ROYAL POINCIANA WAY COMMITTEE
RECORD AND REPORT
TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR
360 S COUNTY ROAD, PALM BEACH
THURSDAY, JANUARY 17, 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 [redacted] 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. [redacted] **(9:34:59 a.m.)**

Chair Pucillo called the meeting to order at 9:38 a.m. On roll call, Committee Members present were:

Michael Pucillo, Chair
C. Tanner Rose
Alexander C. Ives (arrived at 9:38 a.m.)
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. [redacted] **(9:39:32 a.m.)**

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

III. [redacted] **(9:39:38 a.m.)**

Due to a delay in the arrival of Mr. Mouzon, Chair Pucillo proposed the agenda be amended to allow discussion of the proposed zoning changes and added that although not on the agenda, a letter from Nancy Stroud as well as Attorney Randolph's response had been received and distributed to the Committee, and, would lead to a discussion of the Comprehensive Plan prior to Mr. Mouzon's presentation.

MOTION BY MR. GOLBORO FOR APPROVAL OF THE AGENDA, AS AMENDED. MOTION SECONDED BY MR. ROSE.
MOTION CARRIED UNANIMOUSLY WITHOUT BENEFIT OF A ROLL CALL.

IV. [redacted] **(9:40:43 a.m.)**

MOTION BY MR. ROSE TO APPROVE THE MINUTES OF THE NOVEMBER 29, 2012 COMMITTEE MEETING.
MOTION SECONDED BY MR. GOLBORO.
MOTION CARRIED UNANIMOUSLY WITHOUT BENEFIT OF A ROLL CALL.

V. [redacted] **(9:40:58 a.m.)**

After a brief discussion, Chair Pucillo noted the minutes were intended to be a general summary of what happened at the meeting and that he felt they were accurate as presented. Ms. Buck noted a minor change to page 5.

MOTION BY MR. GOLBORO TO APPROVE THE MINUTES OF THE DECEMBER 20, 2012 COMMITTEE MEETING, AS AMENDED.
MOTION SECONDED BY MR. ROSE.
MOTION CARRIED UNANIMOUSLY WITHOUT BENEFIT OF A ROLL CALL.

For the record, Alex Ives arrived at 9:46 a.m.

VI. REVIEW OF PUD-5 CHANGES FROM THE DECEMBER 20, 2012 COMMITTEE MEETING.

Chair Pucillo called for discussion regarding the PUD-5 revisions. Attorney Randolph recommended an addition to the language in Sec. 134-476, adding the phrase "All in accordance with the terms and provisions set forth herein." Chair Pucillo noted that the PUD-5 Design Guidelines would be further discussed following the presentation by Mr. Mouzon and Attorney Randolph explained some of the strikeouts in the regulations that would eliminate the tentative approval process and simplify the process after the approval related to the resolution.

Ms. Buck read a portion of page 2, stating that she felt if a contributing building were demolished, the owner should never be eligible to take advantage of the PUD-5. Discussion ensued and Chair Pucillo stated that he felt by having a five year sunset on the prohibition would allow a subsequent owner to come in and correct a mistake.

Ms. Markin stated that she felt amending the C-TS zoning regulations to prevent parking from fronting on Royal Poinciana Way would fix the parking issue and Chair Pucillo suggested that perhaps the members of the Planning & Zoning Commission could look at that. Mr. Rose asked if that would be "down-zoning" or could be considered a Burt Harris issue. Attorney Randolph explained and reminded the Committee that they were here to discuss this block only and not the entire C-TS zoning district. Mr. Rose stated that he felt the mission was to encourage owners to preserve buildings and eliminate curb cuts and having a five year limit was consistent with that.

Mr. Golboro stated that acts of God were not precluded in PUD-5 and a brief discussion continued. Mr. Castro noted that the code currently allows a building to be rebuilt on the same footprint and the same size and suggested that adding the word "voluntary" in front of the word "demolished" in the code would alleviate this concern.

Ms. Markin suggested a change to the C-TS zoning regulations for Royal Poinciana Way to eliminate parking lots facing Royal Poinciana Way. Attorney Randolph spoke further about Burt Harris issues and the discussion continued. Ms. Buck suggested that the Committee ask the Planning and Zoning Commission to look at making changes to the C-TS zoning code that would eliminate parking lots on Royal Poinciana Way. Further discussion took place regarding the 5 year restriction after demolition with comments heard from Ms. Buck, Mr. Pucillo and Mr. Golboro who felt it was unnecessary and Messrs. Rose and Ives and Ms. Murray agreed to 5 years. Ms. Markin stated she would feel more comfortable with a 10 year prohibition.

Chair Pucillo explained that certain variances requested would require a recommendation from the Landmarks Commission and Zoning Administrator Paul Castro explained that staff would have the discretion to add to that list. Ms. Buck wondered why any variances would be considered and Chair Pucillo explained, as an example, that any restaurant would need a variance on parking. Discussion continued. John Lindgren, Planning Administrator, explained that the proposed Comprehensive Plan Amendments detail limits on lot coverage, height, density, and landscape open space variances. Mr. Castro clarified that it only talks to the number of stories, not building height limitations.

Chair Pucillo stated that the Council once gave a variance for one inch and explained that a house was 1" in the setback and the owners were unable to sell because the buyers could not get title insurance. Mr. Castro asked for an opportunity to work with the language and Chair Pucillo stated that he was comfortable with that, and, he felt the open space was critical. It was agreed that the flexibility language would be removed.

Discussion continued regarding clerical changes to page 4 and it was noted that the pages addressing the PUD process would be modified. Mr. Castro explained why it was helpful to have a PUD adopted by resolution and it was agreed to keep that language in. Ms. Buck spoke about her concern with density and the consolidation of units and Mr. Pucillo agreed that it might be good to put some type of square footage limitation on the Royal Poinciana Way side of the block. Mr. Golboro stated that he felt the problem was in defining "unit." Chair Pucillo polled the Committee on their feelings about a 3,000 square foot limitation and Ms. Buck felt that number was too high; adding that she felt smaller units would sell better, would be less expensive and would appeal to a younger person. Mr. Ives stated that he thought the lot coverage and open space requirements would take care of this concern and he preferred to keep it simple. Ms. Markin shared the concern of Ms. Buck with changing the character on the street with larger units, but, wondered how this would be enforced. Mr. Rose agreed with Mr. Ives and stated that he wanted the PUD-5 to be pulled off the shelf and used and the more it was layered with burdens, the less likely it would be to be used. Chair Pucillo stated that he felt the consensus of the Committee was to leave it the way it was.

Attorney Randolph noted some repetitive language on page 16 and Chair Pucillo stated that he was inclined to leave it in. Ms. Murray asked what "street trees" were as referenced on page 18, and, Mr. Castro explained it was any kind of tree that the Landmarks Commission would approve. Discussion continued and it was agreed to remove the word "street" from the existing language.

Ms. Markin asked about the language referencing loading facilities on page 16 and Mr. Castro explained that loading zones were not required, provided examples, and, explained the site plan approval process that would look at this issue.

Ms. Murray asked if development construction could be restricted during bridge construction. Mr. Page explained the construction parking regulations and the "3-strikes rule" which would apply to all properties in Palm Beach. Mr. Castro noted that Council had the ability to regulate parking on any project.

Mr. Rose noted on the bottom of page 18, the words "and curb cut" needed to be inserted in one sentence and it was agreed.

Chair Pucillo stated that he felt the Committee was now through with the zoning code, subject to some areas left open until after hearing Mr. Mouzon's presentation. Chair Pucillo asked Attorney Randolph to provide his view on the proposed changes to the Comprehensive Plan. Attorney Randolph explained the substantive changes proposed by staff and stated that he felt the changes staff presented were sufficient to make the Comprehensive Plan consistent with the PUD-5. Mr. Lindgren explained the numerous changes made to the Comp Plan during the past several years since its adoption in 1989. Ms. Markin asked if the Comp Plan had ever been changed to increase density and Mr. Castro stated that it had in terms of height. Discussion continued.

Chair Pucillo called for a recess at 11:25 a.m. The Committee reconvened at 11:36 a.m.

VI. [redacted] **(11:54:53 a.m.)**

Chair Pucillo introduced Steve Mouzon who provided the Committee with a power point presentation of his proposed guidelines for the PUD-5. Mr. Mouzon explained that the basis for the guidelines was to not only say what to do but why. Mr. Mouzon spoke about the ten patterns used in the guidelines including frontages and explained that all buildings, except civic buildings, should be pulled to the frontage line of the property with no more than 15 foot setbacks on the vias and no more than 15 feet between buildings in order to induce foot traffic. Mr. Mouzon stated that building heights should vary by at least six inches to the adjacent buildings with a maximum height of three stories on the corner buildings. Mr. Mouzon spoke about vias and explained that vias do what a cross street would do, noting that the imports of the vias should be established, but, the exact layout and width of the entire via should be allowed to evolve. The side street elevation was explained and added that Sunset Avenue should be considered the second side street. It was noted that the more spaces for parking on the street the better it would be for all merchants on the street and that street parking was considered "body armor" for pedestrians. Any on-site parking should not be seen from the sidewalk. Mr. Mouzon suggested that one of the first things done on the block should be to replace the parking lots with buildings and Mr. Mouzon added that he felt nothing enlivened pedestrian traffic more than sidewalk seating, suggesting the Town needed more of it. Party walls were mentioned as well as narrow shop facades that would create a more interesting place. Mr. Mouzon explained the storefront composition and suggested that glass not go all the way to the ground, windows have at least 60% glass and be at eyelevel along the storefronts.

Mr. Mouzon stated that he struggled for years to find a finer way of looking at buildings and thus created four categories: historically contributing, architecturally contributing, urbanistically contributing and non-contributing. Mr. Mouzon suggested that the Town consider incentives to keep the architecturally contributing buildings and consider a different sort of incentives to re-skin urbanistically contributing buildings. Mr. Mouzon explained the rational for having two different documents and added that he felt that Dr. Day's document says "what is here and how did we get here," and, the guideline says "where do we go from here."

Ms. Markin asked about the maximum height of any three story buildings on the street and Mr. Mouzon spoke about the proportion of existing buildings, adding that new buildings should create as much enclosure as possible in order to make it seem like an outdoor room. Ms. Markin asked how water runoff would be dealt with and Mr. Mouzon stated that the most common thing to do would be to slope to the back and to a storm drain.

Ms. Buck asked how many vias were needed and how far apart they should be on the block. Ms. Buck asked about the height variation on the block and if buildings in the middle of the block should be allowed to be as tall as or taller than those on the corners. Ms. Buck also asked about elevations on the block. Mr. Castro explained that there were no requirements from a FEMA standpoint to raise the elevation for commercial buildings but that commercial buildings would have to be flood proofed.

Mr. Mouzon suggested consideration to allowing some live/work units with office use on first level and residential on second floor. Mr. Mouzon stated that height limits on a story basis as opposed to foot basis creates more gracious buildings with higher ceiling heights.

Ms. Buck commented about re-skinning the buildings and asked if a second story addition would be permitted. Mr. Mouzon stated, "The worst thing for that block would be to tear down and start over because no single designer has enough ideas in his mind to make it as interesting as a place that has grown up over time. Preserve everything about the quirks and the oddities of this place that gives it character." It would look like a project.

Ms. Buck asked for input regarding the consolidation of lots. Mr. Mouzon stated that he would anticipate some land swapping and suggested allowing subdivision of the lots and suggested that lots could get smaller but not bigger and the key would be to limit frontage. Discussion took place regarding the classification of several buildings on the block and it was noted that edits would be done to Dr. Day's report to correct some classifications.

Mr. Rose asked if urbanistically contributing properties could be totally removed so long as it were reconstructed using the pattern book or guidelines. Mr. Mouzon stated that if you work with what is there it will save building material and money. Mr. Rose stated that his concern was that if assemblages were not allowed, not sure we could get the vias, underground parking or a cleanup on Sunset Avenue. Mr. Mouzon stated that the most important thing is what happens on the street frontage. Mr. Ives asked what could be done to an architecturally contributing building that could not be done to a historically contributing building and Mr. Mouzon answered that he felt there would be no difference.

Ms. Murray stated that she loved the word "re-skinning" and asked how to determine how far to let them go. Mr. Mouzon stated that re-skinning was something that was done in a thin layer. Ms. Murray explained that her daughter works in one shop on the west end of the street and asked what could be done as a temporary fix to get people strolling on that street. Mr. Mouzon stated that he was recently working on an idea called walk appeal or pedestrian propulsion and the POSM (park once shop many) district and added there was not much that could be done on a temporary basis other than creating a wall with art work, but, there was no substitute for a shop front.

Mr. Golboro complimented Mr. Mouzon and stated that he felt the format was terrific and understandable. Mr. Golboro asked if the storefronts would be insurable and Mr. Mouzon stated that he felt they could be built to be safe. Comments were heard about the vias and pedestrian ways and Mr. Mouzon stated that he felt allowing the vias to develop would be more interesting and to continuously enhanced walk appeal around the block would draw pedestrians to it. Mr. Golboro suggested that the Planning and Zoning Commission be provided a copy of these guidelines.

In answer to questions from Ms. Markin, Mr. Mouzon suggested that any additions be done on the Sunset Avenue side of the block. Ms. Buck asked the recommended size of any architectural model and Mr. Mouzon suggested that one master model be built for the whole block. Discussion continued.

Chair Pucillo wondered if the kitchen at the rear of the Testa building, an urbanistically contributing building, would have to be saved. Mr. Mouzon stated that he felt that only the portion of the building back to where the roof ends would have to be saved. Mr. Castro used the internet to access a Google map to demonstrate. Discussion continued and it was noted that the curb cuts in front of the bank building should be eliminated.

Dr. Jane Day addressed the Committee and thanked Mr. Mouzon for working with the Town of Palm Beach. Dr. Day stated that she wanted to make sure that photographs of buildings were included to demonstrate the contributing characteristics. Chair Pucillo noted that Dr. Day's arrangement with the Town as well as the Committee's work was coming to a close and that he felt a lot had been accomplished in eight months. Chair Pucillo added that he was impressed and pleased with the guidelines and felt the Committee only needed to fine tune a few areas in the guidelines, suggesting that one more meeting be scheduled within the next two weeks to focus on the Guidelines and Dr. Day's report. Chair Pucillo asked for a motion to approve the PUD-5 Zoning Guidelines and the Comprehensive Plan changes so the Committee could move on from whether to do a PUD-5 or something else, to what the guidelines are going to be and how these guidelines are going to function within the context of the PUD-5.

MOTION BY MR. IVES TO APPROVE THE PUD-5 ZONING GUIDELINES AND COMPREHENSIVE PLAN CHANGES.
MOTION SECONDED BY MS. MURRAY.
Chair Pucillo clarified the motion: to approve the zoning regulations that were discussed and comp plan changes subject only to a few minor edits to and finalization of the Design Guidelines. A brief discussion ensued.
MOTION CARRIED 6 TO 1, WITH MS. MARKIN OPPOSED.

VIII. PUBLIC COMMENT

Bill Strawbridge, 223 Atlantic Avenue, Architect and Landmarks Commission member, addressed the Committee and stated that he was absolutely thrilled with what was done today. Mr. Strawbridge stated that he felt the Committee showed sensitivity and a true understanding of what makes these facades work. Mr. Strawbridge then read a statement into the record suggesting all public space with the exception of vias BE placed on the outside of the block and the elimination of the open space requirement and any increase in density be built on the blocks interior and on Sunset Avenue.

IX. [redacted] (12:25:48 a.m.)

Chair Pucillo noted end of Dr. Day's contract with the Town was approaching at the end of the month. After a brief discussion, it was the consensus of the Committee that a meeting be scheduled for January 29, 2013 at 9:30 a.m. and it was noted that if necessary, the meeting would take place in the Emergency Operation Center if Council Chambers were unavailable. Chair Pucillo thanked the Committee, Dr. Day and Mr. Mouzon for their hard work.

X. ADJOURNMENT

MOTION BY MR. IVES TO ADJOURN THE MEETING AT 1:14 P.M.
MOTION SECONDED AND CARRIED UNANIMOUSLY.

Respectfully Submitted,

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