

**PLANNING AND ZONING COMMISSION
MEETING MINUTES
TUESDAY, JANUARY 19, 2021 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 Ainslie called the meeting to order at 9:30 a.m. All members participated via Zoom Webinar due to the COVID-19 Situation.

Michael Ainslie, Chair	PRESENT
Richard Kleid, Vice Chair	PRESENT
Rick Pollock, Member	PRESENT
Michael Spaziani, Member	PRESENT
Eric Christu, Member	ABSENT (Excused)
Marilyn Beuttenmuller, Member	PRESENT
Jorge Sanchez, Member	PRESENT (Arrived 9:59 a.m.)
William Gilbane, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building
James Murphy, Assistant Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Brad Falco, Zoning Technician
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.

Mr. Ainslie welcomed all in attendance.

III. APPROVAL OF THE AGENDA

Motion made by Mr. Pollock and seconded by Mr. Spaziani to approve the agenda as presented. Motion carried unanimously.

IV. APPROVAL OF DECEMBER 15, 2020 PLANNING & ZONING COMMISSION MINUTES

Mr. Kleid requested minor changes to the December 15, 2020 minutes. Ms. Churney agreed to make the changes.

Motion made by Mr. Kleid and seconded by Mr. Spaziani to approve the minutes of the December 15, 2020 Planning & Zoning Commission meeting as amended. Motion carried unanimously.

Mr. Ainslie welcomed James Murphy, new Assistant Director of Planning, Zoning, and Building.

V. COMMUNICATIONS FROM CITIZENS REGARDING NON AGENDA ITEMS - (3 MINUTE LIMIT PLEASE)

There were no communications from citizens at this time.

VI. STATUS REPORT ON THE COMMISSION RECOMMENDATION TO RETAIN A RETAIL STRATEGY CONSULTANT

Director of Planning, Zoning and Building Wayne Bergman provided an update on the retail strategy consultant. He indicated a meeting had been held on December 22, 2020 to explain the RFP to interested parties. The due date for proposals was January 19, 2021, and the selection committee would review applications on January 26, 2021. On January 29, 2021, oral presentations and interviews would take place, and be presented to Town Council at their February meeting. Mr. Spaziani asked which of the meetings the public or Commission could attend. Deputy Town Manager Boodheshwar responded and informed the Commission that all of the committee meetings were open to the public, however participation by the public was not permitted.

VII. DISCUSSION ON THE EXCEL SPEADSHEET OF USES ON WORTH AVENUE AND THE SOUTH COUNTY ROAD COMMERCIAL CORIDOR NORTH OF ROYAL PALM WAY

Mr. Bergman provided an overview of the survey conducted of the retail spaces on Worth Avenue and South County Road (north of Royal Palm Way), and stated the goal was to eventually to survey the entire town.

Mr. Castro thanked Brad Falco, who had done the legwork and put the matrix together, and Debby Moody, who had provided data regarding square footage from the business tax receipt information. In response to Mr. Kleid's question about a retail space that may have been omitted, staff indicated they would research the issue. Mr. Castro reviewed the information on the spreadsheet, which covered from the 100 block to the 300 block of Worth Avenue. He advised that most of the spaces were under 4,000 square feet, and anything over 4,000 square feet in this district required town council approval. The largest turnover was with jewelers and art galleries. Mr. Ainslie noted there was a total of 117,000 square feet of vacancies. Mr. Castro clarified this was only a study and no analysis had been done relating to percentages of what type of spaces were vacant. Mr. Falco reported some vials were on a separate sheet because they did not have Worth Avenue addresses. Mr. Bergman commented staff would begin work on the areas not yet covered and provide a report at next month's meeting.

Mr. Kleid commented on the South County spreadsheet, that he had been surprised there were so few vacancies. He asked if most of the buildings not leased by Mr. Campaniello. Mr. Spaziani responded Mr. Campaniello was strict with his leases, he did not care if his

buildings were leased and the Town could do nothing to change his mind. Discussion ensued.

Mr. Ainslie felt there could be some prospective investors identified who may be encouraged to buy some of the underutilized areas.

Mr. Sanchez inquired if staff would be able to gather the cost per square foot for the retail spaces. Mr. Spaziani stated the information was proprietary and he doubted that information would be made available. A discussion ensued.

Mr. Pollock felt the purpose of the data was to gather it, to then allow the consultants to study it and come up with recommendations based on their previous experiences and professional advisement. He felt the Commission should use the recommendations on how to direct properties and allow the owners to make the decisions. Mr. Ainslie agreed, commenting the Commission was looking at incentives, zoning rules and practices, which if changed and improved, may make investment in properties more desirable. The consultants' recommendations and the Commission's recommendations eventually would be presented to the Town Council.

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

Mr. Ainslie reported he had been asked by several people why new homes being built in the north end all looked alike, and lacked the charm and variety that Palm Beach was known for. He asked Mr. Bergman and Mr. Castro to explain new incentives for renovation and show examples of where they were working. He hoped to give publicity and visibility to this area.

Mr. Bergman explained the problems with meeting FEMA regulations that required raising a building to a higher elevation. He further discussed how the Town had designated conservation districts, in which a building could be designated a historically significant building if over 50 years old and if it met one of four criteria found in the code. These buildings did not have to be elevated to a higher elevation and could be extensively renovated. Mr. Bergman indicated that was one example of what had been done to preserve the community and allow the one-story homes to continue. He added four homes had been saved under this program.

Mr. Castro showed images of each of the four homes that had been saved, and discussed incentives for one-story homes versus two-story.

Mr. Sanchez felt a second set of ordinances was needed for those who wanted to build new homes in the traditional way, with a close analysis of all regulations that were self-created that force new buildings into certain conditions, such as a two car garage or a specific setback. He was very much in favor of what had been done to keep existing homes.

Mr. Spaziani inquired about the historic conservation districts. Mr. Bergman provided further explanation on the districts. Mr. Spaziani questioned how getting around FEMA affected insurance. Mr. Bergman explained flood insurance had improved for property

owners within the special flood hazard areas, who were receiving a 20% discount on premiums.

Mr. Ainslie asked the percentage of the town that was in the 11 conservation districts. Mr. Bergman responded the entire town was located in a conservation district.

Mr. Gilbane reported he was in the middle of renovating a 1950's house and would report any hurdles when finished.

Mr. Ainslie asked for more public education on this program. Ms. Beuttenmuller asked if it was promoted on the Town's website. Mr. Castro reported they had updated all of the attorneys and architects on the new program. He added that a news release had also gone out.

Mr. Bergman responded it was on the website, and a virtual meeting was held in November for architects and land use attorneys. He hoped to hold a second meeting in February for anyone who missed the November meeting. He added that he had found that the best way to get new information out from the Planning and Zoning Department was through the engineers, land use attorneys, and architects.

Mr. Spaziani asked when an appraisal was required when rebuilding. Mr. Bergman responded that an appraised value would be required when projects were started. This appraised value could be obtained through an independent property appraisal or the Palm Beach Property Appraiser's website. Mr. Castro also responded that an appraisal was not required if the home was historically designated.

Mr. Sanchez asked to include real estate agents in the meeting invitation.

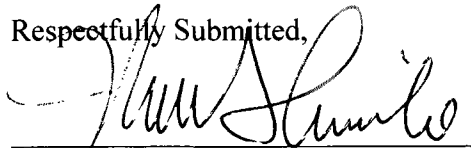
Mr. Ainslie asked Mr. Bergman how he got the State to agree to this program. Mr. Bergman commented Mayor Coniglio had been very instrumental in pushing the State agencies to respond to the Town, and he gave her a lot of credit.

Mr. Spaziani thanked Gail Coniglio for her service. He asked for an update regarding President Trump moving into town. Mr. Bergman responded there was no evidence to support the claim that was circulating that President Trump intended to reside in Mar-a-Lago, and if the evidence changed, it would be addressed at the appropriate time.

IX. ADJOURNMENT

The meeting was adjourned at 10:40 a.m. without benefit of a motion.

Respectfully Submitted,



Michael Ainslie, Chair
Town of Palm Beach
Planning & Zoning Commission