow the existing 3-4 foot wall to remain as screening for the proposed swimming pool in lieu of the 6 foot minimum height required when a swimming pool is located in the street side yard. 3) A request to eliminate the requirement to have a 6 foot tall hedge on the outside of the required wall.

ADDRESS: 1700 S OCEAN BLVD

OWNER: OCEAN VILLA HOLDINGS LLC

OWNER'S REPRESENTATIVE: KOCHMAN & ZISKA PLC

PROPERTY CONTROL NO.: 50-43-44-11-02-000-0010

ZONING DISTRICT: B-A Beach Area

LEGAL DESCRIPTION: PARC MONCEAU LTS 1 & 2

Staff recommends that the Town Council consider the presentations by the applicant and Staff, as well as the report of the Development Review Committee (attached) and comments from interested parties regarding the application.

Attachment

cc: John C. Randolph, Town Attorney
Paul W. Castro, Zoning Administrator
pf & zf

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 10/24/17

APPLICATION NO.: Z-17-00042 **APPLICATION TYPE:** SITE PLAN REVIEW WITH VARIANCE(S)

ADDRESS: 1700 S OCEAN BLVD

DESCRIPTION: Site Plan Review to allow construction of a new 8,917 square foot two-story residence on a non-conforming platted lot which is 15,005 square feet in area in lieu of the 20,000 square foot minimum required in the R-A Zoning District and 100 feet in depth in lieu of the 150 foot minimum depth required in the R-A Zoning District. The following variance is being requested in conjunction with this application: 1) A request to have a building height plane setback of 53 feet in lieu of the 59 foot minimum setback required. 2) A request to allow the existing 3-4 foot wall to remain as screening for the proposed swimming pool in lieu of the 6 foot minimum height required when a swimming pool is located in the street side yard. 3) A request to eliminate the requirement to have a 6 foot tall hedge on the outside of the required wall.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	10/26/2017	Florida Building Code requires a minimum 4 foot high barrier for protection of residential swimming pools. If existing wall is to be used as this barrier it must meet this requirement.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	11/3/2017	A portion of the existing site wall at the intersection of South Ocean Boulevard and Parc Monceau shall be relocated outside of the Intersection Sight Triangle per Sec. 134-1637 of Town Code. No structures or landscaping plants, shrubs or trees are allowed in utility easements without an executed and recorded Easement Installation and Removal Agreement.
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	10/27/2017	The best way to protect people in their home is with a fire suppression system. This is required in many codes across the country and should be considered in all new homes. The risk of dying in a fire was greatest for people living in the South when compared to populations living in other regions. This, in part, may be attributed to the intermittent need for occasional heating. To be elderly is, in itself, a disadvantage in terms of fire risk. With advancing age, physical and mental capabilities decline, making it more difficult for older adults to clearly see, smell and hear. Decreased senses increase the risk of death or injury from fire. When two or more senses are diminished, the fire risk for an individual dramatically increases.
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	11/27/2017	This application will require review and approval from the Architectural Commission (ARCOM) as a major combination project.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	10/30/2017	No Comment
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	10/27/2017	Applicant must justify the hardship justifying variances. Sight visibility requirements at street intersection must be maintained.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	10/26/2017	No Comment

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 10/24/17

PZB - ZONING	Paul Castro, Zoning Administrator	11/28/2017	There is no hardship for the proposed variances. The applicant is building a new home and should be required to meet all lot, yard and bulk requirements in the Zoning Code.

KOCHMAN & ZISKA PLC

Ronald S. Kochman*
Maura A. Ziska

Marvin S. Rosen, *Counsel*•

*Also admitted in New York
•Also admitted in Michigan

Esperanté
222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960
Facsimile: (561) 802-8995

VIA E-MAIL

December 4, 2017

Paul Castro
Kelly Churney
Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: Z-17-00042 – 1700 South Ocean Blvd

Dear Paul and Kelly:

Please **defer** the above referenced matters **from the December 13, 2017** Town Council agenda **to the February 14, 2018** Town Council agenda. The reason for the deferral is due to ARCOM deferring the project at the November 29, 2017 meeting. Please call me if you have any questions or comments with the foregoing. Thank you.

Sincerely,

Maura A. Ziska

MAZ/jch
cc: Architect

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z-17-00043 VARIANCE(S) Zoning District: R-B Low Density Residential. The application of HORGEN JAY C &, Owner, relative to property located at **322 CLARKE AVE**, legal description on file, is described below. The subject property is 33,082 square feet in total area. The applicant is requesting a variance to split the lot which would result in one lot with 85 feet of frontage on Clarke Avenue in lieu of the 100 foot minimum width required in the R-B Zoning District. The two resulting lots would have the following areas: 310 Clarke Avenue (east lot) - 15,198 square feet; and 322 Clarke Avenue (west lot) - 17,883 square feet. Both parcels would exceed the minimum area requirement in the R-B Zoning District, which is 10,000 square feet. All improvements will be removed from 310 Clarke Avenue and the following variances are being requested in order to split the properties and return 322 Clarke Avenue back to its previous condition: 1. To have an east side yard setback for the main house of 8 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 2 . To have an east side yard setback for the guest house/garage of 5.9 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 3. To have a cubic content ratio of 4.55 in lieu of the 3.92 maximum allowed; 4. To have a landscaped open space in the front yard of 29.2 % in lieu of the 40 % minimum required. 5. To allow the two story detached garage to remain on 322 Clarke Avenue once the lot is split and becomes less then 20,000 square feet which would only allow a one story accessory structure with a l 5 foot height. [Applicant's Representative: Maura Ziska Esq] [Landmarks Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the landmark property with the caveat to improve the variance for the landscape open space conditions in the front of the property. Carried 7-0.]

Presenter

ATTACHMENTS:

- **Memorandum dated November 21, 2017 from John S. Page, Director of Planning, Zoning and Building**
- **Comments from the Development Review Committee**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director, Planning, Zoning & Building Department

Subject: **Z-17-00043 VARIANCE(S)**
322 CLARKE AVE

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council require the applicant to meet all conditions and comments as provided for in the Development Review Comments (DRC) Report attached.

BACKGROUND

An application has been received for the following project:

REQUEST:

The subject property is 33,082 square feet in total area. The applicant is requesting a variance to split the lot which would result in one lot with 85 feet of frontage on Clarke Avenue in lieu of the 100 foot minimum width required in the R-B Zoning District. The two resulting lots would have the following areas: 310 Clarke Avenue (east lot) - 15,198 square feet; and 322 Clarke Avenue (west lot) - 17,883 square feet. Both parcels would exceed the minimum area requirement in the R-B Zoning District, which is 10,000 square feet. All improvements will be removed from 310 Clarke Avenue and the following variances are being requested in order to split the properties and return 322 Clarke Avenue back to its previous condition:
1. To have an east side yard setback for the main house of 8 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 2. To have an east side yard setback for the guest house/garage of 5.9 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 3. To have a cubic content ratio of 4.55 in lieu of the 3.92 maximum allowed; 4. To have a landscaped open space in the front yard of 29.2 % in lieu of the 40 % minimum required. 5. To allow the two story detached garage to remain on 322 Clarke Avenue once the lot is split and becomes less then 20,000 square feet which would only allow a one story accessory structure with a l 5 foot height.

ADDRESS: 322 CLARKE AVE

OWNER: HORGEN JAY C &

OWNER'S REPRESENTATIVE: KOCHMAN & ZISKA PLC

PROPERTY CONTROL NO.: 50-43-43-22-04-000-0700

ZONING DISTRICT: R-B Low Density Residential

LEGAL DESCRIPTION: PRIMA VERA ESTS /MIDDLE SEC/ LT 70

Staff recommends that the Town Council consider the presentations by the applicant and Staff, as well as the report of the Development Review Committee (attached) and comments from interested parties regarding the application.

Attachment

cc: John C. Randolph, Town Attorney
Paul W. Castro, Zoning Administrator
pf & zf

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 10/24/17

APPLICATION NO.: Z-17-00043 **APPLICATION TYPE:** VARIANCE(S)

ADDRESS: 322 CLARKE AVE

DESCRIPTION: The subject property is 33,082 square feet in total area. The applicant is requesting a variance to split the lot which would result in one lot with 85 feet of frontage on Clarke Avenue in lieu of the 100 foot minimum width required in the R-B Zoning District. The two resulting lots would have the following areas: 310 Clarke Avenue (east lot) - 15,198 square feet; and 322 Clarke Avenue (west lot) - 17,883 square feet. Both parcels would exceed the minimum area requirement in the R-B Zoning District, which is 10,000 square feet. All improvements will be removed from 310 Clarke Avenue and the following variances are being requested in order to split the properties and return 322 Clarke Avenue back to its previous condition: 1. To have an east side yard setback for the main house of 8 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 2. To have an east side yard setback for the guest house/garage of 5.9 feet in lieu of the 15 foot minimum required in the R-B Zoning District; 3. To have a cubic content ratio of 4.55 in lieu of the 3.92 maximum allowed; 4. To have a landscaped open space in the front yard of 29.2 % in lieu of the 40 % minimum required. 5. To allow the two story detached garage to remain on 322 Clarke Avenue once the lot is split and becomes less then 20,000 square feet which would only allow a one story accessory structure with a l 5 foot height.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	10/26/2017	No Comments.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	11/3/2017	Once the encroachments have been removed from the "new" lot, there do not appear to be any reasons why an owner could not develop the parcel while meeting all Public Works requirements and Town Codes.
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	10/27/2017	There are no concerns with this project with the adopted fire codes.
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	11/27/2017	This application will require review and approval from the Landmarks Preservation Commission (LPC) as a combination project.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	10/30/2017	No Comment
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	10/27/2017	If an existing Unity of Title Agreement exists, it will have to be released/dissolved with Town authorization. Applicant must justify the requested variances.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	11/9/2017	No Comment
PZB - ZONING	Paul Castro, Zoning Administrator	11/28/2017	The applicant shall demonstrate a hardship on the proposed variances. There appears to be no hardship.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z-17-00044 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: PUD-A Planned Unit Development A. The application of BREAKERS PALM BEACH INC, Owner, relative to property located at **1 S COUNTY RD SUITE: HOTEL**, legal description on file, is described below. This application requests Special Exception approval to expand the seating capacity of the existing Seafood Bar restaurant. More efficient internal space utilization will allow an additional 53 seats in the previously-approved 6,111 square foot restaurant, for a total of 230 seats. No additional restaurant square footage is requested. [Applicant's Representative: James M. Crowley Esq]

Presenter

ATTACHMENTS:

- **Memorandum dated November 21, 2017 from John S. Page, Director of Planning, Zoning and Building**
- **Comments from the Development Review Committee**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director, Planning, Zoning & Building Department

Subject: **Z-17-00044 SPECIAL EXCEPTION WITH SITE PLAN REVIEW**
1 S COUNTY RD SUITE: HOTEL

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council require the applicant to meet all conditions and comments as provided for in the Development Review Comments (DRC) Report attached.

BACKGROUND

An application has been received for the following project:

REQUEST:

This application requests Special Exception approval to expand the seating capacity of the existing Seafood Bar restaurant. More efficient internal space utilization will allow an additional 53 seats in the previously-approved 6,111 square foot restaurant, for a total of 230 seats. No additional restaurant square footage is requested.

ADDRESS: 1 S COUNTY RD SUITE: HOTEL

OWNER: BREAKERS PALM BEACH INC

OWNER'S REPRESENTATIVE: GUNSTER YOAKLEY & STEWART PA

PROPERTY CONTROL NO.: 50-43-43-22-24-004-0000

ZONING DISTRICT: PUD-A Planned Unit Development A

LEGAL DESCRIPTION: BREAKERS ROW PL NO 1 REPL TR 4

Staff recommends that the Town Council consider the presentations by the applicant and Staff, as well as the report of the Development Review Committee (attached) and comments from interested parties regarding the application.

Attachment

cc: John C. Randolph, Town Attorney
Paul W. Castro, Zoning Administrator
pf & zf

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 10/24/17

APPLICATION NO.: Z-17-00044 **APPLICATION TYPE:** SPECIAL EXCEPTION WITH SITE PLAN REVIEW

ADDRESS: 1 S COUNTY RD SUITE: HOTEL

DESCRIPTION: This application requests Special Exception approval to expand the seating capacity of the existing Seafood Bar restaurant. More efficient internal space utilization will allow an additional 53 seats in the previously-approved 6,111 square foot restaurant, for a total of 230 seats. No additional restaurant square footage is requested.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	10/26/2017	No Comments.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	11/3/2017	No comments.
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	10/27/2017	The proposed seating for the seafood bar and restaurant are not in conflict with the adopted fire code. They have included the exit on the north side of the bar with the proposal and will need to keep a minimum exit width to that exit at all time since it is included in the plan.
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	11/27/2017	I have no comment regarding this application.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	10/30/2017	No Comment
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	10/27/2017	Per Zoning Administrator, the amount of off-street parking at the Hotel is sufficient to allow the additional restaurant seating.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	11/9/2017	No Comment
PZB - ZONING	Paul Castro, Zoning Administrator	11/28/2017	There is adequate parking within the Breaker's PUD to warrant the additional seats in the restaurant. The proposed seating meets concurrency requirements.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z-17-00045 VARIANCE(S) Zoning District: R-A Estate Residential. The application of TROPIN KENNETH G TRUST, Owner, relative to property located at **1695 N OCEAN WAY**, legal description on file, is described below. This application is a request to approve two side (north) setback variances for existing structures at 1695 North Ocean Way: the main house and the guest house. The applicant is proposing to combine the lots at 1565 and 1695 North Ocean Way into a single lot by Unity of Title, which causes the combined lot area to exceed 60,000 S.F., thereby increasing the side setback from a minimum of 15' to a minimum of 30'. Both the main house and the guest house, which meet existing setback requirements, will become nonconforming as a result of the lot combination. The main house setback is 15.1' in lieu of the 30' minimum required for lots over 60,000 S.F., and the guest house setback is 15.2' in lieu of the 30' minimum required for lots over 60,000 S.F. No further encroachments into the setback are requested or authorized pursuant to this application. [Applicant's Representative: James M. Crowley Esq]

Presenter

ATTACHMENTS:

- **Memorandum dated November 21, 2017 from John S. Page, Director of Planning, Zoning and Building**
- **Comments from the Development Review Committee**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director, Planning, Zoning & Building Department

Subject: **Z-17-00045 VARIANCE(S)**
1695 N OCEAN WAY

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council require the applicant to meet all conditions and comments as provided for in the Development Review Comments (DRC) Report attached.

BACKGROUND

An application has been received for the following project:

REQUEST:

This application is a request to approve two side (north) setback variances for existing structures at 1695 North Ocean Way: the main house and the guest house. The applicant is proposing to combine the lots at 1565 and 1695 North Ocean Way into a single lot by Unity of Title, which causes the combined lot area to exceed 60,000 S.F., thereby increasing the side setback from a minimum of 15' to a minimum of 30'. Both the main house and the guest house, which meet existing setback requirements, will become nonconforming as a result of the lot combination. The main house setback is 15.1' in lieu of the 30' minimum required for lots over 60,000 S.F., and the guest house setback is 15.2' in lieu of the 30' minimum required for lots over 60,000 S.F. No further encroachments into the setback are requested or authorized pursuant to this application.

ADDRESS: 1695 N OCEAN WAY

OWNER: TROPIN KENNETH G TRUST

OWNER'S REPRESENTATIVE: GUNSTER YOAKLEY & STEWART PA

PROPERTY CONTROL NO.: 50-43-42-34-02-000-0020

ZONING DISTRICT: R-A Estate Residential

LEGAL DESCRIPTION: BOCA RATONE CO INLET SUB LT 2 & N 15 FT OF LT 3

Staff recommends that the Town Council consider the presentations by the applicant and Staff, as well as the report of the Development Review Committee (attached) and comments from interested parties regarding the application.

Attachment

cc: John C. Randolph, Town Attorney
Paul W. Castro, Zoning Administrator
pf & zf

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 10/24/17

APPLICATION NO.: Z-17-00045 **APPLICATION TYPE:** VARIANCE(S)

ADDRESS: 1695 N OCEAN WAY

DESCRIPTION: This application is a request to approve two side (north) setback variances for existing structures at 1695 North Ocean Way: the main house and the guest house. The applicant is proposing to combine the lots at 1565 and 1695 North Ocean Way into a single lot by Unity of Title, which causes the combined lot area to exceed 60,000 S.F., thereby increasing the side setback from a minimum of 15' to a minimum of 30'. Both the main house and the guest house, which meet existing setback requirements, will become nonconforming as a result of the lot combination. The main house setback is 15.1' in lieu of the 30' minimum required for lots over 60,000 S.F., and the guest house setback is 15.2' in lieu of the 30' minimum required for lots over 60,000 S.F. No further encroachments into the setback are requested or authorized pursuant to this application.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	10/26/2017	No Comments.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	11/3/2017	No comments regarding the proposed unity of title.
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	10/27/2017	This is not a conflict with the adopted fire codes.
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	11/27/2017	I have no comment regarding this application.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	10/30/2017	No Comment
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	10/27/2017	The side yard setback variance is an existing condition. The setback is made nonconforming as a result of the combined lots (Unity of Title) growing in size, thus triggering a larger setback.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	11/9/2017	No Comment
PZB - ZONING	Paul Castro, Zoning Administrator	11/28/2017	The applicant needs to demonstrate to the satisfaction of the Town Council that there is a hardship for the proposed variances.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z-17-00046 SPECIAL EXCEPTION Zoning District: C-TS Town-Serving Commercial. The application of PEMS PARTNERSHIP LTD, Owner, relative to property located at **180 ROYAL PALM WAY**, legal description on file, is described below. Section 134-1109(b) - A special exception request for approval to use the subject building totaling 13,559 square foot as a bank (IBERIABANK). The subject tenant space was most recently used as a Sabadell United Bank, N.A. branch office with its customers and clients being more than 50% town persons in satisfaction of the requirements of Section 134-299(12). [Applicant's Representative: Peter Broberg Esq]

Presenter

ATTACHMENTS:

- **Memorandum dated November 21, 2017 from John S. Page, Director of Planning, Zoning and Building**
- **Comments from the Development Review Committee**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director, Planning, Zoning & Building Department

Subject: **Z-17-00046 SPECIAL EXCEPTION**
180 ROYAL PALM WAY

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council require the applicant to meet all conditions and comments as provided for in the Development Review Comments (DRC) Report attached.

BACKGROUND

An application has been received for the following project:

REQUEST:

Section 134-1109(b) - A special exception request for approval to use the subject building totaling 13,559 square foot as a bank (IBERIABANK). The subject tenant space was most recently used as a Sabadell United Bank, N.A. branch office with its customers and clients being more than 50% town persons in satisfaction of the requirements of Section 134-299(12).

ADDRESS: 180 ROYAL PALM WAY

OWNER: PEMS PARTNERSHIP LTD

OWNER'S REPRESENTATIVE: COE & BROBERG LLP

PROPERTY CONTROL NO.: 50-43-43-23-05-026-0340

ZONING DISTRICT: C-TS Town-Serving Commercial

LEGAL DESCRIPTION: ROYAL PARK ADD LT 34 BLK F

Staff recommends that the Town Council consider the presentations by the applicant and Staff, as well as the report of the Development Review Committee (attached) and comments from interested parties regarding the application.

Attachment

cc: John C. Randolph, Town Attorney
Paul W. Castro, Zoning Administrator
pf & zf

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 10/24/17

APPLICATION NO.: Z-17-00046 **APPLICATION TYPE:** SPECIAL EXCEPTION

ADDRESS: 180 ROYAL PALM WAY

DESCRIPTION: Section 134-1109(b) - A special exception request for approval to use the subject building totaling 13,559 square foot as a bank (IBERIABANK). The subject tenant space was most recently used as a Sabadell United Bank, N.A. branch office with its customers and clients being more than 50% town persons in satisfaction of the requirements of Section 134-299(12).

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	10/26/2017	No Comments.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	11/3/2017	No comments.
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	10/27/2017	The use is the same and does not conflict with teh adopted fire codes
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	11/27/2017	I have no comment regarding this application.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	10/30/2017	No Comment
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	10/27/2017	Bank must satisfy Town-serving requirements.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	11/9/2017	No Comment
PZB - ZONING	Paul Castro, Zoning Administrator	11/28/2017	The applicant needs to demonstrate to the Town Council that the proposed bank is Town-serving. I do not belive that have submitted adequate information in the zoning application based on Sec. 134-229(12) to demonstrate that the back will be Town-serving

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Development Review - New Business

Agenda Title

Z-17-00047 VARIANCE(S) Zoning District: R-B Low Density Residential. The application of MANOOGIAN ARMEN A TRUST, Owner, relative to property located at **224 S OCEAN BLVD,** legal description on file, is described below. Construction of three dormers on existing third story.
1. Sec. 134-893 (b)(10)b To allow a building height of +37'-7 1/2" in lieu of the 22'-0" maximum allowable.
2. Sec. 134-893 (b)(10)c 134-2: To allow an overall building height of 42'-1 3/4" in lieu of the 30'-0" maximum allowable.
3. Sec. 134-2 Definitions Building, height of (applicable only in the R-B districts) To allow dormer windows in a non-habitable third story space which is not permitted by Code. [Applicant's Representative: Jose Gonzalez, Architect] [The Architectural Commission deferred this project to the January 24, 2017 meeting. Carried 6-0 with all in favor.] **Request for Deferral Per Letter Dated December 7, 2017 from Jose Gonzalez**

Presenter

ATTACHMENTS:

- **Memorandum dated November 21, 2017 from John S. Page, Director of Planning, Zoning and Building**
- **Comments from the Development Review Committee**
- **Letter Dated December 7, 2017 From Gonzalez**

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Director, Planning, Zoning & Building Department

Subject: **Z-17-00047 VARIANCE(S)**
224 S OCEAN BLVD

Date: November 21, 2017

STAFF RECOMMENDATION

Staff recommends that the Town Council require the applicant to meet all conditions and comments as provided for in the Development Review Comments (DRC) Report attached.

BACKGROUND

An application has been received for the following project:

REQUEST:

Construction of three dormers on existing third story.
1. Sec. 134-893 (b)(10)b To allow a building height of +37'-7 1/2" in lieu of the 22'-0" maximum allowable.
2. Sec. 134-893 (b)(10)c 134-2: To allow an overall building height of 42'-1 3/4" in lieu of the 30'-0" maximum allowable.
3. Sec. 134-2 Definitions Building, height of (applicable only in the R-B districts) To allow dormer windows in a non-habitable third story space which is not permitted by Code.

ADDRESS: 224 S OCEAN BLVD

OWNER: MANOOGIAN ARMEN A TRUST

OWNER'S REPRESENTATIVE: GONZALEZ ARCHITECTS

PROPERTY CONTROL NO.: 50-43-43-22-07-000-5271

ZONING DISTRICT: B-A Beach Area

LEGAL DESCRIPTION: POINCIANA PARK 2ND ADD LTS 527 & 528 (LESS WLY 81 FT) & LTS 532 & 533

Staff recommends that the Town Council consider the presentations by the applicant and Staff, as well as the report of the Development Review Committee (attached) and comments from interested parties regarding the application.

Attachment

cc: John C. Randolph, Town Attorney
Paul W. Castro, Zoning Administrator
pf & zf

PLANNING, ZONING AND BUILDING DEPARTMENT
Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 10/24/17

APPLICATION NO.: Z-17-00047 **APPLICATION TYPE:** VARIANCE(S)

ADDRESS: 224 S OCEAN BLVD

DESCRIPTION:

Construction of three dormers on existing third story.
1. Sec. 134-893 (b)(10)b To allow a building height of +37'-7 1/2" in lieu of the 22'-0" maximum allowable.
2. Sec. 134-893 (b)(10)c 134-2: To allow an overall building height of 42'-1 3/4" in lieu of the 30'-0" maximum allowable.
3. Sec. 134-2 Definitions Building, height of (applicable only in the R-B districts) To allow dormer windows in a non-habitable third story space which is not permitted by Code.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	10/26/2017	No Comments.
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	11/3/2017	No comments.
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	10/27/2017	This does not conflict with the adopted fire code
PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	11/27/2017	This application will require review and approval from the Architectural Commission (ARCOM) as a major combination project.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	10/30/2017	No Comment
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	10/27/2017	Installation of the dormers will not increase the building height of the existing home. ARCOM approval must be secured.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	11/9/2017	No Comment
PZB - ZONING	Paul Castro, Zoning Administrator	11/28/2017	There appears to be no hardship to put dormer windows on the nonconforming third story of the house.

González Architects
Residential

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

Re: Manoogian Residence
224 S. Ocean Boulevard
Palm Beach, FL 33480

ARCOM Application B-098-2017
Zoning Application Z-17-00047

December 7, 2017

To Whom It May Concern:

The intent of this letter is to request a deferral of the Town Council review of the above-referenced property from the December 13, 2017 Agenda to the February 14, 2017 Town Council Agenda. This deferral request is due to the ARCOM deferral at the November 29, 2017 meeting.

Should you have any questions regarding this, please feel free to contact me at your convenience.

Thank you,
Gonzalez Architects

Jose A. Gonzalez AIA, NCARB
AA 0002305
AR 0008134
Principal

14 NE First Avenue, Suite 507 Miami, FL 33132
t + 1 305 455 4216

e info@gonzalez-architects.com

TOWN OF PALM BEACH

Town Council Meeting Development Review on: December 13, 2017

Section of Agenda

Ordinances - First Reading

Agenda Title

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

Presenter

ATTACHMENTS:

- **Memorandum Dated December 1, 2017 From John S. Page, Director of Planning, Zoning & Building**
- **Ordinance No. 30-2017**
- **E-Mail dated December 6, 2017 From Piet**
- **E-Mail Dated December 6, 2017 From Bell**
- **E-Mail Dated December 6, 2017 From Fei**
- **E-Mail Dated December 6, 2017 From Celis**
- **E-Mail Dated December 6, 2017 From Cremieux**
- **E-Mail Dated December 6, 3017 From Buccini**

TOWN OF PALM BEACH

Information for Local Planning Agency and Town Council Meetings on: December 13, 2017

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: John S. Page, Planning, Zoning & Building Director

Re: Proposed Modifications and Changes to Chapter 134, Zoning, Related to Allowing Outdoor Promotional Activities and Property Identification Yard Sign in the Town's Commercial Zoning Districts.
Ordinance No. 30-2017

Date: December 1, 2017

STAFF RECOMMENDATION

Staff recommends that the Local Planning Agency review and recommend that the Town Council approve Ordinance No.30-2017 at first reading.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its October 17, 2017 meeting, by a 7-0 vote, recommended to allow "outdoor promotion activities" as a special exception use in the C-PC Commercial Zoning District (a.k.a. Royal Poinciana Plaza). In addition, by a 7-0 vote, the Commission also recommended that "property identification yard signs" be allowed only in the C-PC District.

GENERAL INFORMATION

The Town Council considered the Planning and Zoning Commission's Record and Report at its November 14, 2017 Town Council meeting. Staff drafted Ordinance No. 30-2017 based on direction from Town Council at that meeting. Proposed Ordinance No. 30-2017 does the following:

- Conditionally allows "outdoor promotion activities" as a special exception use in the C-PC, C-TS and C-WA Commercial Zoning Districts.

- Allows "property identification yard signs" in the C-PC, C-TS, C-WA, C-B and C-OPI Zoning Districts.

Staff recommends that prior to second reading of Ordinance No. 30-2017, the Applicant be required to acknowledge in writing that they are bound by the terms of the Royal Poinciana Plaza 1979 Agreement and that the applicant will not contest in any legal proceeding, or otherwise, that the amendments in Ordinance No. 30-2017 provide for "further development possibilities" in contravention of the terms of paragraph 3 of that Agreement.

The proposed changes in attached Ordinance No. 30-2017, appear in add/delete format. If you have any questions about any of the attached information, please contact Paul Castro, Zoning Administrator, at 227-6406.

TOWN ATTORNEY REVIEW

Staff provided John Randolph, Town Attorney, the proposed Zoning Code Amendments and requested his legal opinion related to the 1979 Agreement. He advised that the proposed amendments would not jeopardize the Agreement provided the owners of the property within the C-PC Zoning District 1) acknowledge in writing that they agree to be bound to the terms of the 1979 Agreement despite the language in paragraph 3 of said Agreement; and 2) will not contest in any legal proceeding, or otherwise, that the amendments provide for further development possibilities in contravention of the terms of paragraph 3 of that Agreement.

Ordinance No. 30-2017 has been approved by Town Attorney John C. Randolph for legal form and sufficiency.

cc: Jay Boodheshwar, Deputy Town Manager
John C. Randolph, Town Attorney
Paul W. Castro, AICP, Zoning Administrator
Bill Bucklew, Building Official
zf

ORDINANCE NO. 30-2017

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ZONING, AS FOLLOWS: AT ARTICLE I, IN GENERAL, SECTION 134-2, DEFINITIONS AND RULES OF CONSTRUCTION, BY CREATING DEFINITIONS FOR AN OUTDOOR PROMOTIONAL EVENT USE AND A PROPERTY IDENTIFICATION YARD SIGN; AT ARTICLE VI, DISTRICT REGULATIONS, SECTIONS 134-1109, 134-1159 AND 134-1259, SPECIAL EXCEPTION USES, BY CONDITIONALLY ALLOWING OUTDOOR PROMOTIONAL EVENTS AS A SPECIAL EXCEPTION USE IN THE C-TS, C-WA AND C-PC COMMERCIAL ZONING DISTRICTS; AT ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS, BY ADDING A DIVISION 18, OUTDOOR PROMOTIONAL ACTIVITIES, SECTION 134-2115, STANDARDS AND CRITERIA FOR OUTDOOR PROMOTIONAL ACTIVITIES; AT ARTICLE XI, SIGNS, BY MODIFYING SECTION 134-2437, BUILDING IDENTIFICATION, BUSINESS IDENTIFICATION SIGNS, BY ADDING "PROPERTY IDENTIFICATION YARD SIGNS" TO THE TITLE AND ALLOWING PROPERTY IDENTIFICATION YARD SIGNS ON PROPERTIES THAT MEET CERTAIN CRITERIA IN ALL OF THE COMMERCIAL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, after a public hearing pursuant to notice required by law, the Planning and Zoning Commission considered all testimony and recommended modification to the Code of Ordinances;

WHEREAS, after public hearing pursuant to notice required by law, the Local Planning Agency considered the Planning and Zoning Commission's Record and Report and all evidence and testimony and recommended that the Town Council adopt the subject Ordinance; and,

WHEREAS, after public hearing pursuant to notice as required by law, the Town Council does hereby find, determine, and declare that the public health, safety, morals and general welfare of the citizens of the Town of Palm Beach requires that the aforesaid Chapter 134, ZONING, of the Code of Ordinances, be amended as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Article I, IN GENERAL, Section 134-2, Definitions and rules of construction, is hereby amended to read as follows:

Sec. 134-2. Definitions and rules of construction.

…

Outdoor promotional events means events sponsored and managed by a property owner where the event is to be held in the C-TS, C-WA or C-PC Zoning District for the purpose of a providing a public event or promoting business on said private property. Such event shall be limited in scope and size by special exception approval by the Town Council and the criteria as set forth in Sec. 134-2115 of the Code of Ordinances.

Sign, property identification yard means a detached and freestanding identification sign for a Commercial zoned property supported on a monument, pillar or similar supporting structure.

Section 2. Article VI, DISTRICT REGULATIONS, Section 134-1109, Special exception uses, is hereby amended to read as follows:

Sec. 134-1109. - Special exception uses.

(a) The special exception uses require a site plan and review as provided in article III of this chapter. The special exception uses in the C-TS town-serving commercial district are as follows:

(1)…
…
(21) Outdoor promotional events. See Sec. 134-2115 for additional conditions and criteria.

Section 3. Article VI, DISTRICT REGULATIONS, Section 134-1159, Special exception uses, is hereby amended to read as follows:

Sec. 134-1159. - Special exception uses.

(a) The special exception uses require a site plan and review as provided in article III of this chapter. The special exception uses in the C-WA Worth Avenue district are as follows:

(1)…
…
(10) ~~Reserved~~ Outdoor promotional events. See Sec. 134-2115 for additional conditions and criteria.
…

Section 4. Article VI, DISTRICT REGULATIONS, Section 134-1259, Special exception uses, is hereby amended to read as follows:

Sec. 134-1259. - Special exception uses.

(a) The special exception uses require a site plan and review as provided in article III of this chapter. The special exception uses in the C-PC planned center district are as follows:

(1) …

…

(16) Outdoor promotional events. See Sec. 134-2115 for additional conditions and criteria.

Section 5. Article VIII., SUPPLEMENTAL DISTRICT REGULATIONS, Division 18. Outdoor promotional events, Section 134-2115 is hereby created to read as follows:

Sec. 134-2115. – Requirements for outdoor promotional events.

Outdoor promotional events shall only be allowed in the C-TS, C-WA and C-PC Zoning Disticts by special exception approval. It shall be unlawful for any person to have an outdoor promotional activity without approval by the Town Council of a special exception application and a Declaration of Use Agreement which identifies any conditions of approval and remedies for violation of those conditions as provided under sections 134-226 through 134-230 of the Code. Said events are subject to the additional requirements set forth below:

(1) A special exception application for outdoor promotional events shall only be allowed to be filed by the property owner where outdoor promotional events are to be held.

(2) The property owner shall be responsible for sponsoring and managing any outdoor promotional event on a property.

(3) The number of outdoor promotional events per year shall be determined by the Town Council and provided in the required Declaration of Use Agreement.

(4) The hours and days in which outdoor promotional events may occur shall be determined by the Town Council and provided in the Declaration of Use Agreement.

(5) Amplified music or sound shall only be allowed if said event is held two hundred feet or more from any residential use. Such event shall meet the Town's noise regulations as provided in Sec. 42-196 through 42-229 of the Code.

(6) There shall be no outdoor sales of alcoholic beverages other than the sales related to Town approved outdoor seating for the licensed businesses on the property.

(7) Any approval of a special exception to allow outdoor promotional events shall be

required to be reviewed by the town council one year following approval and recordation of the Declaration of Use Agreement. Said approval may be amended or revoked by the town council at that time should it be determined that said use has a negative impact on surrounding properties.

(8) Approval of outdoor promotional events may be revoked or modified by the town council at any time should it be determined that said use has a negative impact on surrounding properties.

Section 6. Article VI, DISTRICT REGULATIONS, Section 134-1259, Special exception uses, is hereby amended to read as follows:

Sec. 134-2437. - Building identification, ~~and~~ business identification and property identification signs.

(1) …

…

(5) In the C-TS, C-WA, C-B and C-OPI zoning districts, property identification yard signs are permitted for a property provided that not more than one yard sign is permitted for each vehicular entrance into a property with street frontage. A property identification yard sign facing a street shall not exceed six square feet in area, 5 feet in height above lot grade, shall be located no further than 10 feet from a vehicular entrance onto a property and shall meet the safe site visibility requirements of the town.

(6) In the C-PC zoning district, property identification yard signs are permitted provided that not more than two yard signs are permitted which would flank each vehicular entrance or exit to a property with street frontage. A property identification yard sign facing a street shall not exceed six square feet in area, 6 feet in height above lot grade and shall be located no further than 10 feet from a vehicular entrance onto a property.

(7) Business, ~~identification signs and~~ building ~~identification signs~~ and property yard identification signs shall require A~~a~~rchitectural ~~review~~ Ceommission ~~and~~ or L~~l~~andmarks Ppreservation Ceommission approval (~~if~~ whichever is applicable).

Section 7. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 8. **Repeal of Ordinances in Conflict.**

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 9. **Codification.**

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 10. **Effective Date.**

This Ordinance shall take effect thirty-one days after its adoption, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 13th day of December, 2017, and for second and final reading on this _____day of_____, 2018.

_____
Gail L. Coniglio, Mayor

_____
Richard Kleid, Town Council President

_____
Danielle H. Moore, Council President Pro Tem

_____
Bobbie Lindsay, Town Council Member

ATTEST:

_____
Margaret A. Zeidman, Town Council Member

_____
Kathleen Dominguez, Town Clerk

_____
Julie Araskog, Town Council Member

From:	John Page
To:	Paul Castro; Kathleen Ruderman; Kelly Churney
Subject:	FW: Royal Poinciana Plaza
Date:	Wednesday, December 06, 2017 9:37:58 AM

For inclusion in the TC books…….

John S. Page
Planning, Zoning & Building Director

Town of Palm Beach
PZB Department
360 S. County Road
Palm Beach, FL 33480
Phone: 561-227-6405
Fax: 561-835-4621
www.townofpalmbeach.com

From: Tom Bradford
Sent: Wednesday, December 06, 2017 9:34 AM
To: Kleid Richard Home <kleid561@aol.com>; Gail Coniglio <GConiglio@TownofPalmBeach.com>; Danielle Hickox Moore <DMoore@TownofPalmBeach.com>; Bobbie Lindsay <BLindsay@TownofPalmBeach.com>; Margaret Zeidman <MZeidman@TownofPalmBeach.com>; Julie Araskog <jaraskog@TownOfPalmBeach.com>
Cc: John Page <JPage@TownofPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: Fwd: Royal Poinciana Plaza

MTC:

FYI

Tom

Sent from my iPad

Begin forwarded message:

> **From:** Max Piet <mpiet@TOOJAYS.com>
> **Date:** December 6, 2017 at 8:49:53 AM EST
> **To:** "Tbradford@townofpalmbeach.com" <Tbradford@townofpalmbeach.com>
> **Cc:** "Patterson, Alexandra" <Alexandra.Patterson@wsdevelopment.com>, "Robin Bayless" <robinb@TOOJAYS.com>
> **Subject: Royal Poinciana Plaza**
>
> Good Day Mr. Bradford, Mayor, and Town Council,
>
> As a long-standing tenant at The Royal Poinciana Plaza for over 35 years, the

evolution of the property is extremely impactful for us. As you are aware, we have invested over $250,000 updating TooJay's flagship restaurant for our guests. We are heartened by the efforts being made by the Plaza's management to activate the outdoor space and bring new life to our community. The revitalization of the Plaza was only the first step towards building new momentum for the island's retail world, and we view an expanded program of events as the natural next step in that progression. The Royal Poinciana Plaza is a unique asset that contributes to the Palm Beach identity and energy, and we believe the event's program will solidify the Plaza's character and expand the following in the community. As you can imagine, the more time a customer spends on the property, the more likely they are to visit for a pastrami on rye, matza ball soup, or perhaps a cookie on the way to their car. To bring activity and vibrancy to the courtyards is a tremendous benefit to our business, but specifically our guest. We look at outdoor events being regularly offered as an amenity, much like a hotel offers their guests. The events will provide the community opportunities to engage with culture, health, and creative outlets that will significantly benefit the island of Palm Beach. We are very excited by this prospect.

Thank you for your consideration.

Sincerely,

Max Piet | President & CEO
TooJay's Restaurant & Deli
3654 Georgia Ave | West Palm Beach FL 33405
Office 561.659.9011 ext. 562
[cid:image001.jpg@01D36E6F.2E765AD0]

From: John Page
To: Paul Castro; Kathleen Ruderman; Kelly Churney
Subject: FW: Royal Poinciana Plaza
Date: Wednesday, December 06, 2017 9:51:27 AM

Another email for the TC books…..

John S. Page
Planning, Zoning & Building Director

Town of Palm Beach
PZB Department
360 S. County Road
Palm Beach, FL 33480
Phone: 561-227-6405
Fax: 561-835-4621
www.townofpalmbeach.com

From: Tom Bradford
Sent: Wednesday, December 06, 2017 9:46 AM
To: Kleid Richard Home <kleid561@aol.com>; Gail Coniglio <GConiglio@TownofPalmBeach.com>; Danielle Hickox Moore <DMoore@TownofPalmBeach.com>; Bobbie Lindsay <BLindsay@TownofPalmBeach.com>; Margaret Zeidman <MZeidman@TownofPalmBeach.com>; Julie Araskog <jaraskog@TownOfPalmBeach.com>
Cc: John Page <JPage@TownofPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: Fwd: Royal Poinciana Plaza

MTC:

FYI

TGB

Sent from my iPad

Begin forwarded message:

> **From:** Jeff Bell <Jeff.Bell@Hillstone.com>
> **Date:** December 6, 2017 at 8:18:52 AM EST
> **To:** "tbradford@townofpalmbeach.com" <tbradford@townofpalmbeach.com>
> **Cc:** Alexandra Patterson <Alexandra.Patterson@wsdevelopment.com>
> **Subject: Royal Poinciana Plaza**
>
> **Dear Mr. Bradford, Mayor, and Town Council,**
>
> **I am writing to express support for Up Markets' desire to program outdoor activities**

in the courtyards of The Royal Poinciana Plaza. We are fortunate to have operated Palm Beach Grill on the island for many years, and with the new addition of The Honor Bar @ PBG, we are excited to offer the community even more (including lunch!). As you can imagine, over the last few months our team has been building with excitement not only to open The Honor Bar, but also because all of our new neighbors are opening their doors to the community. The Plaza is once again full of life and we could not be more thrilled for what the next year will be for the island of Palm Beach.

As you can imagine, because we have The Honor Bar locations at high end locations around the country, we are well versed in what makes a community and destination unique. There simply isn't a thriving shopping destination in the country, that does not offer outdoor events for the community to engage in. For instance, at Highland Park Village in Dallas, considered one of the most elite shopping destinations in the country (where we operate an Honor Bar), they offer programming multiple times a week from wine tastings, artists exhibitions, fitness classes, designer speaking engagements, and personalized holiday events. The types of community activities ebb and flow with the seasons and based on what most caters to the respective retailers, the community activity is directly correlated with what the community is asking for which creates a wonderful win-win for all.

We ask that you support Up Markets endeavor to foster success for the Plaza, it is essential to the health of the businesses and we appreciate your consideration.

Thank you.

Sincerely,

Jeff Bell
Vice President, Hillstone Restaurant Group

From: John Page
To: Paul Castro; Kathleen Ruderman; Kelly Churney
Subject: FW: The Royal Poinciana Plaza
Date: Wednesday, December 06, 2017 9:52:02 AM

For TC Books….

John S. Page
Planning, Zoning & Building Director

Town of Palm Beach
PZB Department
360 S. County Road
Palm Beach, FL 33480
Phone: 561-227-6405
Fax: 561-835-4621
www.townofpalmbeach.com

From: Thomas Bradford [mailto:tgbradford3@aol.com]
Sent: Wednesday, December 06, 2017 9:49 AM
To: Kleid Richard Home <kleid561@aol.com>; Gail Coniglio <GConiglio@TownofPalmBeach.com>; Danielle Hickox Moore <DMoore@TownofPalmBeach.com>; Bobbie Lindsay <BLindsay@TownofPalmBeach.com>; Margaret Zeidman <MZeidman@TownofPalmBeach.com>; Julie Araskog <jaraskog@TownOfPalmBeach.com>
Cc: John Page <JPage@TownofPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: Fwd: The Royal Poinciana Plaza

MTC:

FYI

TGB

Sent from my iPad

Begin forwarded message:

> **From:** Jean Fei <jean@assouline.com>
> **Date:** December 5, 2017 at 9:55:59 PM EST
> **To:** "tbradford@townofpalmbeach.com" <tbradford@townofpalmbeach.com>
> **Cc:** "Alexandra.patterson@upmarkets.com" <Alexandra.patterson@upmarkets.com>
> **Subject: The Royal Poinciana Plaza**
>
> Dear Mr. Bradford, Mayor, and Town Council,
>
> I am writing to you on behalf of one of the new Royal Poinciana Plaza businesses just open for

business, Assouline. Assouline takes pride in our identity as the first luxury brand on culture, and recognizes that we are in a moment of transition as we look to expand our physical presence in cities around the world. Our decision to locate in The Royal Poinciana Plaza reflects our belief in Palm Beach as a global hub for the sophisticated consumer that shares our values: beauty and culture. These consumers are looking to shop, but also for a meaningful experience as they do so. We believe that the outdoor events at the Plaza will provide those experiences, and the specific events proposed will bring customers who are focused on wellness, creativity, and culture – those same customers who are very well aligned with our vision. The experiences provided will echo with the values of the Plaza, our business, and the island while encouraging businesses in the Plaza to do their best, which is certainly aligned with the Town's goals.

Please support these changes to bring activity to the green space at The Royal Poinciana Plaza.

Sincerely,
Jean

Jean Fei
General Manager & Chief Operating Officer
ASSOULINE
3 Park Avenue, 27th Floor
New York, NY 10016
T: 212-989-1511
C: 917-693-3624
jean@assouline.com

From: Paul Castro
To: Kathleen Ruderman
Subject: FW: Town of Palm Beach
Date: Wednesday, December 06, 2017 10:16:05 AM

Fyi, for the purple folder

From: Tom Bradford
Sent: Wednesday, December 06, 2017 10:10 AM
To: Kleid Richard Home <kleid561@aol.com>; Gail Coniglio <GConiglio@TownofPalmBeach.com>; Danielle Hickox Moore <DMoore@TownofPalmBeach.com>; Bobbie Lindsay <BLindsay@TownofPalmBeach.com>; Margaret Zeidman <MZeidman@TownofPalmBeach.com>; Julie Araskog <jaraskog@TownOfPalmBeach.com>
Cc: John Page <JPage@TownofPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: Fwd: Town of Palm Beach

MTC:

FYI

TGB

Sent from my iPad

Begin forwarded message:

> **From:** Alex Celis <alex@celis-produce.com>
> **Date:** December 5, 2017 at 8:53:02 PM EST
> **To:** tbradford@townofpalmbeach.com
> **Cc:** "Patterson, Alexandra" <Alexandra.Patterson@wsdevelopment.com>
> **Subject: Town of Palm Beach**
>
> Dear Mr. Bradford, Mayor, and Town Council,
>
> I am writing to you as one of the newer tenants to The Royal Poinciana Plaza. We opened our doors a few weeks ago on the island after many years in West Palm Beach. To say the welcome we have received by the community is anything short of heartwarming would be an understatement. We are so lucky to be a part of your community and incredibly appreciative to be here serving each of you.
>
> I am writing to you regarding the outdoor event ordinance currently being considered. To be a small business owner in today's internet world is an incredibly difficult feat, but one we are passionate about and will find innovative ways to offer customers experiences they cannot get online. The ability for Up Markets to host small programs in the courtyards, whether that is a morning meditation, yoga, or children's activities is a very large piece to what will help our business thrive. We are a small business owned by three brothers, we are very much a part of the community and strive to serve the community. It is our dream to work with the island of Palm Beach to think of creative ways to activate the courtyards to engage the community in our business, and the Plaza. For a business like ours, we can't always dedicate very large dollar numbers to marketing (we'd rather spend it on fresh ingredients!) so outdoor programming will certainly help increase our awareness to visitors and encourage our business. We cannot stress enough how stores on their own are not the only ingredient for success, but also creating an environment that will tick all the boxes to encourage our business to succeed and continue to serve the island for many more generations.

We appreciate your consideration and support of this endeavor, we truly feel this is the difference between many small businesses thriving and failing and we ask for your support.

Sincerely,
The Celis brothers

From: Paul Castro
To: Kathleen Ruderman
Subject: FW: Crémieux at The Royal Poinciana
Date: Wednesday, December 06, 2017 10:16:20 AM

Same

From: Tom Bradford
Sent: Wednesday, December 06, 2017 10:13 AM
To: Kleid Richard Home <kleid561@aol.com>; Gail Coniglio <GConiglio@TownofPalmBeach.com>; Danielle Hickox Moore <DMoore@TownofPalmBeach.com>; Bobbie Lindsay <BLindsay@TownofPalmBeach.com>; Margaret Zeidman <MZeidman@TownofPalmBeach.com>; Julie Araskog <jaraskog@TownOfPalmBeach.com>
Cc: John Page <JPage@TownofPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: Fwd: Crémieux at The Royal Poinciana

MTC:

FYI

TGB

Sent from my iPad

Begin forwarded message:

> **From:** Stephane Cremieux <stephane.cremieux@cremieuxusa.com>
> **Date:** December 5, 2017 at 8:16:10 PM EST
> **To:** tbradford@townofpalmbeach.com
> **Cc:** Alexandra Patterson <Alexandra.Patterson@wsdevelopment.com>
> **Subject: Crémieux at The Royal Poinciana**
>
> **Dear Mr. Bradford, Mayor, and Town Council,**
>
> **I am the owner of a new boutique at The Royal Poinciana Plaza called Cremieux.**
> **Crémieux is a family owned Menswear brand since 1976, founded by my father in Saint-Tropez.**
> **Palm Beach is our newest home, in addition to our flagships in Madrid, Paris, and New York. We view these locations as both opportunities for in-store sales, but also opportunities to build awareness of our brand with potential future customers, be they local residents or visitors from across the country or around the globe. I am writing this letter to support the Plaza's efforts to change the ordinance and allow for outdoor events on the courtyards. While many already view the Plaza as a destination, additional events will build brand awareness and help ensure our success as we look to be a long term member of the Palm Beach community.**

These types of events are particularly meaningful in Palm Beach compared to our other flagship locations, which are situated on busy urban streets. While we love the upscale and relaxing shopping experience that The Royal Poinciana Plaza offers, events will help to maintain this curated feel while catering to amenities we can provide the community that will keep them engaged in the shopping experience.

This is an exciting prospect for our business and we ask for your support. I am at your disposal to discuss if need be,

Thank you.

Sincerely,
Stephane Cremieux

Office. 1-917-512-6922
Cell 1-305-903-3253

From:	John Page
To:	Paul Castro; Kathleen Ruderman; Kelly Churney
Subject:	FW: Outdoor green space use at The Royal Poinciana Plaza
Date:	Wednesday, December 06, 2017 10:48:32 AM

For TC books….

John S. Page
Planning, Zoning & Building Director

Town of Palm Beach
PZB Department
360 S. County Road
Palm Beach, FL 33480
Phone: 561-227-6405
Fax: 561-835-4621
www.townofpalmbeach.com

From: Tom Bradford
Sent: Wednesday, December 06, 2017 10:14 AM
To: Kleid Richard Home <kleid561@aol.com>; Gail Coniglio <GConiglio@TownofPalmBeach.com>; Danielle Hickox Moore <DMoore@TownofPalmBeach.com>; Bobbie Lindsay <BLindsay@TownofPalmBeach.com>; Margaret Zeidman <MZeidman@TownofPalmBeach.com>; Julie Araskog <jaraskog@TownOfPalmBeach.com>
Cc: John Page <JPage@TownofPalmBeach.com>; Paul Castro <PCastro@TownofPalmBeach.com>
Subject: Fwd: Outdoor green space use at The Royal Poinciana Plaza

MTC:

FYI

TGB

Sent from my iPad

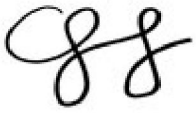
Begin forwarded message:

> **From:** Beth Buccini <zabete@kirnazabete.com>
> **Date:** December 5, 2017 at 6:51:35 PM EST
> **To:** tbradford@townofpalmbeach.com
> **Cc:** Alexandra Patterson <alexandra.patterson@wsdevelopment.com>
> **Subject: Outdoor green space use at The Royal Poinciana Plaza**
>
> **Dear Mr. Bradford, Mayor, and Town Council,**
>
> **My name is Beth Buccini and I am the owner of Kirna Zabete, soon to be open**

business in the town of Palm Beach at The Royal Poinciana Plaza. I am writing to express my support of Up Market's endeavor to program the outdoor green space at the Plaza in a way that will encourage businesses to succeed. As a business owner who engages in brick and mortar and online sales, I can attest to the fact that online is a necessary component of the business, but brick and mortar is the most rewarding. To build relationships in communities, have lifelong customers, and learn to cater to specific needs and desires is essential to my business' success and whatever the Town of Palm Beach can do to support that effort is helpful.

As a tenant that underwent the Special Exception Permit approval process last year, I have already jumped through some hoops to get my business to the island. To learn that Up Markets isn't allowed to use the courtyards was very disheartening for me and I am making a plea that you help create a framework that will encourage businesses to succeed, not just mine, but all businesses on the island. It is our hope that Palm Beach's retail environment shifts to be one that is exhilarating, rewarding, interesting, thought provoking, and engaging. To engage our customers is what makes the brick and mortar locations most successful and there is no better way to do that than on our green spaces in sunny Florida. I look forward to the day that Up Markets can offer a variety of programs to the community on a regular basis, as this will be the best way to ensure our success. Boutiques and restaurants are the bones, but engagement with the community is what will ensure our success and I ask for your support as we start our first year in Palm Beach, hopefully the first of many many more!

Sincerely,



Beth Buccini

| **Beth Buccini** | Owner / Founder | Soho-NYC - Bryn Mawr - East Hampton - Palm Beach | t 212.941.9656 x5201 | zabete@kirnazabete.com