ROYAL POINCIANA WAY COMMITTEE
RECORD AND REPORT
TOWN EMERGENCY OPERATION CENTER
THIRD FLOOR
355 SOUTH COUNTY ROAD, PALM BEACH
TUESDAY, JANUARY 29, 2013, 9:30 a.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting Debby Morakis, Secretary to the Royal Poinciana Way Committee at (561) 227-6411. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER AND ROLL CALL (9:31:54 a.m.)

Chair Pucillo called the meeting to order at 9:31 a.m. On roll call, Committee Members present were:

Michael Pucillo, Chair
C. Tanner Rose
Alexander C. Ives
Barbara Lindsay Buck
Susan Markin
Nancy Murray
Alan S. Golboro

Committee Members absent: None

Staff members present were:

John Page, Director of Planning, Zoning, Building
Paul Castro, Zoning Administrator
Debby Morakis, Secretary to the Royal Poinciana Way Committee

II. INVOCATION AND PLEDGE OF ALLEGIANCE (9:34:27 a.m.)

Ms. Morakis led the Committee with the Invocation and Pledge of Allegiance.

III. APPROVAL OF THE AGENDA (9:35:54 a.m.)

Chair Pucillo proposed additions to the agenda to include discussion regarding the zoning amendments previously approved by the Committee and add additional time to accommodate public comment before any vote be taken by the Committee.

MOTION BY MR. GOLBORO FOR APPROVAL OF THE AGENDA, AS AMENDED.

MOTION SECONDED BY MR. ROSE.

MOTION CARRIED UNANIMOUSLY.

Ms. Markin expressed her concern regarding the agenda adding that she felt she was not prepared to discuss the zoning changes. Ms. Markin stated that she felt each of the Committee members needed to go through the document, line by line, to make sure the changes made were as discussed. Chair Pucillo stated that he felt the changes made were relatively minor, but, there were some typos that needed to be corrected. Paul Castro, Zoning Administrator, stated that the reason the item was not on the agenda was that staff felt they received clear direction that it was approved at the last meeting. Chair Pucillo agreed but added that he felt it was a good idea to review the document and asked Mr. Castro to go over the changes. Mr. Castro indicated that the document was not in red line format since it had been previously approved.

Chair Pucillo recognized Mr. Cooley and allowed an opportunity for him to be heard. William Cooley, 8 Windsor Court, commented that he had participated in and believed in the process. He did not like the result, but, still believed in the process and would continue to participate. Mr. Cooley thanked the Committee and staff for their time and courtesy, but, questioned how the final vote could have taken place at the last meeting without public notice. Mr. Cooley suggested a change in process to require that a final vote be scheduled, noticed to the citizens, and, the final package be circulated for review.

Chair Pucillo advised the Committee that he had previously discussed this privately with Mr. Cooley, spoke about the process, and, explained that the Royal Poinciana Way Committee was an ad-hoc committee charged by Council with finding an idea for the Royal Poinciana Way area. Chair Pucillo noted that any final vote taken by the Committee had no force and effect and no force of law, and, if the Council acted favorably upon a recommendation by the Committee, it would also have no force and effect of law and would then have to be sent to the Planning & Zoning Commission.

Ms. Markin asked if legal notice was required for a vote to be taken and Attorney Randolph responded that legal notice only needed to include the subject matter for discussion and did not have to state that a vote would be taken. Mr. Castro explained the notice given at the previous meetings and discussion continued. Mr. Castro added that once this was referred back to Council and the Local Planning Agency, it would be noticed in a legal ad as well as a mailing to all surrounding property owners within 1,000 feet.

Comments were heard from Ms. Buck and Chair Pucillo, and, Dr. Day explained the delay in receiving material from Mr. Mouzon prevented backup material for the meeting from being distributed to the Committee earlier.

Chair Pucillo asked Mr. Castro to begin explaining changes incorporated in the zoning document. Ms. Buck asked about the reference to scaled models adding that she thought Mr. Mouzon had suggested one model be built for the entire area that would allow applicants to "drop in" their scaled model. Mr. Castro acknowledged that had been suggested by Mr. Mouzon, but, added that he felt there was no consensus by the Committee to make that change. Chair Pucillo agreed adding that he felt this was something that could be resolved at the Planning & Zoning Commission. Mr. Golboro stated that he felt it did not belong here and suggested an architectural elevation be used in place of a model. Discussion continued and Mr. Ives stated that he felt the cost to build a model would be much higher than the $15,000 suggested by Mr. Mouzon. Mr. Page, Director of Planning, Zoning and Building, stated that detailed site plans and elevations were successfully used by ARCOM and the expense of preparation and difficulty in storing models was prohibitive. Ms. Markin stated she felt graphic scaling had not been addressed and Mr. Rose stated he did not feel strongly either way but felt it was unnecessary and would prefer to not subject the Town or any developer to the expense. Ms. Buck stated she wanted to support the expert's advice that a model be created. Ms. Murray stated she felt Mr. Mouzon's recommendation regarding models was in reply to questions from the Committee, not that he was extoling the virtues of a model. Discussion continued and Mr. Castro explained that models had not been used because of their expense, the difficulty in their storage, and, wondered how long a model made of cardboard would last.

Chair Pucillo suggested the language be changed to require a site elevation plan be submitted along with an appropriately scaled model for any proposed development or re-development, also suggesting that the reference to 200 linear feet be removed from the language. Mr. Pucillo added that he preferred to leave the issue open for the Planning & Zoning Commission and suggested staff find out the cost of creating a model, determine where one might be stored and also wondered if it was something that could now be done electronically. Discussion continued and Chair Pucillo called for a consensus from the Committee. Mr. Ives stated that he was fine with it. Mr. Markin asked that a graphic representation of elevation comparisons be added. Mr. Castro noted that a site elevation plan was graphic and Mr. Golboro added that ARCOM or the Landmark Commission could ask for it if they felt it necessary. Ms. Buck suggested that a graphical site elevation plan be asked for.

Bill Strawbridge, 223 Atlantic Avenue and Landmark Commission, stated that a scaled drawing or "streetscape" showing everything on the street was the simplest method.

Chair Pucillo read a suggestion for proposed language, "that a graphic site elevation plan shall be submitted along with an appropriate scaled model of the proposed development or redevelopment, including the streetscape and surrounding buildings." Mr. Ives concurred. Continuing with the review of the PUD Procedure, Mr. Castro noted that no changes were made to the process. Any mention of a minimum or maximum size of vias was removed to allow determination by Council and the Planning & Zoning Commission. Comments were heard from Mr. Golboro and discussion continued regarding windows and insulation. Mr. Castro explained other changes and the reference to 200 linear feet as well as the reference to "street" trees was removed.

Ms. Buck suggested limiting assemblages of the narrow lots on the Royal Poinciana Way side, as suggested by Mr. Mouzon, and, Mr. Castro stated that while Mr. Mouzon spoke about it in his presentation, there was no discussion by the Committee. Mr. Rose commented and Chair Pucillo stated that he felt this could be studied by the Planning & Zoning Commission. After further discussion, it was determined that Mr. Castro would incorporate the suggested changes and distribute the document to the Committee as soon as possible. Chair Pucillo suggested all previous changes be adopted and only changes made today be black-lined.

V. CONSIDERATION OF DRAFT DESIGN GUIDELINES FOR THE PUD-5 (10:34:30 am)

Chair Pucillo recognized Raychel Lorenzen, of 216 Garden Road, who addressed the Committee expressing her concern regarding votes she felt were taken without proper notice. Ms. Lorenzen noted, for the record, that while she respected the experience of the Committee members, she felt the Committee was not following the advice of the experts. Ms. Lorenzen added that she felt there should be a model for the entire area.

To accommodate Ms. Lorenzen's concerns, Chair Pucillo stated that he would request the item be heard at Council at a time certain and he would also request that the three minute rule be suspended so everyone would have an opportunity to be heard.

Chair Pucillo called for a break at 10:47 a.m. and the meeting reconvened at 10:54 a.m.

VI. PUBLIC COMMENT

Chair Pucillo accepted public comments throughout the meeting in order to accommodate citizens' schedules.

IV. APPROVAL OF THE JANUARY 17, 2013 ROYAL POINCIANA WAY COMMITTEE MINUTES (10:40:50 a.m.)

MOTION BY MR. IVES FOR APPROVAL OF THE JANUARY 17, 2013 MINUTES OF THE ROYAL POINCIANA WAY COMMITTEE.
MOTION SECONDED BY MR. ROSE.
MOTION CARRIED UNANIMOUSLY WITHOUT BENEFIT OF A ROLL CALL.

V. CONSIDERATION OF DRAFT DESIGN GUIDELINES FOR THE PUD-5 (10:41:09 a.m.)

Dr. Jane Day read a quote by Paul Goldberger, architectural critic for New Yorker magazine and author of *Why Architecture Matters*, "Architecture is a conversation between the generations carried out across time." Dr. Day went on to describe her education and expertise, and, explained her preparation for the project and her work with Mr. Mouzon. Dr. Day explained that she was most enthusiastic about the use of four categories rather than two since she felt that expanded the vocabulary of what was important to the street and why. Dr. Day added that she felt the PUD-5 was an optional vehicle for redevelopment and that these buildings would be preserved within the context of the PUD-5 redevelopment rather than the traditional Landmark process, noting that except for Bradley House, none of these buildings were Landmarked. Dr. Day explained that Mr. Mouzon had a change of opinion regarding the classification of the Testa's property after visiting the Town on January 17 and meeting with residents. Dr. Day added that she disagreed with his opinion. Dr. Day explained her frustration in that she had been trying to reach Mr. Mouzon since January 18th and had only heard back from him late on January 28th. In the best interest of bringing the PUD-5 forward, she was asked to look at and give the Commission her opinion of the buildings on the street.

Dr. Day read the definitions for historically and architecturally contributing buildings and stated that she and Mr. Mouzon both agreed that buildings in these categories were the most important buildings on the street. Dr. Day used a power point presentation and photographs to provide examples of this category including the ER Bradley Saloon South, Inc. building at 283 Royal Poinciana Way and the Palm Beach Bookstore at 211 Royal Poinciana Way. Dr. Day mentioned the building next door as the Palm Beach Resort Wear building at 217 Royal Poinciana Way, describing it as urbanistically contributing. Dr. Day went on to describe other properties on the street adding that Mr. Mouzon did not agree with her that buildings on County Road could be re-skinned or changed to be more like the buildings on the corner. Dr. Day spoke of the New Bradley House, Ltd. building, a landmarked property which she described as being one of her favorites - four stories with varying height and tower elements.

Dr. Day read the definition of architecturally contributing buildings and Ms. Buck asked Dr. Day to describe the differences between her opinion, Mr. Mouzon's opinion, and, the Janus Report. Dr. Day stated that she felt urbanistically contributing was just as important to the block, and, having that category also solved the problem she had with the Janus Report. Dr. Day provided examples of architecturally contributing buildings including the Island Animal Hospital, which was a residential building. Several other buildings in this category include the Testa Family, LLC building at 214 Sunset Avenue which includes the entrance to the via, Sunset Condo Apartments at 244 Sunset Avenue, Main Street News at 255 Royal Poinciana Way, and, the buildings at 233/235 Royal Poinciana Way.

The definition for and examples of urbanistically contributing buildings were presented. Dr. Day explained that she and Mr. Mouzon had differing opinions about how to define "re-skinned", explaining that re-skinned was a Mouzon term. Dr. Day added that in the latest version of the PUD Guidelines, Mr. Mouzon also redefined "urbanistically contributing". Dr. Day added that she felt the rear of these buildings could be rebuilt in order to make the PUD-5 more user-friendly. Dr. Day stated that she felt the Testa building was an example of an urbanistically contributing building, explained her reasoning, read an email from Mr. Mouzon, and, a brief discussion ensued. Dr. Day explained that she disagreed with the Janus Report regarding this property and used a separate power point presentation to demonstrate. Discussion continued. Ms. Markin asked for clarification about the logistics of keeping the facades of the old buildings and Dr. Day stated she was unable to answer; she was not an architect or engineer and was only providing conceptual ideas rather than the nuts and bolts of how it would be done.

Comments were heard from Chair Pucillo who agreed with Dr. Day and commented that this was why he undertook this project to see these buildings saved. Discussion continued and comments were heard from Ms. Markin and Ms. Buck who stated that she felt the documents were becoming confusing and ambiguous and expressed concern in moving properties from one category to another. Chair Pucillo acknowledged the challenge in categorizing several buildings, recognizing that creativity was needed in each situation. Dr. Day noted that she felt the beauty of using four categories rather than the original two was that it took away the argument she had with the Janus Report. Ms. Buck stated that since three of the four experts classified these properties as architecturally contributing, that classification should be used. Mr. Ives stated that while he respected the other professionals he felt there was a different weight that needed to be given to Dr. Day's opinions and analysis due to her many years of experience and knowledge of the Town and that he felt the different levels helped clarify the report. Dr. Day continued with her presentation and described some small buildings in the back and via including one that was described as possibly being the former jail, but, further research would be required.

Answering questions from Mr. Rose, Dr. Day spoke about adaptive re-use, adding that she felt many of these properties would be landmarked. Mr. Golboro stated that he considered both Dr. Day's report and the Design Guidelines to be a flowing document, and, Dr. Day acknowledged that her document was a snapshot in time as of January 2013.

Ms. Buck stated that she was concerned about the definition of architecturally contributing and preferred to move the Testa's restaurant building and via back to that category. Chair Pucillo disagreed and stated that he was not comfortable designating Testa's as architecturally contributing since he felt the architect was not distinguished and wondered if the concept of preservation of portions of these buildings might be carried over, suggesting a change to the language to the urbanistically category to cover loss of portions of those buildings. Mr. Ives suggested classification details in Mr. Mouzon's report be changed. Dr. Day continued with her presentation demonstrating urbanistically contributing buildings including the Cucina Dell'Arte building, the Breaker's building, Tropical Fruits, and, Island Home.

Dr. Day described several non-contributing buildings such as the bank building, the gas station, 254 Sunset Avenue, and, the Breaker's parking lot. It was suggested and Dr. Day agreed that the conclusions portion of her report be modified.
Chair Pucillo thanked Dr. Day for her presentation and noted that both the Design Guidelines and Dr. Day's report would be incorporated by reference and made part of the zoning code. Chair Pucillo stated that he felt certain language needed to be identical in both reports, calling for discussion of the definitions for the three contributing categories. Clarification was suggested for the historically and architecturally contributing language and Mr. Castro agreed to make the change. After further discussion, it was determined that references to the Landmark Preservation Commission would be removed. Other minor changes to the document were agreed upon and discussion continued. Dr. Day agreed to include one or two bullets to identify what she felt were the important aspects for each building. It was agreed that a sentence would be included to say, "The loss of contributing aspects of these buildings would negatively affect the urbanistic character of the block". Other minor changes were discussed and Chair Pucillo summarized changes agreed upon including: definitions be uniform in both documents, bullets points be added to Dr. Day's report, and, the sentence regarding homogeneity would be added back. Mr. Ives suggested that the ARCOM

demolition report be included in Dr. Day's report. Mr. Castro suggested language be included so if property was assimilated to take advantage of the PUD-5, the entire property would have to meet the same guidelines in the future. Chair Pucillo suggested a Unity of Title be required and Mr. Castro reminded the Committee that the Council would have to adopt a resolution and could add that requirement at that time.

Chair Pucillo led discussion regarding classification details in Mr. Mouzon's document and it was agreed that certain language pertaining to roofs and auxiliary buildings would be removed, and, that the appropriate place for this information was in Dr. Day's report. Discussion continued.

Ms. Markin stated that she felt it was important to vote only after the documents were in their final form. Chair Pucillo agreed and Ms. Buck stated that she felt there were still real incentives missing such as waiving permit fees to preserve buildings during the redevelopment process, suggested another presentation from Mr. Mouzon be required, and, that she felt the final package should be presented to the Landmark Commission. Chair Pucillo disagreed, stating that he felt that should be dealt with by the Planning & Zoning Commission, would prefer this get to the Council then the Planning & Zoning Commission to work out the details and suggested that another meeting be set to finalize these documents. Mr. Golboro disagreed, stating that he trusted the attorneys and the Planning & Zoning Commission to iron out the details.

Chair Pucillo suggested that Dr. Day and staff make the changes as requested and provide the modified final documents to the Committee as soon as possible. Discussion took place regarding the possibility of requesting a Special Town Council meeting at the end of February. After discussion, it was the consensus of the Committee that the next meeting of the Royal Poinciana Way Committee be scheduled for Friday, February 15, 2013 at 9:30 a.m. in the Emergency Operation Center. Chair Pucillo suggested Staff include on that agenda the review of the following: Final Version of the Zoning Code, Final Version of the Contributing Building Report, Final Version of the Design Guidelines, and, under New Business, Discussion of Possible Additional Incentives. It was suggested that Committee members send a list of ideas for possible incentives via email to Mr. Page and Mr. Page would circulate that list to the Committee. Attorney Randolph reminded the Committee that they should not respond to that list outside the public meeting. Ms. Markin asked if her graphic elevation description could be presented at the next meeting and it was agreed.

VII. ADJOURNMENT (12:57:47 a.m.)

Without benefit of a motion, Chair Pucillo adjourned the meeting at 1:00 p.m.

Respectfully Submitted,

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Michael Pucillo, Chair
Town of Palm Beach
Royal Poinciana Way Committee