



**PLANNING AND ZONING COMMISSION AND LOCAL PLANNING AGENCY
RECORD AND REPORT
TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR
360 S COUNTY ROAD, PALM BEACH
FRIDAY, SEPTEMBER 14, 2012, 9:00 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 (tape or CD) of the meeting by contacting Debby Morakis, Secretary to the Planning & Zoning Commission 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 (9:30:05 a.m.)

Chairman Rose called the meeting to order at 9:30 a.m. On roll call, Commission Members present were:

C Tanner Rose, Chair
Floyd Wideman, Member
Martin Klein, Member
Lewis Crampton, Alternate Member
Jeffrey Cloninger, Alternate Member
Michael Spaziani, Alternate Member

Commission Members absent were:
Leslie Shaw, Vice Chair (excused)
Eugene Lawrence, Member (excused)
John Schuler, Member (excused)

Staff Members present were:
John Page, Director of Planning, Zoning, Building
Paul Castro, Zoning Administrator
Debby Morakis, Secretary to the Planning & Zoning Commission

For the record, due to the absences of Messrs. Shaw, Lawrence and Schuler, it was noted that Alternate Members Crampton, Cloninger and Spaziani would be voting.

II. INVOCATION AND PLEDGE OF ALLEGIANCE (9:35:30 a.m.)

Ms. Morakis led the Commission with the invocation and Pledge of Allegiance.

III. APPROVAL OF THE AGENDA (8:55:31 a.m.)

MOTION BY MR. WIDEMAN FOR APPROVAL OF THE AGENDA.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED 6-0 AFTER ROLL CALL VOTE.

John Page, Director of Planning, Zoning and Building Department advised the Commission of recent Council appointments to the Commission. Mr. Page advised that effective October 1, Mr. Rose was reappointed to his second term as a regular member; Lewis Crampton was appointed as a regular member; Bobbie Lindsay Buck was appointed as a regular member; and, Jeffrey Cloninger, Peter Broberg and Bruce Langmaid were appointed as alternate members.

IV. COMMENTS FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA (8:57:41 a.m.)

There were no comments from the public at this time.

V. APPROVAL OF JULY 17, 2012 PLANNING AND ZONING COMMISSION/ LOCAL PLANNING AGENCY MINUTES (8:58:01 a.m.)

Mr. Cloninger requested clarification of his comments and Chair Rose requested that the terms Chair and Vice Chair be used rather than Chairman.

MOTION BY MR. CRAMPTON FOR APPROVAL OF THE MINUTES WITH CORRECTIONS.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED 6-0 AFTER A ROLL CALL VOTE.

VI. DISCUSSION ON RETAIL VACANCIES ON SOUTH COUNTY ROAD FROM WORTH AVENUE, NORTHERLY TO SEAVIEW AVENUE (PROPERTY OWNERS HAVE BEEN INVITED TO PARTICIPATE) (9:00:19 a.m.)

Chairman Rose opened the floor for comments first from owners, then interested parties.

Kurt Grantham identified himself as a Lawyer representing Thirty Sixty South Ocean, Inc., the property owner of 310 S. County Road located at Brazilian Avenue and South County Road. Mr. Grantham stated that the owner wanted him to convey the parking problem in the area, suggested the Town purchase vacant land on Brazilian Avenue, formerly the Plaza Hotel, and, build a parking lot. Mr. Grantham added that the perception in the business community was that the Town had too many hurdles. Mr. Rose asked if the tenants would have a problem if their employees parked off island and were shuttled to Town and Mr. Grantham stated that he did not have an answer. Mr. Crampton asked Mr. Grantham for clarification of the perception of barriers in Town and Mr. Grantham stated that he did not have specifics but asked that the Town be conscious of that. Mr. Spaziani stated that his main concern was that landlords needed to be more congenial with their tenants to allow their tenants to survive in this economy.

Comments were heard from Les Evans, the owner of the Daily News Building at the corner of Brazilian and South County Road, a building on Royal Poinciana Way, and, a home at 135 Seminole Avenue. Mr. Evans said, "You can put lipstick on a pig but it is still a pig!" Mr. Evans suggested a public/private venture, with tax incremental financing to solve the parking problem. Mr. Evans spoke about his increased costs of maintenance, taxes and insurances and about the costs associated with parking tickets, variance approvals, town-serving documents, fire inspections, etc. noting that contractors often charge twice as much for work here on the island. Mr. Evans suggested that employers be required to provide evidence of sufficient employee parking before renewal or issuance of a use permit. Mr. Evans suggested the Town, through eminent domain, purchase some property on Royal Palm Way and build a via through to a parking lot.

Mr. Klein answered some of the concerns regarding the perception that the Town was difficult noting that the variance process existed to protect the Town's quality of life and that the Town had recently modified Town-serving requirements and granted Mr. Page some discretion to deal with administrative approvals. Mr. Klein noted that his contractors' experience had been that the Town's process was easier than most communities and added that he sensed Mr. Evans' real issue was with parking. Mr. Evans agreed.

Mr. Spaziani suggested the town-owned vacant parcel of land on Quadrille in West Palm Beach be used to build a parking lot for Town employees. Mr. Evans added that he felt the costs to shuttle employees might be prohibitive.

Attorney Richard Saleeby, owner of 359 South County Road stated that recent parking changes on the street had devastated his property and noted the difficulty he encountered in renting his tenant spaces with no available parking. A discussion ensued regarding the parking problems for this property and comments were heard from Commissioner Cloninger regarding the financial feasibility of the purchase of a property on Chilean or Brazilian Avenue and the limited number of spaces that would be created.

Robert Andrew Roddy, owner of 332 So. County Rd., stated that he felt the Town needed a municipal parking garage and noted the excessive costs of labor and restoration to his older building and asked if parking fees could be waived.

Dentist Greg Boyajian addressed the Commission stating that he felt the quality of life in Town needed to be preserved, that in June one of his customers received a parking ticket when the street was empty, and he received a ticket while parking for one minute to get his paper, and, suggested that the Town be friendlier to newcomers. Mr. Boyajian suggested that perhaps the first parking ticket be complimentary with increased fines for subsequent tickets.

Amy Delvio, the owner of Cricket Cleaners, addressed the Commission and commented about the possibility of shuttling employees or contractors over to Town from an off-island parking facility. Ms. Delvio suggested the Town make available more 15 minute

parking spaces in the area, noting that she had observed the same cars parked in the same spaces for more than a day, not being moved.

Laurel Baker, Palm Beach Chamber of Commerce, noted an article in the paper about the quality of life in Palm Beach and that the Tourist Development Council was promoting luxury travel. Ms. Baker noted that she felt the people working on the island should be the first people to park off-site and that shuttles every ½ hour should be offered and urged the Commission to be more proactive and not intimidated by people who write letters.

Comments were heard from Commissioner Spaziani who stated that he felt the fashion event recently held on Worth Avenue was wonderful. Ms. Baker suggested the Town allow the closure of Worth Avenue and that parking tickets not be issued on Sundays.

Commissioner Cloninger stated that he has represented Mr. Campaniello for 18 years and had been asked to pass along his concerns as the property owner of property from Seaview Avenue at Phipps Plaza up to approximately Brazilian Avenue. Mr. Cloninger stated that Mr. Campaniello felt the #1 problem was parking, parking ticket prices and property taxes.

Tom Bradford, Deputy Town Manager, addressed the Commission stating that in February the Council had designated the Centennial Commission to be the lead group to create a "legacy project" to commemorate the Town's Centennial and appointed Mr. Bradford to be the staff liaison to work on Memorial Park to include the new green space recently acquired from the Department of Transportation. Mr. Bradford stated that Council granted \$50,000.00 in funding to hire a project architect to come up with a plan for the renovation of the Mizner fountain in Memorial Park and Town Hall Square area. Mr. Bradford explained that some additional parking might be incorporated in the project and added that Council had asked him to work with staff and Pattie Sans of the Greater South County Road Association to look at all existing on-street parking on South County Road from Peruvian Avenue to Lewis Pharmacy and what could be done to maximize the available parking inventory. Mr. Bradford agreed with Mr. Evans that tax incremental financing was possible, but, added that he felt the preferred route would be to create a taxing district, explaining that the Town could purchase a property to create a surface lot to start with and an oversight board of property owners and merchants would be created that would recommend the annual budget for that lot to Council. Any deficit in the operation of the lot would be borne by assessment to those who benefit from that lot and not by all residents and taxpayers. Mr. Bradford answered questions from the Commission.

Mr. Klein stated that he felt the need for additional parking was the main concern being heard and requested Mr. Evans or someone else approach the property owner of the vacant land to see if he would be interested in leasing or selling to the Town. Mr. Bradford stated that Council asked this Commission to look at the area in question and suggested the Commission make that part of their recommendation.

VII. CONSIDERATION OF RETAINING A PROFESSIONAL RETAIL CONSULTANT TO ASSESS SOUTH COUNTY ROAD COMMERCIAL VIABILITY (10:23:39 a.m.)

John Page addressed the Commission and explained that with help from the Purchasing Department, staff received a proposal from Robert Gibbs, a qualified retail professional.

Comments were heard from several members of the Commission and the consensus was not to hire an outside consultant.

Laurel Baker, Palm Beach Chamber of Commerce, praised Mr. Gibbs and added that she felt it would be foolish for the Town to throw good money after bad on another study.

Chair Rose acknowledged that the concept of hiring a consultant had died for lack of a motion and noted that Council had directed the Commission to get involved and that the Commission now needed to look at short term and long term solutions and should direct staff to work closely with Mr. Bradford and the Legacy Committee to undertake the main issue of parking.

MOTION BY MR. KLEIN THAT THE COMMISSION URGE THE TOWN COUNCIL TO DIRECT STAFF TO PURSUE ANY ALL NEGOTIATIONS POSSIBLE WITH THE OWNER OF THE PROPERTY FORMERLY KNOWN AS THE PLAZA, TO SEE IF THE TOWN COULD ACQUIRE, LEASE, OR IN ANY OTHER WAY FINISH THE CREATION OF ADDITIONAL PARKING SPACES.

Mr. Crampton suggested the Commission get the results of the survey of on-street parking before moving forward. A discussion ensued with comments heard from Messrs. Klein and Bradford.

MOTION REMADE BY MR. KLEIN, TAKING OUT ANY REFERENCE TO ONE LOT ON BRAZILIAN AND INCLUDING ANY AND ALL POSSIBILITIES FOR THE ACQUISITION OR LEASING OF ADDITIONAL PARKING SPACE.

MOTION SECONDED BY CRAMPTON.

Discussion continued and comments were heard from Robert Roddy and Les Evans.

MR. KLEIN RESTATED HIS MOTION: THAT THE PLANNING & ZONING COMMISSION RECOMMEND THAT TOWN COUNCIL DIRECT STAFF TO AS QUICKLY AS POSSIBLE EXPLORE ANY AND ALL ALTERNATIVES TO ACQUIRE, EITHER FOR SHORT-TERM BY LEASE OR LONG-TERM BY PURCHASE, THE ADDITION OF PARKING SPACES AND TO EXPLORE ANY AND ALL LOCATIONS AVAILABLE OR COME UP WITH ANY OTHER VIABLE STRATEGIES TO ENHANCE THE NUMBER OF PARKING SPACES AVAILABLE.

MOTION SECONDED BY MR. CRAMPTON.

MOTION CARRIED 6-0 AFTER A ROLL CALL VOTE.

Comments were heard from Messrs. Spaziani and Wideman who suggested Mr. Bradford consider the feasibility of adding angled parking. Mr. Wideman noted the number of vacant permit parking spaces he has seen and Mr. Bradford confirmed that angled parking would be considered and spoke briefly about the residential permit parking program and its ability to protect the integrity of the residential neighborhoods.

**VIII. COMMENTS OF THE PLANNING AND ZONING COMMISSION AND
PLANNING, ZONING AND BUILDING DIRECTOR (10:47:49 a.m.)**

Mr. Page reminded the Commission about its next meeting on Tuesday, October 16 and expressed his gratitude to Mr. Spaziani for his years of service on the Commission. Chair Rose also thanked Messrs. Golboro, Schuler and Spaziani for their service to the Commission.

Mr. Spaziani thanked the Commission and staff for their hard work and read a brief statement into the record.

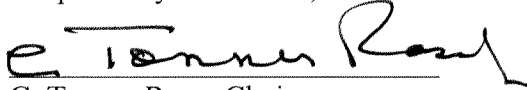
IX. ADJOURNMENT (10:50:48 a.m.)

MOTION TO ADJOURN BY MR. WIDEMAN.

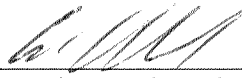
MOTION SECONDED UNANIMOUSLY.

MOTION CARRIED WITHOUT BENEFIT OF A ROLL CALL.

Respectfully Submitted,



C. Tanner Rose, Chair
Town of Palm Beach
Planning & Zoning Commission



Leslie A. Shaw, Vice Chair
Town of Palm Beach
Planning & Zoning Commission