TOWN OF PALM BEACH

Planning, Zoning & Building Department

PLANNING AND ZONING COMMISSION
AGENDA
TOWN COUNCIL CHAMBERS
SECOND FLOOR
360 SOUTH COUNTY ROAD, PALM BEACH
TUESDAY, JULY 17, 2018 AT 9:30 A.M.

I. CALL TO ORDER AND ROLL CALL

Martin Klein, Chair
Michael Ainslie, Vice Chair
Alan Golboro, Member
Kenneth Walker, Member
Carol LeCates, Member
Rick Pollock, Member
Michael Spaziani, Member
Eric Christu, Alternate Member
Ronald Berk, Alternate Member
Marilyn Beuttenmuller, Alternate Member

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

IV. APPROVAL OF MAY 15, 2018 PLANNING AND ZONING COMMISSION MINUTES

V. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE

VI. Proposed Future Land Use Map Amendment Changing Private Property Commonly Known as Kaplan Park From Recreation to Multi-Family Moderate Density Future Land Use Designation (Maximum 6 Dwelling Unit/Palm Beach Acre) 456 South Ocean Boulevard.

VII. COMMENTS FROM PLANNING AND ZONING COMMISSIONERS AND THE PLANNING, ZONING AND BUILDING DIRECTOR

VIII. ADJOURNMENT

Note 1: If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Note 2: Disabled persons who need an accommodation in order to participate in this Commission 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 five (5) working days before this meeting.

PLANNING AND ZONING COMMISSION
MEETING MINUTES
TUESDAY, MAY 15, 2018 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 Kelly Churney, Secretary to the Planning & Zoning Commission at (561) 227-6408.

I. CALL TO ORDER AND ROLL CALL

Chair Klein called the meeting to order at 9:35 a.m.

Martin I. Klein, Chair	PRESENT
Michael Ainslie, Vice Chair	ABSENT (unexcused)
Alan S. Golboro, Member	PRESENT
Kenneth Walker, Member	PRESENT
Carol LeCates, Member	PRESENT
Rick Pollock, Member	ABSENT (excused)
Michael Spaziani, Member	PRESENT
Eric Christu, Alternate Member	PRESENT
Ronald Berk, Alternate Member	PRESENT
Marilyn Beuttenmuller, Alternate Member	PRESENT

Please note: Messrs. Christu and Berk voted in the absence of Messrs. Ainslie and Pollock.

Staff Members present were:
Paul Castro, Zoning Administrator and Acting Director of Planning, Zoning and Building
John Randolph, Town Attorney
Kelly Churney, Secretary to the Planning and Zoning Commission

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Churney led the Commission with the Invocation and the Pledge of Allegiance.

III. APPROVAL OF THE AGENDA

Mr. Klein welcomed all in attendance. He congratulated Mr. Spaziani in his promotion to a regular member. He welcomed Marilyn Beuttenmuller to the Commission.

Motion made by Mr. Spaziani and seconded by Mr. Walker to approve the agenda as presented. Motion carried with all in favor.

IV. APPROVAL OF APRIL 17, 2017 PLANNING AND ZONING COMMISSION MINUTES

Mr. Klein stated that Anita Seltzer expressed concern about Commission members using personal communication devices at the dais during the meeting. Mr. Klein asked the members to be mindful of this concern.

Motion made by Mr. Golboro and seconded by Mr. Spaziani to approve the minutes from the April 17, 2017 meeting. Motion carried with all in favor.

V. **COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE**

There were no comments heard at this time.

VI. **Reconsideration of proposed changes to the legal mailing notice requirement distance for development review applications (Variances, Special Exceptions, Site Plan Reviews and Planned Unit Developments) and consideration of minor changes related to the recommendation related to the time limit (expiration date) in the Zoning Code for development applications.**

Mr. Castro reviewed all of the changes he made to the zoning text amendments as a result of the discussion at the last meeting.

Ms. LeCates asked Mr. Castro to remind the Commission with the reason for the elimination of the notice for the PUDs. Mr. Castro provided the reasons he thought that the Commission believed the previously proposed language was not necessary. A short discussion ensued.

Mr. Walker thought a 300 foot was proper and sufficient. He thought a bigger notice was burdensome.

Mr. Castro remarked that the original Code language did not include a notice requirement. Mr. Castro added that he changed the proposed language to include a 300-foot notice.

Mr. Golboro thought an increase to a 750-foot notice was enormous. He agreed that a 300-foot notice was appropriate and thought that 300 feet should remain in the Code for all requests.

Mr. Spaziani thought a 750-foot notice would be better due to traffic concerns by citizens.

Town Attorney Randolph discussed the legal standing of citizens relating to the notice of a project.

Mr. Christu asked about the amount of complaints received by the Town. Mr. Castro discussed a recent project that received many complaints from citizens. A short discussion ensued between Messrs. Castro and Christu regarding past complaints and whether a change was necessary. Mr. Christu expressed his concern for unintended consequences that may occur, such as additional legal actions, should the notice increase.

Mr. Berk thought that if the Commission continued to debate the issues, the discussion should be deferred to allow for public notice. He added that he believed the discussion should be focused on whether the changes that the Commission directed, at the last meeting, were correctly executed.

Ms. Beuttenmuller asked about the recent project that initiated the complaints. Mr. Castro responded.

Mr. Klein discussed the recent project that spurred the debate on whether or not the current notice was sufficient. Mr. Castro stated that many of the residents provided input that the notice should be increased with a more defined explanation for intensification of use.

Ms. LeCates stated that two conditions had to be met before an increase of notice would be triggered.

Lauri Welteroth, 256 S. Ocean Blvd., stated she represented many neighbors interested in the Carriage House project. She expressed concern about not being in the area of the notice for the Carriage House but added that she would be affected by the project. She indicated that she was in favor of the increased notice and stated she believed the intent of the code was to protect the residents.

Mr. Klein reminded everyone that the discussion was not to be based on one particular project.

Anita Seltzer, 44 Cocoanut Row, discussed language in the Town's Comprehensive Plan that was relevant to the discussion. She provided her opinions and comments on the process for the notices. Mr. Castro addressed Ms. Seltzer's comments.

Mr. Golboro asked about the language relating to the proposed timeline for submitting applications. Mr. Castro responded.

Mr. Klein passed the gavel to Mr. Golboro.

Motion made by Mr. Klein and seconded by Mr. Spaziani to approve the enhanced notice requirement to 750 feet. Motion carried 4-3 with Messrs. Golboro, Walter and Christu opposed.

VII. **COMMENTS FROM PLANNING AND ZONING COMMISSIONERS AND THE PLANNING, ZONING AND BUILDING DIRECTOR**

Mr. Klein wished everyone a pleasant summer.

Ms. LeCates asked about the possibility of including a definition of "intensification of use" in the Code. Mr. Castro stated he included specific language in the hearing procedure relating to the applications. He added that he did not feel a need to define it in another location. Mr. Klein suggested adding this topic to the next meeting agenda.

Mr. Walker provided his opinion about the Carriage House application in the location of a previous restaurant. Mr. Klein cautioned the Commissioners about commenting on a specific project.

Ms. LeCates indicated that there were inconsistencies relating to entertainment establishments in the Code. She asked the Commission's permission to research this topic in the upcoming months. She stated she would present her findings to the Commission at a meeting in the fall. The Commission agreed.

Mr. Golboro offered his appreciation to the Town Council for allowing the Old Guard Club to return to the Town.

VIII. **ADJOURNMENT**

The meeting adjourned at 10:28 a.m. with the benefit of a motion.

Respectfully Submitted,

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Martin Klein, Chair
Town of Palm Beach
Planning & Zoning Commission

TOWN OF PALM BEACH

Information for Planning and Zoning Commission Meeting on: July 17, 2018

To: Planning and Zoning Commission

From: Paul W. Castro, AICP, Acting Planning, Zoning & Building Director

Re: Proposed Future Land Use Map Amendment Changing Private Property Commonly Known as Kaplan Park From Recreation to Multi-Family Moderate Density (Maximum 6 Dwelling Unit/Palm Beach Acre), 456 South Ocean Boulevard

Date: July 6, 2018

STAFF RECOMMENDATION

Staff recommends that the Commission consider the proposed future land use change from "Recreation" to "Multi-Family Moderate Density" for Kaplan Park that is part of the 456 South Ocean Boulevard site, and make a recommendation to the Town Council.

BACKGROUND

The Town's Comprehensive Plan Future Land Use Map designates Kaplan Park as "Recreation," and has so since the Town's original Comprehensive Plan was adopted in 1989. The Comprehensive Plan states that the "Recreation" future land use designation "is intended for low intensity public recreational uses or activities at a scale and intensity necessary to primarily serve the needs of Town persons, and to preserve the natural and scenic resources of the Town. *Only public facilities owned, operated franchised or supervised by a public governmental entity, are given this designation* [emphasis added]." Attached is correspondence, minutes, plans and a survey of the property to provide important background information. Staff believes that Kaplan Park should have never been designated on the Future Land Use Map as "Recreation," because the park never met the definition of "Recreation" as defined in the Comprehensive Plan. The Town did not build the park, and staff has not been able to find any evidence that this area was ever conveyed to the Town or deeded as a park or recreation area to be maintained as such in perpetuity. Furthermore, the Town has never maintained, operated or supervised Kaplan Park. In 1985 Mr. Kaplan offered to build the park for public use, but keep it private and on the tax rolls. He built the park on his property with the Town's permission, and his successor or assigns have maintained that park since its construction.

The new owner of the entire 456 South Ocean Boulevard site, which includes the old Charlie's Crab restaurant, is now in the process of filing a zoning application to develop his property. The issue is that the current future land use designation for the 456 South Ocean Boulevard site is split and will not allow the entire development of the property as a multi-family project. The majority of the site (Charlie's Crab) has a future land use designation of "Multi-family Moderate Density" (up to 6 du/gross Palm Beach acre), and the approximately 0.3-acre area of Kaplan Park has a future land use designation of "Recreation." A secondary issue is that the zoning for the entire site is "R-C, Medium Density Residential," which is consistent with the future land use designation for the majority of the site, but not the small portion that makes up Kaplan Park. This situation was created many years ago by staff incorrectly placing a "Recreation" future land use designation to a portion the site. To rectify the error, staff proposes to change the future land use designation for the Kaplan Park portion so that the entire site has a future land use designation of "Multi-family Moderate Density." By making this proposed change, the future land use designation will be the same for the entire site, the zoning will be consistent with the future land use designation, and the property owner will be allowed to develop the entire site as a multi-family project (pending ARCOM and Town Council approvals).

CONSISTENCY WITH TOWN COMPREHENSIVE PLAN

It is important to note that State Statutes allow small-scale comprehensive plan amendments such as these, as long as the change maintains internal consistency between elements of the Comprehensive Plan. The Town's level-of-service established for recreation and open space is to have at least 6 acres of such space per 1,000 population (Policy 3.1 in the Recreation/Open Space Element). Given a 2010 U. S. Census population for the Town of 8,161, the Town is required to have at least 48.97 acres of recreation and open space. With the removal of Kaplan Park as a recreation/open space area, the Town will have 110.10 acres of recreation and open space, which far exceeds the required level of service; therefore, the proposed land use change does not create an issue of noncompliance with the Town's Comprehensive Plan.

If you have any questions, please contact John Lindgren, Planning Administrator at 227-6414.

cc: Mayor and Town Council
Kirk Blouin, Town Manager
Jay Boodheshwar, Deputy Town Manager
John C. Randolph, Town Attorney
zf

P.F.

Harold Kaplan

877 SOUTH OCEAN BOULEVARD
PALM BEACH, FLORIDA 33480-4809

TELEPHONE (305) 659-4800

March 1, 1985

Mr Douglas C. Delano, Town Manager
TOWN OF PALM BEACH
Post Office Box 2029
Palm Beach, Florida 33480

Dear Mr. Delano:

In regard to our discussion and conference with Robert Moore, of the Building and Zoning Department, on February 19, 1985, I respectfully request a place on the March 12, 1985 agenda of the Town Council meeting, to formally present to the Council our plans for a park to be located on the corner of Hammon Avenue and South Ocean Boulevard.

Very truly yours,

Harold Kaplan

HK:sj

cc: Mr Robert Moore

TOWN OF PALM BEACH
BUILDING AND
ZONING DEPT.

'85 MAR 4 AM 11 05

Council to take action as the City of West Palm Beach has no right to impose their ordinance on the people in Palm Beach and our Agreement with them does not allow that to happen. They are compelled to supply the water and to maintain adequate pressure to the Town and that is ideally 65 lbs and he knows this morning the pressure was only 41 lbs., so it has cost them money for years to get adequate pressure to their upper floors and he urged the Council to protect them and the interests of the people in Palm Beach and compel the Water Co. to do their job in accordance with the Charter and the Franchise adopted twenty years ago. This Franchise does expire ten years from now and the Town of Palm Beach has the right to purchase the system and he urged them to take some action to protect the future of Palm Beach.

Mr. Burn asked Mr. Ruta to state his qualifications. Mr. Ruta responded he has been in the construction business for 60 years and at one time he owned a water system and has been a member of the Board of Health for 30 years in another state.

Mr. Ilyinsky asked why the La Renaissance being singled out? Mr. Ruta stated he does not know but there are other buildings which have received notice also. Mr. Burn noted a letter has been received from Dunster House on the same problem and asked if the Town Attorney has had an opportunity to research this problem? Mr. Randolph explained the Town has, through its Town Manager and Mr. Burn and other staff members, protested to the City of West Palm Beach the means and methods being used by West Palm Beach in effectuating this back-flow prevention effort and he has attended a meeting where the objections were stated. Mr. Randolph stated the Town is under a franchise with the City of West Palm Beach, obligated to adopt any reasonable rules and regulations for the management and control of the City of West Palm Beach's business, as the City of West Palm Beach may impose. The City of West Palm Beach did adopt this back prevention ordinance but the Town of Palm Beach has not adopted that Ordinance and it is within the purview of the Town to do that. They would argue that however, it is the duty of the Town of Palm Beach to adopt any reasonable rules and regulations that need to be adopted for the operation of the City of West Palm Beach's system, but the question is whether or not this is indeed a reasonable rule and regulation.

Mayor Marix asked if this is for multi-family buildings only or does it apply to all buildings in the Town? Mr. Randolph stated there have been discussions with the City of West Palm Beach and he is not sure that has been decided but he believes their immediate concern is with multi-family buildings. Mr. Burn stated they did start with commercial buildings in West Palm Beach and have now gone to multi-family buildings, but it is their intention that these valves be installed in every dwelling unit, or whomever receives water from the City of West Palm Beach.

Erik Gilbertson then addressed the Council congratulating them on their stand in obtaining the property on an even swap at the end of the Flagler Bridge in West Palm Beach. He also informed the Council of his battle with the County on his property taxes and it is now on the State Supreme Court level and he has ninety days to decide whether or not he should file an appeal to the higher level.

Robert Klausner, of Sarasota, on behalf of a relative living at 333 Sunset Avenue addressed the Council asking for help for a number of tired residents who live across the street from Bradley's Saloon which is open til 3 AM and noise emanates from not only the inside but from people who are leaving in their cars at that time. Mr. Ilyinsky wondered if there was somebody who could address this problem who is a resident in the Town. Mr. Klausner presented a petition from the people who live in the building at 333 Sunset Avenue. He asked the Council to have the Saloon close at midnight, eliminate parking on Sunset after 9 PM so that those people who do come out of Bradley's Saloon at a late hour would not disturb the tenants.

Mr. Burn asked if the Council had the right to force the Saloon to close earlier? Mr. Randolph stated the Ordinance would have to be applied equally to each tavern owner in the Town. Mr. Moore explained this is is the Commercial-Town Serving Ordinance. Mr. Klausner informed the Council it is a residential zone at 333 Sunset. Mr. Randolph explained that adjacent to or within fifty feet, the Ordinance does provide it should close at twelve o'clock within 50' of a residential district. Mr. Burn thought it could be required to close at midnight? Mr. Randolph stated if this is in the category of "Dance Halls, Nightclubs, etc.,"it could be required to close at 12 Midnight. Mr. Burn then moved that the Council require them to close at midnight. Mr. Randolph stated this would not require a Motion.

Carol McGrath representing Bradley's Saloon addressed the Council indicating they are not in violation and they would like to work out this problem in harmony. They discourage use of their patio and have been open for three months. She knows there have been several complaints but when the Police respond, they found them not to be in violation.

Mrs. Israel of 333 Sunset Avenue addressed the Council stating this is not an eating restaurant as they all go there to drink. The noise is horrendous and she didn't think it was fair.

Mr. Ilyinsky asked Mr. Delano to look into this matter. Mr. Ilyinsky asked Mrs. Douthit to look into this on behalf of the Ordinance, Rules & Standards Committee.

Harold Kaplan

(b) Harold Kaplan. Mr. Kaplan addressed the Council offering the Town a piece of property on the oceanfront at Hammond Avenue to be used as a park for the Town. He wishes to install landscaping and will still have it on the tax rolls of the Town and he will maintain it.

Mrs. Earl E. T. Smith of the Garden Club stated they would be happy to help in the planning. Mr. Burn moved that the Town Council accept Mr. Kaplan's generous offer. Seconded by Mrs. Douthit. On roll call, the motion carried unanimously.

Adrian Winterfield asked for Council's permission to address them before the bond issue. Mr. Ilyinsky agreed.

Blossom Estate

VIII. Request of Michael Burrows relative to Blossom Estate.

Mr. Vegosen, attorney for Mr. Burrows, addressed the Council indicating that at the time the Blossom Estate Plat was approved, there were many conditions imposed on the developer by Agreements executed between the developer and the Town. He wishes to ask for relief from just one of those conditions, the one with regards to Lot 7 on the Plat not to utilize Lot 7 for any purpose whatsoever. He asked the Council to consider allowing the use of Lot 7, subject to two conditions:

1. The mangrove area remain inviolate at all times. That was a main concern expressed during the course of the Blossom Estate

ARCOM 74-85 continued - concern as to whether or not there would be enough parking for the project, and again Ms. Hackett stated that the parking matter was for the Town Council to review at their meeting. After much discussion, Mr. Smith moved for conceptual approval of the project as it stands. Mr. Maddock seconded. VOTE 3-1, 3 VOTES in FAVOR, 1 VOTE OPPOSED, with Mr. Caler opposing the parking portion of the project.

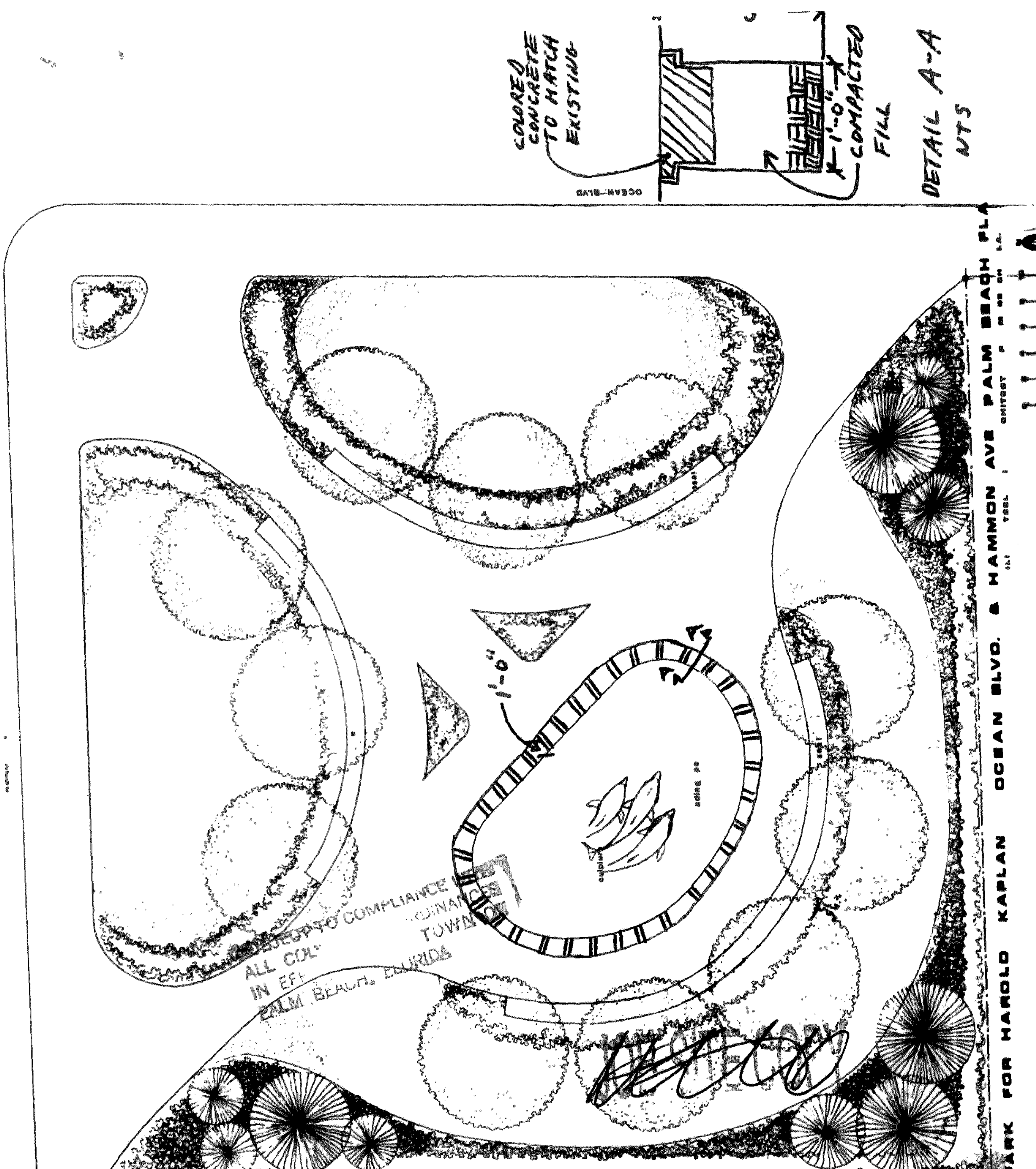
ARCOM 75-85, Colony Hotel Conference Room Addition, 155 Hammon Avenue, Philip Steel, Architect. For addition of a conference room at the northeast portion of the existing Colony Hotel. This will not increase the size of the existing structure at all, it will be on the same footing. All material will match the existing materials. Mr. Hoffman asked if any correspondence had been received; Mr. Zimmerman stated that no written response had been received. Mr. Smith moved for approval. Mr. Maddock seconded. MOTION CARRIED UNANIMOUSLY.

ARCOM 76-85, Site Landscaping, Sculpture, and Fountain known as Kaplan Park, South Ocean Blvd. and Hammon Avenue. Philip Steel, Architect. For approval of park just north of Charlie's Crab; this park is to be used by all, but will be owned and maintained by Mr. Kaplan. There will be landscaping on the northeast and southwest sides. All plants are to be salt tolerant, and will be tagged and labeled. The material for the walkway will be a bonite pattern. There will also be two to three dolphin sculptures by Mr. Peter Johnson, a foremost dolphin sculptor. The fountain will be under the dolphins. Mr. Caler moved for approval as submitted. Mr. Smith seconded. MOTION CARRIED UNANIMOUSLY.

ARCOM 77-85, Additions to the Piesslinger Residence, 1040 North Lake Way. Hoffman, Schofield, Colgan, Architects. For approval of partial second floor and major interior alterations in accordance with plan. Mr. Zimmerman stated, after being questioned regarding the variance concerning this property, that the variance matter is not relative to this Commission. Mr. Smith moved for approval. Mr. Caler seconded. MOTION CARRIED UNANIMOUSLY.

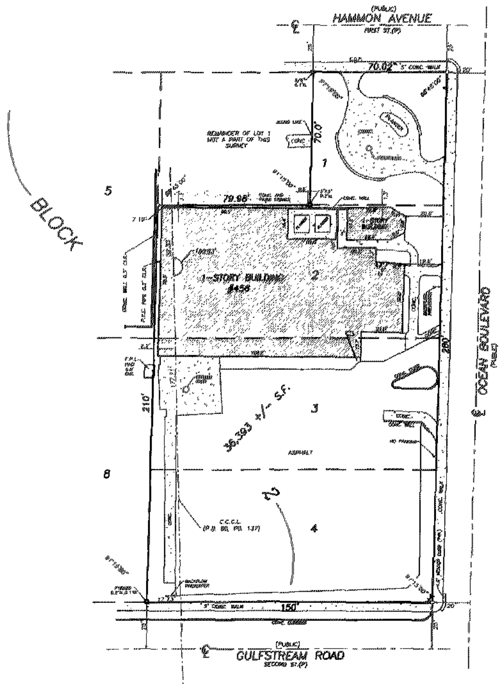
ARCOM 78-85, New Store Front for the Cricket Shop, 408 Hibiscus Avenue. Peacock and Lewis, Architects. Mr. Ed Shehan was present. For approval of new front, material used will be white pickled cypress. Mr. Smith moved for approval as is. Mr. Caler seconded. MOTION CARRIED UNANIMOUSLY.

ARCOM 79-85, Change of Exterior Building Color - Palm Beach Hilton, 2842 South Ocean Blvd. The Evans Group, Architects. Mr. Dudley Strong was present. For approval of proposed color change of building exterior. Proposed color salmon with darker shade of salmon three foot


COLORED CONCRETE TO MATCH EXISTING
1'-0"
COMPACTED FILL
DETAIL A-A
NTS
PARK FOR HAROLD KAPLAN OCEAN BLVD. & HAMMON AVE PALM BEACH FLA
1'-0"
A

LEGEND

A. = ARC LENGTH
A/C = AIR CONDITIONING
A.E. = ACCESS EASEMENT
A.K.A. = ALSO KNOWN AS
ASPH. = ASPHALT
BLDG. = BUILDING
B.M. = BENCHMARK
B.O.C. = BACK OF CURB
B.O.W. = BACK OF WALK
(C) = CALCULATED
CATV = CABLE ANTENNA TELEVISION
C.B. = CHORD BEARING
C.B.S. = CONCRETE BLOCK STRUCTURE
C.C.C.L. = COASTAL CONSTRUCTION CONTROL LINE
CH = CHORD
C.L.F. = CHAIN LINK FENCE
CLR. = CLEAR
C.M.P. = CORRUGATED METAL PIPE
CONC. = CONCRETE
(D) = DESCRIPTION DATUM
D.B. = DEED BOOK
D.E. = DRAINAGE EASEMENT
D.H. = DRILL HOLE
D/W = DRIVEWAY
EL. = ELEVATION
ENC. = ENCROACHMENT
E.O.P. = EDGE OF PAVEMENT
E.O.W. = EDGE OF WATER
ESMT = EASEMENT
F.F. = FINISH FLOOR
FND. = FOUND
F.O.C. = FACE OF CURB
I.D. = INSIDE DIAMETER
INV. = INVERT
I.T.W.C.D. = INDIAN TRAIL WATER CONTROL DISTRICT
L.A.E. = LIMITED ACCESS EASEMENT
L.B. = LICENSE BOARD
L.W.D.D. = LAKE WORTH DRAINAGE DISTRICT
(M) = FIELD MEASUREMENT
M.H. = MANHOLE
M.H.W.L. = MEAN HIGH WATER LINE
MIN. = MINIMUM
M.L.W.L. = MEAN LOW WATER LINE
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
N.P.B.C.I.D. = NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT
N.T.S. = NOT TO SCALE
O.A. = OVERALL
O.D. = OUTSIDE DIAMETER
O/H = OVERHEAD UTILITY LINE
O.R.B. = OFFICIAL RECORD BOOK
O/S = OFFSET
(P) = PLAT DATUM
P.B. = PLAT BOOK
P.B.C. = PALM BEACH COUNTY
P.C. = POINT OF CURVATURE
P.C.C. = POINT OF COMPOUND CURVATURE
P.C.P. = PERMANENT CONTROL POINT
PG. = PAGE
P.I. = POINT OF INTERSECTION
P/O = PART OF
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.R.C. = POINT OF REVERSE CURVATURE
P.R.M. = PERMANENT REFERENCE MONUMENT
PROP. = PROPOSED
P.T. = POINT OF TANGENCY
PVMT = PAVEMENT
(R) = RADIAL
R. = RADIUS
RGE. = RANGE
R.P.B. = ROAD PLAT BOOK
R/W = RIGHT OF WAY
(S) = SURVEY DATUM
S.B. = SETBACK
SEC. = SECTION
S/D = SUBDIVISION
S.F. = SQUARE FEET
S.F.W.M.D. = SOUTH FLORIDA WATER MANAGEMENT DISTRICT
S.I.R.W.C.D. = SOUTH INDIAN RIVER WATER CONTROL DISTRICT
S.R. = STATE ROAD
STA. = STATION
STY. = STORY
S/W = SIDEWALK
T.O.B. = TOP OF BANK
T.O.C. = TOP OF CURB
TWP. = TOWNSHIP
TYP. = TYPICAL
U/C = UNDER CONSTRUCTION
U.E. = UTILITY EASEMENT
U.R. = UNRECORDED
W.C. = WITNESS CORNER
W.M.E. = WATER MANAGEMENT EASEMENT
W.M.M.E. = WATER MANAGEMENT MAINTENANCE EASEMENT
W.M.T. = WATER MANAGEMENT TRACT
= BASELINE
= CENTERLINE
Δ = CENTRAL ANGLE/DELTA
= CONCRETE MONUMENT FOUND (AS NOTED)
= CONCRETE MONUMENT SET (LB #4569)
= ROD & CAP FOUND (AS NOTED)
= #5 ROD & CAP SET (LB #4569)
= IRON PIPE FOUND (AS NOTED)
= IRON ROD FOUND (AS NOTED)
= PARKER-KALON NAIL FOUND
= PARKER-KALON NAIL & DISK FOUND (AS NOTED)
= PARKER-KALON NAIL & DISK SET (LB #4569)
= PROPERTY LINE
= UTILITY POLE
= FIRE HYDRANT
= WATER METER
= WATER VALVE
= LIGHT POLE
= ELECTRIC BOX



Scale 1" = 20 ft.

Boundary Survey For:

LANDRY'S SEAFOOD RESTAURANTS, INC.

This survey is made specifically and only for the following parties for the purpose of a closing and design on the surveyed property.

Landry's Seafood Restaurants, Inc.
Charley's Crab

No responsibility or liability is assumed by the undersigned surveyor for any other purpose or to any other party other than stated above.

PROPERTY ADDRESS:

456 S. Ocean Boulevard

Palm Beach, FL 33480

LEGAL DESCRIPTION:

The East 70 feet of Lot 1 and all of Lots 2, 3 and 4, Block 3, SINGER ADDITION, 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 8, Page 98.

FLOOD ZONE:

This property is located in Flood Zone C, according to F.I.R.M. (Flood Insurance Rate Map) No. 120220 0003 C, dated September 30, 1982.

NOTES:

1. All information regarding record easements, adjoiners and other documents that might affect the quality of title to tract shown hereon was gained from policy number OC-312311, issued by Lawyers' Title Guaranty Fund, dated May 24, 1973. This office has made no search of the Public Records.

2. Elevations shown hereon, if any, are in feet and decimal parts thereof and are based on NGVD-29.

3. Description furnished by client or client's agent.

4. Unless it bears the signature and the original raised seal of a Florida licensed surveyor or mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.

5. This survey cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation, Certificate of Authorization Number LB4569.

6. Except as shown, underground and overhead improvements are not located.

7. Underground foundations not located.

8. The survey sketch shown hereon does not necessarily contain all of the information obtained or developed by the undersigned surveyor in his field work, office work or research.

9. No responsibility is assumed by this surveyor for the construction of improvements, from building ties shown on this survey.

10. Revisions shown hereon do not represent a "survey update" unless otherwise noted.

REVIEWED
As submitted this date
Town of Palm Beach Building Department
Building Plan Reviewer

OFFICE COPY

SUBJECT TO COMPLIANCE WITH ALL CODES AND ORDINANCES IN EFFECT IN THE TOWN OF PALM BEACH, FLORIDA

CERTIFICATION:

I HEREBY ATTEST that the survey shown hereon meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers pursuant to section 472.027, Florida Statutes, and adopted in Chapter 61G17-6, Florida Administrative Code, effective September 1, 1981.

DATE OF LAST FIELD SURVEY: 5/30/2002

Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 5357

REV: 9/8/03 REVISE NOTE #1, F.J. 02-1155A
REV: 7/12/02 CHANGE NAME M.B.

Boundary Survey For:

LANDRY'S SEAFOOD RESTAURANTS, INC.

WALLACE SURVEYING

FIELD	F.C.	JOB NO.	02-1155	F.B.	P850 PG 2
OFFICE	M.B.	DATE	5/30/02	DWG. NO.	02-1155
CK'D		REV.		SHEET	1 OF 1

on, the green belt be relooked at by the Council, depending on the location of the house. Seconded by Mr. Cummings. Mrs. Peters stated there was a letter of no objection received from the immediate neighbor to the west, Mr. Stephen Davidson, who would be most affected as he would lose his ocean view if a house was built on this lot. On roll call, the motion carried unanimously.

Poinciana Playhouse Lease Agr.

L. Poinciana Playhouse Lease Agreement - Request for Extension - Attorney Phil O'Connell, Jr. addressed the Council asking for an extension of the mid-week matinees. This meant twelve matinees during the Season and this upcoming Season, because of holidays, it would only mean ten. They have instituted a Park and Ride program with the Playhouse expending over twelve thousand dollars in promoting this program. This Season, the Playhouse is challenging its patrons to either use the Park and Ride Program or reconsider their subscription on Wednesday afternoons. They have a commitment in writing from the City of West Palm Beach to provide parking, one from CO-TRAN to provide bus service. They also provide security for the cars. Additional parking for eighty cars for the upcoming season at Temple Israel will be provided. They have also been offered spaces across from Holy Triity in West Palm Beach. He knows there are some tenants in the Plaza who object to this request. He thought a Royal Poinciana Parking Task Force should be formed by the Council to attack the parking problem on a long term basis. Mr. Burn noted there was no agreement with the Town and the Theatre. Mr. O'Connell indicated a representative is here today of the landlord, and they will be willing to abide by the Town's wishes as they have done in the past. Attorney John Vancil, representing Mr. Spiegel, the landlord, stated this was correct.

Chief Terlizzese indicated he does object to the continuation of the matinees and it does create a great amount of parking problems in the Plaza.

Mr. Zev Bufman addressed the Council stating his reasons why the matinees should be continued.

Attorney Doyle Rogers representing his law firm which has an office in the Plaza, urged the Council to not grant the request.

Mr. Ben Kahlenberg and Ina Jean Palmerio asked the Council to continue the matinees. Skip Hampton felt they should not be continued. Arianne Czonka on behalf of the cultural organizations in the Town asked they be continued. Herbert Swope also asked they be continued.

Mr. Cummings thought a workshop should be held on this matter. Mr. Burn did not agree and moved that the Council approve the continuation of Wednesday matinees for next year. Mrs. Douthit seconded the motion. Mr. Ilyinsky suggested that this may be the last time we do this unless the parking matter is resolved. Mr. Burn disagreed and stated the overpowering implication here is the Theatre must be maintained.

On roll call, the motion carried unanimously unanimously for approval.

Kaplan Park

KAPLAN PARK. Architect Phil Steel addressed the Council asking for approval of the plans for the Park at the corner of Hammon Avenue and South Ocean Blvd., which has now been approved by the Architectural Commission. Mr. Burn moved for approval. Seconded by Mrs. Douthit. On roll call, the motion carried unanimously.

Lunch break was taken.

Meeting called back to order.

Committee, Board & Commission Reports

X. COMMITTEE, BOARD AND COMMISSION REPORTS:

A. Public Safety Committee - June 18, 1985. Mr. Cummings commented on the report. Motion was made that the Report be approved. Seconded by Mrs. Douthit. Motion carried unanimously on roll call.

Mr. Cummings asked if a letter could be written to the Port stating the Town is not in accord with their idea of encouraging cruise ships to come to the Port. Mr. Burn felt the Council is not receptive when officials of other jurisdictions make remarks about how the Town of Palm Beach conducts its business and he believed other jurisdictions felt the same way and he was against writing such a letter. Mr. Ilyinsky and Mrs. Douthit felt there would be an impact but they agreed a letter would probably do no good.

Public Safety Committee

A meeting of the Public Safety Committee was called to order by Chairman Alan Cummings at 9:30 AM on 6-18-85 in the Town Hall Council Chambers.

In attendance were the following: Chairman Cummings, Committeeman Widener, Mayor Marix, Councilwoman Douthit, Councilman Burn, Councilman Ilyinsky, Town Mgr. Delano, Bldg. Official Moore, WPCO Supervisor Lutz; Chief Terlizzese, Tom Bradford. Also attendees in the audience were: Chief Elmore, Eliabeth Wells of PBDN and Ted Sloane, Resident.

The Chairman noted the Committee's purpose for meeting this morning was to have an update on the condition and status of both the North Fire Station as well as the New Police Facility. Comments were encourages from both Chiefs relative to their facilities and Thomas Bradford, Administrator in charge of overseeing the construction aspects of both projects. Relative to the New Police Facility, Mr Bradford noted that according to the projected time frame, they are currently on-schedule. Site removal of trees, hedges and asphalt is currently in progress for preparation of actual construction. Chief Terlizzese commented at this point on the temporary elimination of 4 to 5 parking spaces on Australian Avenue due to this factor, but foresses no problems. Mr. Bradford continued with the estimated completion date of this project as scheduled for 6-10-86. Stages of completion will be projected thru Monthly Applications of Payments and as to the 2.4 million budget, no overage is anticipated. He also added that provisions for new furnishings are allocated within the budget as well as usage of Town Hall items so as to produce an over all new look effect for the facility. As to questions raised on the utilization factor of space to be vacated by the Police Departmentupon xomplwrion of this project, Mr. Delano stated that this aspect is currently under Staff team review as established by /Council objective. The current objective is re-assignment of offices on Cocoanut Row so as to eliminate the need for rental space at a very subatantial cost. Provision for the estimated renovation of the existing Town Hall space will be projected as an Item in the Five Year Capital Improvement Program scheduled for submittal and review at the Budget Hearin commencing July 7th. The communications center plan and utilization or disposal of existing equipment were final topics of discussion for this project. Chief Terlizzese noted that some restructuring of plans are necessary since the initial design of the communications center reflects VHF equipment and currently plan to utilize an 800 megahertz equipment so as to insure special features, such as, no interferences or break-ins to the frequency. Only minor adjustments and modifications are required to accommodate structurally. This change will also be reflected in the Bid Specifications of the Communication Equipment Contract before the letting of the bids so as to eliminate the need for a Change

(305) 655-5341

Town of Palm Beach
P.O. Box 2029
Palm Beach, Florida 33480

July 15, 1985

Mr. Philip Steel
The Steel Partnership
102 North County Road
Palm Beach, Florida 33480

Subject: Kaplan Park
Hammon Avenue and South Ocean Boulevard

Dear Mr. Steel:

The Town Council at the regularly scheduled meeting of July 9, 1985 approved the subject matter authorizing construction of the subject park as depicted on your drawings, including landscaping and irrigation system.

This Town Council approval constitutes zoning approval only and does not relieve the owner from obtaining additional Town approvals as may be required such as Architectural Commission, Landmark Commission, and or construction permits.

Sincerely,

David C. Zimmerman

David C. Zimmerman
Deputy Building & Zoning Official
DCZ/wz

cc: pf ✓

Villa Marina B13

6/21/00 RJD

Re: Kaplan Park (SW corner of South Ocean Blvd. & Hammon Avenue)

xc: Mayor and Town Council
Dusey Please review and if you believe Town actions are needed, please follow-up Thanks, RJD.
xc: Moore From a comprehensive perspective, pleas discuss with A. Dusey and assist A. Dusey if Town actions are needed. Thanks, RJD.
Pollitt
Bradford
Jakubiak
Lefler

PALM BEACH
CIVIC ASSOCIATION

Enhancing the Quality of Life in Palm Beach Since 1944

The Paramount Building • 139 North County Road, Suite 33 Palm Beach, Florida 33480 (561) 655-0820 Fax (561) 655-1070

RECEIVED JUN 21 2000 TOWN OF PALM BEACH MANAGER'S OFFICE

COPY

JUN 2000 RECEIVED Town of PB PZB Dept.

June 19, 2000

Messrs. Barry and David Leiwant
350 South County Road, Suite 203
Palm Beach, Florida 33480-4450

Dear Messrs. Leiwant and Leiwant:

I am writing to suggest what might be an amiable solution to improving the condition of Kaplan Park at no charge.

Our role in the Civic Association is to be of assistance to the residents and businesses in Palm Beach. In the case of Kaplan Park, we have been unsuccessful in our attempts so far

Would you care to donate Kaplan Park to the Town if it would be maintained in its original pristine (perfect) condition in perpetuity? The savings in taxes and maintenance would be an added plus.

We would be happy to help in pursuing this goal if it strikes a responsive chord. Please let me know how we may assist in this Town beautification project

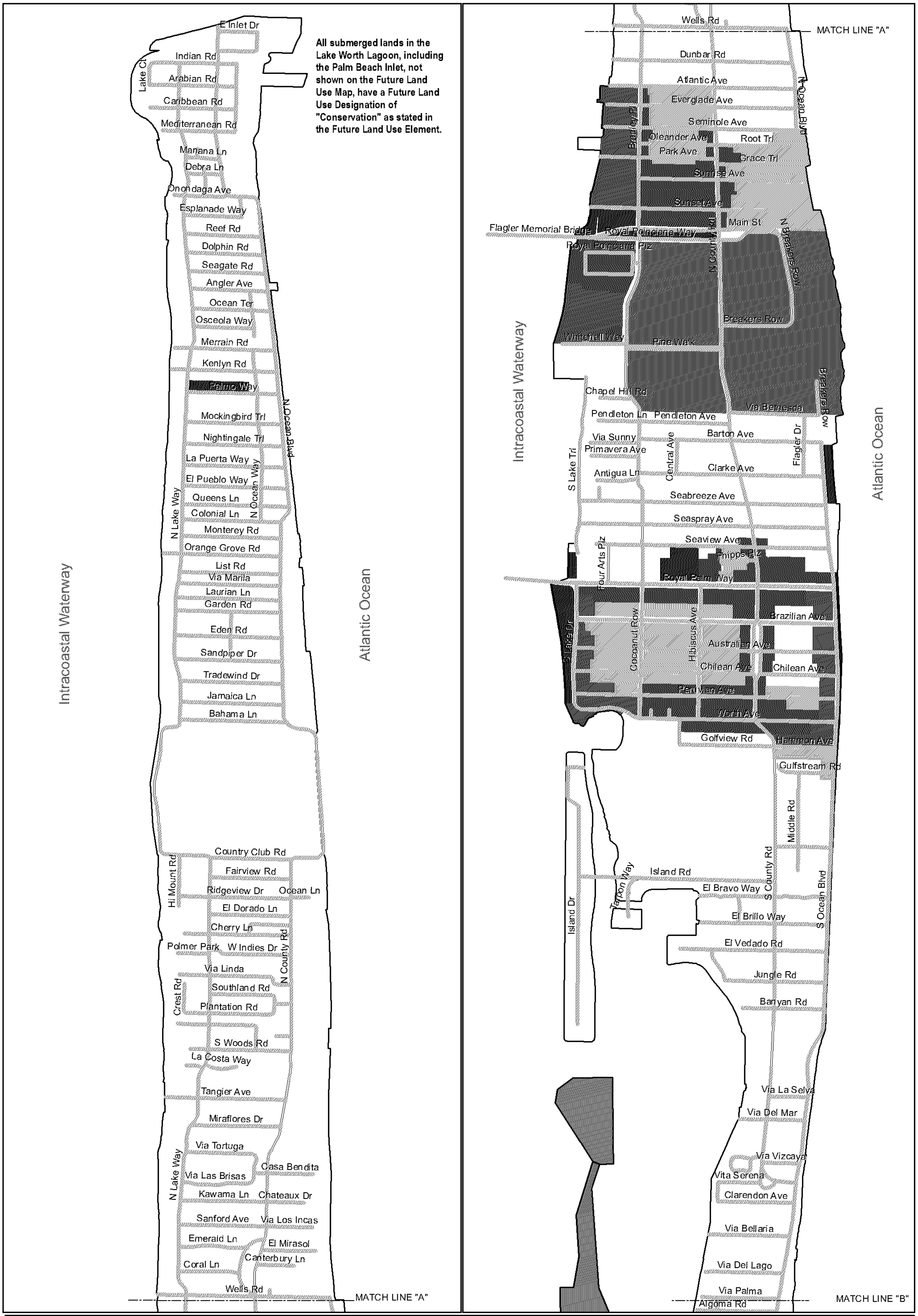
Very truly yours,

David L. Jones

David L. Jones
Town Beautification Chairman

DLJ/efw
By Certified Mail

cc Joe Ugi, Parks Supervisor/Building & Grounds Manager of the Town of Palm Beach



TOWN OF PALM BEACH FUTURE LAND USE MAP - 2027
Planning, Zoning & Building Department

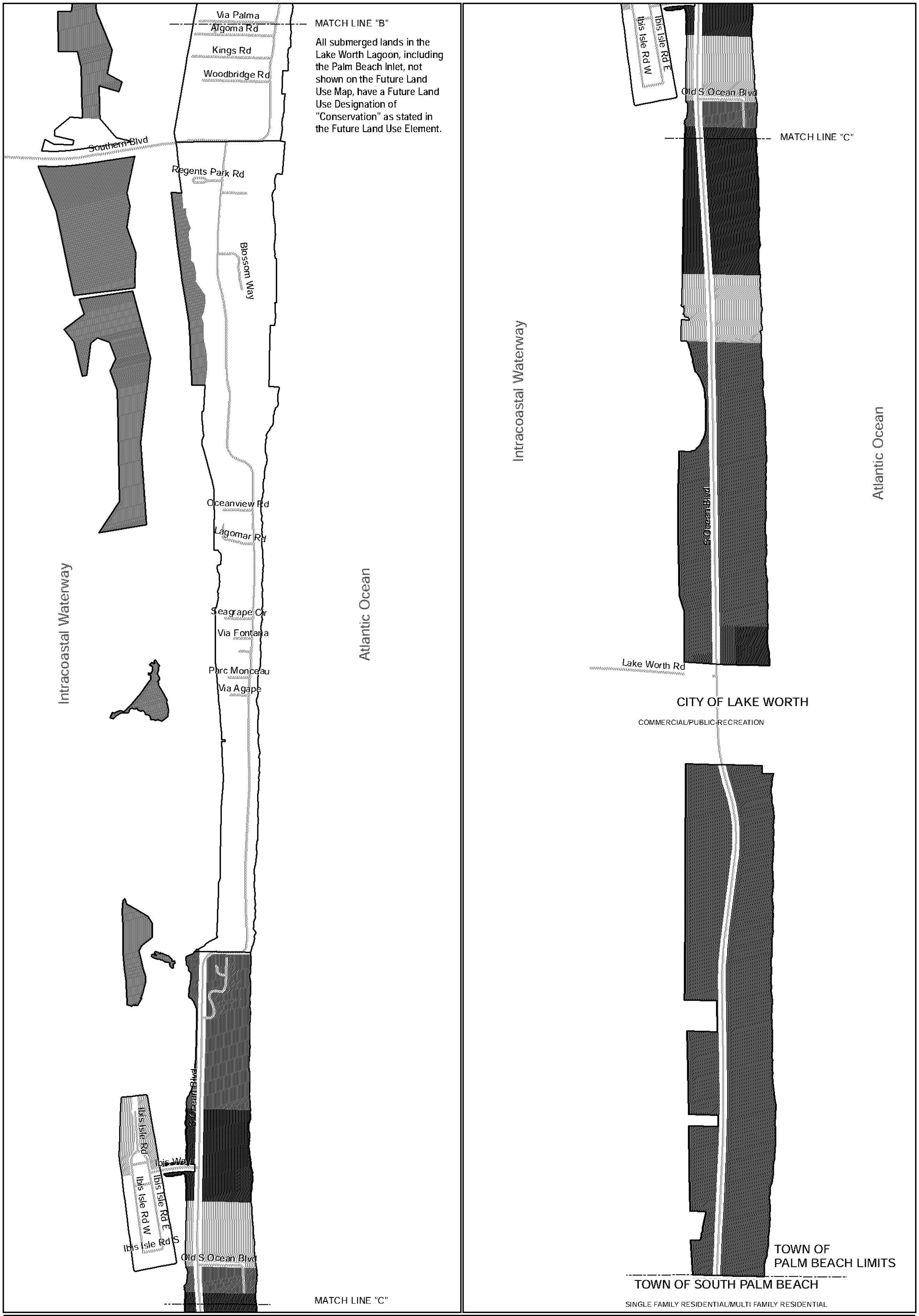
APPROVED PUD	MULTI-FAMILY	PUBLIC
COMMERCIAL	MULTI-FAMILY- HIGH DENSITY	RECREATION
CONSERVATION	PRIVATE GROUP USE	SINGLE-FAMILY

Feet
0 1,000 2,000

N E S W

Updated: June 27, 2018
Town of Palm Beach
Information Technologies GIS Department
Planning, Zoning & Building Department
(561)838-5430
Email: pzb@townofpalmbeach.com
Website: townofpalmbeach.com

MAP I - 1



TOWN OF PALM BEACH FUTURE LAND USE MAP - 2027

Planning, Zoning & Building Department

- APPROVED PUD
- COMMERCIAL
- CONSERVATION
- MULTI-FAMILY
- MULTI-FAMILY- HIGH DENSITY
- PRIVATE GROUP USE
- PUBLIC
- RECREATION
- SINGLE-FAMILY

Feet
0 1,000 2,000

N S E W

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