ROYAL POINCIANA WAY COMMITTEE
RECORD AND REPORT
TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR
360 S COUNTY ROAD, PALM BEACH
MONDAY, JUNE 4, 2012, 1:00 p.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at [redacted] or may obtain an audio recording (tape or CD) of the meeting by contacting Debby Morakis, Secretary to the Planning & Zoning Commission at (561) 227-6411. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. [redacted] **(12:45:39 p.m.)**

Chairman Pucillo called the meeting to order at 1:00 p.m. On roll call, Committee Members present were:

Michael Pucillo, Chairman
Alan Golboro
Alexander C Ives
Paul Leone
Barbara Lindsay-Buck
Susan Markin
Nancy Murray

Committee Members absent:

Staff members present were:
John Page, Director of Planning, Zoning, Building
Paul Castro, Zoning Administrator
Debby Morakis, Secretary to the Royal Poinciana Way Committee

II. [redacted] **(12:45:43 p.m.)**

Ms. Morakis led the Committee with the Pledge of Allegiance.

III. [redacted] **(12:45:44 p.m.)**

Comments were heard from Ms. Buck who suggested that the agenda be revised to include a character appraisal item to help determine what this street means to the Town. Chairman Pucillo suggested this topic be included in item VII b.

MOTION MADE BY MR. GOLBORO FOR APPROVAL OF THE AGENDA.
MOTION SECONDED BY MS. MARKIN.
MOTION CARRIED 7-0 AFTER ROLL CALL.

IV. [redacted]
(12:48:29 p.m.)

V. <u>APPROVAL OF THE MAY 30, 2012 COMMITTEE MEETING MINUTES</u>

Chairman Pucillo called for one motion to approve the minutes of the May 16, 2012 and May 30, 2012 meetings of the Royal Poinciana Way Committee.

MOTION BY MR. LEONE FOR APPROVAL OF THE MINUTES OF THE MAY 16, 2012 AND MAY 30, 2012 COMMITTEE MEETINGS.
MOTION CARRIED UNANIMOUSLY AFTER VOICE VOTE.

VI. [redacted] **(12:49:05 p.m.)**

Chairman Pucillo introduced Mr. Clay Henderson with Holland and Knight in Orlando. Mr. Henderson addressed the Committee and stated that he had listened to the previous meeting of the Committee as well as comments from Mayor Riley of Charleston, South Carolina. Mr. Henderson gave a power point presentation that included information taken from the Palm Beach Comprehensive Plan regarding its Historic Preservation goals. Mr. Henderson explained the federal tax benefits of historic preservation, highlighted the National Park Service's tax incentive program as the largest community reinvestment program in the country and explained the National Register of Historic Places program. Mr. Henderson spoke about Landmarks Ordinances, the Main Street Program and the Certified Local Government Program (or CLG). Doing a character assessment of the community using a design studio was suggested.

Comments and questions were heard from the Committee and Alex Ives asked about having office space as opposed to other uses in the area and Mr. Henderson stated that he felt a mix of uses was preferable since office spaces typically vacate at 5:00 p.m. leaving the area dark. Evening events are encouraged by the Chamber of Commerce and food trucks are welcomed in the area.

Susan Markin asked Mr. Henderson how he was able to get individual property owners to agree to establish a historic district and Mr. Henderson stated that grants were obtained to do surveys, property owners were notified, hearings were held to draw the district then grants and tax incentives were offered. Mayor Riley's stated there was no option to increase heights and density and developers had to work around those criteria.

Chairman Pucillo asked several questions of Mr. Henderson, including whether all properties in the district would have to consent to the Historic District designation in order to participate in the tax credits and Mr. Henderson answered questions from the Committee. Paul Leone stated that he felt there needed to be some flexibility and asked if there was something missing on the Committee's list or was one element more prominent. Mr. Henderson answered that he felt parking was it.

Alan Golboro asked about how much civic participation went into supporting the CRA in Deland and New Smyrna and Mr. Henderson stated that millions of dollars had been generated in both communities. Ms. Buck asked about design standards for contributing and non-contributing properties in the CRA and Mr. Henderson further described the Deland Main Street Program. Discussion continued and Chairman Pucillo welcomed public comments.

Comments were heard from Michael Spaziani of 322 Seaspray Avenue and Audrey Bender of 250 Bradley Place.

Laurel Baker, Palm Beach Chamber of Commerce, addressed the Committee and presented pictures of things she felt had been lost and what has replaced those lost elements.

Susan Markin commented that she felt there would be a benefit to having a marketing plan for the Town, to see what brings people here, what makes Palm Beach unique.

Comments were heard from Les Evans, 249-253 Royal Poinciana Way, who stated that he currently has one vacancy on his property and noted there are several vacancies in Via Testa. Mr. Evans added that most of the properties in the area were not owned by local people and he felt the Town needed to have a dialog with them as well.

Anne Pepper, 333 Seaspray Avenue, stated that she felt the most important thing said by Mr. Henderson was that having a vision was the most important first step.

Penny Townsend, 210 Via Linda, agreed and asked how to keep the small town feel and make it viable for all.

Chairman Pucillo recapped the first meeting of the Royal Poinciana Way Committee, setting the foundation for this discussion while Attorney Skip Randolph was contacted for participation in this meeting via telephone. Chairman Pucillo suggested the topics of Minimum Lot Size Requirement and Requirements to Maintain Character be discussed together.

VII. [redacted] **(1:55:56 p.m.)**

a. [redacted]

b. [redacted]

Comments were heard from Bobbie Buck who stated she would rather take a hard look at establishing a historic district for the area, using less parking as an incentive, and, preserving the small scale mixed-use elements.

A telephone connection was made with Attorney Randolph. Comments were heard from Alex Ives who agreed with the minimum lot size requirements because of parking and suggested that character, needs and value should be considered.

Susan Markin compared the area to Atlantic Avenue and noted her recent visit there. Ms. Markin stated that she felt that customers did not want to park and walk, but rather, preferred to park in front of a business. Ms. Markin stated that she felt increasing density should not be the main priority of the Committee and added that she felt smaller properties should be able to participate.

Chairman Pucillo stated that one of his main concerns was that someone would have to acquire lots of land in order to apply for PUD5 and added that his concept would be to remove the minimum lot size requirement so all property owners could participate. Additional comments were heard from Susan Markin who expressed concern about a property owner amassing enough property to build a strip mall.

Ms. Buck was also in agreement with minimum lot size. Mr. Golboro noted that under existing zoning codes, that could happen, adding that he felt the existing code did not work. Chairman Pucillo noted that the parking requirements as they apply are not something consistent with what was trying to be achieved in the area.

Mr. Golboro stated that he felt zoning could be constructive or destructive and noted that the finished product would have to go before ARCOM and Council. Mr. Golboro added that he was against the overlay but was in favor of restructuring the existing zoning for the area.

Chairman Pucillo stated that he felt a consensus had been reached regarding the lot size requirements and added that everyone seemed to like the scale of the street as it exists. Mr. Pucillo added that he felt the standards established for the character of the area will enable the Planning & Zoning Commission, ARCOM and Council to have the tools to deny a project that was not consistent with the character and quality of the street.

Ms. Buck stated that she agreed and suggested pictures be used to demonstrate scale and show what the street might look like. Comments were heard from Paul Leone, who stated he had read sections of the zoning code from the City of Winter Park and reviewed the Town of Palm Beach Strategic Plan and the Royal Poinciana Citizen's Master Plan and read excerpts from the Winter Park zoning code. Mr. Leone noted that the Citizen's Master Plan did include pictures but felt they were unnecessary since everything would have to go to ARCOM. Mr. Leone summarized that he liked the overall idea of employing a PUD to address the challenges of the area and was confident that a solution could be found.

Ms. Murray commented that she felt the Committee had already made amazing progress, reaching agreement on scale and appearance, noting that she felt parking had to be controlled.

Chairman Pucillo summarized that his hope was to come back in July or August with something on paper and be able to do a "mark up." Mr. Pucillo added that he felt pictures were unnecessary since we have the street as it exists.

The Committee took a break at 3:01 p.m. and Chairman Pucillo called the meeting back to order at 3:13 p.m.

A discussion took place regarding whether to include pictures and illustrations in the Town's regulations and Attorney Randolph noted that the Town of Gulfstream used a book of design guidelines that shows drawings of what the area should look like and noted that it would not be unusual to have in the Town's code a drawing or photograph of what the area would look like. Chairman Pucillo suggested that Ms. Markin and Ms. Buck provide pictures and illustrations that could be included in the Town's draft regulations.

Dick Kleid, 2660 South Ocean Blvd., addressed the Committee and stated that pattern books were once brought in and the Town decided not to use them.

c. [redacted]

d. [redacted]

e. [redacted]

f. [redacted]

Chairman Pucillo called for discussion about parking and suggested a parking abatement for reductions in density. Ms. Markin stated she was not willing to give away parking for nothing. Mr. Pucillo agreed and further explained his idea to create an incentive by providing a parking abatement for reduction in density.

Comments were heard from Chairman Pucillo and discussion continued regarding commercial parking. Paul Castro, Zoning Administrator, explained the Principal of Equivalency (POE) as it exists in the code today stating that essentially, it was a snapshot in time.

Chairman Pucillo suggested the elimination of grandfathered "phantom" parking and suggested that any new regulations be made uniform, reasonable and simple to understand.

Discussion continued and comments were heard from Ms. Markin relative to parking requirements necessary for changes in intensity of use. Ms. Buck noted that she felt there was a "broken" parking requirement for commercial buildings.

Chairman Pucillo suggested several concepts including taking into account: parking in the area within so many feet, taking residential parking requirements and doubling them to deal with commercial parking, and, offering incentives for underground parking.

Ms. Buck suggested that the square footage for residential units be taken into consideration when determining the required parking, and, separating residential parking requirements from commercial requirements.

Mr. Golboro stated that he felt the Town should amend the code to Palm Beach standards not urban standards and that incentives be provided for underground parking and valet parking. Mr. Golboro suggested that staff provide suggestions for the number of spaces that should be required.

Chairman Pucillo continued suggesting the required number for residential parking be doubled for commercial.

Ms. Markin commented that she was confused by the direction of the conversation and that she would like to see a schematic of the street by property to see what sites would qualify. Chairman Pucillo suggested this apply to larger, through parcels only and Mr. Golboro suggested that the discussion about an underground requirement be dropped at this time. Chairman Pucillo stated that he felt the Committee had reached a consensus on the residential requirements.

Discussion continued about "grandfathered" parking, what would happen if a property was renovated, demolished, or, the use was changed or intensified and different scenarios were discussed.

Ms. Markin suggested the definitions be provided of renovate and develop. Discussion continued and comments were heard from Mr. Leone who stated that he felt the commercial aspect would require the maximum flexibility with all the controls built in. Mr. Leone noted that there were 182 spaces available on this street and wondered who would get credit for those spaces. Mr. Leone later corrected the number of spaces available as approximately 140.

Ms. Markin agreed and added that the one thing that controls development is the parking element. Chairman Pucillo stated that his hope was that the development that takes place under PUD-5 would result in a more pedestrian friendly environment, more true vias, courtyards for the larger properties and preservation of existing streetscape for the smaller properties. Mr. Pucillo suggested that for drafting purposes, the current residential code requirements be used and for commercial properties, if the footprint or intensity of use did not increase, then you would not have to provide more parking than what currently exists.

Discussion continued and Ms. Buck stated that she felt the Committee was taking the correct path and Ms. Markin asked if the Committee would look at what properties were contributing and which were non-contributing. Chairman Pucillo suggested the Committee use the Janis Report but noted that he felt that might reduce flexibility. Mr. Leone noted that he felt the Town was very conservative in calculations. Chairman Pucillo noted that he felt a consensus had been reached on the parking issue.

Chairman Pucillo stated that he felt the topics of height limitation and lot coverage limitation should be discussed together and added that he felt 70% lot coverage for first and second floor properties would make sense with 30% as true open space.

Mr. Castro suggested flexibility be provided as part of the PUD with maximums or minimums in place that would allow the Council or the Planning & Zoning Commission room for negotiations. Chairman Pucillo stated that he would like to avoid a "parking lot syndrome." Mr. Castro reminded the Committee that from the building code standpoint, with new construction the handicapped parking would have to be on-site accessible and could not be grandfathered.

For the record, Mr. Randolph left the meeting due to static and a poor telephone connection at approximately 4:30 p.m.

Chairman Pucillo suggested the Committee address number of stories and suggested that three stories be allowed, perhaps limiting lot coverage to 35%, but, on the Royal Poinciana Way side three stories be discouraged but not prohibited.

Ms. Buck stated that she would prefer not to see three stories on Royal Poinciana Way but felt three stories could be permitted as an incentive for underground parking. Comments were heard from Mr. Golboro and Ms. Markin who stated she did not want to see three stories or more residential use in the area.

Chairman Pucillo stated that he would prefer to see underground parking and three story townhouses on Sunset. Mr. Castro noted that the height limitations in this area comparing it to the Worth Avenue District which would be 35 feet with three stories and overall height of 45 feet. After continued discussion, Chairman Pucillo suggested there be a limitation to height, not to the number of stories. Mr. Leone agreed with Chairman Pucillo and stated that he preferred more flexibility.

Mr. Ives agreed with Messrs. Pucillo and Leone, adding that more diversity would be desirable. Mr. Golboro suggested there be a limitation to number of stories, allowing flexibility in height noting construction issues encountered with height limitations. Ms. Murray added that she liked the way the buildings in the area on Worth Avenue, across the street from the Everglades Club, worked together and hoped for something similar in the Royal Poinciana Way area. Ms. Buck commented that she felt urban design guidelines and drawings were needed, the Town should embrace the Janis Report, and, added she felt the community wanted to know what was going to be preserved.

Chairman Pucillo noted that he thought the Committee was in support of some level of three stories with a height limitation of about 35 feet. Chairman Pucillo stated that he liked the idea of using drawings and asked the Committee to keep an open mind on the third story and 35 feet.

Ms. Markin stated that she felt having third story articulation in the form of towers could be achieved without having three story townhouses. Ms. Markin added that she would like to see what lots this would apply to, wondering if walk-through vias would continue to be required. Chairman Pucillo answered affirmatively and added that wide vias would be encouraged. Chairman Pucillo asked the Committee to go along with 3 stories and 35 feet at least through the next draft of any proposal the Committee established. It was agreed that the Janis Report would be utilized and Mr. Page agreed to distribute the report to the Committee via email.

Chairman Pucillo spoke about density and suggested the elimination of the parking requirements might be an easy incentive for reduction in density and suggested a maximum density of 13 units per acre in the PUD.

Mr. Ives stated that he was averse to raising density but agreed this could be a useful tool. Ms. Markin stated she was opposed to the proposed 13 units/acre. Mr. Leone noted that he would not be concerned about allowing density of 13 units/acre. Ms. Buck wondered what the square footage was of existing units on the block and suggested that data be collected for comparison. Mr. Castro noted that the Bradley House Hotel was a hotel use and not residential and other units in the area were very small.

Ms. Murray noted that she felt only the properties that go through would have a comprehensive plan for residential units and only three properties in total may be involved. Ms. Markin restated her concern about consolidation of properties. Comments were heard from Chairman Pucillo who noted that he felt 13 units/acre would probably mean parking would have to be underground, no precedent was being set and no changes to the Comprehensive Plan would be required. Mr. Pucillo stated that he felt a lot of progress had been made and suggested the Committee ask the staff and Attorney Randolph to create a draft and asked the Committee to read the Janis Report in preparation of the next Royal Poinciana Way Committee meeting.

g. [redacted]

h. [redacted]

i. [redacted]

j. [redacted]

k. [redacted]

l. [redacted]

m. [redacted]

n. [redacted]

VIII. [redacted] (4:48:38 p.m.)

Chairman Pucillo suggested and it was the consensus of the Committee that the next meeting of the Committee be held on August 13, 2012 at 9:30 a.m.

Chairman Pucillo adjourned the meeting at 5:20 p.m.

Respectfully Submitted,

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Michael Pucillo, Chairman
Town of Palm Beach
Royal Poinciana Way Committee