

The Law Offices of
BRETON, LYNCH, EUBANKS & SUAREZ-MURIAS, P.A.

Peter L. Breton
Francis X. J. Lynch
John R. Eubanks, Jr.
Marta M. Suarez-Murias
Robert J. Sniffen – Of Counsel
Jack Schramm Cox, Chartered – Of Counsel

www.blesmlaw.com
Sender's Direct Line: (561) 721-4002
E-Mail: jeubanks@blesmlaw.com

605 North Olive Avenue, 2nd Floor
West Palm Beach, FL 33401-4005
Phone: (561) 721-4000
Facsimile: (561) 721-4001

RECEIVED

January 8, 2017

2018 JAN 8 PM 2:12 TWN CLERK

Via Email

Honorable Gail Coniglio, Mayor, and
Town Council of Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

**Re: Zoning Case # Z-17-00020 - Continued Objection to Modified Application for
Special Exception (With Site Plan Review) to Change of Use of 264 and 270
South County Road to Private Club and for Special Exception for
Supplemental Off-Site Shared Parking**

Dear Mayor and Town Council:

As you know, our office represents John and Lory Volk, the owners of 206 Phipps Plaza, John and Pamela Schaefer, the owners of 240 S. County Road, Apt. 5, Katherine Bryan, the owner of 235 Phipps Plaza, and Bradley and Catharine Geist, the owners of 234 Phipps Plaza ("Neighboring Property Owners").¹ In that capacity we received on Friday additional documents regarding the Initial Application filed in June of 2017 and the Modified Application filed in October of 2017 (collectively "Application") submitted by Carriage House Properties Partners, LLC ("Carriage House" or "Applicant"). As you will recall, the Initial Application was for a Special Exception and Site Plan Review seeking to change the use of the property located at 264 and 270 South County Road ("Property") from an abandoned restaurant, retail space, and apartments to a new use as a private club ("Club"). The Modified Application sought a second Special Exception for Supplemental Off-Site Shared Parking under Section 134-2182(c) of the Town Code, to be located at 230 Royal Palm Way.

As detailed below, the most recent documents further confirm a series of fatal deficiencies in the Application, as well as the significant negative impact approval of this Project will have on the historic Phipps Plaza neighborhood. As a result, the Neighboring Property Owners would urge the Town Council to deny the Application.

Continued Lack of Parking – There simply is no escaping the fact that there are not enough physical parking spaces in the immediate area to support the Application. The proposed Club represents a huge intensification of use of the Property. At the same time, the Property has no off-street parking at all, and at best there are only fourteen (14) two (2) hour parking spaces within Phipps Plaza available during the day. This lack of parking is wholly insufficient to support the 118 seats requested for the lunchtime operation of the Club. As a result, even the

¹ Rather than repeating each and every one of the arguments contained therein, the Neighboring Property Owners hereby incorporate by reference herein, their prior communications, including correspondence, emails or otherwise to the Mayor, Town Council, Town Attorney and Staff regarding Zoning Case # Z-17-00020.

Town's own Civil Engineer, Chuck Langley, indicated in the most recent January 4, 2018 Development Review Committee notes² that, "***I do not agree that there is sufficient on street parking to handle the lunch time demand nor are there any lunch time valet zones.***" There is no doubt that it will be the Neighboring Property Owners who will bear the brunt of the reality of the lack of parking.

Continued Improper Reliance on the Principle of Equivalency – To get around the lack of parking, the Applicant continues to use the Principle of Equivalency to essentially count "phantom parking spaces" which do not exist in order to meet the Town's parking requirements. As detailed in our office's prior correspondence, the Principle of Equivalency does not apply given that it only applies to "evaluating ***off-street parking in existing uses***" while here: a) ***there is no existing use for the 264 Property*** as its prior restaurant use was admittedly abandoned years ago and the property sold two times in the interim; and b) even if there was an "existing use" at the 264 Property, there is no an inventory of existing "off-street parking" spaces available to draw from, as the 264 Property has never had any off-street parking. As a result, the Principle of Equivalency cannot apply. Nevertheless, the updated "Carriage House Club Fact Sheet"³ from American Consultants dated December 12, 2017 indicates that the 264 Property "***inherited 62 parking spaces***" which is "***based on existing use***" and improperly includes two variances and special exceptions which (as previously demonstrated) were specifically granted solely to the prior lessee and operator of the 264 Property and did not run with the property. (emphasis added) Any such attempt to use the Principle of Equivalency and/or the prior variances and special exceptions to support the Application is improper.

Continued Failure to Meet County Traffic Performance Standards for Concurrency– The Palm Beach County Code ***prohibits a municipality from issuing*** any "Site Specific Development Order," including ***a special exception***, unless the applicant submits evidence that the proposed project conforms to the Palm Beach County Traffic Performance Standards ("TPS") necessary to demonstrate traffic concurrency. Therefore, as confirmed by Staff at last month's meeting Town Council meeting, the Application cannot be approved in the absence of a TPS letter demonstrating concurrency. In spite of this, the Applicant has again failed to meet such standards. While the Applicant has submitted a new TPS Review letter to the Town from the County dated January 3, 2018 ("Revised TPS Letter")⁴, on its face, the Revised TPS letter is deficient given that: a) it does not include any reference, much less the study and confirmation of compliance for the separate request for a ***second*** Special Exception for Supplemental Off-Site Shared Parking to be located at 230 Royal Palm Way;⁵ and b) the letter is inconsistent with the Kimley-Horn & Associates ("Kimley-Horn") Traffic Impact Analysis dated October 27, 2017 which the County references as being relied upon.⁶ As such, the County has performed no study

² A copy of the most recent updated Development Review Committee Notes are attached hereto as Exhibit "A."

³ A copy of American Consulting's "Carriage House Club Fact Sheet" is attached hereto as Exhibit "B."

⁴ A copy of the January 3, 2018 TPS letter is attached hereto as Exhibit "C."

⁵ For example, the Revised TPS Letter: a) makes no reference at all to the Supplemental Off-Site Shared Parking; b) does not include the Parcel Control Number for 230 Royal Palm Way as a property reviewed; and c) does not address the issues in the Kimley-Horn November 29, 2017 letter regarding valet parking. Instead, the Revised TPS Letter relies solely on the Kimley-Horn traffic Analysis dated October 27, 2017 which does not include any analysis of the traffic to and from 230 Royal Palm Way as part of the proposed valet operations.

⁶ For example, the County: a) Identifies "New Daily Trips" as 67 while the Kimley-Horn letter shows 410 trips; b) the County shows "New Peak Hour Trips AM" as -4 while the Kimley-Horn Report shows 0 trips; and c) the

or analysis on the effect on traffic of the proposed valet operations. In addition, as reflected on page 2 of the American Consulting Carriage House Club Fact Sheet, "There are 32 northbound left-turning vehicles on South County Road in the proposed club during the PM peak." "This would call in for a left-turn lane according to Section 300 – Driveway and Other Turnouts of Palm Beach County Land Development Design Standards Manual." Therefore, "[t]he applicant will need to apply for a variation from the County." No such application has been submitted by the Applicant. As such, the Applications do not meet the County TPS standards and must be denied.

Continued Failure to Obtain FDOT Lease and Approval - As detailed previously, in order to operate the proposed valet stations in the loading areas, the Applicant would be required to obtain a lease from the Florida Department of Transportation ("FDOT"), but had not applied for any such lease. This requirement has since been confirmed by the Town's Consultant in its Carriage House Club Fact Sheet that "to introduce Valet services, **the Applicant will need to get FDOT to agree to enter into a lease for valet operation.**"⁷ (emphasis added) Furthermore, in order to have the valet drop off and pick up on separate sides of the Street, the Applicant **would be required to install a crosswalk.** "However, the location of the proposed crosswalk is dependent on the approval of FDOT based on a safety perspective." To date, however, communications from the FDOT to Ms. Volk indicate that the **Applicant has not yet even applied for a lease or a crosswalk.**⁸

Continued Inclusion of Property Not Zoned for Club Use - 238 Phipps Plaza – As previously demonstrated, the Application necessarily relied upon and included the use of a portion of 238 Phipps Plaza as part of the Club, despite the fact that 238 Phipps Plaza is located in Zoning District R-C in which a Club is not permitted. Despite the representation by the Applicant's counsel that the Application did not (and would not) include any use of the property at 238 Phipps Plaza (which is owned by a separate entity related to the Applicant) the surveys provided to the Town demonstrate such a statement is not true. Instead, as demonstrated within Composite Exhibit "E" attached hereto, the Application continues to propose the enclosure of a portion of 238 Phipps Plaza property for use as part of the Club's courtyard, and further uses the 238 Phipps Plaza property for its dedicated "trash route" for the Club.

Continued Deficiencies in Town Serving Report - As previously noted, the Applicant's "Town Serving Report" does not meet the requirements of Section 134-229(12) of the Town Code which requires that "**not less than 50 percent of the customers** of the proposed use **will be town persons.**" Despite previously identifying the failure to meet such requirements, the Applicant has chosen not to submit any further information, but instead merely represents that 50% of the **proposed members** of the Club will be "town persons." Again, such a representation does not equate to whether "**50 percent of the customers of the proposed use** will be town persons." (emphasis added). The Applicant has also failed to address whether only members will be able to

County identifies "New Peak Hour Trips PM." as 7 while the Kimley-Horn Report shows 28 trips. Absent a justification of such inconsistent figures, the Revised TPS Letter cannot be relied upon.

⁷ American Consulting has also further confirmed that "**A lease with FDOT for valet operations is also required** and will in all likelihood is dependent upon approval of the crosswalk." (emphasis added). Exhibit B, p.1.

⁸ Copies of the most recent e-mails from the FDOT to Ms. Volk are attached hereto as Composite Exhibit "D."

utilize the proposed Club or whether friends, relatives, and business acquaintances from off the island may also use its services. In the January 4, 2018 Development Review Committee Report, Mr. Castro states that ***“I also do not believe the applicant has demonstrated how the Club will be Town-serving in the submitted ‘Town-serving Report’*** and that “[f]urther detail should be provided to the Town Council.” See, Exhibit “A”, p. 2 (emphasis added). The Application cannot be approved absent a sufficient Town Serving Report.

Continued Failure to Meet ADA Standards – While the Applicant has indicated that it will meet the required ADA and state standards under Chapter 553 for handicapped access within the refurbished 264 and 270 Property, it continues to fail to provide any ADA accessible parking spaces during the time period in which its valet operations will be in effect. As previously noted, to the extent a place of public accommodation (which specifically includes a private club in Florida) has valet parking, it must provide sufficient handicapped parking. In this case, the operation of the Club via a valet operation will require at least four (4) handicapped parking spaces and one (1) van space which are not being provided under the Application.

Improper Reliance on Faulty “Logistics Plan” on Town Property– Within its Application, Carriage House has set forth a “Logistics” Plan by Hedrick Brothers (Exhibit “F”) which proposes to close the east bound lane and exit to Phipps Plaza to allow the roadway itself to be used as a “staging area for the project” which would be closed off by a construction fence and gate. In place of the east bound lane, the Applicant seeks to create a “temporary road” across the grass and through the Town’s greenspace with flagmen to direct traffic onto and deliveries off of South County Road. Outside of the further havoc to South County Road traffic, those familiar with the public park within Phipps Park know that merely creating such a construction area and temporary road would require the extensive trimming or removal of several large trees as well as decimate the eastern portion of the park grass. Furthermore, any such proposal would be an unprecedented use of the Town’s public roads and green space for the benefit of a private operation. To add insult to injury, the Applicant proposes to impose this “temporary” situation on the Neighboring Property Owners and residents of Phipps Plaza during ***“the 12-18 month construction schedule*** for 264 and 270 S. County Rd.” which will no doubt end up extended. (emphasis added) In the most recent Development Review Committee Report, while Mr. Page raised concerns over the “proposal,” Mr. Castro clearly indicated that ***“the Department does not recommend this plan.”*** (emphasis added). See, Exhibit “A,” p. 2.

Failure to Meet Standards for Special Exception - In light of all of above deficiencies, the Application fails to meet the standards for the granting of a Special Exception of the proposed change in use of the Property to a Club under Section 134-229 of the Town’s own Code given that: a) there remain significant safety issues surrounding the proposed use including, but not limited to, the proposed valet operation and required cross-walk, in violation of subsections (2) and (8)⁹; b) the use will cause substantial injury to the value of other property in the

⁹ See, Exhibit “A”, p.2 (comments by Paul Castro “the proposed valet operation ***does not appear to be safe,***” and that drop offs and pick ups on separate sides of the street will require a cross-walk that ***“could result in a dangerous situation.”***)(emphasis added). See, also Exhibit “B” by American Consulting indicating that “the location of the proposed crosswalk is dependent upon the approval of FDOT ***based on a safety perspective.***” (emphasis added)

neighborhood, in violation of subsection (3)¹⁰; c) there is no adequate ingress and egress and off-street parking and loading areas (especially during daytime operations) which promote pedestrian safety, traffic flow and access in violation of subsection (8); d) the use as a club which stays open until 2:00 a.m. is not compatible with the adjoining residential development in violation of subsection (4) especially in light of the Applicant's continued use of a portion of the residential property located at 238 Phipps Plaza as part of the Club; e) the use does not comply with the yard and open space requirements in violation of subsection (5); f) the refuse and service areas adversely affect automotive and pedestrian safety in violation of subsection (11); and g) the Applicant continues to fail to provide the Town with a sufficient Town Serving Report in violation of subsection (12). Similarly, the Application fails to meet the standards of a Site Plan Review under Section 134-329 of the Town Code including: a) subsection (2) as to the intensity of use and proposed development in relation to the adjacent and nearby properties and the effect thereon; b) subsection (3) regarding ingress, egress and automotive and pedestrian safety, traffic flow and control and refuse collection; and c) (4) regarding the location and relationship of off-street parking loading in respect to auto and pedestrian safety and traffic flow. Finally, the Applicant has failed to meet the requirements of Section 134-2182 for Supplemental Off-Street Parking¹¹ in that: a) the Application is clearly being **utilized to expand, enlarge or intensify a proposed use, or the development or redevelopment of a property** or structure in violation of subsection (2); and b) the supplemental off-site shared parking use will result in and increase noise, light or traffic impacts upon neighboring residential districts. In light of the failure to meet the required standards under the Town Code, the Application must be denied.

Negative Impact to Surrounding Landmarked Neighborhood– Even if the Town Council could overlook all of the above (which it cannot), the Modified Application should not go forward, much less be approved, due to the overwhelming adverse consequences on the residential Neighboring Property Owners. Phipps Plaza, which was landmarked as part of the Phipps Plaza Historic District in 1982,¹² is a unique enclave of residential properties nestled behind a façade of commercial (mostly retail) buildings. It simply is not designed to handle the increase in intensity of use of a private Club with over two times the number of seats of the prior operation at 264, The Grill, and the traffic which would come from the proposed Club. With clearly inadequate parking, Club members will either use up the supply of public, on-street parking spaces, during the day, to the detriment of other businesses and residents, or they (and/or

¹⁰ See, Exhibit "A" (Mr. Castro's statement that "Staff, however, continues to believe that an operation of a private club of this magnitude in the area **will be a negative impact to the surrounding properties.**") (emphasis added).

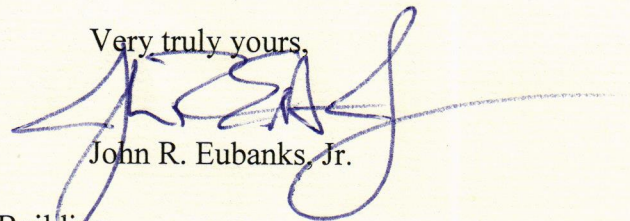
¹¹ In fact, the Applicant legally cannot even be permitted to utilize Section 134-2182(c) at all. Section 134-2182(c) indicates that only "[a] **commercial use** may make available to **another existing commercial use** the former's required or supplemental parking spaces for use by patrons or employees if the following conditions are met." The Applicant, however, argued in order to avoid completing "Exhibit D - Parking Statement" in its Application that such provisions are not applicable as "**a private club is not a commercial use per the definition of the code below as set forth in Section 134-1.**" (emphasis added). As such, if a private club is not a "commercial use" by definition under Section 134-1, then by definition, the Applicant cannot participate in Supplemental Off-Street Parking under Section 134-2182(c) which is only available from a "**commercial use**" to "**another existing commercial use.**" Moreover, clearly the private Club would not be "**an existing commercial use**" as it has not been approved, and there is no existing use of the abandoned former restaurant at the 264 Property. Therefore, the Application should be denied.

¹² Shockingly, as reflected in the updated Development Review Committee Report (see, Exhibit "A", p. 2), Mr. Lindgren, the Planning Administrator – Project Manager for landmarked properties indicated not once, but twice that "**I have no comment regarding this project,**" despite the negative impact to the surrounding Historic District.

their guests) will grow tired of circling the block and usurp the permit-only spaces in Phipps Plaza. Although the garbage from the proposed Club (including food waste from its restaurant and bar) will allegedly be held in a "state of the art" room, eventually it will be dumped on the doorstep of Phipps Plaza residential property owners.

It is the Neighboring Property Owners who will bear the brunt of the noise, odors and light from the proposed 264 seat Club which will be open on the weekends until 2:00 a.m., which will only increase in use during "special events." As such, there will be no relief for the Neighboring Property Owners from the constant press of third parties from outside the Phipps Plaza community being ever present in the small neighborhood. As a result, the Neighboring Property Owners again request that you deny the Applicant's request

Very truly yours,

A handwritten signature in blue ink, appearing to read "JRE", with a long horizontal line extending to the right.

John R. Eubanks, Jr.

cc: John Page, Director of Planning, Zoning and Building
Paul Castro, Zoning Administrator
John C. "Skip" Randolph, Esq.
Town Clerk, Town of Palm Beach (via Email & Hand Delivery)



PLANNING, ZONING AND BUILDING DEPARTMENT

Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 6/29/17

APPLICATION NO.: Z-17-00020 **APPLICATION TYPE:** SPECIAL EXCEPTION WITH SITE PLAN REVIEW

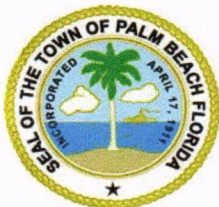
ADDRESS: 264 S COUNTY RD SUITE: SITE

DESCRIPTION:

PLEASE NOTE: THIS PROJECT ENCOMPASSES BOTH 264 & 270 S COUNTY RD.

1. A request for a special exception with site plan review approval to allow a private club "Carriage House" to operate at 264 and 270 South County Road in the CT-TS Zoning District. The Club will have a membership cap of 264 members based on the principal of equivalency for parking requirements. Lunch seating will be limited to 118 seats, which is the same number of seats 264 Grill restaurant had. The Club is proposing the following hours of operation: Sunday through Wednesday 11:00 a.m. to 12:00 midnight; Thursday through Saturday 11:00 a.m. to 2:00 a.m.
2. A request for a special exception to provide 68 night-time (after 5pm) supplemental off-site shared parking spaces at 230 Royal Palm Way to be used by employees and/or the valet operation for the Carriage House.

DEPARTMENT	NAME/TITLE	DATE	COMMENT
BUILDING OFFICIAL	William Bucklew, Building Official	7/14/2017	No Comment.
		1/4/2018	All Interior renovations must comply with Florida Accessibility Code and ADA.
FIRE RESCUE DEPARTMENT	Martin DeLoach, Fire Marshal	7/14/2017	Proposal shows an increase in occupancy with tables. We need a life safety plan with exit corridors and travel distance. Parking concerns for Emergency Vehicle access.
		8/29/2017	I am concerned about the logic that each vehicle will have 4 occupants; I believe that we will see single occupancy vehicles and couples. It would take all spaces available to handle the proposed club attendees during large events. Will all available spaces be open?
PUBLIC WORKS DEPARTMENT	Chuck Langley, Civil Engineer	1/4/2018	I do not agree that there is sufficient on street parking to handle the lunch time demand nor are there any lunch time valet zones. The applicant will need to meet the warrants requirements for and apply to the Florida Department of Transportation (FDOT) for a mid-block crossing on S. County Road, an FDOT maintained roadway. Please be advised, the close proximity of the signalized intersection of Royal Palm Way most likely takes away the grounds for the proposed crosswalk. Please see previous comments.
		7/14/2017	No Comment.
POLICE DEPARTMENT	Benjamin Alma, Code Enforcement and Parking Manager	1/4/2018	A minimum of six to eight valets may be required daily for evening operations. For lunch operations, 2 to 3 valets may be needed. Valets may need wear some sort of high visibility identifier, as this is a high traffic area. Parking for all staff/employees/subcontracted staff/employees should be identified and submitted as part of the parking/traffic plan. Valet stand-location to be approved by the Town
		7/14/2017	Conversion of "restaurant" to "club" equals intensification of use. Absence of off-street parking will create constant traffic circulation problems. Applicant must produce traffic concurrency documentation, acceptable to the Town, attesting to the adequacy of parking and traffic circulation.
PZB DIRECTOR	John Page, Director, Planning, Zoning & Building	1/4/2018	Is a temporary road planned to facilitate Club renovation? If so, does the temporary road interfere with the greenspace in Phipps Plaza? If so, details must be provided to the satisfaction of the Town Council.



PLANNING, ZONING AND BUILDING DEPARTMENT

Town of Palm Beach
360 S County Rd
Palm Beach, FL 33480

DEVELOPMENT REVIEW COMMITTEE REPORT

DRC MEETING: 6/29/17

PZB - PLANNING AND ARCHITECTURAL REVIEW	John Lindgren, Planning Administrator-Project Manager	7/14/2017	I have no comment regarding this project.
		1/4/2018	I have no comment regarding this project.
PZB - ZONING	Paul Castro, Zoning Administrator	7/14/2017	The principle of equivalency calculations are incorrect. The applicant cannot use previously granted relief for a different land use in its calculations. The application also is also deficient as there is no reference to who the representative of "Carriage House" is on the applicant line. I believe there will be significant negative impacts to South County Road in that area and Phipps Plaza. There is absolutely no off-street parking for this use and assembly of club members for events will increase parking demand in that area. Staff will be requiring concurrency and a parking and traffic circulation study by the Town's consultant as part of the Town's review of the application. In addition, Exhibit C of the application related to the Parking Statement is not completed. The application requires a detailed parking statement, which includes details of all available off-street parking. There is no information regarding the number of employees per shift nor any indication where employees would park. The attorney wrote "N/A", not applicable. See memorandums from American Consulting Engineers of Florida regarding parking and traffic circulation and traffic concurrency (attached).
		1/4/2018	The proposed valet operation does not appear to be safe. To date, the Town has not received any indication from the Florida Department of Transportation that they would approve the proposed crosswalk and valet stands for the proposed Club. The proposed new valet drop off on the east side of South County Road requires that members and guests visiting the Club at night cross that busy street at night. This could result in a dangerous situation. The proposed four valet people for the Club may not be adequate. If approved, the applicant should provide more valets and should be required to adjust the valet operation if not functioning in a timely or safe way. In addition, none of the Club operation can spill over into the residential zoning district directly to the west of the proposed Club. If the Club is approved by the Council, an additional condition should be added that none of the off-street parking related to the Club be allowed in any surrounding parking lot areas unless approved by special exception by the Town Council. I also do not believe the applicant has demonstrated how the Club will be Town-serving in the submitted "Town-serving Report." Further detail should be provided to the Town Council..
			The draft conditions of approval in the Staff memorandum are a starting point if the Council so chooses to consider approving the application. Staff, however, continues to believe that an operation of a private club of this magnitude in this area will be a negative impact to the surrounding properties.
			Lastly, the proposed staging and logistic plan calls for staging of construction equipment and material in Phipps Plaza South Drive and rerouting traffic through the Town park. This Department does not recommend this plan.
TOWN MANAGER	Jay Boodheshwar, Deputy Town Manager	7/14/2017	No Comment.

Date: December 12, 2017

Carriage House Club Fact Sheet

- **Traffic concurrency is met per Town of Palm Beach standards.** This is based on the final traffic impact statement dated October 27, 2017 prepared in response to comments from September 1, 2017. Final approval letter sent to the Town on November 20, 2017.
- **Palm Beach County had previously approved the Traffic Impact Statement.** The original statement was approved by the County, dated May 24, 2017 with a revision date of June 15, 2017. However, since then there have been several updates to the document. **The standards for the County and the Town are similar; however the applicant needs to resubmit the revised document to the county for their review and possible approval.**
- **The proposed Carriage House Club will be allowed to inherit 62 parking spaces.** According to the Town of Palm Beach staff's review, the proposed club will be allowed to inherit 62 parking spaces and not 66 spaces. We concur. The calculations for 62 parking spaces based on existing use, includes an additional 14 seats = 4 spaces for the quality restaurant, not a club, that were granted by variance in 1995 and also includes 2,101 square feet of retail instead of 1,888 square feet.
- **During the noon hour the proposed Carriage House Club would restrict their facility to 118 seats. The parking requirement based on seating would compute to 39 spaces of which they have 62 inherited parking spaces, thus parking requirements would be met if the facility was treated as a restaurant.** During lunch time the applicant has proposed to restrict the use of the club to 118 seats. According to Town of Palm Beach Ordinances related to restaurant operations, lunch time parking requirement is 39 which is less than 62, the number of parking spaces the applicant can inherit. A detailed floor plan to ensure compliancy ought to be provided to the city.
- **During the dinner hour the proposed Carriage House Club will not restrict seating. The current plan calls for 278 seats and 264 members. Based on the 62 inherited parking spaces, the maximum number of members for a club classification would be 4 members per space, or 248 members, 18 members less than proposed.**
- **The applicant has applied for a Special Exception for Supplemental Off-Site Parking at 230 Royal Palm Way which has 68 parking spaces.** The applicant has applied for a Special Exception for Supplemental Off-Site Parking at 230 Royal Palm Way in October 2017 which has 68 parking spaces. **We estimate eight (8) on-street parking spaces will be removed for Valet drop off and pick up. To introduce Valet services, the Applicant will need to get FDOT to agree to enter into a lease for valet operations.**
- **The location of the crosswalk to service valet operations has been optimized based on the proposed valet drop off and pick up locations. However, the location of the proposed crosswalk is dependent on the approval of FDOT based on a safety perspective. A lease with FDOT for valet operations is also required and will in all likelihood is dependent upon approval of the crosswalk.**

"A Culture of Professional Excellence"

EXHIBIT "B"

- ***There are 32 northbound left-turning vehicles on South County Road into the proposed club during the PM peak. This would call in for a left-turn lane according to Section 300 – Driveway and Other Turnouts of Palm Beach County Land Development Design Standards Manual.*** Turn Lane Requirement: There are 32 northbound (in) peak left-turning volume into the proposed club during the PM peak. This would call in for a left-turn lane according to Section 300 – Driveway and Other Turnouts of Palm Beach County Land Development Design Standards Manual. However, as indicated by Kimley Horne, due to the urban nature of South County Road and insufficient right-of-way, a northbound left-turn lane is not recommended at Phipps Plaza and South County Road. ***The applicant will need to apply for a variation from the County.***
- ***The applicant did not address delivery services as part of the proposed private club and how this will be handled including any possible hourly restrictions.***
- ***The applicant did not address special events as a part of the proposed private club and how will the parking requirement be handled.***
- ***The applicant did not address employee parking during the day as a part of the proposed private club and how this will be handled to avoid taking up the limited amount of street parking for long periods of the day.*** The parking memo from Kimley Horn dated Nov 29, 2017 states that the 68 off street parking spaces at 230 Royal Palm Way will be available to be utilized by employees, patrons, and valet services of the club after 5PM. ***Accommodation for employees working prior to 5 pm have not be addressed in the application***



January 3, 2018

**Department of Engineering
and Public Works**

P.O. Box 21229

West Palm Beach, FL 33416-1229

(561) 684-4000

FAX: (561) 684-4050

www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Melissa McKinlay, Mayor

Mack Bernard, Vice Mayor

Hal R. Valeche

Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baker

Mr. Paul Castro
Zoning Administrator
Town of Palm Beach
P.O. Box 2029
Palm Beach, FL 33480

**RE: Carriage House/264 Grill
Project #: 170510
Traffic Performance Standards Review**

Dear Mr. Castro:

The Palm Beach County Traffic Division has reviewed the **Carriage House/264 Grill** Traffic Impact Analysis, Revised October 27, 2017, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Town of Palm Beach
Location:	North of Royal Palm Way and West of S County Road
PCN #:	50-43-43-22-10-000-0110; 0120
Access:	Two-hour public parking along Phipps Plaza and on street parking along east side of S County Road
Existing Uses:	2 DU Apartment; 118 Seat Quality Restaurant and 3,039 SF General Commercial
Proposed Uses:	278 Seat Quality Restaurant
New Daily Trips:	67
New Peak Hour Trips:	4 (-1/-3) AM; 7 (7/0) PM
Build-out:	December 31, 2022

Based on our review, the Traffic Division has determined the proposed development does not have significant peak hour traffic impact (as defined in PBC TPS) on the roadway network and, therefore, meets the Traffic Performance Standards of Palm Beach County.

Please note the receipt of a Traffic Performance Standards (TPS) approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the Town after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

"An Equal Opportunity
Affirmative Action Employer"



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EXHIBIT "C"



Mr. Paul Castro
January 3, 2018
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It is suggested that consultants request a conceptual review meeting with the staff of Palm Beach County when driveway connections are proposed to a Palm Beach County-owned ROW prior to the submittal of a proposed site plan to the Town.

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email QBari@pbcgov.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Quazi Bari".

Quazi Bari, P.E.
Senior Professional Engineer
Traffic Division

QB:DS/bc

cc: Adam B. Kerr, P.E., Transportation Engineer, Kimley-Horn and Associates, Inc.
Dominique Simeus, E.I., Project Coordinator II, Traffic Division
Steve Bohovsky, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
N:\TRAFFIC\DS\MUNICIPALITIES\APPROVALS\2018\170510 - CARRIAGE HOUSE-264 GRILL.DOC

From: "Marwood, Daniel" <Dan.Marwood@dot.state.fl.us>

Date: January 3, 2018 at 3:17:46 PM EST

To: Lory Volk <volklory@aol.com>

Subject: RE: Information to PLEASE be considered when reviewing for a crosswalk & RRofW least agreement for 2 Valet stands and loading zone by Carriage House at 264 So. County Rd. Palm Beach, FL 33480.

Good afternoon Lory,

It was a pleasure speaking with you today regarding the Carriage House development. Per our conversation, I would like to state that the Carriage House has not submitted any request or application to lease any property from the FDOT, including use for valet operations, as of this moment.

Should you have any further questions, please do not hesitate to call.

Thank you,

Dan Marwood

Property Management Administrator

Florida Department of Transportation

3400 West Commercial Boulevard

Fort Lauderdale, FL 33309

Phone: (954)-777-4238

Dan.Marwood@dot.state.fl.us

COMPOSITE
EXHIBIT "D"

From: "Miller, Thomas" <Thomas.Miller@dot.state.fl.us>

Date: January 5, 2018 at 1:56:14 PM EST

To: Lory Volk <volklory@aol.com>

Cc: "Xie, Yujing" <Yujing.Xie@dot.state.fl.us>

Subject: RE: Information to PLEASE be considered when reviewing for a crosswalk & RRofW least agreement for 2 Valet stands and loading zone by Carriage House at 264 So. County Rd. Palm Beach, FL 33480.

Good Afternoon Ms. Volk,

There is not an application for requesting a crosswalk. We are currently reviewing the request.

Thanks,

Thomas Miller

District IV Bike/Pedestrian Safety Program Specialist

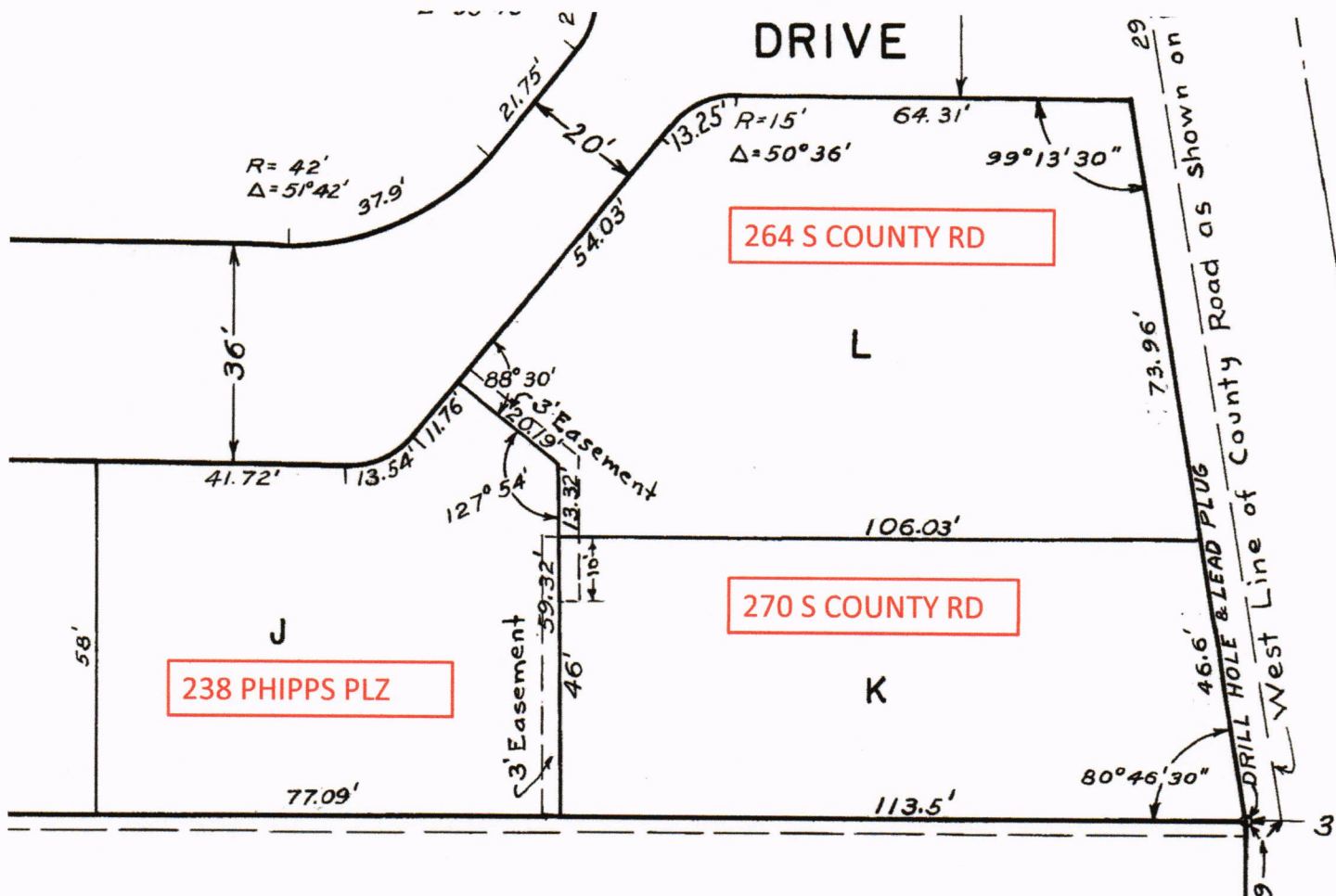
Florida Department of Transportation

3400 West Commercial Boulevard

Fort Lauderdale, Florida 33309

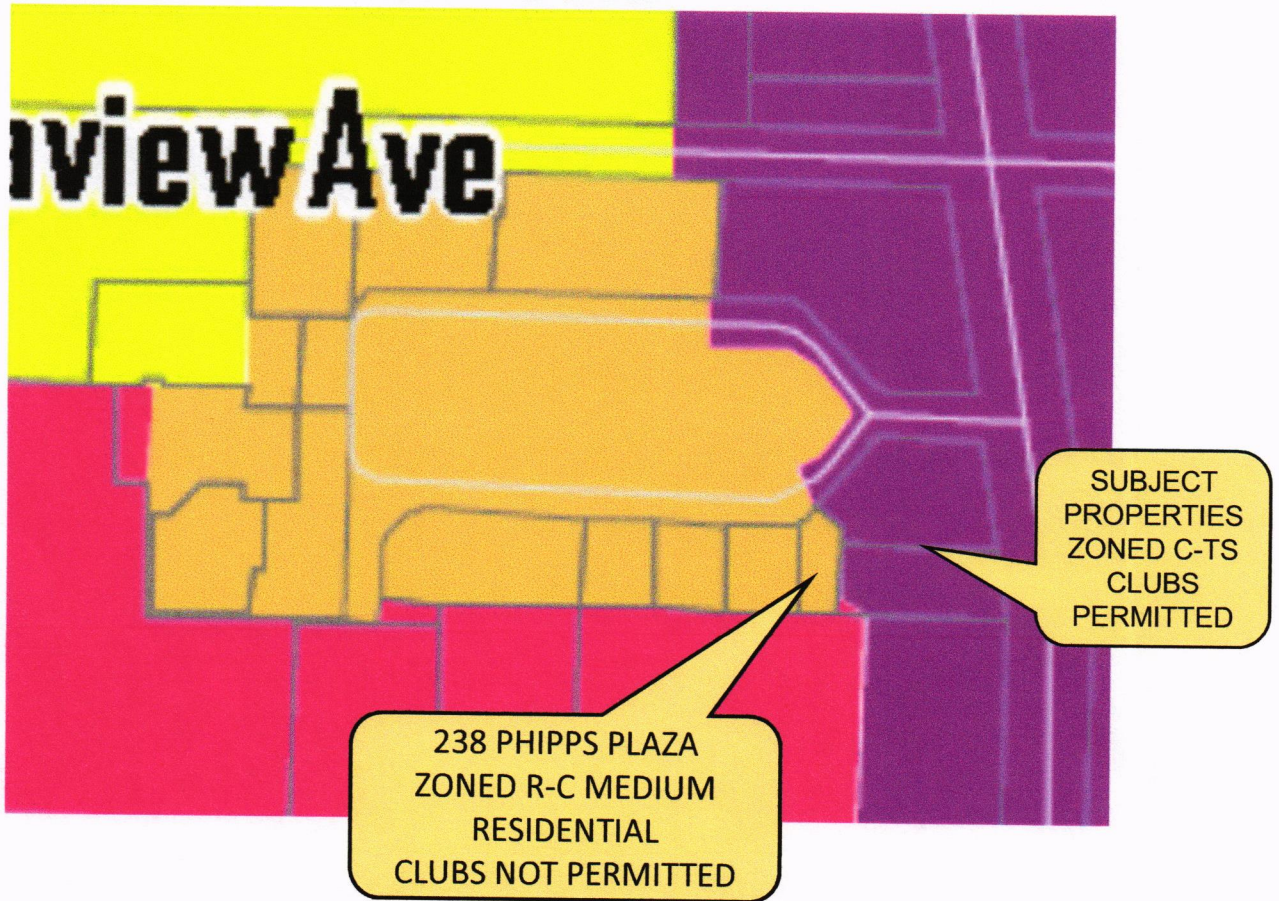
Phone: (954) 777-4073

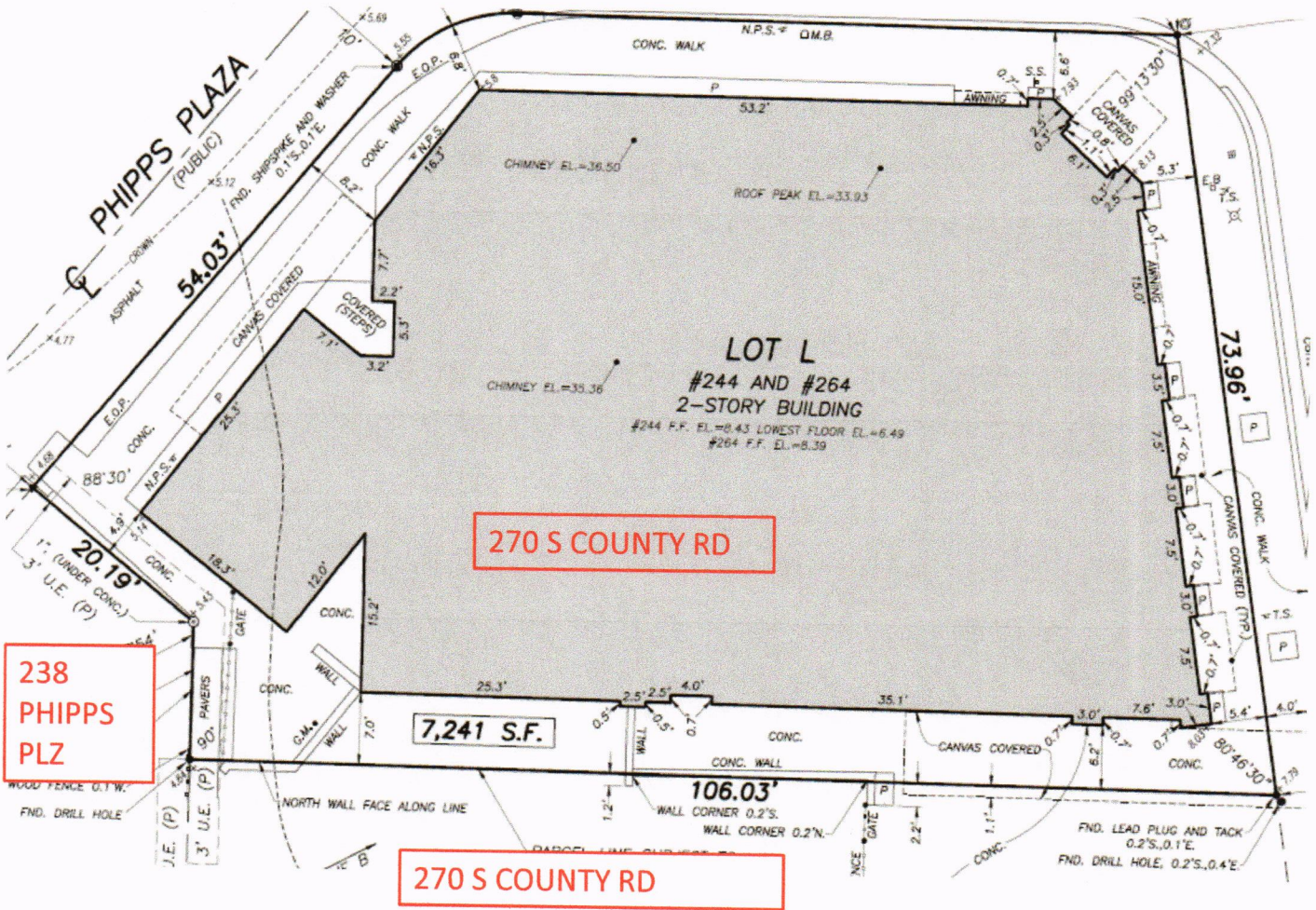
E-mail: thomas.miller@dot.state.fl.us

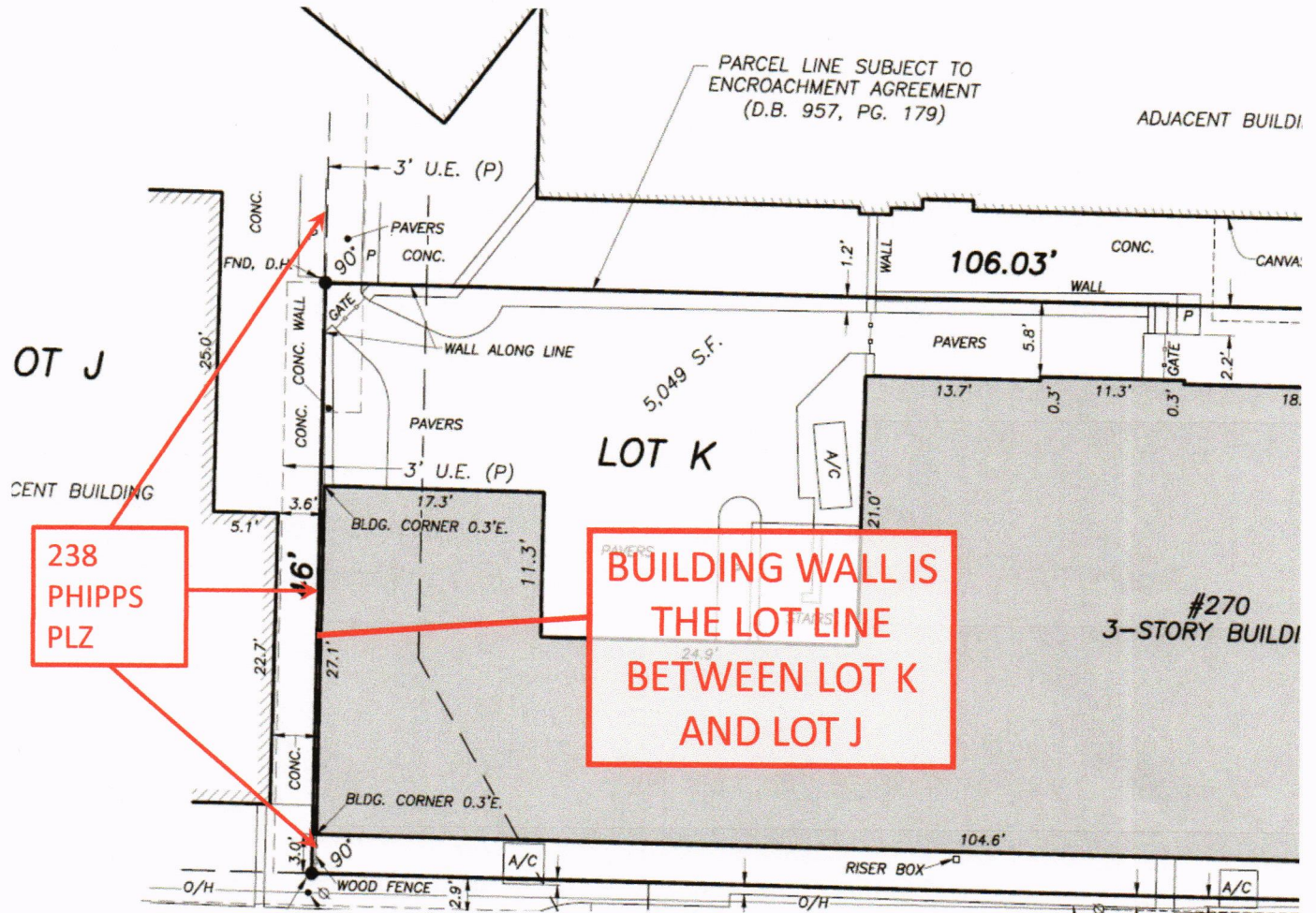


COMPOSITE
EXHIBIT "E"

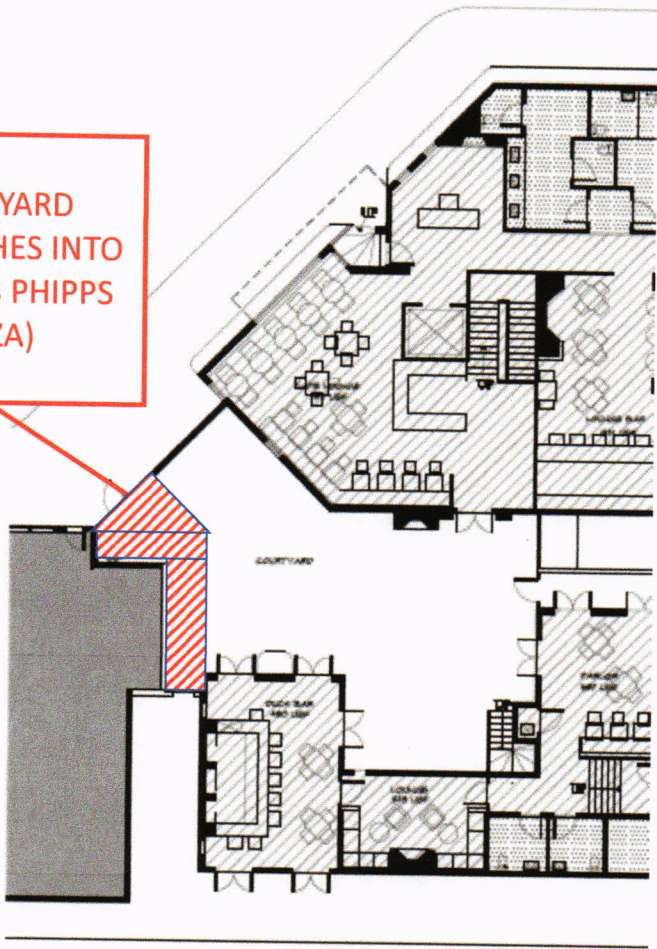
BLOWUP OF ZONING MAP



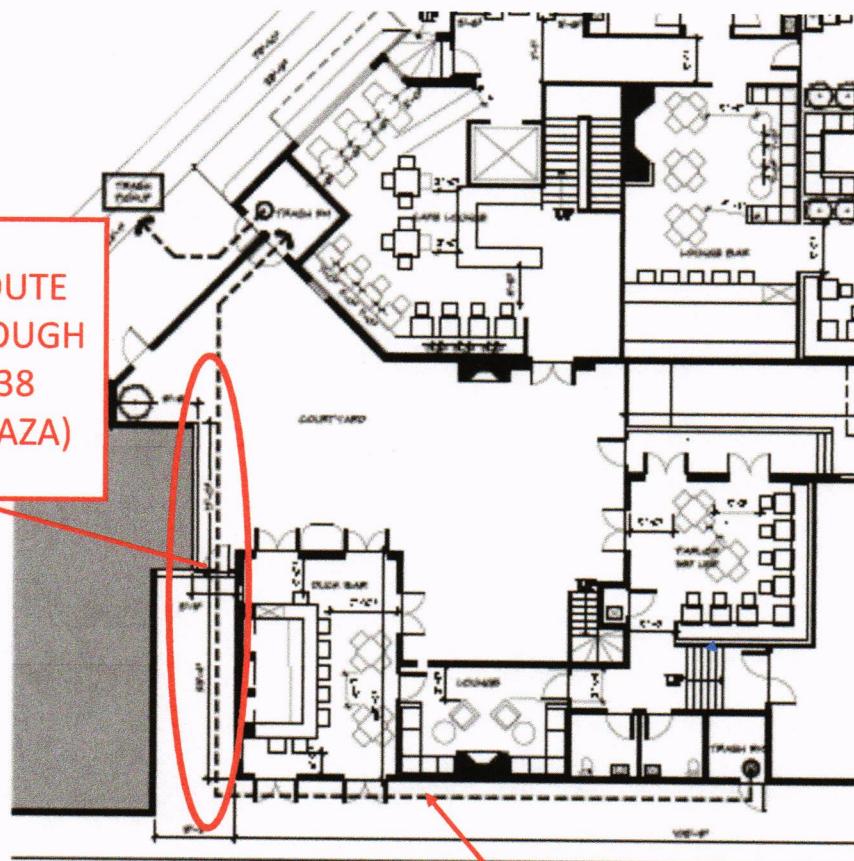




COURTYARD
ENCROACHES INTO
LOT J (238 PHIPPS
PLAZA)



TRASH ROUTE
GOES THROUGH
LOT J (238
PHIPPS PLAZA)



DOTTED LINE IS TRASH ROUTE

LOGISTICS PLAN



EXHIBIT "F"

264 S County – Carriage House

After meeting with the Town of Palm Beach – Public Works Department on 9/1/17, which included Paul Brazil (Director of Public Works) and Patricia Strayer (Town Engineer), the traffic and logistics plan least impactful to the surrounding businesses and residents is proposed as follows:

Traffic Plan:

All deliveries and traffic associated with the project will use Royal Palm Way to S. County as the primary roads to access the jobsite, thus minimizing any impact on local residents.

Logistics Plan:

Hedrick Brothers proposes creating a temporary lane at the East bound traffic lane (see logistics plan) of Phipps Plaza to bypass a staging area for the project located directly on the North-West corner of 264 S County (Note: The Town of Palm Beach owns and maintains both Phipps Park Road and the center landscaped island). Flag men will be stationed at the West and East sides of the property to direct traffic and deliveries to ensure smooth flow of traffic. Only three (3) parking passes will be issued for the project by the Town of Palm Beach. These parking passes will be used to street park on the East corner of the intersection of S County Rd and Seaview Ave, in efforts to minimize disturbance to daily parking activities on S County Rd. All construction parking will be in West Palm Beach, with the workforce vanned in daily.

Hedrick Brothers has reviewed the proposed renovations, and is in agreement with the 12 – 18-month construction schedule for 264 and 270 S County Rd.