

TOWN OF PALM BEACH

Information for Town Council Meeting on: March 15, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: 125 Worth Avenue

Date: March 6, 2023

STAFF RECOMMENDATION

Staff would like to put into context our interpretations and decisions made regarding the proposed project at 125 Worth Avenue over the last several years. This is a complex project that has been in the development queue for at least four years with three different applications. This memo will not include specific opposition and concerns expressed by the neighboring property owners and residents. This memo will also not provide a full history on this project, but will focus on the recent land use applications.

2019 PROJECT SUMMARY

The applicant (Rob Frisbie) met with former PZB Director Josh Martin regarding 125 Worth Avenue. Mr. Frisbie's plan was to add to the existing fourth-floor of the building and to create four fourth-floor condominiums. The condominiums would be located within the existing building footprint and each condominium would have a balcony that would extend near the edge of the existing building roofline, basically expanding the existing fourth-floor footprint on all four sides. On the ground level, a one-story building would be added in the location of the existing east surface parking lot. At first, a restaurant was proposed in this new addition, then later was removed due to concerns from the neighboring condo owners. The very visible first three floors would have cosmetic alterations made to the façade of the building. Final versions of this project proposed the ground-level east building addition to be in the northwest section of the existing parking lot and to be used to house mechanical equipment. All surface parking would be removed as part of the 2019 proposal.

2019 APPLICATION

After several meetings with the applicant, architect Rafael Portuondo, attorney Jamie Crowley, Director Josh Martin, and PZB staff, the first application was made. It was a Comprehensive Plan Amendment, a zoning text amendment, and changes to the Worth Avenue Design Guidelines. Director Martin tentatively agreed to prepare some of the zoning text amendments for

the applicant. The Comp Plan amendments were to change the Future Land Use Element to allow, in some cases, a fourth-floor (although a small fourth-floor exists today). This would have resulted in changes to both the zoning code relative to the C-WA district and to the Worth Avenue Design Guidelines. This initial project was to demolish the existing 3,000 sf fourth floor, then add a new larger fourth-floor, which would be just over 12,000 sf. This is why the applicant needed the Comp Plan amendment, as the grandfathered nonconforming fourth-floor would be completely removed (abandoned), then rebuilt larger.

2019 REVISIONS TO THE APPLICATION

The applicant decided to withdraw the original application, and in turn to simply request a site plan, special exceptions and variances. The applicant said this decision was made after receiving feedback from one or more Town Council member(s). The feedback was basically described to staff as that the Town Council may not support a Comprehensive Plan amendment, but that requesting multiple variances was the better way to proceed. At this point Zoning Manager Paul Castro was asked by Director Martin to help delineate the various zoning matters and possible variances needed to approve the project. The applicant described the project as an expansion of the nonconforming fourth-floor, along with a shared parking concept to eliminate the surface parking, and other variances for the ground level building additions and façade changes, building height, lot coverage, site plan review and special exceptions. Mr. Castro indicated that requesting an expansion of the grandfathered, nonconforming fourth-floor was already established by past precedent, as a few other tall, nonconforming buildings in the past have requested and received variances to expand by adding additions, awnings, pergolas, etc. to the nonconforming floor. I remember Mr. Castro pointing out the window of the Director's office at the nonconforming six-story building behind Bricktops, which he said required variances to expand the nonconforming penthouse. Mr. Castro said that this precedent was vetted through Town Attorney Skip Randolph in the past, and therefore could be used again. He also indicated several other midrise buildings, primarily condo buildings, have requested and received the same zoning relief. Staff requested that the applicant provide plans that showed the fourth-floor to remain (if the fourth-floor was demolished it would be a violation of the Comprehensive Plan). Although submitted as a combo project (both Arcom and Town Council approvals needed), staff asked that the project be re-noticed to neighbors and that the matter come to the Town Council first to deal with the variances, special exceptions and site plan review, as there is no need for Arcom to spend possibly several months on this project if the zoning variances are not granted by the Town Council.

Ultimately the applications were withdrawn by the applicant.

2023 PROJECT SUMMARY

ARCOM - The applicant, 125 Worth Partners LLC, has filed an application requesting Architectural Commission review and approval for the substantial demolition, renovation and expansion of the existing four-story nonconforming commercial building with underground parking, including multi-story additions and façade alterations in accordance with the Worth Avenue Design Guidelines, involving multiple variances including from the parking requirements, setback, lot coverage, height and open space regulations and other nonconforming aspects of the existing building.

TOWN COUNCIL - The applicant, 125 Worth Partners LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the substantial demolition exceeding 50% exterior building elevations for the renovation and expansion of the existing four story nonconforming commercial building (with underground parking) including multi-story additions and façade alterations proposing in accordance with the Worth Avenue Design Guidelines and a Special Exception to permit retail and office uses greater than 4,000 SF gross leasable area in the C-WA district. Additionally, the applicant is seeking review and approval for Variances (1) to reduce the required parking; (2) to modify and expand nonconforming four-story building; (3) to exceed the maximum overall building height in order to construct a new rooftop and rooftop projections; (4) to exceed the maximum allowable lot coverage for the fourth level; (5) to reduce the required front yard setback, (6) to eliminate the requirement for an on-site loading space, (7) to retain and increase the existing nonconforming lot coverage for the first, second and third levels; (8) to retain the existing nonconforming building length; (9) to retain the existing nonconforming landscape open space; and (10) to further increase the existing nonconforming floor area due in association with the voluntary demolition of portions of the nonconforming building exceeding 50% of exterior wall square footage, in conjunction with the renovation of an existing four-story office and retail building.

STAFF'S VIEW OF THE PROJECT

The current PZB staff acknowledges that 125 Worth Avenue is a four-story building. While this fact may be debated and contradicted by past records, real estate advertisements and other documents, PZB staff has, on at least two different occasions, visited the building as a field visit and walked up to the fourth-floor penthouse. It is easily accessible from any floor. The fourth-floor is just over 3,000 sf in size, has a concrete roof, which is about 13 feet high, is air conditioned, and has large glass windows on two sides. The fourth-floor footprint further expands over the third floor with a covered arcade on three sides. The interior enclosed space currently houses mechanical equipment, but this space could be converted to office or condominium use by relocating the mechanical equipment and renovating the interior space to the desired configuration. Two separate PZB Directors have established their interpretation of this fourth-floor designation.

Variances are needed to expand the nonconforming fourth-floor, as this precedence is already established in the Town, vetted by the Town Attorney and has been used by applicants in the past. Further, the former Zoning Manager reviewed the 1972 plans from the original building construction and maintains that the building was designed and constructed as a four-story building with underground parking. Staff acknowledges that two-story buildings, and sometimes three-story buildings, are allowed by the Comprehensive Plan in the commercial land use areas, but staff further acknowledges that there many buildings in Town that exceed the Comprehensive Plan height limitations, several of them along Worth Avenue. These buildings were constructed prior to the adoption of the current Comprehensive Plan. These nonconforming, but grandfathered, buildings can be enlarged / expanded with zoning variances, as has been done in the past, but cannot be expanded beyond the footprint of the building.

Palm Beach Daily News

*Submitted by resident at**3/15/23
Town Council
Meeting*

Business

EXCLUSIVE: Frisbie Group pays \$30.7 million for Worth Avenue building

By Darrell Hofheinz

Posted Feb 2, 2018 at 12:01 AM

Updated Feb 2, 2018 at 4:37 PM

Fresh from breaking ground on a major mixed-use project on Royal Poinciana Way, the Frisbie Group has expanded its Palm Beach real estate portfolio with a \$30.7 million purchase of an office-and-retail building at the east end of Worth Avenue, the company has announced.

The Frisbie family company bought the three-story, 50,017-square-foot building from Boca Raton-based Crocker Partners, which also managed the building. Crocker Partners sold the property through a Delaware limited liability company named CP 125 Worth Avenue LLC, courthouse records show.

The purchase price means Frisbie Group paid about \$614 per square foot, lower than in several recent real estate sales on the Avenue.

The deed recorded today shows the Frisbie Group bought the property using a Florida limited liability company named 125 Worth Partners LLC. The last sale recorded in property records for the building was for \$13.65 million in 2004.

RELATED: Read more Palm Beach real estate news

The building is 83 percent leased, according to the Frisbie Group. It is anchored on its northeast corner by a showroom for Ferretti Group America, which sells several different brands of yachts, including Italian speedboats manufactured by Ferretti.

Other tenants include Branch Banking and Trust Co., UBS and offices for Neiman Marcus Group. Built in 1974, the building is just east of the department store and across the street from The Esplanade, a shopping plaza that includes Saks Fifth Avenue and Gucci, among other luxury retailers.

With the sale, the Frisbie Group will assume management duties, according to the company.

Robert Frisbie Jr. represented Frisbie Group, and his aunt, Palm Beach real estate agent Suzanne Frisbie, advised on the deal. The building was listed for sale by Holliday Fenoglio Fowler, better known as HFF. Representing the seller were HFF's Hermen Rodriguez, Ike Ojala and Tracey Goo.

An HFF debt-placement team worked on behalf of the buyer to secure seven-year fixed-rate acquisition financing totaling \$22.84 million, according to a statement issued by HFF. The team included Maxx Carney and Matthew McCormack.

Frisbie Group's statement said plans include "modernizing and substantially improving" the building with interior renovations, technology updates and new landscaping, all to attract new tenants.

"We want to pick up where the seller left off," said Robert Frisbie Jr. "We love everything they've done."

Tower Commercial Real Estate has handled leasing. In previously prepared marketing materials, the company promoted the building in an online brochure as having undergone \$2 million worth of Class A renovations with a "premier location" and a "world-renowned Worth Avenue address." It amenities include private balconies, reserved garage parking for tenants and dedicated visitor parking.

The streetside facade underwent a facelift about five years ago in anticipation of the 2013 opening of Ferretti Group, the island's first yacht showroom. An Italian design team worked with the project's architect of record, Worth Avenue architect Jerome Baumohl, who has carried out a number of design projects for retailers on the street. The renovations added two arches to extend the colonnade that runs the width of the Mediterranean-style building. The addition of oversized accordion-fold glass doors allows yachts to move in and out of the showroom.

"We did everything we could to make (the renovated storefront) appropriate for Worth Avenue," Baumoehl said at the time. "We really cleaned up the whole southeast side of the building. There had really been nothing to look at, architecturally, on that side of the street."

RELATED: Ferretti launches yacht Worth Avenue showroom

Last month, Frisbie Group broke ground across town on its newly named Royal Poinciana Palm Beach mixed-use development, which will rise on the site of the demolished Testa's restaurant at 221 and 231 Royal Poinciana Way. The Breakers is set to buy the ground floor of that two-story development, to open and run a restaurant there and to handle retail leasing for the project. Frisbie Group will design, market and sell six second-floor condominiums there.

Frisbie Group also owns the adjacent retail-and-office buildings immediately to the east on Royal Poinciana.

The company's statement said the acquisition of 125 Worth Ave. reflects its "commitment to quality, betterment and the future" of Palm Beach.

Robert Frisbie Jr. echoed that sentiment Tuesday. "The property fits very well into everything we do at the Frisbie Group. We think it's a great complement to everything we are doing on Main Street," he said, referring to the historical name of Royal Poinciana Way.

The ocean block of Worth Avenue has seen significant property sales in the past few years, most notably in January 2014. That's when the Goodman Co. simultaneously sold the Neiman-Marcus building for \$106 million and The Esplanade, then known as 150 Worth, for a grand total of \$146 million, or about \$2,000 per square foot. Both properties were bought by the O'Connor family's New York-based O'Connor Capital Partners.

RELATED: Neiman Marcus, shopping plaza fetch \$146 million

In September 2013, landlord Burt Handelsman, who has extensive real-estate holdings on the Avenue and on South County Road, paid a recorded \$28.1 million — or about \$2,810 per square foot — for a 10,000-square-foot retail property at 225 Worth Ave. The seller was P/A Florida Associates, a New York City-based partnership.

The Avenue also saw a headline-grabbing sale this year. In late March, Via Bice sold for \$19.5 million, or a little more than \$1,000 per square foot. The buyer was a limited partnership affiliated with the Amirsaleh Family Trust, which also owns the majority of property in the Via Mizner. The via was sold by an entity affiliated with Tricony Management.

And one block north of the Avenue, at Peruvian Avenue and South County Road, the former TD Bank building sold in May for \$7.35 million, or \$1,242 per square foot. Seller Regine Traulsen of Palm Beach sold the vacant building at 380 S. County Road to a limited liability company with a Royal Palm Way address.

One block south of the Avenue, The Colony sold for a recorded \$12 million in December to the Wetenhall family, which for years held a minority stake in the historic hotel.

Worth Avenue widely is considered one of the country's premier shopping destinations. It lies about 1½ miles north of President Donald Trump's Mar-a-Lago Club.

The Frisbie family has built on speculation and sold a number of high-end houses in Palm Beach. In addition to builder Robert Frisbie Sr., the company's principals include two of his brothers, developer David Frisbie and venture capitalist Rick Frisbie. Suzanne Frisbie is also a principal the group. She is married to David Frisbie, who has owned and redeveloped historic properties in downtown West Palm Beach.

RELATED: Via Bice off Worth Avenue sells for \$19.5 million

RELATED: Colony hotel changes hands for recorded \$12 million

Deborah Jones

From: Bruce M Langmaid <bruceinpb@yahoo.com>
Sent: Wednesday, March 15, 2023 5:11 AM
To: Danielle Hickox Moore; Town Council
Subject: Re: The Chesterfield (Vineta) - 113 Seat Count Solution without Variance

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dearest Mayor & Town Council ,

The Barbarians are at the gate... please keep the Chesterfield/Viñeta at 113 seating and closing at 10pm. Mr. Corey is spot on!

Thank you very much.

Bruce Langmaid

Sent from Yahoo Mail for iPad

On Tuesday, March 14, 2023, 8:23 AM, John David Corey <johncorey84@gmail.com> wrote:

Good Morning PB Residents!

A reminder that The Chesterfield (Vineta) Hotel project will be heard tomorrow, **Wednesday, March 15th at 2pm** by the Town Council. What I have heard is unanimous resident support for the hotel renovation by a first class operator, but also unison opposition for the increase in licensed restaurant/bar/lounge/nightclub seats above 113. While many parts of our zoning code may be broken, in this circumstance, it is working since the expansion of seats requires a variance as the location is within a residential enclave. As we have all pointed out, the variance fails to show hardship and must be denied; however, I maintain that the applicant should withdraw the variance request to show good faith in their community support.

To highlight how a successful food and beverage operation can be maintained within the existing seat count, please allow me to suggest a way The Chesterfield (Vineta) Hotel could arrange the current 113 seat license within the proposed 1st floor plan that would allow the applicant full use of the space, rather than approving a controversial variance that has become a referendum on the direction of the town.

I have attached below the applicant's proposed seat plan and as you can see, the developer has proposed 66 seats in the old Leopard Lounge space and 33 seats in a new Lobby Lounge. Both fine. If the courtyard seats are approved under our outdoor *Cafe Seating Ordinance 134-2106 (b)(1) "Outdoor cafe seating is not allowed to increase the capacity of a restaurant"*, then any seats desired to be outside are simply removed from the inside count like other restaurants in Palm Beach (e.g: Bricktops, Sant Ambroeus, Bice, etc.). That leaves the owner with 14 seats remaining (113-66-33=14) which could be used in the rear pool area for hotel guests only and similar to past conditions. No hardship. The rear pool lounge is then eliminated entirely as that is not a pre-existing condition and is a clear expansion of a non-confirming use in the residential zoning district.

Two more points that I ask you to please keep in mind:

- 1) The Leopard Lounge opened at 5pm, so the Rotary Club lunches and afternoon English Tea events were not taking place simultaneously and therefore potentially never violated the 113 seat maximum allowed by license.
- 2) If the new owners want to maintain the nightclub license, that might disqualify them from an outdoor cafe seating permit under the same ordinance but section (b)(2) *"Bars/lounges and nightclubs are not permitted to have outdoor cafe seating"*. Alternatively, the nightclub license may have to be forfeited for any outdoor dining requests.

I hope my analysis is helpful and really shows a successful hotel operation with an accessory restaurant, bar/lounge, and outdoor courtyard seating without the need for an unsubstantiated variance and its associated negative community impacts. Now we can work on the site plan review with dumpster and recycling locations, food and beverage hours of operations, delivery logistics, valet and parking logistics ;).

#NoMoreSeats #113Max #ComprehensivePlan #HotelWins #ResidentsWin #PreservationWins

Thank you very much,
JDC

Deborah Jones

From: Lucinda Stonestrom <l_stones@bellsouth.net>
Sent: Wednesday, March 15, 2023 8:15 AM
To: Town Council
Subject: Chesterfield Hotel Project

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Mayor and Town Council

I am writing in opposition to the proposed project at The Chesterfield Hotel, La Vineta.

Expanding the dining capacity will exponentially increase noise and traffic levels, effectively destroying the lovely, residential midtown neighborhood where the hotel is situated.

Please do not grant a variance to allow more dining seats, and help to fight the increased traffic of the town from encroaching on residential areas.

Thank you for your consideration,

Lucinda Stonestrom

137 Kings Road
Palm Beach, FL

Deborah Jones

From: Derek Limbocker <dllnd1545@gmail.com>
Sent: Tuesday, March 14, 2023 5:47 PM
To: Danielle Hickox Moore; Town Council
Subject: Opposition to Grant Variances to La Vineta

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Mayor and Town Council,

We are writing to express our opposition to some of the requests of La Vineta hotel in their endeavor to renovate and reopen the Chesterfield Hotel. Please do not give their organization more seats. Please work to reduce the traffic, congestion and density in that area of Palm Beach.

We appreciate the work that all of you do for our town and thank you for your attention to this matter.

Sincerely,

Nicole and Derek Limbocker, 977 N Ocean Blvd, Palm Beach, FL 33480

Contrary to the Shiny Sheet's March 7th article, ARCOM did not punt the 125 Worth Avenue application back to Council.

On June 9, 2021, you properly discussed and deferred the redevelopment project's second variation because of insufficient data. It was withdrawn five months later. This time, you abdicated your responsibility by forcing ARCOM to hear this before you did, even though the architecture couldn't be legally built. It was unfair to our staff and Commission, to the residents living near the project and elsewhere in Town, who rightly understood approvals could have far-reaching negative consequences.

There was no pre-application meeting with staff. The December submission included references to residential use (there isn't any), and a request to remove 21 surface parking spaces by Special Exception, instead of a variance, because that would have shifted the hardship burden onto the applicant.

The building enjoys 95% occupancy. Its present uses require 264 spaces. It has 164. Why remove spaces? To build vertically and add 3,000 sq ft. of GLA to each of three floors and the roof, in addition to another roof expansion. The applicant doesn't want to provide the parking required for the increased use and also wants us to believe, at the same time, that it's OK to reduce what's there by 21 spaces.

There are at least four different sets of intensity numbers. No certifiable parking studies, No defensible justification for what is now, Variance #1, so the applicant team has conjured up magic,

instead: applying a cherry-picked, parking reduction formula from the Urban Land Institute's Shared Parking Guidelines. Sounds impressive. Except, the formula needs to be applied to mixed-use projects and this ain't a mixed-use building. Retail and office tenants basically use the spaces during the same time period. Another problem, the "magic 15% ULI formula" has no basis within our Town's Zoning Code. So, what' cha going to do, Councilmembers? Act as though you don't have to obey the law? Attorney Randolph knows why and how our parking ratios were put into place. Ask him. He knows our Code is impervious to the applicant's ULI mumbo jumbo. The building got a two million dollar Frisbie make-over a few years ago. You must deny the project as presented and avoid a lawsuit the Town will not win.

For each step of the process please see the correlating LOI

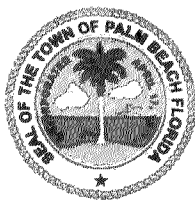
Pre-Application Meeting – None

First Submittal – https://www.dropbox.com/s/sjhy0np4abtyierp/ARC-23-022%20%28ZON-23-032%29%20125%20WORTH%20AVE_LOI_FIRST%20SUBMIT_12-08-22.pdf?dl=0

Second Submittal – https://www.dropbox.com/s/2109ule4nx67ggz/ARC-23-022%20%28ZON-23-032%29%20125%20WORTH%20AVENUE_LOI_12-27-22.pdf?dl=0

Final Drop Off-https://www.dropbox.com/s/4wb9e1ct4d3x3lj/ARC-23-022%20%28ZON-23-032%29%20125%20WORTH%20AVENUE_LOI_DROP%20OFF_1-13-23.pdf?dl=0

Staff Requested - https://www.dropbox.com/s/ahrhosedff0xtex/ARC-23-022%20%28ZON-23-032%29%20125%20WORTH%20AVE_LOI_DROP%20OFF_02-13-23.pdf?dl=0



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

PLANNING, ZONING & BUILDING DEPARTMENT

RE: First Submittal Review Comments

Project Number: ARC-23-022 (ZON-23-032)
Project Address: 125 WORTH AVE
Comments Issued: 12/19/22 | 12/15/22 JGM
PZ&B Project Lead: James G Murphy
Second Submittal Due: 12/27/22 by 2:00 PM
Tentative Notice to Proceed: 01/02/23
Tentative Meeting Date: 02/22/23 ARCOM
03/15/23 TC

NEXT STEP: Second Submittal

Review and incorporate all staff comments and identified deficiencies in Second Submittal plans and supporting documents.

- Deliver (2) sets of updated 11X17 plans, LOI, and (1) updated electronic copy (disc or drive) to Town Hall by Second Submittal Date provided above.
- Provide a Narrative Response Sheet addressing First Submittal Review Comments. Include all following comments and provide responses. Indicate sheet numbers for corrected/added items.

DRAFT NOTICE:

ARC-23-022 (ZON-23-032) 125 WORTH AVE (COMBO). The applicant, 125 Worth Avenue Partners LLC (Robert Frisbie), has filed an application requesting Architectural Commission review and approval for the substantial demolition, renovation and expansion of the existing four story nonconforming commercial building with underground parking, including multi-story additions and façade alterations proposing to utilize the Worth Avenue Design Guidelines, involving multiple variances including from the parking requirements, setback, lot coverage, height and open space regulations and others. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-23-032 (ARC-23-022) 125 WORTH AVE (COMBO)–SPECIAL EXCPETION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, 125 Worth Avenue Partners LLC (Robert Frisbie), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for the substantial demolition, renovation and expansion of the existing four story nonconforming commercial building with underground parking including multi-story additions and façade alterations proposing to utilize the Worth Avenue Design Guidelines and to permit retail and office uses greater than 4,000 SF gross leasable area in the C-WA district. Additionally, the applicant is seeking review and approval for Variances (1) to reduce the required parking; (2) to modify and expand nonconforming four-story building; (3) to exceed the maximum overall building height in order to construct a new rooftop and rooftop projections; (4) to exceed the maximum allowable lot coverage for the fourth level; (5) to reduce the required front yard setback, (6) to reduce the required drive aisle/back out width; (7) to eliminate the requirement for an on-site loading space, (8) to increase the existing nonconforming lot

coverage for the first, second and third levels; (9) to retain the existing nonconforming building length; (10) to further reduce the existing nonconforming landscape open space; and (11) to further increase the existing nonconforming floor area, in conjunction with the renovation of an existing four-story office and retail building. The Architectural Commission will perform the design review.

1. APPLICATION

- a. Please review draft notice.
- b. Missing appraisal in accordance with VIII B1 of the Worth Avenue Design Guidelines.
- c. Provide a Narrative Response Sheet with Second Submittal addressing all the following comments and include comments for reference.

2. LETTER OF INTENT

- a. Letter of Intent (LOI) is excellent—thorough and informative. Paginate LOI for ease of reference.
- b. LOI: remove request 1 SE for Shared Parking. Missing SE for additions on the third and fourth floor. Correct all requests based on below staff analysis.
- c. LOI: Generally remove mention of residential uses from scope of project. Ex: page 25 remove residential from sentence as no residential uses are identified. *The proposal involves a mix of uses including commercial, office, and residential coupled with integrated courtyards and landscaping that are reminiscent of historic Palm Beach.* Worth Avenue Urban Design Goals: remove residential. *The 125 Worth Avenue Revitalization Proposal represents a diverse mix of residential, office, and retail uses that complement the Avenue...*
- d. LOI: Remove mention of *removes the surface level parking (autocentric environment) and replaces it with courtyards, gardens, and plazas that prioritize the pedestrian experience*. Where on the ground floor are the *courtyards, gardens, and plazas*? The elimination of surface parking urbanistically is always a good thing, but the proposal does not enhance the ground level but simply provides more retail space.
- e. Applicant requests to be modified:

- ~~1. Per Section 134-2182 (b), a Special Exception to allow for on-site shared parking, based upon the professional shared parking analysis which has been provided; REMOVE.~~ This is explained further detail below. A variance from parking requirements is needed.
- 2. Per Section 134-419, a Variance to increase the maximum height of 64.43', which is greater than the 40' maximum height allowed by the Worth Avenue Design Guidelines.
- 3. Per Section 134-429, a Variance to allow for an expansion of an existing nonconforming building by increasing the existing floor area of the fourth story to 10,239 square feet from 3,194 square feet existing.
- 4. Per Section 134-1163(9)c., a Variance for Lot Coverage of 62.5% on the third floor in lieu of the 30% maximum allowable by the Zoning Code; and Worth Avenue Design Guidelines.
- 5. Per Section 134-1163(11)c., a Variance for Landscaped Open Space of 7.09% in lieu of the 25% minimum required by the Zoning Code. 6.29% in the landscape plan legend
- Revise and list variances as identified by staff below.

3. ISSUES

- a. DEMOLITION in association with the renovation of the existing multistory office building. 134-419(1). There are two outstanding issues re/ the threshold of demolition: the

penthouse/fourth level and the overall building. First, the plans D-105 and D105 depict the total demolition of the penthouse/fourth level in order to rebuild and enlarge a new fourth level. This is not permissible except with a Comprehensive Plan Text Amendment, as four stories is not permitted. The penthouse/fourth level must be retained in at least 50% capacity in order to fulfill this portion of the desired program. This determination is in alignment with the former land use application (B-074-2019 and Z-19-00232) that was eventually withdrawn and the prior Comprehensive Plan Text Amendment that was abandoned. Second and less critically, the voluntary demolition of this nonconforming building exceeds 50% of exterior wall square footage, as identified on sheets D-102-D104 and sheet D-110, triggering the need to bring the current site up to code and triggering the need for other variances not identified by the applicant (FAR, LOT COVERAGE, OPEN SPACE, BUILDING LENGTH). Variances may be requested for all other noncompliant aspects of the building in order to renovate/remodel/expand that are not inconsistent with the Comprehensive Plan.

- b. **SHARED PARKING:** Sec. 134-2182(c) Applicant has requested a SE for shared parking but application fails to qualify for consideration based on new square footage (Sec. 134-2182(c). Additionally, applicant fails to meet Sec. 134-2182(c)(1) and Sec. 134-2182(c)(2) for consideration. The ULI analysis may be used to justify that the parking variance to eliminate the existing required 21 spaces and to not provide the new ____x____ spaces based on new SF. Parking study needed to show that the existing and proposed uses (hours, days) of operation do not overlap or conflict and that there is adequate off street parking based on different hours and days of operation for the uses proposed (ie daytime office and nighttime restaurant) on the property; not ULI Standards, although a respected resource which may assist in the variance process to demonstrate justification for the granting. **A variance is required to eliminate 21 surface off street parking spaces for the additional spaces as required for the new SF proposed on the 1st, 2nd, 3rd, and 4th floors.**

- Eliminate 21 spaces (surface).
- New 10,239 SF office 4th floor @ 1/250 = 40.95, or 41 spaces.
- NEED ADDITIONAL INFORMATION TO CALCULATE PARKING for new additions at ground level s @ 1 /200.
- NEED ADDITIONAL INFORMATION TO CALCULATE PARKING for new additions at second and third levels @ 1 /250.
- Variance to not provide ~~xx~~ required parking spaces (including elimination of 21 surface spaces).

Revise conclusion of ULI re/ variance language, ULI does not make determination if or if not a variance is needed. Conclusion and analysis should determine that the variance is warranted and would not impact the regular parking operations at current capacity and not impact the abutting roadways.

4. ARCHITECTURAL PRESENTATION

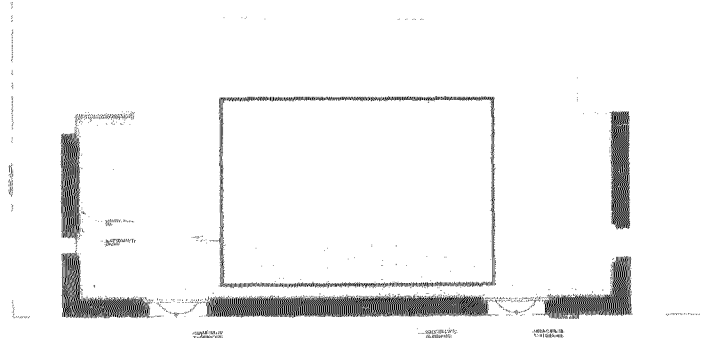
- a. Provide a Narrative Response Sheet with Second Submittal addressing all the following comments and include comments for reference.
- b. Missing checklist item D5: color photos of existing building (4 color to a page): include images of underground parking levels, images of exterior building ground floor, images of penthouse/fourth level. Staff suggests at least 4 pages of photos
- c. Missing checklist item D5: color photos of surrounding area. Staff suggests at least 2 pages

of photos

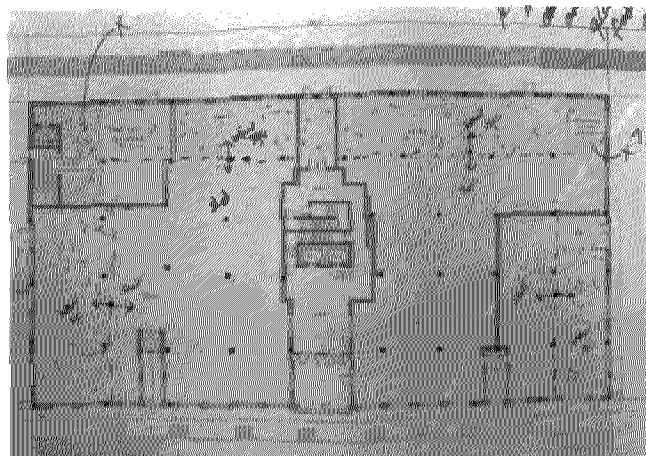
- d. Missing neighborhood context.
- e. G-001 correct address in location plan. Add heights (legible) to streetscape. Add enlarged streetscape including setbacks and heights of 154 and 101 Worth Ave.
- f. Ex-001 add grade of sidewalk elevation center of property, and at east and west edge. Add parking space count. Missing 6 parallel parking spaces along northern side of building.
- g. A-001 remove existing '3-story', add existing 'multi-story'. Add grade of sidewalk elevation center of property, and at east and west edge AND at start and end of ramps. Graphically distinguish 'new' addition to existing shell of building. ADD SFs. Missing new area of ground floor buildout distinguished from existing shell. Missing location of trash room(s) (and Sec. 134-1733).
- h. A-001 dimension TYP parking stall. Add backup / drive aisle width. Variance needed is < 25' (Sec. 134-2171 (a)). Are 9 or 10 spaces proposed at surface level.
- i. Missing on site loading space Variance needed 134-2211(a).
- j. EX-105 add dimensions of fourth floor enclosure (inside and outer loggia, separate). Add SF of enclosure (inside and outer loggia, separate).
- k. EX-106 add roof slab elevation. Add dimensions of fourth floor penthouse roof.
- l. DEMOLITIONS DRAWINGS NEED REFINEMENT to CLEARLY DEPICT EXTENT OF DEMOLITION:
D-100 -D-106 Revise colors/graphic depiction of elements to remain vs. demolished, ie structural columns.
- m. D-100 Drawings depict only perimeter wall of the subterranean parking structure to remain. Revise colors/graphic depiction of elements to remain vs. demolished, ie structural columns, central vertical circulation core, slab, etc.
- n. D-101 Drawings depict only perimeter wall of the subterranean parking structure to remain. Revise colors/graphic depiction of elements to remain vs. demolished, ie structural columns, central vertical circulation core, slab, etc.
- o. D-102 Drawings depict only limited portions of perimeter wall to remain at front of structure. Revise colors/graphic depiction of elements to remain vs. demolished, ie structural columns, central vertical circulation core, slab, etc. Add demo notes to surface parking being eliminated.
- p. D-103 Drawings depict only more limited portions of perimeter wall to remain at front of structure and limited sides (east and west). Revise colors/graphic depiction of elements to remain vs. demolished, ie structural columns, central vertical circulation core, slab, etc.
- q. D-104 Drawings depict only more limited portions of perimeter wall to remain at front of structure and limited sides (east and west). Third floor east and west walls to remain do not correlate with lower levels. Revise colors/graphic depiction of elements to remain vs. demolished, ie structural columns, central vertical circulation core, slab, etc.
- r. D-105 Drawings depict complete demolition of penthouse level/fourth floor walls. This is highly problematic for the application for zoning reasons (and Comprehensive Plan). Variance for expansion of 4th floor, as submitted, for that height and overall heights as demolition exceeds 50%. Complete demolition of the penthouse level/fourth floor will require a Comp Plan Amendment to reconstruct a new fourth floor (and expand). Applicant must demonstrate retention of 50% of the exterior walls penthouse level/fourth floor structure
- s. D-106 Drawings depict complete demolition of penthouse level/fourth floor roof. This is highly problematic for the application for zoning reasons (and Comprehensive Plan).

Variance for expansion of 4th floor, as submitted, is not permissible for that height and overall heights as demolition exceeds 50% and is actually shown as 100%. Total removal of the fourth level cannot be reconstructed. Complete demolition of the penthouse level/fourth floor will require a Comp Plan Amendment to reconstruct a new fourth floor (and expand). Applicant must demonstrate retention of 50% of the exterior roof of the penthouse level/fourth floor.

- t. Show dimension and SF of area of lower roof to remain.



- u. D-110 Demolitions proposed exceed the maximum allowance under Sec. 134-419. a.The loss of more than 50 percent of an exterior wall square footage AND b.The loss of more than 50 percent of the roof area; as such variances for nonconformances are required.
- v. D-110 extent of demolition of north wall (24% proposed demo) does not correspond with prior demolition sheets D102-D104.
- w. A-100 add count to parking stalls. Distinguish new construction/elements. Correct demolition plan D-100 to clarify limited (NONE) demolition / no change.
- x. A-101 add count to parking stalls. Distinguish new construction/elements. Correct demolition plan D-100 to clarify limited (NONE) demolition / no change.
- y. A-102 add overall dimensions to building/foot print and add SF for each retail space. Distinguish new elements/addition. Need new SF and old shell SF (GLA) distinguished for of each retail space.



- z. A-103 add overall dimensions to building/foot print and interior circulation core. Add new SF for each office level. Need new SF and old shell SF (GLA) distinguished for of each office area.

- aa. A-104 add overall dimensions to building/foot print and interior circulation core. Add new SF for each office level. Need new SF and old shell SF (GLA) distinguished for of each office.
- bb. A-105 add overall dimensions to new fourth floor enclosure. Add new SF for each office level. Add roof elevations to exterior roofing levels: mechanical, pergola, terrace, other) Where is location of all mechanical equipment?
- cc. A-106 Add roof slab elevations. Where is location of all mechanical equipment?
- dd. A-110 Add overall building length elevations. Add drawing showing overlay (red) outline of old building over new.
- ee. A-111 add finial height. Add overall building length elevations. Add drawing showing overlay (red) outline of old building over new.
- ff. A-112 add finial height. Add overall building length elevations. Add drawing showing overlay (red) outline of old building over new.
- gg. A-113 Add overall building length elevations. Add drawing showing overlay (red) outline of old building over new.
- hh. A-120 add mini keyplan showing location of section cuts.
- ii. A-121 add setback distances.
- jj. V-006 and V-007 depict rooftop gardens/green roofs that are not included in roof plan or detailed in any Landscape plan. Clarify. Are these natural or artificial plantings?
- kk. Missing variance diagrams A-003)
- ll. Missing lot coverage diagrams (levels 1-4)
- mm. L-7 and L8 add column for existing to LANDSCAPE LEGEND.
- nn. Missing landscape open space diagrams existing v proposed. 25% required.
- oo. Missing operational plan (trash collection).
- pp. Provide a Narrative Response Sheet with Second Submittal addressing all the following comments and include comments for reference.

5. ZONING

- a. SPECIAL EXCEPTION: Sec. 134-1165 (b) (2) A third story and other special allowances may be granted if the structure is built in accordance with the Worth Avenue Design Guidelines in conformance with section 134-233.
- b. SPECIAL EXCEPTION Sec. 134-1159 (a) uses that are > than 4,000 square feet GLA gross leasable area.
- c. SPECIAL EXCEPTION for shared parking NOT NEEDED.
- d. Variances total: (11+):
 - 1. Variance from parking requirements Sec. 134-2176.
 - 2. Variance Penthouse/fourth floor addition: building height (and overall height includes architectural projections)
 - 3. Variance Penthouse/fourth floor expansion 4th floor.
 - 4. Variance lot coverage 4th floor exceeding 30%.
 - 5. Variance from front setback 3.5' proposed | 5' required on private property. Sec. 134-1163 (5).
 - 6. Variance drive aisle width Sec. 134-2171.
 - 7. Variance loading space Sec. 134-2211 *Nonconformance*.
 - 8. Variance lot coverage (1,2, 3rd floor). *Nonconformance*.
 - 9. Variance for building length Sec. 134-1163 (10). *Nonconformance*.
 - 10. Variance from LOS (landscape open space) Sec. 134-1163 (11)

Nonconformance.

11. Variance for floor area Sec. 134-1163 (12) *Nonconformance.*
12. Missing requirements of Sec. 134-1733.
13. Missing Concurrency determinations from Town and PB County (Traffic, Drainage, Potable Water, Sanitary sewer, solid waste, Recreation).

6. LANDSCAPE

- a. Forthcoming by Monday, please reach out to Planning Staff by Monday.

7. FIRE

- a. Forthcoming by Monday, please reach out to Martin Deloach.

8. PUBLIC WORKS

- a. Forthcoming by Monday, please reach out to Craig Hauschild.

These comments have been provided as a preliminary review of the documents and plans submitted and are subject to additions and/or deletions pending further review.

ALEXANDER HISSOM

1960 S Ocean Blvd
Palm Beach, FL 33480

14 March 2023

Town of Palm Beach,
360 S. County Road,
Palm Beach,
FL 33480

RE: The Vineta Hotel ZON-23-019

Dear Honorable Mayor Moore,

I am writing to you and to the Town Council in support of the approval of Vineta Hotel ZON-23-019.

As Palm Beach residents, we are very in tune with developments taking place, with the desire to always safeguard and protect our precious, tight-knit community.

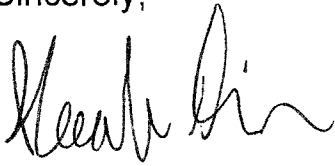
As guests of several Oetker Collection (the operators) hotels around the globe, including the renowned Hotel du Cap in Antibes, France, we know that they pride themselves in world-class hospitality when it comes to hotel rooms, restaurants, and the entire offering they present to both hotel guests and the local community. They are always respectful of their neighbors and pay attention to all historical elements involved in creating their hotels.

To be sure of this, however, we have spoken to the Reuben Family (Reuben Brothers – the owners of the real estate, who we know as well) and Oetker Collection to discuss their plans for The Vineta. They have made personal commitments to my family and me to assure us that the priorities of Palm Beach residents are taken into consideration and account at all times. They

ran us through their planned offering on-site and their well thought-out plans in relation to traffic, parking and noise control.

We were satisfied with all their detailed responses and the upgrades that they are making. It is exactly what our community requires. We are therefore not only happy to add our support this project, but we are also very much looking forward to it. The Vineta, will be a fantastic new place for Palm Beach family and friends to gather.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alexander Hissom', with a stylized, cursive script.

ALEXANDER HISSOM

ROBERT F. AGOSTINELLI

March 14, 2023

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Dear Honorable Mayor Moore & Town of Palm Beach Town Council,

I would like to add my support for the application in relation to The Vineta Hotel (363 Cocoanut Row, Palm Beach, FL 33480). The Zoning Application reference is ZON-23-019.

As a long time customer of Oetker Collection's global hotel portfolio, I look forward to a new hotel in Palm Beach. They are a family-owned business with the right values, aligned with the sense and respect of community that is so strong here in Palm Beach. As a neighbour and long-standing Palm Beach resident, I therefore believe that the hotel will be a positive addition to the area. They are serious and professional operators, who respect their neighbours and community.

I have also been in touch with the team at Reuben Brothers, who own the property, to discuss some of my initial concerns regarding this project. The team has provided me with their personal reassurances on every point. Similar to Oetker Collection, Reuben Brothers is a family business who own a number of iconic, heritage properties across the globe.

The team plan on not only bringing the hotel's original name back, but they are also reducing the number of hotel rooms and are addressing my concerns in relation to noise and parking.

I therefore support the hotel's opening and the upgrades they are making. The decreased room count will ensure a private, civilized and calm environment – both for hotel guests and for the local community.

Many of my Palm Beach friends are also supporting this application, for all the right reasons.

Please let me know if there is any further support I can give.

Sincerely,



Robert F. Agostinelli

**Las Loma
196 Banyan Rd
Palm Beach, FL 33480**

Kelly Churney

From: Wayne Bergman
Sent: Tuesday, March 14, 2023 11:46 AM
To: JULIE ARASKOG; Antonette Fabrizi
Cc: Randolph, John C.; Legal; Town Attorney; James Murphy; Jennifer Hofmeister-Drew; Kirk Blouin; Kelly Churney; Pat Gayle-Gordon; Bradley Falco
Subject: RE: Permit issued
Attachments: 03142023113103.pdf

Julie – I do believe you are correct regarding the sequence of permits as you describe below. Staff cannot locate permit 51709 but did find permit 51072, which may be the correct permit number for this building shell. It has an odd history, as there were different applicants and owners over a four-year period.

- The first permit was the original one found for the site, dated October 6, 1969. This is for the six story and basement parking. The applicant was Matthews Corporation, and the owner was the Carvin Corporation.
- Next is a permit application dated June 1, 1972. The applicant was George Culverhouse and the owner was National Land Company. The permit application shows a “3 level office building with two levels of parking and a mechanical penthouse”. This permit (issued the same day) has a note that it was voided on July 5, 1972, and a new permit to be issued on July 5, 1972.
- The permit was re-issued (Second Issuance) on July 6, 1972, to Stan E. Hall & Assoc., Inc. The owner remained National Land Company. This application has a note the permit terminated on March 7, 1973. The actual permit has a note that it was removed from the job site on March 14, 1973, at 3:00 PM.
- Next is a permit application by Lawrence J. Kucera, dated March 14, 1973 (Third Issuance). The owner remained National Land Company.
- The building CO issued March 29, 1974. The CO lists “ office building – 3 levels with two levels of parking with a mechanical penthouse”.
- Copies attached.

I recognize that there is a question on whether this building is a “three-story” or a “four-story” building. Staff’s opinion is that this is a four-story / four-level /four-floor building (three levels of leasable office & retail and one level for the current penthouse). Also, two levels of

underground parking. Based upon this interpretation, the applicant made a zoning variance request to expand the fourth story (the same way they did almost three years ago). Thank you.

Antonette – please forward this to the Mayor and Town Council – and print this for the purple folders. Thank you.

**Wayne Bergman, MCP, LEED® AP
Director**

Town of Palm Beach
Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480
Office: 561-227-6426
www.townofpalmbeach.com

From: JULIE ARASKOG <juliearaskog@aol.com>

Sent: Monday, March 13, 2023 9:10 PM

To: Wayne Bergman <wbergman@TownOfPalmBeach.com>

Cc: Randolph, John C. <JRandolph@jonesfoster.com>; Legal <Legal@TownOfPalmBeach.com>; Town Attorney <townattorney@TownOfPalmBeach.com>; James Murphy <jmurphy@TownOfPalmBeach.com>; Jennifer Hofmeister-Drew <jhofmeister@TownOfPalmBeach.com>; Kirk Blouin <KBlouin@TownofPalmBeach.com>; Kelly Churney <KChurney@TownofPalmBeach.com>; Pat Gayle-Gordon <PGayle-Gordon@TownofPalmBeach.com>; Bradley Falco <bfalco@TownOfPalmBeach.com>

Subject: Re: Permit issued

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Additionally, the permit number for the current building according to page 381 of the back up is permit number 51072. Permit 74569 (the one you attached in your previous email) was issued on October 6, 1969 and expired according to the history on page 331.

I hope we can find permit 51709 and have the answers we need.

Thank you!

Julie

Sent from my iPhone

Form No. 74869

Palm Beach, Florida, October 6, 1969

TO THE BUILDING INSPECTOR
OF PALM BEACH, FLORIDA

The undersigned requests that you grant a building permit to (Ronald Mathews, President
of Mathews Corporation State License Cert #00121, General Cont.

TO CONSTRUCT A six-story a basement parking and office structure. The off
ice building is authorized to conform with the old zoning ordinance by
the Town of Palm Beach, dated Sept. 2, 1963, Judge James Downey, Presiding.

The plans and specifications submitted with this application.

Subdivision Royal Park Addition, Block 16

Street Between S. County Road and S. Ocean Blvd.

Business

Size of Addition 107,800 sq. ft.

Type II Park Residential

30 year life and several

Mathews Corporation

Address 1100 S. Palm Beach, Tampa, Florida 33614

Architect: P. Henderson

Engineer: Mathews Corporation Engineer: W. L. Wakley

Height 63' 2" above side Story 5 stories

Basement

In consideration of this permit, the owner and builder agree to undertake said work in

full compliance with Ordinances of the Town of Palm Beach, Florida, and further agree that no work

shall be undertaken prior to securing a building permit issued by the building inspector.

Signed:

Ronald Mathews
T.L. Shargo Vice President
Cavito Corp.
Applicant

The Building Inspector's notes, as shown on the approved plans, will be adhered to.

The granting of this building permit is subject to the following special conditions pertaining thereto,
as directed by the building inspector: (1) No person shall move in and occupy this building
until such time that a final inspection has been made by the Town and a

(2) Certificate of Occupancy has been issued therefor as required by law.
A resident Inspector, approved by the Town, must be supplied to this
job at all times, salary to be paid by owner.

(3) The Town noise ordinance, in effect from December 1 to May 1, must
be observed.

On behalf of the owner and builder, I agree to the terms of said special conditions.

Ronald Mathews
T.L. Shargo Vice President
Cavito Corp.
Applicant

Form No. 51072

Palm Beach, Florida, June 1, 1972

Ar Com # 35-72

TO THE BUILDING INSPECTOR
OF PALM BEACH, FLORIDA

Note:
See Re-issue
of this permit to
new general contractor
on July 6, 1972.

The undersigned requests that you grant a building permit to

George Culverhouse, General Contractor

TO CONSTRUCT 1975, office building with two (2) levels of parking

with a mechanical penthouse - 158 required parking spaces

and plans and specifications submitted with this application.

Map of Tract 3B-12 Blk 16 Subdivision Royal Park Addition

121 North Avenue Street Between S. Ocean Blvd. and So. County Rd.

DISTRICT C-A Dist.

Classification Office Use Only Size of Addition 55,160 Basements, &
Offices 49,500 sq. ft.

Classification Type 12 Fire Resistive

Foundation Pad & Gravel

Owner National Land Company (Richard P. Vacca)

Sec. Revised
General Contractor

Engineer Robert Michael Kolany, Architect; Frederick P. Wiesinger,
40' Bldg. Structural Engineers

Cost \$1,200,000 Height 12'6" Penthouse Story 3 (plus penthouse,
machine room only)

And, therefore, in consideration of this permit, the owner and builder agree to undertake said work in full compliance with Ordinances of the Town of Palm Beach, Florida, and further agree that no work shall be undertaken prior to securing a building permit, issued by the building inspector.

Signed:

for George Culverhouse

Applicant

The Building Inspector's notes, as shown on the approved plans, will be adhered to.

The granting of this building permit is subject to the following special conditions pertaining thereto, as directed by the building inspector:

See letter dated May 30, 1972, from the Town to Mr. Vacca.

See letter dated June 1, 1972, from National Land Co. to the Town Building Official.

On behalf of the owner and builder, I agree to the terms of said special conditions.

Applicant

Valid as of July 5, 1972; see Reissue of Permit July 5, 1972.

TOWN OF PALM BEACH

BUILDING PERMIT

51272

Palm Beach, Fla., June 1 1972

Carl G. Calverhouse General Contractor Is Hereby Granted

To Build a Three Story Office Building with Two Basements Underneath

38 through 48 B1K16 Block No. Royal Park Addition

275' Frontage X 125' Deep Size of Building Three stories 49,000 square feet

Class of Zone "CA" District Architect Robert Kolany Owner Nationwide Land Co.
Engineer Frederick Wiesinger by Mr. Richard P. Vacca

Subject to all of the Applicable Ordinances of the Town of Palm Beach, Florida, in Regard to this Particular Matter.

Issued Before
Signature or Letting

Edw. J. Jorgensen

BUILDING OFFICIAL

This Permit Must Be Posted On Premises During Progress of Building.

Permit No. 51072

Originally issued 5/1/72

Permit No.

Palm Beach, Florida, MAY 6 1972.

Arden #35-72

Note: This permit terminated

March 7, 1973

see letter to Town from

Stan E. Hall

TO THE BUILDING INSPECTOR
OF PALM BEACH, FLORIDA

The undersigned requests that you grant a building permit to Stan E. Hall

Stan E. Hall & Associates, Inc.

TO CONSTRUCT 3 level office building with two (2) levels of parking with
a mechanical penthouse - 165 required parking spaces

in accordance with plans and specifications submitted with this application.

Location: Lot 148 Subdivision Royal Park Addition, Flk. 16

Site: 125 North Avenue Street Between S. Ocean Blvd. and S. County Rd.

ZONING DISTRICT G-A

Occupancy Classification Office use only Size of Addition 55,160⁰ basements
& 49,500 sq. ft. offices

Construction Classification Type II, Fire Resistive

Architect: Stan E. Hall

Engineer: National Land Company (Richard P. Vacca)

Builder: Stan E. Hall & Associates

Approved and/or Engineer: Robert Michael Kolany, Architect; Frederick P. Wiesinger, Structural Engineers

Estimated Cost: \$1,200,000 Height: 12'6" penthouse Story 3 (plus penthouse machine room only)

Wherefore, in consideration of this permit, the owner and builder agree to undertake said work in full compliance with Ordinances of the Town of Palm Beach, Florida, and further agree that no work shall be undertaken prior to securing a building permit, issued by the building inspector.

Signed:


for Stan E. Hall & Assoc. Inc. Applicant

The Building Inspector's notes, as shown on the approved plans, will be adhered to.

The granting of this building permit is subject to the following special conditions pertaining thereto, as directed by the building inspector:

See letter dated May 30, 1972, from the Town to Mr. Vacca.

See letter dated June 1, 1972, from National Land Co., to the Town Building Official

On behalf of the owner and builder, I agree to the terms of said special conditions.


Applicant

241
3444
BUILDING PERMIT

Palm Beach, Fla. Originally Issued June 1, 1970
July 6 1972

Is Hereby Granted

to Robert Kolany Associates, Inc. Two Bedroom Units

Block No. Royal Park Addition

Size of Building Three stories
49,000 square feet in Area

Architect Robert Kolany Owner Nationwide Land Co.
Engineer Frederick Wiesinger by Richard P. Varca

Available Ordinance of the Town of Palm Beach, Florida, in regard to this Particular Matter.

Frederick Wiesinger

ENGINEER OFFICIAL

The Permit Must Be Posted On Premises During Progress of Building.

FORM 12-1990

Permit No. 51072

Palm Beach, Florida, March 14, 1973
Originally Issued 5-1-72
Second Issue 7-8-72

TO THE BUILDING INSPECTOR
OF PALM BEACH, FLORIDA

The undersigned requests that you grant a building permit to
Lawrence J. Kucera, General Contractor
TO CONSTRUCT 3 level office building with two (2) levels of parking with a
mechanical penthouse - 165 required parking spaces
Plans and specifications submitted with this application.

Address: Lot 1000 Subdivision: Royal Park Addition - Block 16
125 North Avenue Street Between S. Ocean and S. County

zoning DISTRICT C-A
 zoning Classification office use only
 zoning Classification TYPE II, Fire Resistive
 55,160 sq. ft.
 Size of Addition & 48,500 sq. ft.
 offices

Owner: National Land Company (Richard P. Vacca)
General Contractor: Lawrence J. Kucera, General Contractor
Architect: Robert Michael Kolany, Architect, Frederick P. Winger, Structural Engineers
Estimated Cost \$1,250,000 Height 40' bldg. 12'6" Story 3 plus penthouse
penthouse (machine room only)

Therefore, in consideration of this permit, the owner and builder agree to undertake said work in full compliance with Ordinances of the Town of Palm Beach, Florida, and further agree that no work shall be undertaken prior to securing a building permit, issued by the building inspector.

Signed:

Lawrence J. Kucera

Applicant

The Building Inspector's notes, as shown on the approved plans, will be adhered to.

The granting of this building permit is subject to the following special conditions pertaining thereon, as directed by the building inspector:

See letter dated May 30, 1972 from the Town to Mr. Vacca
See letter dated June 1, 1972 from National Land Co., to the Town Building Official; See letter dated March 7, 1973, from Town to Mr. Vacca.

I hereby certify that I have read the Town file on construction of this project to date, and I agree to assume full responsibility for the proper completion of this building as described herein from this date forward, in full compliance with all applicable Town ordinances, as set out in my letter to the Town dated March 14, 1973.

On behalf of the owner and builder, I agree to the terms of said special conditions.

Lawrence J. Kucera

Applicant

the Main Building Only, not including the

Building Dept.

Certificate of Approval and Occupancy

BUILDING INSPECTION DEPARTMENT
TOWN OF PALM BEACH, FLORIDA

Final Date Approved March 29, 1978
Htg. Insp. A. A. Smith
Elec. Insp. James Smith
Plumb. Insp. James Smith
San. Insp. None
Resident Insp. W. A. Smith

was inspected and found to conform to all Code
of the Town of Palm Beach, Florida, and approved for all utility services and the occupancy
as shown on the Building Permit only.

W. A. Smith
Town Building Inspector

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

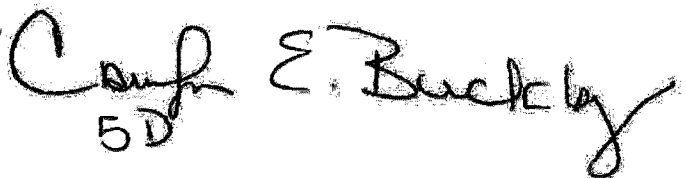
Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The Developer's own parking analysis reflects that the project lacks adequate parking. Specifically, the weekday peak demand exceeds the available parking *through all months of the year*, not just during the season. Kimley Horn's traffic analysis projects that the project will generate seven hundred and eighty-seven new external trips, however, that study does reflect the reality of recent growth in our County. We already have serious traffic congestion at the corner of Worth Avenue and South County Road, which is not likely to change. Adding the predicted 787 new external trips to the area will seriously and negatively impact the area, which is our home.

Finally, we note that the application seeks a reduction in off-street loading from three spaces to one. We believe that a single off-street loading berth in a building of this size, with the mixed uses proposed, is both unrealistic and incorrect. The application seeks variances of 21,320 square feet on the ground floor, 22,502 square feet on the second floor, and 21,324 square feet on the third floor. That is a total of 65,146 square feet on the first three floors. Based upon the table located in Town Ordinance section 134-2211, as well as the fact that an additional 11,238 square feet on the new fourth floor, a total of four off-street loading berths are required. Absent such additional parking, deliveries and vendors will attempt to park in the street or circulate around the building – which will mean more commercial traffic and more traffic jams.

Sincerely,


5D

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The Developer's own parking analysis reflects that the project lacks adequate parking. Specifically, the weekday peak demand exceeds the available parking *through all months of the year*, not just during the season. Kimley Horn's traffic analysis projects that the project will generate seven hundred and eighty-seven new external trips, however, that study does reflect the reality of recent growth in our County. We already have serious traffic congestion at the corner of Worth Avenue and South County Road, which is not likely to change. Adding the predicted 787 new external trips to the area will seriously and negatively impact the area, which is our home.

Finally, we note that the application seeks a reduction in off-street loading from three spaces to one. We believe that a single off-street loading berth in a building of this size, with the mixed uses proposed, is both unrealistic and incorrect. The application seeks variances of 21,320 square feet on the ground floor, 22,502 square feet on the second floor, and 21,324 square feet on the third floor. That is a total of 65,146 square feet on the first three floors. Based upon the table located in Town Ordinance section 134-2211, as well as the fact that an additional 11,238 square feet on the new fourth floor, a total of four off-street loading berths are required. Absent such additional parking, deliveries and vendors will attempt to park in the street or circulate around the building – which will mean more commercial traffic and more traffic jams.

Sincerely,


5D

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme – found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,

Rodriguez Moneglia PHA

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, FL 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme – found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,

A handwritten signature in dark ink, appearing to read "Deborah A. Bricker". The signature is fluid and cursive, with a large initial "D" and a stylized "A" and "B".

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme -- found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,

A handwritten signature in cursive script, reading "Deborah A. Bricker". The signature is written in dark ink and is positioned below the word "Sincerely,".

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

More specifically, I write to address the three-story vs. four-story issue which I'm sure you have heard so much about. The property in question is denominated a three-story building on the Palm Beach County Property Appraiser's website. Moreover, the Worth Avenue Design Guidelines, which were drafted in 1998, East-End Development Area, specifically states that "The remainder of the block is denominated by the more recently constructed two-story Esplanade shopping mall and a three-story office building across the Avenue." The last phrase is clearly a reference to the project site under consideration. Thus, the Worth Avenue Guidelines make it clear that the building was considered a three-story building when the Guidelines were written.

Finally, I note that the "Special Allowances" contained at page 61 of the Guidelines, in the section devoted to the East End Development area, allow for special exceptions for one-, two- and three-story buildings. The fact that no reference is made to four-story buildings suggests that none existed at the time that the guidelines were drafted. More importantly, the current project exceeds the maximum coverages for special allowances within the guidelines.

Sincerely,

Delphine Daft
Delphine Daft

Number 3D
Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

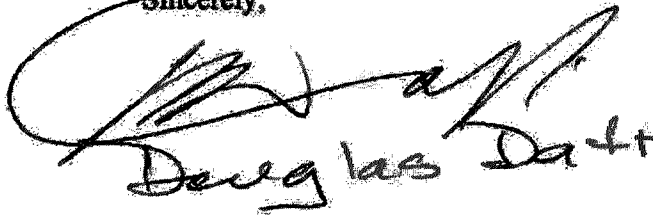
The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme – found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Datt". The signature is stylized with a large, sweeping initial "D" and a long horizontal stroke extending to the right.

Kirkland House

3D

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme – found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,

Nancy J. Bunt - PNC
Erin Bunt PNC

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme – found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,

Nancy L. Oelbaum
Apt 5C

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme – found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,

 Strauss 20

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The bulk and height of the current building is far greater than is currently allowed. The Worth Avenue Development Guidelines "Relationship to Existing Development" provides that, "New buildings must co-exist with their neighbors . . . every new proposal must demonstrate that it has considered the context of the neighboring properties and has made a diligent effort to orchestrate careful relationships between old and new." The project currently under consideration fails in every instance.

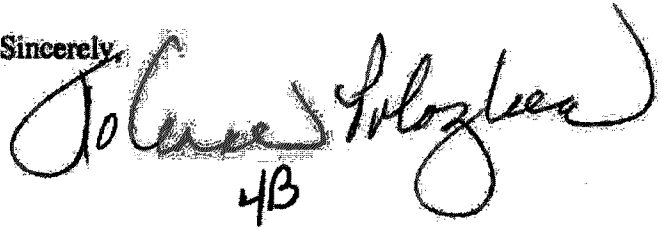
The building will be substantially higher than allowed under the current Special Allowances for the East End Development Area. At 55' the building exceeds what is allowed under the Worth Avenue guidelines. More importantly, the Special Allowances for the East End Development area contemplate the gradual narrowing of the buildings in the area, with coverages reduced as the height of the building increases. The current project essentially eliminates that design, with the second and third floors having roughly the same coverage. The fourth floor's footprint will run to the edges of the building to the north and south, so the effect from the road will be a sheer wall, located just a few feet off the sidewalk extending straight up 55'. The existing colonnade is eliminated which will add to this effect.

Next, the current plans reflect little to no open space. The current Letter of Intent 6.29% of Landscape Open Space, states that this is "in lieu of the 25% maximum allowable by the Zoning Code." The 25% Landscaped open space requirement found at section 134-1163 of the Town's code is a *minimum*, not a *maximum*. Between the lack of open space and the fact that the

building's front yard setback is a mere 3.5' from the sidewalk, the building does not look like it belongs on Worth Avenue.

Finally, the elimination of the existing colonnade and the lack of any significant pedestrian coverings, such as awnings, rejects the theme – found throughout the Worth Avenue guidelines of walkability and pedestrian-friendly design.

Sincerely,


4B

Kirkland House

Unit 4B

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

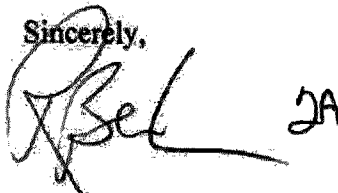
Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The Developer's own parking analysis reflects that the project lacks adequate parking. Specifically, the weekday peak demand exceeds the available parking *through all months of the year*, not just during the season. Kimley Horn's traffic analysis projects that the project will generate seven hundred and eighty-seven new external trips, however, that study does reflect the reality of recent growth in our County. We already have serious traffic congestion at the corner of Worth Avenue and South County Road, which is not likely to change. Adding the predicted 787 new external trips to the area will seriously and negatively impact the area, which is our home.

Finally, we note that the application seeks a reduction in off-street loading from three spaces to one. We believe that a single off-street loading berth in a building of this size, with the mixed uses proposed, is both unrealistic and incorrect. The application seeks variances of 21,320 square feet on the ground floor, 22,502 square feet on the second floor, and 21,324 square feet on the third floor. That is a total of 65,146 square feet on the first three floors. Based upon the table located in Town Ordinance section 134-2211, as well as the fact that an additional 11,238 square feet on the new fourth floor, a total of four off-street loading berths are required. Absent such additional parking, deliveries and vendors will attempt to park in the street or circulate around the building – which will mean more commercial traffic and more traffic jams.

Sincerely,

A handwritten signature in black ink, appearing to be "Kirkland House" or similar, with a large "JA" written to the right of the signature.

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

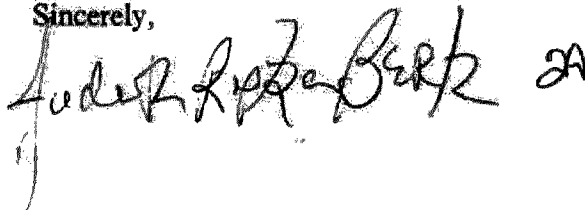
Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

More specifically, I write to address the three-story vs. four-story issue which I'm sure you have heard so much about. The property in question is denominated a three-story building on the Palm Beach County Property Appraiser's website. Moreover, the Worth Avenue Design Guidelines, which were drafted in 1998, East-End Development Area, specifically states that "The remainder of the block is denominated by the more recently constructed two-story Esplanade shopping mall and a three-story office building across the Avenue." The last phrase is clearly a reference to the project site under consideration. Thus, the Worth Avenue Guidelines make it clear that the building was considered a three-story building when the Guidelines were written.

Finally, I note that the "Special Allowances" contained at page 61 of the Guidelines, in the section devoted to the East End Development area, allow for special exceptions for one-, two- and three-story buildings. The fact that no reference is made to four-story buildings suggests that none existed at the time that the guidelines were drafted. More importantly, the current project exceeds the maximum coverages for special allowances within the guidelines.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Cooney", followed by the initials "TC". The signature is written in a cursive, somewhat stylized script.

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

More specifically, I write to address the three-story vs. four-story issue which I'm sure you have heard so much about. The property in question is denominated a three-story building on the Palm Beach County Property Appraiser's website. Moreover, the Worth Avenue Design Guidelines, which were drafted in 1998, East-End Development Area, specifically states that "The remainder of the block is denominated by the more recently constructed two-story Esplanade shopping mall and a three-story office building across the Avenue." The last phrase is clearly a reference to the project site under consideration. Thus, the Worth Avenue Guidelines make it clear that the building was considered a three-story building when the Guidelines were written.

Finally, I note that the "Special Allowances" contained at page 61 of the Guidelines, in the section devoted to the East End Development area, allow for special exceptions for one-, two- and three-story buildings. The fact that no reference is made to four-story buildings suggests that none existed at the time that the guidelines were drafted. More importantly, the current project exceeds the maximum coverages for special allowances within the guidelines.

Sincerely,

Patricia Danahy
4c

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

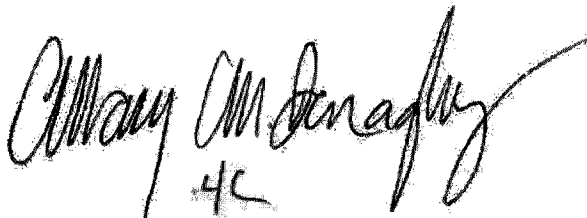
Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The Developer's own parking analysis reflects that the project lacks adequate parking. Specifically, the weekday peak demand exceeds the available parking *through all months of the year*, not just during the season. Kimley Horn's traffic analysis projects that the project will generate seven hundred and eighty-seven new external trips, however, that study does reflect the reality of recent growth in our County. We already have serious traffic congestion at the corner of Worth Avenue and South County Road, which is not likely to change. Adding the predicted 787 new external trips to the area will seriously and negatively impact the area, which is our home.

Finally, we note that the application seeks a reduction in off-street loading from three spaces to one. We believe that a single off-street loading berth in a building of this size, with the mixed uses proposed, is both unrealistic and incorrect. The application seeks variances of 21,320 square feet on the ground floor, 22,502 square feet on the second floor, and 21,324 square feet on the third floor. That is a total of 65,146 square feet on the first three floors. Based upon the table located in Town Ordinance section 134-2211, as well as the fact that an additional 11,238 square feet on the new fourth floor, a total of four off-street loading berths are required. Absent such additional parking, deliveries and vendors will attempt to park in the street or circulate around the building – which will mean more commercial traffic and more traffic jams.

Sincerely,



42

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The Developer's own parking analysis reflects that the project lacks adequate parking. Specifically, the weekday peak demand exceeds the available parking *through all months of the year*, not just during the season. Kimley Horn's traffic analysis projects that the project will generate seven hundred and eighty-seven new external trips, however, that study does reflect the reality of recent growth in our County. We already have serious traffic congestion at the corner of Worth Avenue and South County Road, which is not likely to change. Adding the predicted 787 new external trips to the area will seriously and negatively impact the area, which is our home.

Finally, we note that the application seeks a reduction in off-street loading from three spaces to one. We believe that a single off-street loading berth in a building of this size, with the mixed uses proposed, is both unrealistic and incorrect. The application seeks variances of 21,320 square feet on the ground floor, 22,502 square feet on the second floor, and 21,324 square feet on the third floor. That is a total of 65,146 square feet on the first three floors. Based upon the table located in Town Ordinance section 134-2211, as well as the fact that an additional 11,238 square feet on the new fourth floor, a total of four off-street loading berths are required. Absent such additional parking, deliveries and vendors will attempt to park in the street or circulate around the building – which will mean more commercial traffic and more traffic jams.

Sincerely,


P H D

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

More specifically, I write to address the three-story vs. four-story issue which I'm sure you have heard so much about. The property in question is denominated a three-story building on the Palm Beach County Property Appraiser's website. Moreover, the Worth Avenue Design Guidelines, which were drafted in 1998, East-End Development Area, specifically states that "The remainder of the block is denominated by the more recently constructed two-story Esplanade shopping mall and a three-story office building across the Avenue." The last phrase is clearly a reference to the project site under consideration. Thus, the Worth Avenue Guidelines make it clear that the building was considered a three-story building when the Guidelines were written.

Finally, I note that the "Special Allowances" contained at page 61 of the Guidelines, in the section devoted to the East End Development area, allow for special exceptions for one-, two- and three-story buildings. The fact that no reference is made to four-story buildings suggests that none existed at the time that the guidelines were drafted. More importantly, the current project exceeds the maximum coverages for special allowances within the guidelines.

Sincerely,


38

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, FL 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

The Developer's own parking analysis reflects that the project lacks adequate parking. Specifically, the weekday peak demand exceeds the available parking *through all months of the year*, not just during the season. Kimley Horn's traffic analysis projects that the project will generate seven hundred and eighty-seven new external trips, however, that study does reflect the reality of recent growth in our County. We already have serious traffic congestion at the corner of Worth Avenue and South County Road, which is not likely to change. Adding the predicted 787 new external trips to the area will seriously and negatively impact the area, which is our home.

Finally, we note that the application seeks a reduction in off-street loading from three spaces to one. We believe that a single off-street loading berth in a building of this size, with the mixed uses proposed, is both unrealistic and incorrect. The application seeks variances of 21,320 square feet on the ground floor, 22,502 square feet on the second floor, and 21,324 square feet on the third floor. That is a total of 65,146 square feet on the first three floors. Based upon the table located in Town Ordinance section 134-2211, as well as the fact that an additional 11,238 square feet on the new fourth floor, a total of four off-street loading berths are required. Absent such additional parking, deliveries and vendors will attempt to park in the street or circulate around the building – which will mean more commercial traffic and more traffic jams.

Sincerely,

A handwritten signature in dark ink, appearing to read "H. J. Arthur". The signature is fluid and cursive, with a large initial "H" and "J". Below the signature, the number "38" is handwritten.

Kirkland House

March 13, 2023

Danielle H. Moore, Mayor
Margaret Zeidman, Council President
Bobby Lindsay Council President Pro-tem
Julie Araskog, Council Member
Lew Crampton, Council Member
Ted Cooney, Council member

360 S. County Road
P.O. Box 2029
Palm Beach, Fl. 33480

Via E-Mail

Dear Ladies and Gentlemen;

I am writing to voice my objection to the Development Review Application for 125 Worth Avenue, ARC-23-022, and ZON-23-032. I reside right next door at the Kirkland House and for myself and other residents who live in the surrounding neighborhoods, the project represents a significant threat to the character of both our neighborhood and Worth Avenue itself.

More specifically, I write to address the three-story vs. four-story issue which I'm sure you have heard so much about. The property in question is denominated a three-story building on the Palm Beach County Property Appraiser's website. Moreover, the Worth Avenue Design Guidelines, which were drafted in 1998, East-End Development Area, specifically states that "The remainder of the block is denominated by the more recently constructed two-story Esplanade shopping mall and a three-story office building across the Avenue." The last phrase is clearly a reference to the project site under consideration. Thus, the Worth Avenue Guidelines make it clear that the building was considered a three-story building when the Guidelines were written.

Finally, I note that the "Special Allowances" contained at page 61 of the Guidelines, in the section devoted to the East End Development area, allow for special exceptions for one-, two- and three-story buildings. The fact that no reference is made to four-story buildings suggests that none existed at the time that the guidelines were drafted. More importantly, the current project exceeds the maximum coverages for special allowances within the guidelines.

Sincerely,

The Hon. Dr. Barbara H. Nelson
4A

Kirkland House

Anthony Fisher Cummings

Anthony F. Cummings
358 Hibiscus Ave
Palm Beach, FL 33480

March 12, 2023

Town of Palm Beach
360 S. County Road
Palm Beach
FL 33480
USA

Dear Honorable Mayor Moore and Town Council,

I am writing in support of The Vineta Hotel Zoning Application ZON-23-019.

As a neighbor of The Vineta (formerly The Chesterfield), I am looking forward to Oetker Collection opening a hotel in Palm Beach. I believe this will add meaningful value to our area.

I know both the owners and the operators of the hotel and hold this team in the highest regard. Having extensive experience in high-end hospitality, I can unequivocally state Oetker is the best luxury hotel operator in the world. Their demographic and approach is perfectly aligned with Palm Beach standards and their presence will be an exceptional addition to our Town. Both the operators and the owners are incredibly considerate and respectful, whilst having the community in mind at all times. I know the Reuben family personally and they will be good and conscientious neighbors. The Reubens take a long term approach to asset ownership, will make the investment required to reposition the property as a best in class hotel, and will be great stewards of this property for generations to come.

I am therefore fully supportive of their plans, and look forward to seeing the project completed.

Sincerely,

A handwritten signature in black ink, appearing to read 'AF Cummings', written in a cursive, stylized script.

Anthony F. Cummings

Joanie M. Goodman
911 North Ocean Blvd., Palm Beach, FL 33480

March 14, 2023

Dear President, Members of Town Council and Mayor Moore,

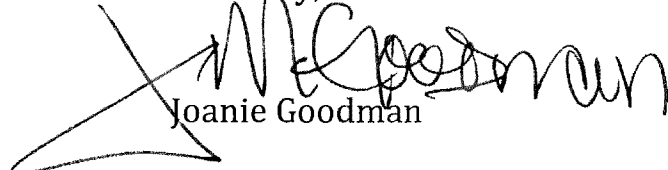
This is a letter of objection to the plans to renovate and expand the office building located at 125 Worth Avenue. The expansion to the rooftop to add an additional story and basement removing 23 parking spaces is over egregious considering the current parking issues the town has, especially on Worth Avenue.

When my husband, Murray H. Goodman, developed 150 and 151 Worth Avenue he abided by the Worth Avenue Design Guidelines and even ended up donating a lot on the corner of Peruvian and County Road to the town for a park and additional parking for employees of the town. His buildings have ample parking and valet. The design guidelines were made to protect our perfectly charming Worth Avenue and to keep it that way. All projects should have to adhere to the guidelines and maximum building height.

There are no hardships or related circumstances to a renovation of that building that should require the request of 2 special exceptions and 10 code variances. The expansion to add the fourth floor will make the building too massive in relation to its surroundings. What they have done down at the Tiffany building is a disgrace, it looks absolutely terrible.

Our quaint charming town on this island paradise does not need to be built up like a bustling city. This is not a city this is Palm Beach and we need to protect it. I strongly suggest you deny this project as is.

Sincerely,


Joanie Goodman

Kelly Churney

From: Deborah Jones on behalf of Town Council
Sent: Tuesday, March 14, 2023 9:16 AM
To: Lew Crampton
Subject: FW: Hotel Vineta

Good morning all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Pat, Kelly, Antonette, James

Sincerely,
Deb

-----Original Message-----

From: Bill Farrell <bfarrell07@gmail.com>
Sent: Monday, March 13, 2023 5:23 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Hotel Vineta

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

We write in opposition to the expansion of seats at the old Hotel Chesterfield. We are opposed to the new hotel not providing off street parking. We are opposed to more noise in our neighborhood and increased traffic congestion. We are opposed to a night club destination. Keep Palm Beach for its residents.

Sincerely,

William L. Farrell
353 Cocoanut Row
Palm Beach, FL

Sent from my iPad

Kelly Churney

From: Deborah Jones on behalf of Town Council
Sent: Tuesday, March 14, 2023 9:17 AM
Subject: FW: Too Much: Please lower commercial density and traffic in our town

Good morning,

Please see the letter below

Bcc: M&TC, All Town Managers, Wayne, Antonette, James, Pat, Kelly

Sincerely,
Deb

From: Nixon S. Griffis <ngriffis4555@gmail.com>
Sent: Monday, March 13, 2023 5:22 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Too Much: Please lower commercial density and traffic in our town

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Town Council Members,

The developers are only doing what it is in their best interest to do. They will not stop unless you, as our town leaders, do what is in the best interests of the greater good. We residents and council members can recognize Quality when we see it. Please work at nudging our town towards an ambience, not to what we had in the past as that is not possible, but to a new potential quality of environment that, through your leadership, can become possible.

Respectfully,

**Nixon S. Griffis
Resident**

Kelly Churney

From: John David Corey <johncorey84@gmail.com>
Sent: Tuesday, March 14, 2023 8:23 AM
Subject: The Chesterfield (Vineta) - 113 Seat Count Solution without Variance
Attachments: Chesterfeild (Vineta) 113 Seat Count.pdf

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Good Morning PB Residents!

A reminder that The Chesterfield (Vineta) Hotel project will be heard tomorrow, **Wednesday, March 15th at 2pm** by the Town Council. What I have heard is unanimous resident support for the hotel renovation by a first class operator, but also unison opposition for the increase in licensed restaurant/bar/lounge/nightclub seats above 113. While many parts of our zoning code may be broken, in this circumstance, it is working since the expansion of seats requires a variance as the location is within a residential enclave. As we have all pointed out, the variance fails to show hardship and must be denied; however, I maintain that the applicant should withdraw the variance request to show good faith in their community support.

To highlight how a successful food and beverage operation can be maintained within the existing seat count, please allow me to suggest a way The Chesterfield (Vineta) Hotel could arrange the current 113 seat license within the proposed 1st floor plan that would allow the applicant full use of the space, rather than approving a controversial variance that has become a referendum on the direction of the town.

I have attached below the applicant's proposed seat plan and as you can see, the developer has proposed 66 seats in the old Leopard Lounge space and 33 seats in a new Lobby Lounge. Both fine. If the courtyard seats are approved under our outdoor *Cafe Seating Ordinance 134-2106 (b)(1) "Outdoor cafe seating is not allowed to increase the capacity of a restaurant"*, then any seats desired to be outside are simply removed from the inside count like other restaurants in Palm Beach (e.g: Bricktops, Sant Ambroeus, Bice, etc.). That leaves the owner with 14 seats remaining ($113-66-33=14$) which could be used in the rear pool area for hotel guests only and similar to past conditions. No hardship. The rear pool lounge is then eliminated entirely as that is not a pre-existing condition and is a clear expansion of a non-confirming use in the residential zoning district.

Two more points that I ask you to please keep in mind:

- 1) The Leopard Lounge opened at 5pm, so the Rotary Club lunches and afternoon English Tea events were not taking place simultaneously and therefore potentially never violated the 113 seat maximum allowed by license.
- 2) If the new owners want to maintain the nightclub license, that might disqualify them from an outdoor cafe seating permit under the same ordinance but section (b)(2) *"Bars/lounges and nightclubs are not permitted to have outdoor cafe seating"*. Alternatively, the nightclub license may have to be forfeited for any outdoor dining requests.

I hope my analysis is helpful and really shows a successful hotel operation with an accessory restaurant, bar/lounge, and outdoor courtyard seating without the need for an unsubstantiated variance and its associated negative community impacts. Now we can work on the site plan review with dumpster and recycling locations, food and beverage hours of operations, delivery logistics, valet and parking logistics ;).

#NoMoreSeats #113Max #ComprehensivePlan #HotelWins #ResidentsWin #PreservationWins

Thank you very much,

3/11/23

Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

Please do not grant a variance to allow more seats. Please work to reduce the traffic, congestion and density in Palm Beach.

Thank you for your attention.

Sincerely,

Peter M. Thring, President
Nassau Square
381 South Lake Drive
Palm Beach

Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

Please do not grant a variance to allow more seats. Please work to reduce the traffic, congestion and density in Palm Beach.

Thank you for your attention.

Sincerely,

Phipps HOFSTOT

201 Phipps ~~AND~~ Plaza

Palm Beach, FL.

March 11th, 2023.

Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

Please do not grant a variance to allow more seats. Please work to reduce the traffic, congestion and density in Palm Beach.

Thank you for your attention.

Sincerely,

Natalie Grace Dejoux
381 South Lake Drive
Palm Beach FL 33480

March 11, 2023

Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

Please do not grant a variance to allow more seats. Please work to reduce the traffic, congestion and density in Palm Beach.

Thank you for your attention.

Sincerely, ~~JOAN MCGIVERN~~ JOAN MCGIVERN
JOAN MCGIVERN

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Veneto Project Concerns
Date: Monday, March 13, 2023 12:19:00 PM

Hello all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Simmons, Douglas <Douglas.Simmons@FMR.COM>
Sent: Saturday, March 11, 2023 2:42 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Veneto Project Concerns

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

My name is Douglas Simmons. My wife Molly Simmons and our two daughters reside full time at 345 Australian Ave. There has been a lot of anxiety and uneasiness in the community around the development of the old Chesterfield hotel. I have met several new neighbors who have come to knock on our door or put notes in our mailbox to discuss the issue.

My largest concern is around parking. Parking in the 300 block of Australian is a huge issue. Permits for the 300 block do not allow residents to park on Coconut. The Chesterfield used all of the two hour spots for valet and some of the resident parking places as well. With all the two hour spots always taken by the hotel, resident spots are in very short supply and many times non-existent.

Parking needs to be addressed by the Veneto Development group. I don't see how street parking can work for the hotel. There should also be more flexibility for existing Australian residents to park on Coconut with the residential permits.

Douglas Simmons

617-448-7952

Nevin Bauman

339 Australian Ave
Palm Beach, Fl.

Dear Members of the Town Council,

I grew up in Palm Beach and I am full time resident. My wife, two young daughters and I live directly across the street from the Chesterfield hotel.

I am writing in opposition to the expansion of the number of seats at the hotel.

Given that the Chesterfield only has four off street parking spaces, I am not sure how any additional seating can be considered.

While I support the renovation of this landmark structure, I am opposed to the hotel not being required to provide off street parking. Before the renovation, while jockeying for parking spots, the valet parkers were constantly creating an unsafe condition in our neighborhood.

As it stands right now, there is not enough room for two lanes of traffic (particularly with hotel serving trucks) and double loaded parking on the 300 block of Coconut. This unsafe condition will only be exacerbated by increased seating at Chesterfield.

Additional seats without off street parking will just create more noise and increase traffic congestion in our neighborhood.

We are opposed to the Chesterfield becoming a nightclub destination. This is a predominately residential neighborhood that does need any additional attractions.

Sincerely,

A handwritten signature in black ink that reads "Nevin P. Bauman". The signature is stylized, with the first letters of the first and last names being capitalized and prominent.

Nevin P. Bauman

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: 125 Worth Ave. Parking Analysis
Date: Monday, March 13, 2023 12:03:51 PM

Good morning all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

-----Original Message-----

From: Xfinity <clecates@comcast.net>
Sent: Sunday, March 12, 2023 9:05 PM
To: Danielle Hickox Moore <DMoore@TownofPalmBeach.com>; Town Council
<TCouncil@TownofPalmBeach.com>
Subject: 125 Worth Ave. Parking Analysis

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Mayor and Council,

The parking requirement calculations appear to have erroneously applied a 15% reduction to the total. This deduction can only be used where the parking spaces are not being used at the same time of day by two different uses, which is not the case for office and retail as contemplated here. Therefore, no spaces are eligible for removal.

Sincerely,

Carol LeCates

Sent from my iPhone

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Please consider the concerns of the residents
Date: Monday, March 13, 2023 11:57:27 AM

Good morning all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Nancy Madden <nancyhmadden@me.com>
Sent: Sunday, March 12, 2023 3:34 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Please consider the concerns of the residents

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

To the members of the Town Council -

My husband and I reside on Brazilian Avenue, approximately one block from the site of the proposed Vineta Hotel.

I write to you to voice my concerns as to the wisdom of allowing continued growth in this residential neighborhood. On the subject of the lack of parking availability for expanded dining and hotel services, the additional parking spaces required will bring massive congestion to our neighborhood.

Over my 10 plus years of living in our home here, we have had to cope with the employees of The Brazilian Court Hotel who run a rotation of exchanging parking spots and jockeying for spaces. This leaves little or no room for guests to visit the neighborhood.

Parking will be a problem we must deal with. In addition, the traffic will be impossible. As of this moment, between 3:00 and 5:00 o'clock every day, traffic on Cocoanut from Chilean Avenue (past the proposed Vineta Hotel) to the intersection of Royal Palm Way is often at a dead stop. Should the bridge go up during that time, all those who wish to escape the island are locked in bumper to bumper. As a result my street is unreachable.

Two other factors come to mind — the noise factor and the garbage accumulated by a venue that is open until 2:00 a.m. should be added to the conversation.

Please respect those of us who make their home here and base your decisions based on maintaining the peace and quiet of our home here in Palm Beach.

Most respectfully,

Nancy H. Madden
429 Brazilian Avenue, Palm Beach
nancyhmadden@me.com

Dear Town Council Members,

In review of the expansion plans for the Chesterfield Hotel, residents have a number of serious concerns. While a remodeled hotel is welcomed, consideration must be given to the sized and scope of the overall project and its impact on the surrounding residential neighborhood.

- Exceeding the licensed 113 seat capacity for the bar and restaurant to 189 seats will create an excess burden on the already short supply of on-street parking as well as greatly increase traffic and noise in the area.
- Procuring private, off street parking for hotel guests, staff and valet services will be necessary to accommodate the excess number patrons an expanded hotel, restaurant, bar and nightclub will draw.
- Nightclubs are not a welcome addition to any residential neighborhood for the obvious reasons of increased traffic and noise into the late hours of the night.
- Rooftop mechanical installations should be minimized to prevent unsightly obstructions to surrounding apartment views.

Palm Beach has already reached a crisis point of capacity with existing traffic snarls, little to no parking left for residents and overburdened general services for the entire town. Continuing to allow unrestrained development will not only add to that burden but change the town of Palm Beach in undesirable ways. It is possible to keep the unique beauty and small town charm of Palm Beach, while allowing for carefully planned development respectful of existing constraints, only if developers are held to exacting review of planned projects. The Chesterfield expansion is no exception to this concept. Residential impact and concerns must be considered first and foremost.

Thank you for your attention to this matter.

Sincerely,

Alison Reed

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Vineta Bar Close
Date: Monday, March 13, 2023 11:35:30 AM

Hello all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,

Deb

-----Original Message-----

From: John Tuohy <tuohyjpt1@gmail.com>
Sent: Sunday, March 12, 2023 2:54 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Vineta Bar Close

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Worse case, bar close no later than Carriage House: weeknights 12 AM, F,S 12:30.

No hospitality nor restaurant establishment on Island exceeds this, and most are earlier, with 3 possible exceptions:

On Th,F&S, Cucina 2:00 AM. Don't know how they got this, but clearly in non-residential, commercial area. And there has been trouble there before, not a good example.

Almond and Brazilian Ct. may allow customers on F&S nights to dwindle down after 12:30 until 1:00 on case by case basis.

John Tuohy - 389 South Lake Drive
Tuohyjpt1@gmail.com

From: Deborah Jones on behalf of Town Council
Subject: FW: Vineta Bar Close
Date: Monday, March 13, 2023 11:35:30 AM

Hello all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

-----Original Message-----

From: John Tuohy <tuohyjpt1@gmail.com>
Sent: Sunday, March 12, 2023 2:54 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Vineta Bar Close

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Worse case, bar close no later than Carriage House: weeknights 12 AM, F,S 12:30.

No hospitality nor restaurant establishment on Island exceeds this, and most are earlier, with 3 possible exceptions:

On Th,F&S, Cucina 2:00 AM. Don't know how they got this, but clearly in non-residential, commercial area. And there has been trouble there before, not a good example.

Almond and Brazilian Ct. may allow customers on F&S nights to dwindle down after 12:30 until 1:00 on case by case basis.

John Tuohy - 389 South Lake Drive
Tuohyjpt1@gmail.com

Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

Please do not grant a variance to allow more seats. Please work to reduce the traffic, congestion and density in Palm Beach.

Thank you for your attention.

Sincerely,

Jerry Jordan McCall
Jennifer Jordan McCall
227 Australian Ave
Apt 5C
Palm Beach FL

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Application - chesterfield - Veneto
Date: Monday, March 13, 2023 12:55:23 PM

Hello all,

Please see the email below.

Thank you,
Deb

From: Eugene Hill <genedhill@comcast.net>
Sent: Sunday, March 12, 2023 6:08 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Cc: Alan Leist <aleist@investstrategic.com>; Rick FL Mgmt <rick@rphpropertymgmt.com>
Subject: Application - chesterfield - Veneto

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Council Members:

We are residents of 335 Australian Avenue in Palm Beach located directly across from the Chesterfield Hotel now under new ownership. We understand that these new owners have requested a 73% increase in restaurant seating (from 113 to 196) and an extension of closing time to 2 am. While we strive to be good neighbors and have never once complained about the prior daily noise at 7 am from the trash pickup located outside our bedroom window, or the parking on the street by the valets that limits our approved 300 block parking availability, or the number of "happy" aka "potentially over-served" individuals exiting the bar late night, their current request pushes the envelope of good neighborliness.

While we are sure an accommodation can be reached, it would have been nice to have received a notice from the new owners about their plans and an opportunity to voice concerns before their formal filing. That's what good neighbors do, which leads one to wonder what the actual intent of the new owners actually is, besides generating revenue at the expense of others. Specifically, our concerns fall into two categories as follows:

Parking:

1. Australian Ave, as you well know, is one-way eastbound; what that means is that to provide timely curbside service the valets must race down Australian, turn on Hibiscus, and then turn again on Chilean before rounding the corner onto Cocoanut. Regardless of the new owners' proposed off-site parking alternatives, the increased

pressure on the valets with a greater number of patrons, regardless of the new owners' proposed parking alternatives, can only mean increased speed and potential danger to the neighborhood. Valets in that location who all work for tips have been known to drive excessively fast both forward and **backward** down Australian, creating a very dangerous situation. Is the town ready to increase police patrols and be willing to ticket offenders, or will we as residents be forced to stand in the streets at all hours on duty to protect the children and elders who live here?

2. Parking is extremely limited with both the Brazilian Court and Chesterfield Hotels located on Australian Avenue. As residents we are only allowed to park on the 300 block. Accordingly, does the Town have a plan to broaden our parking pass permits to allow parking on other blocks if it allows this precipitous increase in numbers of patrons at the Chesterfield?

Noise:

1. Noise associated with late night closings by definition increases both in volume and in frequency. With our bedrooms facing the street, we will be severely impacted by the proposed 2 am closing time. The practical reality is that a greater number of patrons will wander down the street talking loudly with their friends after coming out of an establishment where high volume music levels are routine as in any nightclub or bar, because they think yelling to be heard seems a normal tone of voice. While the new owners cannot control the actions of their patrons off their premises, they CAN control the time when they must leave and 2 am is NOT reasonable for this quiet part of town.

2. Increased seating will mean increased trash and longer trash pick-up times. BTW trash trucks are not quiet. Should a later closing time be approved, a corresponding later trash pick-up time must also be required, which as a matter of course will impact morning traffic on Australian as they block cars from passing.

Thank you for the opportunity to submit this letter and we heartily hope the members of the Council feel compelled to listen and respond to the concerns of their constituents. If there are any questions please feel free to contact us: Joan at this email and by phone at 6178034022 or Eugene at genedhill@comcast.net 6178992049.

Sincerely,
Gene and Joan Hill

NB: We are owners of two adjacent townhouses; one at 335 Australian and one at 341 Australian, accordingly we have filed two letters.

Sent from my iPad

Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

The traffic, congestion and density in Palm Beach gets worse every day. We cannot afford to grant a variance to expand an existing nonconforming use. 113 seats is already too many.

Please protect our neighborhood.

Thank you for your attention and hard work.

Sincerely,

Jim Revoche Trust
227 Australian Ave 5A
Palm Beach FL 33480

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Proposed Vineta Renovations to Chesterfield Hotel
Date: Monday, March 13, 2023 12:50:30 PM

Hello all,

Please see the email below.

Thank you,
Deb

From: Marvin Samson <marvin.samson@samsonmt.com>
Sent: Monday, March 13, 2023 11:07 AM
To: Town Council <TCouncil@TownofPalmBeach.com>
Cc: Aleist@investstrategic.com; bfarrell07@gmail.com
Subject: Proposed Vineta Renovations to Chesterfield Hotel

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Council Members;

I own a home in the Casa de Carlos complex, having purchased this property to have a quiet refuge. Accordingly, I am very concerned about the planned Vineta renovations to the Chesterfield Hotel. Although I do not object to the creation of a small boutique hotel with fewer than 50 rooms, the proposed expansion of the restaurant and nightclub will produce conditions that are in total opposition to my reason for living in the development, namely

- Late night activities will increase noise levels.
- Increased traffic will also contribute to noise and disruption.
- Plans for the renovation do not include additional parking. Since parking in the complex is already difficult, owners with on-street parking passes will find it nearly impossible to find parking.

Your consideration to denying the request for the increase in size of the restaurant/nightclub will be most greatly appreciated,

Sincerely,

Marvin Samson
347 Australian Avenue
Palm Beach, FL 33480

--

Marvin Samson

Chief Executive Officer
Samson Medical Technologies, L.L.C.
1815 Garden Avenue
Cherry Hill, NJ 08003
Tel.: +1 (856) 751-5051, Ext. 102
Fax: +1 (856) 751-5044
Email: marvin.samson@samsonmt.com
www.samsonmt.com

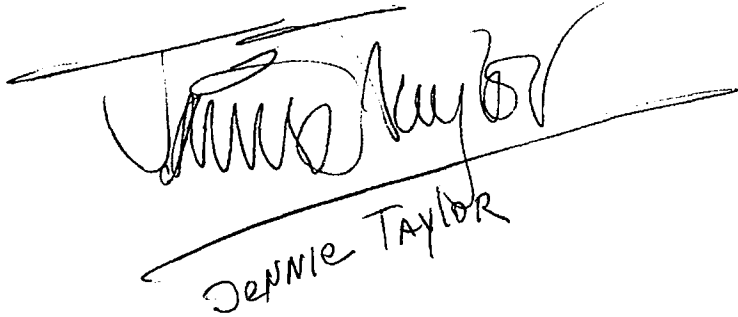
Dear Mayor and Town Council,

I am writing in opposition to the proposed project at the Chesterfield Hotel, La Vineta.

Please do not grant a variance to allow more seats. Please work to reduce the traffic, congestion and density in Palm Beach.

Thank you for your attention.

Sincerely,



Jennie Taylor

100 WORTH AV.

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Chesterfield
Date: Monday, March 13, 2023 12:45:24 PM

Hello all,

Please see the email below.

Thank you,
Deb

-----Original Message-----

From: Irene Davis <ireneirina@gmail.com>
Sent: Monday, March 13, 2023 10:31 AM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Chesterfield

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

We write in opposition to the expansion of seats at the old Chesterfield Hotel. We are opposed to the hotel not providing offstreet parking. We are opposed to more noise in our neighborhood and increased traffic congestion. We are opposed to a nightclub destination. We do not need any more attractions in Palm Beach. Keep Palm Beach for its residents. We do not seek entertainment. Please do not change the existing parking requirements; they have preserved our town-enforce them!

Sincerely,
Irene and Mike Davis
100 Royal Palm Way
Sent from my iPhone

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Worth Avenue and Vineta Hotel applications
Date: Monday, March 13, 2023 12:42:56 PM

Hello all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Garrison, Robert N. <RNG@GarrisonArch.com>
Sent: Sunday, March 12, 2023 8:26 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Worth Avenue and Vineta Hotel applications

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

We are asking you to not approve either application. Both of these projects have requested variances that have no basis ' except they want them.

Thank you for your service to make our Town special.

Bob Garrison

156 Seabreeze Ave

Sent from my iPhone

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

From: Deborah Jones on behalf of Town Council
Subject: RE: Chesterfield/Vineta
Date: Monday, March 13, 2023 12:25:03 PM

Hello all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Eric Stonestrom <estonestrom@airspan.com>
Sent: Sunday, March 12, 2023 6:10 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Chesterfield/Vineta

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Mayor and Town Council,

I am writing to express my opposition to the preposed variances for the Chesterfield conversion. The town is absorbing numerous venues already and we do not have space for an increase in seats in my opinion.

Sincerely,

Eric Stonestrom

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: Chesterfield (Vineta) Town Council Hearing
Date: Monday, March 13, 2023 11:02:35 AM

Good morning all,

Please see the email below from resident Nancy Roe.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

-----Original Message-----

From: Nancy Roe <nroe@roe-associates.com>
Sent: Friday, March 10, 2023 2:20 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Chesterfield (Vineta) Town Council Hearing

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Town Council Members,

I am writing to you to express my opposition to the expansion of seats at the old Chesterfield hotel. It is my understanding that the property is a non-conforming use, and as such the intention to expand a non-conforming use is unacceptable.

The neighborhood, and indeed in adjacent neighborhoods, cannot tolerate this expansion, which will inevitably result in increased traffic, parking debacles, noise, and personal safety issues. I respectfully ask you to consider the position of Palm Beach residents before the business plan of outside developers who do not appreciate the spirit of Palm Beach and the needs and desires of its residence.

Sincerely,
Nancy Roe

400 S. Ocean Boulevard
Apt. 421
Palm Beach
Sent from my iPhone

From: Blue Bonnet
To: Antonette Fabrizi
Subject: vineta
Date: Sunday, March 12, 2023 6:51:48 AM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

We are very much in favor of The Vineta Hotel. It will be a beautiful addition to our neighborhood and a grand location... we look forward to dining, dancing and enjoying The Vineta.... it will add to the joy of Palm Beach, which we are blessed to experience everyday.

Sincerely,
Suebelle & Richard Robbins
315 Southlake Drive, Ph C
Palm Beach

Suebelle Robbins
617-921-6333
from my iPhone

From: Bill Roberts
To: Antonette Fabrizi
Subject: Vineta Hotel
Date: Friday, March 10, 2023 7:11:01 PM

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Members of the Town Council,

I am writing in support of the Vineta Hotel.

I think the addition of the Vineta Hotel will be accretive to the Town in many aspects. I appreciate the concerns that have been raised and as a resident of the area, I am sensitive to the issues, however, I believe that through the joint work of the Town Council and the team, these have been, and can be appropriately addressed. I understand Michael McCarty will be supervising the project. I have known Michael for many years and as a very well respected member of the community, I know he has the best interest of the Town in mind.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Bill Roberts

T. Williams Roberts, III | GW&K Investment Management
Co-CEO

t: 617.850-6331
Broberts@gwkinvest.com
www.gwkinvest.com



Kelly Churney

From: John C. Dotterrer <jdotterrer@hotmail.com>
Sent: Saturday, March 11, 2023 4:10 PM
To: Town Council
Cc: Kelly Churney
Subject: Chesterfield (Vintner) 363 Cocoanut Row - Opposition - Council Meeting 3/15/23

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

*John C Dotterrer
1470 N Ocean Blvd*

Dear Mayor and Council,

Applicant's variance request for enlarging nightclub and dining seating above the long accepted level should be denied, residents' interests defended by Council, adopting instead residents' proficient and balanced solution submitted by Mr. Corey on March 8, 2003.

Despite Applicant's calculations and entreaties, the stark reality is that so vastly expanding the nightclub and restaurant capacities will vastly intensify the noise and traffic at an establishment that provides only 4 on-site parking spaces. Valets and perhaps worse, less familiar customers will ceaselessly circle, scour the blocks of this placid neighborhood for spots where they may dare squeeze their cars. Operations proposed through 2 AM importunes undue disturbance.

There is no hardship presented here, only a "want" for more, by new ownership. That never justifies a variance, especially one that directly contravenes our Comprehensive Plan.

Dotterrer

John C.

Robert B. Crowe, Esq.
330 Coconut Row
Palm Beach, FL 33480

March 10, 2023

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480
afabrizi@townofpalmbeach.com

Re: Vineta Hotel ZON-23-019

Dear Honorable Mayor Moore and Town Council:

I am writing to you to express my strong support for the Vineta Hotel Zoning Application ZON-23-019. As a neighborhood resident, I welcome the reopening of the hotel with such an experienced and professional team, as the Reuben Brothers and The Oekter Collection hoteliers. I am very familiar with these two organizations, and I am more than sure that this new owner and operator will make the Vineta an asset to the neighborhood.

Sincerely,


Robert B. Crowe

Mr Steven & Andrea Wynn
1960 S. Ocean Blvd
Palm Beach, FL 33480
702.770.1020

12th March 2023

Dear Honourable Mayor Moore & Town Council,

Andrea and I are proud and grateful residence of Palm Beach and like all of our neighbours, we treasure the peaceful elegance of our surrounding community. We are also long time, close friends of the Reuben family and hold them in the highest regard. They have joined with the Oetker Group, one of the most highly respected hotel management teams in the world.

We sincerely believe that the Reuben family and the Oetker Group would never allow anything, within their power, to interfere with the quality of their neighbours lives. Therefore, we do support their efforts to bring the Chesterfield Hotel to a new level of elegance by reducing the room total with fewer rooms and larger more luxurious bedrooms.

Although, Palm Beach is experiencing rapid growth and expansion, we all share a common goal that Palm Beach remains a shining example of class and elegance in every respect.

The renovation under the council's current consideration promises to do just that.

Respectfully,

A handwritten signature in black ink, appearing to read 'Steve Wynn', with a long horizontal flourish extending to the right.

Steve Wynn

From: Deborah Jones
Subject: La Vineta Hotel variance requests
Date: Monday, March 13, 2023 10:58:39 AM

Good morning all,

Please see the email below from resident Sarah Mettler Cecil.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Sarah Cecil <sarahmcecil@gmail.com>
Sent: Friday, March 10, 2023 11:45 AM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Fwd: La Vineta Hotel variance requests

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

To The Palm Beach Town Council,

Sitting on my porch at the SE corner of Cocconut Row and Brazilian, it's roughly 4:30 pm, and the traffic is backed up from the light at Royal Palm to Australian /crisscrossed by more traffic on Brazilian backed up half a block. People are waiting to go home, exiting Worth Ave, attempting to go grocery shopping, or crossing the bridge, who knows? People are impatient—a few horns honk, loud music plays, a man in a car becomes frustrated then turns around and screeches off with his exhaust pipes blaring. Maybe he'll exit over the middle or southern bridge. And this is without The Chesterfield, soon to be La Vineta in full operation.

There is no doubt that The Chesterfield needs a facelift and that the Oetker Group will create an exquisite new life for it. The primary issue,

as far as I'm concerned, is that we cannot approve additional seating. Even with improved valet service and potential parking utilizing local bank parking lots at night. (What about during the day?), the fact is, that even at the current grandfathered 113 allowed seating, which will turn over at least twice per evening meal or bar service, is already too busy for this predominantly quiet, residential area. My secondary concern, the east- and south-facing apartments in our building, which may be unique in that their location is only a block away from the La Vineta, will be fully exposed to potentially increased light pollution, late evening noise, and additional equipment if can't be tastefully camouflaged.

In the past, the Town has issued directives for businesses to adhere to their orders, i.e.:

The Royal needing to go back to its original name The Royal Poinciana Plaza, the building space above Tiffany's should not be visible (yet, it is). If these examples are true, we need to enforce these with fines and reprimands. Same needs to be true of The Vineta. What you declare goes.

Having spent my formative years in our Town, change is inevitable and when managed properly improves the fabric of our community. Admittedly, the number of residents and visitors has risen over the decades, but that does not give them the right to redefine us. If they choose to come here they need to abide by rules and regulations put thoughtfully in place over the last 100 years. We owe that to our predecessors, current residents, and those who come after us to preserve this unique island paradise.

It is perfect timing that the Mayor and Town Council have taken the initiative to review all the current zoning codes. This will allow our community to reassess who we are and what we choose to be in the future. It's time to take a pause after this initial surge of variance applications and requests, remember who we were and how we got here, and cling to our core beliefs.

Yes, thankfully we are a genteel, well-mannered Town, BUT it doesn't mean changing our character, our soul, and our sense of place to the whim of the loudest or fanciest proposals. We can and should say NO when appropriate and remember, WE are the ones in control and who should define our future. We owe this to the many who came before us; we owe it to our children and future generations as well.

My very best regards,
Sarah Mettler Cecil

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Veneto Renovations
Date: Monday, March 13, 2023 11:10:48 AM

Good morning all,

Please see the email below from residents Alan Leist, Nancy and Rick.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Alan R. Leist <aleist@investstrategic.com>
Sent: Saturday, March 11, 2023 8:41 AM
To: Town Council <TCouncil@TownofPalmBeach.com>
Cc: Bill Farrell <bfarrell07@gmail.com>; Rick Hallet <rick@rphpropertymgmt.com>
Subject: Veneto Renovations

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

My name is Alan Leist and I have the "privilege" of serving as President of the Casa de Carlos complex on the corner of Cocoanut Row and Australian avenues.

The owners in our complex recently had our annual meeting are united in expressing multiple concerns in opposition to the Veneto Renovation project:

1. Noise elevation with an increase in late night activities
2. Increases in traffic with the comings and goings of employees, guests, and bar patrons
3. Substantial increase in pressure on parking spaces in the surrounding neighborhood, which are already in short supply.
4. Other collateral issue's associated with the renovated hotel becoming a nightclub destination.
5. A somewhat related issue is that parking is allowed on both sides of Cocoanut Row posing problems navigating on the street all the time and this will make it worse.
6. Parking now on Sundays on surrounding streets is unrestricted, versus restricted on other days, making it difficult / impossible for owners with on street parking passes to secure space on Sunday's. The new hotel's parking demands will substantially worsen that. Not sure why restrictions on Sunday's are eliminated, but feel that should be changed. Thank you for your consideration

Alan Leist
315-534-0740

Get [Outlook for iOS](#)

From: Janet N. Reynolds <rphmgt@gmail.com>
Sent: Friday, March 10, 2023 5:23:07 PM
Cc: Richard Hallett <rick@rphpropertymgt.com>
Subject: Australian Cocoanut - 2023 Annual Meeting Minutes

Good Evening Australian Cocoanut Townhouse Owners:

Please see attached a copy of the 2023 Annual Meeting Minutes.

Best Regards,
Janet for Rick

Investment Advisory Services are offered through Strategic Financial Services, Inc., a registered investment advisor. Registered investment advisor means that the company has filed the necessary documentation to maintain registration as an investment advisor with the Securities and Exchange Commission and does not imply a certain level of skill or training.

Please remember that securities cannot be purchased, sold or traded via e-mail or voice message system.

This email transmission and any documents, files or previous email messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution, or any action or omission of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone at (315) 724-1776 or return and delete the original transmission and its attachments without reading or saving in any manner.

March 9, 2023

Town Council
Palm Beach

RE: Chesterfield

Dear Council Members:

The hotel can be redeveloped within all its current parameters (with no on-street valet parking) as a small, elegant boutique hotel in the heart of a signature residential PB community.

- 1) Seating - Must remain 113 seats as is - no variance. It basically drives or impacts all of the tangential issues that have been raised. Seat expansion would further drive more Uber, Limo, and Suburban lineups for drop-off and late pick-ups and waiting, plus departure related noise. Other busy establishments in commercial area are better situated for this. Imoto and Buccan for example have the Sunoco location as a pick-up holding area.
- 2) Noise - nothing later than 11:30 last-call for drinks and 12:00 hard stop. This is consistent with comparable, popular, and busy PB hospitality and dining establishments, even though most are in commercial locations. The Colony closes at 11:00, Breakers at 12:00. These include Fri. - Sat. A high percent of seats on any nite will likely be drive-in in from non-PB regional locations day or nite. In a boutique and fine neighborhood setting, they may or may not be Palm Beach compatible. With or without new seats, the novelty of the re-opening will be a draw, hopefully not for long, as a new regional day/night destination would add to the misfortune of neighboring constituents. This transient segment is more likely to remain for late after dinner drinks (particularly with extra seats).
- 3) Rear pool, bar, and function areas exclusive to hotel patrons.

Finally, it is perplexing that you have not already acted more decisively in the negative on most of this, and very worrisome as to the future of the Palm Beach that we love.

Thank you.

John P. Tuohy
389 South Lake Drive 5C

Dear Mayor and Town Council:

Town Clerk's Office

The applicant team for 125 Worth Avenue is seeking approval for its redevelopment project including Variance # 1 to allow for a reduction in parking spaces. The submitted material is facially flawed and the Variance must be denied:

- + Applicant improperly cherry-picks a percentile formula extracted from the Urban Land Institute's publication, *Shared Parking Principles*.
- + The formula is then improperly used to justify a parking requirement reduction for a non-conforming building even as a proposed intensification of use will require more parking.
- + Shared parking analysis is intended to be applied to mixed-use development in accordance with other steps of evaluation review. Steps were ignored.
- + Warnings were also disregarded including cautioning against rote application of the default value. The report is meant to be a starting point of analysis, not a plug-and-go short cut.
- + The principle of shared parking is intended to be applied for a particular combination of land uses, sites with multiple uses whose peak demand may not coincide.
- + 125 Worth Avenue is not a mixed-use property as defined by the ULI.
- + Even if the application qualified for shared parking and it does not, multiple sets of increased intensity numbers are buried within an avalanche of submission documents. A set of accurate numbers is what could be used to apply an 85 percentile by a qualified applicant. This applicant does not qualify for a reduction.
- + Despite this disqualification, Town Staff appears to have accepted the Applicant's fuzzy math as described on the next page and elsewhere.
- + Applicant Consultant, Kimley-Horn Associates, provides a traffic study for the redevelopment project but does not provide a parking study.
- + The Frisbie Group submits a "ULI Shared Parking Analysis for the 125 Worth Avenue Mixed-Use Development. It is merely a plug and go exercise using one of the sets of intensity numbers.
- + One on-site visit to the property's garage is cited within the application.
- + The Corradino Group provides a peer review for Kimley-Horn's traffic study but does not appear to have been asked to provide a review of The Frisbie Group's flawed ULI narrative.
- + No on-street parking conditions for the 100 Block of Worth Avenue were conducted.
- + Has the Town of Palm Beach ever adopted any model regulations by ULI, a "library" of existing ordinances of other municipalities or guidelines based on non-specific data?

Adopted Town of Palm Beach ordinances are the only valid specification thresholds which can be used to judge the acceptance of requests.

What follows are extracted portions of the application, page 7 of the 12 page PZ&B Staff Memorandum for this application and commentary that affirms why Variance # 1 cannot be granted:

- VARIANCE #1: Per Section 134-2176: A variance to allow for a reduction in parking spaces from the Code required 264 required parking spaces to 141 provided parking spaces.

As it pertains to Variance #1, the variance is to reduce the required number of parking spaces by 123 to provide 141 spaces in lieu of the existing 164 spaces and the 264 parking spaces required.

PARKING DATA			
	Existing	Proposed	Required
Sub-Basement Level	69	71	-
Basement Level	61	61	-
First Level (ground)	34	10	-
TOTAL:	164	141 <i>Variance Requested</i>	264

Whereas, if the building were constructed today as proposed, the uses would require 264 parking spaces. ~~Multiple claims by ownership states that the building as it is, is overparked. The applicant has independently performed an Urban Land Institute (ULI) Shared Parking Analysis in order to evaluate actual parking needs for the proposed revitalization plan as submitted evidence as to why the granting of the variance should be considered.~~ The results of the ULI Shared Parking Analysis shows the average peak parking event occurs during many months of the year. The average peak parking event, or maximum demand for parking, requires a total of 164 parking spaces. The ULI Shared Parking Model recommends that the peak parking event be adjusted for the 85th percentile in accordance with the ULI shared parking guidelines. Once the 85th percentile adjustment is applied ($164 \text{ spaces} \times 0.85 = 139 \text{ spaces}$ in the worst-case scenario), the 125 Worth Avenue Parking Plan includes 141 parking spaces which will satisfy the average peak conditions at all times during the year per the ULI Shared Parking Study.

“multiple claims by ownership states, the building as is, is overparked”. What’s the basis for the allegation? What verification has been provided, if any, to validate this claim?

Staff captures some of the text provided by the applicant, see Page 10, but omits their conclusion “that the Parking Plan for the 125 Worth Avenue mixed-use development . . . does not meet the applicable off-street parking requirements of the Town of Palm Beach”.

The physical location of the existing parking spaces is listed along with the number and location of proposed spaces. This chart is misleading: a critical omission is the failure to provide the current GLA square footage or the proposed square footage GLA being used to calculate a reduction. The “proposed” list simply reduces the existing number of spaces by 15% and is unchallenged by staff.

Hundreds of pages have been generated by the Frisbie Group including consultant studies. Within the fog and attestations are multiple sets of square footage GLA numbers. Are these number discrepancies intended to cause you to throw up your hands in exhaustion, confusion? Hopefully not. The future of Worth Avenue depends on your focused deliberation.

Town consultant, The Corradino Group, was asked to evaluate the traffic report generated by Frisbie Group consultant Kimley-Horn Associates (K-H). Why was Corradino asked only to evaluate traffic and not the parking issues? He asks K-H about the land use intensities within the LOI dated December 8, 2022 which have changed from 33,854 office to 46,408. Retail numbers increase from 17,035 to 18,199. But other numbers are floating around. And Corradino doesn’t challenge the shared parking analysis. (addendum A)

For example: Two other sets of figures are provided to Frisbie agent, Josh Martin, former Director of Planning, Zoning & Building by Kimley-Horn on December 1, 2022, including a doubling of retail space (numbers that are different than those contained in the Frisbie report, pg. 10) :

<u>Existing</u>	<u>Proposed</u>	<u>Net Change</u>
Office 41,926	Office 51,927	+ 10,001
Retail 10,501	Retail 21,294	+ 10,793

A broad tabulation yields these numbers that are further inclusive absent other factors like the percentage of General office and High Density office space as recommended by ULI.

$$51,927 \div 1:250 = 207.71 \text{ spaces}$$

$$21,294 \div 1:200 = 106.47 \text{ spaces}$$

$$\begin{array}{r} \text{-----} \\ 314.18 \end{array}$$

Confusing? Yes, it is. If this proposed set of numbers is to be used instead, the new required number of parking spaces exceeds the original building non-conformity of 264 spaces. Therefore, the claim that 24 surface spaces can be removed because only 141 spaces are needed is misleading, distorted and flawed.

The absence of transparency obscures the ability to properly evaluate the numbers.

The Applicant has failed to provide a spread sheet with the exact breakdown of proposed tenant occupancy. How exactly will the proposed office GLA spaces be used? Or the retail GLA spaces. You don't know. Does staff know?

The fog worsens:

The applicant claims to have independently performed an Urban Land Institute (ULI) shared Parking Analysis “as evidence as to why the granting of the variance should be considered.”

This “evidence” is also facially flawed and requires the Council to deny the Variance request. (the intent of the surface parking removal is to enable the vertical redevelopment of the property by increasing the GLA for each floor.)

Not only has the analysis been cherry-picked from the ULI 's *Shared Parking* guidelines (no ULI pages seem to have been provided by the applicant or Town staff, denying you the ability to assess the guidelines on your own), but the analysis also omits a critical requirement for the use of an 85 percentile in adjusted parking calculations: **possible reductions can only be applied to mixed-uses.** (I provided a set of “exhibit” pages contained within a South Carolina lawsuit involving “cherry-picked” ULI data that I submitted to the Council)

The applicant's property contains commercial office and retail usage, occupied at similar hours. **There are no mixed uses in the building.**

In retrospect, this attempt to cherry-pick the ULI parking guidelines is totally contradicted by previous data submitted by the applicant in 2019 and 2021: an effort to build four condominium apartments on the roof of the property owner's three-story office building was being proposed as a mixed-use project because the three existing floors were commercially occupied. (The two separately filed applications also sought to eliminate surface parking)

Kimley-Horn Associates' November 8, 2019 Parking Supply Evaluation letter to 125 Worth Avenue Partners, LLC for B-074-2019 includes the attestation, below. The letter was also entered into the record by the applicant for the Town Council's June 9, 2021 Development Review meeting for ZON- 23-032 (ARC-23-022).

Determination of Parking Supply Need

To evaluate the supply requirements for off-street parking for the overall site following redevelopment, a shared parking analysis was undertaken using the methodology and data published by the Urban Land Institute (ULI) in *Shared Parking, Second Edition*. The principle of shared parking can be applied to sites with multiple uses to reflect that the peak parking demand for each individual use may not coincide and therefore some efficiency can be achieved in the supply of parking provided to account for the variation on parking demand over different times of day as well as different times of the year.

Here, the consultant accurately quotes the basis for shared parking: “multiple uses that do not coincide.”

I repeat: there is no mixed-use at 125 Worth Avenue as defined by the ULI guidelines that would allow for a reduction in the number of parking spaces for the property or by Town Code.

The applicant attempts to mislead the Council in order to gain approval for a variance that is facially flawed.

Adding insult, the applicant provided traffic analysis surrounding Worth Avenue but failed to provide studies regarding parking conditions on the 100 block of Worth Avenue.

On-site shared parking eligibility requires “mixed-use” as admitted to in previous redevelopment applications for the property. The applicant’s claim for eligibility as a mixed use property in this application is not defensible. It is not supported by Town Code and the ULI Parking Model data cited by the applicant.

The parking data provided by The Frisbie Group (without attribution) also fails to follow another ULI guideline as recommended in the 3rd Edition’s 2020 printing:

Therefore, a key conclusion of the 3rd Edition analysis of office parking trends is that shared parking analysis should include defining the percent of High Density office in the development, and using two separate sets of ratios: those for General Office and those for High Density Office. Although there is some indication that the parking ratios in general office have actually declined slightly, we have maintained the same ratios as in the 2nd Edition, to allow for some additional densification in the typical building.

Since no spread sheet identifying the more exact nature of the two proposed existing classifications has been provided, the amount of General Office and High Density Office is unknown.

To recap,

The property is not eligible for a percentile parking reduction as defined by ULI guidelines,

Almost two years have passed since the Town Council heard ZON-23-032 on June 9, 2021. The applicant was told to return in six months with parking data. That application was withdrawn in November, 2021. Crucial data has still been omitted from the analysis for this application.

Multiple sets of commercial square foot usage figures have been attested to by the applicant within three separate redevelopment applications for the site since 2019, this being the most recent. Why do the numbers keep changing?

The basis for Variance # 1 is facially flawed and must be denied:

Addendum:

A- One portion of The Corradino Group peer review captures other numbers:

2. Please update the shared parking analysis to ensure the land use intensities match those used in the traffic analysis dated 12/07/22. The shared parking analysis included in the letter of intent dated 12/08/22 includes the following:
 - Office- 33,824 square feet
 - Commercial Retail- 17,035 square feet

The traffic analysis includes 46,408 square feet of Office space and 18,199 square feet of Commercial Retail space.

Kimley Horn and Associates, Inc.'s 02/03/23 Response: The square footages have been updated in the traffic study based upon further updates to the site plan. The latest parking calculations are also updated and included in the site plan. Note that there may be differences related to the square footages used (i.e., for trip generation purposes trip generation rates may be based on either GLA or GFA depending upon the land use, while Town parking codes may be based upon a different measure than the trip generation rates).

TCG 02/07/23 Response: Addressed.

GFA is Gross Floor Area- “ while Town parking codes may be based upon a different measure than the trip generation rates”

What is the intent of introducing another element into the equation?

B. Page 14/85 of the Applicant's January 12, 2023 “Letter of Intent -125 Worth Avenue Revitalization”, is a complete mashup of conflated planning and parking standards:

- + The applicant's appraiser confirms the building is 95% occupied.
- + There is no documentation supporting the basis for the claim that the town's parking standards are antiquated.
- + The applicant's response to the Variance justification is gibberish:

the applicant conflates “shared” parking requirements with off-street parking standards (the building is ineligible for a percentile reduction as defined by ULI) There are off-street parking standards for Worth Avenue but they have no bearing on this request.

Citing the number of cars observed “during a recent site visit on a Wednesday in December, 2022 “ as justification for applying a “so-called” “ULI Shared Parking Study” in place of Town Code Parking requirements is inexact, unprofessional and facially flawed.

- (1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

Applicant Response: The Town of Palm Beach Zoning Code’s Off-Street Parking Standards are antiquated and do not reflect actual conditions of the site. The 125 Worth Avenue building is more than 90% leased and during a recent site visit at 2:00pm on a Wednesday in December 2022, a total of 31 cars were parked on site. The attached ULI Shared Parking Study more accurately reflects present-day industry off-street parking standards rather than those of 40 years ago.

- (2) The special conditions and circumstances do not result from the actions of the applicant.

Applicant Response: The Applicant purchased the building in its present configuration with a limited amount of floor area on the fourth story. There is precedent for expanding legally nonconforming buildings as long as the existing roof and structural columns remain.

The response to this variance criteria justification for Variance # 1 is a non sequitur.

Page 15/85 presents unsubstantiated language: Denial of the variance will not deprive the applicant of rights . . . Additionally, surrounding residential buildings are not regulated by the same zoning district requirements as the applicant.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

This is untrue. The applicant already receives reasonable use of the property.

- (4) Literal interpretation of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Applicant Response: A literal interpretation of the ordinance would prevent the applicant from utilizing the existing and proposed uses within the building, and it within is the Applicant's vested legal rights to do so. Several surrounding residential buildings do not meet today's Zoning Code Off-Street Parking and Loading Standards. The project is thus compatible and consistent with existing development.

Another non sequitur response to criteria justification for Variance # 1:

But since the applicant brought it up: the architecture does not improve the “pedestrian experience” and the proposed additional massing on the roof will dramatically change the view from the ground. Allowing this massing is detrimental to the intent of the Worth Avenue Design Guidelines

- (6) The grant of the variance will be in harmony with the general intent and purpose of this chapter, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response: The approval of the reduced parking on site will allow the applicant to utilize the legally non-conforming square footage of the existing building, which is within is the Applicant's vested legal rights. This in turn will be a great benefit to the Town, especially the east end of Worth Avenue, because the existing building is architecturally undistinguished and incompatible with the pedestrian character of the street which is called for in the C-WA Zoning District, the Worth Avenue Design Guidelines, and the Comprehensive Plan. The Worth Avenue Design Guidelines strongly encourage the redevelopment of the buildings in the East End Development Area to encourage more aesthetically pleasing architectural elements. The view from the ground will not change dramatically, and the view from taller residential buildings will be greatly enhanced due to the addition of architectural elements and an activated public realm.

The applicant does not have mix-uses as defined within ULI shared Parking Guidelines.
It is not a mixed -use development. A parking reduction is not warranted.

Applicant's Exhibit C-

ULI Shared-Parking Analysis For

**125 Worth Avenue
Mixed-Use Development
Palm Beach, FL 33480**

December 8, 2022
Updated December 26, 2022

Prepared by:

Frisbie Group, LLC

To repeat: the applicant's Analysis is facially flawed and cannot be used as the basis to grant Variance # 1

It includes another set of proposed GLA numbers and improperly applies the ULI parking Model to them. As I've previously written, there are at least three other sets of proposed GLA numbers that are greater than these which would make the non-conformity even more non-conforming. The applicant cherry-picks the suggested formula for a mix-ed use project but fails to follow the warnings within the guidelines.

Project Overview and Parking Demand

The proposed 125 Worth Avenue mixed-use development ("development") includes the following uses:

- Office (33,824 square feet); and
- Community Retail (17,035 square feet).

Spatially, the aforementioned use intensities are distributed within the proposed development area as shown on Exhibit A to this document.

There is no revelation, as alleged, that a parking reduction can be achieved, while, also intensifying the use as proposed.

The Applicant's Conclusion admits the analysis does not meet the applicable off-street requirements of the Town of Palm Beach. The patching-in of even greater numbers than these, that are buried within other sections of the application, renders the attempt to use this flawed approach even more fatal for the applicant. Variance # 1 must be denied.

January 12, 2023

The development team completed an Urban Land Institute Shared Parking Model (included in this analysis) which revealed that shared parking reduction could be achieved, so the development shall apply the aforementioned parking reduction (per the aforementioned zoning code section). The application of the reduction of parking requirements yields the following parking requirements for the development:

Use Category	125 Worth Avenue Use	Spaces Required	Units of Measure	Units Proposed in Development	Total Number of minimum parking spaces required	Total Number of maximum parking spaces required
Office	Office	1	250 Square Feet	33,824 Square Feet	135	N/A
Retail	Retail	1	200 Square Feet	17,035 Square Feet	85	N/A
Total Number of Spaces for Development (without shared parking reduction)					220	N/A
Total Number of Spaces for Development (with ULI Shared Parking reduction)					76	167
For Workshop and Weekend Peak						

***ULI Shared Parking Study does not include the 85th percentile adjustment.

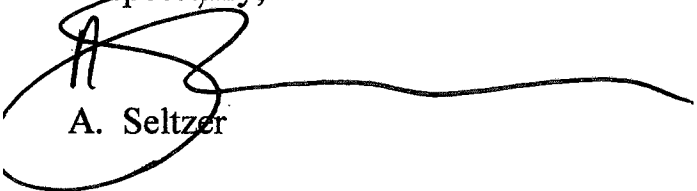
Conclusion

The parking analysis here shows that the Parking Plan (Exhibit A) for the 125 Worth Avenue mixed-use development ("development") attached to this analysis does not meet the applicable off-street parking requirements of the Town of Palm Beach. The Applicant has performed the ULI Shared Parking Analysis to evaluate actual parking needs.

The results of the ULI Shared Parking Analysis shows the average peak parking event occurs during many months of the year. The average peak parking event, or maximum demand for parking, requires a total of 164 parking spaces. The ULI Shared Parking Model recommends that the peak parking event be adjusted for the 85th percentile in accordance with the ULI shared parking guidelines. Once the 85th percentile adjustment is applied ($164 \text{ spaces} \times .85 = 139 \text{ spaces}$ in the worst-case scenario), the 125 Worth Avenue Parking Plan (Exhibit A) includes 142 parking spaces which will satisfy the average peak conditions at all times during the year per the ULI Shared Parking Study.

I hope this analysis is of help to you.

Respectfully,


A. Seltzer

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Chesterfield
Date: Monday, March 13, 2023 12:07:37 PM

Good morning all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Alison Feagin <Ali-wat@msn.com>
Sent: Sunday, March 12, 2023 11:13 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Chesterfield

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Town Council,

I am writing regarding the old Chesterfield Hotel /Viñeta. Living in the Midtown area, I find that there is already an enormous amount of congestion on the roads and not enough parking for our current commercial establishments. This leads to significant double parking and unsafe driving conditions while trying to maneuver around pedestrians and cars. The hotel with its increase in seats from 113 to 195 will contribute greatly to the problems we experience today.

Please consider the impacts on the residents in midtown and do not approve a variance for an increase in seats permitted to 195.

Thank you for your consideration,

Alison Feagin

100 Worth Avenue, Apt 602

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: Vineta Hotel proposal - 363 Cocoanut Row
Date: Monday, March 13, 2023 12:44:52 PM

Hello all,

Please see the email below.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

-----Original Message-----

From: Thomas MacCowan <tmaccowatt@gmail.com>
Sent: Monday, March 13, 2023 10:24 AM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Vineta Hotel proposal - 363 Cocoanut Row

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Council Members,

My wife and I have lived a block away from the Chesterfield Hotel at 227 Australian Avenue for five years, and I had been a business guest at the Chesterfield for almost 30 years.

We live in a quiet residential neighborhood and would like it to remain that way. At the same time, we would like the Vineta to be a successful boutique hotel, as the Chesterfield was for so many years, but not for it to become a nightclub destination for non-residents.

The proposed design elements of the renovated Vineta look great, but we have concerns with regards to seating and hours.

The Chesterfield was always a fairly staid quiet place and never appeared to be utilized to capacity in the bar/dining room. The other seats mentioned in the proposal in the tea room, board room, pool lounge and pool deck were rarely if ever used. When I stayed there, I would typically have one rental car with me and occupy one room. When I went to the pool there were only a couple of guests there at any given time. The guest rooms were so small, that no more than two people could occupy a room at one time, and only one car would be needed for a hotel stay for an individual or a couple. The new owner's proposal is to receive a parking space credit of 1.75 spaces for each room, when in practice, only one parking space per room was likely used in the past, and only one or two guests were in a room. Therefore, by my math, a 16 room reduction would equate to 16 parking spaces x 1 or 2 seats = 16 to 32 additional seats at most rather than the 84 seat credit proposed. Our preference would be to not add any new seats to expand the non-conforming use at this location. A revitalized venue, even without more seats, will likely lead to greater usage of the current seats than in the past and be a more intense use of the property, bringing in additional people, traffic, parking demand and noise in and around the residential neighborhood.

The closing hours proposed to 2AM are too late and not appropriate for a residential neighborhood and are not in line with other restaurants and hotel establishments. Cafe Boulud at the Brazilian Court ends dinner service at 10PM and the small interior bar closes at 12AM. Swifty's at the Colony Hotel closes at 10PM. The new Vineta hours should be consistent with, and no more generous than, established neighborhood hours.

Thank you for consideration of our concerns.

Best regards,

Tom MacCowatt
tmaccowatt@gmail.com

From: [Deborah Jones](#) on behalf of [Town Council](#)
Subject: FW: 125 Worth Avenue - 4th Story Definition, and Parking Analysis
Date: Monday, March 13, 2023 12:17:21 PM
Attachments: [125 Worth Roof.pdf](#)

Hello all,

Please see the email below, and the attachments.

Bcc: M&TC, All Town Managers, Wayne, Antonette, Kelly, Pat James.

Sincerely,
Deb

From: Carol LeCates <clecates@comcast.net>
Sent: Sunday, March 12, 2023 5:52 PM
To: Town Council <TCouncil@TownofPalmBeach.com>; Danielle Hickox Moore <DMoore@TownofPalmBeach.com>
Subject: 125 Worth Avenue - 4th Story Definition, and Parking Analysis

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Mayor and Council,

The staff opinion on a 4th story for 125 Worth does not conform to the code definitions or intent. Please see attached photos and the definitions below, from the code Definitions of Construction (Sec. 134-2), highlights mine.

Habitable space:

"Habitable space means space in or on a structure used or intended to be used for occupancy, for living, sleeping, lounging, eating, cooking or recreation. Finished or unfinished floors above the maximum number of stories allowed containing an elevator, permanent or mechanically operated stairs and seven feet or more of head room shall be considered habitable space. Closets, hallways, storage rooms, attics, machinery rooms, mechanical equipment rooms, utility space and similar areas shall not be considered habitable space."

Please note that the last sentence would not be necessary if a mechanical equipment room that was at least 7' high were to be considered habitable. This sentence makes it crystal clear that the identified spaces are not considered habitable space, *regardless of their dimensions*. It does not say that mechanical equipment rooms that are at least 7' high are considered habitable - it says the opposite. One cannot simply decide to use the first sentence of this definition and not the second, which is what staff has done in this case. The specific exclusions in this definition were intended to

prevent the the claim of an extra story when in fact the space was clearly permitted for storage or mechanical use only.

Story:

"means that portion of a building, other than an attic, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the ceiling next above it. Habitable space, open patios, accessible roof decks not used exclusively for mechanical equipment, observation decks and/or similar areas located above the first or second story shall be considered a story for the purpose of this definition."

Since the roof structures have always been used exclusively for mechanical equipment and not for any of the other mentioned purposes, there is no "story" on the roof.

Regardless of what one feels when walking inside the mechanical structures on the roof, it is the code that determines their status for development purposes. Given the strictness of the regulations for building heights on Worth Avenue and throughout the town, there can be no mistaking the intent and meaning of these definitions.

I hope you will find this helpful.

Sincerely,

Carol LeCates

D.R.C. SECOND SUBMITTAL SET		12/17/2022
D.R.C. FIRST SUBMITTAL SET		12/08/2022
D.C. PRE-APPROVING SET		11/18/2022

ARCOM
 CASE #:
 AR-23-022

ZONING
 CASE #:
 ZON-23-032

1215 WORTH AVE.

PALM BEACH, FLORIDA

EXIST. TITLE NEXT BUILDING PHOTOGRAPHS	SHEET #0 SHEET 01 OF 02 EX-504
--	--



FAIRFAX & HAMMONS

300 N. WEST PALM BEACH
 PALM BEACH, FLORIDA 33401
 561-835-4455 FAX 561-835-4456
 WWW.FAIRFAXANDHAMMONS.COM

FAIRFAX, BAUGHN & PARTNERS, LLC

814 MILLIKEN AVENUE, PALM BEACH, FLORIDA 33401
 561-835-4455 FAX 561-835-4456
 WWW.FAIRFAXANDHAMMONS.COM

I, **CHRISTOPHER BAUGHN**, being the owner of the above described property, do hereby certify that the information furnished on this application is true and correct, and that I am the owner of the property, and I am not providing this information for the purpose of obtaining a loan or any other financial benefit. I understand that any false information provided on this application may result in the revocation of any permits or licenses issued by the City of Palm Beach. I understand that any false information provided on this application may result in the revocation of any permits or licenses issued by the City of Palm Beach. I understand that any false information provided on this application may result in the revocation of any permits or licenses issued by the City of Palm Beach.

PREPARED BY: **CHRISTOPHER BAUGHN**
 DATE: **12/17/2022**

Habitable space means space in or on a structure used or intended to be used for occupancy, for living, sleeping, lounging, eating, cooking or recreation. Finished or unfinished floors above the maximum number of stories allowed containing an elevator, permanent or mechanically operated stairs and seven feet or more of head room shall be considered habitable space. Closets, hallways, storage rooms, attics, machinery rooms, mechanical equipment rooms, utility space and similar areas shall not be considered habitable space.

Story means that portion of a building, other than an attic, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the ceiling next above it. Habitable space, open patios, accessible roof decks not used exclusively for mechanical equipment, observation decks and/or similar areas located above the first or second story shall be considered a story for the purpose of this definition.

Kelly Churney

From: Barry Kean <barryakean@gmail.com>
Sent: Friday, March 10, 2023 2:31 PM
To: Kelly Churney
Subject: 125 Worth Avenue: Original Building Plans.

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Kelly,

Would you kindly forward this email to the members of the Palm Beach Town Council.

Thank you.

Dear Palm Beach Town Council Members,

Below please find photo copies referencing the original building plans for 125 Worth Avenue.

As you can see, the plans called for a FIRST FLOOR, SECOND FLOOR, THIRD FLOOR AND ROOF!!! Absolutely NO reference to a FOURTH FLOOR !!

Later today I will forward additional photos of the original building plans that will further prove no FOURTH FLOOR was ever included in the construction of 125 Worth Avenue.

>

> FIRST FLOOR FRAMING PLAN

>

>

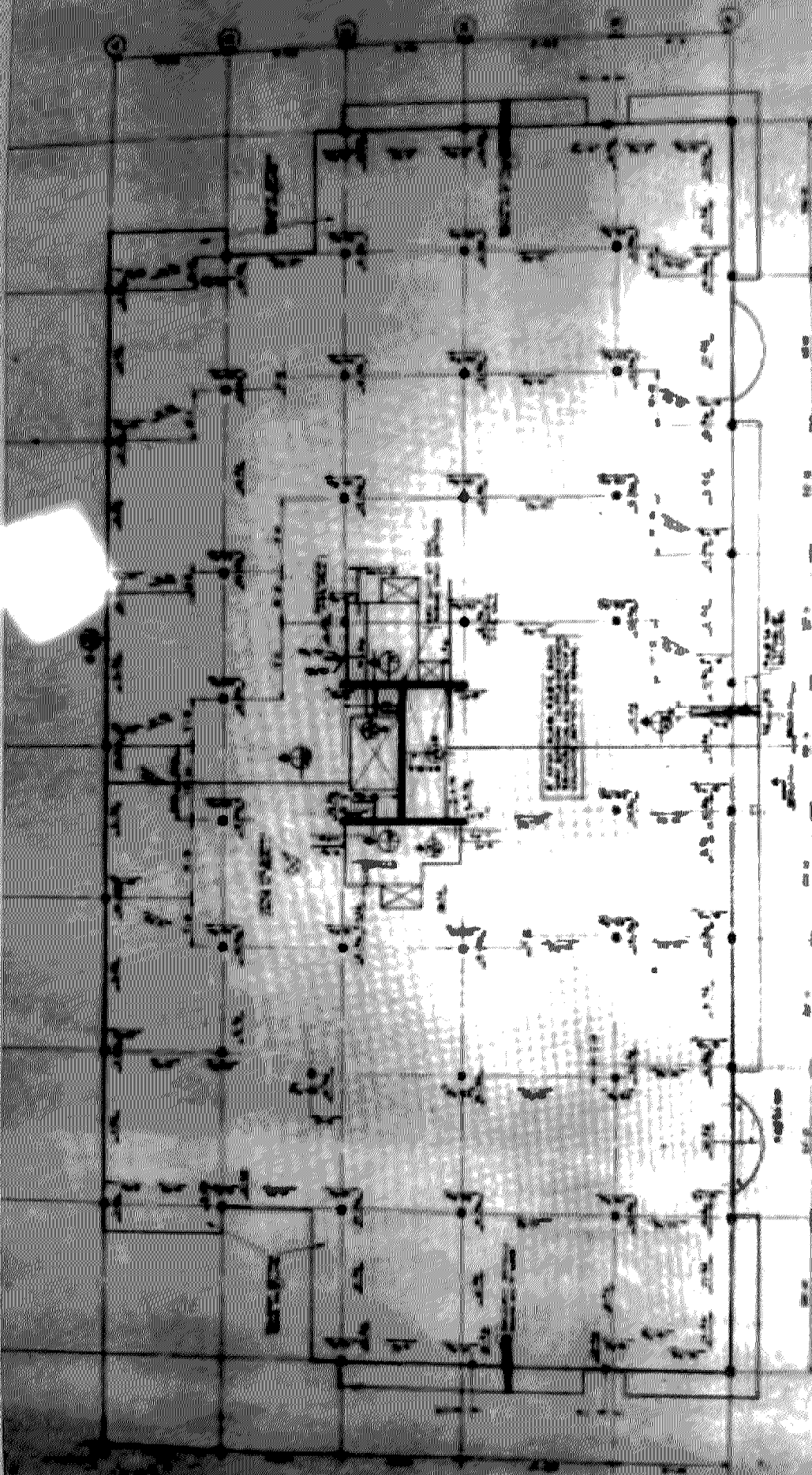
>

> SECOND FLOOR FRAMING PLAN

>

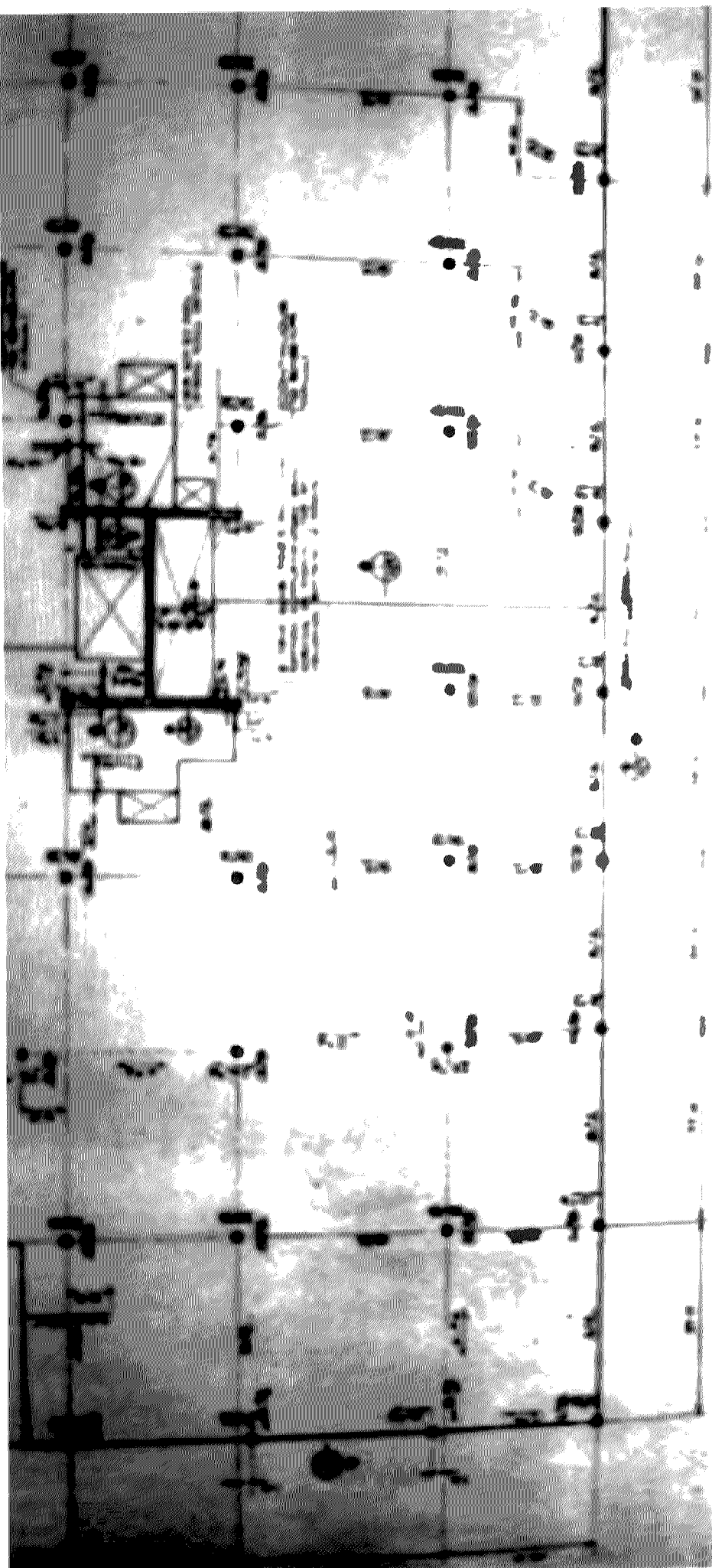
>

> THIRD FLOOR FRAMING PLAN



SECTION PLAN
1. SECTION
2. SECTION
3. SECTION
4. SECTION
5. SECTION
6. SECTION
7. SECTION
8. SECTION
9. SECTION
10. SECTION
11. SECTION
12. SECTION
13. SECTION
14. SECTION
15. SECTION
16. SECTION
17. SECTION
18. SECTION
19. SECTION
20. SECTION
21. SECTION
22. SECTION
23. SECTION
24. SECTION
25. SECTION
26. SECTION
27. SECTION
28. SECTION
29. SECTION
30. SECTION
31. SECTION
32. SECTION
33. SECTION
34. SECTION
35. SECTION
36. SECTION
37. SECTION
38. SECTION
39. SECTION
40. SECTION
41. SECTION
42. SECTION
43. SECTION
44. SECTION
45. SECTION
46. SECTION
47. SECTION
48. SECTION
49. SECTION
50. SECTION
51. SECTION
52. SECTION
53. SECTION
54. SECTION
55. SECTION
56. SECTION
57. SECTION
58. SECTION
59. SECTION
60. SECTION
61. SECTION
62. SECTION
63. SECTION
64. SECTION
65. SECTION
66. SECTION
67. SECTION
68. SECTION
69. SECTION
70. SECTION
71. SECTION
72. SECTION
73. SECTION
74. SECTION
75. SECTION
76. SECTION
77. SECTION
78. SECTION
79. SECTION
80. SECTION
81. SECTION
82. SECTION
83. SECTION
84. SECTION
85. SECTION
86. SECTION
87. SECTION
88. SECTION
89. SECTION
90. SECTION
91. SECTION
92. SECTION
93. SECTION
94. SECTION
95. SECTION
96. SECTION
97. SECTION
98. SECTION
99. SECTION
100. SECTION

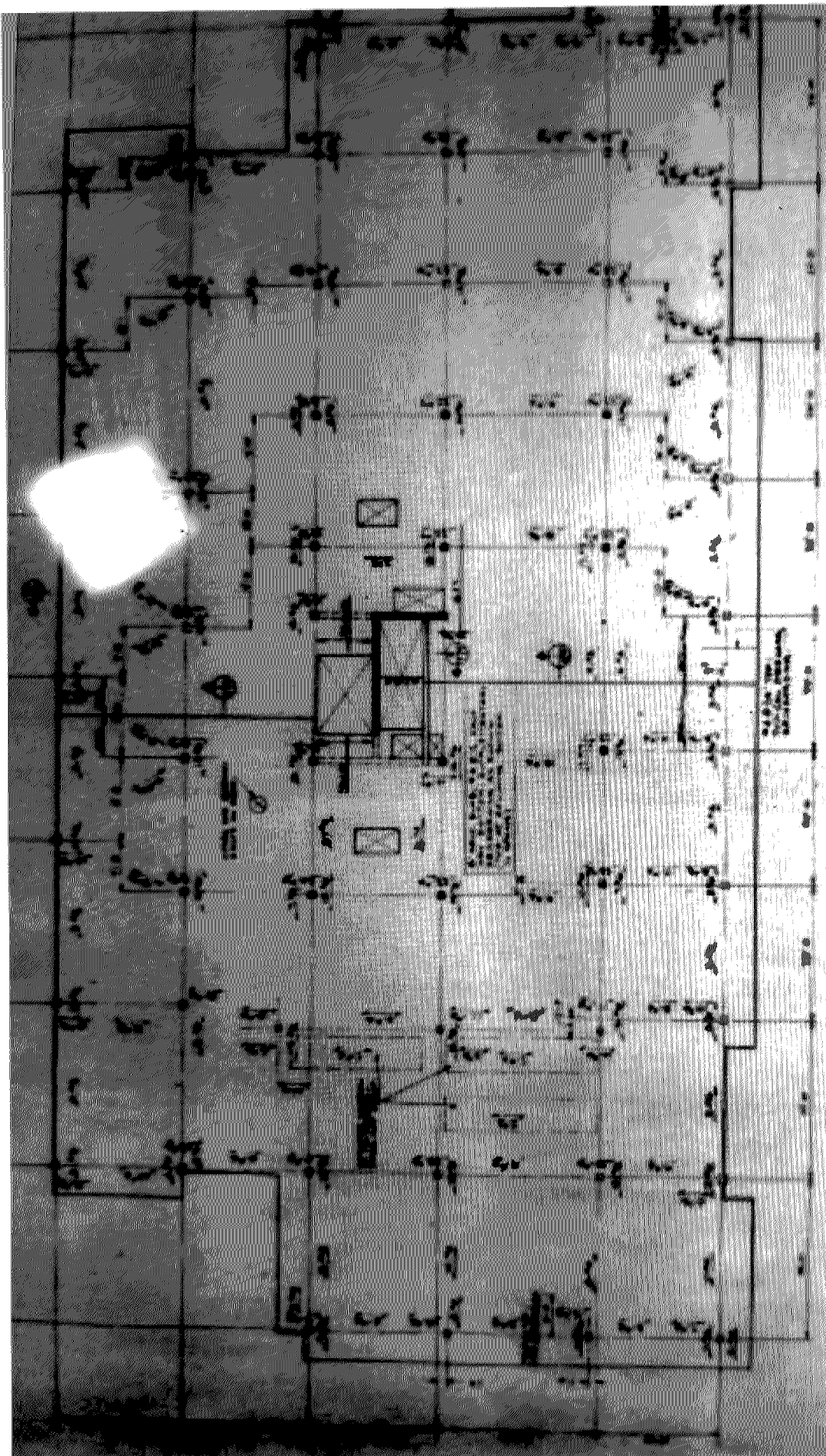
- >
- >
- > ROOF FRAMING PLAN



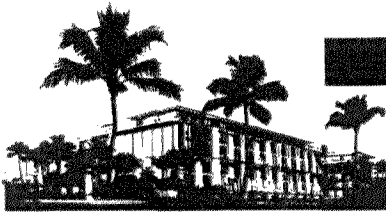
OFFICE BUILDING

OFFICE BUILDING

>
>
> Sent from my iPad



Hand-drawn technical drawing of a building layout on a grid. The drawing includes a central rectangular structure with internal divisions, surrounded by other rectangular blocks and lines. A scale bar is visible on the right side of the drawing.



400 ASSOCIATION, INC

400 S. Ocean Blvd., Palm Beach, Florida 33480
Tel: 561-655-5470

RECEIVED

MAR 06 2023

TOWN OF PALM BEACH
PZB DEPARTMENT

March 3, 2023

Town of Palm Beach
Palm Beach Town Council
360 South County Road
Palm Beach, FL 33480

To Whom It May Concern,

We, the undersigned, request the Palm Beach Town Council REJECT Zoning Application ZON-23-032 and ARCOM Application ARC-23-022 submitted by 125 Worth Avenue Partners for "revitalization, renovation, and expansion of a 48-year-old nonconforming commercial building at 125 Worth Avenue" at the Town Council's March 15, 2023 meeting.

As indicated in the developer's Letter of Intent, they are requesting two (2) Special Exceptions and ten (10) Variances to the Town of Palm Beach Code. In addition, the developer intends to increase the building's current office square footage of 49,401 to over 76,000 square feet....an increase of approximately 53%!

Rather than specifically addressing the Special Exceptions and Variances, we feel these applications should be totally rejected because some of the information and details stated in the applications are incorrect, if not completely false!!

First and foremost, the applications continually refer to 125 Worth Avenue as "an existing four-story building," a building that "already contains four stories," "when this building was constructed in 1973, a fourth story was included" and it is a "grandfathered fourth story"!!

All aforementioned statements made by the developer are TOTALLY FALSE...as evidenced by the attached PALM BEACH COUNTY PROPERTY APPRAISAL REPORT showing that 125 Worth Avenue is a 3 STORY NON MEDICAL BUILDING with a total office square footage of 49,401.

Also, the developer has been paying real estate taxes since 2017 based on a 3-STORY BUILDING!!!!

What the developers are really requesting is ADDING A 4TH STORY TO AN EXISTING 3-STORY BUILDING!

The Palm Beach Zoning Department claims that a "determination was made by a former department head that a 4th story does exist" at 125 Worth Avenue. However, no legal document has been presented or is on file proving that, indeed 125 Worth Avenue is a 4 story building.

For the reasons stated above, we ask the Palm Beach Town Council to reject both applications for 125 Worth Avenue.

Thank you.

<u>Signatures</u>	<u>Unit Number</u>
Dee Lucetti	109
Randy Van	109
Katny Argonbright	217
Frank Argonbright	217
Keith M.M.	406
Mike GIBBONS	211
Natalie Bray	404
Elizabeth G. Baird	407
Ann Ine	411
Jan Spork	PH A
Barbara Price	401
Patsy Williamson	10 S
Pamela Aycock	110



400 ASSOCIATION, INC

400 S. Ocean Blvd., Palm Beach, Florida 33480
Tel: 561-655-5470

Signatures

David Miesner

Dan Miller

H. Allen

Mark Whilist

Franklin

Mark Dlesner

Larry Clift

Franklin

Unit number

108

414/413

107

110

104

419

205/206

101

Also, the developer has been paying real estate taxes since 2017 based on a 3-STORY BUILDING!!!!

What the developers are really requesting is ADDING A 4TH STORY TO AN EXISTING 3-STORY BUILDING!

The Palm Beach Zoning Department claims that a "determination was made by a former department head that a 4th story does exist" at 125 Worth Avenue. However, no legal document has been presented or is on file proving that, indeed 125 Worth Avenue is a 4 story building.

For the reasons stated above, we ask the Palm Beach Town Council to reject both applications for 125 Worth Avenue.

Thank you.

Signatures

Unit Number

2.2.2023 |



419



400 ASSOCIATION, INC

400 S. Ocean Blvd., Palm Beach, Florida 33480
Tel: 561-655-5470

March 3, 2023

Town of Palm Beach
Palm Beach Town Council
360 South County Road
Palm Beach, FL 33480

To Whom It May Concern,

We, the undersigned, request the Palm Beach Town Council REJECT Zoning Application ZON-23-032 and ARCOM Application ARC-23-022 submitted by 125 Worth Avenue Partners for "revitalization, renovation, and expansion of a 48-year-old nonconforming commercial building at 125 Worth Avenue" at the Town Council's March 15, 2023 meeting.

As indicated in the developer's Letter of Intent, they are requesting two (2) Special Exceptions and ten (10) Variances to the Town of Palm Beach Code. In addition, the developer intends to increase the building's current office square footage of 49,401 to over 76,000 square feet....an increase of approximately 53%!

Rather than specifically addressing the Special Exceptions and Variances, we feel these applications should be totally rejected because some of the information and details stated in the applications are incorrect, if not completely false!!

First and foremost, the applications continually refer to 125 Worth Avenue as "an existing four-story building," a building that "already contains four stories," "when this building was constructed in 1973, a fourth story was included" and it is a "grandfathered fourth story"!!

All aforementioned statements made by the developer are TOTALLY FALSE...as evidenced by the attached PALM BEACH COUNTY PROPERTY APPRAISAL REPORT showing that 125 Worth Avenue is a 3 STORY NON MEDICAL BUILDING with a total office square footage of 49,401.

Owner(s)

125 WORTH PARTNERS LLC

Mailing Address

439 WORTH AVE

PALM BEACH FL 33480 4519

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2017	\$30,700,000	29440 / 00149	WARRANTY DEED	125 WORTH PARTNERS LLC
OCT-2004	\$13,650,000	17699 / 01403	WARRANTY DEED	WHALOU PROPERTIES III LLC
SEP-1993	\$7,800,000	07897 / 00487	WARRANTY DEED	
JUL-1984	\$14,100,000	04299 / 00808	WARRANTY DEED	
SEP-1982	\$9,000,000	03801 / 01072	WARRANTY DEED	
JAN-1976	\$2,100,000	02529 / 00211		

NOTE: Sales do not generally appear in the PAPA database until approximately 1 to 3 weeks after the closing date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Exemption Information
[Portability Calculator](#)

No Exemption Information Available.

Property Information
[Tangible Account\(s\)](#)

Subarea and Sq. Footage for Building 1		Structural Element for Building 1	Sketch for Building 1
Code Description	Sq. Footage		
PARKING LEVEL FLOORS	0	1. Year Built 1974	 Sorry, no sketch available for this record
PARKING LEVEL FLOORS	0	2. OFFICE H-R 49401	
PARKING LEVEL FLOORS	0	5ST	
OFFICES	10221		
OFFICES	19590		
OFFICES	19590		
Total Square Footage : 49401			
Number of Units	0		
Total Square Feet*	49401		
Acres	0.7891		
Property Use Code	1700 - OFFICE BLDG-NON MEDICAL 1 TO 3 STORIES		
Zoning	C-WA - COMMERCIAL WORTH AVE (50-PALM BEACH)		

[View Building Details](#)

ADJUST FONT SIZE: + - RESET

Select Language ▼

Website Search



DOROTHY JACKS

CFA, AAS

Palm Beach County Property Appraiser

We Value What You Value



Real Property

Search by Owner Name (Last Name first) or Address

Search

Classic PAPA ★ MyPAPA Print This Page Save as PDF Print Property Summary 2022 Proposed Notice

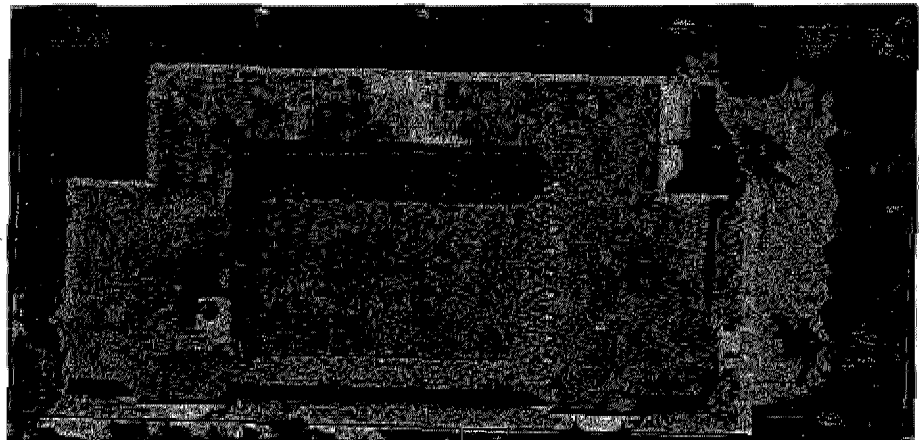
Property Detail • Owner Information • Sales Information • Exemption Information • Property Information • Appraisals
Assessed and Taxable Values • Taxes

Full Property Detail

Property Detail

Show Full Map

Location 125
Address WORTH
AVE
Municipality PALM
BEACH
Parcel 50-43-
Control 43-23-
Number 05-016-
0380
Subdivision ROYAL
PARK
ADD
TO P B
IN
Official
Records 29440
Book/Page / 149
Sale Date OCT-
2017
ROYAL
PARK
ADD
Legal
Description LTS 38
TO 48
INC
BLK 16



Nearby Sales Search

Owner Information

Change of Address



400 ASSOCIATION, INC

400 S. Ocean Blvd., Palm Beach, Florida 33480
Tel: 561-655-5470

Signatures

Daid Missner

Jay Walker

H. Chur

Mark Thielst

A. Ranttho

Mark Dlesner

Lanni Ellip

H. Kertess

Unit number

108

D. Missner

414

413 G. Milner

107

H. Chur

110

M. Thielst

104

I. Ranttho

419

M. Dlesner

205

206 L. Ellip

101

H. Kertess

Also, the developer has been paying real estate taxes since 2017 based on a 3-STORY BUILDING!!!!

What the developers are really requesting is ADDING A 4TH STORY TO AN EXISTING 3-STORY BUILDING!

The Palm Beach Zoning Department claims that a "determination was made by a former department head that a 4th story does exist" at 125 Worth Avenue. However, no legal document has been presented or is on file proving that, indeed 125 Worth Avenue is a 4 story building.

For the reasons stated above, we ask the Palm Beach Town Council to reject both applications for 125 Worth Avenue.

Thank you.

Signatures

Harry T. Gardiner

Unit Number

403X N. GARDINER

BUILDING!!!!

What the developers are really requesting is ADDING A 4TH STORY TO AN EXISTING 3-STORY BUILDING!

The Palm Beach Zoning Department claims that a "determination was made by a former department head that a 4th story does exist" at 125 Worth Avenue. However, no legal document has been presented or is on file proving that, indeed 125 Worth Avenue is a 4 story building.

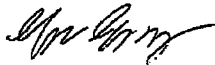
For the reasons stated above, we ask the Palm Beach Town Council to reject both applications for 125 Worth Avenue.

Thank you.

Signatures

Unit Number

2.2.2023 |



419

J. VERWER

BUILDING!!!!

What the developers are really requesting is ADDING A 4TH STORY TO AN EXISTING 3-STORY BUILDING!

The Palm Beach Zoning Department claims that a "determination was made by a former department head that a 4th story does exist" at 125 Worth Avenue. However, no legal document has been presented or is on file proving that, indeed 125 Worth Avenue is a 4 story building.

For the reasons stated above, we ask the Palm Beach Town Council to reject both applications for 125 Worth Avenue.

Thank you.

Signatures

Roy Lucchetti
Penny Van
Kathy Argonbright
Frank Argonbright
Keith M.M.
Mike Gibbons
Natalie Bray
Elizabeth G. Baird
Donna True
Jan Spork
Barbara Price
Patsy Williamson
Pamela Aycock

Unit Number

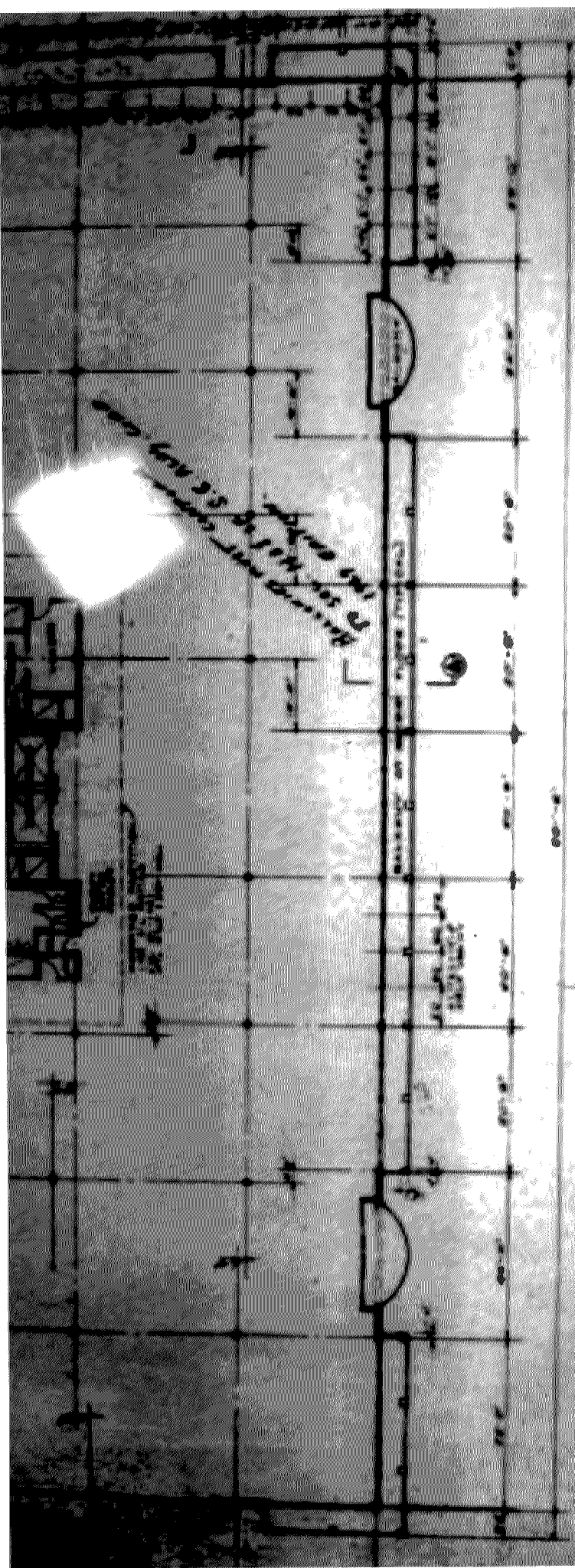
109 Roy Lucchetti
109 BARRY KEAN
217 K. ARGONBRIGHT
217 F "
406 J. SWAN
211 M. Gibbons
404 N. PRAY
407 E. BAIRD
411 A. FREE
PHA
401 B. PRICE
105 T. Williamson
110 T. Aycock

Kelly Churney

From: Barry Kean <barryakean@gmail.com>
Sent: Friday, March 10, 2023 3:28 PM
To: Kelly Churney
Subject: 125 Worth Avenue: Original Building Plans

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

>
> Dear Kelly,
>
> Terribly sorry to bother you again but would you kindly forward this email to the members of the Palm Beach Town Council.
>
> Thank you.
>
>
> Dear Palm Beach Town Council Members,
>
> The following are more copies of the original building plans for 125 Worth Avenue.
> As you can see, all plans refer to FIRST FLOOR, 2nd & 3rd FLOOR and PENTHOUSE....ABSOLUTELY no reference to a FOURTH FLOOR !
>
> Respectfully,
>
> Barry A. Kean
>
> 400 S. Ocean Blvd.
>
>
>
> 2nd & 3rd FLOOR PLAN



2nd & 3rd FLOOR PLAN

North

OFFICE BUILDING

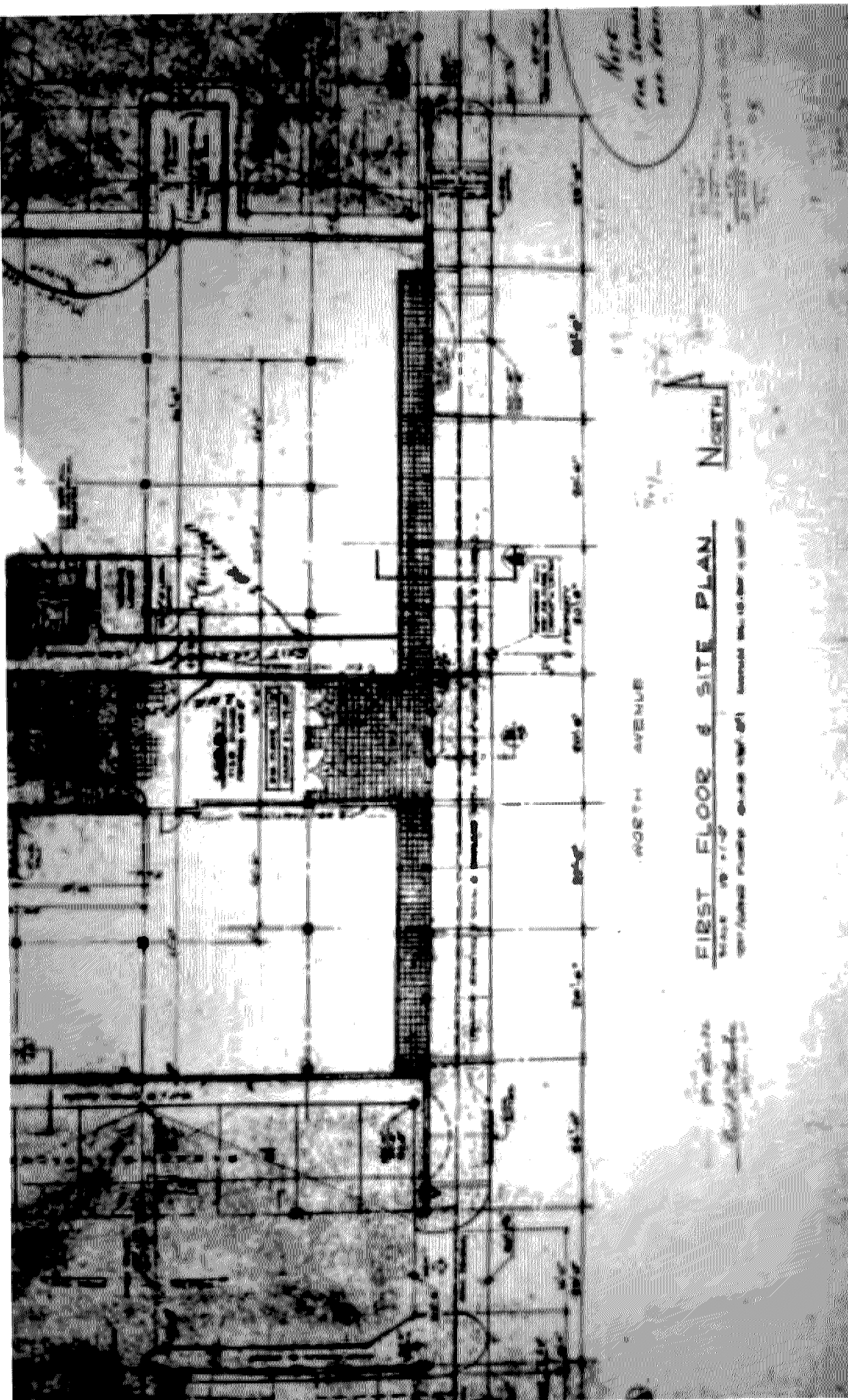
100 NORTH AVENUE

PALM BEACH, FLORIDA

ROBERT MICHAEL BOWMAN AIA
 100 NORTH AVENUE, SUITE 200
 WEST PALM BEACH, FLORIDA 33411
 (407) 833-1111

110

- >
- >
- > FIRST FLOOR & SITE PLAN



NORTH AVENUE

FIRST FLOOR & SITE PLAN

SCALE 1/8" = 1'-0"

NORTH

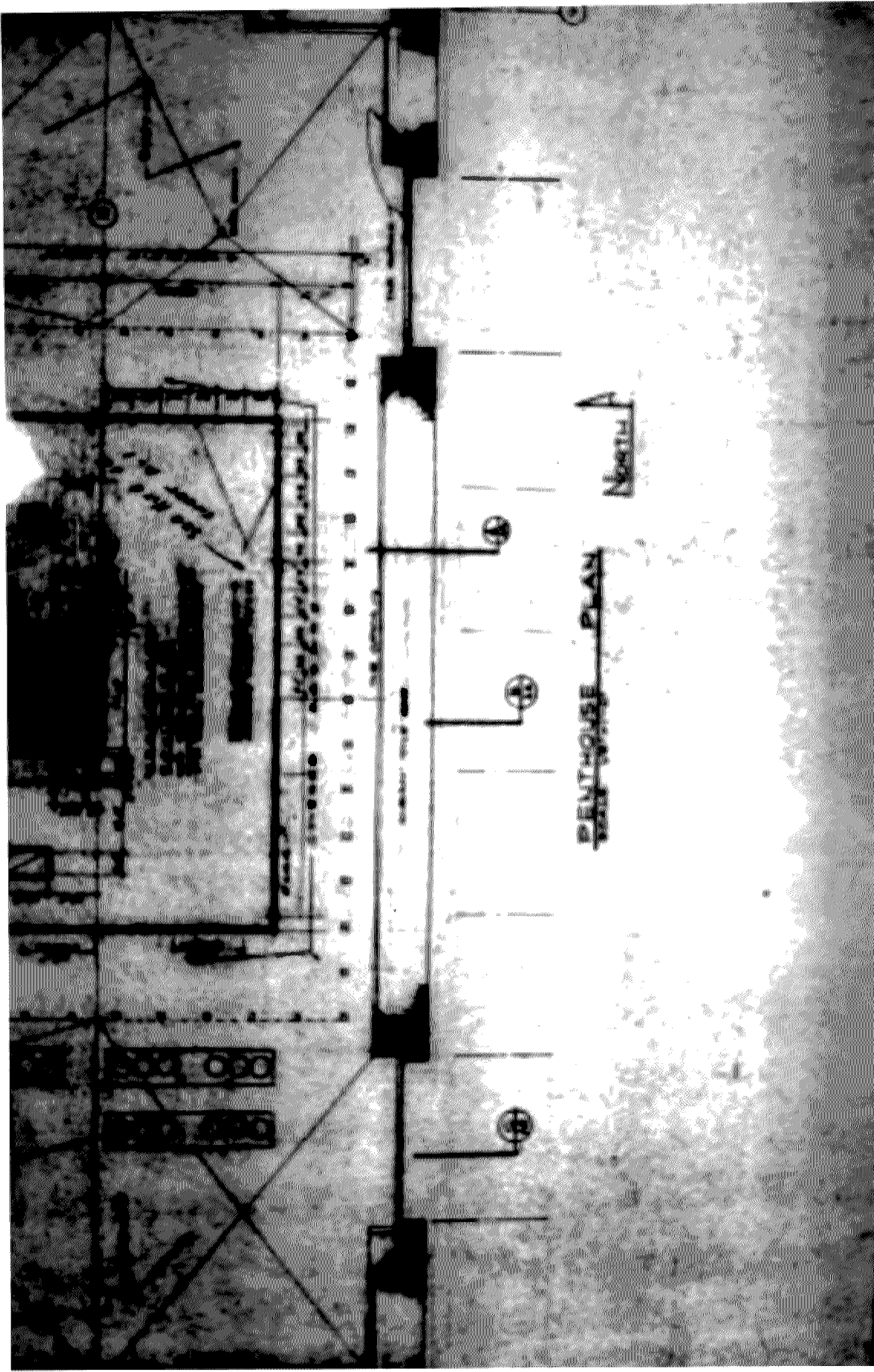
OFFICE BUILDING

100 NORTH AVENUE

PALM BEACH, FLORIDA

DESIGNED BY MICHAEL, MERRILL AND ASSOCIATES
 ARCHITECTS
 100 NORTH AVENUE, SUITE 100
 PALM BEACH, FLORIDA 33480
 PHONE 833-1111

- >
- >
- > PENTHOUSE PLAN



PENTHOUSE PLAN

North

OFFICE BUILDING

125 NORTH AVENUE

PALM BEACH, FLORIDA

ARCHITECT: J. M. HARRIS
 ENGINEER: J. M. HARRIS
 CONTRACTOR: J. M. HARRIS

Kelly Churney

From: Deborah Jones on behalf of Town Council
Sent: Friday, March 10, 2023 11:33 AM
Subject: FW: Chesterfield Hotel (Vineta Hotel)

Hello all,

Re: The Chesterfield Hotel

Please see letter below from Resident Caroline Geerlings.

Bcc: M&TC, Town Managers, Wayne, Antonette, Pat, Kelly

Sincerely,
Deborah Jones

Administrative Clerk
Town Manager's Office
Town of Palm Beach
360 South County Road
Palm Beach Fl. 33480
Direct: 561-227-6301
Main: 561-838-5410

-----Original Message-----

From: Caroline Geerlings <caroline.geerlings975@gmail.com>
Sent: Thursday, March 09, 2023 4:10 PM
To: Town Council <TCouncil@TownofPalmBeach.com>
Subject: Chesterfield Hotel (Vineta Hotel)

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

As a resident of midtown Palm Beach, I would like to lodge my objections to the proposed refurbishment of the Chesterfield Hotel.

It is my understanding that the new owners want to significantly increase the number of seats in their restaurant(s), bar and pool area.

This will increase traffic, noise, and disturbances to the local neighborhood far in excess of what was experienced when the Chesterfield was in operation.

Eventhough the guest room count is suppose to be decreased, the wishes of the new owners to increase the number of seats in the pool, bar and restaurant areas for public use of the hotel will have a significant effect on parking, valet services, noise etc.

Due to the residential aspects of the surrounding neighborhood, and the limited on-street parking, I would request that the hotel's public seating capacity is restricted to a more reasonable level and that they would be required to develop off-street parking for its hotel, restaurant, pool and bar guests as well as hotel staff. Having constant valet parking utilizing residential parking spaces detracts greatly from the enjoyment of the beautiful surrounding neighborhood and deprives neighbors of parking for themselves and their guests. In addition, the hotel must be a good neighbor and be in conformance with neighborhood practices, and commit to not disrupting the enjoyment of the residents in their own neighborhood, with trash, noise, smells and other type of typical commercial zone by products that are offensive. I would ask the Town Council to further define this with specifics.

Thank you for all your service to the lovely town of Palm Beach we call home. Your mission is to ensure enjoyment of it by its residents, ensuring safety and maintaining our way of life, while acknowledging that others come to visit to enjoy it as well. It is a constant balancing act and the residents much appreciate your time and commitment.

With kind regards,
Caroline Geerlings
300 South Ocean Boulevard,
Palm Beach, FL 33480

Sent from my iPad

Kelly Churney

From: Deborah Jones on behalf of Town Council
Sent: Friday, March 10, 2023 11:20 AM
Subject: FW: The Chesterfield (Vineta) Town Council Hearing – Wednesday, March 15th, 2023

Hello all,

Re: The Veneta Hotel / Old Chesterfield Hotel

Please see letter below from Elizabeth and Adolfo Garcia.

Bcc: M&TC, Town Managers, Wayne, Antonette, Pat, Kelly

*Sincerely,
Deborah Jones*

Administrative Clerk
Town Manager's Office



Town of Palm Beach
360 South County Road
Palm Beach Fl. 33480
Direct: 561-227-6301
Main: 561-838-5410

From: McKinley, Mae I. <MMcKinley@brownrudnick.com> **On Behalf Of** Garcia, Adolfo R.
Sent: Friday, March 10, 2023 10:14 AM
To: Town Council <TCouncil@TownofPalmBeach.com>
Cc: Garcia, Adolfo R. <AGarcia@brownrudnick.com>
Subject: The Chesterfield (Vineta) Town Council Hearing – Wednesday, March 15th, 2023

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Town Council,

We write in opposition to the expansion of seats at the old Chesterfield Hotel. We are opposed to the hotel not providing off-street parking. As neighbors who own property a block away and are already impacted negatively, we do not want to expand an existing nonconforming use. They are allowed 113 seats under their

current nonconforming use in a crowded residential neighborhood with difficult parking, especially on Friday and Saturday nights. They are looking to expand it to 196 approximately and the idea is that they should keep it as existing 113. The current load is more than enough.

We are also opposed to more noise in our neighborhood and increased traffic congestion. We are opposed to a nightclub destination. We do not need to expand and enlarge this attraction in Palm Beach and at this location. Keep Palm Beach for the benefit and enjoyment of its residents.

Sincerely,

Elizabeth and Adolfo Garcia
Park Place, Inc.
369 South Lake Drive, 1-D
Palm Beach, FL 33480
508-932-4211

brownrudnick

Adolfo R. Garcia
Partner

Brown Rudnick LLP
One Financial Center
Boston, MA 02111
T: 617.856.8321
F: 617.289.0430
M: 508.932.4211
agarcia@brownrudnick.com
www.brownrudnick.com

Please consider the environment before printing this e-mail

The information contained in this electronic message may be legally privileged and confidential under applicable law, and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination, copy or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify Brown Rudnick LLP, (617) 856-8200 (if dialing from outside the US, 001-(617)-856-8200) and purge the communication immediately without making any copy or distribution.

To the extent Brown Rudnick is a "controller" of the "personal data" (as each term is defined in the European General Data Protection Regulation (EU/2016/679) or in the UK's Data Protection Act 2018) you have provided to us in this and other communications between us, please see our privacy statement and summary [here](#) which sets out details of the controller, the personal data we have collected, the purposes for which we use it (including any legitimate interests on which we rely), the persons to whom we may transfer the data and when and how we intend to transfer it outside the European Economic Area.

Jennifer Ash Rudick
350 South Ocean Boulevard
Palm Beach, Fl.
33480

10, March 2023

Dear Palm Beach Mayor and Town Council Members,

We welcome the new Vineta Hotel management and hope that they will seek to fit into the town rather than to diminish the town's charm through variances and exceptions that will set a dangerous precedent for other Island hotels.

While it's hard to imagine what increasing the restaurant seats by 60 percent will bring to the community, it is easy to imagine how it will compromise the neighborhood. It will increase traffic in these already congested streets by 60 percent. Valets and clients from The Brazilian Court constantly circle the neighborhood looking for spots and afternoon bridge traffic is often backed up to Australian Avenue. More restaurant and bar seats beget more delivery trucks, and ultimately more trash (which hopefully will be handled inside the property and not on the residential street.) Furthermore, the guest entrance is on narrow Coconut Row with no turn-around so traffic will come to a standstill as 60 percent more people enter and exit.

We welcome new business owners to Palm Beach and we're sure that once they spend meaningful time in the community, they too will want to protect what attracted them to the island in the first place - a rare integration between residential and commercial. Please don't allow the scales to be tipped and compromise our neighborhoods. The businesses should be here to serve our residents, not vice versa.

Sincerely,

Jennifer Ash Rudick
350 South Ocean Boulevard (at Australian)
Palm Beach, Fl. 33480

D. DIXON BOARDMAN

March 7, 2023

Dear Honorable Mayor Moore and Town Council,

I am writing in support of The Vineta Hotel Zoning Application ZON-23-019.

As a long-standing resident of Palm Beach, I am looking forward to Oetker Collection opening a hotel in the neighborhood. I believe this will add value to our area.

We have stayed at other Oetker Collection (the operators) hotels around the globe, and we know that they pride themselves in world-class hospitality when it comes to hotel rooms, restaurants and the entire offering they present to both hotel guests and the local community. They are always respectful of their neighbors and pay attention to all historical elements involved in creating their hotels.

We also know the Reuben Family (the ultimate owners of the real estate) and have discussed with them their plans for The Vineta. They have made personal commitments to my family and me to assure us that the priorities of Palm Beach residents are taken into consideration, and have talked us through their planned offering on-site and their well thought-out plans in relation to traffic, parking and noise control.

I firmly believe the upgrades they are making at The Vineta are exactly what our community requires. We are therefore happy to confirm our support for this project. The Vineta, which we learned is actually the hotel's original name, will be a fantastic new place for Palm Beach family and friends to gather.

Sincerely,



DDB/kw

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

Nelson Peltz

March 8, 2023

Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

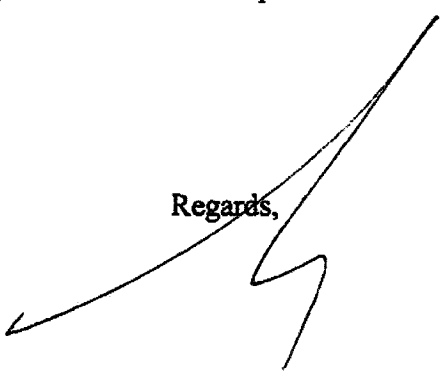
Dear Honorable Mayor Moore and Town Council:

I have owned a home in Palm Beach since 1988 and have known the Reubens for almost that long. They are close personal friends as well as business associates. I have found them to be both extremely honest and ethical.

The Oecker Collection is known to me both as a hotel and restaurant organization of the highest standards.

I look forward to the reopening of the Vineta and expect it to enhance the quality and choices in Palm Beach.

Regards,



Kelly Churney

From: Pat Gayle-Gordon
Sent: Friday, March 10, 2023 8:54 AM
To: Kelly Churney; Antonette Fabrizi
Subject: FW: The Chesterfield (Vineta) - 113 Seat Count Solution without Variance
Attachments: COA-23-002 (ZON-23-019) 363 COCOANUT ROW_PRESENTATION_DROP OFF_MAR23 (dragged) copy.pdf

From: John David Corey <johncorey84@gmail.com>
Sent: Friday, March 10, 2023 7:46 AM
To: Town Council <TCouncil@TownofPalmBeach.com>
Cc: Pat Gayle-Gordon <PGayle-Gordon@TownofPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>
Subject: The Chesterfield (Vineta) - 113 Seat Count Solution without Variance

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity *****

Dear Mayor and Town Council:

Please allow me to suggest how The Chesterfield (Vineta) Hotel could arrange the current 113 seat license within the proposed 1st floor plan that would allow the applicant full use of the space, rather than approving a controversial variance that has become a referendum on the direction of the town.

I have attached the applicant's proposed seat plan below and as you can see, the developer has proposed 66 seats in the old Leopard Lounge space and 33 seats in a new Lobby Lounge. Both fine. If the courtyard seats are approved under our outdoor Cafe Seating Ordinance 134-2106 (b)(1) "*Outdoor cafe seating is not allowed to increase the capacity of a restaurant*", then any seats desired to be outside are simply removed from the inside count like other restaurants in Palm Beach (e.g: Bricktops, Sant Ambroeus, etc.). That leaves the owner with 14 seats remaining (113-66-33=14) which could be used in the rear pool area for hotel guests only and similar to past conditions. The rear pool lounge is then eliminated entirely as that is not a pre-existing condition and is a clear expansion of a non-confirming use in the residential zoning district.

Two more points that I ask you to please keep in mind:

- 1) The Leopard Lounge opened at 5pm, so the Rotary Club lunches and afternoon English Tea events were not taking place simultaneously and therefore potentially never violated the 113 seat maximum allowed by license.
- 2) If the new owners want to maintain the nightclub license, that might disqualify them for outdoor Cafe Seating under the same ordinance but section (b)(2) "*Bars/lounges and nightclubs are not permitted to have outdoor cafe seating*". Alternatively, the nightclub license may have to be forfeited for any outdoor dining requests.

I hope my analysis is helpful and really shows a successful hotel operation with an accessory restaurant, bar/lounge, and outdoor courtyard seating without the need for an unsubstantiated variance and its associated negative community impacts. **#NoMoreSeats #113Max #ComprehensivePlan**

Thank you very much,
JDC

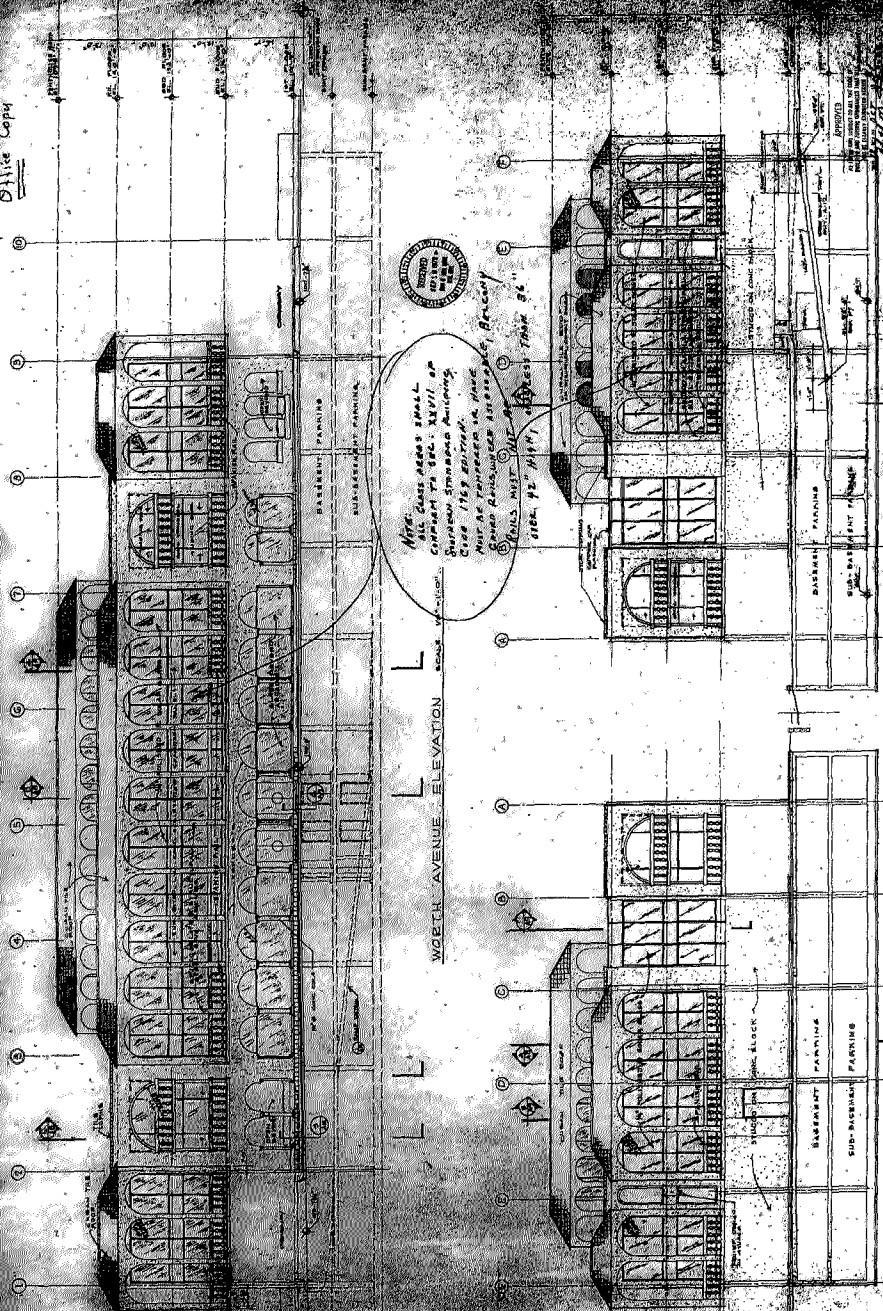
1 Proposed Sealing Plan
SCALE 1/8" = 1'-0"

SEATING CHART		SEATING	PROCESSED
NEEDS			
LOBBY LOANER		-	15
RESTAURANT		175	50
POOL LOANER (NEEDS)		-	24
TOTAL		175	109
COUNTERTOP			
POOL LOANER (COUNTERTOP)		-	44
TOTAL		-	50
TOTAL		175	209
PARKING CREDIT			
		REMAINING	REMAINING

134-2. Definitions and rules of construction.

Story means that portion of a building, other than an attic, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between such floor and the ceiling next above it. Habitable space, open patios, accessible roof decks not used exclusively for mechanical equipment, observation decks and/or similar areas located above the first or second story shall be considered a story for the purpose of this definition.

West Palm Beach Building Dept.
Office Copy



NOTE: GARDEN ALONG SPALL
CONCRETE TO BE LAYED UP
SOUTH SIDE OF BUILDING
CROSS 175' ELEVATION
NOT BE FORWARDED IN HAND
SEND BUILDING DEPARTMENT, BEACH
BUILDING DEPT. BEACH, FLA.
NOTE: 1/2" MIN. DRAIN TUBES 24"

WEST ELEVATION SCALE 1/4" = 1'-0"

EAST ELEVATION SCALE 1/4" = 1'-0"

OFFICE BUILDING
125 WORTH AVENUE
PALM BEACH, FLORIDA

ROBERT MICHAEL KOLAR, ARCHITECT
200 CLINTON STREET, SUITE 214
WEST PALM BEACH, FLORIDA
TELEPHONE 1000-1011

80 161