



TOWN OF PALM BEACH

PLANNING, ZONING, & BUILDING DEPARTMENT

TOWN COUNCIL MEETING DEVELOPMENT REVIEW

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

FEBRUARY 12, 2025

9:30 AM

Welcome

For information regarding procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Danielle H. Moore, Mayor
Bobbie D. Lindsay, President
Lew Crampton, President Pro Tem
Julie Araskog
Ted Cooney
Bridget Moran

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. COMMENTS OF MAYOR DANIELLE H. MOORE

IV. COMMENTS OF TOWN COUNCIL MEMBERS

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VI. APPROVAL OF AGENDA

VII. CONSENT AGENDA

- A. **ZON-24-0086 (ARC-24-0137) 500 S COUNTY RD (COMBO) — SPECIAL EXCEPTION AND SITE PLAN.** The applicant, THE EVERGLADES CLUB INC, has filed an application requesting Town Council review and approval for special exception and site plan review for the construction of a new concession stand and the maintenance and upgrade of the golf course. The Architectural Commission shall perform design review of the application. Pg. 11

VIII. ITEMS PULLED FROM CONSENT AGENDA, IF NEEDED

IX. PRESENTATIONS

- A. Presentation by Palm Beach Supervisor of Elections Wendy Sartory Link on Standalone Elections

X. REGULAR BUSINESS

- A. Code Review Staff Update
[This matter was deferred from the January 15, 2025, Town Council meeting.] Pg. 23
- B. Further Discussion Regarding Construction that Deviates from Approved Permit Plans
[This matter was deferred from the January 15, 2025, Town Council meeting.] Pg. 27
- C. Staff Update Regarding Downtown West Palm Beach Development Projects Pg. 30
- D. Discussion Regarding a Possible Prohibition on Additional Public or Private Schools in Palm Beach
- E. Update on Zoning in Progress on Restaurants and Clubs including a Prioritized Timetable of P&Z Commission Recommendations

XI. RESOLUTIONS

- A. **RESOLUTION NO. 005-2025:** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As **1250 North Ocean Boulevard** Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. ***[The property owner is opposed to this designation. The Landmarks Preservation Commission voted 7-0 for***

Landmarking.] [This matter was deferred from the January 15, 2025, Town Council meeting.] [The applicant has requested to be deferred to the March 5, 2025, Town Council meeting.]

- B. RESOLUTION NO. 008-2025:** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As **325 South Lake Drive** Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. ***[The property owners are supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]*** Pg. 36
- C. RESOLUTION NO. 014-2025:** A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **163 Seminole Ave.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 165 SEMINOLE AVENUE) Owner: Dale Coudert, 2012 Steven H. Rose Trust. ***[The property owner is supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]*** Pg. 67
- D. RESOLUTION NO. 015-2025:** A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **225 S County Rd.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 225 S County Road) Owner: Sphinx Properties, LLC . ***[The property owner is supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]*** Pg. 70
- E. RESOLUTION NO. 018-2025:** A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **216 Monterey Rd.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS Pg. 95

216 Monterey Rd.) Owner: Henry Jamison IV & Leslie Jamison. ***[The property owner is opposing this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]***

XII. DEVELOPMENT REVIEWS

A. Appeals

1. Appeal of the Architectural Commission's Approval of a Pedestrian Gate at **203 S. Lake Trail** (ARC-24-0027) at their December 20, 2024, Meeting. ***[This matter was deferred from the January 15, 2025, Town Council meeting.]*** Pg. 119

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **ZON-24-0043 (COA-24-0018) 100, 101, 102, AND 103 FOUR ARTS PLZ—THE SOCIETY OF THE FOUR ARTS (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE** The applicant, Society of the Four Arts Inc, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for a Special Exception with Site Plan Review, and one (1) variance for the reduction of on-site parking requirement for the substantial improvements to the Four Arts campus site including 1) demolition exceeding 50%, and the construction of a new one-and two-story additions and renovations to the existing two-story theater building (O'Keefe), 2) demolition exceeding 50%, and the construction of a new three-story addition, and renovations to the existing three-story administrative building (Rovensky), 3) demolition of the existing shade structure and construction of a new pavilion, 4) a Master Signage Plan, and 5) landscape and hardscape modifications. The application proposes the abandonment and realignment of a portion of the existing Lake Trail. The Landmarks Preservation Commission will perform the design review. ***[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved the project. Carried 5-2.]*** Pg. 199
2:00PM TIME CERTAIN
- b. **ZON-24-0044 (ARC-24-0085) 315 CHAPEL HILL RD (COMBO)—SPECIAL EXCEPTION(S) AND VARIANCE** The applicant, Ocean Breezes 2 LLC (Frances Lynch, Attorney), has filed an application requesting Town Council review and approval for two (2) special exceptions (1) for the redevelopment of an existing nonconforming parcel of land in the R-A zoning district and (2) to provide reduced vehicular queuing back-up distance for vehicular gates installed on a cul-de-sac street. Additionally, one Pg. 336

(1) variance to exceed the maximum required building height plane setback area for the construction of the new two-story residence is also being requested. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.]**[The Architectural Review Commission approved the project with conditions to return to the February 26, Architectural Commission meeting. Carried 7-0.]*

- c. **ZON-24-0035 (HSB-24-0005) 854 SOUTH COUNTY RD (COMBO)—VARIANCE** The applicant, Dustin Mizell with Environmental Design Group on behalf of owner Andrew Unanue, has filed an application requesting review and approval for one (1) variance to permit a second guest house with bedrooms and bathrooms on site. The Landmarks Preservation Commission will perform the design review for the proposed structure on site modifications. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Landmark Commission design review.]***
- d. **ZON-24-0063 (ARC-24-0106) 260 COLONIAL LN (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW.** The applicants, Thomas & Meredith Hunt, have filed an application requesting Town Council review and approval of a Special Exception with Site Plan Review to permit the redevelopment of an existing nonconforming parcel of land in the R-B zoning district which is deficient in lot depth and lot area. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***

2. New Business

- a. **ZON-24-0072 (ARC-24-0119) 136 REEF RD (COMBO) — VARIANCE.** The applicants, John and Bonnie Stepan, have filed an application requesting Town Council review and approval for one (1) variance for a reduced side yard setback for the construction of a new rear terrace. The Architectural Commission (ARCOM) shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.]**[The Architectural Review Commission approved the project. Carried 7-0.]*
- b. **ZON-24-0074 (ARC-24-0133) 410 SEABREEZE AVE (COMBO)—VARIANCES** The applicant, Deborah Glass, has filed an application requesting Town Council review and approval

Pg. 352

Pg. 358

for two (2) variances for a second story addition to (1) exceed maximum lot coverage permitted and (2) exceed maximum CCR permitted. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project. Carried 7-0.]*

- c. **ZON-24-0076 (ARC-24-0134) 369 LAKE DR PH-A (COMBO) —SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES.** The applicant, Hunter Trust, has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and three (3) Variances for (1) to exceed maximum building height, (2) to expand the nonconforming 6th floor, and (3) to reduce the existing nonconforming front /side street (west) yard setback, in conjunction with the construction of an approximately +/- 335 SF addition to an existing 6th floor penthouse unit in the R-D(2) zoning district. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project. Carried 7-0.]* Pg. 370
- d. **ZON-24-0077 (COA-24-0028) 284 MONTEREY RD (COMBO) —VARIANCE.** The applicant, Dustin Mizell with Environmental Design Group on behalf of the owner DHC MONTEREY LLC, has filed an application requesting Town Council review and approval for one (1) variance to reduce the street side yard setback to allow the installation of mechanical equipment for the Landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved the project. Carried 7-0.]* Pg. 380
- e. **ZON-24-0078 (COA-24-0030) 448 N LAKE WAY (COMBO)— VARIANCES.** The applicants, The Leonard Harlan Rev. Trust u/a/d 8/8/2018 and the The Fleur Harlan Rev. Trust u/a/d 8/8/2018, have filed an application requesting Town Council review and approval for two (2) variances to reduce the side (south) yard setback requirement on the first and second floor for an existing two-story landmarked structure. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject* Pg. 386

property. Carried 7-0.][The Landmarks Commission approved the project. Carried 7-0.]

- f. **ZON-24-0085 250 BRADLEY PL—VARIANCES** The applicant, Ross Flax (Maura Ziska, Representative), has filed an application requesting Town Council review and approval of two (2) variances to construct a boat lift that 1) exceeds the permitted maximum projection from land 2) provides a deficient north riparian side setback, for boat slip #12 at Lake Towers Condominium. Pg. 394
- g. **ZON-24-0090 (ARC-24-0139) 401 WORTH AVE (COMBO)—VARIANCES** The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Town Council review and approval for two (2) Variances to 1) reduce the required street side yard and 2) reduce the rear yard setback from minimum requirements to install a new 100KW generator with screen wall and landscaping in the required side yard of an existing of multi-family building in the RC district. The Architectural Commission shall perform design review of the application. Pg. 398
- h. **ZON-24-0079 (ARC-24-0141) 1 S COUNTY RD—THE BREAKERS FAMILY ENTERTAINMENT CENTER (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW**. The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for modifications to an existing special exception and permitted uses in an existing hotel Planned Unit Development (PUD) (The Breakers Palm Beach) as it relates to the construction of a new three-story structure with basement that will connect with an overhead enclosed pedestrian bridge to the existing two-story building (Beach Club) to replace an existing two-story building with related site improvements. The application requires the approval of a separate resolution to modify the PUD and the Architectural Commission shall review the application for design. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]* Pg. 405
3:30PM TIME CERTAIN
- i. **ZON-24-0087 (COA-24-0032) 1 S COUNTY RD – THE BREAKERS (COMBO) —SITE PLAN REVIEW AND VARIANCE**. The applicant, Breakers Palm Beach Inc., has filed an application requesting Town Council review and approval for Site Plan Review for the construction of a new parking structure consisting of one level of subterranean parking and one at-grade surface-level parking area to replace an existing surface parking lot, including one (1) variance to allow tandem parking spaces Pg. 444

associated with a new parking structure facility and surface parking lot. Additional improvements include support buildings, realignments of North Breakers Row, golf course changes, as well as landscape and hardscape modifications. These improvements are generally located where there is an existing surface parking lot and a golf course within the designated Landmarked vista from the original hotel building to South County Road. The application requires the approval of a separate resolution to modify the PUD and the Landmarks Preservation Commission shall review the application for design. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]*

3:30PM TIME CERTAIN

- j. **ZON-24-0089 (ARC-24-0116) 1 S COUNTY RD (BREAKERS BEACH CLUB) COMBO — SPECIAL EXCEPTION AND SITE PLAN REVIEW.** The applicant, Breakers Palm Beach Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for modifications to an existing food and beverage operations (Beach Club restaurant). The Architectural Commission shall perform design review of the application. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]*
3:30PM TIME CERTAIN

Pg. 480

- k. **ZON-24-0066 (ARC-24-0108) 1519 N OCEAN WAY (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES.** The applicant, 1519 N Ocean Way #1 LLC & 1519 N Ocean Way #2 LLC (Maura Ziska, Attorney), has filed an application requesting Town Council review and approval for a special exception with site plan review for redevelopment of an existing parcel which is nonconforming to minimum lot width requirements in the R-A zoning district. Additionally, three variances are requested to (1) exceed maximum building height and (2) to exceed maximum overall building height for the portions of the structure located west of the CCCL and (3) to permit improvements (steps) within the 50' ocean bulkhead setback area. The Architectural Commission shall review the application as it pertains to zoning relief/approval. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***
- l. **ZON-24-0092 (ARC-24-0114) 1010 N LAKE WAY (COMBO)— VARIANCES.** The applicant, 1010 North Lake Trust LLC, has filed an application requesting Town Council review and approval for five (5) variances to exceed maximum lot coverage, encroach into side setbacks and construct a lower equipment screening wall that required, as part of an application for elevation, shifting and

renovation of a two-story house, addition of a loggia, new pool, hardscape. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***

- m. **ZON-24-0093 (ARC-24-0128) 203 VIA VIZCAYA (COMBO)—SPECIAL EXCEPTION & VARIANCE.** The applicant, PAUL Z. OKEAN (Trustee, under Trust Agreement dated 5/21/91 as the Paul Z. Okean Revocable Living Trust), has filed an application requesting Town Council approval for a special exception for redevelopment of a nonconforming parcel and one (1) variance for deficient landscape open space as it relates to development of a new residence. The Architectural Commission shall perform design review of the application. ***[This project shall be deferred to the March 12, 2025, Town Council meeting pending Architectural Commission design review.]***

C. Time Extensions and Waivers

- 1. Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **441 Seaview Ave.** ***[This matter was deferred from the January 15, 2025, Town Council meeting.]*** Pg. 512
- 2. Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **363 Coconut Row.** Pg. 523
- 3. Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **1015 S. Ocean Blvd.** Pg. 540
- 4. Three Strike - Stop Work Order - **286 Orange Grove** Pg. 559
- 5. Three Strike - Stop Work Order - **210 Eden Rd.** Pg. 569

XIII. ORDINANCES

A. Second Reading

- 1. Proposed Ordinance to Adopt the Amended Town Comprehensive Plan Pg. 581

ORDINANCE NO. 015-2024: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Of Palm Beach's Comprehensive Plan By Amending The Data & Analysis, As Well As The Goals, Objectives, And Policies Within The Plan Based On The Town's Recent Evaluation And Appraisal Of The Comprehensive Plan; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Herewithin; Providing For Codification; Providing An Effective Date. ***[This matter was deferred from the January 15, 2025, Town Council meeting.]***

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

Procedures for Public Participation:

Note 1: **Live Stream audio:** To watch/listen live, visit the 'Public Meetings' webpage on the Town's website at www.townofpalmbeach.com and select the "View Event" or "Click Here to Listen" button.

Note 2: Any citizen is entitled to be heard concerning any matter under the sections entitled 'Communications from Citizens' and 'Public Hearings', subject to the three-minute limitation. The public also can speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion. Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you. In-person or virtual Public Comment is limited to three minutes and must be preceded by your name and address for the record. As a public business meeting, the Town Council President retains the right to limit discussion on any issue.

Alternative public comment is also welcome for Town Council Meetings via four methods:

1. To make a virtual public comment, please register for the Microsoft Teams meeting. This link will be available prior to the meeting on the Public Meeting page or on the Town's calendar of events, which both can be found at townofpalmbeach.com.
2. Written public comment submittals should be sent to publiccomment@townofpalmbeach.com.
3. Direct written entry into the public meeting record through the eComment portal on the Public Meetings webpage.
4. Mail or in-person submittal of written document to the Town Clerk's Office at Town Hall no later than the Friday prior to the meeting.

Note 3: **Appeals:** If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Note 4: Disabled persons needing accommodations to participate in this meeting are requested to call the Clerk's Office at (561) 838-5416 at least one day prior to the meeting.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Consent Agenda

Agenda Title

ZON-24-0086 (ARC-24-0137) 500 S COUNTY RD (COMBO) —SPECIAL EXCEPTION AND SITE PLAN. The applicant, THE EVERGLADES CLUB INC, has filed an application requesting Town Council review and approval for special exception and site plan review for the construction of a new concession stand and the maintenance and upgrade of the golf course. The Architectural Commission shall perform design review of the application.

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans - Concession**
- ▣ **Plans 1 of 3 - Golf Course**
- ▣ **Plans 2 of 3 - Golf Course**
- ▣ **Plans 3 of 3 - Golf Course**
- ▣ **Plans 1 of 3 - Infrastructure**
- ▣ **Plans 2 of 3 - Infrastructure**
- ▣ **Plans 3 of 3 - Infrastructure**
- ▣ **Plans - Landscape**



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
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: **ZON-24-0086 (ARC-24-0137) 500 S COUNTY RD (COMBO) SPECIAL EXCEPTION AND SITE PLAN.**

MEETING: FEBRUARY 12, 2025, TC
FEBRUARY 26, 2025, ARCOM

ZON-24-0086 (ARC-24-0137) 500 S COUNTY RD (COMBO) SPECIAL EXCEPTION AND SITE PLAN. The applicant, THE EVERGLADES CLUB INC, has filed an application requesting Town Council review and approval for special exception and site plan review for the construction of a new concession stand and the maintenance and upgrade of the golf course. The Architectural Commission shall perform design review of the application.

ARC-24-0137 (ZON-24-0086) 500 S COUNTY RD (COMBO) The applicant, THE EVERGLADES CLUB INC, has filed an application requesting Architectural Commission review and approval for the design of a new concession stand and maintenance and upgrades to the golf course that will require a special exception and site plan review. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: The Everglades Club Inc.
Architecture: Brasseur & Drobot Architects P.A.
Landscape: Environment Design Group

HISTORY:

The Everglades Club has a rich history in the Town especially its golf amenities which consists of a 1919 Seth Raynor golf course.

THE PROJECT:

The applicant has submitted plans, entitled "ARC-24-0137 (ZON-24-0086) Final Submittal Golf Course Renovation and Pro Shop Addition for: The Everglades Club" as prepared by **Brasseur & Drobot Architects, P.A.** uploaded January 7, 2025.

The following scope of work is proposed:

- Renovation of an existing golf course
- Demolition of an existing 389 SF +/- concession building
- Construction of a 214 SF +/- concession structure at the southwest corner of the existing golf pro shop

The following Special Exceptions with Site Plan Review is required for completion of the project as presented:

- **SPECIAL EXCEPTION #1** Sec. 134-226 through 229, Special Exception Sec. 134-326 through 330, Site Plan Review Special Exception with Site Plan Review approval to for modifications to an existing Club golf course and concession amenity.

Site Data			
Zoning District	R-A	Land Use:	Recreation
Surrounding Properties			
North	Club and Golfview Residences		
South	Island Drive Residences		
East	South County Road Residences		
West	Intracoastal Waterway		

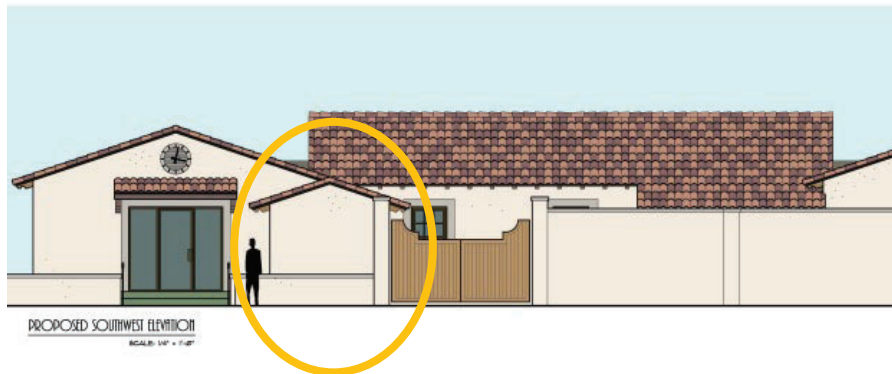
STAFF ANALYSIS

The subject property is a Club use of a historically developed parcel with a golf course. The applicant is proposing landscape and site modifications to enhance the golf course experience. To ensure a more efficient operation modifications to the concession area are also proposed resulting in less square footage. There will be no impacts visible from the public right of way.



Existing Concession

By demolishing the existing concession building the view from the palm terrace building will be enhanced. The small addition to the existing pro shop to compensate for the concession area loss will be designed in a compatible Mediterranean revival style and provide a more efficient layout.



The golf course will be re-graded to achieve improved drainage and playability. The landscape will also be addressed by relocating and adding plant material as well as removing invasive species. Per the applicant “Major objectives for this work includes enhanced putting greens, improved bunker performance, a complete conversion of turf varieties, and improved property drainage by way of regraded surface contours, reshaped and stabilized lake edges, and new drainage infrastructure. Additionally, the location of some tees and bunkers will be altered to augment both the strategic enjoyment and safety for players of all ages.”



To achieve these modifications a special exception and site plan approval is required due to the scale of work and the fact that “A Club” is a special exception in this zoning designation.

CONCLUSION:

Approval of the project will require two (2) separate motions to be made by the Town Council:

1. For the Special Exception for the continued golf course/concession use.
2. For the Site Plan Review.

Approval of the project will require one (1) separate motion(s) to be made by the Architectural Commission:

1. for the overall design of the project in accordance with Sec. 18-205 criteria, subject to any imposed conditions.

WRB:JGM: FHM

BRASSEUR & DROBOT ARCHITECTS, P.A.

December 16, 2024

Town of Palm Beach
Planning, Zoning and Building Department
360 South County Road
Palm Beach, Florida 33480

Re: Letter of Intent for 500 S County Rd. ARC-24-0137 (ZON-24-0086)
Tentative Meeting Dates: 2/26/25 (ARCOM), 2/12/25 (TC)

To whom it may concern,

The project consists of a renovation of the existing golf course at the Everglades Club, the demolition of an existing 389.46 s.f. Concession building located south of the existing Palm Terrace Building and the addition of a small 214 sq. ft. outdoor Concession structure at the southwest corner of the existing Golf Pro Shop. This project will require ARCOM review and Town Council Review for Special Exception and Site Plan Review. The following is a more descriptive narrative:

The Everglades Club is performing maintenance and upgrades to its historic 1919 Seth Raynor golf course. Many course features, including greens, tees, fairways, bunkers, cart paths, and ponds, will be maintained or renovated. Major objectives for this work includes enhanced putting greens, improved bunker performance, a complete conversion of turf varieties, and improved property drainage by way of regraded surface contours, reshaped and stabilized lake edges, and new drainage infrastructure. Additionally, the location of some tees and bunkers will be altered to augment both the strategic enjoyment and safety for players of all ages. By accomplishing these goals, this Project will improve the playability and performance, agronomics and plant health, safety, strategy, fun and overall Member enjoyment of the Course. This work is essential to modernize aging Course components and infrastructure to ensure that the Course successfully endures for the next generation. This Project will be performed to the utmost highest standards in the industry, and all care will be taken to respect and protect both the environment and the Town of Palm Beach community, to ensure the best possible outcome for all interested parties.

As part of The Everglades Club Golf Course Renovation project, the landscape is integral to the strategic and aesthetic enjoyment by golfers and safety of golfers and staff, to balancing native plant material with Florida-friendly plants for pollinators, birds, and other wildlife, and to respecting the character and tradition of the club. Working with the Golf Course Architect, where the course will be re-graded to achieve improved drainage and playability, some palms (Royal, Sabal, Coconut, Montgomery, Christmas, Solitaire, Thatch, etc.) will be excavated, stockpiled, and then transplanted in locations that fit the strategy and playability of the proposed golf course design. Some Coconut palms will be removed along with the foliage and fruit that are annually pruned and hauled to the landfill in advance of hurricane season. Native Sabal Palms will be the primary replacements. Native trees (Gumbo Limbo, Simpson Stopper, etc.) in disturbed

AR 94843 - AR 0017698
AA 26001461
224 DATURA STREET, SUITE 311
WEST PALM BEACH, FLORIDA 33401
561.820.8088 FAX 561.820.8089

BRASSEUR & DROBOT ARCHITECTS, P.A.

areas will be transplanted. Where practicable, invasive species (Brazilian Pepper, Melaleuca, etc.) will be removed. Several Ficus and Areca Palm screens/hedges will be replaced with mature Podocarpus hedges [Golfview Road(160'), Golf Shop complex (270'), Maintenance complex (420'), and Island Road (60')]; heights vary by location (6-18' tall). These proposals consider the environment of the club as well as its neighbors and the community in general. Industry-standard installation and grow-in will provide immediate benefit to the plants as well as long-term aesthetic and maintenance benefits.

The project also consists of removing the existing concession building located at the ninth hole south of the existing Palm Terrace Building and adding a new 214 sq. ft. concession structure at the southwest corner of the existing Pro Shop. This will enhance the view of the Golf Course from the Palm Terrace building without sacrificing the convenience of obtaining refreshment at the half way point of play.

The project is required to be reviewed by the Architectural Commission per Section 18-205 and/or Section 18-206.

- a. It is our opinion that the proposed addition is consistent with the existing building and previously approved designs. The elevations are balanced and feature detailing which is consistent the existing building and the existing built environment located within the Town of Palm Beach.
 - i. The plan for the proposed addition to the existing building conforms to good taste and traditional design. In general, the addition compliments the image of the Town as a place of beauty, spaciousness, balance, taste, fitness, charm, and high quality.
 - ii. The plan for the proposed addition has been designed in a manner which the structures are protected from external and internal noise, vibrations, and other factors which can make the environment less desirable.
 - iii. The finish materials on the exterior and detailing is in keeping with the character and quality of the existing building and the surrounding built environment.
 - iv. The composition and massing of the proposed addition is in keeping with the surrounding built environment.
 - v. The 1-story addition matches detailing of the existing structure.
 1. The proposed materials are in keeping with the existing structure. The proposed detailing includes bracket and eve overhang details which match the existing building in order to not compete but complement the existing structure.
 - vi. The proposed addition to the existing building is not overly dissimilar to the surrounding built environment.
 1. The exterior detailing is consistent and compatible with the surrounding built environment.
 2. The proposed work is architecturally compatible with the tropical context and adjacent structures.

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3. The components of the proposed addition have been coordinated to be consistent with the existing and adjacent structures.
4. Proposed addition respects the location of the existing structure and the setbacks of the adjacent properties.
5. Proposed design features are compatible with the existing massing.
6. The proposed addition does not impact the privacy of neighboring properties.
- vii. The proposed addition is one story and incorporates detailing that is compatible to the style and massing of the existing structure.
- viii. The proposed addition incorporates detailing which is compatible with the existing structure and consistent with the surrounding built environment.
- ix. The proposed addition requires no Variances.
- x. The demolition of the existing Concession building will open up the view of the Golf Course from the existing Palm Terrace Building.
- b. The proposed addition does not impact the surrounding unique site characteristics and is more consistent with adjacent properties.

Request for Special Exception:

1. The use is a permitted special exception use as set forth in article VI of this chapter.

A Club is a special exception use permitted in the R-A Zoning District.

2. The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

The proposed golf course renovation will not adversely impact the public or neighborhood.

3. The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

The proposed golf course renovation will have no impact on the value of other properties in the neighborhood.

4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

The proposed golf course renovation will be compatible with the neighborhood as the Everglades golf course has been in existence since the 1920s.

5. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

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The proposed golf course renovation will comply with all other yard, other open space and any special requirements set forth in Article VI.

6. The use will comply with all elements of the comprehensive plan.

The proposed golf course renovation will comply with the comprehensive plan, if applicable.

7. The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

The proposed golf course renovation will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district, as the golf course already exists.

8. Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Adequate ingress, egress and parking is provided on the Club property from Worth Avenue and South County Road.

9. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

N/A

10. Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

N/A

11. Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

N/A

12. The proposed use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be townspersons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine its credibility and the appropriateness of the applicant's conclusions. The submittal shall include a description of the types of information used and the methodology employed to arrive at the

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conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant.

The Club is town-serving as evidenced by the fact that over 50% of the members are “townspersons”.

13. If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

N/A

14. The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

The proposed golf course renovation should not place a greater burden on Town services as the proposed buildings are incidental to the golf course operation.

REQUEST FOR SITE PLAN

THE FOLLOWING ARE THE REASONS WHY THE MODIFIED SITE PLAN SHOULD BE APPROVED PURSUANT TO SECTION 134-329:

1. Sufficiency of statements on ownership and control of the subject property and the sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for the intended purpose and to ensure that such common facilities will not become a future liability for the Town.

The owner of the property is Everglades Club, Inc. and is the entity that will control the golf course renovation being proposed.

2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon.

The proposed modifications to the site plan will not intensify the use over what exists today and should not have a negative impact on the neighborhood.

3. Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic

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flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

Ingress and egress to the property be via Worth Avenue or County Road. Refuse collection will remain the same.

4. Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe or emergency.

The location and use of the off-street parking will not change.

5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

The site plan and landscape plan provides for buffers and screening from neighboring properties, where practicable.

6. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacity.

N/A.

7. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

The utility hook ups will remain or be improved to meet the current Town of Palm Beach requirements.

8. Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and the uses within the property, and the relationship to community-wide open spaces and recreation facilities.

N/A.

9. Such other standards as may be imposed by this chapter for the particular use or activity involved.

The modifications to the site plan should not impose any other standards to the project.

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10. Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.

The proposed golf course renovation is in keeping with the architecture of the Club and golf course.

11. Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single story building at the minimum required setback.

The proposed golf course renovation will not have a negative visual impact on the surrounding neighborhood.

Please let me know if you have any questions. My office number is (561) 820-8088.

Respectfully,

Jason P. Drobot
Architect

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TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Regular Business

Agenda Title

Code Review Staff Update

[This matter was deferred from the January 15, 2025, Town Council meeting.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Draft Schedule for Code Review 2025 - 2026**

TOWN OF PALM BEACH

Information for Town Council Meeting on: January 14, 2025

To: Mayor and Town Council

From: Wayne Bergman, MCP, LEED® AP, Director of Planning, Zoning & Building

Cc: Kirk Blouin, Town Manager

Re: PZB Proposed Project Timeline for Code Review

Date: January 2, 2025

GENERAL INFORMATION

The attached proposed project timeline for Code Review has a tentative date of adoption in April 2026. The timeline is fluid in that the sequence of Articles for review can be modified. In the coming month, staff assignments will be made and work will commence. Each of the Articles will be presented in strike-through and underline for Planning and Zoning review and ultimately Town Council consideration and adoption.

BACKGROUND

At the December 11, 2024 Town Council meeting, the Town Council supported the recommendation of the Planning and Zoning Commission for staff to take the lead on Code Review going forward. The subject project timeline will be presented to the Planning and Zoning Commission at their January 7, 2025 meeting. Any changes made at that meeting will be delivered to the Town Council on January 14, 2025.

WRB: JHD

Attachments: ToPB Zoning Code *Proposed* Update 2025-2026 Project Timeline

cc: James Murphy, Assistant Planning Director
Jennifer Hofmeister-Drew, Planner III, AICP

Town of Palm Beach – Zoning Code Update

2025-2026 Project Timeline

DRAFT

Article	Staff assigned	2025												2026			
		Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April
ARTICLE IV – RESIDENTIAL DISTRICTS		STAFF REVIEW															
							PZC REVIEW										
ARTICLE I – INTRODUCTION AND USE OF THE ZONING CODE		STAFF REVIEW															
ARTICLE II – GLOSSARY OF TERMS AND																	
ARTICLE III – SITE PLAN REVIEW							PZC REVIEW										
ARTICLE IV- COMMERCIAL AND MIXED-USE DISTRICTS		STAFF REVIEW															
ARTICLE IV- PUBLIC, RECREATION, AND OPEN SPACE DISTRICTS																	
ARTICLE V – GENERAL APPLICABLE REGULATIONS (PARKING, LOADING, AND SIGNS)		STAFF REVIEW		STAFF REVIEW													

Article	Staff assigned	2025												2026			
		Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April
ARTICLE VI – ADMINISTRATION AND PROCEDURES (VARIANCES, FLOODPLAIN VARIANCES AND MAP AND TEXT AMENDMENTS)		STAFF REVIEW															
											PZC REVIEW	PZC REVIEW					
ARTICLE VII - SUPPLEMENTARY DISTRICT REGULATIONS		STAFF REVIEW															
													PZC REVIEW				
COMPLETE UPDATED ZONING CODE										STAFF PREPARATION							
															P&Z COMMISSION		
																TOWN COUNCIL FIRST READING	
																	TOWN COUNCIL ADOPTION HEARING

Notes: Staff to go through the comments sent to Sean for each of the Articles
Strike-through and underline will be provided for each Article

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Regular Business

Agenda Title

Further Discussion Regarding Construction that Deviates from Approved Permit Plans

[This matter was deferred from the January 15, 2025, Town Council meeting.]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**

TOWN OF PALM BEACH

Information for Town Council Meeting on: January 15, 2025

To: Mayor and Town Council

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

Cc: Kirk Blouin, Town Manager & James Murphy, Asst. Director of PZB

Re: Construction That Deviates From The Approved Permit Plans – Round Two

Date: December 13, 2024

DISCUSSION:

One of the continuing and problematic issues for the Planning, Zoning & Building Department occurs when a construction project deviates from the approved design plan. Arcom and Landmarks often spend a great deal of time and effort to approve construction projects, many times with significant neighbor input. Projects are approved and permitted with specific plans. But the owners often deviate from the approved plans and install unapproved and unpermitted features or exceed the scope of the approved work. Often these deviations are not noticed until it is after the fact or at the end of the project (if the owner or contractor are using private providers) when the now-mandatory design inspections are called for. The unapproved and unpermitted work creates the need for further design review by staff, involvement with the Chairs of Arcom or Landmarks, and sometimes by the full design Commissions. Staff cannot issue the final inspections and the certificate of occupancy until the Town formally approves the deviations. At times even zoning variances are required at the end of a project for height or setback encroachments resulting from the unpermitted construction work.

Most of the these “After the Fact” approvals relate to the placement of mechanical equipment, site walls, screening walls around equipment, pool and water feature locations, changes to roofs, changes to windows and doors, driveway materials and layout, and building and structure setbacks.

Staff has tried various remedies to stop these unapproved construction projects without much success. Contractors often cave to the pressure of an owner’s request to make a construction change without going through the proper zoning and design review process. Private providers generally inspect to code but do not hold their clients to strict plan compliance. Arcom, Landmarks and Town Council have all seen these types of projects over the past several years. Currently there is no penalty for these deviations, only a delay in obtaining a final inspection or certificate of occupancy.

During a recent staff discussion, the concept of making construction that deviates from the approved permit plans a “Strike” under the “3 Strike” program. The idea would be once our inspection staff determines that a portion of the project was built in violation of the approved permit set of plans, that a “strike” would be issued. The “3 Strike” program has proven to be a very effective tool at controlling construction site problems, as no contractor or owner would want their project shut down for a period of time and require Town Council relief to restart the project.

At your Development Review Meeting on December 11, 2024 Town Council discussed this matter and requested staff to return with more options to address this problem. Options include, but are not limited to:

- Making After the Fact situations, once discovered, a single “Strike” under the “3 Strike” Program.
- Mandating the immediate removal of any discovered unpermitted construction.
- Mandating a visit to the Town Council for their consideration of whether the After the Fact construction can move forward to either Arcom or LPC.
- Penalty fees (double fees) charged on any and every required application.
- Automatic “3 Strikes” immediately upon discovery and all work stops until adjudicated by the Town Council.
- Automatic 300’ mailing notice to neighbors of the unpermitted work.
- Complete work stoppage on the entire project upon discovery.
- No ability of staff to issue a Temporary Certificate of Occupancy until the unpermitted work is resolved.
- Any combination of the above options.

This matter is before you again for discussion and consideration. Staff will draft any ordinance or resolution required to implement the new regulations once the options are considered and determined by the Town Council.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Regular Business

Agenda Title

Staff Update Regarding Downtown West Palm Beach Development Projects

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **West Palm Beach Projects Table**
- ▣ **West Palm Beach Projects Map pg1**
- ▣ **West Palm Beach Projects Map pg2**

TOWN OF PALM BEACH

Information for Town Council Meeting on:

February 12, 2025

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

WB

From: Wayne Bergman, MCP, LEED® AP Director of Planning, Zoning & Building

Re: Downtown West Palm Beach Development Projects

Date: January 30, 2025

GENERAL INFORMATION

Upon the request of the Town of Palm Beach Town Council, Planning, Zoning and Building Department staff contacted Rick Greene, AICP, Development Services Director at the City of West Palm Beach, and obtained the latest GIS maps that explain the development projects and status of their approvals.

The attached spreadsheet and maps display the downtown projects categorized by the following stages of approval:

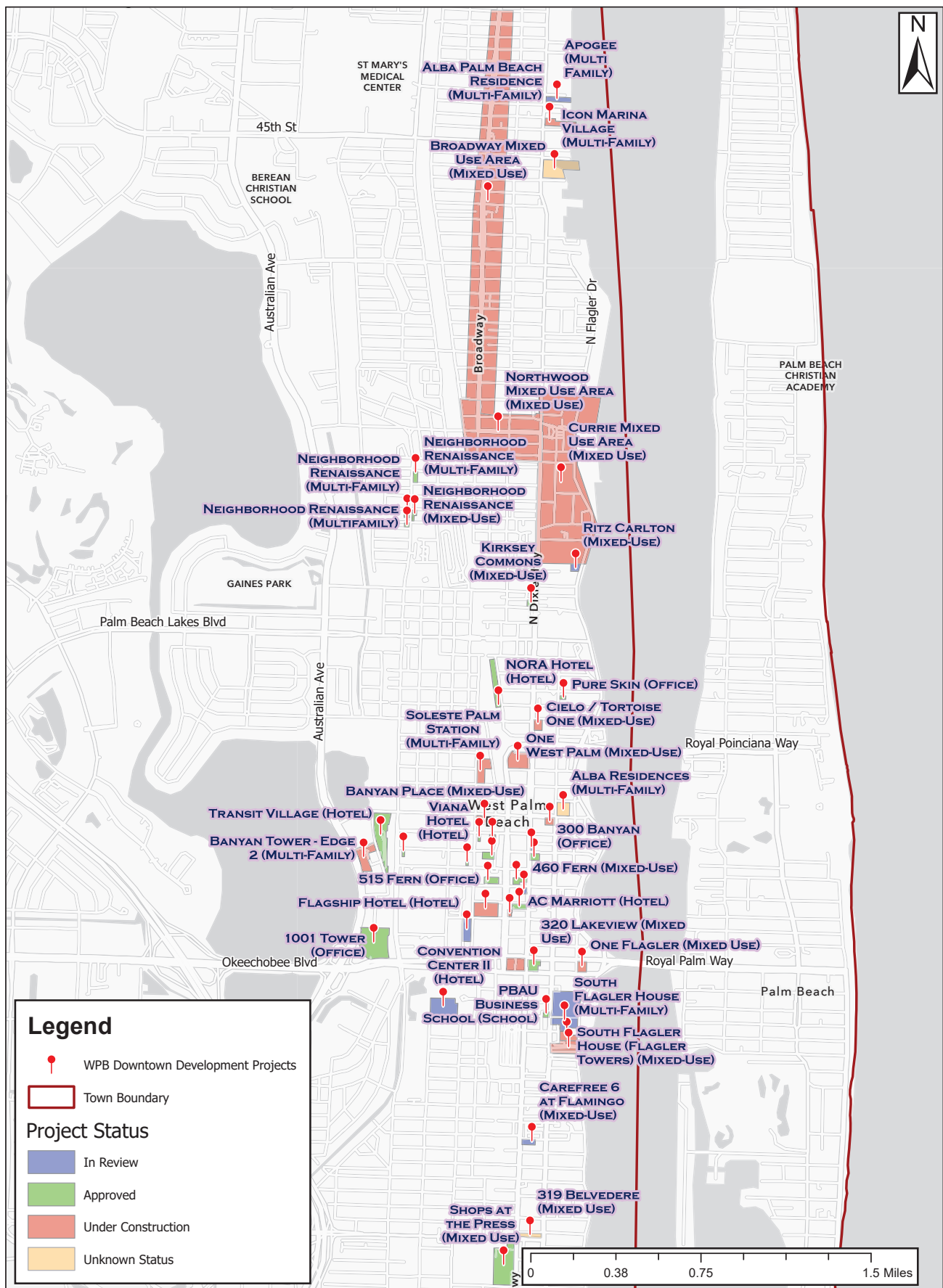
In Review, Approved, Under Construction, and Completed Development Projects.

At the February 12, 2025 Town Council meeting, staff will review the downtown West Palm Beach development projects to the Town Council and the public.

WRB:JHD

#	ProjectName	Location	Street	Project Type	Status	ProjectSummary
1	1001 Tower	1001 Okeechobee Blvd	Tamarind & Okeechobee	Office	Approved	23-story, 685,970 gross sq ft, 305,863 sq ft office, 1,054 parking spaces.
2	120 South Dixie Highway & Datura	120 S Dixie Hwy	S Dixie Hwy	Multi-Family	In Review	Residential: 153 Units, (Studio-66, 1BR-43, 2BR-44), Retail: 6,650 sq ft, Parking: 174 spaces.
3	300 Banyan	300 Banyan Blvd	Banyan & S Olive	Office	Under Construction	12-story, 97,906 sf office, 272 space parking garage, renovation of 41,779 sf 301 Clematis for office and commercial or F&B
4	315 S Dixie	315 S Dixie Hwy	S Dixie Hwy	Multi-Family	Approved	Residential: Multifamily 190 Units, Office Space: 9,411 sq ft.
5	319 Belvedere	319 Belvedere Rd	Belvedere & S Dixie	Mixed Use	Unknown	Residential: 29 units, Retail: 3,992 sq ft
6	320 Lakeview	320 Lakeview Ave	Lakeview, Okeechobee & S Dixie	Mixed Use	Approved	25-story mixed use building, consisting of 4679 sq ft of ground level commercial, 210 multifamily units and a 110room hotel.
7	460 Fern	460 Fern Street	Fern Street	Mixed-Use	In Review	340 Multifamily Units, 23,377 sf of Retail and 16,135 sf of Office
8	506 - 524 Datura	506-524 Datura St	Datura	Mixed Use	Approved	19-story, 232,263 sq ft. hotel & residential building. 132 hotel units, 180 residential units, 2,200 sq ft of ground floor retail, and 265 parking spaces.
9	512 Clematis St	512 Clematis St	Clematis St	Mixed-Use	Under Construction	Five-story, 68,296 sf, mixed-use residential building with ground-floor retail and 88 units (63 studio & 25 1-bedroom)
10	515 Fern	501 & 515 Fern St	Fern, Quadrille & Rosemary	Office	Approved	25-story, 466,068 gross sq ft, 425,236 sq ft of office space and 9,369 sq ft of ground-level retail, 765 space parking garage
11	AC Marriott	414 Gardenia St	Gardenia St	Hotel	Approved	Ten-story, 95,403 sq ft hotel. Parking: 235 spaces.
12	Alba Palm Beach Residence	4708 & 4714 N Flagler Dr	N Flagler Dr	Multi-Family	Under Construction	21-story tower, 55 residential units, 148 parking spaces.
13	Alba Residences	250 N Olive Ave	N Olive & Banyan	Multi-Family	Unknown	55 units
14	Apogee	4906 N Flagler Dr	N Flagler & 49th	Multi-Family	In Review	Residential project 63,354 sq ft, 46 multifamily units.
15	Banyan Place	550 Banyan Blvd	Banyan Blvd	Mixed-Use	Under Construction	Twelve stories. Commercial: 1,810 sq ft, multifamily residential: 348 units.
16	Banyan Tower - Edge 2	350 S Australian Ave	Australian Ave	Multi-Family	Under Construction	22-story multi-family residential, 395,470 sq ft gross, 456-units (158 micro, 298 regular, 3 live/work) with 9,935 sq ft of ground floor commercial.
17	Broadway Mixed Use Area	Broadway	Broadway	Mixed Use	Under Construction	
18	Carefree 6 at Flamingo	2000 S Dixie Hwy	S Dixie Hwy	Mixed Use	In Review	Residential 58 Units, Restaurant: 6,700 sq ft, Theater: 600 Seats.
19	Cielo / Tortoise One	370 & 375 Eucalyptus St	Eucalyptus St	Mixed-Use	Under Construction	8-story 255,331 sq ft new building including 3,401 sq ft of retail, 264 residential units (256 regular units and 8 micro-units), and 371 parking spaces.
20	Clematis Place	Rosemary & Clematis	Rosemary & Clematis	Mixed Use	Approved	12-story, 180,140 gross sf, 159 residential units, 11,490 sf of commercial space.
21	Convention Center II	Okeechobee Blvd	Okeechobee & S Rosemary	Hotel	In Review	Hotel: 420 rooms, retail space: 9,716 sq ft, parking: six levels, 630 spaces.
22	Currie Mixed Use Area	Currie Park	N Flagler, N Dixie, 14th - 27th	Mixed Use	Under Construction	Redevelopment of the 16.42-acre Currie Park.
23	East/West Towers	City Place	550 S Rosemary Ave	Office	Under Construction	East Tower, Class A Office Building, 23 Stories, 337 ft tall; West Tower, Class A Office Building, 21 stories, 326.5 ft tall.
24	Family Church	1111 S Flagler Dr	S Flagler	Multi-Family	In Review	Two high-rise residential towers. Residential: 190 units. Restaurant: 5,400 sq ft.
25	Flagship Hotel	179 S Rosemary Ave	Rosemary & Hibiscus	Hotel	In Review	102 rooms
26	Forte	1309 S Flagler	S Flagler	Multi-Family	Under Construction	42 Unit Residential Tower, 24 Stories on 1.38 acres, Parking: 133 Spaces

27	Icon Marina Village	4444 N Flagler Dr	N Flagler & 45th	Multi-Family	Unknown	399 units
28	Kirksey Commons	1501 N Dixie Hwy	N Dixie Hwy	Office	Approved	Office: 900 sq ft, Retail: 9,400 sq ft, Other: 84,000 sq ft (Warehousing), 900 sq ft (Utilities), Parking: 57 Spaces.
29	Neighborhood Renaissance	1002 Grant Street	Grant Street	Multi-Family	Approved	6 multifamily units.
30	Neighborhood Renaissance	1004 19th Street	19th Street	Multi-Family	Approved	12 multifamily units and 286 sq ft of non-residential.
31	Neighborhood Renaissance	1980 N Tamarind Ave	N Tamarind Ave	Mixed-Use	Approved	10 multifamily units and 1,430 sq ft of retail.
32	Neighborhood Renaissance	2212 N Tamarind Ave	N Tamarind Ave	Multi-family	Approved	15 multifamily units and 1,716 sq ft of non-residential.
33	NORA Hotel	N Railroad Ave	Railroad, Quadrille & Palm Beach Lakes	Hotel	Approved	Retail: 11,372 sq ft, Hotel: 191,842 sq ft.
34	Northwood Mixed Use Area	Northwood Village	Northwood, N Dixie, N Flagler, Broadway, 23rd & 24th	Mixed Use	Under Construction	Three Mixed Use buildings totaling 382 rental units and 63,200 sq ft commercial.
35	NYU Langone	324 Datura St	Datura St	Office	Approved	Medical office, 181,492 sq ft. Three levels of parking, 201 spaces.
36	One Flagler	180 Lakeview Ave	Lakeview, Okeechobee & S Flagler	Mixed Use	Under Construction	25-story, 276,245 sq ft office, 6,274 restaurant, 16,368 sq ft First Church of Christ Scientist, 239 parking spaces.
37	One West Palm	550 Quadrille	Quadrille & N Dixie	Mixed Use	Under Construction	30-story, 1,504 sf daycare, a 200 room hotel including 44,849 sq ft of meeting space and a 6,863 sq ft restaurant, 204,067 sq ft of office, a 218 unit residential building, and 7,348 sf sq ft retail, along with a 702 parking garage
39	PBAU Business School	1199 S Olive Ave	S Olive	University	Approved	Construction of a 6 story 125,915 sq ft business school
40	Pure Skin	912 N Olive Ave	N Olive Ave	Mixed-Use	Approved	Professional office / live work, 6,655 sq ft.
41	Ritz Carlton	N Flagler Dr	1717 N Flagler Dr	Multi-Family	In Review	Multifamily: 138 units, three office buildings: 11,960 sq ft.
42	Shops at the Press	2751 S Dixie Hwy	S Dixie & Monceaux	Mixed Use	Approved	Office: 177100 sq ft, Retail: 40711 sq ft, Restaurant 4107 Sf, Warehouse: 9376 sq ft.
43	Solana	992 Datura Ave	Datura Ave	Multi-Family	Approved	88 Total Units, 74 Microunits, 141 BR Units, 36 Parking spaces.
44	Soleste Palm Station	410 N Rosemary Ave	Rosemary Ave	Multi-Family	Under Construction	Residential: 321 Units, Parking: 450 Spaces
45	South Flagler House (Flagler Towers)	1315 S Flagler Dr	S Flagler Dr	Mixed Use	Under Construction	109 Residential units, 3,878 sf restaurant.
46	Transit Village	132 Clearwater Pl	Clearwater, Australian & Banyan	Hotel	Approved	Four 25-story towers, 1,296,814 sq ft, 820 regular residential units, 42 workforce units, 166 micro units, 108 hotel units, 49,395 sq ft retail, 182,720 sq ft of office, 2,000 parking spaces
47	Viana Hotel	609 Evernia St	Evernia	Hotel	Approved	8,514 sq ft (Restaurant), Hotel: 142 Hotel Units, Parking: 52 Spaces.
48	West Palm Point	801 South Dixie Hwy	South Dixie Hwy	Office	Under Construction	23-story, 468,450 sq ft office, 1,167 parking spaces.



Map Location:
Downtown West Palm Beach

Map Description:

This map shows approximate locations of Current and future construction projects in Downtown/CRA West Palm Beach that could have traffic impacts to the Town.

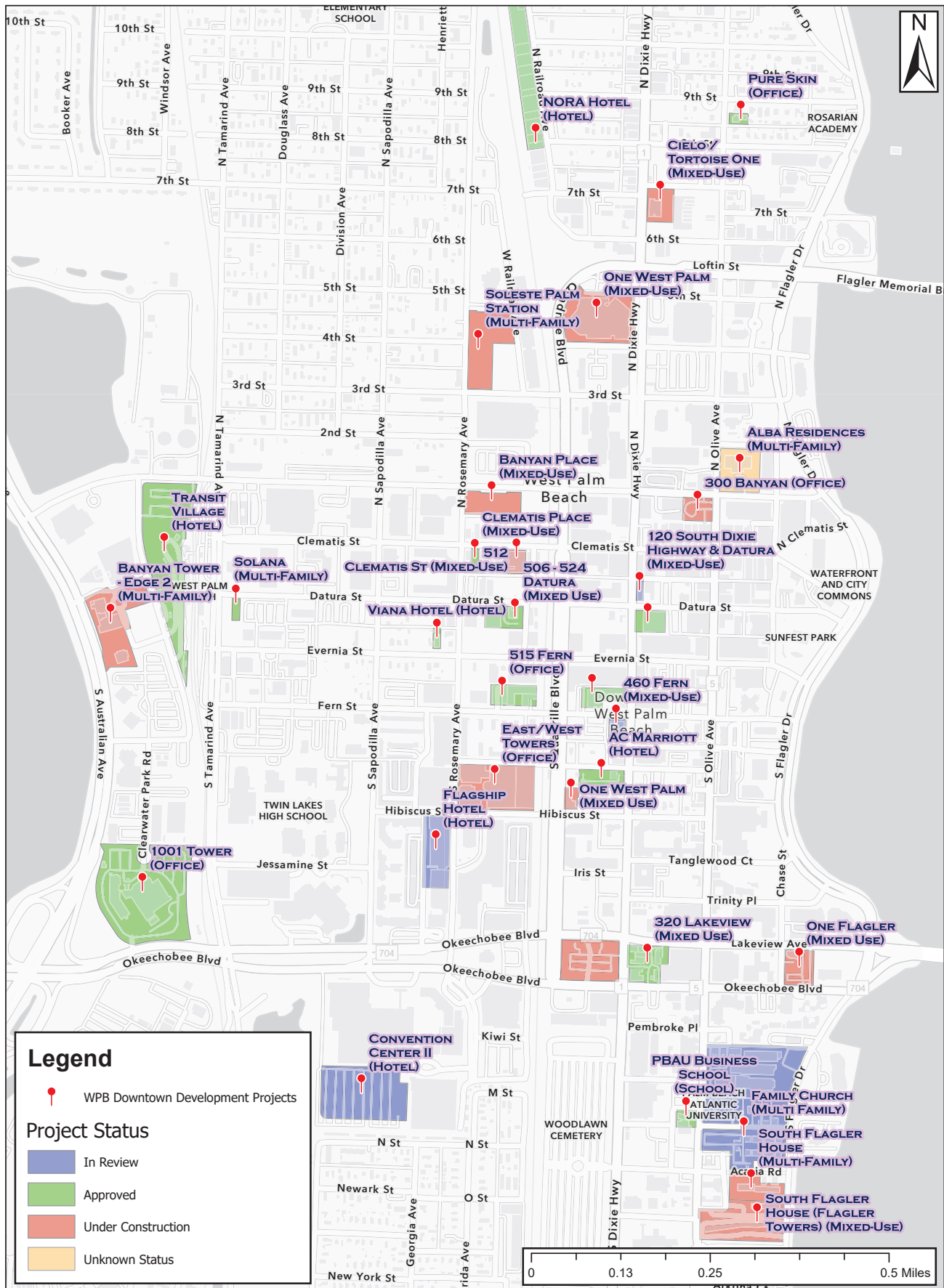


Current and Future Downtown/CRA Development Projects

GIS Department

Sheet No.
1 of 2

Date 1/30/2025
34 of 789



TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda Resolutions

Agenda Title

RESOLUTION NO. 008-2025: A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As **325 South Lake Drive** Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach. *[The property owners are supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]*

Presenter

ATTACHMENTS:

- ▣ **Resolution No. 008-2025: 325 S Lake Drive**
- ▣ **Designation Report**
- ▣ **Excerpt from the December 18, 2024 Landmarks Preservation Commission Meeting Minutes**
- ▣ **Landmark Designation Procedure**

RESOLUTION NO. 008-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY KNOWN AS 325 SOUTH LAKE DRIVE MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; AND DESIGNATING SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being designated as a landmark is hereby ratified, approved, and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as 325 South Lake Drive and the property to be landmarked is legally described as follows: **Casa Del Lago, a Condominium, according to the Declaration of Condominium recorded in Official Record Book 1648, Page 1201, and all exhibits and amendments thereof, Public Records of Palm Beach County, Florida.**

Described as the following lands lying in Palm Beach County, Florida: Beginning at the southwest corner of Lot 3, Block 4, according to the Plat of the REVISED MAP OF ROYAL PARK ADDITION to Palm Beach, Florida, as recorded in Plat Book 4, Page 1, in and for the Public Records of Palm Beach County, Florida; thence N 4° 23' 30" E, along the West line of said Lot 3, a distance of 50.15 feet to the northwest corner of said Lot 3; thence 0° 58' 25" E, along the West line of Lot 2 of said Block 4, a distance of 23.10 feet to a point on a line parallel with and 88.10 feet south of, when measured at right angles, the south right of way line of Brazilian Avenue as shown on the said plat of the revised map of Royal Park Addition to Palm Beach, Florida; thence East, along the said parallel line, a distance of 72.51 feet to a point; thence S 0° 58' 25" W, a distance of 12.50 feet to a point; thence East, a distance of 37.51 feet to a point; thence south a distance of 9.12 feet to a point; thence East, a distance of 52.60 feet to a point on the East line of the West 2.00 feet of Lot 56 of said Block 4; thence south, along the said East line, a distance of 51.48 feet to a point on the South line of said Lot 56; thence West, along the South line of said Lot 56 and 3, a distance of 166.64 feet to the Point of Beginning.

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 15th day of January 2025.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lew Crampton, Town Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Kelly Churney, Town Clerk

Edward A. Cooney, Town Council Member

Bridget Moran, Town Council Member

Casa Del Lago

325 South Lake Drive



DESIGNATION REPORT

December 18, 2024

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

Casa Del Lago 325 South Lake Drive

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Report produced by Murphy Stillings, LLC

I. General Information

Location: 325 South Lake Drive
Palm Beach, Florida

Date of Construction: c.1945, 1946-1947 & 1951-1952

Historic Name: Casa Del Lago

Architect: Belford Shoumate

Builder/Contractor: F. Ruth, 1946
James and J.Q. Henry Contractors, 1951-1952

Current Owners: Multiple Owners (See list below)

Present Use: Residential Condominium Building

PBC Tax Folio Number: 50-43-43-27-75-000-1010
50-43-43-27-75-000-1030
50-43-43-27-75-000-2010
50-43-43-27-75-000-2030
50-43-43-27-75-000-2040
50-43-43-27-75-000-0030
50-43-43-27-75-000-0040
50-43-43-27-75-000-0060
50-43-43-27-75-000-0070
50-43-43-27-75-000-3010

Current Legal Description:

Casa Del Lago, a Condominium, according to the Declaration of Condominium recorded in Official Record Book 1648, Page 1201, and all exhibits and amendments thereof, Public Records of Palm Beach County, Florida.

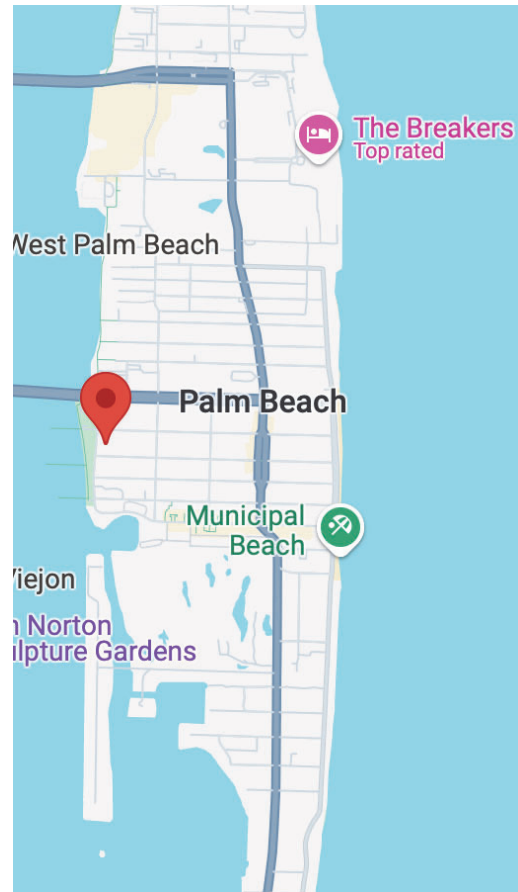
Described as the following lands lying in Palm Beach County, Florida: Beginning at the southwest corner of Lot 3, Block 4, according to the Plat of the REVISED MAP OF ROYAL PARK ADDITION to Palm Beach, Florida, as recorded in Plat Book 4, Page 1, in and for the Public Records of Palm Beach County, Florida; thence N 4° 23' 30" E, along the West line of said Lot 3, a distance of 50.15 feet to the northwest corner of said Lot 3; thence 0° 58' 25" E, along the West line of Lot 2 of said Block 4, a distance of 23.10 feet to a point on a line parallel with and 88.10 feet south of, when measured at right angles, the south right of way line of Brazilian Avenue as shown on the said plat of the revised map of Royal Park Addition to Palm Beach, Florida; thence

East, along the said parallel line, a distance of 72.51 feet to a point; thence S 0° 58' 25" W, a distance of 12.50 feet to a point; thence East, a distance of 37.51 feet to a point; thence south a distance of 9.12 feet to a point; thence East, a distance of 52.60 feet to a point on the East line of the West 2.00 feet of Lot 56 of said Block 4; thence south, along the said East line, a distance of 51.48 feet to a point on the South line of said Lot 56; thence West, along the South line of said Lot 56 and 3, a distance of 166.64 feet to the Point of Beginning.

List of Owners and Parcel Control Numbers:

<u>OWNER</u>	<u>PARCEL CONTROL NUMBER</u>
MCG 2022 Trust, Applegren Trust, & Michael C. Graham Trust	50-43-43-27-75-000-1010
MCG 2022 Trust, Applegren Trust, & Michael C. Graham Trust	50-43-43-27-75-000-1030
Robert W. Pommer, III Trust	50-43-43-27-75-000-2010
John N. Gooch	50-43-43-27-75-000-2030
John N. Gooch	50-43-43-27-75-000-2040
Landon & Mary M. Hilliard	50-43-43-27-75-000- 0030
Fred Mitzner	50-43-43-27-75-000-0040
John E. Corey & Page Evans	50-43-43-27-75-000-0060
Mini Coastal LLC	50-43-43-27-75-000-0070
Landon & Mary M. Hilliard	50-43-43-27-75-000-3010

II. Location Map



III. Architectural Information

The Casa Del Lago condominium, located at 325 South Lake Drive, was designed in the British Colonial style by renowned Palm Beach architect Belford Shoumate in phases between 1945 and 1951. The multi-family building is situated on the east side of South Lake Drive, between Brazilian and Australian Avenues, facing Lake Drive Park and the Town of Palm Beach Marina.



Main (West) Façade

The British Colonial style of architecture, a sub-type of the Colonial Revival style, is a West Indian adaptation of Georgian architecture. It was inspired by the traditions of the English colonists' architectural heritage and adapted to the local environments and building materials. Ornamental details were kept to a minimum in response to the characteristics of the local building materials. The British Colonial style was introduced to Palm Beach in 1925 by Howard Major with the design of Major Alley on Peruvian Avenue. During the 1930s John Volk expanded on the theme designing a number of British Colonial style residences, and the style continued to gain popularity through the middle part of the century with many well-known architects including Marion Sims Wyeth, Maurice Fatio, Gustav Maass, Henry Harding, Howard Chilton, and Belford Shoumate designing in the British Colonial style throughout Palm Beach. The style is characterized by multiple steeply pitched roofs,

symmetrical fenestration and stucco surfaced walls with verandas, small porches, and balconies. Porticos, pediments, shutters, and quoins are sometimes included design elements.



The property at 325 South Lake Drive was once a part of a larger parcel that included the land to the north, at the corner of South Lake Trail and Brazilian Avenue. In early 1945, Belford Shoumate was commissioned by Mr. and Mrs. Bassett Mitchell to design a two-unit apartment building for the site.¹ The apartments were added to an existing free-standing two-car garage on the property, with one apartment constructed on each of the east and west sides of the garage.² By the end of 1945, Shoumate was asked to add a second floor to the design for three additional apartments which were constructed in 1946-1947.³ This 5-unit two-story structure was setback considerably from South Lake Drive and faced toward the north. In 1951, Shoumate was commissioned by Mr. Robert Harriss to design a three-story addition for additional apartment units.⁴ This addition, located to the west side of the two-story building, is what is currently seen from South Lake Drive and was the beginning of the property being known as Casa Del Lago.

¹ Town of Palm Beach Building Permit No. 20045, dated November 28, 1945.

² The date of the garage is unknown but was noted on Shoumate's drawings in the Town of Palm Beach Building Permit Records as "existing garage".

³ Town of Palm Beach Building Permit No. 22946, dated November 29, 1946.

⁴ Town of Palm Beach Building Permit No. 40451, dated September 7, 1951.

Casa Del Lago's development resulted in a charming, multi-massed, informal, meandering design with courtyards, verandas and patios overlooking the property's tropical setting. The structures were constructed of concrete blocks surfaced with smooth stucco and feature multiple hipped roofs at various heights with exposed rafter tails and surfaced with white barrel tiles.

CASA DEL LAGO

The buildings are situated a short distance apart on the exclusive South Lake Drive. One compliments the other in presenting the size, the arrangement, the price most suitable to discriminating winter guests.



Historic Advertisement
Provided by the Preservation Foundation of Palm Beach

The west façade, facing South Lake Drive, contains three-story and two-story elements. The northern side is three stories in height and features a hipped roof entrance portico. Curving welcoming arms lead to the portico and a decorative metal entrance gate, set within a molded door surround, provides access to an open-air walkaway that leads east through the building. The southern side is two-stories high with a large patio on the roof. The patio features wall openings with jalousie louvers and is covered with a canvas awning. The windows of the main façade are a combination of single-light sash and casements flanked by half-height colonial shutters and topped with Bahama shutters.



Southwest Corner
Looking Northeast from South Lake Drive

Decorative metalwork is located in openings at the south end of the west façade along with a decorative metal gate leading to a walkway along the southern property line. The units in this western portion of the building feature verandas and patios on the south façade. The verandas on the second floor feature a unique angled railing design with wood louvers that are visible from South Lake Drive and the third-floor penthouse unit features a large roof top patio which is accessed by a tower element with a chimney on the north facade. The open-air walkway that leads from the main entrance through the three-story portion of the building provides access to the two-story portion at the rear of the property.



Ariel Photograph
Showing Three-Story Portion (Built 1951) &
Two-Story Portion (Built 1945-1946)



Open-Air Walkway
Looking West,
Toward South Lake Drive

The two-story portion of the building, at the rear of the property, is the section that was built in 1945-1946 by creating additions to a garage structure. The residential units in this portion feature courtyards to the north of the building. Shoumate designed the main (north) façade with variations in the wall planes. This included cantilevering the central portion of the second story and projecting forward portions of the first floor in the east and west bays which creates an interesting play in the building's massing.



North Elevation
Belford Shoumate, 1945

Shoumate's 1945-1946 design for the rear portion of the building changed the garage door openings of the original one-story garage structure into bay windows with multi-light sash windows. The design also features a centrally located staircase with an arched opening leading to the second floor, balconies on the projecting one-story elements that are accessed by French doors, and symmetrically placed sets of three large single-light sash windows.



Central Section of the Rear, Two-Story Portion of Building
North Façade

Over the years alterations to Casa Del Lago have been primarily interior renovations, including the combining of some units, and there has also been some window and door changes and re-roofing. The structure retains the historic and architectural integrity of Shoumate's design.

IV. Historical Information

The history of Palm Beach started long ago when Native Americans inhabited the island, with the Jaega people arriving at least 3,000 years ago. White settlers began arriving in modern-day Palm Beach by 1872 with Hiram F. Hammon making the first homestead claim in 1873 in present day Palm Beach.⁵ However, the area did not grow significantly until Standard Oil business magnate Henry Flagler became instrumental in transforming the island of jungles and swamps into a preeminent winter resort by extending his Florida East Coast Railway southward to the area and opening the Royal Poinciana Hotel in 1894 and the Breakers Hotel in 1896. In the early 1900's prior to World War I most of the seasonal residents resided in the hotels though several early businessmen saw the need to create residential developments to house the growing number of seasonal residents.

Elisha N. Dimick settled in the area that became Palm Beach in 1876 and was one of the most influential people in the history of the Town. In addition to establishing the first hotel, serving in the Florida House of Representatives and the Florida Senate, and co-founding the area's first bank, Dimick was instrumental in developing Royal Park and founding the Town of Palm Beach. As winter residents arrived in increasing number each year, Dimick and his nephew Harvey Geer began buying up property from Lake Worth to the Atlantic Ocean between what is today Royal Palm Way and Worth Avenue in the early 1900s. Dimick and Geer began developing the area in 1908 and joined with business partners George Jonas and Otto Kubin to form the Palm Beach Improvement Company. The development of the approximately 150 acre Royal Park subdivision was a tremendous undertaking because at the time the area was mostly jungle, marsh and swamp infested with mosquitos, alligators and snakes. After dredging much of the area, the Palm Beach Improvement Company hired contractors to pave streets and sidewalks and install water mains, sewers, electric systems and telephone lines in order to create what would be the first substantial real estate development in Palm Beach outside of the Flagler Hotel properties. To provide much needed automobile access to the Island

⁵ Hiram Hammon filed the first homestead claim in what would later be named Palm Beach taking advantage of the Homestead Act that Congress had passed in 1862 that enabled any U.S. citizen to claim up to 160 acres of surveyed government land as long as the person agreed to live on it and improve it for five years. Hammon's homestead amounted to 169 acres, according to Florida homestead records, and it included present-day Worth Avenue and Hammon Avenue and stretched the entire width of the island, from the ocean to the lake. He settled on the land in 1873 and built a thatched palmetto shack he shared with friend and fellow pioneer William Lanehart, who took an adjoining homestead.

and help ensure success of the development, in 1910 Dimick formed the Lake Worth Bridge Company and hired a construction company to build a bridge between West Palm Beach and the Island at Royal Palm Way. This wooden toll bridge was completed in 1911, the same year the Town of Palm Beach was incorporated and Dimick was elected mayor. The Royal Park Bridge was of key importance to the success of Royal Park because it provided greater access to the subdivision to sustain construction needs, bring customers to their property, and redirect attention south of the Royal Poinciana Hotel which up to that time was the center of activity.⁶ Unfortunately, even after the bridge was constructed, Royal Park failed to interest many buyers. However, in 1913, Dimick and his partners took a cue from Edward “E.R.” Bradley and his brother Jack who had success selling out the lots in their Floral Park subdivision with the help Lewis Henry Green. Green was a shrewd businessman who used newspaper advertisements and auctions to promote the area and sell home sites.⁷ The public eagerly responded to Green’s promotions in Royal Park with the first auction attracting between 600-800 people.⁸ Dimick, Geer and others involved in the Palm Beach Improvement Company continued to make vast improvements to the area and by 1916 almost all of the lots in Royal Park had been sold. The plat of Royal Park specified areas exclusively for commercial use, and after Royal Park was completed and settled following WWI, the town unconsciously shifted its center in a southerly direction from the original Main Street area to Royal Park due to Royal Park’s growing prominence.⁹ Like much of Palm Beach, Royal Park was booming in the 1920s with both residential and commercial construction. After completion of the new Palm Beach Town Hall and Fire Station along Royal Park’s South County Road at the end of 1925, the area became the town’s new governmental center and surrounding businesses and neighborhoods thrived.¹⁰

Palm Beach did experience effects of the late 1920s land and housing bust and the Great Depression, however, during the post-Depression/New Deal Era of the 1930s

⁶ Susan J. Oldfather. Elisha Newton Dimick and His Influence on the Development of Palm Beach. Thesis, Florida Atlantic University, December 1989. Dimick and Geer thought it was especially important to provide automobile access in order to attract northern buyers who were accustomed to driving their automobiles most places.

⁷ The Bradley’s announced plans to develop the Floral Park subdivision in 1910 just north of the Royal Poinciana Hotel, Main Street and their Beach Club in an area that at the time was the center of activity. In order to gain interest in their subdivision, the Bradley’s hired Lewis Henry Green, a wealthy Mexican born realtor from California who often stayed at the Royal Poinciana Hotel. He published newspaper advertisements, had private auctions and then reported the buying spree in the newspaper. To further entice potential but hesitant buyers, Green offered expensive prizes and souvenirs. This tactic worked as the final February 1912 auction took place, the remaining Floral Park lots sold out in under two hours.

⁸ Beginning in January of 1913, Green splashed advertisements for Royal Park all over local newspapers and offered \$2000 in daily prizes.

⁹ Susan J. Oldfather. Elisha Newton Dimick and His Influence on the Development of Palm Beach. Thesis, Florida Atlantic University, December 1989.

¹⁰ At the time, South County Road was named Palm Beach Avenue.

and 1940s, the Town saw significant development of residential neighborhoods while also continuing to host many wealthy people both as residents and tourists. Being a waterfront community, yachts were a mainstay in Palm Beach with numerous people using their yachts for pleasure, travel and lodging. The large frontage on Lake Worth was an important part of the Royal Park development and a Yacht Harbor was built originally for exclusive use by owners and residents of Royal Park. As the Town grew so did the yachting community, which instigated the expansion of the docks at the terminus of Brazilian and Australian Avenues. The Yacht Harbor or Yacht Basin, as it was referred to, was built to accommodate large yachts with slips that could be rented for the season by residents or shorter terms by tourists. As demand grew, additional docks were built to the north closer to the Royal Park Bridge. Smaller properties and apartments close to the Yacht Harbor in Royal Park were often rented to residents and tourists whose yachts were moored at the docks.

With the conclusion of World War II, Palm Beach flourished and grew exponentially. An era of prosperity that had emerged in the 1920s became considerably larger and more mobile, with the population nearly doubling in the 1950s. In addition to the increase in the population and boost in tourism, the lifting of wartime restrictions and an increasing supply of materials helped to accelerate Palm Beach's post-World War II economy with new construction throughout the town.¹¹

As noted previously, in 1945, Belford Shoumate was commissioned by Mr. and Mrs. Bassett Mitchell to design a two-unit apartment building for the property and shortly thereafter he designed a second floor to the structure for three additional apartments. At the time Shoumate was designing the building, the Mitchell's were residing just north of the property at their house at 438 Brazilian Avenue. Bassett and Mary Mitchell were longtime Palm Beach winter residents with their original Royal Park house constructed in 1923.¹² Bassett Mitchell became interested in Palm Beach real estate both as a broker and a developer when he came to town prior to the 1920s land and housing boom. His initial holdings included mostly oceanfront properties in Palm Beach and further south. Bassett Mitchell's sister, Neville Mitchell Smith, and brother-in-law, Stephen "S" Fahs Smith, were also early Palm Beach residents and involved in developing investment property in Royal Park, including the commercial

¹¹ Augustus Mayhew. Palm Beach: A Greater Grandeur.

¹² In 1923, Bassett Mitchell commissioned Theodore Eissfeldt to build a frame and stucco residence on Brazilian Avenue. The following year 1924, Bassett Mitchell built a hollow tile and stucco one story garage and apartment on the lot.

building at 304-306 South County Road in 1929 and the Smith Shops at 296-302 South County Road in 1931.¹³

On September 7, 1951, architect Belford Shoumate filed a building permit and design plans on behalf of owner Robert M. Harriss and builders James and J.Q. Henry to build an apartment house at 325 South Lake Drive in the Royal Park subdivision.¹⁴ The three story building was designed to face west overlooking the lake and contain nine apartments of various size and design just to the west of the existing five-unit apartment building on the property. The construction of this building in the early 1950s was a time in Palm Beach when the north end of the island was growing significantly with new residential subdivisions and Royal Park was experiencing an escalation in apartment buildings particularly after the Town's 1947 zoning law changed much of Royal Park's exclusive residential zone "A" classification to zone "C" classification allowing more hotels and apartments.

Robert M. Harriss was a cotton dealer and partner in the Wall Street Cotton Exchange firm Harriss & Vose. Originally from Dallas, Texas, Harriss moved to Long Island, NY and also started to spend much of the winter season in Palm Beach by 1940.¹⁵ After the completion of 325 S. Lake Drive, the ownership was listed as Harodon, Inc., with Robert M. Harriss as President and Thomas O'Donnell as Vice-President. At this time, Casa Del Lago and Nassau Square, the apartment building at 381 S. Lake Drive, were both owned by Harodon, Inc. and were often advertised together promoting their location in the "most desirable Palm Beach Apartment Area – on the Lake between the Royal Park Bridge and Worth Avenue - and within walking distance of smart shops, restaurants and the Everglades Club." The apartment's superb views overlooking Lake Worth and the yacht anchorages were also touted in the advertisements.¹⁶ Both buildings were managed by L. V. Raymond with rentals available by the week, month or season. Robert Harriss, along with his yacht Majubob II, continued to spend the winter season in Palm Beach, sometimes

¹³ Bassett W. Mitchell, who claimed to be the grandnephew of George Washington, was born in London in 1868. In addition to being involved in real estate, he aided in the development of many activities, including the Gulf Stream Polo Field and Gulf Stream Country Club. S. Fahs Smith had been a winter resident of Palm Beach since 1911 and was a member of the prominent Smith family from York, PA. In Palm Beach he and his wife Neville resided at 147 Seabreeze Avenue. Both 304-306 South County Road and 296-302 South County Road are Town of Palm Beach Landmark Buildings. Bassett Mitchell passed away in September of 1946 and Mary Mitchell took control of the property.

¹⁴ There is not too much known about the builders James and J.Q. Henry, but they were early Palm Beach County residents having moved to the area with their parents in the 1920s.

¹⁵ At the time of the permit in 1951, Robert Mallory Harriss was living at the Everglades Club for the season with his children. His wife Abeline had passed away.

¹⁶ Brochure Advertising Casa Del Lago and Nassau Apartments provided by the Preservation Foundation of Palm Beach.

residing at Casa Del Lago, and in 1962 he bought the famous Lido Pool at the east end of Royal Park.¹⁷



Historic Photograph, unknown date
Provided by the Preservation Foundation of Palm Beach

Casa Del Lago was a popular apartment building in high demand throughout the 1950s and into the 1960s. The Florida Condominium Act was enacted in 1963 to allow new and existing multi-unit apartment and co-operative buildings to become condominiums. Casa Del Lago became a registered condominium in 1968, and Casa Inc. of Palm Beach began selling the various units to owners. Some of the early owners including David Ayers, Martin Horn, Richard Deems, Helen Rich and Leone King were well-known Palm Beach seasonal residents who helped establish the building's prestigious address.¹⁸

¹⁷ Lido Pool was formerly Gus's Bath located on the west side of Ocean Boulevard opposite of the Palm Beach Pier.

¹⁸ David Ayers, who purchased the penthouse and lived there until his passing in 1980, was an esteemed architectural and interior designer who also had a shop with his partner Martin Horn on Worth Avenue. In 1970, Ayers help a party in his penthouse for 200 people that was covered in the Shiny Sheet. After Ayers' passing, Martin Horn lived in the penthouse and was also president of the Casa Del Lago Condominium Board for a number of years. Richard Deems was Chairman of Hearst Magazines, Helen Rich was a philanthropist and founder of the Friends of the Ann Norton Sculpture Garden, which David Ayers was also involved with. Leone King was a well-known Palm Beach Daily News correspondent and longtime Palm Beach resident.

Since its construction over seventy years ago, Casa Del Lago has remained a charming mid-size residential building in a prime location along South Lake Drive overlooking the picturesque landscape of Lake Drive Park and the waters of Lake Worth. Although the building is now set amidst a number of larger condominium and co-operative buildings, due to its setback within the property, attractive landscaping and scale along the street it is not overwhelmed by its neighbors. In addition, Casa Del Lago is a very well managed condominium building with an active board of directors who take pride in the building and work hard to preserve its historic architectural character.

V. Architect Biography

Belford Shoumate

Belford Shoumate was born in Aberdeen, Ohio in 1903, and was raised in Mobile, Alabama. After receiving a degree in architecture from the University of Pennsylvania in 1929, Shoumate worked for four years with architect Joseph Urban in New York City. In 1936, he moved to Miami and worked with architect Carlos B. Schoeppl for a year before coming to Palm Beach.

In 1937, Shoumate married Beatrice Owen, moved to Palm Beach to start his own architectural practice, and received his architectural license. While designed prior to starting his own firm, Shoumate's first Palm Beach commission was the 1937 Art Moderne style "Boat House" on North Lake Way, which was rumored to have won the award for "House of the Future" at the 1939 World's Fair.

In 1940, Shoumate designed a British Colonial style residence with a studio for his architectural firm in Phipps Plaza (known as Architect's Row) where he lived and worked until his death in 1991. From the late 1930s, Belford Shoumate has left his architectural imprint, in either design or restoration, on more than 1,500 buildings of many styles in South Florida. While he designed in many styles, including Bermuda and Colonial, he is best known for his Modern designs, especially those in the Art Deco and Art Moderne styles.

Belford Shoumate was listed in *Who's Who in America* and was active in the National Committee for the Preservation of Historical Buildings, representing the local chapter of the A.I.A. Shoumate is quoted as saying, "Our American Heritage is being challenged in many ways. It's time to wake up and realize we have a wonderful history for such a young country, and we should preserve its form of government as well as its representative buildings for prosperity!"

An interview Belford Shoumate did with Dorothy Finn Scott for the Palm Beach Daily News in 1981 reveals additional information about the architect:

“In terms of offices in Palm Beach, the award for the most incredible goes to architect raconteur and preservationist Belford Washington Wren Shoumate. It is located in the bottom half of a series of two-story wooden houses he designed in Phipps Plaza some 40 years ago. The Shoumate office reveals much of the man himself: slightly disorganized aesthetic, eclectic and simply unable to throw anything out. A stalwart and vocal member of the Landmarks Commission, Shoumate always is trying to save what developers want to tear down. Parts of some 25 old Palm Beach mansions are scattered around his office, his home and many of the homes he designed for clients. He was also chairman of the American Institute of Architects’ Preservation of Historical Buildings from 1954-1964. If you don’t trip trying to look, you can find original plans for homes in the 30s and 40s in Palm Beach, including an addition to Mar-A- Lago from 1958, first edition Mizner books, a pre-World War II Remington portable typewriter, and parts of “Playa Riente” and “Casa Del Lago” estates – all in the tiny one-room office of Belford Shoumate. ‘They should write the Landmark’s Ordinance over.’ he says now and has said before the Commission. ‘People should be happy that their homes are designated landmarks.’ The fabulous pencil drawings in his office are done by son Tom, an architect living in Gainesville. His other son William is in the building business. Shoumate was born in Mobile and perhaps learned his love of old historic buildings in that Southern town settled by the French. He did most of his formal training at the University of Pennsylvania with French architect Paul Phillip Cret. He worked in Mobile for four years with a builder, learning the trade by doing it. Descended from a Shoumate line of Kentucky farmers and mechanics, young Belford seems to have survived by always learning how to build or rebuild something. Since he began shingling roofs at 14, Shoumate’s motto always has been to save rather than destroy.”¹⁹

VI. Statement of Significance

Casa Del Lago at 325 South Lake Drive is significant as a very good example of Belford Shoumate’s interpretation of the British Colonial Revival style for a multi-family structure built during the Post-WWII Era in Palm Beach. When it was constructed between 1945-1952, Palm Beach was flourishing with an influx of new

¹⁹ Dorey Finn Scott. “Build, Rebuild and Preserve – Architect Longs to Save Town.” Palm Beach Daily News. 28 December 1981.

residents and tourists and this building helped to fill the growing need for multi-unit developments, especially for those seeking a mid-size building. In addition, its charming design and location in centrally located Royal Park overlooking Lake Worth has made it an appealing building attracting exceptional residents for over seventy years.

VII. Criteria for Designation

Section 54-161 of the Town of Palm Beach Landmarks Preservation Ordinance outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are criteria, which relate to this property and justification for designation:

(1) “Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.”

Casa Del Lago exemplifies the cultural, economic and social history of the Town of Palm Beach. The apartment building was designed and constructed in phases beginning at the conclusion of World War II in 1945-1947 and concluding in 1951-1952 when the demand for apartment housing in Palm Beach was increasing exponentially and developers were building to meet the need for the increasing influx of new residents and tourists. The superb location in the centrally located historic Royal Park subdivision situated along South Lake Drive overlooking the picturesque Lake Drive Park, Yacht Harbor and Lake Worth made it an ideal site to construct an apartment building with a classically inspired but contemporary design by noted architect Belford Shoumate.

(3) “Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.”

The Casa Del Lago Condominium located at 325 South Lake Drive is a very good example of Belford Shoumate’s interpretation of the British Colonial Revival style for a multi-family structure built during the Post-WWII Era in Palm Beach. The building’s multi-massed meandering design featuring multiple hipped roofs with exposed rafter tails, stucco exteriors, large windows, porticos, verandas and patios are character-defining features of the British Colonial Revival style that Shoumate employed to create a welcoming residential community.

- (4) “Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or has influenced his age.”**

Casa Del Lago is a very good example of Belford Shoumate’s notable work in Palm Beach. Shoumate was one of Palm Beach’s most influential and noteworthy architects. During the course of his fifty-four-year career, Shoumate designed hundreds of architectural projects and is one of the Town’s famous architects. Shoumate is credited with promoting additional architectural styles in Palm Beach, such as variations on the Colonial Revival style and more modern styles such as Art Deco and Art Moderne.

VIII. Selected Bibliography

Curl, Donald W. Palm Beach County: An Illustrated History. Northridge, California: Windsor Publications, Inc., 1987.

Drake, Lynn Lasseter and Richard A. Marconi with the Historical Society of Palm Beach County. Images of America: West Palm Beach 1893 – 1950. Charleston, South Carolina: Arcadia Publishing, 2006.

Geer, Harvey “Royal Park Palm Beach Florida: The Millionaire’s Playground” 1913, revised 1914.

Historical Society of Palm Beach County. Archives and PBC History Online.

Marconi, Richard and the Historical Society of Palm Beach County. Palm Beach Then & Now. Charleston, South Carolina: Arcadia Publishing, 2013.

Marconi, Richard A. and Debi Murray with the Historical Society of Palm Beach County. Images of America: Palm Beach. Charleston, South Carolina: Arcadia Publishing, 2009.

Mayhew, Augustus. Lost in Wonderland: Reflections on Palm Beach. West Palm Beach, FL: Palm Beach Editorial Services, 2012.

Mayhew, Augustus. New York Social Diary.

Mayhew, Augustus. Palm Beach: A Greater Grandeur. East Side Press, 2016.

Murphy Stillings, LLC. Town of Palm Beach Landmark Designation Reports. 296-302 South County Road and 304-306 South County Road. January 18, 2023.

O’Sullivan, Maureen. Palm Beach: Then and Now. West Palm Beach, FL: Lickle Publishing Inc. in association with the Historical Society of Palm Beach County, 2004.

Oldfather, Susan J. Elisha Newton Dimick and His Influence on the Development of Palm Beach. Thesis: Florida Atlantic University, December 1989.

Palm Beach Daily News and Palm Beach Post. Archived Articles 1940 – 2017.

The Preservation Foundation of Palm Beach. 325 S. Lake Drive, Casa Del Lago File and the Belford Shoumate Archives.

Sanborn Insurance Map of Palm Beach. New York: Sanborn Map Co., 1924 updated to 1952. City of West Palm Beach Public Library, Florida Room.

Town of Palm Beach. Building Permits and Microfiche Records, 1923– 2024.

West Palm Beach City Directories. Asheville, NC: Florida-Piedmont Directory Company, 1923-1986. These city directories included Town of Palm Beach directories and information on Palm Beach residents.

I. **DESIGNATION HEARINGS**

2. **ITEM 2: 325 SOUTH LAKE DRIVE** (Casa Del Lago Condominium) Owner: Multiple Owners (See Designation Report for Complete List of Owners)

Mses. Herzig-Desnick, Brooker, and Coleman disclosed ex-parte communications.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history of the British Colonial-style building. Ms. Murphy pointed out the design features of the building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,
Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction, or use of Indigenous materials or craftsmanship,
Sect. 54-161 (4) Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized or who influenced his age.

Ms. Patterson asked for confirmation on proof of publication. Ms. Mittner provided confirmation.

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to make the designation report for 325 S. Lake Drive part of the record. The motion was carried unanimously, 7-0.

Ms. Murphy thanked Ms. Damgard for bringing the building to their attention. Ms. Damgard stated the owners were very excited to landmark the building.

A motion was made by Ms. Damgard and was seconded by Ms. Albarran to recommend 325 S. Lake Drive to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161 and with the acknowledgment that the owners of the buildings support the designation.

Ms. Patterson called for public comment.

Fred Mitzner, an owner of 325 S Lake Drive, supported the designation.

Aimee Sunny of the Preservation Foundation of Palm Beach thanked the building's owners for supporting the designation. She agreed that the building met the criteria outlined by the consultants and thought it was a great win for the preservation program.

The motion was carried unanimously, 7-0.

Palm Beach, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 54 - HISTORICAL PRESERVATION >> ARTICLE IV. - DESIGNATION PROCEDURE >>

ARTICLE IV. - DESIGNATION PROCEDURE

Sec. 54-161. - Criteria for landmarks and landmark sites.

Sec. 54-162. - Creation of historic districts.

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

Sec. 54-165. - Voluntary restrictive covenants.

Secs. 54-166—54-195. - Reserved.

Sec. 54-161. - Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.
- (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

(Code 1982, § 16-38)

Sec. 54-162. - Creation of historic districts.

- (a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:
 - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
 - (2) Is identified with historic personages or with important events in national, state or local history.
 - (3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.
 - (4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.
 - (5) Constitutes a unique area of architecture, landscaping and planning.
- (b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such

property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

- (1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.
- (2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.
- (3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.
- (4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.
- (5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.
- (6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.
- (7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.
- (8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
 - (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.
 - (2)

Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.

- (3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
 - (4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
 - (5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
 - (6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
 - (7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
 - (8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.
 - (9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.
 - (10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.
 - (11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.
 - (12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.
- (b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.
- (c)

Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

Sec. 54-165. - Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. - Reserved.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 014-2025: A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **163 Seminole Ave.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 165 SEMINOLE AVENUE) Owner: Dale Coudert, 2012 Steven H. Rose Trust. *[The property owner is supportive of this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]*

Presenter

ATTACHMENTS:

- ▣ **Resolution No. 014-2025: 162 Seminole Ave.**

RESOLUTION NO. 014-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY KNOWN AS 163 SEMINOLE AVE MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; AND DESIGNATING SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark, and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being designated as a landmark is hereby ratified, approved, and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as 163 Seminole Ave and the property to be landmarked is legally described as follows: **Lots 21, 22, 23 And 24 and the East 15 feet of Lot 20, Block 2, Ocean Park H.W. Robbins' Addition to Palm Beach, Florida, according to the map or plat thereof as recorded in Plat Block 6, Page 78, Public Records of Palm Beach County, Florida.**

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of February, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S. W. Crampton, Town Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Kelly Churney, CMC, Town Clerk

Edward A. Cooney, Town Council Member

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 015-2025: A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **225 S County Rd.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 225 S County Road) Owner: Sphinx Properties, LLC . *[TheprophrtyeownhreisesupportivheofetTisedhsignation.e[TheLandmarks PrhshrvationeCommissioneothde7-0ofordLandmarking.]*

Presenter

ATTACHMENTS:

- ▣ **Resolution No. 015-2025: 225 S County Rd.**
- ▣ **Designation Report**
- ▣ **Excerpt from the January 22, 2025 Landmarks Preservation Commission Meeting Minutes**
- ▣ **Landmark Designation Procedure**

RESOLUTION NO. 015-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY KNOWN AS 225 SOUTH COUNTY ROAD MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; AND DESIGNATING SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being designated as a landmark is hereby ratified, approved, and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as 225 South County Road and the property to be landmarked is legally described as follows: **Lots 467 and 469, Poinciana Park 2nd. Addition, according to the plat thereof as recorded in Plat Book 6, Page, 86, Public Records of Palm Beach County, Florida. LESS AND EXCEPT the following: Beginning at the Northwest corner of Lot 467, run East along the North line of said Lot 467 to the intersection with a line parallel to the center line of the county road and 30 feet therefrom; thence Southeasterly along a line parallel to the center line of the county road and 30 feet therefrom to the intersection with the South line of said Lot 467; thence West along the South line of said Lot 467 to the intersection with the West line of said Lot 467; thence Northwesterly along the West Line of said Lot 467 to the Point of Beginning.**

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of February 2025.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lew Crampton, Town Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Kelly Churney, CMC, Town Clerk

Edward A. Cooney, Town Council Member

Bridget Moran, Town Council Member

225 South County Road



DESIGNATION REPORT

January 22, 2025

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

225 South County Road

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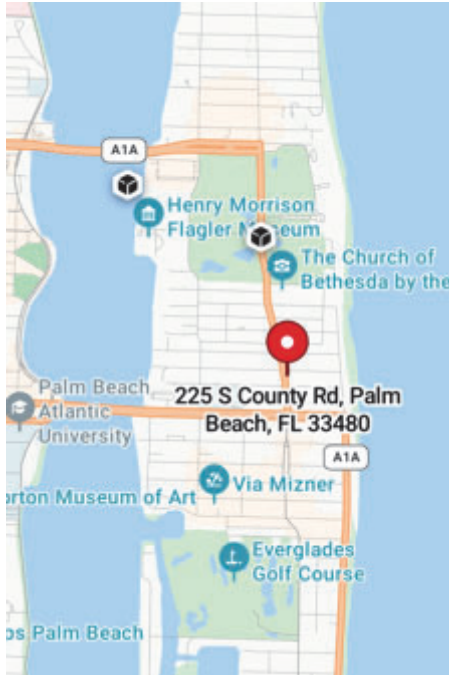
Report produced by Murphy Stillings, LLC

I. General Information

Location:	225 South County Road Palm Beach, Florida
Date of Construction:	1920
Original Address:	172 Seaspray Avenue Palm Beach, Florida
First Lessee:	William Winder “W.W.” Laird
First Owner:	Bror J. Carlberg
Current Owner:	Sphinx Properties LLC
Architect/Builder:	City Builders Realty Company
Present Use:	Residential
Present Zoning:	RB
Palm Beach County Tax Folio Number:	50-43-43-22-07-000-4670
Current Legal Description:	Poinciana Park 2 nd Addition Lots 467 & 469 Less County Road Right of Way

II. Location Map

225 South County Road



III. Architectural Information

The house at 225 South County Road is an interesting three-story frame Dutch Colonial Revival style dwelling with Craftsman style influence located on the much-traveled southeast corner of South County Road and Seaspray Avenue.¹ The house was built in 1920 by City Builders Realty Company as part of the Poinciana Park subdivision development.²



Dutch Colonial Revival houses are not replicates of Dutch houses built during the colonial years, however they often share common architectural elements including multi-light sash windows often in pairs flanked by shutters, prominent dormer windows, gable-end chimneys, and gambrel or jerkinhead roof designs. In the case of 225 South County Road, the steeply pitched roof incorporates jerkinhead forms in the cross gable ends. A jerkinhead roof starts with a basic gable roof structure but instead of rising to a point, the gable ends are truncated with small hips sloping back to create a more flattened appearance. This distinctive feature gives the roof its

¹ The original address of the house was 172 Seaspray Avenue. It changed to 225 South County Road in 1945-1946

² Sea Spray Avenue was platted in 1917 as Poinciana Park Second Addition. Sea Breeze Avenue was platted first, in 1914, as Poinciana Park.

characteristic look and also contributes to the structural benefits of enhancing the roof's ability to withstand various environmental challenges including better protection against strong winds and heavy rain. Craftsman style houses were popular throughout the country from 1905 through the early 1920s and were largely influenced by the English Arts and Crafts movement and Oriental wooden architecture. On this dwelling, the Craftsman influence is most evident in the wide overhanging unenclosed eaves with triangular knee braces and decoratively carved rafter tails.



At 225 South County Road, the front north facing facade has an asymmetrical design on the first story and symmetrical designs on the second and third stories. The west portion of the first story features a sun parlor with three pairs of elongated ten-light windows with a front facing gable above the center window pair.³ This gable is located within the narrow roof that wraps the first story from the east edge of the sun parlor to the main entry on the west facade and features small brackets that add interest to the design. Continuing with the first story, east of the sun parlor is a terrace with a low knee wall, French doors on both the north and west walls and is currently covered by a striped awning. The second story features paired six-over-six sash windows with a single six-over-six sash window in the center. The third story is

³ These windows look like eight-light windows with two-light transoms above.

comprised of the steeply pitched roof with wide overhanging eaves punctuated by two gabled roof dormers each with a six-over-six sash window. All of the six-over-six sash windows are flanked by louvered shutters.

One of the most character defining features of this dwelling is the steeply pitched roof with wide overhanging eaves enhanced by both triangular knee braces and decoratively carved rafter tails. Additionally, on the front elevation the steeply pitched roof with the wide overhang between the two dormers creates a pent roof over the second-story center window, a feature that adds to the unique appearance of the dwelling.

The main entry into the dwelling is on the west facade and features a charming arched wood door with divided lights and a gable in the roof above. The west facade also includes French doors leading to a patio, a prominent stucco covered stepped end chimney with brick banding at the top and appealing quarter round windows flanking the chimney on the third story. Both the main entry door and the French doors are covered with awnings and the multi-light sash windows on this west facade are topped with louvered Bahama shutters.



Main Entrance on the West Façade



Carved Rafter Tails and Brackets

The rear south facing portion of the dwelling was originally a garage on the first story with living quarters above. At an unknown date, the garage was altered to living quarters and a single entry door and a six-over-six sash window were added

to the first story with a smaller multi-light sash window centered above. An exterior stair on the east wall of the rear leads to an entry on the rear of the main portion of the dwelling. The east elevation of the dwelling, which is mostly seen from inside the property, has multi-light sash, casement and arched windows as well as a single entry door on the first story.



Over the past 105 years, 225 South County Road has had some alterations including window and door replacements, reroofing, removal of the trellis and modifying the garage into living space. These alterations did not significantly alter the dwelling, and the historic architectural integrity of the house remains intact. This integrity can visibly be seen in how closely the existing house matches the early photograph of the dwelling in the City Builders Realty Company c. 1920 brochure.



Photo from City Builders Realty Co. Brochure
Courtesy of the Preservation Foundation of Palm Beach



Current View
Looking Southeast

IV. Historical Information

The house at 225 South County Road is located in the Poinciana Park Subdivision that was platted and largely developed by Oscar A. Jose and his City Builders Realty Company. In 1914, Jose and his family began to spend their annual winter vacations in Palm Beach, first leasing a Lake Trail house from pioneer Frederick Robert.⁴ Jose, a successful Indianapolis developer who previously vacationed in Daytona Beach as early as 1912, created Poinciana Park by purchasing tracts of land south of the Breakers and the Royal Poinciana Hotel from Lake Worth to the Atlantic Ocean. This area became the “Sea” streets with Sea Breeze platted in 1914 followed by Sea Spray in 1917 and the north side of Sea View in 1923.⁵ The land for the Poinciana Park second addition where 225 South County Road is located was purchased from James and Charles Stillman.⁶ A brochure designed and distributed by City Builders Realty Company titled “Poinciana Park, The Preferred Location,” goes into great detail about the many advantages of wintering in Palm Beach and the benefits of owning or leasing a house in centrally located Poinciana Park, close to all of the town’s amenities but removed from the “rush and bustle of the hotel center.”⁷ Houses in a variety of styles and sizes could be either purchased or leased for the season and many were fully furnished and staffed. City Builders Realty Company took out numerous advertisements in newspapers expounding the benefits of living in Poinciana Park.

Oscar Jose was one of the early developers to recognize the potential in Palm Beach for building something other than a grand estate or spending the season at a hotel. Poinciana Park was an attempt to make Palm Beach more family oriented and the Palm Beach lifestyle more accessible to the “upper-middle class.”⁸ In addition to building, selling and leasing properties, City Builders Realty Company sold many lots in Poinciana Park to individual buyers as well as other developers. However, lot

⁴ Frederick Robert became Secretary of City Builders Realty Corporation.

⁵ Sea Breeze, Sea Spray and Sea View were the original spellings of the Poinciana Park Avenues. A January 28, 1917 City Builders Realty Company advertisement in the Palm Beach Post stated, “We have platted a new addition to Poinciana Park and we are advertising for a name for the new street. \$10.00 for an acceptable name.” The street was named Sea Spray Avenue.

⁶ James Stillman was an American businessman who invested in land, banking and railroads in New York, Texas and Mexico and was president and later chairman of the National City Bank. At the time of his death in 1918 he was one of the wealthiest people in the United States. His son, Charles Stillman, took over his land in Palm Beach after his death.

⁷ “Poinciana Park, The Preferred Location,” Brochure distributed by City Builders Realty. No Date. Located in the Poinciana Park file at the Preservation Foundation of Palm Beach.

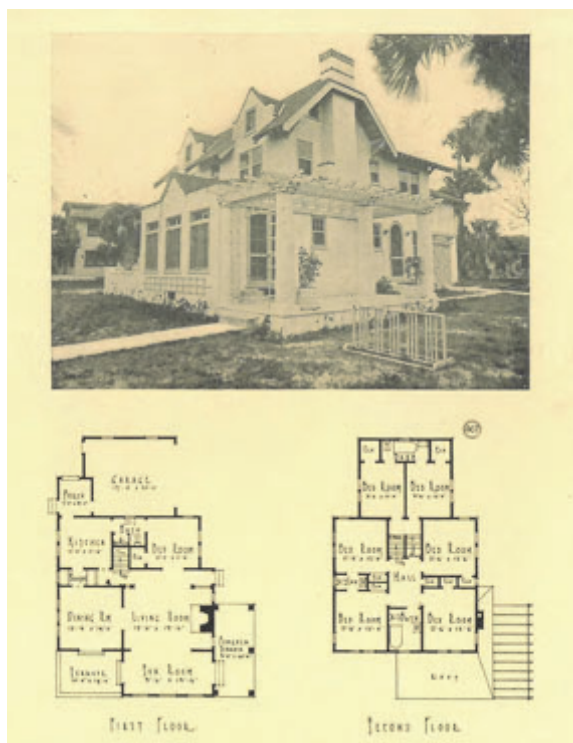
⁸ “Preservationist’s Home Gets Landmarks’ OK,” Palm Beach Daily News, 22 January 1998.

sales came with stipulations regarding the quality of houses to be built so that no “cheap” house could be built in Poinciana Park.⁹

As early as 1919, City Builder’s had difficulty keeping up with the housing demand. Houses were selling quickly and there were not enough rental properties to keep up with all of the seasonal requests. Despite this demand, City Builders did not construct cookie-cutter houses. Each house was unique and of high quality. An August 4, 1919, Palm Beach Post article stated,

“With six houses underway now, the City Builders Realty Company will at once start seven more houses in Poinciana Park. Each of the houses will vary in style of construction in order to avoid monotony. Some of the houses are for clients who have bought lots; others will be available for sale or rental.”

At the time, the houses were called “cottages” and residents were considered part of the “cottage colony.” As noted previously, Jose’s progressive marketing methods featured the house at 225 South County Road in the City Builder Realty Company’s Poinciana Park brochure that was used in mass-market mailings. The house was one of 13 “cottages” highlighted in the brochure with a photograph and the following description of the property:



“Located in the Ocean Block we strongly recommend this house as a winter residence. Here we offer another popular plan with many distinctive features. There are seven bedrooms, including a downstairs bedroom for servants, each provided with spacious closets, two complete baths with tubs, another bath with shower, and an additional lavatory. Further study of these floor plans will reveal a liberal living room with fireplace, and sun parlor which opens on a terrace. Being located on a corner, easy access is obtained to the two car garage attached to rear of house. It was our desire when planning this cottage to build something peculiarly adapted to the seashore and in which there would be included every requisite for comfort. As is the case with several other of the houses pictured on this page, the grounds have been beautified with flowers and shrubbery since the photos were taken. You will find it difficult to obtain a more desirable house for lease.”

⁹ Advertisement in Palm Beach Post .

One of the more notable things about City Builders Realty Company was their full service approach to marketing Poinciana Park. As the brochure indicated, the company would sell or rent a house furnished, unfurnished, staffed, unstaffed, custom built, etc. Included in each sale or lease were complete maintenance packages, transportation from the railway, and financing for “the successful” family, if desired. The company was aiming to build a community, not just a housing development, and therefore the brochure placed great emphasis on local schools and recreation, including the “private bathing beach” which was the legendary Sea Spray Beach Club.¹⁰ Ownership or seasonal rental of a house in Poinciana Park included a membership in the Sea Spray Beach Club which was located on the ocean side of South Ocean Boulevard and Seaspray Avenue.

From 1920 to 1935, the house at 225 South County Road was leased as a seasonal rental “cottage.” In 1920, William Winder “W.W.” Laird and his wife Mary Alleta Belin DuPont Laird were the first people to lease the house for the season. W. W. Laird, originally from Maryland, moved to Wilmington, Delaware where his wife’s DuPont family was located. He became one of the city’s largest financial brokers and director of several banks and other businesses including the DuPont’s family company.¹¹ Following the Laird’s seasonal leasing of the dwelling, from the mid-1920s until 1935, the house was leased to various seasonal residents including Arthur and Ethel Roche, Frederick and Madeline Blackburn, Mrs. Frederick D. Kay, Dr. C.W. and Anna Cameron, and Carroll D. Keeler.

In 1935, Bror J. Carlberg purchased the house as the first owner following City Builders Realty Company. Carlberg was a Palm Beach resident and developer who was an important figure in the early development of West Palm Beach and in particular the development of the Mango Promenade area. Born in Salina, Kansas, Carlberg moved to Palm Beach in 1911 and established the Carlberg Realty Company, one of the first development corporations in West Palm Beach. He later joined with M.E. Gruber to form the Gruber-Carlberg Company that was instrumental in the development of West Palm Beach’s Flamingo Park and Sunshine Park subdivisions. In Palm Beach he developed early property in the Royal Park subdivision and starting in the mid-1930s he developed a number of properties in

¹⁰ “Poinciana Park, The Preferred Location” brochure, ca. 1920. the fashionable club provided members with an Olympic-sized saltwater pool and popular dining facilities. Beginning in 1929, Jose recognized that many residents of Poinciana Park were becoming year round residents, so they opened the Sea Spray Beach Club as the “Summer Bath Club” for their members who stayed in town during the summer months.

¹¹ Mary Alleta Belin DuPont Laird was the great granddaughter of Eleuthere Irenee DuPont, founder of the E.I. DuPont de Nemours & Company, a chemical company more commonly known as the DuPont Company. The DuPont family have been one of the most prominent American families since the 19th century, with generations of influential businessmen, politicians and philanthropists.

the far north end. In 1945, Blaine Webb purchased 225 South County Road and owned it for 25 years. Webb was born in Springfield, Ohio in 1893 and after serving in World War I he came to Palm Beach and was a real estate broker with Webb Brothers Real Estate for more than 50 years. Long active in civic affairs, he served for a number of years on the Palm Beach Town Council, the executive committee of the American Red Cross, the board of Good Samaritan Hospital, president of the Palm Beach Community Chest, and a vestryman for the Church of Bethesda-By-The-Sea.¹² In 1970, John Haynsworth purchased the dwelling from Blaine Webb. Haynsworth was a nationally known photographer “of the rich and famous” who had a studio on South County Road. His work was featured in many prominent publications in the United States and Europe and his photograph of Elizabeth Taylor and Richard Burton was used on the cover of LOOK magazine in 1972 while living at this residence. The house was purchased in 1980 by William and Georgia “Gigi” Tylander, who owned the dwelling for forty-four years before it was purchased in March 2024 by the current owners, Sphinx Properties, LLC.

V. Architect/Builders Biography

City Builders Realty Company

One of the earliest companies to successfully construct and promote real estate development in the Town of Palm Beach was the Indianapolis based City Builders Realty Company headed by Oscar A. Jose. In 1914, City Builders Realty Company became part of a growing number of successful midwestern firms who opened offices in South Florida prior to the 1920s Boom Time Era. Indiana contemporaries of Jose included City of Hollywood developer Joseph Young and Miami Beach developer Carl Fisher. These astute businessmen were instrumental in promoting South Florida as a desirable place to reside.

Beginning in 1914, City Builders Realty Company purchased tracts of land from Palm Beach pioneers including William Lanehart, Elisha Dimick, Frederick Robert, Henry Maddock, H.F. Hammon, E.M. Brelsford and Harvey Geer.¹³ These combined parcels, renamed Poinciana Park by Jose, extended from Lake Worth to the Atlantic Ocean south of the Royal Poinciana Hotel and the Breakers Hotel. The streets were named Sea Breeze Avenue, Sea Spray Avenue and Sea View Avenue,

¹² He was a former governor of the Everglades Club, a member of the Bath & Tennis Club, Gulfstream Club, the Metropolitan Club of NY and a charter member of the local chapter of the Sons of the American Revolution and a member of the American Legion at WPB. According to his obituary, on his death in 1973, Blaine Webb was one of the four remaining original living members of the Everglades Club.

¹³ Information found in the Poinciana Park file at the Preservation Foundation of Palm Beach. The paper lists land title searches of properties in Poinciana Park.

and included 820 lots, though most properties encompassed several of the twenty-five foot wide lots. The company provided water, electric and sewer connections, sidewalks and lush landscaping. Prior to 1920 the houses were marketed as complete packages for families, fully furnished for a seasonal residence, however, by the mid-1920s they were being marketed for both seasonal and permanent residence. Additional amenities included the private Sea Spray Beach Club, nearby public and private schools, dockage for private yachts and attractive term financing for those who desired to finance their house. Commercial buildings were prohibited from the Poinciana Park Subdivision.

City Builders Realty Company designed and constructed a number of the houses in Poinciana Park. The company also marketed lots to other Palm Beach builders and architects who maintained the size, scale and quality of residences as originally established within the subdivision. Designed to impress an upscale market of both the permanent homebuyers and those interested in leasing seasonal Palm Beach residences, City Builders Realty Company made a lasting impression on Palm Beach architecture and lifestyle.

VI. Statement of Significance

225 South County Road is a unique Dutch Colonial Revival style dwelling with Craftsman influence built in 1920 at the start of the land and housing boom in Palm Beach. It is important as one of the houses featured in the City Builders Realty Company brochure promoting their Poinciana Park subdivision and today closely resembles the original design. In addition, a number of the lessees and owners were prominent Palm Beach residents and business owners.

VII. Criteria For Designation

Section 54-161 of the Town of Palm Beach Landmarks Preservation Ordinance outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are criteria that relate to this property and justification for designation:

(1) “Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.”

The house located at 225 South County Road reflects the broad cultural, social and economic history of the Town of Palm Beach. The dwelling is located in the Poinciana Park subdivision that was one of the Island’s first

successful large residential developments. City Builders Realty Company promoted it as a “home site park with broad avenues prevailing in beautiful homes where many of the country’s best-known people spend their time filled with contentment.” While prior to 1919, Palm Beach’s reputation had mostly rested on the fashionable hotels, the success of Poinciana Park helped establish another residential dimension to the development of Palm Beach. The house is also important because it is a well-known house on a much-traveled prominent corner in mid-town Palm Beach and its size, scale and design helps maintain the historic fabric of the Sea Streets and the early architectural development of the town.

(3) “Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.”

The house at 225 South County is an interesting example of the Dutch Colonial Revival style of architecture featuring a number of distinguishing characteristics of the style including gable dormers in the steeply pitched roof, multi-light sash windows with several in pairs, a prominent gable-end chimney, and the jerkinhead roof design. This unique roofing style provides both aesthetic charm and practical benefits. In Indianapolis, where City Builders Realty Company was founded, jerkinhead roofs are found on many 19th century revival style houses, including Stick Style, Bungalows and Dutch Colonial Revival style dwellings. This house also features wide unenclosed overhanging eaves with triangular knee braces and distinctive carved rafter tails that indicate influence from the Craftsman style that was popular throughout the country when this residence was constructed.

VII. Selected Bibliography

Antique Home Style. Dutch Colonial Revival Style 1890 – 1940. Online Article.

Antique Home Style. Index of Dutch Colonial Revival Plans: Annotated and Organized by Year. Online Article.

Blackburn, Roderic H. Dutch Colonial Homes in America. New York: Rizolli International Publications, Inc., 2002.

Bookwalter, Jack. Dutch Colonial Revival. Wilco; A Home Improvement Magazine. Online Article.

Curl, Donald W. Palm Beach County: An Illustrated History. Northridge, California: Windsor Publications, Inc., 1987.

The Historical Society of Palm Beach County. Historical and Architectural Files; Palm Beach County History Online

Hoffstot, Barbara D. Landmark Architecture of Palm Beach. Fourth Edition. Lanham, MD: Rowan & Litchfield, 2015.

Marconi, Richard A. and Murray, Debi. Images of America: Palm Beach. Charleston, South Carolina: Arcadia Publishing, 2009.

McAlester, Virginia Savage. A Field Guide to American Houses. New York: Alfred A. Knopf, Inc., 2015. Revised and expanded from the original edition written by Virginia and Lee McAlester.

Murphy Stillings, LLC. Town of Palm Beach Landmark Designation Reports: 133 Seaspray Avenue and 145 Seaspray Avenue

Palm Beach County Official Records Books, Poinciana Park Second Addition 1917 – 1950.

The Palm Beach Daily News. Archived Articles Online

The Palm Beach Post. Archived Articles Online

The Preservation Foundation of Palm Beach. Files on Poinciana Park and 225 South County Road file

Sanborn Insurance Map of Palm Beach. New York: Sanborn Map Co., 1919 and 1926. City of West Palm Beach Public Library, Florida Room.

Town of Palm Beach. Building Permits, 1920– 2024.

West Palm Beach City Directories. Asheville, NC: Florida-Piedmont Directory Company, 1916 -1986. These city directories included Town of Palm Beach directories and information on Palm Beach residents.

XI. DESIGNATION HEARINGS

1. ITEM 1: 225 SOUTH COUNTY ROAD

Owner: Sphinx Properties, LLC

Mses. Brooker, Coleman, and Mr. Ives disclosed ex-parte communications.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history of the Dutch Colonial Revival-style residence. Ms. Murphy pointed out the design features of the residence. Ms. Murphy testified that the residence met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and, Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction, or use of Indigenous materials or craftsmanship.

Ms. Patterson asked for confirmation on proof of publication. Ms. Mittner provided confirmation.

Ms. Murphy spoke favorably of the home.

A motion was made by Mr. Ives and was seconded by Ms. Albarran to make the designation report for 225 S. County Road part of the record. The motion was carried unanimously, 7-0.

Ms. Patterson called for public comment.

Aimee Sunny of the Preservation Foundation of Palm Beach thanked the homeowners for their stewardship and for supporting the designation.

Ms. Fairfax thought it was rare for the town to see such an intact and prominent house and thought it was a prime example of how architecture is valued in Palm Beach. She was thrilled that the owners volunteered their home for landmarking and concurred that the home met the criteria outlined by the consultants.

Mr. Ives confirmed that the home met the criteria and postulated a replacement on the prominent corner.

A motion was made by Ms. Fairfax and was seconded by Mr. Ives to recommend 225 S. County Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161 and with the acknowledgment that the owners of the home support the designation. The motion was carried unanimously, 7-0.

Palm Beach, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> **Chapter 54 - HISTORICAL PRESERVATION >> ARTICLE IV. - DESIGNATION PROCEDURE >>**

ARTICLE IV. - DESIGNATION PROCEDURE

Sec. 54-161. - Criteria for landmarks and landmark sites.

Sec. 54-162. - Creation of historic districts.

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

Sec. 54-165. - Voluntary restrictive covenants.

Secs. 54-166—54-195. - Reserved.

Sec. 54-161. - Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.
- (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

(Code 1982, § 16-38)

Sec. 54-162. - Creation of historic districts.

- (a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:
 - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
 - (2) Is identified with historic personages or with important events in national, state or local history.
 - (3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.
 - (4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.
 - (5) Constitutes a unique area of architecture, landscaping and planning.
- (b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such

property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

- (1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.
- (2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.
- (3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.
- (4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.
- (5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.
- (6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.
- (7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.
- (8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
 - (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.
 - (2)

Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.

- (3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
 - (4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
 - (5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
 - (6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
 - (7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
 - (8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.
 - (9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.
 - (10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.
 - (11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.
 - (12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.
- (b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.
- (c)

Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

Sec. 54-165. - Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. - Reserved.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 018-2025: A Resolution of the Town Council Of The Town of Palm Beach, Palm Beach County, Florida, Ratifying and Confirming the Determination of the Landmarks Preservation Commission that the Property Known as **216 Monterey Rd.** Meets the Criteria Set Forth in Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach; and Designating said Property as a Town of Palm Beach Landmark Pursuant to Ordinance No. 2-84, Also Known as Chapter 54, Article IV of The Code of Ordinances of the Town of Palm Beach. (PALM BEACH COUNTY LISTS THE PROPERTY AS 216 Monterey Rd.) Owner: Henry Jamison IV & Leslie Jamison. *[The property owner is opposing this designation. The Landmarks Preservation Commission voted 7-0 for Landmarking.]*

Presenter

ATTACHMENTS:

- ▣ **Resolution No. 018-2025: 216 Monterey Rd.**
- ▣ **Designation Report**
- ▣ **Excerpt from the January 22, 2025 Landmarks Preservation Commission Meeting Minutes**
- ▣ **Landmark Designation Procedure**
- ▣ **Letter of Opposition from Property Owner**

RESOLUTION NO. 018-2025

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AND CONFIRMING THE DETERMINATION OF THE LANDMARKS PRESERVATION COMMISSION THAT THE PROPERTY KNOWN AS 216 MONTEREY RD MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; AND DESIGNATING SAID PROPERTY AS A TOWN OF PALM BEACH LANDMARK PURSUANT TO ORDINANCE NO. 2-84, ALSO KNOWN AS CHAPTER 54, ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH.

WHEREAS, pursuant to the provisions of Ordinance No. 2-84, (Chapter 54, Article IV, Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held a public hearing and recommended to the Town Council that certain landmarked property described herein be designated as a landmark as described in said Ordinance and Code; and

WHEREAS, after due notice to the property owner(s) affected, a public hearing was held at which all parties interested were given an opportunity to be heard and express their views and opinions with respect to the property and its designation as a landmark; and

WHEREAS, the Town Council does hereby find and determine that the property described herein meets the criteria required by the Ordinance to designate a landmark, and shall be designated as a landmark.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The recommendation and determination of the Landmarks Preservation Commission as to the property hereinafter described in Section 3 of this Resolution, being designated as a landmark is hereby ratified, approved, and confirmed.

Section 3. The landmark herein amended, pursuant to the provisions of Ordinance No. 2-84, and the provisions of the Town Code described herein, is known as 216 Monterey Rd and the property to be landmarked is legally described as follows: **The West 70 feet of Lot 3 and the East 55 feet of Lot 5, GREGORY ADDITION TO THE TOWN OF PALM BEACH, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, as recorded in Plat Book 16, page 71.**

Section 4. The Town Clerk is hereby ordered to furnish the property owner of the landmarked property a copy of this Resolution.

Section 5. Within thirty (30) days from the date of adoption of this Resolution, the Landmarks Preservation Commission shall cause to be filed in the Office of the Recorder of Deeds in and for Palm Beach County, Florida, a certificate that the above-described property comprises a landmark, as described above and as defined in and subject to the provisions of Ordinance No. 2-84 and the Code of Ordinances of the Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of February, 2025.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S. W. Crampton, Town Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Kelly Churney, CMC, Town Clerk

Edward A. Cooney, Town Council Member

Bridget Moran, Town Council Member

216 Monterey Road



DESIGNATION REPORT

January 22, 2025

Landmark Preservation Commission

Palm Beach, Florida

DESIGNATION REPORT

216 Monterey Road

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Report produced by Murphy Stillings, LLC

I. General Information

Location:	216 Monterey Road Palm Beach, Florida
Date of Construction:	1938
First Owner:	Edward A. Ehinger
Architect:	Treanor and Fatio
Builder:	Edward A. Ehinger
Present Owner:	Henry D. IV & Leslie L. Jamison
Present Use:	Single Family Dwelling
Present Zoning:	RB
Palm Beach County Tax Folio Number:	50-43-43-03-13-000-0031
Current Legal Description:	Gregory Addition West 70 Feet of Lot 3 & East 55 Feet of Lot 5

II. Location Map

216 Monterey Road



III. Architectural Information

The residence at 216 Monterey Road was designed in the Monterey style by Maurice Fatio, one of Palm Beach's most important architects. Fatio was commissioned to design the house in 1938 by developer and Palm Beach building inspector Edward Ehinger.



216 Monterey Road is a very good example of Maurice Fatio's interpretation of the Monterey style of architecture. The Monterey style originated as an interpretation of Spanish Colonial houses of northern California. The 1834 Larkin House in Monterey, California is generally identified as the first Monterey style house being an Angelized form of the Spanish Colonial house. The style, however, did not become widespread until California architect Robert E. Coate, Sr, helped revive the style by writing about early Monterey dwellings, designing houses in the style and winning a Better Homes in America Award for a Monterey style design.¹ The later designs that were especially popular in the United States between 1925 and 1955 were a fusion of mostly Spanish Colonial and Colonial Revival styles with some examples incorporating French Creole design details. The result was designs that were two-story

¹ Virginia Savage McAlester. A Field Guide to American Houses. New York: Alfred A. Knopf, 2021.

residences with the main identifying feature being a second floor, cantilevered, open-air balcony covered by the principal roof. Decorative detailing of these Monterey residences is often confined to the balcony railing, which are typically styled in wood or metal. The roofs are characteristically low-pitched with the exterior walls constructed of brick, stucco or wood. Early examples of the Monterey style tend to feature more Spanish detailing, while later examples typically emphasized Colonial details.



216 Monterey Road is located on the south side of Monterey Road between North Ocean Boulevard and North Lake Way. The two-story, L-shape, frame residence is surfaced wood siding, and has a low-pitched hipped roof covered with mostly flat red tiles with exposed rafter tails beneath. The front facade has symmetrical fenestration and is composed of a main block and a wing on the west that projects forward to the north. The main block contains the focal point of the Monterey style house – the second story cantilevered balcony. This balcony features an appealing picket and geometric design rail and Tuscan square posts supported by horizontal beams underneath as well as square posts extending from the ground floor to the cantilevered balcony. The first story of the main block features two multilight French doors and the picturesque main entrance with its fluted arch surround, sidelights, wood paneled door, and eye-catching elliptical fanlight.² The design of this main entry

² Doors with elliptical fanlights and sidelights were often featured in Colonial Revival, Early Classical Revival and Neoclassical style houses.

suggests that Fatio was using the later Colonial Revival influence in this Monterey design. The second story of the main block has a six-over-six sash window flanked by a multilight French door to the east and a multilight single door to the west. This main block's east facing elements include a door on the first story and a window on the second story. The projecting L portion of the front facade includes six-over-six sash windows on the first and second stories. The east and west elevations of the dwelling both have multiple six-over-six sash windows with the east elevation featuring a brick chimney and the west elevation featuring a projecting bay window. In addition to the main house, there is a semi-detached garage at the southwest corner of the dwelling which has arched overhead garage doors on the first floor with two six-over-six sash windows above. Most of the windows and doors are flanked by paneled shutters.



Main Entrance



Northwest Corner
with Bay Window on West Facade

During the dwelling's eighty-six year history there have been exterior additions, alterations and repairs to the dwelling. In 1967, owner H. Press

Daniels commissioned architects Peacock and Lewis to enclose the two-story rear porch. In 1996, two awning windows were replaced with sash windows and two French doors were installed on the rear. In 2008, the current owners replaced the roof and in 2014 they replaced some exterior doors as well as some exterior wood trim and the front balcony wood decking. This house has been well maintained with few additions and alterations thereby preserving its historical and architectural integrity.³

IV. Historical Information

The property at 216 Monterey Road is located in Palm Beach's north end Gregory Addition subdivision which includes the properties along Monterey Road between North Ocean Boulevard and Lake Worth. The Gregory Addition was developed by long-time Palm Beach resident and developer John C. Gregory and his wife Kathryn in June 1935. At this time the subdivision was located to the west of the Joseph Kennedy estate, north of John S. Phipps' property and south of Joseph Ridsen's property.⁴ This was one of the north end's earlier subdivisions developed during the late Depression/New Deal Era of the mid to late-1930s when many owners sought mid-size residences in classic designs rather than the ornate Mediterranean Revival style estates of the 1920s Land Boom. A November 22, 1936, Palm Beach Post article described this change of design and construction occurring in Palm Beach:

"Construction Enters Third Era of Design: Majority of Homes Now Being Erected Are of Moderate Sized Type; Showplaces Are Now Things of Former Years.

With nearly 60 new residences as a permanent addition to the winter colony, Palm Beach passes into the third season of its third architectural era. For though a few spasmodic instances of Colonial motif had been noted over a period of several years, it was not until the summer of 1934 that the definite trend away from the Spanish became an accepted fact. As construction has steadily mounted in 1934, 1935 and 1936, the white of the Colonial and the classic has replaced the pastels of the Spanish; simplicity of line and design has

³ These additions and alterations are from Town of Palm Beach records. If there were additions or alterations completed without obtaining permits, they are not part of this report.

⁴ The former Kennedy estate was once known as the Winter White House. The house, named La Querida, was designed by Addison Mizner in 1923 for Rodman Wannamaker. Joseph Kennedy purchased the property in 1933, and it stayed in the Kennedy family until it was purchased in 1995.

succeeded the elaborate. In brief, Palm Beach houses are becoming homes rather than show places. The current cycle of architectural fashion has replaced the Spanish, just as after 1918, Addison Mizner's palatial designs took the place of some of the barn-like structures of the pioneer era."⁵

A subsequent Palm Beach Post article discussed the first houses developed and properties purchased along Monterey Road:

"New Monterey Road Residence Completed

With the completion of a house on the north side of Monterey Road, work on a second one on the south side of the street is now getting underway according to E.B. Walton, builder. These two houses mark the first to be built in the new Gregory Addition, one of the recently developed subdivisions near the inlet. Others are planned by Mr. Walton, and among those who have recently purchased property there are Frederick G. Seelman, architect, and Edward Ehinger, building inspector. The new house just completed was designed by Treanor and Fatio and is a Southern Colonial model. Treanor and Fatio are also the architects for the other house that will be in the Monterey style."⁶

Despite having some difficult times following the market crash and start of the Great Depression, by 1934 Maurice Fatio once again became one of Palm Beach's most sought after architects.⁷ This surge in commissions coincided with the beginning of significant growth in Palm Beach's north end where he was an architect in high demand to design houses for his individual clients as well as speculative houses for developers.⁸

After developing the property as a speculative venture in 1938, Edward Ehinger sold 216 Monterey Road to William and Marion Beehan of Larchmont,

⁵ Palm Beach Post. "Nearly Sixty Residences Built Last Summer: Construction Enters Third Era of Design." 22 November 1936.

⁶ Palm Beach Post. "New Monterey Road Residence Completed." 18 December 1935.

⁷ Treanor and Fatio had so few contracts between 1931 and 1933 they considered closing their Palm Beach office in 1933.

⁸ Some of the developers included Eden Properties Inc., Palm Beach Modern Homes, Inc., E.B. Walton and Sons, J.S. Willson Company, Edward Ehinger, and Arnold Construction Company.

NY and Narragansett, Rhode Island. The Beehan's owned the property for over twenty-five years, selling it to Herbert Pressley "H.P." and Anne R. Daniels in 1967. The Daniels owned the property for 5 years selling it to Mr. & Mrs. Alva Charles "A.C" and Eloise C. Cuddeback in 1972. The Cuddebacks subsequently sold the property to Charles and Jane Shepherd who then sold it in 2000 to the current owners and longtime Palm Beach residents Henry Downs Jamison IV and his wife Leslie C. Lees Jamison. Leslie Lees Jamison, the daughter of Dr. and Mrs. Irving Balcom Lees, grew up in Palm Beach and her husband Henry has been a contributing member to the Town of Palm Beach government serving on the Recreation Advisory Commission for several terms.

V. Architect and Builder Biographies

Maurice Fatio (Architect)

Maurice Fatio was one of Palm Beach's leading architects from the 1920s to the early 1940s. His firm, Treanor & Fatio was one of the largest architectural firms in Palm Beach and Fatio's distinctive designs can be seen throughout the Island.

Fatio was born in 1897 in Geneva, Switzerland. He studied architecture under Karl Moser at the Zurich Polytechnical. After graduation in 1920, Fatio came to America and apprenticed with Harrie T. Lindeberg, a prominent New York architect of Norman and English style country houses.

In 1921, Fatio formed a partnership with William A. Treanor, another architect in Lindeberg's firm. They quickly achieved a great deal of success, constructing numerous houses, primarily Colonial, on Long Island as well as buildings in Manhattan, including Beekman Tower on the East River. Fatio's association with Florida can be traced to his employment with Lindeberg, when he received the commission for eight small houses in New Smyrna, Florida. In October, 1923, Treanor and Fatio were asked to be the architects for the Olympia Beach development, now Jupiter Island. The next year Fatio opened an office in Palm Beach.

Fatio's many commissions for houses and commercial buildings in Palm Beach were based on his reputation in New York as well as his charm, good looks, and European manner. During his career in Florida, Fatio designed in many diverse styles. Mediterranean Revival, more specifically, Italianate houses

incorporating tower blocks, were designed for William McAneeny (195 Via Del Mar), the Coopers (801 South County Road), Mortimer Schiff (920 South Ocean Boulevard), and Daniel McCarthy (550 South Ocean Boulevard). More horizontal, symmetrical and formal Florentine houses were designed for Otto Kahn (690 North County Road) and Joseph Widner (1500 South Ocean Boulevard). In 1928, he designed a French Normandy style house for his future mother-in-law Mrs. Charles Curry Chase (Via Del Mar). In the mid-30s, Fatio began designing in the Georgian and British Colonial styles. Large commissions for Albert Worswick (1860 South Ocean Boulevard), E. F. Hutton (1768 South Ocean Boulevard), and Wolcott Blair (1960 South Ocean Boulevard) with their simple materials and uncluttered lines reflected the sober, economic climate and set the pace for the smaller Colonial and Regency commissions that followed them. Fatio was a much sought after architect in the early years of development in Palm Beach's north end both for individual clients and speculative developers designing mid-size houses in the new subdivisions.

During this time, Fatio also worked in the modern style, producing such modern masterpieces as "The Reef" built for Mr. and Mrs. Vadim Makaroff. The design of this house won Fatio the Gold Medal at the 1936 French Exposition Internationale des Arts et Techniques dans la vie Moderne as the "Best Modern House In America." Other modern houses were designed for Messmore Kendall, aviator pioneer Grover Loening, and Prince and Princess Zalstem-Zalessky (Evangeline Johnson Merrill).

World War II brought a halt to construction in Palm Beach. Fatio had many international connections and entered the Office of Strategic Services in Washington, D.C. in June of 1943. He sadly died of cancer later that same year, on December 2, 1943, at the young age of 46.

Edward A. Ehinger, Sr. (Builder and Developer)

Edward A. Ehinger, Sr. was born in c. 1885 in Michigan but later moved to Toledo, Ohio. In 1924, he and his wife Margaret moved their family to Australian Avenue in Palm Beach and Ehinger began building properties in West Palm Beach. In 1926, Ehinger became the first building inspector for the Town of Palm Beach where he served until his retirement in 1952. During much of his employment as the Town's Chief Building Official, he served as ex

officio on the Art Jury with many of Palm Beach's finest architects.⁹ He also was a builder and developer who commissioned houses on speculation during these years. In 1951, his son Edward Ehinger, Jr. was appointed Assistant Building Official for the Town of Palm Beach. Upon his father's retirement in 1952, he was promoted to Chief Building Official, a position he held until his retirement in 1981. Edward Ehinger, Sr. passed away March 3, 1968, at the age of 83 and shortly thereafter the Palm Beach Town Council issued a resolution on behalf of the Ehinger family.

VI. Statement of Significance

216 Monterey Road is significant as a very good example of the Monterey style of architecture as interpreted by the distinguished architect Maurice Fatio at the beginning of considerable growth in Palm Beach's north end. The dwelling has had few exterior alterations over its eighty-six year history and continues to retain its historical and architectural significance.

VII. Criteria For Designation

Section 54-161 of the Town of Palm Beach Landmarks Preservation Ordinance outlines the criteria for designation of a landmark or landmark site and suggests that at least one criterion must be met to justify the designation. Listed below are the criteria which relate to this property and justification for designation:

(1) "Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town."

The house at 216 Monterey Road was built in 1938 in one of Palm Beach's early north end subdivisions during the late Depression/New Deal Era. The end of the Boom Time Era in Palm Beach had indicated a third era of architectural design and a change in development and construction of residences. The Monterey style residence at 216 Monterey Road exemplifies both the growth of residential development in North End subdivisions as well as the trend of

⁹ The Art Jury, precursor to today's Architectural Commission (ARCOM) was established in 1928 in order to protect the beauty of Palm Beach and property owners from "unartistic building erections." Any new project required approval, and the jury had the right to modify plans as it saw fit. The first jurors included architects Addison Mizner, Marion Sims Wyeth, and Maurice Fatio, engineer Halpin Smith and landscape architect Charles Perrochet. Some later jurors included John Volk and John Stetson.

moving away from the large, ornate, Mediterranean Revival style estates to more traditional styles of architecture. The developer of the property, Edward A. Ehinger, Sr. was the first Town of Palm Beach Building Inspector and served in this position for 24 years. For a number of years while working in this position, Ehinger was the Town representative on the Palm Beach Art Jury, the prestigious Palm Beach committee that was the precursor to Palm Beach's Architectural Review Commission.

(3) “Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.”

The residence at 216 Monterey Road is a very good example of Maurice Fatio's adept interpretation of the Monterey style of architecture. The attractive frame dwelling has a low-pitched hipped roof with exposed rafters, a symmetrical design and the requisite second floor, cantilevered balcony with a decorative railing. The design of the main entry with its fluted arch surround, sidelights, paneled door, and eye-catching elliptical fanlight suggests that Fatio was using the later Colonial Revival influence in this Monterey design.

(4) “Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or has influenced his age.”

Maurice Fatio was one of Palm Beach's leading and most sought-after architects from the 1920s to the early 1940s. He was an eclectic architect who took pride in his ability to work in different architectural styles from Mediterranean Revival style mansions in the 1920s to more reserved classical revival styles prevalent in the 1930s and 1940s. Fatio's ability to adapt to the changing economic climate and shifts in architectural trends is evident in his skilled design of 216 Monterey Road.

VIII. Selected Bibliography

Fatio, Alexandra. Maurice Fatio: Architect. Stuart, Florida: Southeastern Printing, 1992.

Historical Society of Palm Beach County. Fatio File.

Marconi, Richard and Debi Murray with the Historical Society of Palm Beach County. Images of America: Palm Beach. Charleston, SC: Arcadia Publishing, 2009.

Marconi, Richard A. and the Historical Society of Palm Beach County. Palm Beach: Then & Now. Charleston, SC: Arcadia Publishing, 2013.

McAlester, Virginia Savage. A Field Guide to American Houses. New York: Alfred A. Knopf, Inc., 2015. Revised and expanded from the original edition written by Virginia and Lee McAlester.

Mockler, Kim I. Maurice Fatio: Palm Beach Architect. Acanthus Press, 2010.

The Palm Beach Daily News and The Palm Beach Post. Archived Articles 1930 – 2024.

Preservation Foundation of Palm Beach. 216 Monterey Road House File.

Sanborn Insurance Map of Palm Beach. New York: Sanborn Map Co., 1924 updated to 1946.

Town of Palm Beach. Building Permits and Microfiche Records 1938– 2024.

West Palm Beach City Directories. Palm Beach Section, Asheville, NC: Florida-Piedmont Directory Company, 1938-1975.

XI. DESIGNATION HEARINGS

3. ITEM 3: 216 MONTEREY ROAD

Owner: Henry Jamison IV & Leslie Jamison

Several members disclosed ex-parte communications.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history of the Monterey-style residence. Ms. Murphy pointed out the design features of the residence. Ms. Murphy testified that the residence met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,
Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction, or use of Indigenous materials or craftsmanship,
Sect. 54-161 (4) Is representative of the notable work of a master builder, designer, or architect whose individual ability has been recognized or who influenced his age.

Ms. Patterson asked for confirmation on proof of publication. Ms. Mittner provided confirmation.

A motion was made by Mr. Ives and was seconded by Ms. Albarran to make the designation report for 216 Monterey Road part of the record. The motion was carried unanimously, 7-0.

Ms. Patterson called for public comment.

Attorney Guy Rabideau, representing the homeowners at 216 Monterey Road, read the homeowners' letter of objection into the record. He argued that the architect did not specialize in Monterey-style homes, that the home was not a superb representation, and that it lacked uniqueness. He added that the owners opposed the designation.

Ms. Murphy stated that while she did not know the total number of Monterey-style homes, Maurice Fatio designed more than one.

Aimee Sunny of the Preservation Foundation of Palm Beach agreed that the home met the three criteria outlined by MurphyStillings. She

reviewed the criteria and explained why she believed it met them.

Ms. Patterson asked Ms. Sunny to list some of the benefits of landmarking. Ms. Sunny outlined some of the benefits.

Mr. Ives acknowledged that the commission was more forgiving on renovations than the Architectural Commission. He discussed Fatio's designs and argued that new homes should look to his designs as precedence. He also noted the two homes from Fatio that Mr. Fogel had previously shown, which had been demolished. Mr. Ives reviewed the criteria outlined by the consultants and thought the home was a superior example of a Monterey-style home.

Ms. Brooker spoke of her landmarked home and the many variances needed to complete the renovations. She thought her example demonstrated how the Town was willing to work with owners of landmarked homes that needed renovations.

Ms. Fairfax spoke about a Florida Statute that protected homeowners' rights to demolish their homes in a flood zone, regardless of whether the property is landmarked. Ms. Mittner stated there was a caveat: the home's finished floor elevation needed to be at or below the base flood elevation.

Ms. Patterson thought this was one of the most beautiful and charming homes in Palm Beach.

Attorney Franciso noted the code section to consider when landmarking was 54-161.

Ms. Patterson also stated the home had room for growth.

A motion was made by Mr. Ives and was seconded by Ms. Fairfax to recommend 216 Monterey Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161 and with the acknowledgment that the owners of the home opposed the designation. The motion was carried unanimously, 7-0.

Palm Beach, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 54 - HISTORICAL PRESERVATION >> ARTICLE IV. - DESIGNATION PROCEDURE >>

ARTICLE IV. - DESIGNATION PROCEDURE

Sec. 54-161. - Criteria for landmarks and landmark sites.

Sec. 54-162. - Creation of historic districts.

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

Sec. 54-165. - Voluntary restrictive covenants.

Secs. 54-166—54-195. - Reserved.

Sec. 54-161. - Criteria for landmarks and landmark sites.

A landmark or landmark site shall meet at least one of the following criteria:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (2) Is identified with historic personages or with important events in national, state or local history.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.
- (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

(Code 1982, § 16-38)

Sec. 54-162. - Creation of historic districts.

- (a) *Authorized.* For preservation purposes, the commission shall identify geographically defined areas within the town to be designated as historic districts and shall cite the guideline criteria upon which such designation shall be made. An historic district may be designated for any geographic area of particular historic, architectural or cultural significance to the town that:
 - (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
 - (2) Is identified with historic personages or with important events in national, state or local history.
 - (3) Embodies distinguishing characteristics of one or more architectural types, or contains specimens inherently valuable for the study of a period, style or methods of construction or use of indigenous materials or craftsmanship.
 - (4) Is representative of the notable works of one or more master builders, designers or architects whose individual ability has been recognized to have influenced their age.
 - (5) Constitutes a unique area of architecture, landscaping and planning.
- (b) *Petition for special historic district category.* Following the designation of each landmark or landmark site, the commission may petition the town council for the categorizing of such

property as special district H. Following the designation of each historic district, the commission may petition the town council for the categorizing of each property in such district to special district HD.

(Code 1982, §§ 16-38.1, 16-39)

Sec. 54-163. - Commission powers with respect to landmarks, landmark sites and historic districts.

The commission has the power to:

- (1) Designate a building, together with its accessory buildings and its lot of record, or a vacant site or a district as historic and worthy of preservation as a landmark, landmark site or historic district, as the case may be, within the jurisdiction of the commission, provided such designation is ratified by the town council.
- (2) Recommend appropriate legislation for the preservation of any building, site or district which it has so designated.
- (3) Make application for public and private funds when appropriate and available for the purposes set forth in this article subject to the approval of the town council.
- (4) Review applications proposing erection, alteration, restoration or moving of any building it has so designated or any building located in a district it has so designated, and to issue or deny certificates of appropriateness accordingly.
- (5) Review applications for demolition permits proposing demolition of all or part of any landmark or any building located in an historic district, and to issue certificates of appropriateness or to deny them for one year.
- (6) Cooperate with the owner of a landmark or a property located in an historic district throughout the year following a refusal to issue a certificate of appropriateness pursuant to an application for a demolition permit, and to seek alternative economic uses for such landmark or property.
- (7) Review its denial of a certificate of appropriateness for demolition of such landmark or property annually, during a public hearing at which time the owner of the affected landmark or property shall be afforded an opportunity to appear with counsel and to present testimony.
- (8) Prohibit the issuance of building, exterior remodeling or demolition permits affecting any property under consideration for landmark designation without a certificate of appropriateness, this prohibition to remain in effect for the length of time required by the commission and the town council for final action on the proposed designation. The commission shall accomplish such prohibition by furnishing the building official a list of all property under consideration for landmark designation.

(Code 1982, § 16-42)

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
 - (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.
 - (2)

Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.

- (3) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
 - (4) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
 - (5) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
 - (6) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
 - (7) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
 - (8) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.
 - (9) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.
 - (10) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.
 - (11) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.
 - (12) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.
- (b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.
- (c)

Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

Sec. 54-165. - Voluntary restrictive covenants.

The owner of any landmark or landmark site may, at any time following the designation of his property, enter into a restrictive covenant on the property after negotiation with the commission. The commission may assist the owner in preparing such a covenant in the interest of preserving the landmark or the landmark site. The owner shall record such covenant in the office of the county recorder of deeds and shall notify the town clerk, building official and town council and may notify the office of the county property appraiser of such covenant and the conditions thereof.

(Code 1982, § 16-48)

Secs. 54-166—54-195. - Reserved.

Henry Jamison IV and Leslie Jamison
216 Monterey Rd
Palm Beach, FL 33480

CERTIFIED MAIL
7020 1290 0002 1989 6303

June 18, 2024

Mr. Abraham Fogel
Town of Palm Beach
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480

RECEIVED

JUN 26 2024

**TOWN OF PALM BEACH
PZB DEPARTMENT**

**Subject: Property placed "under consideration" for Landmark designation
216 Monterey Rd, Palm Beach**

We received the certified letter from Abraham Fogel dated May 31, 2024 and understand that our property located at 216 Monterey Rd was placed "under consideration" for Landmark designation by the Landmarks Preservation Commission (LPC) during its regularly scheduled meeting on May 22, 2024.

We as the sole owners of the property are hundred percent opposed to the property receiving a Landmark designation.

We have never wanted to own a landmarked property. When we were looking to purchase a Palm Beach property in 2000, we intentionally only searched for non-landmarked properties and specifically selected 216 Monterey Rd because it was not a landmarked property.

Sincerely,



Henry Jamison IV



Leslie Jamison

cc: Wayne Bergman, Director of Planning, Zoning and Building
Sue Patterson, Chairman, Landmarks Preservation Commission
Friederike Mittner, Design and Preservation Manager
Janet Murphy & Emily Stillings, Staff Historic Preservation Consultants

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Appeals

Agenda Title

Appeal of the Architectural Commission's Approval of a Pedestrian Gate at **203 S. Lake Trail** (ARC-24-0027) at their December 20, 2024, Meeting. [***This matter was deferred from the January 15, 2025, Town Council meeting.***]

Presenter

ATTACHMENTS:

- ▣ **Appeal of Pedestrian Gate at 203 S. Lake Trail**
- ▣ **December 20, 2024 ARCOM Meeting Transcript**
- ▣ **Excerpt from the December 20, 2024 Architectural Commission Meeting Minutes**

SNIFFEN & SPELLMAN, P.A.

Senders Direct Line: (561) 721-4002
Email: jeubanks@sniffenlaw.com

Via E-mail

December 30, 2024

Kelly Churney, Acting Town Clerk
Town of Palm Beach
360 South County Road
Palm Beach, Florida 33480

**Re: Appeal of ARCOM Approval of Pedestrian Gate
ARC -24-0027 - Darlene & Gerald Jordan ("Applicants")
Property Address: 203 S. Lake Trail ("Property")**

Dear Ms. Churney:

Our firm represents Leslie and Wayne Wyrzes, the owners of 444 Seabreeze Avenue, which abuts the Applicant's Property on northeast side. While the Property sprawls along the Lake Trail from Seaspray Avenue to Seabreeze Avenue, there is no access to the Property from Seabreeze. After a prior attempt to create a vehicular access onto the Property from Seabreeze was unsuccessful, at its December 20, 2024, meeting the Architectural Commission (ARCOM) approved a pedestrian gate leading from the Property to Seabreeze Avenue ("Approval") right next to the Wyrzes property.

The Wyrzes believe the Approval was improper, should be reversed and the Application denied. Reversal is warranted given that: a) ARCOM's decision was made without critical information due to the Applicant's failure to provide accurate drawings of the surrounding homes; b) the Approval was made without taking into consideration the context of the neighborhood and applicable Code provisions; c) the Applicant gave no basis for its request and failed to meet its burden to do so; and d) the failure of the last LOI Update to even include the pedestrian gate.

Approval Made Without Critical Information

The Applicant is tasked with making sure that its Application is **complete and contains all the information** required for ARCOM to make an informed decision **prior to presentation**. Here it failed to do so. Instead, the Applicant omitted significant information within its Plans, namely the existence and location of a western driveway on the Wyrzes' property the exit of which would clearly interact with the pedestrian gate. Given its existence, the Applicant should have provided detailed information on the location, size, and length of the Wyrzes' driveway as well as where it exited onto the cul-de-sac to ensure the pedestrian gate would not interfere with the driveway and there would be no safety or other issues but did not. Instead ARCOM and the public were left with vague drawings which ARCOM relied upon, but only showed the Wyrzes' eastern driveway despite the long-term existence of their western driveway.

Even though many of the ARCOM Commissioners indicated at the time of ex-parte disclosures they had reviewed the plans and were "familiar with the neighborhood" in general they apparently were not familiar with 444 Seabreeze. A quick drive by the Wyrzes' home would have clearly demonstrated the existence of two driveways. More importantly, the Applicant's own Application demonstrates clearly in the pictures on page A-7 that the Wyrzes' home has two driveways with the western one exiting close to the middle of the curve of the cul-de-sac where the pedestrian gate was to be placed. *See*, Exhibit A.

REPLY TO:

605 NORTH OLIVE AVENUE, 2ND FLOOR
WEST PALM BEACH, FL • 33401

PHONE: 561.721.4000

FAX: 561.721.4001
TC Development Review Meeting Backup 2-12-2025

WWW.SNIFFENLAW.COM

123 NORTH MONROE STREET
TALLAHASSEE, FL • 32301

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FAX: 850.205.3004
120 of 789

To make matters worse, ARCOM acted in reliance on the Applicant's incomplete information, while ignoring the testimony of Ms. Wyrzes, the only person with direct knowledge. In response to Mr. Nievera's pointing a cursor to the location of the gate (*See*, Exhibit B), Ms. Wyrzes indicated "So that's right by my driveway" which ends at the tip of the white area. Transcript, p. 41. Mr. Smith emphatically indicated "Your driveway is on the other side of your property. Your driveway is on the east side, and this is the west property." *See*, Transcript, p. 41-42 Ms. Wyrzes responded that she had two driveways, "Yeah, we have a driveway on the other side." "Yeah, on the west side." Transcript, p. 42. She further confirmed that it "was there when we moved in." *Id.* There was no testimony disputing the existence of the western driveway or its location, yet ARCOM treated the Wyrzes property as if it had only the eastern driveway.¹

Clearly the location of the pedestrian gate could radically change the Wyrzes use of their driveway as well as create a safety issue of having pedestrians cross directly behind a vehicle backing out of the western driveway or delivery trucks blocking the driveway thinking they could gain access to the Property from the pedestrian gate. Ms. Wyrzes testified that even without the gate she had to "chase an Amazon truck down the street yesterday because they were headed for the lake trail trying to make a delivery to the Jordans." Transcript, p. 40 "I'm worried that I'm going to have packages in my driveway being left at that gate, if there's another gate." Transcript, p. 40.

At that point, ARCOM should have deferred any further consideration of the pedestrian gate until such time as the Applicant came back with additional information on the exact location of the gate and whether it would or would not interfere with the use of Wyrzes' western driveway. In choosing to move forward and unanimously approving the gate anyway ARCOM acted without such crucial information. As such, its Approval was not based on competent substantial evidence and should be reversed.

Reversal is further required to maintain the integrity of the ARCOM process. Decisions by ARCOM, as well as other commissions, should always be based upon complete and accurate plans, information, and representations by the Applicant. To the extent there is a material omission (regardless of whether intentional or accidental) which is allowed to go unchecked and results in an approval, the public will deem the process not trustworthy. In this case, the incomplete plans excluding the details of the Wyrzes western driveway were relied upon for Approval over the clear picture of the same in Exhibit A and Ms. Wyrzes unopposed testimony. The result is that the Wyrzes will be left to deal with the consequences and burden of that omission, including a decrease in their ability to use their driveway and potential decline in property value. Such a result should not stand, and the Approval should be reversed to make sure that all the relevant information is before the Commission.

¹ The video for the meeting, which is incorporated herein, can be found at the link below beginning at 33:49 and ending at 1:34:24. The portions regarding the pedestrian gate begin with public comments at 1:17:08 to 1:34:24. https://townofpalmbeach.granicus.com/player/clip/3103?view_id=5&redirect=true

Failure to Consider the Context of the Neighborhood and Code Provisions

In addition to the Approval of the pedestrian gate without detailed information, the Approval also failed to consider the context and contrast between the street and houses on Seaspray and the tight knit neighborhood community of Seabreeze as expressed by our client and other neighbors. The Town Development Review Checklist and Uniform Development Review Instructions both require a context component to make sure an Application blends into the surrounding neighborhood. Similarly, Section 18-146 of the Code describes the purpose of ARCOM to include the search for beauty. Subsection (d) indicates that while the purpose of the Comprehensive Plan and Zoning Code are powerful legal tools, “[t]he task of the architectural commission is ... to preserve the various elements of urban beauty and require that new projects enhance the existing elements.” Subsection (e) reminds ARCOM that “the essential **foundation of beauty in communities is harmony.**” Finally, even the Section 18-205(1) criteria for ARCOM requires “the plan for the proposed building or structure is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.”

In this case, the public comment testimony demonstrates a huge distinction and contrast between the communities of Seaspray and Seabreeze. Ms. Nicole Betts of 409 Seabreeze Avenue commented that Seabreeze is a “charming historic neighborhood here in Palm Beach” and when she “started to envision how it [new home] would fit into our neighborhood and at this point it doesn’t. It’s enormous scale and added height would loom over the neighborhood and the lake trail.” “It ignores the scale and historical integrity of our street.” Transcript, p.37

Ms. Bettes made a further distinction of the two neighborhoods based on the ultimate question or “**why do they [Applicant] need a pedestrian gate on Seabreeze?**”

The only place it leads to is a service area. There is no such gate on our street. Yes, we have several gates on Seabreeze, including at my home, but they all lead to a front door; not a service area, as we have none on Seabreeze. ... With that said, I believe that ARCOM was established to ensure that homes built in historic areas such as ours, are built with regard to scale, historical integrity and context. **The homes are built with a sympathetic eye that blends into the surrounding area, not dwarfing the neighborhood and creating problems with an unnecessary gate** at the end of Seabreeze. Transcript, p. 37-38.

As a result, the pedestrian gate itself is excessively dissimilar to any other gate in the Seabreeze neighborhood. Ms. Wyrzes raised similar questions and concerns regarding the pedestrian gate.

But the pedestrian gate, I don’t see a reason for it... You know, we look across the street at two other homes on South Lake Trail. They don’t have any barriers to their house. They’re beautiful homes **and the only gate they have is the access to the lake trail on the Intracoastal side.** They don’t even have privets or hedges in the front of their houses. Most of our houses are open to the world. Our house is. Trans, p. 40-41

The testimony of Ms. Betts and Ms. Wyrzes raises a major context distinction between the communities of Seaspray and Seabreeze while also raising a dissimilarity issue. Seabreeze is a small

community with smaller houses with no need for gates other than those to the front door. As such, a gate (especially one to a service area) will be excessively dissimilar and the first in its community.

Applicant has the Burden to Demonstrate the Need for the Pedestrian Gate

The testimony of Ms. Betts and Ms. Wyrzes raises yet another issue. It is the Applicant's burden to demonstrate the need for a request before ARCOM. Curiously neither the Applicant nor any of its representatives have ever stated on the record a reason for the pedestrian gate. While Mr. Smith speculated maybe the owner "wants to go for a walk" it was pointed out that he/she could exit via the gate at the Lake Trail and walk around. It should not be ARCOM's duty to make up a reason. The Applicant should clearly state the reason for its request.

A more cynical answer is that after the Applicant was told there could be no vehicular driveway from Seabreeze, a pedestrian gate is the next best thing. Seabreeze has no resident parking restrictions. As Ms. Wyrzes testified Seabreeze is being used as an "overflow of the Jordan's house, especially when they have parties, they all park on Seabreeze and **we're the only street in Palm beach that does not have restrictions...** Now this will make it very easy because they will have gate right there." Transcript, p. 43. One can easily imagine large parties in which the guests are dropped off at the main entrance and Seabreeze becomes a valet parking lot with the valets returning through the gate. Likewise, service personnel could be urged to park on Seabreeze and enter through the gate. Clearly, the Applicant is never going to admit such uses and has instead taken a don't ask, don't tell Policy as to the use of the pedestrian gate. In doing so the Applicant failed to meet its burden to provide the Town any reason to grant the gate, while the surrounding neighbors on a smaller street have provided multiple reasons not to do so.

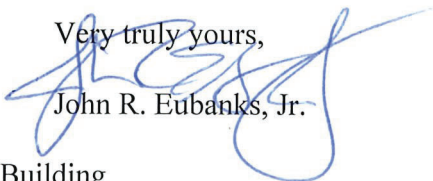
Failure of the Last LOI Update to Include Pedestrian Gate

Finally, added to the above, the Applicant's December 4, 2024, LOI Resubmission – updated #2 which despite identifying every change to the Application in bright red, did not include any reference whatsoever to a pedestrian gate. *See*, Exhibit C. As such, the surrounding neighbors, who are not familiar with plans, drawings and surveys but can read LOI's were never put on notice that the pedestrian gate was even an issue. Such a lack of due process alone should be grounds for reversal.

Conclusion

In light of all of the above, the Wyrzes believe the Approval was improper, should be reversed for the reasons stated, and the Application for the pedestrian gate denied. We reserve the right to further supplement our request prior to the hearing at which this Appeal will be heard. Please do not hesitate to contact me if you have any questions or need additional information.

Very truly yours,


John R. Eubanks, Jr.

Attachments

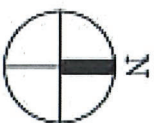
cc: Wayne Bergman, Director of Planning, Zoning & Building
James Murphy, Assistant Director of Planning, Zoning & Building
JoAnne O'Connor, Esq. Town Attorney

Exhibit A



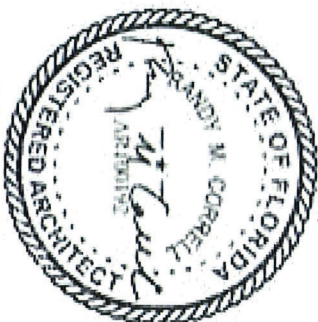
444 SEABREEZE AVE

N.T.S.



ROBERT .

ON
T



PROJECT NO: A23054

DRAWING FILE:

A-7

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11 S LAKE TRAIL (TRAIL VIEW)



425 SEABREEZE AVE



428 SEABREEZE AVE



431 SEABREEZE AVE

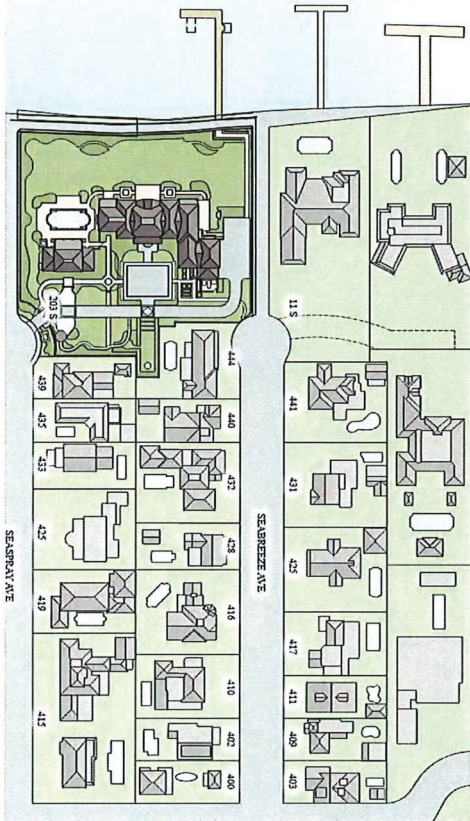
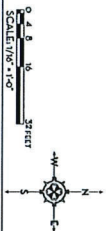


Exhibit B

PROPOSED SITE PLAN RENDERING



MARIO F. NIEVERA
State of Florida
Landscape Architect
Registration No.
Address

SCALE: 1/8" = 1'-0"

SITE PLAN 203 S. LAKE TRAIL

PALM BEACH, FLORIDA

04 DECEMBER 2024
01 OCTOBER 2024
01 JULY 2024 - SECOND SUBMITTAL
13 JUNE 2024 - FIRST SUBMITTAL



NIEVERA WILLIAMS
ARCHITECTS

635 N. Euler Drive
Suite 202
West Palm Beach, FL 33401
P: 561-659-2820
F: 561-659-2813

NIEVERAWILLIAMS.COM

LO

ZON-24-0024
ADC-24-00-27

Exhibit C

December 04, 2024

Page 1 of 3

Re: 203 S Lake Trail, Palm Beach, FL 33480
ARC-24-0027
Letter of Intent (LOI) RESUBMISSION – **UPDATE #2**

RAMSA

Site History:

The property of 203 S Lake Trail has a lengthy record of owners dating back to early 1930s. However, when Mr. C.D. Strout took ownership of the property, he commissioned local architect, John L. Volk, to complete the design of his single-family residence in 1937. Volk's design included a main house, pool, and a pool pavilion to the south.

The homestead had numerous repairs over the last 87 years, few of which included major additions and renovations in the late 1970s and late 1990s. The 1990s renovations included major interior and exterior character updates, as well as the addition of a garage wing and a free-standing storage structure. Most recently, the current owners made minor repairs to the exterior and remodeled a few interior rooms in 2010-11.

The Proposal:

This project consists of the demolition of an existing two-story residence, one-story pool house, two-story garage, and one-story generator structure and the construction of a new two-story single-family residence with integrated garage and two-story pool house. A new pool is proposed in the approximate location of the existing pool. New landscaping and hardscaping are proposed on the entirety of the site. The existing dock will remain.

The proposed house and pool house structures conform to, or exceed, the setbacks requirements for the property. The current FEMA base flood elevation requirement for the site is 7.0 NAVD. The finished first floor elevation of the proposed two-story portion of the house will be at **elevation 9.0** to mitigate any potential future flooding. The proposed pool house is designed to also have a floor at **elevation 9.0**. The garage will be at **elevation 7.16**. The fill proposed across the site will not exceed the maximum lot fill height of 3.5 feet.

The existing driveway entrance into the site along the right-of-way connecting the Seaspray cul-de-sac to the South Lake Trail will be removed and a new driveway entrance is proposed at the Seaspray Avenue cul-de-sac. The proposed entry gates will be set back at a minimum of 18'-0" from the cul-de-sac for appropriate off-street queueing space.

The maximum lot coverage for the zoning district R-A Estate Residential is 18,206 square feet (25%) with the proposed coverage at *13.8% (10,075 square feet)*. This is smaller than the existing 16.2% (11,766 square feet).

Per Section 18-205, the proposed project is designed in good taste and of a scale and character compatible with its neighborhood. The overall siting of the house, accessory structure, and pool mimic the historic home and pool house locations. The design is inspired by and references details from the original 1937 John Volk house designed for the property and subsequently obscured by later additions. The accessory space remains subservient to the massing of the main house yet continues the sequence of two-story structures along Seaspray Avenue. The two-story house massing incorporates covered porches, bays, and steps in the façade to create architectural interest and to enhance the visible perspective to neighbors and the public. The pitched roof will be at an overall building height of **34'-0"**.

December 04, 2024
Page 2 of 3

RAMSA

Design Revisions following 2024-10-23 ARCOM Response:

Following the comments from the ARCOM committee and neighbors at the October 23, 2024 meeting, we have revised the design per below:

- The north curb cut along Seabreeze Avenue has been removed from the current scope
- The overall building height has been reduced to 34'-0", under the maximum allowed of 35'-0"
- The finished floor elevation of the house has been lowered to elevation 9.0
- Landscape Open Space (LOS) has increased further from 67.92% (49,045 square feet) to 69.3% (50,052 square feet)
- The site plan depicts significant changes:
 - The house plan is flipped north to south with the service court and garage at the north
 - The garage is incorporated into the house, eliminating an additional structure
 - The pool house is rotated to capture more views out to the lake and includes a covered porch, eliminating the lanai
 - The service court is sited along the north
- The glazing along the west façade has been reduced
- There are no roof pitches lower than 4:12
- The guest house roof height has been reduced from 30'-6" to 28'-1"
- Detail comparison sheets now include RAMSA details compared to John Volk's details at the same drawing scale to show similar human scale and proportion
 - A-34: The proposed entry parallels the proportion and scale from the referenced Volk drawings
 - A-36: The scale of the bay window is shown to mimic the scale from Volk's design
 - A-37: These reflect the same spring line of arches on the west loggia from our design to the John Volk reference
- A-40: The materials and color of the structures have been more clearly identified
 - The roof will be Ludowici Morando glazed closed shingle in Ash Gray blend color. The roof is not to be slate
 - The exterior stucco color is proposed to be a warmer tone, Benjamin Moore Vanilla Milkshake. The walls are not to be white
 - The limestone accents will complement the stucco in a beige tone
- The pool house redesign incorporates matching detail from the main house
- The landscape to the east side of the property has been further developed to incorporate more interest as you enter the site with landscaped walking paths mimicking the original Chinese garden, a pond, and a footbridge, making it more of a destination
- The fountain at the front entry has been removed
- The height of the palm trees was increased over the massing of the house
- The paved terracing along the west has been reduced
- Open metal fencing has been added at the upper portion of the Seaspray Avenue entrance wall to allow pedestrian visibility to the existing gazebo

Design Revisions following 2024-08-28 ARCOM Response:

Following the comments from the ARCOM committee and neighbors at the August 28, 2024 meeting, we have revised the design per below:

- Sport padel court has been removed from the project
- The previously proposed Observation tower has been removed from the project
- Existing generator building at the east has been removed from the project

December 04, 2024

Page 3 of 3

RAMSA

- The previously proposed guest wing at the east along the driveway, connecting the main house to the pool house, has been removed
- The overall lot coverage has been reduced from 18.2% (13,821 square feet) to 13.8% (10,113 square feet)
- Enclosed square footage has been reduced from 16,578 square feet to 13,812 square feet
- Landscape Open Space (LOS) has increased from 52% (37,583 square feet) to 67.92% (49,045 square feet)
- Existing driveway along the right-of-way connecting the Seaspray cul-de-sac to the Lake Trail along with additional guest parking area has been removed
- The proposed driveway and entry court has shifted to the west, pulling it further from the neighbors to the east
- The existing garden gazebo is incorporated into the proposed landscape
- A larger area for mechanical equipment has been identified outside the setbacks and includes a perimeter wall and significant landscaping.
- The massing of the main house has shifted 5'-0" west, allowing a greater setback to the neighbors at the east
- The projecting massing of the east main entry of the house has been removed
- The façade facing the lake (west) has been modified so that flanking wings have been pulled back from the central massing of the house
- The west terraces have been reduced in depth
- The detailing of the exterior has been refined and continues to be informed by the historic elements from the pre-existing John L. Volk
- The pool house has been pulled back from the Lake Trail and redesigned
- Due to a client request, the lanai adjacent to the pool has been elongated in the north-south direction. This has resulted in the addition of 180 SF of unconditioned space to our program.

Sincerely,



Randy Correll
Partner RAMSA

TOWN OF PALM BEACH
ARCHITECTURAL COMMISSION

IN RE: ARCOM MEETING
ARC-24-0027
SOUTH LAKE TRAIL

EXCERPT TRANSCRIPT OF THE ARCHITECTURAL COMMISSION
PROCEEDINGS

VOLUME 1 (Pages 1 - 52)

DATE TAKEN: December 20, 2024
TIME: 9:00 a.m.
PLACE: TOWN OF PALM BEACH
360 South County Road
Palm Beach, Florida

BEFORE: THE TOWN COUNCIL FOR THE TOWN OF
PALM BEACH ARCOM MEETING

This cause came on to be heard at the time and
place aforesaid, when and where the following
proceedings were transcribed by:

Patricia A. Lanosa, RPR, FPR, CSR
Registered Professional Reporter

1 APPEARANCES:

2
3 Jeffrey W. Smith, Chairman
4 Kenn Karakul, Member
5 Elizabeth Connaughton, Member
6 K.T. Catlin, Member
7 Claudia Visconti, Member
8 Dan Floersheimer, Alternate Member
9 David Phoenix, Alternate Member
10 Maisie Grace, Alternate Member

11
12
13 Also present:

14 Randy Correll, Robert A.M. Stern Architects
15 Mario Nievera, Nievera Williams Design
16 Maura Ziska, Esquire
17 Nicole Betts
18 Leslie Wytrzes, 444 Seabreeze Avenue, Palm Beach
19 Anne Pepper, 333 Seaspray Avenue, Palm Beach
20
21
22
23
24
25

I N D E X

VOLUME 1 (Pages 1 - 52)

PAGE

Opening

4

By Mr. Correll

8

By Mr. Nievera

14

By Member Connaughton

17

By Member Grace

20

By Member Catlin

25

By Member Phoenix

27

By Member Visconti

29

By Member Floersheimer

31

SWORN TESTIMONY:

By Nicole Betts

36

By Leslie Wytrzes

38

By Anne Pepper

44

Motion Called

49

Certificate of Reporter

52

1 Proceedings began at 9:00 a.m.:

2 (Thereupon, the following is an excerpt of
3 these proceedings:)

4 * * * * *

5 CHAIRMAN SMITH: The next item on the
6 agenda is AC24-027, 203 South Lake Trail.

7 UNIDENTIFIED SPEAKER: Yes. This
8 application proposes a new two-story
9 single-family residence, a new two-story
10 detached accessory guesthouse with final
11 hardscape, landscape and swimming pool
12 improvements. The property is located on the
13 Lake Worth Lagoon between Seaspray and
14 Seabreeze Avenues on a large parcel zoned R-A
15 estate residential.

16 The application was first presented at the
17 August 28th ARCOM meeting and deferred for
18 two months to address concerns regarding the
19 size, massing and architectural details of the
20 structures, the proposed number of structures,
21 the citing of ancillary features like the
22 generator building and proposed Padel court and
23 the number of vehicular curb cuts.

24 The applicant resubmitted revised plans
25 and presented at the October 23rd hearing

1 removing the Padel court, eliminating the
2 nonconforming utility building and reducing the
3 number of curb cuts.

4 The Commission deferred the application to
5 the November hearing for further study on the
6 height, architectural details, roof pitch,
7 fenestration on west facade and the landscape
8 plan including the Chinese garden.

9 The applicant requested an additional
10 deferral to the December hearing for further
11 study.

12 Significant changes were made for
13 resubmittal, including relocating the garages
14 and service area to the north side of the
15 parcel, eliminating the previously proposed
16 loggia, resizing the accessory guesthouse with
17 related modifications to the landscape and
18 hardscape plans. A picket fence has been
19 incorporated along Seaspray Avenue offering
20 views of the Chinese garden which now features
21 ponds, footbridges and a vehicle bridge. The
22 previously proposed curb cut along Seabreeze
23 Avenue has been eliminated and replaced with a
24 pedestrian gate and pathway.

25 Staff has received one letter of concern

1 from the Merriman household regarding the
2 resubmitted plans.

3 Only one motion will be required by the
4 Commission.

5 MR. CORRELL: Ms. Visconti, ex parte?

6 MEMBER VISCONTI: None.

7 UNIDENTIFIED SPEAKER: None.

8 UNIDENTIFIED SPEAKER: I read the letter
9 and I spoke with Mario regarding landscaping.

10 UNIDENTIFIED SPEAKER: I met with Mario
11 Nievera regarding the landscaping.

12 UNIDENTIFIED SPEAKER: I had a Zoom
13 meeting with Mario regarding the revised plans.
14 I also read the letter and drove through the
15 area.

16 UNIDENTIFIED SPEAKER: I read the letter
17 and I had an email exchange with Mario where I
18 asked him to increase the line of Pigeon Plums
19 along the north to hide the garage, to add a
20 specimen tree in the little pocket park to the
21 east and to rework the trees over the front
22 entrance and he agreed to all of those changes.

23 UNIDENTIFIED SPEAKER: I'm familiar with
24 this. I received an email from Mario. Our
25 schedules did not line up. I did not meet with

1 him and I read the letter.

2 UNIDENTIFIED SPEAKER: I went by the site
3 and I read one letter in opposition to the
4 project.

5 UNIDENTIFIED SPEAKER: I read the letter
6 too, Kelly, I'm amending my ex parte.

7 UNIDENTIFIED SPEAKER: We're making one
8 correction, so if the applicant can begin, it
9 will be there momentarily. It's not worth
10 delaying. It's downloading right now.

11 CHAIRMAN SMITH: Okay, please begin.

12 MR. CORRELL: Good morning, I'm Randy
13 Correll, Robert Stern Architects. I would like
14 to have a drawing up on the screen to present
15 to you.

16 After our last meeting in October, we were
17 notified by the town that the entry from
18 Seabreeze would not be allowed, which caused us
19 to rethink our site plan in a significant way
20 which we submitted early on before our official
21 submittal to you.

22 So essentially we flipped the plan of the
23 house north to south. We moved the garage,
24 which is at the southern end of the property to
25 the northern end of the property. And, which

1 you'll see in the a minute, the main body of
2 the house is now more to the center of the lot.
3 The swimming pool has shifted to the south.
4 The pool house that we -- the pool house, guest
5 house, which we originally had at the south end
6 of the pool is now along the lawn side of the
7 pool to the east.

8 (Discussion off the record.)

9 CHAIRMAN SMITH: Just to make it easier on
10 you, we have studied the plan so we're not
11 blind.

12 MR. CORRELL: Okay. And Mario will speak
13 about the landscaping, so why don't I focus on
14 the house itself, which there were comments
15 about the detailing, and scale, and so forth.

16 This is the view from the entry side,
17 which is essentially the same as what you saw
18 the last time, except the service wing has been
19 flipped from the south to the north.

20 The biggest changes are really on the west
21 side, where we've further articulated the
22 facade. We reduced amount of glazing. We made
23 the house more symmetric in that the end wings
24 of the library at the south end and the family
25 room at the north end are more balanced for

1 glazing articulation and also the porch itself.

2 The pool house, guesthouse you see here,
3 we actually did some revisions from what you
4 saw in the submission, which I wish we could
5 show you. But I'll speak to this rendering on
6 the screen. At the first floor behind -- at
7 the back of loggia we eliminated the television
8 and made that glazed as well, so the whole
9 inside wall is glass panels.

10 And then on the second floor, instead of
11 the four openings, we now have two sets of
12 French doors with a slightly recessed blind
13 arch. And then on the two wings, the high
14 panels, blank panels we made into windows.

15 What else can I show you here? Can you go
16 to the elevations?

17 (Discussion off the record.)

18 MR. CORRELL: On the screen now is a
19 comparison from the previous west elevation to
20 the revised west elevation and you can see that
21 the amount of glazing and enlarged glazed areas
22 have been eliminated.

23 We've further articulated the glazing
24 especially on these pavilions to the left and
25 right of the central loggia. The bay windows

1 have become three angles -- slightly angled bay
2 windows. And the second floor bedroom windows
3 have been separated from the lower bay, so it
4 doesn't read as one piece of glass.

5 The family room, which was fully glazed in
6 the previous scheme, is now flipped to the
7 other end of the house, we've articulated with
8 columns and three segmental-arched windows and
9 that I feel balances the porch at the library
10 at the opposite end of the house.

11 And this, the north end elevation, which
12 is now flipped, it was the library at the
13 bottom. The new proposed elevation is the
14 family room at the first floor, which
15 previously had a big porch with arches, which
16 doesn't make sense now that this is the north
17 end, and not by the pool, so we put a small
18 little bracketed overhang on that.

19 (Discussion off the record.)

20 MR. CORRELL: On the screen now is a
21 comparison between the previous site plan and
22 the new site plan, which I think you understand
23 so I'll go on.

24 These are the new set of renderings.
25 Again, the front elevation we reverted to blue

1 shutters from the gray shutters. I think
2 that's the only significant change. The west
3 elevation, which I'd spoken about.

4 Okay. So then this is -- the pool house
5 is submitted and then these are revisions we
6 have made since that revision, which I just
7 described to you.

8 This is now the south end of the house
9 which is the library on the first floor. The
10 primary suite on the second floor facing the
11 pool. We've added this bay window and
12 rethought the windows on this facade.

13 This is a view of the buildings together.
14 And then these are some Vignettes across the
15 rear facade. You see the family room, which I
16 just described. The loggia, which we have
17 changed from brick to stone. Because we didn't
18 have any other brick, so this stone relates to
19 the porches at either end of the house and
20 other details of the house.

21 There was some discussion about this
22 previously how the Volk had been slightly
23 recessed and ours had not. We have now
24 recessed the loggia slightly behind the
25 flanking pavilions. And, I'm sorry, you see

1 the -- also the bay window to the right of the
2 shallow bay window that we've added. And then
3 here's a detailed -- the library porch.

4 There was question about scale brought up
5 at our last meeting and the relation to a Volk
6 precedence. So there are a few key elements
7 were showing comparisons to Volk. First being
8 the entry porch comparing it to the Tarrant
9 house on North Ocean Boulevard. And here we
10 show our drawing compared to the original Volk
11 drawing with red data lines and you see our
12 porch column. Heights are identical. In fact,
13 the Volk has the eave and second floor window
14 heads are higher -- taller than our house.

15 Here is a comparison of the bay window
16 element at the back. On the left is our
17 proposal. The center is Windsong and you see
18 our heights of window heads first and second
19 floor align.

20 The original Volk house the living room --
21 the original Volk house on the site, the living
22 room was on the second floor, which meant that
23 the second floor ceilings were 11 feet and the
24 first floor were 10 feet, so that's the slight
25 discrepancy between our proposal and the

1 original.

2 Here's a comparison of the -- sorry -- of
3 our rendering of our loggia, with the original.
4 And, again, there is that slight height
5 difference between the two were a foot taller.
6 And here you can see the comparison of the
7 drawings.

8 There is also some discussion about the
9 pitch of that roof on the second floor porch.
10 There was a detail of Volk where he shows the
11 4 and 12 pitch which we are showing here.

12 We tweaked the material pallet a bit. We
13 went to a glazed Ludowici tile in a slight gray
14 color. We made the stucco, we'd like it to be
15 a little more off white. Again, we reverted to
16 the blue shutters, which on screen look very
17 green, and we specified it a specific kind of
18 grey-gee limestone for the stone details.

19 I did -- I think the last thing I want to
20 talk about was for the height, which was under
21 discussion last time. In this drawing you can
22 see a comparison. In the new proposal you'll
23 see a red line at the top which indicates the
24 previous height. We've lowered the first floor
25 elevation from 10 feet to 9 feet, which lowers

1 the overall height by a foot. And so at the
2 tallest point, which is the center of the
3 house, it will be 34 feet. The eave height at
4 24 feet, and the guesthouse ridge is at
5 28 feet.

6 I think the letter that you received from
7 Mr. Merriman, the neighbor, indicated that his
8 first floor is at 9 feet. So I think we're in
9 keeping with the neighborhood.

10 And that's concludes what I had to say.

11 (Discussion off the record.)

12 MR. NIEVERA: For the record,
13 Mario Nievera landscape architect for
14 203 South Lake Trail.

15 And I want to say thank you to all the
16 people I was able to review the drawings with
17 and I do appreciate your time and all of your
18 -- and even in the previous meeting it really
19 did give us an opportunity to really rethink
20 the site plan and the garden.

21 What really is the opportunity here is
22 what -- when we moved the garages to the north
23 end of the house to put the pool house as the
24 first building you run into.

25 We've opened up the walls of the

1 cul-da-sac, the railings on top, the stucco
2 walls, so you'll be able to see both the
3 gazebo, down the driveway and into what has now
4 become a very large garden. And we brought
5 back the pond in the original drawings for the
6 Chinese garden, it was a very large pond. We
7 brought the pond back, in which we created a
8 bridge to drive over and pathways that lead all
9 around the Chinese garden. More formal paths
10 that lead -- that separate the pool house and
11 the main house. And we surrounded court -- the
12 main house courtyard with a lot of trees and
13 vegetation.

14 And in the rear facade, broken that up as
15 well, you know, just so that we see -- just so
16 that breaks up the lines and the massing. As
17 previously spoken about, that Randy spoke about
18 this is the front facade, it's changed a little
19 since then.

20 Then the rear facade, this is where we've
21 added a lot of palm trees, a small scale to
22 accentuate the wings. The ligustrum trees to
23 bring down the canopy line so you see green at
24 eye level and just a lot of shrubs and Pygmy
25 dates. So that really changed the landscaping

1 a lot.

2 There was one comment to add Coconut Palms
3 or palm trees to break up the main wing, the
4 main massing and then separate the wings, we've
5 done that in the plan as well. As Randy
6 mentioned in the overall scheme, even the
7 landscaping here has separated the buildings
8 and created little small gardens -- or gardens
9 that are relation -- relative to -- to have
10 broken up the large massing of the lawn in the
11 back.

12 In the pool I've added Jasmine vine on the
13 two wings of the pool house. Citrus trees
14 surround the pool, as well as coconut palms.

15 I'm going to skip over those because
16 you've seen all of these.

17 You can see in the proposed west elevation
18 how much more interesting the landscaping is.
19 I think that is a combat to make it a variety
20 of gardens and spaces underneath the banyan
21 trees. I want to create secret walking paths
22 to shade gardens and native plantings.

23 This was the original gate that we
24 presented a while ago. Now when you look down
25 the driveway, it's a very long-line driveway

1 and the very end there is a coconut palm -- a
2 gumbo limbo -- a specified specimen gumbo limbo
3 at the very end of the driveway.

4 And last -- oh, sorry. Oops.

5 This is the cul-da-sac elevation below,
6 which is the open gate and then the railings on
7 top of the wall.

8 And then on the Seabreeze cul-da-sac all
9 we have is a wall very densely landscaped, but
10 we have an open gate that you can look through,
11 and there is a meandering path that goes around
12 the gumbo limbo tree that we placed there. And
13 again, we didn't want to have a wall, and just
14 a wall of landscaping on that side and we just
15 wanted to see -- be able to have the
16 opportunity to be able to see into the garden.

17 And that's concludes my presentation.

18 CHAIRMAN SMITH: Thank you.

19 Ms. Connaughton.

20 MEMBER CONNAUGHTON: Hi, thank you. I
21 think your -- I think the details you've added,
22 particularly on the west elevation, are a huge
23 improvement.

24 I think there is certain areas where it
25 can even be pushed a little bit more. I think

1 you kind of achieved that delicacy that Volk
2 kind of did, and it made the building look a
3 little bit less of a building and more of a
4 like a home, if that makes sense, less hotelie.

5 I think there's -- maybe you said the
6 family room details of, like, that filled in
7 loggia, I think that could be pushed a little
8 bit, too, or just a little bit more attention
9 to the detail.

10 Let's see. Anyways, for the most part, I
11 think that's been a huge improvement. The
12 family room was one thing I wanted to mention
13 where it was filled in like that.

14 And then the front entry elevation, the
15 entry element, I'm just a little confused
16 what's going on with the roof there.

17 Could you explain that to me, because I
18 think it's different and a different rendering?

19 MR. CORRELL: Yeah. Yeah, it's a
20 shallow-pitched, it would be a metal flat seam.

21 MEMBER CONNAUGHTON: It's like a shed
22 roof?

23 MR. CORRELL: Yeah.

24 MEMBER CONNAUGHTON: Because in some of
25 them it looks like it's --

1 MR. CORRELL: Yeah, I know we're a little
2 inconsistent.

3 MEMBER CONNAUGHTON: Yeah, I got it.

4 I know you did some comparisons here with
5 this full precedent that you have. The entry
6 element looks very high, but I don't know if
7 that was a thought that I've had from before as
8 well.

9 MR. CORRELL: Yeah. I mean, here's the
10 comparison. So as I said, the column
11 heights --

12 UNIDENTIFIED SPEAKER: Mr. Correll, can
13 you get closer to the mic?

14 MR. CORRELL: I'm sorry. The column
15 heights are the same. The Volk entablature was
16 a little thin and so we made it more
17 classically correct.

18 MEMBER CONNAUGHTON: Yeah, his columns
19 look more attenuated entablature, too, look.
20 Yeah, okay. The relationship with the front
21 door, too, it almost feels a little bit too
22 high compared with the front door. But maybe
23 somebody else can comment on that.

24 My other thing is the pool house, I kind
25 of miss you guys having more like one-story

1 elements on this large site just to spread the
2 program out a little bit more. But I think
3 it's -- I think the new site plan is nice as
4 well. I liked the old site plan, too, I
5 thought it was successful.

6 The pool house, I just -- something about
7 it feels like it's squished and tall. Maybe
8 that flanking elements and stuff, I feel like
9 it could use a little bit more thought similar
10 to how you did in the whole west facade. But
11 overall I think it's a good improvement. A
12 huge improvement, actually.

13 CHAIRMAN SMITH: Ms. Grace.

14 MEMBER GRACE: Yes. Thank you. I
15 appreciate all the efforts and changes that
16 you've made on the project. I do think they're
17 a big improvement. Although, I think there is
18 still a long way to go. I think that overall
19 the house still seems very large. I know you
20 said you took a foot off of it. But you said
21 that the house is, I think you said, 34-feet
22 tall. So I just don't feel like that's a big
23 enough change for what we're looking at in the
24 neighborhood.

25 When you look at the human-scale figure

1 that appears in the drawings, you know, in the
2 various places and the pages, it really stands
3 out just how large this house is.

4 And, you know, we just had a house
5 previously that Mario obviously must have
6 worked very hard with the owner on, and they
7 were able to reduce the size of the property
8 from the prior owner and it just really showed
9 the amount of effort that they went in in
10 detailing and trying to make something fit into
11 the neighborhood and to contribute more to the
12 neighborhood.

13 So I know that the owners have lived there
14 for a long time, and so I'm just wondering, you
15 know, how you've worked with them and what
16 their ideas are about, you know, going forward,
17 and how they plan to, you know, use the
18 property to make it fit in better with the
19 neighborhood? I mean, is there any particular
20 vision that you want to share that they have?

21 MR. CORRELL: Well, I would comment that
22 this house is, in fact, smaller than the house
23 that's there and certainly has a lot more open
24 space between it and the neighbors and the
25 street.

1 Also, I don't think it's a fair comparison
2 to that Ibis Island house, in that this is a
3 much different property and a much larger
4 property, and I think the house is a different
5 scale than the houses on Seabreeze and Seaspray
6 because it is a different scale of property,
7 and a different type of house it is in scale
8 with the other houses, I think, on
9 South Lake Trail.

10 MEMBER GRACE: Obviously it is a property
11 on South Lake Trail, so it's going to be
12 different. I feel like it's really too
13 different. It stands out too much. And I know
14 that we did receive this letter from the
15 neighbor to the north who says that he's very
16 concerned. I don't know if you met with him
17 about how your property -- how the house is
18 going to interface with it. He says that the
19 finished floor elevation is at 10 feet. Is
20 that accurate what he says in his letter?

21 MR. CORRELL: The revised is at 9 feet,
22 which is the same as his house.

23 MEMBER GRACE: Just because, obviously,
24 with your house being up at 34 feet, and you
25 have that option if you made the finished floor

1 at least another foot lower, that would be --
2 it would seem like an easy way that you could
3 reduce it. And I just feel like you have to
4 make more effort. I know you have a lot of
5 open space. And Ms. Connaughton mentioned the
6 pool house, maybe that could be single-story as
7 well. I don't know if you thought about, if
8 you could do any rearrangement and have other
9 single-story portions on the property just to
10 make it fit better. I'm just looking for ways
11 to have it fit in better with the neighborhood.

12 MR. CORRELL: The earlier schemes did have
13 more single-story properties which tended to
14 make the property look more filled in, you
15 know, than I think it does now. We have less
16 structures than we had on the earlier schemes.

17 MEMBER GRACE: You know the two, which
18 it's difficult, I appreciate that.

19 MR. CORRELL: I should note, too, that
20 Maura Ziska has spoken to the neighbor and I
21 believe has ...

22 MS. ZISKA: I spoke to Michael Merriman
23 either yesterday or the day before. He wasn't
24 aware of the 1-foot drop of the finished floor
25 elevation. And we talked about his house being

1 at the same finished floor elevation at 9. He
2 has a one-story house but, again, that house
3 can be redeveloped to a two-story house, but
4 it's the same sort of, even though it's lower,
5 it's the same on the lake.

6 And while I'm up here, I just -- everybody
7 always wants to say shorter, narrower, too
8 tall. This is a house that's proposed on the
9 lake on a very large estate. And if you're
10 going to have an estate house, this is the
11 place to have it. Once you start cutting down
12 a foot here, a foot here, it's compromising the
13 architecture. And, I mean, you have a world
14 class architect designing a beautiful house for
15 an owner in Palm Beach, you should just be
16 embracing this and not trying to cut corners
17 and try to make it smaller just to try to get a
18 pound of flesh.

19 MEMBER GRACE: I would definitely say, I'm
20 not suggesting that you cut any corners. I
21 know that you did reduce the glazing on the
22 west side. I just know that that could be
23 reduced even further because it still really
24 stands out the amount of glazing. I just feel
25 there is more changes that can be done and

1 still have an objective property.

2 MR. CORRELL: On the screen I brought up
3 the elevation along the Lake Trail. And you
4 can see -- well, obviously, Mr. Merriman has a
5 one-story house so it's very different. But
6 the house to the north has much more glazing
7 and taller -- actually a significantly taller
8 roof than our proposal has.

9 I also wanted to make a clarification,
10 sorry, that I wanted to make earlier. At the
11 last meeting it was said that our floor to
12 floor, second floor was 14 feet. In fact, it's
13 13 feet. In fact, I think Mr. Merriman refers
14 to us having 14-foot ceilings, which we do not
15 have 14-foot ceilings, we have a projected
16 11-foot ceiling on the first floor.

17 Thank you.

18 CHAIRMAN SMITH: Ms. Catlin.

19 MEMBER CATLIN: I actually think that this
20 is much better. I think it looks like it's
21 been there. You put in elements that have --
22 occur gracious and stately.

23 I think, Mario, you did a wonderful job
24 with the landscaping. I think it's engaging
25 and makes you want to walk around the property.

1 I think the letter we keep referring to is
2 speaking to issues that have been resolved with
3 regards to finished floor and second driveway
4 cuts, and clearly Maura has acknowledged they
5 have spoken to the neighbor since the letter.
6 And if that's the case -- you know, I'll defer
7 to the architects on the Commission with
8 regards to any specific details. But I think
9 overall, I think you've done what you've been
10 asked to do. I think you brought that house
11 down in scale. I think you re-designed the
12 site plan so that it has a lot more play in
13 terms of gardens and the way that it interacts
14 with the property.

15 I do agree with Maura, it's an estate
16 property. You can't bring it down to the scale
17 of the homes on the neighboring side streets
18 without compromising how it interacts with the
19 lake and the size of the property.

20 So I think that you're very much, you
21 know -- as I said, I'll defer to the architects
22 for any specific details. But it doesn't occur
23 to me that there is too much glazing. It
24 doesn't occur to me as too large at this point.
25 It does, you know, for me, just seem to now

1 present itself as having always been there and
2 gracious and stately.

3 CHAIRMAN SMITH: Mr. Karakul.

4 MEMBER KARAKUL: I agree. I think that
5 it's been refined and I think that it's been
6 refined well. I think it's a major property
7 sizewise and it is a reduction and was there,
8 and I think it's come into its own, a very
9 handsome addition, and I think it's ready to
10 move along. I think they really solved all the
11 issues. And I do agree it is a handsome
12 addition from the water as well.

13 CHAIRMAN SMITH: Mr. Phoenix.

14 MEMBER PHOENIX: Good morning. Thank you
15 for taking into the consideration the comments
16 from our previous meetings. Can you pull up
17 the rendering up again, of maybe the front or
18 the back, whichever you want to pick. Maybe
19 start with the front. That's in -- in the
20 meantime I think the landscaping is one of the
21 best parts of the revisions here. Oh, that was
22 one of my questions, where are the lanterns.
23 I'll check that one off. I didn't see them on
24 the rendering. That's revised. Okay. Got it.
25 Okay.

1 So I think to one of the commissioner's
2 comment, it's a big house, it's a big lot. I
3 think you've taken into consideration the curb
4 cut, the garden with the pavilion, the pagoda.
5 I just think the pool house to me still misses.
6 I think it's great. I love the blue. I think
7 that, you know, it's a very, you know, the way
8 you've oriented drive in, I think it's with the
9 trees. You know, I think that it's great. I
10 just think the pool house, if you can turn to
11 that page, that's my only -- one of the other
12 comments -- there you go -- yeah, I think it's
13 just kind of okay. I mean, everything else,
14 it's a beautiful property, it's going to look
15 beautiful from the lake trail. I think that
16 looks a little -- it's just -- I think it
17 should be, with your precedent pictures, I
18 think it should be a fouler, a little bit more
19 playful. This looks really stiff to me. Those
20 are my comments to there.

21 I also have questions on the windows. Are
22 they metal windows? Are these wood mahogany
23 windows? Painted?

24 MR. CORRELL: Painted.

25 MEMBER PHOENIX: Painted. Okay, great.

1 The lanterns we talked about. Blue shutters,
2 landscape windows. And then garage doors I
3 didn't see a detail on that. I'm assuming
4 they're painted wood, too --

5 MR. CORRELL: Yes.

6 MEMBER PHOENIX: -- with detail?

7 MR. CORRELL: Yeah.

8 MEMBER PHOENIX: Okay. All right. Those
9 are my comments on the guest -- the pool house
10 is the biggest comment.

11 CHAIRMAN SMITH: Ms. Visconti.

12 MEMBER VISCONTI: Thank you. I wanted to
13 call out your firm on the presentation the way
14 you guys did the diagrammatic studies to help
15 both us and the audience just see everything
16 that the redline is very well done to show us
17 the changes. I appreciate that.

18 I have the same comment as David on pool
19 house. I think something Volk is known for is
20 its follies. I think you have the opportunity
21 there to add that more bit of whimsy. I'm not
22 saying it should be super whimsical. But the
23 way you've introduced some of the copper
24 rooflines over your bay windows, if some of
25 that could be introduced onto the pool house,

1 perhaps rather than having such a north
2 diagonal pool house with such a central -- just
3 very rectangular facade with the two
4 rectangular wings, perhaps there is an
5 opportunity there to add some kind of curves
6 and things.

7 I appreciate the blue shutters. I think
8 that helps it bring it back to the sea streets.
9 I think something else that would help is, I
10 really like the texture of the stone that
11 you've added. I think that's a big
12 improvement. But do you happen to have a piece
13 of that stone here?

14 MR. CORRELL: I do not.

15 MEMBER VISCONTI: I just think maybe the
16 pallet of the stone could go a little more on
17 the warm tones, just to be more in keeping with
18 the sea streets. So perhaps you can bring back
19 the stone maybe at staff level, with a warmer,
20 something more Florida. It feels a little
21 northern, and I think it's going to be a little
22 gray for the streets -- of the sea streets.

23 But I do think overall, hopefully you and
24 your client are much happier. I think this is
25 one of those houses that, you know, ARCOM

1 pushes you guys and you come back with a much
2 better product. I think you definitely have
3 achieved that.

4 I do think, you know, perhaps you can move
5 forward with the house and come back to us with
6 a revised pool house, because it wouldn't stop
7 you from moving forward on the main house.

8 CHAIRMAN SMITH: Ms. Connaughton.

9 MEMBER CONNAUGHTON: No, I was just going
10 to say the same thing. I think the pool house
11 definitely needs some studying. And like the
12 mechanical room doesn't need, like, a transom
13 window, however tall it is, you know what I
14 mean. I just totally agree about the whimsy
15 that Mr. Phoenix and Ms. Visconti said.

16 CHAIRMAN SMITH: Mr. Floersheimer.

17 MEMBER FLOERSHEIMER: Thank you, I agree
18 with many of my fellow commissioner's comments.
19 I wouldn't reiterate those. There is no way
20 about it, it's a big house. I mean, it's
21 17,700 square feet. Like my commissioners
22 said, it is a big lot.

23 Mario, do you have a revised landscape
24 plan with the things that we discussed?
25 Because the plans that I saw on the screen seem

1 to be the same that were in the packet?

2 MR. NIEVERA: Yes.

3 MS. ZISKA: Yes, it's not downloaded yet
4 in the downloads. There is three files in
5 there, but there is only two. This is one,
6 two, and three. Those are the only ones that
7 we have.

8 MR. NIEVERA: All the way to the bottom.
9 Yes.

10 MEMBER FLOERSHEIMER: I saw the pigeoned
11 area. There is the specimen tree.

12 MR. NIEVERA: You probably can't tell it's
13 rendered here, but in the plant there are two
14 clusias here (indicating). The gumbo limbo is
15 labeled on the actual planting plan.

16 MEMBER FLOERSHEIMER: I see the Pigeon
17 Plums now extend all the way across the
18 driveway --

19 MR. NIEVERA: Yes.

20 MEMBER FLOERSHEIMER: -- on the north?

21 MR. NIEVERA: Correct.

22 MEMBER FLOERSHEIMER: And the palms on the
23 west?

24 MR. NIEVERA: So that was at -- do we have
25 the rendering? Sorry.

1 MEMBER FLOERSHEIMER: I saw them on the
2 other rendering.

3 MR. NIEVERA: We have to show it on the
4 ov- --

5 MEMBER FLOERSHEIMER: On the overhead?

6 MR. NIEVERA: Yes.

7 UNIDENTIFIED SPEAKER: Similar to the
8 scale on the east side?

9 MR. NIEVERA: Yes.

10 MEMBER FLOERSHEIMER: Yeah, I think that's
11 an improvement to the property. So thank you
12 for those adjustments.

13 CHAIRMAN SMITH: I've got a couple of
14 questions for you. Number one, I think you've
15 turned it around, it's very, very nice. Thank
16 you. Except I do agree with my other
17 commissioners, the word that I use, the pool
18 house seems to be a missed opportunity. Folks
19 known for wonderful -- you know, this just
20 looks like the house just dropped off its tail.
21 Instead of, you know, having a whimsical kind
22 of fun pool house. And maybe someone did say,
23 maybe break up the massing by doing two
24 one-stories on each side of the pool.
25 Something. But it's just very -- it just -- it

1 just looks like the house.

2 I think the scale is fine. I think, this
3 is estate zoning. If you look at the site
4 plan, can you pull up the one with the
5 neighbors. I think you've been very respectful
6 of green space. That one that you showed.

7 MR. NIEVERA: Maybe the first one.

8 CHAIRMAN SMITH: No, the next. Not that
9 one. Not that one.

10 MR. NIEVERA: It would be the first one.

11 CHAIRMAN SMITH: Yeah, but it went the
12 other way, because it included -- yeah, but
13 whatever. Just footwise you have so much green
14 space. If you look at the Fireman property, it
15 sets so much further to the west of the lake.
16 So walking by your house it sits proudly back,
17 even further back from the Fireman's. So I
18 think you've been very respectful. The only
19 way anyone is going to see this house is from
20 the lake. I mean, they're not going to be able
21 to see it down the driveway. And I think the
22 driveway, without the problems with the
23 neighbors -- and I heard it turned out to be
24 the town -- I think that was a real positive
25 thing that happened. You know how --

1 MR. NIEVERA: Actually, we do too. Our
2 client and the design team are happy with this.

3 CHAIRMAN SMITH: It makes the house so
4 much more exciting. My one concern is, if we
5 look at 834 --

6 MR. NIEVERA: Here we go.

7 CHAIRMAN SMITH: Yeah, because this is
8 kind of important. Is that a copper roof that
9 you're proposing over the --

10 MR. NIEVERA: Yes, sir.

11 CHAIRMAN SMITH: -- entrance?

12 MR. NIEVERA: Yes.

13 CHAIRMAN SMITH: I don't know. I think it
14 looks fine on the Terrent house. And I
15 remember that house. But I think being a
16 strong -- the copper color, or whatever, I
17 think is going to be just too much chopping the
18 facade in half. I'm just wondering if you
19 should just do a white roof there or just don't
20 even do a roof and make it an entablature?

21 MR. NIEVERA: Yeah, I tend to agree with
22 you on that.

23 CHAIRMAN SMITH: Because, I mean, this is
24 the most important moment of arrival. I think
25 that -- I would hate to see a copper roof

1 there, whether you paint it white or whatever.
2 You barely read it on that Terrent house
3 because it's white.

4 MR. NIEVERA: Yes.

5 CHAIRMAN SMITH: And I remember that house
6 and I don't remember that roof. That's funny.
7 I think you've done a great job.

8 Do I have any other little comment? I
9 think I'll let you go. The red lines were
10 great comparing them to the two houses. It
11 really solved any questions that anyone would
12 have. It took a while, but I think bravo. But
13 I would like you to come up with a better idea
14 for your pool house.

15 MR. NIEVERA: Okay.

16 CHAIRMAN SMITH: Does anyone from the
17 public want to speak regarding this project?

18 Please state your name and address for the
19 record?

20 MS. NICOLE BETTS: Nicole Betts, 409
21 Seabreeze Avenue.

22 Good morning. Once again, my name is
23 Nicole Betts. I live at 409 Seabreeze Avenue.

24 I would like to comment on advocacy of
25 203 South Lake trail as it relates to my

1 neighborhood, often referred to as a
2 sea street, a charming historic neighborhood
3 here in Palm Beach. Although the applicant's
4 parcel is estate size, it's not located in an
5 estate neighborhood.

6 As I was walking my Westie Warren the
7 other day, thinking of this advocacy and the
8 proposed plans, I started to envision how it
9 would fit into our neighborhood and at this
10 point it doesn't. Its enormous scale and added
11 height would loom over the neighborhood and the
12 lake trail. And it doesn't blend in. Not like
13 the two lake trail homes across from it on the
14 north side of the pedestrian access to the lake
15 trail and Seabreeze on Lake Trail Circle. It
16 ignores the scale and historical integrity of
17 our street.

18 And that brings me to my second comment.
19 Why do they need a pedestrian gate on
20 Seabreeze. The only place it leads to is a
21 service area. There is no such gates on our
22 street. Yes, we have several gates on
23 Seabreeze, including at my home, but they all
24 lead to a front door; not a service area, as we
25 have none on Seabreeze. This includes the

1 aforementioned two lake trail homes across from
2 the applicant.

3 I'm not against the applicant's right to
4 build what they would like. With that said, I
5 believe that ARCOM was established to ensure
6 that homes built in historic areas such as
7 ours, are built with regard to scale,
8 historical integrity and context. The homes
9 are built with a sympathetic eye that blends
10 into the surrounding area, not dwarfing the
11 neighborhood and creating problems with an
12 unnecessary gate at the end of Seabreeze.

13 I love the beauty and historical character
14 of the sea streets which add so much to the
15 beauty and charm of Palm Beach. I believe that
16 was why ARCOM was established to keep it that
17 way.

18 Thank you so much.

19 CHAIRMAN SMITH: Thank you. Any other
20 comments?

21 UNIDENTIFIED SPEAKER: Can I ask the
22 applicant a question? Oh, sorry, someone else
23 --

24 UNIDENTIFIED SPEAKER: It's public.

25 MS. LESLIE WYTRZES: Hi. I'm Leslie

1 Wytrzes. I live at 444 Seabreeze Avenue which
2 abuts the property that we're talking about.
3 We've lived there almost 20 years and I have to
4 say that I actually like the design of the
5 house and I'll be looking at it outside my
6 master bedroom window.

7 I -- first of all, the architects and the
8 Jordans, no one has contacted me. We're
9 friends with the Jordans, spend time at their
10 home. But I don't know who to contact to ask
11 my questions.

12 My first question is: Is the generator
13 building being removed? Or is the building
14 staying and the generator is being moved?

15 UNIDENTIFIED SPEAKER: The building
16 (undiscernible) --

17 MS. LESLIE WYTRZES: That whole building?
18 Thank you. That's fantastic.

19 And I also want to thank you for
20 eliminating that curb cut. But I do have
21 another question, and that is the pedestrian
22 gate. Is that going to my driveway? Coming
23 out to my driveway? Where is it located? I
24 can't find it on the plan?

25 MR. NIEVERA: It's centered on the

1 cul-de-sac. It's right there (indicating).

2 MS. LESLIE WYTRZES: I want to remind
3 everyone, our property used to be the
4 guesthouse to that property, but it was
5 subdivided. We're -- anyway, the Jordans, you
6 know, have been great, great neighbors. And
7 the biggest thing for me was eliminating that
8 curb cut.

9 But the pedestrian gate, I don't see a
10 reason for it. I took photos of all the gates
11 that the Jordans have now. And I -- there are
12 lots of gates. I had to chase an Amazon truck
13 down the street yesterday because they were
14 headed for the lake trail trying to make a
15 delivery to the Jordans. There is a sign that
16 says deliveries should all be made off of
17 Seaspray not Seabreeze. I'm worried that I'm
18 going to have packages in my driveway being
19 left at that gate, if there's another gate
20 there.

21 You know, we look across the street at two
22 other homes on South Lake Trail. They don't
23 have any barriers to their house. They're
24 beautiful homes and the only gate they have is
25 access to the lake trail on the Intracoastal

1 side. They don't even have privets or hedges
2 in the front of their houses. Most of our
3 houses are open to the world. Our house is.
4 And, anyway, that's the deal we have now.

5 So did you -- can you just show me exactly
6 where that pedestrian gate is going to go?

7 MR. NIEVERA: The cursor is right there
8 (indicating).

9 MS. LESLIE WYTRZES: And show it in
10 relationship to my house, because ...

11 MR. NIEVERA: Your house is right here.
12 The driveway.

13 MS. LESLIE WYTRZES: 444?

14 MR. NIEVERA: Correct. The gate is right
15 here (indicating).

16 MS. LESLIE WYTRZES: Will there be a
17 garden where the generator building was?

18 MR. NIEVERA: Yes.

19 MS. LESLIE WYTRZES: Thank you. This is
20 so wonderful. Okay. So that's right by my
21 driveway. The driveway there.

22 CHAIRMAN SMITH: Your driveway is on the
23 other side of your property.

24 MS. LESLIE WYTRZES: Yeah.

25 CHAIRMAN SMITH: Your driveway is on the

1 east side and this is the west property.

2 MS. LESLIE WYTRZES: No -- yeah, we have a
3 driveway.

4 VICE CHAIRMAN SAMMONS: Yeah, over there.

5 MS. LESLIE WYTRZES: The other side.

6 CHAIRMAN SMITH: There is a driveway on
7 the west side?

8 MS. LESLIE WYTRZES: Yeah, on the west
9 side.

10 CHAIRMAN SMITH: You have two driveway
11 cuts?

12 MS. LESLIE WYTRZES: Yeah, that was there
13 when we moved in.

14 MEMBER FLOERSHEIMER: You would prefer a
15 solid wall?

16 MS. LESLIE WYTRZES: Pardon me?

17 MEMBER FLOERSHEIMER: You would prefer a
18 solid wall with landscape?

19 CHAIRMAN SMITH: I think if the owner of
20 this wants to take a walk --

21 MEMBER FLOERSHEIMER: I know, but still I
22 didn't understand --

23 (Simultaneous talking.)

24 CHAIRMAN SMITH: -- talk about being
25 friendly --

1 MEMBER FLOERSHEIMER: -- approaching a
2 neighbor.

3 CHAIRMAN SMITH: -- and go see a
4 neighbor.

5 MS. LESLIE WYTRZES: If the owner what?

6 CHAIRMAN SMITH: Would like to take a walk
7 on the street, I think they should be allowed
8 to.

9 MS. LESLIE WYTRZES: Well, they can go out
10 the other gate and walk around.

11 So what happens now is that everyone
12 that -- the overflow of the Jordan's house,
13 especially when they have parties, they all
14 park on Seabreeze. And we're the only street
15 in Palm Beach that does not have restrictions.
16 So everyone parks there that goes to the Four
17 Arts, goes to the Rec Center, goes to the
18 Jordan's house. Now this will make it very
19 easy because they'll have a gate right there.

20 CHAIRMAN SMITH: I am sorry, I have to cut
21 you off. I gave you three minutes and I
22 already gave you five and a half.

23 MS. LESLIE WYTRZES: Thank you for
24 answering my questions.

25 UNIDENTIFIED SPEAKER: Can I make a

1 question to the applicant?

2 So the concern about the gate and some of
3 the things I've been thinking about is, where
4 would garbage collection be? Would that be the
5 back of the house? The driveway abuts onto
6 Seabreeze. Would garbage collection be from
7 Seabreeze or Seaspray?

8 MR. NIEVERA: Seaspray because the truck
9 -- the little garbage truck will go up and pick
10 it up.

11 CHAIRMAN SMITH: It will go up through the
12 property?

13 MR. NIEVERA: Yeah.

14 CHAIRMAN SMITH: So the same thing for
15 packages and landscape trucks?

16 MR. NIEVERA: Everybody.

17 CHAIRMAN SMITH: And all your landscape
18 debris --

19 MR. NIEVERA: Correct.

20 CHAIRMAN SMITH: -- would be housed on the
21 property?

22 MR. NIEVERA: It would be taken away.

23 CHAIRMAN SMITH: Okay. Thank you.

24 MR. NIEVERA: Privately taken away. Not
25 leave it in the street.

1 CHAIRMAN SMITH: Not leave it in the
2 street for town pickup?

3 MR. NIEVERA: Correct.

4 UNIDENTIFIED SPEAKER: And commissioners,
5 I just want to make sure that we heard all the
6 public comments and close that portion of the
7 hearing before we move back to commissioner
8 questions.

9 If there is anybody else that needs to be
10 sworn in that plans on speaking today and has
11 not been sworn in, please stand and raise your
12 right hand.

13 ANNE PEPPER
14 having been sworn and testified as follows:

15 THE WITNESS: I do.

16 MS. ANNE PEPPER: Anne Pepper, 333
17 Seaspray Avenue.

18 I would like to say from a Seaspray point
19 of view we are very happy to be able to see
20 into the Chinese garden and that it has been
21 improved.

22 However, I would like to reiterate this
23 continues to be, as one of the commissioner's
24 said, a rather hotel-esk structure, in what is
25 not in an R-A, R-AA, R-AAA neighborhood. And

1 even if -- when you showed on the map -- I mean
2 on one of the plans, the Fireman's house, the
3 Fireman's house green space is greater with a
4 smaller house and a more, in its way, refined,
5 and elegant, and less in your face. And so
6 13 feet high ceilings, and I just feel like as
7 Ms. Grace said --

8 MR. NIEVERA: It's not 13 feet high
9 ceilings.

10 MS. ANNE PEPPER: Isn't that what you just
11 said? Where did I hear the 13 feet?

12 CHAIRMAN SMITH: Floor to floor.

13 MS. ANNE PEPPER: Floor to floor. Okay,
14 sorry.

15 So I would say I do agree totally about
16 the guesthouse, it absolutely lacks charm. I
17 think the Balosia with the stone makes it
18 heavy. And I question the whole two-story
19 guesthouse. It just seems so, the Jordans had
20 pieces made for a great sense of privacy for
21 the Jordans, and also a great sense of privacy
22 and a lack of being in your face for the rest
23 of the neighbors who continually use the bike
24 trail and pass by this property.

25 And I think any reduction in hype would be

1 wonderful for the people on the Lake Trail.
2 And although the landscaping has greatly
3 improved masked the house to some degree, there
4 was this wonderful sense that a place with this
5 big piece of ground place was like an estate
6 because they created a great deal of space
7 around them and that to me is what an estate
8 is. An estate isn't just how big is my house
9 and a big dollar sign, but how much space I
10 have to breath in my own private space.

11 So I would really love it if they would,
12 A, fix the guesthouse, make it much more
13 charming. All the elements that make John
14 Volk's architecture so classical and so in
15 human scale continues to sort of be lost the
16 minute that people get a huge amount of land.

17 So that's my point of view. Thank you.

18 CHAIRMAN SMITH: Thank you. Anyone else
19 in the audience? Okay. We can close that
20 portion of the project. Ms. Connaughton.

21 MEMBER CONNAUGHTON: I just wanted to ask
22 the applicant. You had said the house, the
23 current proposal is smaller than what's
24 existing. Can you elaborate on that for the
25 neighbors? Is it the cubic content? Is it

1 square footage. Can you explain both.

2 MR. NIEVERA: Square footage and coverage,
3 I believe. Could you -- you could answer.

4 MS. ZISKA: Yeah, I mean, our square
5 footage is smaller and then also the green
6 space is more.

7 MEMBER CONNAUGHTON: Is that just -- the
8 7,800 square feet, is that -- I'm sorry, if
9 this is a stupid question -- is that just the
10 first floor?

11 MS. ZISKA: The footprint.

12 MEMBER CONNAUGHTON: The house is very
13 large. The footprint.

14 MS. ZISKA: The footprint, correct.

15 MEMBER CONNAUGHTON: Okay. So the other
16 one's foot print on the lot is 1,100?

17 MS. ZISKA: Correct.

18 MR. NIEVERA: 12,000.

19 MEMBER CONNAUGHTON: 1,200?

20 MS. ZISKA: 12,000.

21 MEMBER CONNAUGHTON: I guess the footprint
22 in my opinion doesn't matter very much. I'm
23 curious cubic content and square footage.
24 Because the footprint is just a diagram,
25 essentially.

1 MR. NIEVERA: That's in the archive.

2 MEMBER CONNAUGHTON: I think it would be
3 helpful for the neighbors to actually
4 understand the scale compared to what's there
5 now.

6 MS. ZISKA: This is not in the RV zoning
7 district and there is no cubic content ratio.
8 So we don't have that calculation.

9 MEMBER CONNAUGHTON: So square
10 footagewise, is it --

11 UNIDENTIFIED SPEAKER: I do have it. The
12 current home is 21,878 square feet and the
13 proposed is 17,000.

14 MEMBER CONNAUGHTON: Okay. Just so the
15 neighbors are aware. That's a complaint that
16 they've had.

17 CHAIRMAN SMITH: Okay, Ms. Visconti.

18 MEMBER VISCONTI: Would the applicant be
19 willing to just have, I don't know, maybe a
20 sign there, there's a delivery sign, just so
21 that delivery is in service, personnel use the
22 main entry, and that we keep the gate for
23 pedestrian use only.

24 MR. NIEVERA: Yes.

25 MEMBER VISCONTI: I think that would

1 appease the neighbors. And it sounds like
2 you're all friendly. If you wanted to come
3 over, at least it's a shorter walk. I don't
4 think it's impeding on the driveway.

5 I think there is a charm in the pedestrian
6 gate rather than a wall, it looks a little
7 foreboding and unfriendly. I think having that
8 gate is a little more welcoming to your street.
9 And once you see it in place it's going to look
10 a little more charming than you think.

11 So I would like to make a motion to
12 approve the main house, with restudy of the
13 pool house to come back to us, as well as
14 perhaps a restudy of the stone, in keeping with
15 the sea streets. And also, just for the
16 record, that the gate -- that the pedestrian
17 gate will only be used for pedestrians and no
18 deliveries or service people will use that
19 gate.

20 CHAIRMAN SMITH: I will second that.

21 Motion made and seconded.

22 All in favor?

23 "Aye."

24 CHAIRMAN SMITH: Opposed?

25 MEMBER CONNAUGHTON: I mean, Claudia, we

1 can't control what other people do.

2 MEMBER VISCONTI: Right, we just, like --

3 MEMBER CONNAUGHTON: We will agree to put
4 a sign that says delivery will be on --

5 MEMBER VISCONTI: Right. Exactly.

6 MEMBER CONNAUGHTON: I just want to be --
7 just to clarify, because there is landscape,
8 hardscape, the motion should be:

9 To be approved as presented except for the
10 pool house and the stone to come back next
11 month.

12 MEMBER VISCONTI: Landscape and hardscape
13 approved.

14 MEMBER CONNAUGHTON: Because that was not
15 included in your motion, that landscape and
16 hardscape are approved as presented.

17 MEMBER VISCONTI: And those elements will
18 return to the January 29th, 2025, meeting?

19 MEMBER CONNAUGHTON: Correct.

20 CHAIRMAN SMITH: Yes? Okay. Thank you.

21 Let's take a 15-minute break and reconvene
22 at 10:45.

23 (Excerpt proceedings concluded at
24 10:30 a.m.)

25 * * * * *

CERTIFICATE

STATE OF FLORIDA

COUNTY OF PALM BEACH

I, PATRICIA A. LANOSA, Registered
Professional Reporter, certify that I was
authorized to and did transcribe the foregoing
proceedings and that the transcript is a true
and complete record.

Dated this 30th day of December, 2024.

Patricia Lanosa

PATRICIA A. LANOSA, RPR, FPR, CSR
Registered Professional Reporter

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36:25 21,878 (1) 49:12 23rd (1) 4:25 24 (1) 14:4 25 (1) 3:9 27 (1) 3:10 28 (1) 14:5 28th (1) 4:17 29 (1) 3:11 29th (1) 51:18 3 30th (1) 52:13 31 (1) 3:12 333 (2) 2:19 45:16 34 (2) 14:3 22:24 34-feet (1) 20:21 36 (1) 3:14 360 (1) 1:14 38 (1) 3:15 4 4 (2) 3:4 13:11 409 (2) 36:20,23 44 (1) 3:16 444 (3) 2:18 39:1 41:13 49 (1) 3:18 5 52 (3) 1:11 3:2,19 6 7 7,800 (1) 48:8 8 8 (1) 3:5 834 (1) 35:5 9 9 (4) 13:25 14:8 22:21 24:1 9:00 (2) 1:13 4:1			
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Signature Certificate

Reference number: BCJZ8-SHQB5-BCQBO-MBHEE

Signer	Timestamp	Signature
Louanne Rawls Email: yourreportingsolutions@gmail.com Sent: 30 Dec 2024 17:19:54 UTC Viewed: 30 Dec 2024 17:23:04 UTC Signed: 30 Dec 2024 17:23:41 UTC		
Recipient Verification: ✓ Email verified	30 Dec 2024 17:23:04 UTC	IP address: 172.3.150.95 Location: Wellington, United States

Document completed by all parties on:
30 Dec 2024 17:23:41 UTC

Page 1 of 1



Signed with PandaDoc
PandaDoc is a document workflow and certified eSignature solution trusted by 50,000+ companies worldwide.



3. **ARC-24-0027 (ZON-24-0034) 203 S LAKE TRL (COMBO)** The applicants, Darlene & Gerald Jordan has filed an application requesting Architectural Commission review and approval for a new two-story single-family residence with a one-story pool house and Padel court, with final hardscape, landscape, and swimming pool improvements; with (2) special exceptions required as it pertains to the proposed Padel court and the location of a vehicular gate. Town Council shall review the application as it pertains to zoning relief/approval

Mr. Falco provided staff comments on the project.

Several members disclosed ex-parte communications.

Randy Correll of RAMSA gave an architectural presentation, and Mario Nievera of Nievera Williams Design gave the landscape and hardscape presentation.

Ms. Connaughton thought the added details were an improvement; she thought they could be pushed further on the family room element. She asked about the front entry roof. Mr. Correll responded. Ms. Connaughton thought the entry element was very high and suggested a restudy of the pool house.

Ms. Grace appreciated the changes made to the project but thought more restudy was needed as it was too large and needed some reduction. Mr. Correll stated that the home was smaller than the existing home and thought the open space elements had improved. Ms. Grace recommended more single-story elements.

Attorney Maura Ziska reiterated her conversations with an adjacent neighbor, who had concerns.

Ms. Catlin thought the changes improved the design and the scale was better.

Mr. Karakul agreed with Ms. Catlin and thought the design had been refined. He thought the home would be a handsome addition to the area.

Mr. Phoenix thought the landscaping was superb. He supported the home but added that the pool house should feel like a folly.

Ms. Visconti thought the study of the changes was helpful. She also thought the pool house needed more whimsy. She liked the changes and thought many were improvements. She recommended that a warmer stone be used in construction.

Ms. Connaughton agreed with Ms. Visconti.

Mr. Floersheimer agreed with the other comments. He asked if there was a revised landscape plan to show the changes he discussed. Mr. Nievera showed the revised plans.

Mr. Smith agreed with the other comments and thought the pool house was a missed opportunity. He provided suggestions for an alternate design and thought the scale was appropriate. He expressed a concern for the copper roof over the entry and recommended a white or flat roof.

Mr. Smith called for public comment.

Nicole Betts, 409 Seabreeze Avenue, did not believe the home would fit into the neighborhood. She objected to the scale and the pedestrian gate.

Leslie Wytrzes, 444 Seabreeze Avenue, asked about the generator building, to which Mr. Correll stated it would be removed. She thanked the professional for removing the additional curb cut. She asked about the pedestrian gate and wondered if it would open onto her driveway. Mr. Nievera showed the gate entry.

Mr. Floersheimer wondered about garbage collection. Mr. Nievera responded.

Anne Pepper, 333 Seaspray Avenue, appreciated the changes to the Chinese garden but thought the building resembled a hotel in its design. She thought the guest house lacked appeal and should be reduced in height.

Ms. Connaughton asked about the size of the home compared to the existing one. Mr. Correll responded and discussed the size reduction.

Ms. Visconti wondered if the applicant would be willing to have a sign at the pedestrian gate directing any deliveries or services to the correct location.

A motion was made by Ms. Visconti and seconded by Mr. Karakul to approve the project as presented with the following conditions: a sign will be added at the pedestrian gate that provides directions for deliveries or services and to restudy the stone on the home and the pool house, which will return to the meeting on January 29, 2025. The motion carried unanimously, 7-0.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - Old Business

Agenda Title

**ZON-24-0043 (COA-24-0018) 100, 101, 102, AND 103 FOUR ARTS PLZ—
THE SOCIETY OF THE FOUR ARTS (COMBO)—SPECIAL
EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE**

The applicant, Society of the Four Arts Inc, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for a Special Exception with Site Plan Review, and one (1) variance for the reduction of on-site parking requirement for the substantial improvements to the Four Arts campus site including 1) demolition exceeding 50%, and the construction of a new one- and two-story additions and renovations to the existing two-story theater building (O’Keefe), 2) demolition exceeding 50%, and the construction of a new three-story addition, and renovations to the existing three-story administrative building (Rovensky), 3) demolition of the existing shade structure and construction of a new pavilion, 4) a Master Signage Plan, and 5) landscape and hardscape modifications. The application proposes the abandonment and realignment of a portion of the existing Lake Trail. The Landmarks Preservation Commission will perform the design review. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved the project. Carried 5-2.]*

2:00PM TIME CERTAIN

Presenter

ATTACHMENTS:

- ❑ **PZB Staff Memorandum**
- ❑ **Letter of Intent**
- ❑ **Cover Letter**
- ❑ **Traffic Study - 01.06.25**

- ▢ **Parking Study - 01.06.25**
- ▢ **Traffic Study Response From The Corradino Group - 01.24.25**
- ▢ **Architectural Plans 1 of 9**
- ▢ **Architectural Plans 2 of 9**
- ▢ **Architectural Plans 3 of 9**
- ▢ **Architectural Plans 4 of 9**
- ▢ **Architectural Plans 5 of 9**
- ▢ **Architectural Plans 6 of 9**
- ▢ **Architectural Plans 7 of 9**
- ▢ **Architectural Plans 8 of 9**
- ▢ **Architectural Plans 9 of 9**
- ▢ **Landscape Plans**
- ▢ **Civil Plans 1 of 3**
- ▢ **Civil Plans 2 of 3**
- ▢ **Civil Plans 3 of 3**
- ▢ **Lighting Plans**
- ▢ **Designation Report**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT

PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WUB*
Director PZ&B

SUBJECT: COA-24-0018 (ZON-24-0043) 100, 101, 102, and 103 FOUR ARTS
PLZ—SOCIETY OF THE FOUR ARTS

MEETING: January 22, 2025, TC
February 12, 2025, LPC

COA-24-0018 (ZON-24-0043) 100, 101, 102, and 103 FOUR ARTS PLZ – THE SOCIETY OF THE FOUR ARTS (COMBO). The applicant, Society of the Four Arts Inc, has filed an application requesting a Certificate of Appropriateness for review and approval of: 1) demolition exceeding 50%, and the construction of a new one- and two-story additions and renovations to the existing two-story theater building (O’Keeffe), 2) demolition exceeding 50%, and the construction of a new three-story addition, and renovations to the existing three-story administrative building (Rovensky), 3) demolition exceeding 50% of the existing shade structure and construction of a new pavilion, 4) a Master Signage Plan, and 5) landscape and hardscape modifications, requiring a Special Exception with Site Plan Review, and one (1) variance for the reduction of on-site parking requirement for the landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-24-0043 (COA-24-0018) 100, 101, 102, AND 103 FOUR ARTS PLZ—THE SOCIETY OF THE FOUR ARTS (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE. The applicant, Society of the Four Arts Inc, has filed an application requesting Town Council review and approval for 2 Special Exception with Site Plan Review and one (1) variance for the reduction of on-site parking requirement for the substantial improvements to the Four Arts campus site including 1) demolition exceeding 50%, and the construction of a new one- and two-story additions and renovations to the existing two-story theater building (O’Keeffe), 2) demolition exceeding 50%, and the construction of a new three-story addition, and renovations to the existing three-story administrative building (Rovensky), 3) demolition of the existing shade structure and construction of a new pavilion, 4) a Master Signage Plan, and 5) landscape and hardscape modifications. The application proposes the abandonment and realignment of a portion of the existing Lake Trail. The Landmarks Preservation Commission will perform the design review.

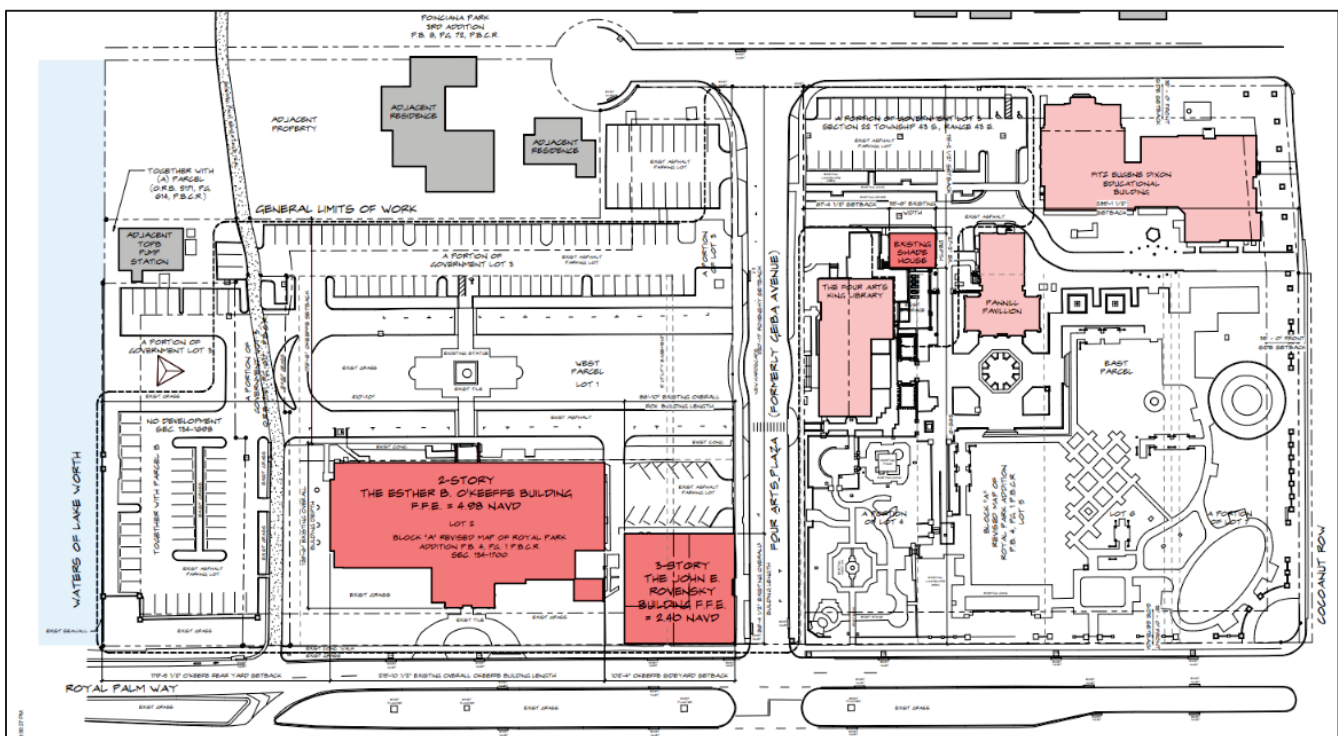
Applicant: Society of the Four Arts Inc.
Professional: Spina Orourke + Partners | Beyer Blinder Belle |
SMI Landscape Architecture
Representative: Harvey E., Oyer III, Shutts & Bowen LLC

HISTORY:

This application was originally presented at the November 13, 2024, TC Development Review meeting, where it was deferred to allow initial review of the project by LPC. At the November 12, 2024, LPC meeting, the project was deferred to the January 22, 2025, meeting to address several items. For the Rovensky building, re-study the scale of the windows and doors to ensure they are subordinate to or match the existing structure, reduce the prominence of the entrance, connection, and pavilion elements, review precedents within the Town, and scale down the third-floor boardroom. For the O’Keefe building, the north arcade’s articulation and run was to be re-studied, elements deemed too tall, such as the fly tower and the west addition’s roofline, were to be examined, and the southeast corner addition was to be eliminated. At the January 22, 2025 LPC meeting, the Commission approved (5-2, AF IV) the application. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

The Society of the Four Arts site has an east and west campus that is bifurcated by the Four Arts Plaza right-of-way. The east campus contains The Dixon Education Building, The King Library, and the Phillip Hulitar Sculpture and Botanical Garden. The west campus contains The Rovensky Building and The Esther B. O’Keeffe Gallery Building, surface parking areas, and a portion of the Lake Trail.

In 1979, three buildings (The King Library, The Rovensky Building, and The Esther B. O’Keeffe Gallery Building) and two Volk-designed piers at the entrance of Four Arts Plaza were landmarked. Of the three landmarked buildings, the proposal predominantly involves alterations, demolitions and substantial additions to the Rovensky and the O’Keeffe buildings.



The Esther B. O’Keeffe Gallery Building

This Mediterranean Revival structure was constructed in 1929. As indicated in the designation report: *“The largest building in the complex is the two-story stuccoed gallery-auditorium. This was originally the Addison Mizner-designed Mediterranean Revival “Club de Montmartre” owned by Colonel Edward R. Bradley. Purchased from the Bradley estate in 1947 the building was renovated by John L. Volk for its present use. The asymmetrical building with multiple roof lines has many distinctive features that add to the integrity of the Mediterranean Revival style...The main north façade entrance designed by John Volk is enhanced by a covered arched portico...The Royal Palm Way entrance designed by Addison Mizner has an arched double doorway of planked wood and wrought iron hardware.”*



The Rovensky Building

This Mediterranean Revival structure was constructed in 1924. As indicated in the designation report: *“The third building in the complex also designed by Addison Mizner is the Rovensky Building, formerly the Embassy Apartments... Its stuccoed exterior is enhanced by sculpted stone blocks on the first level and a belt course with decorative medallions between the first and second story. A wrought iron railing covers the balcony that runs the length of the second story on the south elevation...A low-pitched hipped roof is covered with red barrel tile.”*



A request was previously submitted to the Town in October of 2023, under applications COA-23-049, COA-24-051, ZON-24-004, and ZON-24-011. These applications did not move forward after the initial submission review comments were issued by City staff - largely due to the fact that comprehensive plan amendments and zoning text amendments would be required for the applications to be considered. Shortly thereafter, the Society of the Four Arts applied for and received said amendments from Town Council.

THE PROJECT:

The applicant has submitted plans, entitled "The Society of the Four Arts", as prepared by **Spina Orouke + Partners, Beyer Blinder Belle, and SMI Landscape Architecture**, received by the Town on December 30, 2024.

The applicant is requesting review and approval of the proposed partial demolition, new construction, additions and alterations. The following Special Exceptions, Site Plan review and/or Variances are required to complete the project, and shall be reviewed by Town Council:

SPECIAL EXCEPTION REQUESTS + SITE PLAN REVIEW

1. **SPECIAL EXCEPTION 1:** Sec. 134-1484(3)(1): Three-story building. Only one three-story building is permitted per campus. Additions to existing three-story buildings are permitted provided the addition complies with the requirements of this Division.
2. **SPECIAL EXCEPTION 2:** Sec. 134-1484(4)(4): Building length greater than 150'. Except for any buildings existing on a campus as of the effective date of this ordinance, any new buildings greater than 150' in length shall require Town Council approval for a special exception to allow the O'Keeffe building length to increase from 215'-10" to 282'-0".
3. **SITE PLAN REVIEW:** For additions (including a third floor) and site changes per Sections 134-229, 134-329, and 134-1484.

VARIANCE REQUESTS

1. **VARIANCE #1,** Sec. 134-2176: A variance to reduce the required parking spaces by 81 in order to provide 234 spaces in lieu of the required 315.

The applicant is requesting review and approval of the following scope of work for a Certificate of Appropriateness for the proposed improvements that will be reviewed by the Landmarks Preservation Commission following action by the Town Council:

- O'Keeffe Building: Demolition exceeding 50%, and the construction of a new one- and two-story additions totaling 7,792 SF and renovations to the existing two-story theater building.
- Rovensky Building: Demolition exceeding 50%, and the construction of a new three-story addition totaling 10,356 SF, and renovations to the existing three-story administrative building.
- Demolition of the existing shade structure and construction of a new pavilion.
- Landscape and hardscape modifications.

Site Data			
Zoning District	C-I	Future Land Use	Private Group Use
Lot Size (SF)	334,443 SF (CAMPUS) (7.677 pb acres)	Finished Floor Elevation	8.0' NAVD (O'Keeffe) 8.0' NAVD (Rovensky)
Building Size	Existing (O'Keeffe): 22,565 SF Proposed (O'Keeffe): 30,357 SF Existing (Rovensky): 18,750 SF Proposed (Rovensky): 29,106 SF Existing (Shade House): 1,241 SF Proposed (Shade House): 1,241 SF	Lot Coverage	Existing: 14.8% (49,813 SF) Proposed: 19.5% (65,411 SF) Maximum: 30.0% (100,332 SF)
Crown of Road	5.60' NAVD	Flood Zone	AE 6
Required Parking Spaces	Existing: 274 spaces Required: 315 spaces Provided: 234 spaces <i>Variance required</i>	Overall Landscape Open Space	Existing: 39.9% (133,588 SF) Proposed: 37.7% (126,072 SF) Minimum: 25% (83,610 SF)
O'Keeffe Building		Rovensky Building	
Year Constructed	1929	Year Constructed	1924
Landmark Designation	07/11/79	Landmark Designation	07/11/79
Architect	Addison Mizner John Volk (renovation) Wyeth, King and Johnson (renovation)	Architect	Addison Mizner

Building Length	Existing: 215'-10½" Proposed: 282'-0" Limitation: 150'-0" <i>Special Exception required</i>	Building Length	Existing: 86'-4½" Proposed: 142'-8 ½" Limitation: 150'-0"
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Surrounding Properties / Zoning	
North	Two-story residence / R-B Two-story residence / R-A
South	Five-story office / C-OPI Three-story office / C-OPI
East	Two-story educational facility (Palm Beach Public Elementary) / R-B
West	Intracoastal Waterway

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

On May 15, 2024, the Society of the Four Arts received approval for a privately initiated text amendment to the Future Land Use Element of the Town of Palm Beach Comprehensive Plan (ORD. NO. 005-2024) and Zoning Code (ORD. NO. 006-2024). The amendments provided changes to the Private Group Use text and created a new Zoning district, the Cultural Institution District (CI), necessary to properly correspond to the Future Land Use category of Private Group Use. Ordinances 005-2024 (Comprehensive Plan) and Ordinance 006-2024 (Zoning) had second and final reading on May 15, 2024. The new CI District allows for uses such as museums, cultural institutions, and art institutions, in a campus setting at a scale and intensity intended to primarily serve the needs of Town persons. The subsequent map amendment to the Zoning Map (ORD. NO. 021-2024) changed the zoning for RB Low Density Residential to CI District and amended the Future Land Use Map (ORD. NO. 020-2024) for two parcels within the Four Arts property that currently did not have a Future Land Use designation of Private Group Use was approved on September 11, 2024.

A preliminary review of the project indicates that the proposed **application** appears **consistent** with the **PRIVATE GROUP USE** designation of the Future Land Use Map of the Comprehensive Plan; please consider the following Comprehensive Plan policies that address private group uses, historic preservation and perpetuation of properties of special significance, and the requirement for sufficient roadway capacity along with appropriate levels of service for Town roads:

Future Land Use Element

- 2.3.6 Private Group Use – Intended to provide for low intensity uses such as private clubs, golf and country clubs, public and private schools, houses of worship, museums, and non-commercial recreation-type or cultural uses at a scale and intensity intended to primarily serve the needs of Town persons.
 - a. The designation of a property for Private Group Use on the Future Land Use Plan Map recognizes the current use of the property.
 - b. In limited circumstances, the maximum building height maybe three stories with Town Council approval.

Transportation Element

POLICY 2.2

Prior to the issuance of a development order or permit for new construction or redevelopment, the Town shall make and record a determination that:

- 2.2a The project provides for safe and convenient on-site traffic flow and vehicular parking. Consider needed motorized and non-motorized vehicle parking commensurate with the requirements of the Town's land development regulations; and,
- 2.2b The traffic generation of the project will not reduce the level of service on roadways in the Town to a level of service category lower than that established in this Plan.

Historic Preservation Element

GOAL

PRESERVE, PROTECT AND ENHANCE THE HISTORIC AND PREHISTORIC RESOURCES OF THE TOWN. THE TOWN SHALL PROTECT THE VISUAL APPEARANCE OF PALM BEACH THROUGH THE PERPETUATION OF PROPERTIES OF SPECIAL NOTABLE AESTHETIC, ARCHITECTURAL AND HISTORICAL SIGNIFICANCE.

STAFF ANALYSIS:

The existing arts campus is a 7.6 acres waterfront site and situated on the southeast intersection of Royal Palm Way and Cocoanut Row a prominent location along one of the main gateways to the Town of Palm Beach. As discussed in the history section of this memorandum, the site has an east and west campus bifurcated by the Four Arts Plaza right-of-way. The east campus contains the Dixon Education Building, the King Library, and the Phillip Hulitar Sculpture and Botanical Garden. The west campus contains the Rovensky Building and the Esther B. O’Keeffe Gallery Building.

Three buildings (King Library, Rovensky Building, and Esther B. O’Keeffe Gallery Building) and two Volk-designed piers at the entrance of Four Arts Plaza were landmarked. Of the three landmarked buildings, the proposal impacts Rovensky and O’Keeffe Gallery buildings. Improvements are also proposed to the non-landmarked shade structure. The application includes substantial demolitions, renovations, and additions that will provide a significant increase in square footage. New one- and two-story additions are proposed for the existing two-story theater building (O’Keeffe) totaling 7,792 SF in floor area, and a new three-story addition is proposed adjacent to the existing three-story administrative building (Rovensky) totaling 10,356 SF of new floor area. In all, 15,598 SF of new footprints to the campus will occur bringing the total lot coverage of the campus up from 14.8% (49,813 SF) to 19.5% (65,411 SF), which is still 10% below the maximum lot coverage allowed of 30% (100,332 SF).

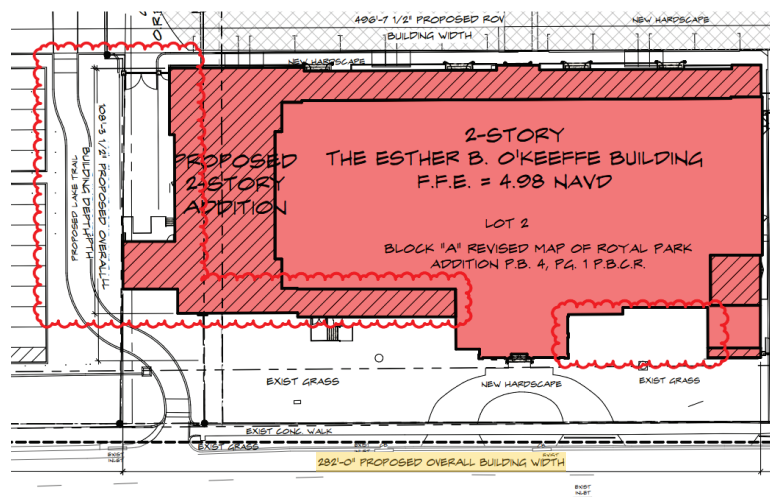
Additionally, the Lake Trail right-of-way bifurcates the west campus. The subject application seeks to abandon this easement to reconfigure the pedestrian path. The formal abandonment and new dedication will be processed separately, however, is it recommended that it be discussed during the site plan review since it impacts the proposed configuration of the site (and possibly additional parking space loss). Also, the applicant has provided a preliminary master sign program to provide

a comprehensive way finding signage program apt for a campus-like setting. More specificity and design details regarding the proposed signage sizes, fonts, materials, and colors is needed to render a final decision. Therefore, it is recommended that a more detailed master sign program return to LPC at a later date for review.

SPECIAL EXCEPTION, SITE PLAN REVIEW AND VARIANCE REQUESTS

As it pertains to the **Special Exception #1**, for a maximum building height of 3-stories in the C-I district, there are several buildings two-stories and higher in the immediate vicinity that can justify the granting as the approval would not necessarily be incongruous with the height of surrounding area. South of the property, across Royal Palm Way, there are three- and four-story office buildings. East of the property, across Coconut Row, there is a two-story educational facility (Palm Beach Public Elementary). Based on the feedback received from LPC at the November 20th meeting, several revisions were made to the design of the Rovensky building addition. These changes are discussed in the 'HISTORIC PRESERVATION' analysis section of this memorandum. The newly adopted C-I Cultural Institution district provides that no three-story buildings, or portion thereof, shall be permitted within 150'-0" of a single-family use or single-family residential zoning district in an effort to further minimize the impact of the height and mass of three-story structures. The proposed new three-story building (addition) measures over 200' from the closest single-family use to the north.

The applicant is seeking **Special Exception #2** to allow for building lengths greater than 150'-0". Except for any buildings existing on a campus as of the effective date of this ordinance, any new buildings greater than 150'-0" in length shall require Town Council approval for a special exception. The existing O'Keeffe building measures 215'-10½". The proposed additions will extend that length to 282'-0", along Royal Palm Way, requiring Town Council approval. Based on the feedback received from LPC at the November 20th meeting, several revisions were made to the design of the O'Keeffe building additions. These changes are discussed in the 'HISTORIC PRESERVATION' analysis section of this memorandum.



The existing Rovensky building measures 86'-4½" in length. The proposed new three-story addition along Four Arts Plaza will extend that length to 144'-8½" which does not require Town Council Special Exception review and approval as it applies to the total building length.

Variance #1 is to reduce the required parking spaces. Currently, the campus as a whole

accommodates parking for 274 vehicles, which is nonconforming as it pertains to the required parking for the uses. The existing theater accommodates 714 seats which requires 179 parking spaces (1 parking space for every 4 seats). The existing 17,035 square-foot professional office use area requires 68 parking spaces (1 parking space per 250 square feet). The 5,525 square foot museum use area requires 11 parking spaces (1 parking space per 500 square feet). The library encompasses 4,812 square feet which requires 10 parking spaces (1 parking space per 500 square feet). The total required parking for the existing campus is 268 parking spaces.

The proposed development program will increase the square footage of the office and library of the Rovensky building, while eliminating an existing 12-space surface parking lot directly. The new three-story addition will encompass 10,356 SF of new floor area. The footprint of this addition will occupy the previously mentioned surface parking area.

In the O’Keeffe building, the office and museum square footage will increase. The theater capacity will also be reduced to 656 seats. Therefore, the required parking is summarized below:

- Theater: 656 seats (1 parking space per 4 seats), requires 164 parking spaces
- Professional Office: 31,114 square feet (1 parking space per 250 square feet), requires 125 parking spaces
- Museum: 5,002 square feet (1 parking space per 500 square feet), requires 10 parking spaces
- Library: 7,886 square feet (1 parking space per 500 square feet), requires 16 parking spaces
- **Total Required Parking: 315 spaces**

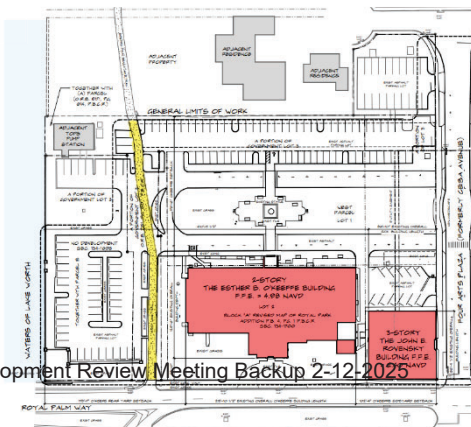
The variance request currently seeks to reduce the parking to 234 spaces, representing a reduction of 81 spaces (26%). A parking study by Kimley Horn was submitted that presents parking demand for visitors and employees. The study concludes that *“Accounting for variations in time-of-day demand for uses on site, the peak parking needs for the campus are anticipated to be approximately 232 spaces during the weekday peak period in which the theater is in use. Therefore, the parking needs for the site are anticipated to be met.”*

The Town’s code does not offer alternate parking requirements based on parking demand calculations.

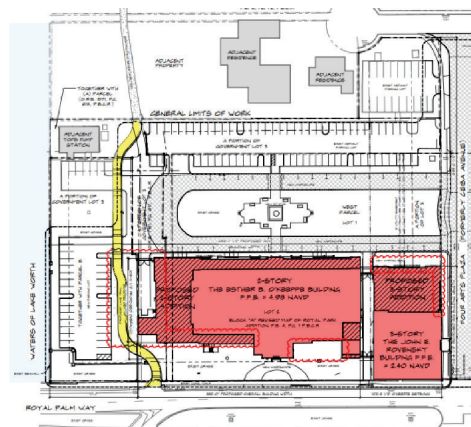
LAKE TRAIL

As previously mentioned, the existing Lake Trail right-of-way traverses the west campus towards the western side of the site. To accommodate the proposed additions to the O’Keeffe building, the application seeks to abandon this easement to reconfigure the pedestrian path slightly to the west. The formal abandonment and new dedication will be processed separately, however, is it recommended that it be discussed during the site plan review since it impacts the proposed configuration of the site (and possibly additional parking space loss). A general consensus for the direction of the application as it pertains to the relocation of the Lake Trail would be appropriate.

Existing Trail



Proposed Trail



HISTORIC PRESERVATION

The Society of the Four Arts is an important resource to the Town of Palm Beach and the buildings that they are stewards of, are highly significant Landmarked structures that represent both the history and the architecture of the Town. Located at one of the main entry/exit points to Palm Beach, the landmarked O’Keeffe and Rovensky Buildings provide the first and last example of the Town’s early architecture and history to all using the Royal Park Bridge. The significance of these Town of Palm Beach landmarks warrants that extreme care should be taken to preserve the structures and respect their architecture and history.

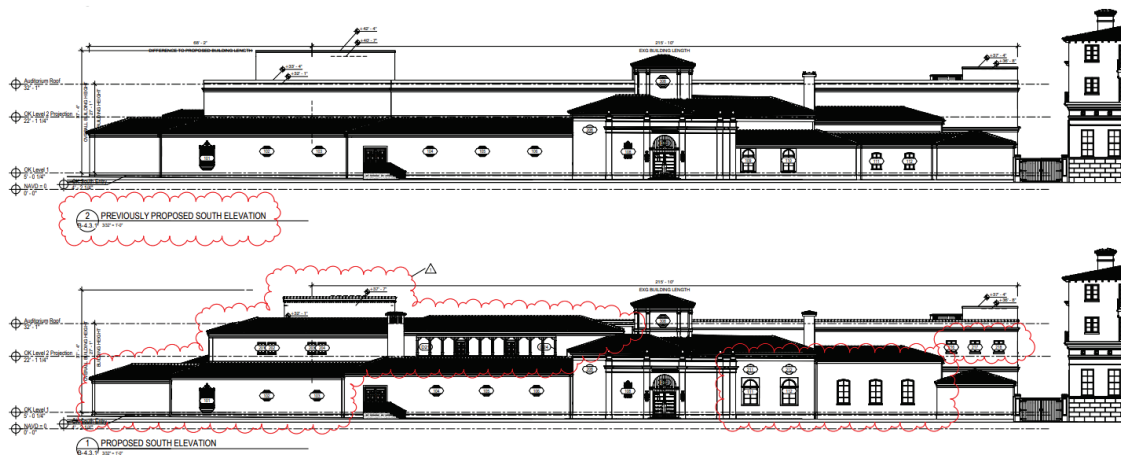
O’Keeffe Building

With the previous design, there were concerns that the proposed alterations and additions to the O’Keeffe Building could negatively affect the architectural and historic character of the building. The previous design enveloped the north, west and south facades of the O’Keeffe Building, significantly impacting the Addison Mizner designed structure. The previous proposal was particularly impactful to the south façade which fronts Royal Palm Way. A visible gateway to the Town that will, as proposed, have more structure and less greenspace adjacent to Royal Palm Way.

While there have been additions and alterations over the years, the essence of Mizner’s design has remained, especially on the south façade. The additions and alterations by other prominent Palm Beach architects, John Volk in 1947 and Wyeth, King and Johnson in 1957, respected the importance of Mizner’s design for the south façade and did not significantly alter its design or massing. Additions were set back from the main façade or located on other facades. From a historic preservation perspective, additions to the O’Keeffe Building should be designed to not obstruct the Mizner design, should read as additions, and complement the original design while not overwhelming it. If additional space is needed, the west façade would be the best one to explore for such opportunities since little to no architectural details exist on that façade. The north elevation modifications are more restrained. Since the north elevation was long considered more of a rear façade from a hierarchy standpoint, it is a more acceptable place for additions.

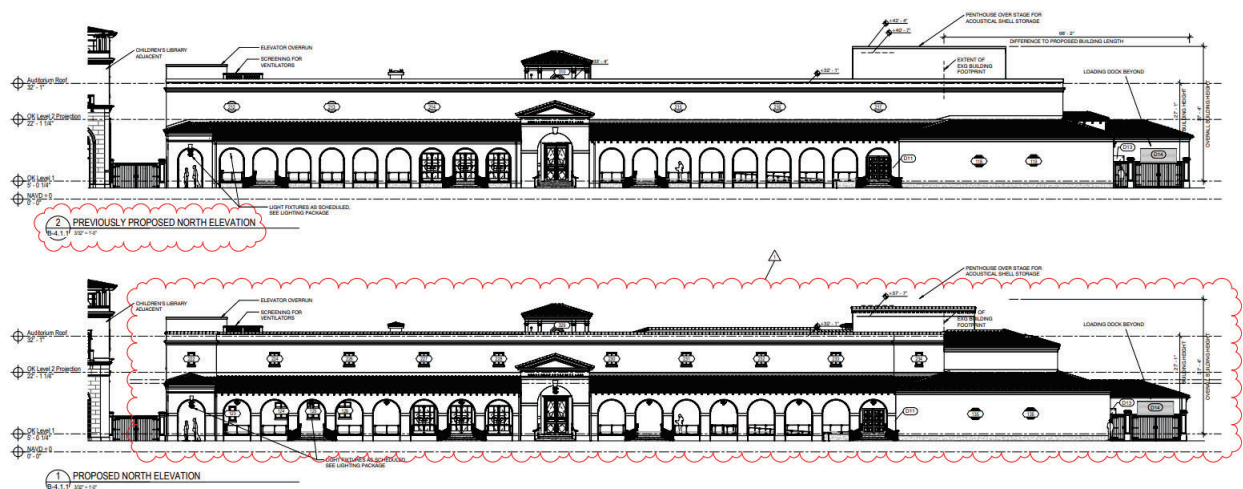
At the November 12, 2024, LPC meeting, the project was deferred to the January 22, 2025, meeting to re-study the north arcade’s articulation, examine elements deemed too tall, such as the fly tower and the west addition’s roofline, and to eliminate the southeast corner addition.

In response to LPC’s comments, the applicant has made several design changes that are summarized in their memorandum (dated December 22, 2024), included as an attachment.



South Elevation – Summary of Revisions:

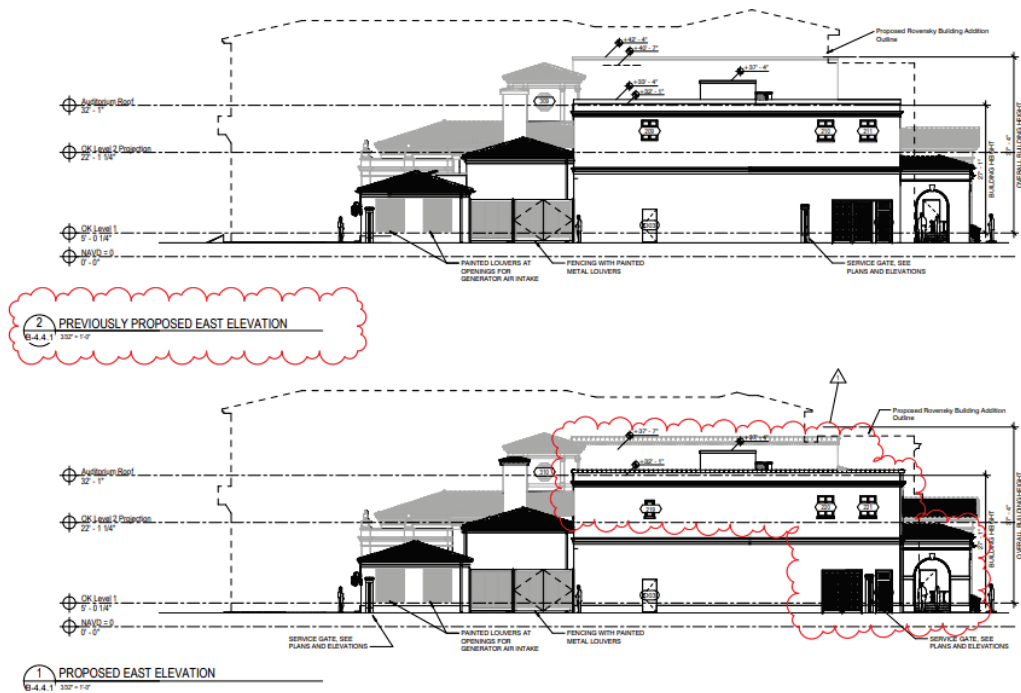
- Window trim color lightened to off-white pending paint analysis, with verdigris accent color for doors and specialty windows.
- Southeast addition (1,026 GSF) now removed from proposal, Mizner’s southeast windows in this location to be rebuilt according to original drawings.
- Revised to cascade the eave lines of the one-story roofs of the southwest additions down progressively moving westward.
- Second-story parapet replaced with tile roof; chimney, four windows, and an 11-bay open-air loggia integrated. Three windows are now also provided on the second-floor southeast corner (matching the original location in elevation).
- The 11-bay open-air loggia is integrated into the south façade design, centered over octagonal windows, using the reference of Mizner’s open-air loggias for the Embassy Club for the piers and brackets. The roof over this zone has its own massing, elevated with offset eaves and a hipped roof to read separately from the western expansion. Ornamental (nonfunctioning doors) were added to the back wall of the loggia.
- The 1st-floor plane break offset doubled to 2 feet (from 1 foot).
- The extent of westward expansion was reduced by 3 feet.
- Acoustical Penthouse: Height is reduced by 2 feet, and width is reduced by 7 feet.
- Acoustical Penthouse: Crenelated corbeling and barrel tile cap detail added to provide traditional scale and color.
- Groupings of windows to the west are tied together with common sills and centered over octagonal windows below.
- The additions do not touch Mizner’s tower.



North Elevation – Summary of Revisions:

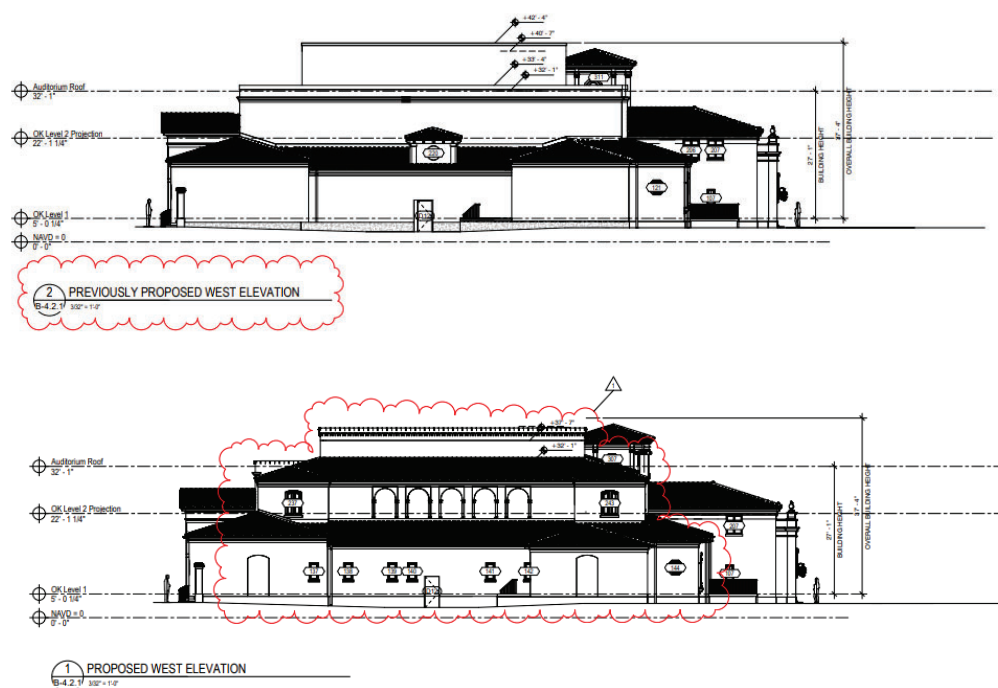
- Reduced the number of arches from 9 to 8 arches on each side, arches enlarged, stucco capitals added to piers to more closely match Volk portico. Stucco cornices were replaced with sloped rafter tails to reduce monumentality
- Four existing window openings are retained on the first floor.
- All new second-floor windows changed to square openings. In addition, projecting towers “bookend” a fully symmetrical façade with a parapet. Parapet façade reduced in length.
- Eastern stairs moved one bay west, terminates on existing window opening (slightly off-

- center).
- Arcade ceilings were sloped with Mediterranean Revival pendants.



East Elevation – Summary of Revisions:

- Relocation of the service gate.
- Reduction in the size of one of the second-story windows.



West Elevation – Summary of Revisions:

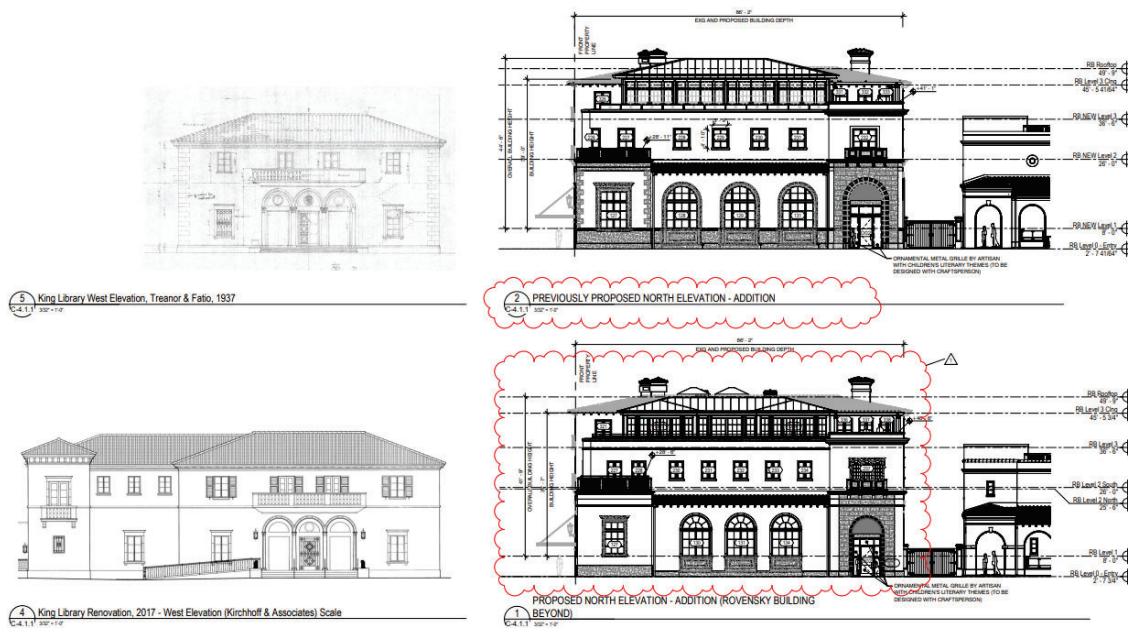
- Second-story hipped pavilions, shuttered windows, and blind arches refer to Mizner and Volk's historic elevation, stair dormer removed (and stair replanned).
- Blind arches more closely spaced.
- Blind niches at the first story make reference to the openings once there.

Rovensky Building

The previous design for the proposed addition to the Rovensky Building was sited in an appropriate manner, but the height and exterior details of the addition detracted from the landmarked structure. Additions to historic structures should not overwhelm original elements and massing and should read as secondary to the historic portion. As previously designed, the Rovensky Building appeared subservient to the proposed addition. This three-story addition was most visible from the east and north elevations. The connector piece could benefit from further refinement. Modifications to the Rovensky building were also proposed such as window spacing and rhythm as well as the addition of a tiled sloped roof on the west façade.

At the November 12, 2024, LPC meeting, the project was deferred to the January 22, 2025, meeting to re-study the scale of the windows and doors to ensure they are subordinate to or match the existing structure, reduce the prominence of the entrance, connection, and pavilion elements, review precedents within the Town, and scale down the third-floor boardroom.

In response to LPC's comments, the applicant has made several design changes that are summarized in their memorandum (dated December 22, 2024), included as an attachment.



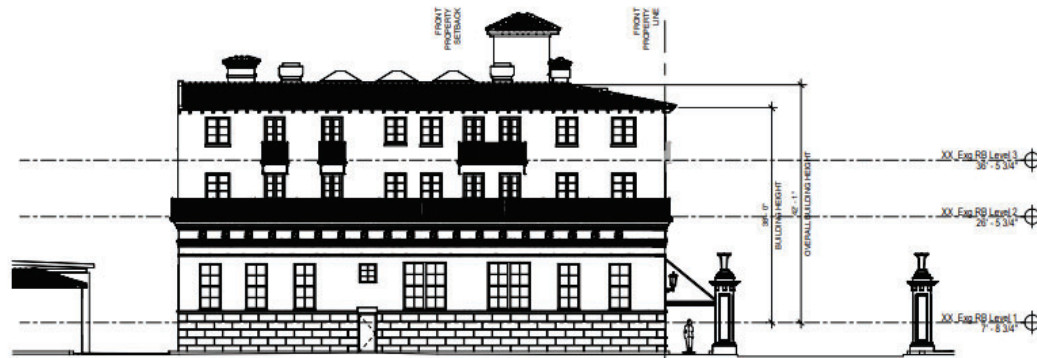


North and East Elevations – Summary of Revisions:

- All openings and details have been revised/reduced in scale to reduce overall reading.
- Hyphen has been made much quieter visually, the first-floor cornice made simpler and lower. Arched windows removed from east elevation.
- The northeast pavilion windows are now smaller, more similar to King Library windows.
- The second-floor typical windows match the existing building, increased in number (for spacing more consistent with the existing building).
- The second-floor north wall moved south by 3 feet.
- The northwest tower windows were changed to grouped arched.
- The water table is now removed, arched openings removed on the east elevation and reduced on the north.
- The north arches match the height of those on the King Library.
- The entry arch is significantly smaller.
- A small door for children has been added next to the main entry/egress door.
- Ornamental grillwork will cover the entire storefront.
- The amount of stone reduced in favor of stucco; the tall water table and quoining now removed.
- The proposed board room pavilion roof ridge was lowered by 3 feet and is now to be under height of existing roof. Pavilion eaves were lowered by 18" to match the existing building.
- The pavilion metal roof and storefront below were changed from dull bronze color copper to verdigris pre-patinated copper.
- Pavilion massing broken into multiple elements, massing revised, all details revised. The entire board room massing shifted south by 5 feet and the ridge is now centered on building east elevation. Eaves converted from integrated gutter and broad standing seam fascia to

finer soffits (12" overhang) plus half-round copper gutter.

- Small windows were removed.
- Corner window was removed.

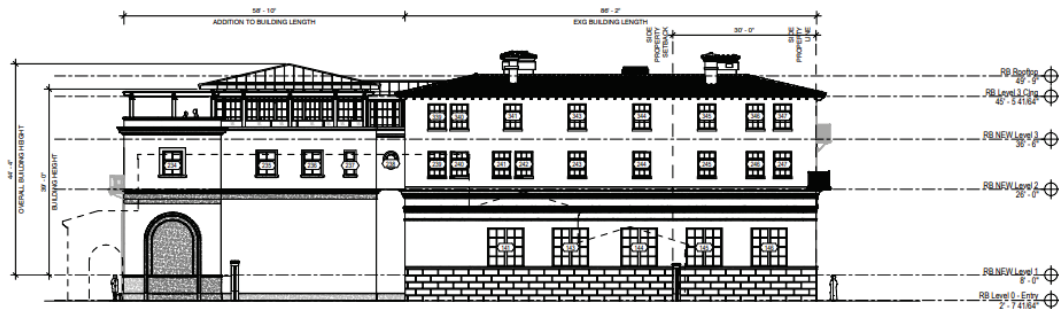


2 EXISTING SOUTH ELEVATION
C-4.3.0 332' x 14'

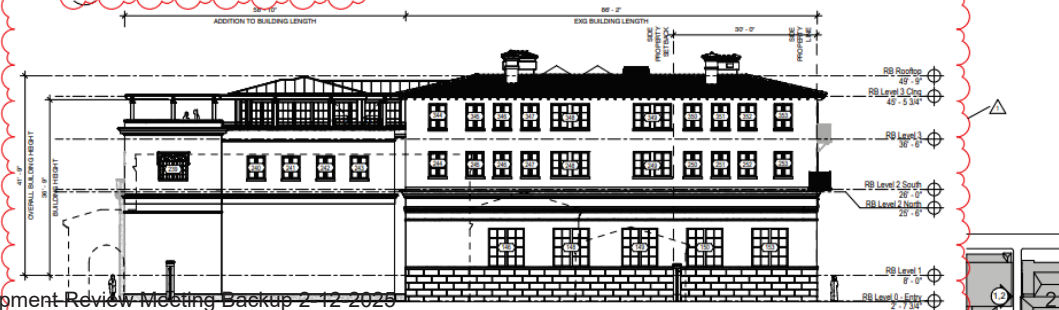


1 PROPOSED SOUTH ELEVATION (NO SIG. CHANGE FROM PREVIOUS)
C-4.3.0 332' x 14'

South Elevation – No Significant Changes



2 PREVIOUSLY PROPOSED WEST ELEVATION
C-4.4.0 332' x 14'



1 PROPOSED WEST ELEVATION
C-4.4.0 332' x 14'

West Elevation – Summary of Revisions:

- All 2nd and 3rd story windows to now be kept. Four additional windows to be added.

Roof: Skylights proposed over 3rd floor elevator lobby.

Shade House



The existing shade house/storage building is not landmarked. The proposed alterations and additions will be in keeping with nearby architecture and will not negatively affect the landmarked structures on the campus. One concern is the increase in size which blocks more of the view to the King Library.

Overall, the materials that have been selected for use on the new construction are suitable in terms of stucco, stone, wrought iron and true barrel tile. Windows are primarily proposed to be aluminum CGI-estate series or similar. It is the encapsulation of the original historic buildings and the significant amount of material loss, as proposed, that brings pause and concern for genuine preservation principals.

No revisions were made to the design presented at the November 20th LPC meeting.

TRAFFIC REVIEW

The applicant has submitted a Traffic Impact Evaluation, completed by Kimley Horn. The Corradino Group has performed three (3) rounds of peer review.

The Comprehensive Plan provides for the various Levels of Service within the Town, and the Transportation Levels of Service are found in the Transportation Element. Chapter 30, Consistency and Concurrency Management Systems, codify these Levels of Service and require the identified Levels of Service for transportation (traffic), sanitary sewer, solid waste, drainage, potable water, and recreation / open space. In the case of transportation (traffic) concurrency, commercial redevelopment is exempt from concurrency determinations if there is no increase in the intensity of use of the property from that prior to redevelopment (Chapter 30, Section 30-74(a)(2)). Intensity of use is defined in Chapter 134, Section 134-172(4)(b) as “including, but not limited to, increased tenant square footage, increased seating, increased off-street parking demand, and increased hours of operation of a special exception use.” As this Application appears to be meeting one or more of the listed intensities of use details found in 134-172(4)(b), this project is not exempt from traffic concurrency.

Simply stated, Chapter 30 provides the review process for development projects. This Application must comply with Chapter 30, as it is not exempt from the process. The segment of Royal Palm Way adjacent to the Society of the Four Arts property has a Level of Service designation of “D”. Knowing this, the question is whether the proposed changes place more vehicles into the available capacity of the roadway to a point that the existing Level of Service “D” would worsen to a Level of Service “E” or “F”? And if the introduction of additional vehicles into the available capacity of the roadway negatively affects the Level of Service to a lower designation, the Applicant must participate in the Proportionate Fair Share Program with the Town, required by and in a manner consistent with Florida Statute 163.3180.

CONCLUSION:

Approval, approval with conditions, or denial of the project will require multiple motions to be made by the Town Council. There are:

- two (2) separate Special Exception requests; and
- one (1) Site Plan Review; and
- one (1) Variance request.
- one (or more) Declaration of Use Agreement(s).

All of the requests can be approved or denied in whole, partially or individually.

The application is presented to the Commission to consider whether all the criteria in Sections 54-122 and 54-123 have been met. Approval of the project will require one (1) separate motion to be made by the Landmarks Preservation Commission:

- (1) for the overall design of the project in accordance with aforementioned criteria, subject to any imposed conditions.

WRB: JGM: JHD: FHM: ALF



LETTER OF INTENT FINAL SUBMITTAL

DATE: January 3, 2025

TO: Town of Palm Beach, Planning, Zoning & Building Dept.

RE: SOCIETY OF THE FOUR ARTS

REQUEST

On behalf of the Society of the Four Arts, Inc. ("Applicant"), Shutts & Bowen LLP ("Agent") submits this request for a Special Exception ("SE"), a Site Plan Review ("SPR"), a Variance, a Certificate of Appropriateness ("COA") for design approval and demolition greater than 50% of a non-historic facade, and an easement abandonment of the Lake Trail right-of-way ("Abandonment"), for The Society of the Four Arts ("Four Arts") located on a 7.68-acre site at 100, 101, 102, and 103 Four Arts Plaza, and 240 Coconut Row ("Site").

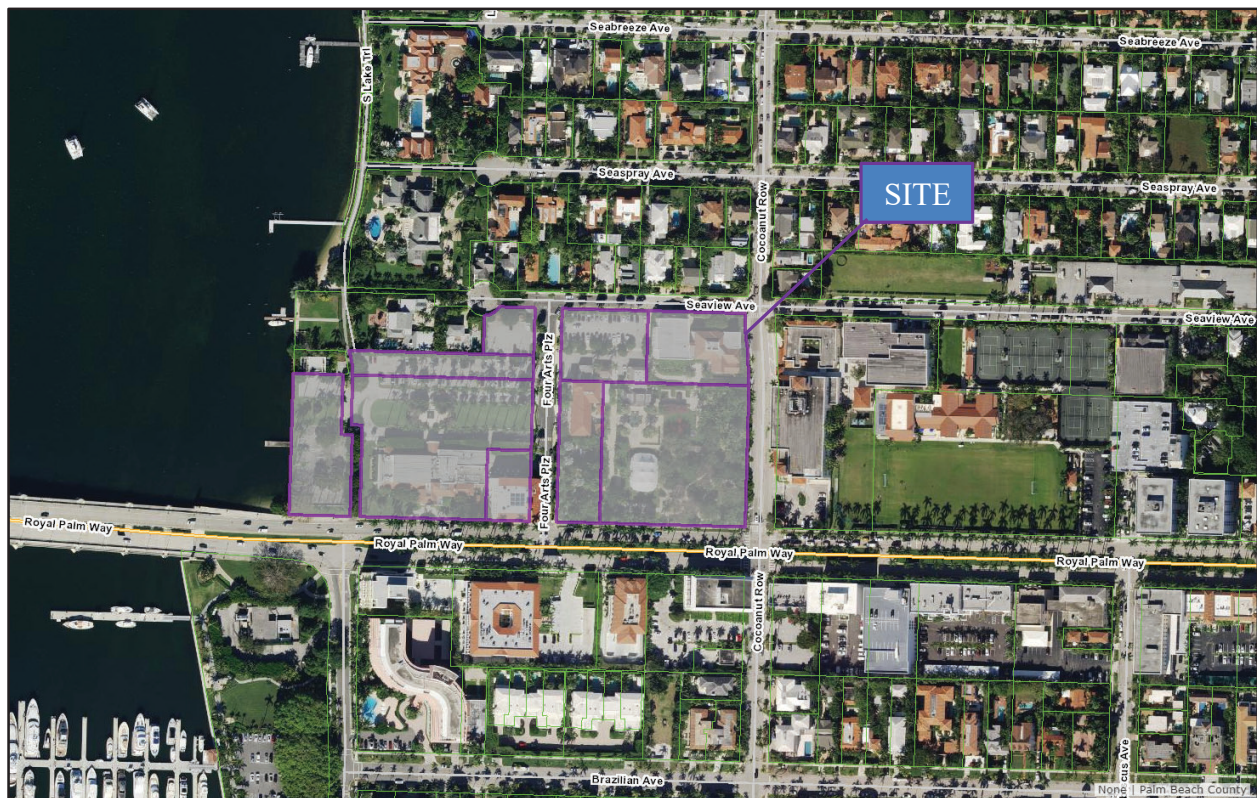


FIGURE 1 – Location map

Property Address:	100, 101, 102, and 103 Four Arts Plaza, and 240 Coconut Row (<i>Figure 1</i>)
Parcel Control Number (“PCN”):	50434323050210010; 50434322000030030; 50434322000030080; 50434323050210010; 50434323050210031; 50434322000030090; 50434322000030140; 50434323050210040; 50434323050210050
Current Zoning:	R-B Low Density Residential District (“ <u>R-B District</u> ”)
Proposed Zoning:	Cultural Institution District (“ <u>CI District</u> ”)
Existing Future Land Use (“FLU”)	Single-Family (“ <u>SF</u> ”), Recreation (“ <u>REC</u> ”), Public Use (“ <u>PUB</u> ”), and Private Group Use (“ <u>PGU</u> ”)
Proposed FLU	PGU
Municipality:	Town of Palm Beach (“ <u>Town</u> ”)

BACKGROUND

The Four Arts is a non-profit cultural organization founded in 1934. Its mission is “*to enrich, inspire and engage the community, enhancing the quality of our lives through educational and cultural programs in art, music, drama, literature, historical and current affairs.*”

The Site is bifurcated by the Four Arts Plaza and Lake Trail right-of-way. Four Arts Plaza effectively splits the Site into a 4.7-acre east side (“**East Campus**”) and an approximately a 2.98-acre west side (“**West Campus**”), and Lake Trail further splits the West Campus (see Figure 1). For the purposes of this application, Town staff has requested that the request be submitted with an East Campus and a West Campus.

The Site is currently operating under a Unity of Title (OR Bk. 5547 Pg. 315), a Unity of Control (OR Bk. 24887 Pg. 1925), and a Declaration of Use (OR Bk. 24762 Pg. 1457), copies of which are attached as **Exhibit “A”**.

The Site is currently developed with a theater, a museum, a sculpture garden, a botanical garden, a public library, a children’s library, offices, residential units above the first floor, classrooms, an auditorium, along with other ancillary uses (collectively the “**Existing Development**”):

East Campus:

- The Dixon Education Building (18,938 square feet (“**sq. ft.**”))
- The King Library (9,470 sq. ft.)
- The Philip Hulitar Sculpture and Botanical Garden.

West Campus:

- The Rovensky Building which includes the children’s library (18,750 sq. ft.)
- The Esther B. O’Keeffe Gallery Building (22,565 sq. ft.)

After the successful conversion of the Dixon Building and after the glowing restoration of the King Library, Four Arts has recognized what is plain for all to see—that the Rovensky and Esther B. O’Keeffe Gallery buildings, each approaching 100 years of age and neither designed for the functions it now tries to fulfill, poorly serve the needs of the Four Arts—are, in a phrase, *not fit for purpose*.

As such, the Applicant proposes to improve the Site as indicated below (collectively the “**Project**”). See the Applicant’s Narrative that explains the detailed background and project goals, a copy of which is attached as **Exhibit “B”**.

- To seek a new, safe location for the children’s library, currently on the second floor of the Rovensky Building, with the aid of a new building.
- To upgrade the Gubelmann auditorium in the Esther B. O’Keeffe Gallery building and create backstage and support areas that do not currently exist.
- To upgrade the exhibition galleries in the Esther B. O’Keeffe Gallery building and create support areas that do not currently exist.
- To enhance visitor experience in the Esther B. O’Keeffe Gallery building (access, circulation, lighting, air-conditioning, acoustics, box office, restrooms, etc.).
- To re-configure the interior of the Rovensky building better to accommodate offices and meeting rooms.
- To create an identity for the anonymous, dispersive, and difficult-to-navigate Site by means of landscaping, signage, wayfinding, and lighting.

REQUEST

A SE and SPR to modify the Four Arts Existing Development to:

- Expand the Rovensky Building from 18,750 sq. ft. to 29,106 sq. ft. (+ 10,356 sq. ft.), which includes an expansion to the existing third floor:
 - Increase the office component from 10,619 sq. ft. to 20,130 sq. ft. (+ 9,511 sq. ft.)
 - Decrease the residential from 2,091 sq. ft. to 1,090 sq. ft. (- 1,001 sq. ft.)
 - Decrease the museum from 1,228 sq. ft. to 0 sq. ft.
 - Increase the children’s library from 4,812 sq. ft. to 7,886 sq. ft. (+ 3,074 sq. ft.).
 - Add a new 1,988 sq. ft. third floor terrace, 830 sq. ft. of which is under wood pergola.
- Expand the Esther B. O’Keeffe Gallery Building from 22,565 sq. ft. to 30,357 sq. ft. (+ 7,792 sq. ft.):
 - Increase the theater from 10,559 sq. ft. to 18,773 sq. ft. (+ 8,214 sq. ft.)
 - Increase the office from 6,416 sq. ft. to 6,582 sq. ft. (+ 166 sq. ft.)
 - Increase the museum from 4,297 sq. ft. to 5,002 sq. ft. (+ 705 sq. ft.)
 - Increase the outdoor covered area from 220 sq. ft. to 2,414 sq. ft. (+ 2,194 sq. ft.)
- Minor improvements within the East Campus:
 - Improvements to the shade house and storage building.
 - Expand the shade house southward to provide an enclosed and climate-controlled supply storage space.
 - Modify the parking spaces.
- Variance from the Town’s Zoning Code of Ordinances (“**Code**”):

Code Section	Variance
Sec. 134-2176	To allow a reduction from 294 to 234 in the number of required parking spaces <i>(Note that the existing number onsite is 257 spaces, and the final number of proposed parking spaces is contingent on the outcome of the Abandonment).</i>

A COA for the following:

New construction

- As indicated above, the Project proposes to expand the Rovensky Building by adding 10,356 sq. ft., expand the Esther B. O’Keeffe Gallery Building by adding 7,792 sq. ft., and enclose the existing shade house and storage building to create a 1,241 sq. ft. building
 - See **Exhibit “B”** for the details of the background and Project goals as outlined by the Applicant.

Partial demolition.

- See the demolition plan which indicates the details.

Rovensky Building				
Walls – Elevations	North	South	East	West
Total elevation exterior wall area (sq. ft.)	3,694	3,720	3,736	4,029
Exterior wall area to be removed (sq. ft.)	293	-	-	76
% of wall area to be removed (each elevation)	8.0%	-	-	1.9%
Area of exterior wall to be concealed by new construction (sq. ft.)	3,141	-	-	-
Rovensky Building Roof				
Total existing roof area (sq. ft.)	7,967			
Roof area to be removed, including structure (sq. ft.)	4,428			
% of roof area to be removed	55.6%			
Area of existing roof to be concealed by new construction	390			

Esther B. O’Keeffe Gallery Building				
Walls – Elevations	North	South	East	West
Total elevation exterior wall area (sq. ft.)	5,568	5,284	2,742	3,206
Exterior wall area to be removed (sq. ft.)	552	1,184	368	2,159
% of wall area to be removed (each elevation)	10%	22.4%	13.4%	67%
Area of exterior wall to be concealed by new construction (sq. ft.)	1,628	1,609	460	380
Esther B. O’Keeffe Gallery Building Roof				
Total existing roof area (sq. ft.)	20,786			
Roof area to be removed, including structure (sq. ft.)	9,894			
% of roof area to be removed	47.6%			
Area of existing roof to be concealed by new construction	1,066			

Abandonment of Lake Trail easement:

- Lake Trail is a public right-of-way used by pedestrians and located west of the Esther B. O’Keeffe Gallery Building. It currently connects to Royal Palm Way at the southwest end of the Site, but creates a safety hazard for pedestrians crossing Royal Palm Way since there is no crosswalk to cross at that location.
- At the time of the dedication of the Lake Trail right-of-way to the Town, the intended nature of the dedication was for use of the area as an easement rather than acting as a conveyance of fee simple title of the right-of-way. To resolve the issue, an Agreement Regarding Dedication of Right-Of-Way clarified the intended nature of the use as an easement and in furtherance (recorded in OR Bk. 34399 Pg. 1434), the Town quit claimed the right-of-way to the Applicant (see a copy of the Agreement Regarding Dedication Of Right-Of-Way attached as **Exhibit “C”**).
- Considering the Proposed Project, the Applicant proposes two options for the relocation of this pedestrian pathway:
 1. Abandon the existing easement and create a new pathway that connects to Seaside Avenue. This is the preferred and safer option since pedestrians can utilize the existing sidewalk network that connects to Town approved crosswalks.
 2. Provide and record a new easement for a pedestrian pathway along western property line adjacent to the Lake Worth Lagoon. Although the Applicant is proposing this as an option,

it does not fix the safety issue when crossing Royal Palm Way since there is no proposal to add a crosswalk at the southwest corner of the Site to cross Royal Palm Way.

PARKING STATEMENT

The Four Arts s is a unique Site within the Town that serves a function that is different from any other uses within the Town and, as such, does not directly match with the Code categories that have been applied in the initial determination of parking requirements. As such, the Site will require a variance from the Code. In support of the variance, the actual parking needs for the Site have been calculated using an alternate methodology. In this case, the parking needs for the Site were calculated using Code parking requirements in combination with shared parking principles, recognizing that different use components within the Site experience peak parking demands at different times of the day. Therefore, the evaluations that were undertaken included adjustments to reflect hourly variation in demand as well as differences in weekday and weekend parking demand needs. These adjustments were based upon data published by the Urban Land Institute (“**ULI**”) in Shared Parking, Third Edition. A complete Parking Requirements Evaluation report was completed by Kimley Horn, a copy of which is attached hereto as **Exhibit “D”**.

The Project proposes a total of 234 parking spaces.

- 151 spaces – west campus
- 41 parking spaces – east campus
- 42 parking spaces – stabilized surface grass parking

Accounting for variations in time-of-day demand for uses on site, the peak parking needs for the campus are anticipated to be approximately 232 spaces during the weekday peak period in which the theater is in use. Therefore, the parking needs for the site are anticipated to be met.

SUPPLEMENTAL APPLICATION REQUIREMENTS

- Exhibit A – Copies of the Unity of Title, Unity of Control, and Declaration of Use.
- Exhibit B – Four Arts Applicant’s Narrative.
- Exhibit C – Lake Trail Right-of-Way Dedication.
- Exhibit D – Parking Requirement Report
- Exhibit E – Special Exception review by Town Council Section 134-229.
- Exhibit F – Site Plan Review by Town Council Section 134-329.
- Exhibit G – Findings prior to authorization of a Variance Section 134-201.
- Exhibit H – Issuance of a Certificate of Appropriateness Section 54-122.
- Exhibit I – Property Info sheet with the Location Map
- Exhibit J – Legal Description.

EXHIBIT A

Copies of the Unity of Title, Unity of Control, and Declaration of Use.

EXHIBIT A

JOHNSTON, SASSER, RANDOLPH & WEAVER, P.A.

ATTORNEYS AND COUNSELORS AT LAW

310 OKEECHOBEE BOULEVARD

WEST PALM BEACH, FLORIDA 33402

P. O. BOX 11

HARRY A. JOHNSTON II
DONALD J. SASSER
JOHN C. RANDOLPH
H. ADAMS WEAVER
ANN MARIE G. REZZONICO
JOYCE A. CONWAY

HENRY F. LILIENTHAL
1902-1982

HARRY ALLISON JOHNSTON
1898-1983

December 31, 1987

TELEPHONE
(305) 655-0106

TELECOPIER
(305) 655-1099

David Zimmerman
Building & Zoning Official
Town of Palm Beach
PO Box 2029
Palm Beach, Florida 33480

re: Unity of Title for Society of the Four Arts

Dear Dave,

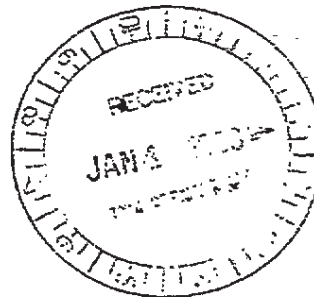
I have reviewed the above-referenced Unity of Title, and hereby approve same. If it meets with your approval, I will have this document recorded and send the bill for recording to the office of Coe and Broberg.

Very truly yours,



John C. Randolph

JCR/ajs
Enclosure
cc: Coe and Broberg





TOWN OF PALM BEACH

Building and Zoning Department

*cc'd
des. 1/10/88
P. Zimmerman
pk
3rd add*

January 7, 1988

Attorney John C. Randolph
310 Okeechobee Boulevard
West Palm Beach, Florida 33401

Re: Unity of Title - Society of the Four Arts

Dear Skip,

The Unity of Title meets with our approval. Please record
per your letter of December 31, 1987.

Sincerely,

David C. Zimmerman
Deputy Building and Zoning Official

DCZ:cmd

cc: Mr. Robert L. Moore, Building Official
pf

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (305) 838-5430

UNITY OF TITLE AGREEMENT

In consideration of the granting of Special Exception #15-87 by the Town of Palm Beach, Florida, to THE SOCIETY OF THE FOUR ARTS, a non-profit corporation organized and existing under the laws of the State of Florida, for the use of land described in Parcel #1 in Exhibit A attached hereto for purposes of vehicular parking for its guests, patrons and employees, THE SOCIETY OF THE FOUR ARTS, owner of the real properties described as Parcel #1 and Parcel #2 in Exhibit A attached hereto, agrees to restrict the use of said Parcels in the following manner:

1. Said Parcels shall be considered as one parcel of land, and that no portion of said parcel of land shall be sold, transferred, assigned, or mortgaged separately, but rather only in its entirety as one parcel of land.

2. The Owner further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the Owner, its successors and assigns unless and until such time as the same may be released or modified in writing by the Town of Palm Beach, Florida.

3. The Owner further agrees that this instrument may be recorded in the public records of Palm Beach County, Florida, and shall constitute notice to all persons whomsoever of the terms and provisions herein set forth.

THIS AGREEMENT signed, sealed and acknowledged this 15TH day of December, 1987.

THE SOCIETY OF THE FOUR ARTS

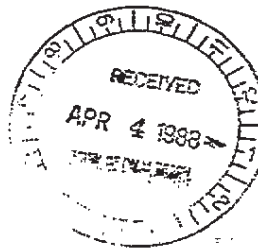
BY Walter A. Gubelmann
President

(SEAL)

Signed, sealed and delivered
in the presence of:

Walter A. Gubelmann
WITNESS

Carol M. Young
WITNESS



STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 15TH day of December, 1987 by WALTER S. GUBELMANN as President of THE SOCIETY OF THE FOUR ARTS, a non-profit corporation, on behalf of the Corporation.

Walter S. Gubelmann
NOTARY PUBLIC
My Commission Expires:

PARCEL #1

- (a) The East 100 feet of the following described property:

A parcel of land in Section 22, Township 43 South, Range 43 East, particularly described as follows:

Beginning at a point in the westerly extension of the south line of a strip of land ten (10) feet in width, designated as "10' path for wheelchairs, bicycles and pedestrians only" on plat of POINCIANA PARK, 3rd Addition, as filed in plat book 8, page 72, Public Records of Palm Beach County, Florida; thence easterly along said westerly extension and along the south line of said 10' path a distance of 354 feet, more or less, to a point in a circular drive having a radius of 36 feet, as shown on said plat; thence southerly and easterly along the circumference of said circle to a point in the south line of Seaview Avenue, as shown on said plat; thence easterly along the south line of said Seaview Avenue to a point of intersection with the West line of Ceiba Avenue, as now laid out and in use; thence southerly along the West line of said Ceiba Avenue, a distance of 102.50 feet, more or less, to a point in a line parallel to and 125 feet south of, measured at right angles to, the south line of the said 10' path; thence westerly along said parallel line a distance of 493 feet, more or less, to the waters of Lake Worth; thence northerly along the waters of Lake Worth to the point of beginning, including all riparian rights belonging to said property, said property being commonly known and referred to as No. 15 South Lake Trail.

- (b) The East 4 feet of the property described as follows: A parcel of land in Section 22, Township 43 South, Range 43 East, described as follows: Commence at the intersection of the centerline of Seaview Avenue as shown on the plat of Poinciana Park, 3rd Addition as recorded in Plat Book 8, page 72, Public Records of Palm Beach County, Florida, and the centerline of Four Arts Plaza (Ceiba Avenue) as now laid out and in use; thence South along said centerline, a distance of 119.81 feet; thence westerly at an angle to the preceding course, a distance of 128.00 feet to the Point of Beginning; thence continue westerly along said course, a distance of 108.32 feet; thence northerly, parallel to said centerline of Four Arts Plaza, a distance of 107.00 feet; thence easterly, parallel to said centerline of Seaview Avenue a distance of 68.40 feet to the point of intersection with a curve concave to the northeast and having a central angle of 79 13'05" and a radius of 36.0 feet; thence southeasterly along the arc of said curve, a distance of 49.77 feet to the point of intersection with a line extending northerly from the point of beginning parallel to the said centerline of Four Arts Plaza; thence southerly along said line, a distance of 84.36 feet to the Point of Beginning. Said parcel being in the Town of Palm Beach, Palm Beach County, Florida.

PARCEL #2

- (a) The South 1/2 of Subdivision North of Government Lot 3, West of Ceiba Avenue (Four Arts Plaza), a parcel of land in Section 22, Township 43 South, Range 43 East.
- (b) Lot 1, the West 125 feet Lot 2 and the East 47 feet of the North 145 feet Lot 3, Block A, Royal Park Addition as in Plat Book 4, page 1.
- (c) The East 88.9 feet Lot 4, Lot 5, Lot 6, Lot 7 and the West 10 feet of Lot 47, Block A, Royal Park Addition as in Plat Book 4, page 1.

EXHIBIT "A"

-2-

RECORD VERIFIED
PALM BEACH COUNTY, FLA
JOHN B. DUNKLE
CLERK CIRCUIT COURT

100/4424-1

LAW OFFICES OF COE AND BROBERG—PALM BEACH, FLORIDA 33480



CFN 20110451564
OR BK 24887 PG 1925
RECORDED 12/06/2011 12:09:31
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1925 - 1934; (10pgs)

Prepared by, Record, and Return to:
Harvey E. Oyer III, Esq.
Shutts & Bowen LLP
525 Okeechobee Boulevard
Suite 1100
West Palm Beach, Florida 33401

UNITY OF CONTROL AGREEMENT

THIS UNITY OF CONTROL AGREEMENT ("Agreement") is made and entered into as of this 5 day of December, 2011, by and among THE SOCIETY OF THE FOUR ARTS, INC., a Florida not-for-profit corporation ("Four Arts"), EMBASSY CORPORATION, a Florida corporation ("Embassy") (Four Arts and Embassy are sometimes hereinafter referred to individually as an "Owner" or collectively as the "Owners") and the TOWN OF PALM BEACH, a municipal corporation existing under the laws of the State of Florida ("Town").

RECITALS:

WHEREAS, Owners are the fee simple title holders of the following described properties situated, lying and being in the Town of Palm Beach, Palm Beach County, Florida (each a "Property" and collectively the "Properties");

SEE EXHIBIT "A" ATTACHED HERETO

and

WHEREAS, Owners are seeking construction permits to renovate the old public school located at 240 Cocoanut Row in accordance with Special Exception No. 19-2011 with Site Plan Review and Variance, as approved by the Town Council on July 13, 2011 ("Approval"); and

WHEREAS, it is the desire of the Owners, in consideration for the receipt of said construction permits and as a condition of the Approval, to create this Unity of Control, unifying the above-described seven (7) parcels so that the requirements of the Town and the Approval will be satisfied.

AGREEMENT:

NOW, THEREFORE, in consideration of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owners and the Town agree as follows:

1. The above-described Recitals are true and correct and incorporated herein by this reference.

2. All of the above described Properties shall be considered as a single property for control purposes. Owners are related entities that are under the same ownership control.

2. No portion of said Properties shall be sold, transferred, devised, leased or assigned separately from the whole of the Property, except upon prior written approval of the Town.

3. In the event a request is made in the future that this Unity of Control be released, should the Properties otherwise be in compliance with the Town's comprehensive plan, zoning ordinance and the regulations of the Town, the Town shall, upon written request by the Owners, their successors or assigns, execute a recordable termination of this Unity of Control.

4. This Agreement shall be a covenant running with the Properties and shall be binding upon the Owners, their successors and assigns, and shall constitute notice to all persons whomsoever of the terms and provisions herein set forth.

5. This Agreement shall be recorded in the public records of Palm Beach County, Florida.

IN WITNESS WHEREOF the parties have executed and entered into this Unity of Control Agreement as of the date set forth above.

As to Parcels 1 through 6:

Signed, sealed and delivered

in the presence of:

Heidi Roth
Witness
Heidi Roth
Print Name

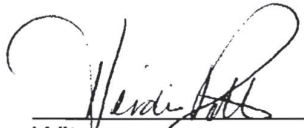
Katie Edwards
Witness
Katie Edwards
Print Name

THE SOCIETY OF THE FOUR ARTS,
INC., a Florida not-for-profit corporation

By: [Signature]
Name: Ervin S. Duggan
Its: President

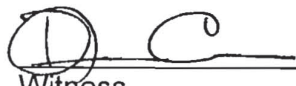
[CORPORATE SEAL]




Witness
Heidi Roth
Print Name

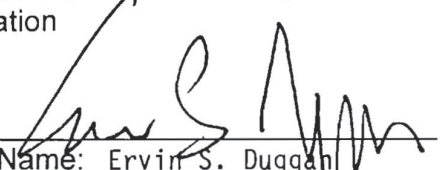

Witness
Katie Edwards
Print Name


Witness
Chris Cortrett
Print Name


Witness
Denise Carmona
Print Name

As to Parcel 7:

EMBASSY CORPORATION, a Florida corporation

By: 
Name: Ervin S. Duggan
Its: President

[CORPORATE SEAL



TOWN:
TOWN OF PALM BEACH

By: 
Peter B. Elwell, Town Manager

ATTEST:


Susan Owens, Town Clerk



STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 16th day of November, 2011, by Ervin S. Duggan, who is the President of The Society of the Four Arts, Inc., a Florida not-for-profit corporation, on behalf of the Corporation, who is personally known to me or who has produced _____ as identification.

Christina W. Lesick

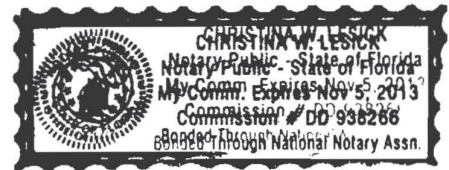
Signature of Notary Public

Christina W. Lesick

Printed name of Notary Public

DD 938266

Commission Number



STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 16th day of November, 2011, by Ervin S. Duggan, who is the President of Embassy Corporation, a Florida corporation, on behalf of the Corporation, who is personally known to me or who has produced _____ as identification.

Christina W. Lesick

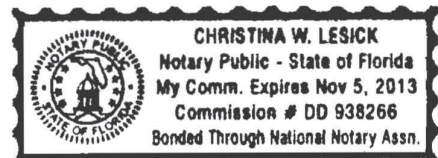
Signature of Notary Public

Christina W. Lesick

Printed name of Notary Public

DD 938266

Commission Number



STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 5 day of December, 2011, by PETER B. ELWELL and SUSAN OWENS the Town Manager and Town Clerk, respectively, of the TOWN OF PALM BEACH, a municipal corporation existing under the laws of the State of Florida, on behalf of the corporation, who are personally known to me or who have produced _____ as identification.



Denise Carmona
COMMISSION #DD809560
EXPIRES: JULY 29, 2012
WWW.AARONNOTARY.COM

Signature of Notary Public

Denise Carmona

Printed name of Notary Public

DD809560

Commission Number

Approved for legal form and sufficiency:

John Randolph, Town Attorney

RECOMMEND APPROVAL:

11/30/11, _____

Paul Castro, AICP
Zoning Administrator

EXHIBIT "A"

LEGAL DESCRIPTIONS

PARCEL 1:

LEGAL DESCRIPTION FOR PCN 50-43-43-23-05-021-0050

(SCULPTURE GARDEN AREA)

LOTS 5 THROUGH 7, BLOCK "A" REVISED MAP OF ROYAL PARK ADDITION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 1 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THAT PORTION CONVEYED IN OFFICIAL RECORDS BOOK 1901, PAGE 188 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 7 AS THE POINT OF BEGINNING, RUN NORTHERLY ALONG THE EAST LINE OF SAID LOT 7 A DISTANCE OF 15 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 15 FEET AND A CENTRAL ANGLE OF 90°; THENCE RUN SOUTHERLY, SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 23.56 FEET TO A POINT OF TANGENCY, SAID POINT OF TANGENCY BEING A POINT IN THE SOUTH LINE OF SAID LOT 7; THENCE RUN EASTERLY ALONG SAID SOUTH LINE OF SAID LOT 7 A DISTANCE OF 15 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

LEGAL DESCRIPTION FOR PCN 50-43-43-22-00-003-0140 O.R.B. 24286 PGS 1726-1728

(FORMER SCHOOL PARCEL)

BEGINNING AT THE SOUTHWEST CORNER OF SEAVIEW AVENUE AND COCOANUT ROW IN SECTION 22, TOWNSHIP 43 SOUTH, OF RANGE 43 EAST, AS SHOWN ON PLAT OF POINCIANA PARK, 3RD ADDITION, FILED IN PLAT BOOK 8 AT PAGE 72, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SEAVIEW AVENUE, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTHERLY MAKING AN ANGLE OF 90 DEGREES WITH THE SOUTH LINE OF SAID SEAVIEW AVENUE, A DISTANCE OF 147.62 FEET TO A POINT IN THE NORTH LINE OF BLOCK "A" OF ROYAL PARK, ACCORDING TO THE PLAT OF ROYAL PARK ON FILE IN PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE EASTERLY ALONG THE NORTH LINE OF SAID BLOCK "A" OF ROYAL PARK, A DISTANCE OF 219.41 FEET, MORE OR LESS, TO A POINT IN THE WEST LINE OF SAID COCOANUT ROW, AS NOW LAID OUT AND IN USE; THENCE NORTHERLY ALONG THE WEST LINE OF SAID COCOANUT ROW AND MAKING AN ANGLE WITH THE NORTH LINE OF SAID BLOCK "A", OF 90 DEGREES, A DISTANCE OF ONE (1) FOOT TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT; THENCE CONTINUING NORTHERLY ALONG SAID CURVE TO THE LEFT, RADIUS OF WHICH IS 217.83 FEET, A DISTANCE OF 61.27 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT; THENCE CONTINUING NORTHERLY ALONG SAID CURVE TO THE RIGHT, RADIUS OF WHICH IS 276.17 FEET, A DISTANCE OF 77.68 FEET TO A POINT, SAID POINT BEING THE POINT OF TANGENCY OF SAID CURVE; THENCE CONTINUE NORTHERLY ALONG TANGENT TO SAID CURVE, A DISTANCE OF 9.51 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING: BEING A TRACT OF LAND IN SECTION 22, TOWNSHIP 43

SOUTH, RANGE 43 EAST, TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, BOUNDED IN THE EAST BY THE WESTERLY RIGHT-OF-WAY OF COCOANUT ROW, AS NOW LAID OUT AND IN USE, BOUNDED IN THE SOUTH BY THE NORTH LINE OF BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, AS RECORDED IN PLAT BOOK 4, PAGE 1, SHEET 1 OF 2, PALM BEACH COUNTY, PUBLIC RECORDS AND BOUNDED IN THE WEST BY A LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK "A", OF SAID ROYAL PARK ADDITION, TURN AN ANGLE OF 85 DEGREES 53 MINUTES 40 SECONDS MEASURED FROM WEST ALONG THE NORTH LINE OF SAID BLOCK A, TO THE NORTH AND RUN FOR A DISTANCE OF 128.20 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID COCOANUT ROW.

PARCEL 3:

LEGAL DESCRIPTION FOR PCN 50-43-43-22-00-003-0090 DEED BOOK 626 PGS. 7-11

(PARKING LOT WEST OF THE FORMER SCHOOL PARCEL)

A TRACT OF LAND IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF SEAVIEW AVENUE AT DISTANCE OF 200 FEET WEST OF THE WEST LINE OF COCOANUT ROW, AS SAID STREETS ARE SHOWN ON PLAT OF POINCIANA PARK THIRD ADDITION, ON FILE IN PLAT BOOK 8 AT PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTHERLY AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SEAVIEW AVENUE A DISTANCE 147.81 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF LOT 5, BLOCK "A", ROYAL PARK ADDITION, AS SHOWN ON PLAT FILED IN PLAT BOOK 4 AT PAGE 1, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG THE NORTH LINE OF LOT 5 AND LOT 4, BLOCK "A" OF SAID ROYAL PARK ADDITION A DISTANCE OF 179.5 FEET, MORE OR LESS, TO A POINT IN THE EAST LINE OF THE WEST THREE FEET OF SAID LOT 4, BEING ALSO A POINT IN THE EAST LINE OF THE RIGHT OF WAY OF CEIBA AVENUE, AS NOW LAID OUT AND IN USE; THENCE NORTHERLY ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF THE WEST 3 FEET OF SAID LOT 4, AND ALONG THE EAST LINE OF THE RIGHT OF WAY OF SAID CEIBA AVENUE, AND AT RIGHT ANGLES TO THE PRECEDING COURSE A DISTANCE OF 147.81 FEET, MORE OR LESS, TO A POINT IN THE SOUTH LINE OF SAID SEAVIEW AVENUE; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SEAVIEW AVENUE A DISTANCE OF 179.5 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 4:

LEGAL DESCRIPTION FOR PCN 50-43-43-22-00-003-0030 O.R.B. 5272 PGS. 331-333

(PARKING LOT WEST OF 4 ARTS PLAZA ADJOINING SEAVIEW AVENUE)

THE EAST 100 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY EXTENSION OF THE SOUTH LINE OF A STRIP OF LAND TEN (10) FEET IN WIDTH, DESIGNATED AS "10' PATH FOR WHEELCHAIRS, BICYCLES AND PEDESTRIANS ONLY" ON PLAT OF POINCIANA PARK, 3RD ADDITION, AS FILED IN PLAT BOOK 8, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND ALONG THE

SOUTH LINE OF SAID 10' PATH A DISTANCE OF 354 FEET, MORE OR LESS, TO A POINT IN A CIRCULAR DRIVE HAVING A RADIUS OF 36 FEET, AS SHOWN ON SAID PLAT; THENCE SOUTHERLY AND EASTERLY ALONG THE CIRCUMFERENCE OF SAID CIRCLE TO A POINT IN THE SOUTH LINE OF SEAVIEW AVENUE, AS SHOWN ON SAID PLAT; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SEAVIEW AVENUE TO A POINT OF INTERSECTION WITH THE WEST LINE OF CEIBA AVENUE, AS NOW LAID OUT AND IN USE; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID CEIBA AVENUE, A DISTANCE OF 102.50 FEET, MORE OR LESS, TO A POINT IN A LINE PARALLEL TO AND 125 FEET SOUTH OF, MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF THE SAID 10' PATH; THENCE WESTERLY ALONG SAID PARALLEL LINE A DISTANCE OF 493 FEET, MORE OR LESS, TO THE WATERS OF LAKE WORTH; THENCE NORTHERLY ALONG THE WATERS OF LAKE WORTH TO THE POINT OF BEGINNING, INCLUDING ALL RIPARIAN RIGHTS BELONGING TO SAID PROPERTY, SAID PROPERTY BEING COMMONLY KNOWN AND REFERRED TO AS NO. 15 SOUTH LAKE TRAIL.

TOGETHER WITH

THE EAST 4 FEET OF THE PROPERTY DESCRIBED AS FOLLOWS: A PARCEL OF LAND IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF SEAVIEW AVENUE AS SHOWN ON THE PLAT OF POINCIANA PARK, 3RD ADDITION AS RECORDED IN PLAT BOOK 8, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE CENTERLINE OF FOUR ARTS PLAZA (CEIBA AVENUE) AS NOW LAID OUT AND IN USE; THENCE SOUTH ALONG SAID CENTERLINE, A DISTANCE OF 119.81 FEET; THENCE WESTERLY AT AN ANGLE TO THE PRECEDING COURSE, A DISTANCE OF 128.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG SAID COURSE, A DISTANCE OF 108.32 FEET; THENCE NORTHERLY, PARALLEL TO SAID CENTERLINE OF FOUR ARTS PLAZA, A DISTANCE OF 107.00 FEET; THENCE EASTERLY, PARALLEL TO SAID CENTERLINE OF SEA VIEW AVENUE A DISTANCE OF 68.40 FEET TO THE POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A CENTRAL ANGLE OF 79°13'05" AND A RADIUS OF 36.0 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 49.77 FEET TO THE POINT OF INTERSECTION WITH A LINE EXTENDING NORTHERLY FROM THE POINT OF BEGINNING PARALLEL TO THE SAID CENTERLINE OF FOUR ARTS PLAZA; THENCE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 84.36 FEET TO THE POINT OF BEGINNING.

SAID PARCEL BEING IN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA.

PARCEL 5:

LEGAL DESCRIPTION FOR PCN 50-43-43-22-00-003-0080

A PORTION OF A PARCEL DESCRIBED IN DEED BOOK 809 PGS 524-529

REFERENCE O.R.B. 7151 PAGES 614-616 AND O.R.B. 7151 PAGES 617-619

(THE NORTH PARKING LOT AREA ADJOINING LAKE DRIVE, 4 ARTS PLAZA)

A RECTANGULAR PARCEL OF LAND NINETY (90) FEET FROM EAST TO WEST AND FORTY-FIVE AND TWELVE ONE-HUNDREDTHS (45.12) FEET FROM NORTH TO SOUTH, LYING IMMEDIATELY NORTH OF AND ADJOINING THE WEST FORTY-SEVEN (47) FEET OF LOT 3 AND EAST FORTY-THREE (43) FEET OF LOT 1, BLOCK "A", AS SHOWN ON THE REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, AS RECORDED AT PLAT BOOK 4, AT PAGE 1 IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, LYING AND BEING IN GOVERNMENT LOT 3, SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST,

PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

A PARCEL OF LAND BEING FORTY-FIVE AND TWELVE ONE-HUNDREDTHS (45.12) FEET FROM NORTH TO SOUTH IN GOVERNMENT LOT 3, SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF WEST LINE OF 4 ARTS PLAZA (FORMERLY CEIBA AVENUE) AND THE NORTH LINE OF ROYAL PALM WAY; THENCE N90°00'00"W ALONG THE SOUTH LINES OF LOTS 3 AND 2, BLOCK "A", AS SHOWN ON THE REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, AS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, A DISTANCE OF NINETY (90) FEET; THENCE N00°00'00"W PARALLEL TO THE WEST LINE OF SAID FOUR ARTS PLAZA, A DISTANCE OF THREE HUNDRED THIRTY-FIVE AND TWELVE ONE-HUNDREDTHS (335.12) FEET TO THE POINT OF BEGINNING; THENCE N90°00'00"W ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID ROYAL PALM WAY FOR A DISTANCE OF 289.31 FEET TO THE EAST LINE OF A 10 FOOT WIDE RIGHT OF WAY AS RECORDED IN OFFICIAL RECORDS BOOK 7151, PAGES 617 THROUGH 619 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S14°35'41"E ALONG THE SAID EAST RIGHT OF WAY LINE FOR 19.16 FEET TO A POINT ON A TANGENT CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT AND CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 115.00 FEET AND A CENTRAL ANGLE OF 13°23'57" FOR AN ARC DISTANCE OF 26.89 FEET; THENCE DEPARTING FROM SAID RIGHT OF WAY N90°00'00"E PARALLEL TO THE SAID NORTH LINE OF ROYAL PALM WAY FOR A DISTANCE OF 281.72 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

LEGAL DESCRIPTION FOR PCN 50-43-43-23-05-021-0010

(THE WEST AREA ADJOINING LAKE DRIVE, 4 ARTS PLAZA AND ROYAL PALM WAY)

DEED BOOK 549 PGS 180-181

LOT NO. 4 BLOCK "A", ROYAL PARK ADDITION TO PALM BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN BOOK 4 OF PLATS, PAGE 1, LESS THE WEST 3 FEET OF SAID LOT.

TOGETHER WITH

DEED BOOK 809 PG. 524-529

A RECTANGULAR PARCEL OF LAND NINETY (90) FEET WIDE FROM EAST TO WEST AND TWO HUNDRED NINETY (290) FEET LONG FROM NORTH TO SOUTH, LYING NORTH OF ROYAL PALM WAY AND WEST OF CEIBA AVENUE, PALM BEACH, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST FORTY-SEVEN (47) FEET OF LOT 3 AND THE EAST FORTY-THREE (43) FEET OF LOTS 1 AND 2, BLOCK "A", AS SHOWN ON THE "REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH, FLORIDA," RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND

FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 4 AT PAGE 1.

EXCEPTING FROM SAID PARCEL THE SOUTH ONE HUNDRED FORTY-FIVE (145) FEET THEREOF,
TOGETHER WITH

LOTS 1 AND 2, BLOCK "A" OF THE REVISED MAP OF ROYAL PARK ADDITION TO PALM BEACH,
FLORIDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, AT PAGE 1, OF
THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

TOGETHER WITH

A PORTION OF GOVERNMENT LOT 3 OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST
LYING EAST OF THE WATERS OF LAKE WORTH AND WEST OF LAKE DRIVE, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 2, BLOCK "A" OF THE REVISED MAP OF
ROYAL PARK ADDITION TO PALM BEACH, FLORIDA ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 4 AT PAGE 1 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA; THENCE N90°00'00"W ALONG THE WESTERLY EXTENSION OF SAID LOT 2 AND THE
NORTH RIGHT OF WAY LINE OF ROYAL PALM WAY 45.16 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE N90°00'00"W ALONG THE SAID NORTH RIGHT OF WAY LINE 110.63 FEET TO
THE WATERS OF LAKE WORTH; THENCE N00°12'38"E ALONG THE WATERS OF LAKE WORTH
FOR A DISTANCE OF 285.13 FEET; THENCE N90°00'00"E 104.17 FEET TO THE WEST RIGHT OF
WAY LINE OF LAKE DRIVE AS DESCRIBED IN OFFICIAL RECORDS BOOK 7151 AT PAGES 617
THROUGH 619, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THENCE
S00°00'53"E ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 122.36 FEET; THENCE
N89°59'13"E FOR 7.85 FEET TO THE EAST RIGHT OF WAY LINE OF LAKE DRIVE AS DESCRIBED
IN OFFICIAL RECORDS BOOK 469 AT PAGES 230 THROUGH 235 OF THE PUBLIC RECORDS OF
PALM BEACH COUNTY, FLORIDA; THENCE S00°53'16"W FOR 162.79 FEET TO THE POINT OF
BEGINNING.

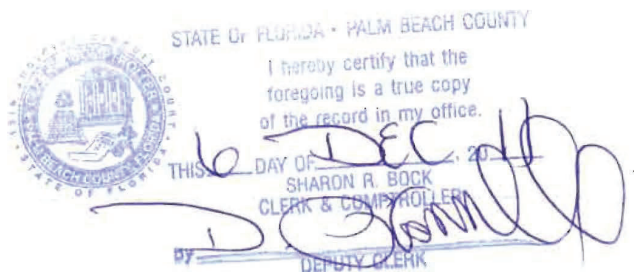
SAID PARCEL BEING IN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA.

PARCEL 7:

LEGAL DESCRIPTION FOR PCN 50-43-43-23-05-021-0031

(THE JOHN E. ROVENSKY BUILDING)

THE SOUTH 145 FEET OF THE WEST 47 FEET OF LOT 3 AND THE EAST 43 FEET OF LOT 2,
BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 4, PAGE 1 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA.



CFN 20110358424
OR BK 24762 PG 1457
RECORDED 09/26/2011 16:11:50
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1457 - 1467; (11pgs)

DECLARATION OF USE AGREEMENT

by

THE TOWN OF PALM BEACH

and

THE SOCIETY OF THE FOUR ARTS, INC.

August 2011

Prepared by and return to:
Harvey E. Oyer III, Esq.
Shutts & Bowen LLP
Okeechobee Blvd., Suite 1500
West Palm Beach, FL 33401
(561) 650-8517

WPBDOCS 7945313 5

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DECLARATION OF USE AGREEMENT

THIS DECLARATION OF USE AGREEMENT ("Agreement") is made and entered into this 16 day of September, 2011 by and between the TOWN OF PALM BEACH, a Florida municipal corporation, whose address is 360 South County Road, Palm Beach, Florida 33480 (hereinafter called the "Town"); and THE SOCIETY OF THE FOURS ARTS, INC. a Florida corporation, whose address is 2 Four Arts Plaza, Palm Beach, Florida 33480 (hereinafter called "Owner"), which terms "Town" and "Owner" will include and bind the successors and assigns of the parties, wherever the context so requires.

WITNESSETH:

WHEREAS, the land described in Exhibit "A" attached hereto and all improvements located thereon (hereinafter referred to as the "Property") is located within the municipal limits of the Town; and

WHEREAS, title to the Property is held by Owner; and

WHEREAS, the Property is located in the R-B zoning district; and

WHEREAS, the use of the Property for non-profit cultural purposes is a special exception use in the R-B zoning district and all necessary approvals have been granted by the Town for the Owner to use the Property for non-profit cultural purposes; and

WHEREAS, the Town Council approved Special Exception No. 19-2011 with Site Plan Review and Variance on July 13, 2011 (collectively hereinafter referred to as the "Site Plan"), which approved the re-development of the Property, which is commonly known as the old public school site and the surface parking lot adjacent thereto, for use as the Fitz Eugene Dixon Education Building subject to the conditions set forth herein and the approval of this Agreement, and on the basis of the Owner's application, the testimony on behalf of the Owner, and the specific finding of the Town Council that the approval of the Site Plan is in compliance with said conditions and upon a finding of the Town Council that the applicable provisions of the Town Code governing the use of the Property and the Site Plan criteria have been met; and

WHEREAS, in approving the Site Plan, the conditions of approval reflected herein are imposed in order to regulate the use, mitigate any adverse impacts of the use, as well as to insure that said use shall not be adverse to the public interest; and

WHEREAS, all of the representations made herein are true and accurate and the approval of the Site Plan is conditioned upon the representations made herein and all of the conditions herein imposed.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by both parties, the parties agree as follows:

WPBDOCS 7945313 5

ARTICLE I
RECITALS

The Recitals set forth above are true and correct and are incorporated herein and made a part hereof by this reference.

ARTICLE II
REPRESENTATION OF OWNERSHIP

Owner has full right to enter into this Agreement and to bind the Property and itself to the terms hereof. There are no covenants, restrictions, or reservations of record that will prevent the use of the Property in accordance with the terms and conditions of this Agreement. No consent to execution, delivery and performance hereunder is required from any person, partner, limited partner, creditor, investor, judicial or administrative body, governmental authority or other party other than any such consent which already has been unconditionally given or referenced herein. Neither the execution of this Agreement nor the consummation of the transactions contemplated hereby will violate any restriction, court order or agreement to which Owner or the Property are subject.

ARTICLE III
NON-PROFIT CULTURAL USE

The use of the Property shall be for non-profit cultural purposes in compliance with all of the information and exhibits, and not inconsistent with the terms and conditions set forth herein, as set forth in the application submitted to the Town in the Site Plan as approved by Town Council on July 13, 2011 (hereinafter referred to as the "Approval"). The Approval is subject to that provision of the Town Code which provides that no subsequent deviation may be made from the application as approved by the Town Council except upon an application to and approval by the Town Council. Any additional or different uses of the Property than permitted by the Approval shall be subject to approval by the applicable governmental authority including, but not limited to, the Town Council of the Town and the Landmarks Preservation Commission of the Town.

ARTICLE IV
CONDITIONS

1. Owner shall not schedule any event in the theater (the old school gymnasium) or in the 700 seat auditorium located in the Esther O'Keefe Building to either begin or end at the same time as the normal drop-off or pick-up times of the Palm Beach Public Elementary School located at 239 Coconut Row.
2. Owner shall not schedule events in the theater (the old school gymnasium) and in the 700 seat auditorium located in the Esther O'Keefe Building to occur at the same time.
3. Owner shall only be permitted to use valet parking twice per calendar year at the Property.

4. Owner shall use its best efforts to underground all of the east-west overhead utility lines located between the old public school building and the existing sculpture garden.

5. For any event held at the Property with more than two hundred fifty (250) people in attendance, Owner shall provide a sufficient number of trained personnel to direct traffic both prior to and after said event.

6. The proposed south side driveway on the Property shall normally function as one-way, westbound. Owner shall be required to reverse traffic flow to one-way, eastbound at the conclusion of events held on the Property with greater than two hundred fifty (250) people in attendance. At least one trained traffic person shall be stationed at the corner of the south side driveway and Coconut Row to direct traffic at such times when the traffic flow is reversed to one-way, eastbound.

7. Owner shall maintain in perpetuity the new landscaping to be placed on the north side of the new courtyard on the north side of the proposed education building.

8. Owner shall provide to the Town a certificate of compliance on or before October 1st of each year.

ARTICLE V VOLUNTARY AGREEMENT

Owner agrees to be bound by the terms and conditions in this Agreement, and Owner waives any legal objection it might otherwise have to said terms and conditions or parts thereof.

ARTICLE VI REMEDIES FOR VIOLATION

1. Upon determination by the Director of the Planning, Zoning and Building Department ("Director") of a violation of any of the terms or conditions of this Agreement or any other provision in the Town Code of Ordinances, and upon notice in writing from the Town to Owner or Owner's representative of said violation(s) and the date by which said violations(s) shall be corrected, Owner or Owner's successor or assigns shall pay to the Town a liquidated amount of \$2,000 per violation. Said liquidated amount shall accrue on a per day basis for each day a violation of this Agreement exists. In addition, in the event a violation remains uncorrected beyond the date noticed for correction by the Director, this Agreement may be reconsidered by the Town Council at a future meeting upon thirty (30) days notification to the Owner. The Town Council may, upon a finding of violation, alter this Agreement or rescind the approval of the use.

2. In the event Owner disputes the determination of the Director of the violation of the conditions of this Agreement, or in the event the Owner disputes any code violation, Owner may appeal the determination of the Director to the Town Council, said appeal to be filed no later than fifteen (15) days after the written notice of determination by the Director.

3. In addition to the above, the Town shall have all remedies available at law and equity in order to enforce the terms of this Agreement including but not limited to (a) the Town's

code enforcement procedures; (b) all remedies otherwise offered in the Town's Code of Ordinances; and (c) injunction, specific performance, and any and all other equitable relief through the civil courts in and for Palm Beach County for the State of Florida. In the event the Town is required to seek injunctive relief, it shall not be required to post bond and it shall not be required to demonstrate irreparable harm or injury to secure an injunction to enforce the terms of this Agreement. Additionally, in the event of any breach, default or non performance of this Agreement, or any of its covenants, agreements, terms or conditions, the Town shall be entitled to recover its costs, expenses and reasonable attorney's fees insofar as the Town prevails, either before or as a result of litigation, including appeals.

ARTICLE VII
PROVISIONS TO RUN WITH PROPERTY/RECORDING

This Agreement shall run with the Property and shall be binding upon the Owner and its successors and assigns. This Agreement shall be recorded by the Town in the Official Records of Palm Beach County, Florida upon full execution by the parties hereto.

ARTICLE VIII
ENTIRE AGREEMENT

This Agreement represents the entire agreement between the parties as to its subject matter and it may not be amended except by written agreement executed by both parties.

ARTICLE IX
EFFECTIVE DATE

The Effective Date of this Agreement shall be the day upon which this Agreement is executed by the last party to sign the Agreement.

ARTICLE X
MISCELLANEOUS

Wherever the word "laws" appears in this Agreement, it shall be deemed to include all ordinances, rules and regulations as well as laws of the appropriate governmental authorities.

This Agreement may not be amended except by written instrument signed by all parties hereto.

Paragraph headings are inserted for convenience only and shall not be read to enlarge, construe, restrict or modify the provisions hereof. All references to numbered or lettered paragraphs, subparagraphs and exhibits refer (unless the context indicates otherwise) to paragraphs and subparagraphs of this Agreement and to exhibits attached hereto, which exhibits are by this reference made a part hereof.

In the event of the invalidity of any provision of this Agreement, same shall be deemed stricken herefrom and this Agreement shall continue in full force and effect as if such invalid provision were never a part hereof.

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first above.

Signed, sealed and delivered
in the presence of:

Cheyl Bleen
Anne Doyle

Pat [unclear]
John [unclear]

Cheyl Bleen
Anne Doyle

TOWN OF PALM BEACH

By: Gail L. Coniglio
Gail Coniglio, Mayor

By: David Rosow
David Rosow, President
Town Council

By: Peter B. Elwell
Peter B. Elwell
Town Manager

The Society of the Four Arts, Inc.,
a Florida not-for-profit corporation

Heather L. Henry
Chairman

By: Patrick Henry
Name: PATRICK HENRY
Its: CHAIRMAN

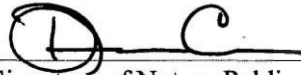
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 16th day of September 2011, by Gail Coniglio, the Mayor of the Town of Palm Beach, a Florida municipal corporation, on behalf of the corporation. She is personally known to me and she did not take an oath.



Denise Carmona
COMMISSION #DD809560
EXPIRES: JULY 29, 2012
WWW.AARONNOTARY.COM



Signature of Notary Public

Denise Carmona

Printed Name of Notary Public

Commission Expires: July 29, 2012

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 14th day of September 2011, by David Rosow, the President of the Town of Palm Beach, a Florida municipal corporation, on behalf of the corporation. He is personally known to me and he did not take an oath.



Denise Carmona
COMMISSION #DD809560
EXPIRES: JULY 29, 2012
WWW.AARONNOTARY.COM



Signature of Notary Public

Denise Carmona

Printed Name of Notary Public

Commission Expires: July 29, 2012

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 16th day of September 2011, by Peter B. Elwell, the Town Manager of the Town of Palm Beach, a Florida municipal corporation, on behalf of the corporation. He is personally known to me and he did not take an oath.



Signature of Notary Public



Denise Carmona
COMMISSION #DD809560
EXPIRES: JULY 29, 2012
WWW.AARONNOTARY.COM

Denise Carmona

Printed Name of Notary Public

Commission Expires: July 29, 2012

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 26th day of AUGUST 2011, by PATRICK HENRY, the CHAIRMAN of The Society of The Four Arts, Inc., a Florida not-for-profit corporation, on behalf of the corporation, who is personally known to me or produced _____ as identification and did not take an oath.



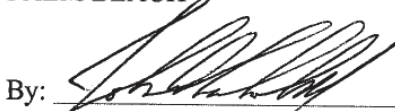
Signature of Notary Public



Printed Name of Notary Public

Commission Expires: _____

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE TOWN OF
PALM BEACH

By: 
John C. Randolph, Esquire

RECOMMEND APPROVAL:

9/14/11

Paul Castro, AICP
Zoning Administrator

EXHIBIT "A"

LEGAL DESCRIPTION

A PORTION OF GOVERNMENT LOT 3, LYING WITHIN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, LOTS 1, 2, 5, 6, A PORTION OF LOTS 3, 4, AND 7, BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(PART ONE)

BEGIN AT THE NORTHEAST CORNER OF LOT 7 BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, THENCE S00°00'00"W ALONG THE EAST LINE OF SAID LOT 7, SAID EAST LINE BEING COINCIDENT WITH THE WEST RIGHT OF WAY LINE OF COCOANUT ROW FOR A DISTANCE OF 275.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, SAID CURVE DESCRIBED IN OFFICIAL RECORDS BOOK 1901, PAGE 188; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 23.56 FEET; THENCE N90°00'00"W ALONG THE NORTH RIGHT OF WAY LINE OF ROYAL PALM WAY AS SHOWN ON THE SAID PLAT OF REVISED MAP OF ROYAL PARK ADDITION FOR A DISTANCE OF 373.90 FEET; THENCE N00°00'00"E ALONG THE EAST RIGHT OF WAY LINE OF FOUR ARTS PLAZA (FORMERLY CEIBA AVENUE), SAID EAST RIGHT OF WAY LINE BEING PARALLEL WITH AND 3.00 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF LOT 4 OF SAID BLOCK "A" FOR A DISTANCE OF 437.81 FEET; THENCE S90°00'00"E ALONG THE SOUTH RIGHT OF WAY LINE OF SEA VIEW AVENUE AS SHOWN ON THE PLAT OF POINCIANA PARK 3RD ADDITION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 73 FOR A DISTANCE OF 179.53 FEET; THENCE S00°00'00"W FOR A DISTANCE OF 147.81 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK "A"; THENCE S90°00'00"E ALONG THE NORTH LINE OF SAID BLOCK "A" FOR A DISTANCE OF 209.40 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH THE PARCEL OF LAND:

BEGINNING AT THE SOUTHWEST CORNER OF SEAVIEW AVENUE AND COCOANUT ROW IN SECTION 22, TOWNSHIP 43 SOUTH, OF RANGE 43 EAST, AS SHOWN ON PLAT OF POINCIANA PARK, 3RD ADDITION, FILED IN PLAT BOOK 8 AT PAGE 72, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SEAVIEW AVENUE, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTHERLY MAKING AN ANGLE OF 90 DEGREES WITH THE SOUTH LINE OF SAID SEAVIEW AVENUE, A DISTANCE OF 147.62 FEET TO A POINT IN THE NORTH LINE OF BLOCK "A" OF ROYAL PARK, ACCORDING TO THE PLAT OF ROYAL PARK ON FILE IN

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PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE EASTERLY ALONG THE NORTH LINE OF SAID BLOCK "A" OF ROYAL PARK, A DISTANCE OF 219.41 FEET, MORE OR LESS, TO A POINT IN THE WEST LINE OF SAID COCOANUT ROW, AS NOW LAID OUT AND IN USE; THENCE NORTHERLY ALONG THE WEST LINE OF SAID COCOANUT ROW AND MAKING AN ANGLE WITH THE NORTH LINE OF SAID BLOCK "A", OF 90 DEGREES, A DISTANCE OF ONE (1) FOOT TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT; THENCE CONTINUING NORTHERLY ALONG SAID CURVE TO THE LEFT, RADIUS OF WHICH IS 217.83 FEET, A DISTANCE OF 61.27 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT; THENCE CONTINUING NORTHERLY ALONG SAID CURVE TO THE RIGHT, RADIUS OF WHICH IS 276.17 FEET, A DISTANCE OF 77.68 FEET TO A POINT, SAID POINT BEING THE POINT OF TANGENCY OF SAID CURVE; THENCE CONTINUE NORTHERLY ALONG TANGENT TO SAID CURVE, A DISTANCE OF 9.51 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING: BEING A TRACT OF LAND IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, TOWN OF PALM BEACH, PALM BEACH COUNTY FLORIDA, BOUNDED IN THE EAST BY THE WESTERLY RIGHT-OF-WAY OF COCOANUT ROW, AS NOW LAID OUT AND IN USE, BOUNDED IN THE SOUTH BY THE NORTH LINE OF BLOCK "A", ROYAL PARK ADDITION TO PALM BEACH, AS RECORDED IN PLAT BOOK 4, PAGE 1, SHEET 1 OF 2, PALM BEACH COUNTY, PUBLIC RECORDS AND BOUNDED IN THE WEST BY A LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK "A", OF SAID ROYAL PARK ADDITION, TURN AN ANGLE OF 85 DEGREES 53 MINUTES 40 SECONDS MEASURED FROM WEST ALONG THE NORTH LINE OF SAID BLOCK A, TO THE NORTH AND RUN FOR A DISTANCE OF 128.20 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID COCOANUT ROW.

EXHIBIT B

Society of the Four Arts Narrative



BACKGROUND

The Society of the Four Arts is a non-profit cultural organization founded in 1934 (as the Civic Arts Association, renamed in January 1936 as The Society of the Four Arts).

Its mission is “to enrich, inspire and engage the Palm Beach County community, enhancing the quality of our lives through educational and cultural programs in art, music, drama, literature, historical and current affairs.”

Each year, The Four Arts offers several hundred lectures, concerts, art exhibits, workshops and life-learning classes, films, documentaries, and HD screenings (opera, theater), children’s activities, book discussions and presentations, life-learning classes and seminars from November through April. Library programs are year-round.

The 10-acre campus along the Intracoastal Waterway in Palm Beach includes two performance halls, an exhibition gallery, an education center, the Town library, a children’s library, and sculpture and botanical gardens.

The Esther B. O’Keeffe Gallery Building, designed by Addison Mizner in the 1920s as the Embassy Club, and remodeled as a venue for The Four Arts in the 1940s by John Volk, is home to an exhibition gallery and to the 710-seat Gubelmann Auditorium. The auditorium hosts the O’Keeffe Speaker series and other lectures, live music performances, feature films, and live broadcasts of the Metropolitan Opera and of the National Theatre of London.

The Four Arts’ newest facility, the Dixon Education Building, is home to ‘Campus on the Lake’ cultural education programs. The building dates from the 1920s and was part of Palm Beach’s public school. In 2013 the building was renovated and revitalized by The Four Arts, preserving the facility’s landmarked exterior while modernizing the interior for 21st-century learning. With classrooms, a 240-seat auditorium, an art studio and an apartment for visiting artists, the Dixon Education Building serves as Palm Beach’s home for lifelong learning.

The Four Arts’ King Library houses more than 70,000 publications, periodicals, DVDs and other media. Book discussion groups take place several times a month and are open to the public at no charge. The library serves as the town library for Palm Beach.

Located in the Rovensky Building, the Children’s Library invites children and families to borrow books and use computers free of charge. A story time program is offered twice weekly, and special events for children of all ages are offered throughout the year. Children participate in games and crafts to complement the story-time theme of the day. All Children’s Library programs are free.

The Four Arts’ Demonstration Garden was designed in 1938 by The Garden Club of Palm Beach to assist new arrivals to the town struggling with gardening in the state’s sub-tropical climate. The seven gardens illustrate different styles of landscaping. They are maintained by the Garden Club to this day.

Adjacent to the Demonstration Garden is the Philip Hultar Sculpture Garden, which showcases modern sculpture in an architect-designed park. With welcoming pergolas and the Pannill Pavilion, the Sculpture Garden has become a destination for visitors to South Florida.

The Rovensky Administration Building (once the Embassy Apartments), like the O’Keeffe Building, was designed by Addison Mizner in the 1920s and radically altered by John Volk in the 1940s. It was adapted for The Four Arts in the mid 1990s and houses staff offices, the Garden Club office, two committee rooms as well as the Children’s Library.

THE PROJECT GOALS – SUMMARY

After the successful conversion of the Fitz Eugene Dixon Building as a home to ‘Campus on the Lake’ (2012) and after the glowing restoration of the Gioconda and Joseph King Library (2018), The Four Arts has recognized what is plain for all to see—that the Rovensky and O’Keeffe buildings, each approaching 100 years of age and neither designed for the functions it now tries to fulfill, poorly serve the needs of The Four Arts—are, in a phrase, *not fit for purpose*.

The wishes of the Trustees of The Four Arts are:

- To seek a new, safe location for the **Children’s Library**, currently on the second floor of the **Rovensky Building**, with the aid of a new building.
- To upgrade the **Gubelmann auditorium** in the O’Keeffe building and create backstage and support areas that do not currently exist.
- To upgrade the **exhibition galleries** in the O’Keeffe building and create support areas that do not currently exist.
- To enhance the **visitor experience** in the O’Keeffe building (access, circulation, lighting, air-conditioning, acoustics, box office, restrooms, etc.).
- To re-configure the interior of the Rovensky Building better to accommodate **offices and meeting rooms**.
- To create an identity for the anonymous, dispersive and difficult-to-navigate **10-acre Campus** by means of landscaping, signage, wayfinding and lighting.

THE PROJECT GOALS – IN MORE DETAIL

The **Children’s Library** is not a safe place. Occupying apartments that once filled the second floor of the Rovensky Building, it is up steep stairs in an old building made largely of dry wood covered by plaster. It is, in the event of a fire, a scenario for tragedy.

Furthermore, access to the Library is shared with all visitors to the building. It is possible to use the elevator unseen by the receptionist and enter the Library directly.

These two unnerving risks are the principal motives for seeking a new Children’s Library.

A third flaw consists in the fact that crowded children’s programs fill the main reading room and render the Library itself, including the Circulation Desk, virtually inaccessible to other users.

An expanded ground floor Children’s Library, with dedicated spaces for programs (readings, crafts, book discussions) and with its own secure entrance, solves all three considerations, and provides Palm Beach with a modernized, first-class facility.

The Gubelmann Auditorium lacks a backstage. John Volk himself was aware of this and made efforts to rectify it in the 1950s. Almost comically, this means that to exit the stage from one side and re-enter from the other requires leaving the building altogether – unpleasant in the event of rain.

There are no changing rooms nor showers for performers; only one inadequate green room; no permanent place for the acoustic shell for concerts (mounted manually and hazardously for each performance), nor for instruments, music stands and technology (sound and lighting equipment); nowhere for artists to eat between rehearsal and performance, no editing room and no loading dock (heavy instruments must be struggled in, up the stairs and around corners).

The auditorium itself has good acoustics. They can nevertheless be enhanced by 21st-century technology (including assisted listening) and rendered adaptable for the varied uses of the auditorium: lecture, film, live music.

The hall is compromised by background noise from air-conditioning and by the lack of light and sound locks to prevent noise and light pollution from the adjacent lobby—its noisy box office and bathrooms.

The seating is on a too-shallow rake that inhibits the view of the stage, and even of sub-titles.

The audience can cross from one side to the other only by exiting and re-entering from the lobby.

The auditorium has a musty 1940s appearance, including (according to the more sensitive noses) a pervasive odor of mold.

The goal is to create a first-class performing arts center, with enhanced conditions for the audience and proper facilities for performers.

The haphazard adaptation in the past of the Club to concert and lecture hall means that the production staff, in order to journey from the project room high at the back of the auditorium to the stage at the west end, negotiate several times a day a sequence of narrow stairs, a catwalk, an office, the lobby and the full length of the exterior building. The project creates, on the second floor, a direct passage from one end of the auditorium to the other, flanked by duct work to deliver silent air-conditioning to the hall.

This necessity has provoked the design of covered exterior colonnades on the ground floor on the north side, which alleviate a different problem: the over-crowded **Lobby**. Participants in events will be able to spill into the colonnade, sheltered from rain and sun, at those times when the lobby, which serves both the auditorium and the exhibition galleries, is crowded.

This purpose, that of alleviating the pressure of people, is also served by relocating the box office to its own space as part of *a general improvement of public services*, the most obvious of which is to double the number of restrooms—currently too few and antiquated.

The **Exhibition galleries** are four in number. Two small ones are on a lower level, with different floors and walls, and require that visitors retrace their steps to the main galleries. This is not as it should be.

The main galleries have shabby and old fabric coverings.

Two former galleries now serve for exhibition storage (crates, vitrines).

The lighting, climate control, security and fire safety systems are clumsily conspicuous and inadequate.

There are no receiving, preparation and conservation areas. Embarrassingly, works of art are delivered through the Buildings and Grounds workshop and storage facility, where a small improvised and insecure picture storage room is also located.

Two apartments (one still in use), with active plumbing, are located on the second story, with corresponding risk of flooding of the galleries below.

A fundamental and crucial goal of the project is to locate both the Buildings and Grounds facility and the residence elsewhere on the Campus.

The overall goal is to create for the first time a museum standard facility for the exhibition and stewardship of art (both that of The Four Arts' own collection and of incoming loans).

The **Rovensky Administration building**, in addition to hosting the expanded Children's Library on its first floor, requires a 3rd floor apartment for the use of the Buildings and Grounds director (thus resolving one of the issues of the exhibition gallery) whose 24-hour presence on Campus benefits security.

The 3rd floor is planned to host a sorely needed and capacious meeting room for **the Garden Club**, as well as a more commodious office.

Four Arts Board of Trustee meetings currently necessitate the closure of the 2nd floor of the King Library. A dedicated Board Room on the 3rd floor of the new building would eliminate this anomaly.

The **administration offices** (executive, development/membership, finance, marketing and programming) are currently dispersed over three floors (1st, 3rd and a mezzanine) and have no meeting rooms, with a consequent effect of dysfunctionality in internal communications. By unifying the offices and meeting rooms on a single floor, the Four Arts can streamline the efficiency of its operations.

The Campus may be compared to a citadel. It is hard to know where the entry points are. Each building is facing in a different direction from every other; signage is minimal; the Children's Library is concealed behind a corporate style façade; the two main venues for programs are at remote ends of the Campus. To travel from the O'Keeffe building to the Dixon building involves a sequence of curbstones, lawns, sidewalks, parking lots, roads and even puddles. Newcomers do not know where to go and the Campus has no distinguishing marks as a cultural hub.

The introduction of distinctive landscaping, wayfinding and other signage, added to the O'Keeffe colonnades and a conspicuous Mall-facing entrance to the Children's Library, will create an identity, with an aura of culture and education, for the first time for The Society of the Four Arts.

October 2023

EXHIBIT C

Lake Trail Right-of-Way Dedication.

Prepared by and return to:

Harvey E. Oyer III, Esq.
Shutts & Bowen, LLP
525 Okeechobee Boulevard, Suite 1100
West Palm Beach, FL 33401

AGREEMENT REGARDING DEDICATION OF RIGHT-OF-WAY

THIS AGREEMENT REGARDING DEDICATION OF RIGHT-OF-WAY (this “**Agreement**”) is made as of JUNE 14, 2023 by and between **THE SOCIETY OF THE FOUR ARTS, INC.**, a Florida not-for-profit corporation (“**Four Arts**”) with an address at 100 Four Arts Plaza, Palm Beach, FL 33480, and the **TOWN OF PALM BEACH**, a municipality of the State of Florida (the “**Town**”), with an address at 360 South County Road, Palm Beach, Florida 33480.

WHEREAS, Four Arts previously recorded that certain Dedication and Grant of Road Right-of-Way in Official Records Book 7151, Page 617, of the Public Records of Palm Beach County, Florida (the “**Original Dedication**”), for the intended purpose of granting the Town an easement over the real property legally described therein (the “**Property**”) for the purpose of establishing a road right-of-way easement with respect to Lake Trail; and

WHEREAS, Four Arts and the Town wish to enter into and record this Agreement for the purposes of clarifying the intended nature of the rights granted to the Town under of the Original Dedication, and to give legal effect to the same to the extent necessary.

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00), the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.
2. **Intended Nature of Dedication.** Four Arts and the Town acknowledge and agree that the rights intended to be conveyed to, and accepted by, the Town under the Original Dedication were intended to create an easement rather than acting as a conveyance of fee simple title to the Property. Accordingly, and for avoidance of doubt, the Original Dedication shall be construed to operate as the grant of an easement by Four Arts to the Town over the Property for the purpose of a road right-of-way easement for Lake Trail (the “**Easement**”), with Four Arts remaining as the fee simple owner of the Property. In furtherance of the foregoing, the Town hereby quit claims unto Four Arts and its heirs, successors, and assigns forever, all of the right, title, interest, claim, and demand which the Town has in and to the Property (if any) except for the Easement as described herein, and abandons and disclaims any and all dedications or other interests it may have in and to the Property except for the Easement.
3. **Modifications to Easement.** The Easement over the Property shall not be relocated or otherwise modified without the express written consent of both the Four Arts and the Town, or their respective successors or assigns.

4. **Covenants Running with the Land.** The provisions of this Agreement and the rights and covenants contained herein shall run with the land, and shall inure to the benefit of, and be binding upon, the parties hereto and their respective successors and assigns.

5. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.

6. **Entire Agreement.** This Agreement contains the entire agreement between Four Arts and the Town relating to the matters addressed herein.

7. **Severability.** If any clause, sentence, or other portion of this Agreement shall become illegal, null, or void for any reason, or shall be held by any court of competent jurisdiction to be so, the remaining portions thereof shall remain in full force and effect.

8. **Amendment.** This Agreement may only be amended by written agreement of the parties hereto, or their respective successors or assigns.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Four Arts and the Town have executed this Agreement as of the date set forth above.

Signed, sealed and delivered in
the presence of:

THE SOCIETY OF THE FOUR ARTS, INC.,
a Florida not-for-profit corporation

Witness: Tricia Laino
Print Name: Tricia Laino

By: [Signature]
Name: RANDOLPH GUTHRIE
Title: CHAIRMAN

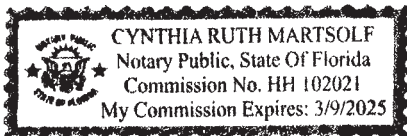
Witness: [Signature]
Print Name: Eronda Paisley

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14 day of JUNE, 2023, by RANDOLPH GUTHRIE, as CHAIRMAN of **THE SOCIETY OF THE FOUR ARTS, INC.**, a Florida not-for-profit corporation, on behalf of the corporation, who ☒ is personally known to me or ☐ has produced as identification.

[OFFICIAL NOTARIAL SEAL]



By: [Signature]
Print Name: CYNTHIA MARTSOLF
Notary Public, State of FLORIDA
My Commission Number: HH102021
My Commission Expires: 03/09/2025

Signed, sealed, and delivered in the
presence of:

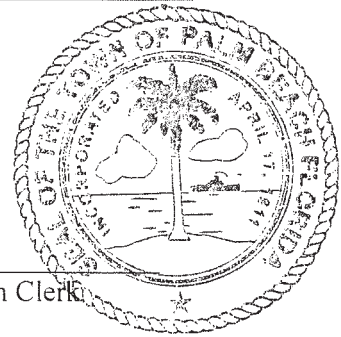
TOWN OF PALM BEACH,
a municipality of the State of Florida

Witness: Jess Sledge
Print Name: Jess Sledge

Kirk Blouin
Kirk Blouin, Town Manager

Witness: Sabarah Jones
Print Name: Sabarah Jones

ATTEST:
Pat Gayle-Gordon
Pat Gayle-Gordon, Deputy Town Clerk



STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 16 day of June, 2023, by Kirk Blouin, the Town Manager, and
Pat Gayle-Gordon, as Deputy Town Clerk, respectively, of the TOWN OF PALM BEACH, a
municipality of the State of Florida, on behalf of such municipality, who ☒ is personally known to me or
☐ has produced _____ as identification.

[OFFICIAL NOTARIAL SEAL]



By: Katherine Declaire
Print Name: Katherine Declaire
Notary Public, State of Florida
My Commission Number: HH 394026
My Commission Expires: May 3, 2027

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

John C. Randolph
John C. Randolph, Town Attorney

EXHIBIT D

Parking Requirement Report



MEMORANDUM

To: Dr. Phillip Rylands

From: Christopher W. Heggen, P.E.
Kimley-Horn and Associates, Inc.

Date: August 7, 2024
Revised September 20, 2024
Revised January 6, 2025

**Subject: Society of the Four Arts – Parking Requirements Evaluation
Palm Beach, FL
Kimley-Horn #245350000**

Kimley-Horn and Associates, Inc. has prepared evaluations to review anticipated parking supply needs for potential changes to the Society of the Four Arts campus, located north of Royal Palm Way and west of Cocoanut Row in the Town of Palm Beach. Florida. **Figure 1** illustrates the campus boundary. The general location and configuration of existing parking is shown in **Figure 2**.

The parking requirements for the site were calculated using the requirements listed in the Town of Palm Beach Code of Ordinances. In this Code of Ordinances, the information for parking requirements can be found in Chapter 134- Zoning, Article IX- Off-Street Parking and Loading. **Table 1** below summarizes this information.

Existing and Proposed Campus Uses

Multiple land uses are included on the Society of the Four Arts campus. These land uses include a theater, professional offices, a museum, and a library. **Table 1** below lists the existing and proposed land uses within the site and the related Town of Palm Beach parking requirements for each use.

Table 1 – Use and Town Code Requirements

Land Use	Spaces Required Per Unit
Theater	One per four permanent seats in the main auditorium
Professional Office	One per 250 square feet of gross leasable area (GLA)
Museum	One per 500 square feet
Library	One per 500 square feet

Information sourced from *Palm Beach Code of Ordinances, Chapter 134, Article IX.*

Table 2 below identifies the existing land uses within the Society of the Four Arts site and the code requirements as stated in the Town of Palm Beach Code of Ordinances, Chapter 134, Article IX. This table also lists the existing intensity for each land use and the total overall parking needed for each individual land use and the entire site. Overall, a total of 268 parking spaces would be needed for the existing intensity.

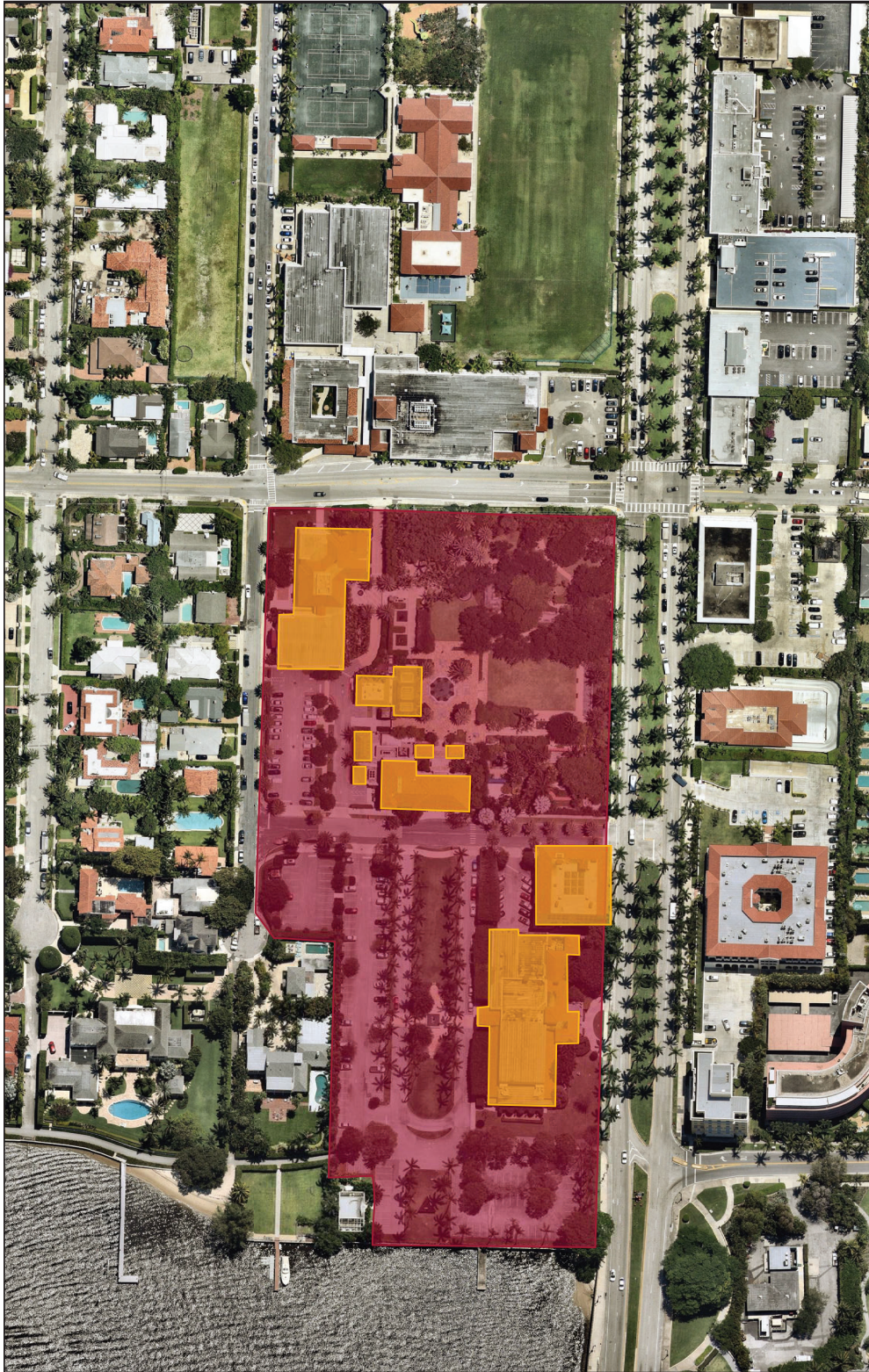
Table 2 – Existing Parking

Land Use	Code Requirements	Existing Intensity	Total Parking Spaces
Theater	1 per 4 seats	714 seats	179 parking spaces
Professional Office	4 per 1,000 SF	17,035 SF	68 parking spaces
Museum	2 per 1,000 SF	5,475 SF	11 parking spaces
Library	2 per 1,000 SF	4,812 SF	10 parking spaces
Total			268 parking spaces

Table 3 below evaluates the proposed updated development program for the Society of the Four Arts site and the code requirements as stated in the Town of Palm Beach Code of Ordinances, Chapter 134, Article IX. Overall, with the new proposed development program for the campus, an overall total of 315 parking spaces would be needed for the site only based upon code requirements.

Table 3 – Proposed Parking

Land Use	Code Requirements	Proposed Intensity	Total Parking Spaces
Theater	1 per 4 seats	656 seats	164 parking spaces
Professional Office	4 per 1,000 SF	31,114 SF	125 parking spaces
Museum	2 per 1,000 SF	5,002 SF	10 parking spaces
Library	2 per 1,000 SF	7,886 SF	16 parking spaces
Total			315 parking spaces



LEGEND

- Site Location
- Existing Buildings
- Existing Crosswalks
- Proposed Crosswalks
- Bridge Connection
- Crosswalks to be Removed

FIGURE 1

Society For The Four Arts
KH #245350000
Existing Buildings

Kimley»Horn

Variance from Town Code Parking Requirements

The Society of the Four Arts campus is a unique site within the Town of Palm Beach that serves a function that is different from any other uses within the Town and, as such, does not directly match with the Town Code categories that have been applied in the initial determination of parking requirements. As such, the site will require a variance from Town Code standards. In support of that variance, the actual parking needs for the site have been calculated using an alternate methodology. In this case, the parking needs for the site were calculated using Town of Palm Beach Code parking requirements in combination with shared parking principles, recognizing that different use components within the campus experience their peak parking demands at different times of the day. Therefore, the evaluations that were undertaken included adjustments to reflect hourly variation in demand as well as differences in weekday and weekend parking demand needs. These adjustments were based upon data published by the Urban Land Institute (ULI) in *Shared Parking, Third Edition*. Following is a summary of the results of this evaluation.

Table 4 provides a summary of the ULI-published data to determine the percent of total parking needs represented by visitor parking demand and by employee parking demand. These factors are published in Table 2-2 of ULI's *Shared Parking, Third Edition*. This is used in subsequent calculations to determine the specific parking ratios needed for employees and for visitors.

Table 4 – Percent of Parking Demand for Visitors vs. Employees, by Use

Land Use	Component	Weekday		Weekend	
		Parking Ratio	Percentage	Parking Ratio	Percentage
Theater	Visitor	0.30 per seat	81%	0.33 per seat	83%
	Employee	0.07 per seat	19%	0.07 per seat	18%
	Total	0.37 per seat		0.40 per seat	
Professional Office	Visitor	0.30 per 1000 SF	8%	0.03 per 1000 SF	8%
	Employee	3.50 per 1000 SF	92%	0.35 per 1000 SF	92%
	Total	3.80 per 1000 SF		0.38 per 1000 SF	
Museum	Visitor	4.00 per 1000 SF	91%	4.50 per 1000 SF	90%
	Employee	0.40 per 1000 SF	9%	0.50 per 1000 SF	10%
	Total	4.40 per 1000 SF		5.00 per 1000 SF	
Library	Visitor	2.00 per 1000 SF	89%	1.90 per 1000 SF	49%
	Employee	0.25 per 1000 SF	11%	2.00 per 1000 SF	51%
	Total	2.25 per 1000 SF		3.90 per 1000 SF	

Note that the site will retain one residential unit on the campus; during daytime hours, the parking associated with this unit is assumed to be counted as office parking and is not separately included in the analysis undertaken.

Existing Campus Parking Needs

Baseline parking needs calculations were then undertaken for the existing uses on campus for both weekday and weekend conditions. **Table 5** determines the parking requirements for visitors and employees for each use by applying the visitor/employee ratios identified in **Table 4** above to the parking ratios defined in Section 134-2176 of the Town's Code of Ordinances. Using the Town's Code and applying ULI adjustments in demand for weekday vs. weekend conditions, as shown in **Table 5**, a total of 247.7 parking spaces would be required on a weekday and 213.0 parking spaces would be required on a weekend if no consideration is made for time-of-day variations in parking needs.

TABLE 5 - Baseline Parking Determination Based on the Parking for the Existing Land Uses
Parking Ratios, Town of Palm Beach Code Of Ordinances

Land Use	Intensity	Weekday				Weekend			
		Total Parking Ratio	Component	Parking Ratio ³	Supply Required	Total Parking Ratio	Component	Parking Ratio ³	Supply Required
Theater	714 seats	0.23 per seat ¹	Visitor	0.19 per 1000 SF	135.7 spaces	0.25 per 1000 SF	Visitor	0.21 per 1000 SF	149.9 spaces
			Employee	0.04 per 1000 SF	28.6 spaces		Employee	0.05 per 1000 SF	35.7 spaces
Professional Office	17,035 SF	4.00 per 1000 SF	Visitor	0.32 per 1000 SF	5.5 spaces 5	0.40 per 1000 SF ²	Visitor	0.03 per 1000 SF	0.5 spaces
			Employee	3.68 per 1000 SF	62.7 spaces 5		Employee	0.37 per 1000 SF	6.3 spaces
Museum	5,475 SF	1.76 per 1000 SF	Visitor	1.60 per 1000 SF	8.8 spaces	2.00 per 1000 SF	Visitor	1.80 per 1000 SF	9.9 spaces
			Employee	0.16 per 1000 SF	0.9 spaces		Employee	0.20 per 1000 SF	1.1 spaces
Library	4,812 SF	1.15 per 1000 SF	Visitor	1.02 per 1000 SF	4.9 spaces	2.00 per 1000 SF ³	Visitor	0.98 per 1000 SF	4.7 spaces
			Employee	0.13 per 1000 SF	0.6 spaces		Employee	1.02 per 1000 SF	4.9 spaces
Total					247.7 spaces				213.0 spaces

NOTES

- 1 adjusted based on weekday / weekend ratio of 0.925 based upon ULI-published data for parking ratios
- 2 adjusted based on weekday / weekend ratio of 0.1 based upon ULI-published data for parking ratios
- 3 adjusted based on weekday / weekend ratio of 0.88 based upon ULI-published data for parking ratios
- 4 adjusted based on weekday / weekend ratio of 0.58 based upon ULI-published data for parking ratios

Future Campus Parking Needs

Future parking needs calculations were then undertaken for the existing uses on campus for both weekday and weekend conditions. **Table 6** determines the parking requirements for visitors and employees for each use by applying the visitor/employee ratios previously identified in **Table 4** to the parking ratios defined in Section 134-2176 of the Town's Code of Ordinances. An additional adjustment was made in the office parking to reflect that there are 26 desk spaces for employees (counted as employee parking requirements, assuming 1 space per employee) + 99 parking spaces for visitors (counting the seating capacity of 99 seats in the large conference rooms). Visitor parking demand for the office use (weekdays) was further adjusted to assume approximately no more than 40% use of the large conference rooms during daytime hours on a day in which the theater would be in full use and 100% in the early evening hours. Using the Town's Code and applying ULI adjustments in demand for weekday vs. weekend conditions, as shown in **Table 6**, a total of 293.6 parking spaces would be required on a weekday and 208.7 parking spaces would be required on a weekend if no consideration is made for time-of-day variations in parking needs.

Tables 7 and 8 show the shared parking calculations based upon ULI time-of-day variations in parking demand for weekday and weekend conditions, respectively. As shown in **Table 7**, the overall weekday peak is projected to occur at 2:00 PM with a total calculated supply requirement of 232 spaces. As shown in **Table 8**, the overall weekend peak is projected to be 201 parking spaces at 2:00 PM.

Charts illustrating these variations in time-of-day demand for each individual use and on a cumulative basis are attached to this memorandum.

TABLE 6 - Baseline Parking Determination Based on the Parking for the Proposed Land Uses
Parking Ratios, Town of Palm Beach Code Of Ordinances

Land Use	Intensity	Weekday			Weekend				
		Total Parking Ratio	Component	Parking Ratio ³	Supply Required	Total Parking Ratio	Component	Parking Ratio ³	Supply Required
Theater	656 seats	0.23 per seat ¹	Visitor Employee	0.19 per 1000 SF 0.04 per 1000 SF	124.6 spaces 26.2 spaces	0.25 per 1000 SF	Visitor Employee	0.21 per 1000 SF 0.05 per 1000 SF	137.8 spaces 32.8 spaces
Professional Office	31,114 SF	4.00 per 1000 SF	V/visitor Employee	0.32 per 1000 SF 3.68 per 1000 SF	99.0 spaces ⁴ 26.0 spaces ⁴	0.40 per 1000 SF ²	Visitor Employee	0.03 per 1000 SF 0.37 per 1000 SF	0.9 spaces 11.5 spaces
	5,002 SF	1.76 per 1000 SF	V/visitor Employee	1.60 per 1000 SF 0.16 per 1000 SF	8.0 spaces 0.8 spaces	2.00 per 1000 SF	Visitor Employee	1.80 per 1000 SF 0.20 per 1000 SF	9.0 spaces 1.0 spaces
Library	7,886 SF	1.15 per 1000 SF	V/visitor Employee	1.02 per 1000 SF 0.13 per 1000 SF	8.0 spaces 1.0 spaces	2.00 per 1000 SF ³	Visitor Employee	0.98 per 1000 SF 1.02 per 1000 SF	7.7 spaces 8.0 spaces
Total					293.6 spaces				208.7 spaces

NOTES

- 1 adjusted based on weekday / weekend ratio of 0.925 based upon ULI-published data for parking ratios
- 2 adjusted based on weekday / weekend ratio of 0.1 based upon ULI-published data for parking ratios
- 3 adjusted based on weekday / weekend ratio of 0.88 based upon ULI-published data for parking ratios
- 4 adjusted to account for 26 employee offices/desks (employees @ 1 space / employee) + 99 seats total in large conference rooms

TABLE 7
WEEKDAY ADJUSTED PARKING REQUIREMENTS - ULI SHARED PARKING (Proposed)

Land Use	Quantity*	Unit	User	Unadjusted Parking Spaces	8 a.m.	9 a.m.	10 a.m.	11 a.m.	Noon	1 p.m.	2 p.m.	3 p.m.	4 p.m.	5 p.m.	6 p.m.	7 p.m.	8 p.m.	9 p.m.	10 p.m.	11 p.m.	
Theater	656	seats	Visitor	124.6	0%	1%	15%	25%	50%	75%	100%	100%	25%	1%	0%	0%	0%	0%	0%	0%	
			Employee		0	1	19	31	62	93	125	125	31	1	0	0	0	0	0	0	
	31,114	SF	Visitor	26.2	3	5	13	24	26	26	26	26	20	13	7	3	0	0	0	0	
			Employee	99.0	20	40	40	40	40	40	40	40	40	40	40	99	99	50	50	0	0
Professional Office	26.0	13	23	26	22	26	22	22	25	25	95%	95%	85%	60%	25%	15%	5%	3%	1%	0%	
																					Employee
	5,002	SF	Visitor	8.0	0%	0%	45%	65%	85%	95%	100%	100%	95%	90%	85%	60%	30%	10%	0%	0%	0%
			Employee		0	0	4	5	7	8	8	8	7	7	5	2	1	0	0	0	0
Museum	0.8	0	1	1	1	1	1	1	1	1	100%	100%	100%	80%	75%	10%	5%	0%	0%	5%	
																					Employee
	7,886	SF	Visitor	8.0	0%	100%	98%	98%	98%	78%	72%	65%	70%	70%	73%	60%	50%	40%	0%	0%	0%
			Employee		0	8	8	8	8	6	6	5	6	6	5	4	3	0	0	0	0
Library	1.0	1	1	1	1	1	1	1	1	1	100%	100%	100%	90%	75%	50%	20%	10%	0%	0%	
																					Employee
	Total				294	37	78	112	136	167	197	232	231	128	144	125	113	55	1	0	0
	Maximum Required																				

Note: Town of Palm Beach parking ratios have been subdivided into Visitor/Employee demand by applying ratios published by ULI for comparable land uses in *Shared Parking, Third Edition*.

Note: time-of day demand ratios for office (visitors) and theater (visitors and employees) have been adjusted based upon site-specific assumptions. These adjustments are highlighted in yellow.

TABLE 8

WEEKEND ADJUSTED PARKING REQUIREMENTS - ULI SHARED PARKING (Proposed)

Land Use	Quantity*	Unit	User	Unadjusted Parking Spaces	8 a.m.	9 a.m.	10 a.m.	11 a.m.	Noon	1 p.m.	2 p.m.	3 p.m.	4 p.m.	5 p.m.	6 p.m.	7 p.m.	8 p.m.	9 p.m.	10 p.m.	11 p.m.
Theater	656	seats	Visitor	437.8	0%	1%	1%	25%	50%	75%	100%	100%	50%	1%	1%	0%	0%	0%	0%	0%
			Employee		0	1	1	34	69	103	138	138	69	1	1	0	0	0	0	0
			Visitor	32.8	10%	20%	20%	20%	30%	100%	100%	100%	75%	50%	25%	10%	30%	0%	0%	0%
			Employee		3	7	7	7	10	33	33	33	25	16	8	3	0	0	0	0
Professional Office	31,114	SF	Visitor	0.9	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%
			Employee		1	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0
			Visitor	11.5	7%	9%	10%	12%	10%	9%	7%	5%	2%	1%	1%	0%	0%	0%	0%	0%
			Employee		7	9	10	12	10	9	7	5	2	1	1	0	0	0	0	0
Museum	5,002	SF	Visitor	9.0	0%	0%	45%	65%	85%	95%	100%	95%	90%	85%	60%	30%	10%	0%	0%	0%
			Employee		0	0	4	6	8	9	9	9	8	8	5	3	1	0	0	0
			Visitor	1.0	5%	25%	75%	100%	100%	100%	100%	100%	100%	80%	75%	10%	5%	0%	0%	5%
			Employee		0	0	1	1	1	1	1	1	1	1	1	1	0	0	0	0
Library	7,886	SF	Visitor	7.7	0%	0%	100%	90%	80%	65%	50%	35%	11%	5%	5%	0%	0%	0%	0%	0%
			Employee		0	0	8	7	6	5	4	3	1	0	0	0	0	0	0	0
			Visitor	8.0	10%	50%	100%	100%	100%	100%	100%	50%	10%	10%	10%	10%	0%	0%	0%	0%
			Employee		1	4	8	8	8	8	8	4	1	1	1	1	1	0	0	0
Total				209	12	22	40	76	113	169	201	193	107	28	17	7	1	0	0	0
Maximum Required																				

Note: Town of Palm Beach parking ratios have been subdivided into Visitor/Employee demand by applying ratios published by ULI for comparable land uses in *Shared Parking, Third Edition*.

Note: time-of day demand ratios for theater (visitors) have been adjusted based upon site-specific assumptions. These adjustments are highlighted in yellow.



Summary

As shown in the site plans, the total parking supply provided is 234 spaces when event valet parking (on grass) is utilized:

- 151 spaces – west campus
- 41 parking spaces – east campus
- 42 parking spaces – stabilized surface grass parking

Accounting for variations in time-of-day demand for uses on site, the peak parking needs for the campus are anticipated to be approximately 232 spaces during the weekday peak period in which the theater is in use. Therefore, the parking needs for the site are anticipated to be met.

Please contact me via phone at (561) 840-0248 or via e-mail at chris.heggen@kimley-horn.com if you have any questions regarding this evaluation.

Attachments

k:\wpb_tpto\2453\245350000 - society of the four arts\parking\2025-01-06 sfa parking .docx

EXHIBIT E

Sec. 134-229. Requirements for granting a Special Exception.

The requirements for granting a special exception use under this chapter are as follows:

(1) The use is a permitted special exception use as set forth in article VI of this chapter.

RESPONSE: *The Four Arts is permitted and an approved Special Exception. The request is to expand the existing approved Special Exception.*

(2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.

RESPONSE: *The Four Arts is currently designed, located and operates so that the public health, safety, welfare and morals will be protected, but improvements are required to better serve the public. As such, the Project proposes to improve the Site as outlined in the Four Arts Narrative, a copy of which is included as **Exhibit "B"**.*

(3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

RESPONSE: *The Project will not cause substantial injury to the value of other properties in the neighborhood where it is to be located. The Four Arts exists today as a theater, a museum, a sculpture garden, a botanical garden, a public library, a children's library, offices, residential units above the first floor, classrooms, an auditorium, along with other ancillary uses and will continue to operate as such.*

(4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.

RESPONSE: *The proposed Project is and continues to be compatible with the adjoining development and the intended purpose of the district in which it is located. The Project aims to align with the objectives of the residents of Palm Beach, immediate neighbors, authorities, and the Four Arts' overall mission.*

(5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.

RESPONSE: *As noted above, the Four Arts is and continues to be a Special Exception use. The Project is part of a larger mission to:*

- *To seek a new, safe location for the children's library, currently on the second floor of the Rovensky Building, with the aid of a new building.*
- *To upgrade the Gubelmann auditorium in the Esther B. O'Keeffe Gallery building and create backstage and support areas that do not currently exist.*
- *To upgrade the exhibition galleries in the Esther B. O'Keeffe Gallery building and create support areas that do not currently exist.*
- *To enhance visitor experience in the Esther B. O'Keeffe Gallery building (access, circulation, lighting, air-conditioning, acoustics, box office, restrooms, etc.).*
- *To re-configure the interior of the Rovensky building better to accommodate offices and meeting rooms.*
- *To create an identity for the anonymous, dispersive, and difficult-to-navigate Site by means of landscaping, signage, wayfinding, and lighting.*

Considering the Existing Development and the Project goals, there is a need to seek new variances from the yard and open space requirements as outlined in the plans included with the application. As such, the Applicant has included requests for variances that are necessary in order to accomplish the overall mission of the Four Arts.

(6) The use will comply with all elements of the comprehensive plan.

RESPONSE: *The Four Arts is approved as a Private Group Use and thus complies with the applicable elements of the Comprehensive Plan.*

(7) The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

RESPONSE: *The Project has been designed and situated in such a manner to have no impact on adjoining properties and will not result in substantial economic, noise, glare, or odor impacts on adjoining properties or properties generally in the district.*

(8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

RESPONSE: *There are no changes proposed to the vehicular ingress and egress to the Site. Overall, the Project proposes to improve the safety of the pedestrian paths throughout the Site.*

(9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.

RESPONSE: *The Project does propose new wayfinding signage. All signage will be compatible and in harmony with the adjacent properties in the district. A signage plan is included with the submittal.*

(10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

RESPONSE: *The Project has obtained the approval from the Town for the availability of utility services. All proposed utility service improvements will be compatible and suitably located as part of the permitting process.*

(11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.

RESPONSE: *The Project proposes to improve the efficiency of the refuse and service areas and thus has no adverse effects on automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.*

(12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.

RESPONSE: *The Four Arts is an approved Special Exception use which has been and will continue to be a town-serving use. The Special Exception use is not proposed to change.*

- (13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.

RESPONSE: *There are no historic/specimen trees that are affected as part of the Project.*

- (14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

RESPONSE: *The Project does not place a greater burden on municipal police or fire protection services.*

EXHIBIT F

Sec. 134-329. Review by town council.

Within 30 days of receipt of the application for site plan review, the town council shall review and consider the application. Before any site plan shall be approved, approved with changes, or denied, the town council shall make a finding that the approval of the site plan will or will not adversely affect the public interest and certify that the specific zoning requirements governing the individual use have or have not been met and that, further, satisfactory provision and an arrangement has or has not been made concerning the following matters, where applicable:

- (1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.

RESPONSE: *The Applicant is the fee simple owner and in control and possession of the entire parcel which is subject of this application. As such, the Applicant is already the property owner and is responsible for the care and upkeep of the entire site.*

- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.

RESPONSE: *There are no new land uses, programming or intensities of use proposed for the Site. The Project proposes to continue operation as a Private Group Use and provide the amenities customary to a theater, a museum, a sculpture garden, a botanical garden, a public library, a children's library, offices, residential units above the first floor, classrooms, an auditorium, along with the other ancillary uses.*

- (3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

There are no changes proposed to the vehicular ingress and egress to the Site. The Project proposes to improve the safety of the pedestrian paths which includes the Abandonment, which will redirect the pedestrian path along Lake Trail to a safer path.

- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

RESPONSE: *The Project proposes to redesign and improve the off-street parking by reconfiguring the East Campus parking and improving the parking on the West Campus. Furthermore, the Applicant has included a Parking Evaluation report that accounts for variations in time-of-day demand for uses on Site and demonstrates that the parking needs for the Site are anticipated to be met.*

- (5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

RESPONSE: *The Project proposes to maintain the screens and buffers to preserve internal and external harmony and compatibility with the uses inside and outside of the Site boundaries.*

- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.

RESPONSE: *The Applicant will assess and improve existing stormwater infrastructure as part of the permitting process.*

- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

RESPONSE: *The Applicant proposes to relocate utility lines as needed as part of the Project. The existing utility lines will be relocated on-site as needed.*

- (8) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

RESPONSE: *There are no changes proposed that impact the recreation facilities.*

- (9) Such other standards as may be imposed by this chapter for the particular use or activity involved.

RESPONSE: *There are no other standards as may be imposed by this chapter for the particular use or activity involved.*

- (10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low-profile scale of commercial architecture.

RESPONSE: *There are no commercial structures located on the Site and no adjoining commercial buildings. The Site is comprised of the entire block and is developed as a Private Group Use. The height of the structures within the Existing Development already exceeds the maximum permitted height.*

- (11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

RESPONSE: *The Project is arranged so that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways. The intent is to maintain visual impact of the Existing Development at the same relative level of intensity.*

EXHIBIT G

Sec. 134-201. Findings prior to authorization.

- (a) The town council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the town council must and shall find the following:
- (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.

RESPONSE: *The Four Arts is a non-profit cultural organization founded in 1934. The Site is currently developed with a theater, a museum, a sculpture garden, a botanical garden, a public library, a children's library, offices, residential units above the first floor, classrooms, an auditorium, along with other ancillary uses. The Site exists today with several structural legal non-conformities; inclusive of parking, building height, setbacks, angle of vision, and more as outlined in this Letter of Intent. As a result, there are special conditions and circumstances existing which are peculiar to the land, structures and buildings involved and which are not applicable to other lands, structures or buildings in the same zoning district.*

*The Four Arts is a unique Site within the Town that serves a function that is different from any other uses within the Town and, as such, does not directly match with the Code categories that have been applied in the initial determination of parking requirements. As such, the Site will require a variance from the Code. In support of the variance, the actual parking needs for the Site have been calculated using an alternate methodology. In this case, the parking needs for the Site were calculated using Code parking requirements in combination with shared parking principles, recognizing that different use components within the Site experience peak parking demands at different times of the day. Therefore, the evaluations that were undertaken included adjustments to reflect hourly variation in demand as well as differences in weekday and weekend parking demand needs. These adjustments were based upon data published by the ULI in Shared Parking, Third Edition. A complete Parking Requirements Evaluation report was completed by Kimley Horn, a copy of which is attached hereto as **Exhibit "D"**.*

The Project proposes a total of 234 parking spaces.

- 151 spaces – west campus
- 41 parking spaces – east campus
- 42 parking spaces – stabilized surface grass parking

Accounting for variations in time-of-day demand for uses on site, the peak parking needs for the campus are anticipated to be approximately 232 spaces during the weekday peak period in which the theater is in use. Therefore, the parking needs for the site are anticipated to be met.

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

RESPONSE: *The special conditions and circumstances do not result from the actions of the Applicant. See also the response to criteria #1.*

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

RESPONSE: *The granting the variance requested will not confer on the Applicant any special privilege that is denied by the Code to other lands, buildings or structures in this same zoning district. In fact, the variance can be requested by any property owner affected by the applicable regulations.*

- (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.

RESPONSE: *The 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. See also the response to criteria #1.*

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

RESPONSE: *The requested variance is the minimum variance that will make possible the reasonable use of the land. The Project proposes to continue operation as a Private Group Use and provide the amenities customary to a theater, a museum, a sculpture garden, a botanical garden, a public library, a children's library, offices, residential units above the first floor, classrooms, an auditorium, along with the other ancillary uses. As such, the requested variance is reasonable to better serve the public.*

- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
 1. Be granted only for the continuation of the same hotel or residential use; and
 2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

RESPONSE: *N/A*

- (7) 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. In granting any variance, the town council may prescribe appropriate conditions and safeguards in conformity with this chapter. Upon granting a variance the town council may require the landowner to provide a declaration of use agreement which shall be recorded in the public records to ensure continuing compliance with town council imposed conditions of such grants. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

RESPONSE: *Granting of the variance will be in harmony with the general intent and purpose of the Code. Additionally, granting of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare, in fact, it will be a benefit to the public and provide a more enhanced experience to the patrons of the Four Arts.*

EXHIBIT H

Sec. 54-122. New construction.

- (a) The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related:
- (1) The height, the gross volume, and the proportion between width and height of the facade;
 - (2) The proportions and relationships between doors and windows;
 - (3) The rhythm of solids to voids created by openings in the facade;
 - (4) The materials used in the facade;
 - (5) The texture inherent in the facade;
 - (6) The colors, pattern and trim used in the facade; and
 - (7) The design of the roof.

RESPONSE:

O'KEEFE BUILDING

- (1) The height, the gross volume, and the proportion between width and height of the façade are an extension of the existing.*
- (2) The proportions and relationships between doors and windows are similar to existing and recreate historic doors and windows.*
- (3) The rhythm of solids to voids created by openings in the façade is similar to existing.*
- (4) The materials used in the façade is similar to existing.*
- (5) The texture inherent in the façade is similar to existing.*
- (6) The colors, pattern and trim used in the façade match existing.*
- (7) The design of the roof matches existing.*

ROVENSKY BUILDING

- (1) The height, the gross volume, and the proportion between width and height of the façade is compatible with the existing building and adjacent buildings on the campus.*
- (2) The proportions and relationships between doors and windows is compatible with the existing building and adjacent buildings on the campus.*
- (3) The rhythm of solids to voids created by openings in the facade; is compatible with the existing building and adjacent buildings on the campus. The proportion of the arched windows is similar to that of the King Library.*
- (4) The materials used in the facade are compatible with the existing building and adjacent buildings on the campus.*
- (5) The texture inherent in the façade is compatible with the existing building and adjacent buildings on the campus.*
- (6) The colors, pattern and trim used in the facade; is compatible with the existing building and adjacent buildings on the campus.*
- (7) The design of the roof is compatible with the existing building and adjacent buildings on the campus. The third floor is stepped back in order to relate the mass of the first two floors to that of the King Library.*

SHADE HOUSE

- (1) The height, the gross volume, and the proportion between width and height of the façade are similar to existing*
- (2) The proportions and relationships between doors and windows are similar to existing.*
- (3) The rhythm of solids to voids created by openings in the façade are similar to existing.*
- (4) The materials used in the façade match existing.*
- (5) The texture inherent in the façade matches existing*
- (6) The colors, pattern and trim used in the façade matches existing*
- (7) The design of the roof adjacent structures matches.*

(b) Existing rhythm created by existing building masses and space between them should be preserved.

RESPONSE:

O'KEEFE BUILDING

Existing rhythm created by existing building masses and space between them have been preserved through step backs in the façade of the building.

ROVENSKY BUILDING

Existing rhythm created by existing building masses and space between them has been preserved.

SHADE HOUSE

Existing rhythm created by existing building masses and space between them have been preserved.

(c) The landscape plan should be sensitive to the individual building and its occupants and needs and should be visually compatible with the buildings and environment with which it is visually related.

RESPONSE:

O'KEEFE BUILDING

The landscape plan is sensitive to the individual building and its occupants and is visually compatible with the buildings and environment with which it is visually related.

ROVENSKY BUILDING

The landscape plan is sensitive to the individual building and its occupants and is visually compatible with the buildings and environment with which it is visually related.

SHADE HOUSE

The landscape plan is sensitive to the individual building and its occupants and is visually compatible with the buildings and environment with which it is visually related.

(d) A new street facade should blend directionally with other buildings with which it is visually related; which is to say, when adjacent buildings have a dominant horizontal or vertical expression, that expression should be carried over in the new facade.

RESPONSE:

O'KEEFE BUILDING

A new street facade blends directionally with other buildings with which it is visually related.

ROVENSKY BUILDING

A new street facade faces the mall and blends directionally with other buildings with which it is visually related.

SHADE HOUSE

A new street facade matches existing.

(e) Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

RESPONSE:

O'KEEFE BUILDING

Architectural details incorporate the new with the old, preserve and enhance the inherent architectural characteristics of the area and recreate historic details lost to time.

ROVENSKY BUILDING

Architectural details have been incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

SHADE HOUSE

Architectural details incorporated relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

EXHIBIT I

PROPERTY INFORMATION

The approximately 7.68-acre site located at 100, 101, 102, and 103 Four Arts Plaza, and 240 Cocoanut Row (**“Site”**).

Property Address:	100, 101, 102, and 103 Four Arts Plaza, and 240 Cocoanut Row (<i>Figure 1</i>)
Parcel Control Number (“PCN”):	50434323050210010; 50434322000030030; 50434322000030080; 50434323050210010; 50434323050210031; 50434322000030090; 50434322000030140; 50434323050210040; 50434323050210050

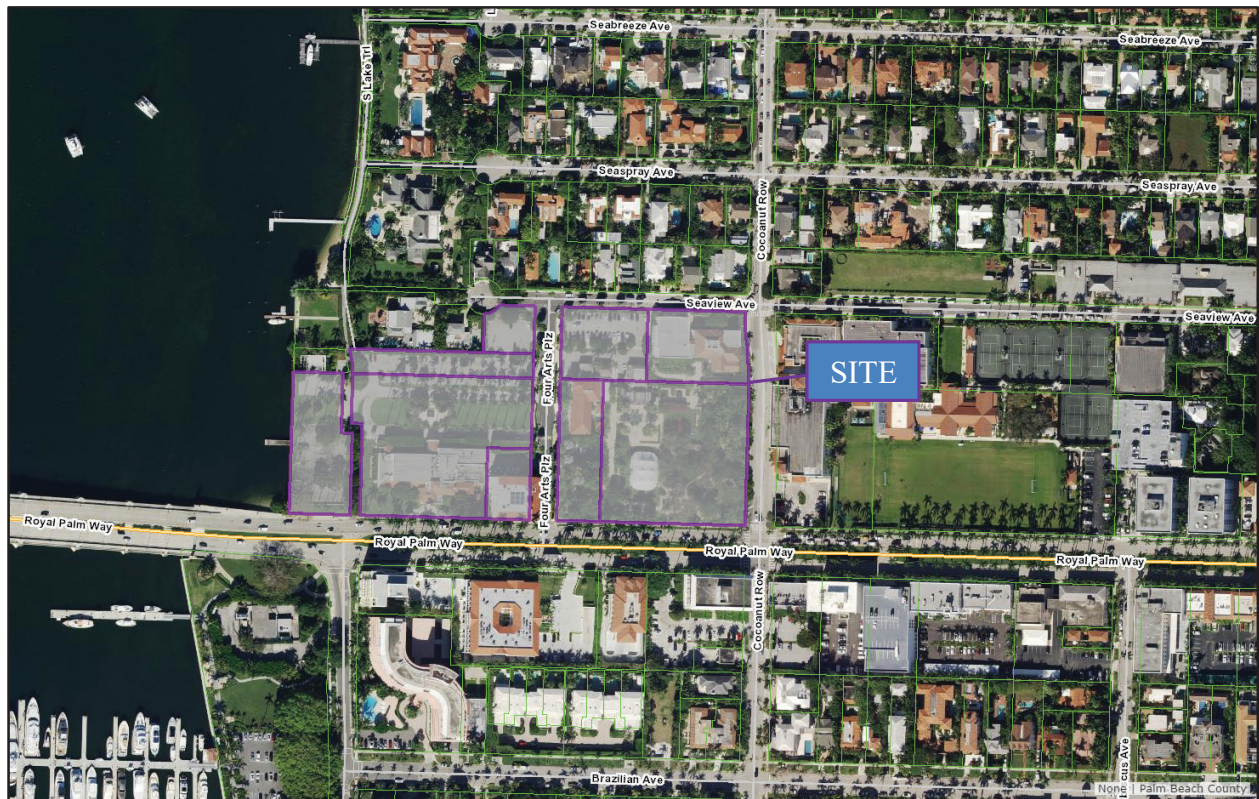


FIGURE 1 – Location map

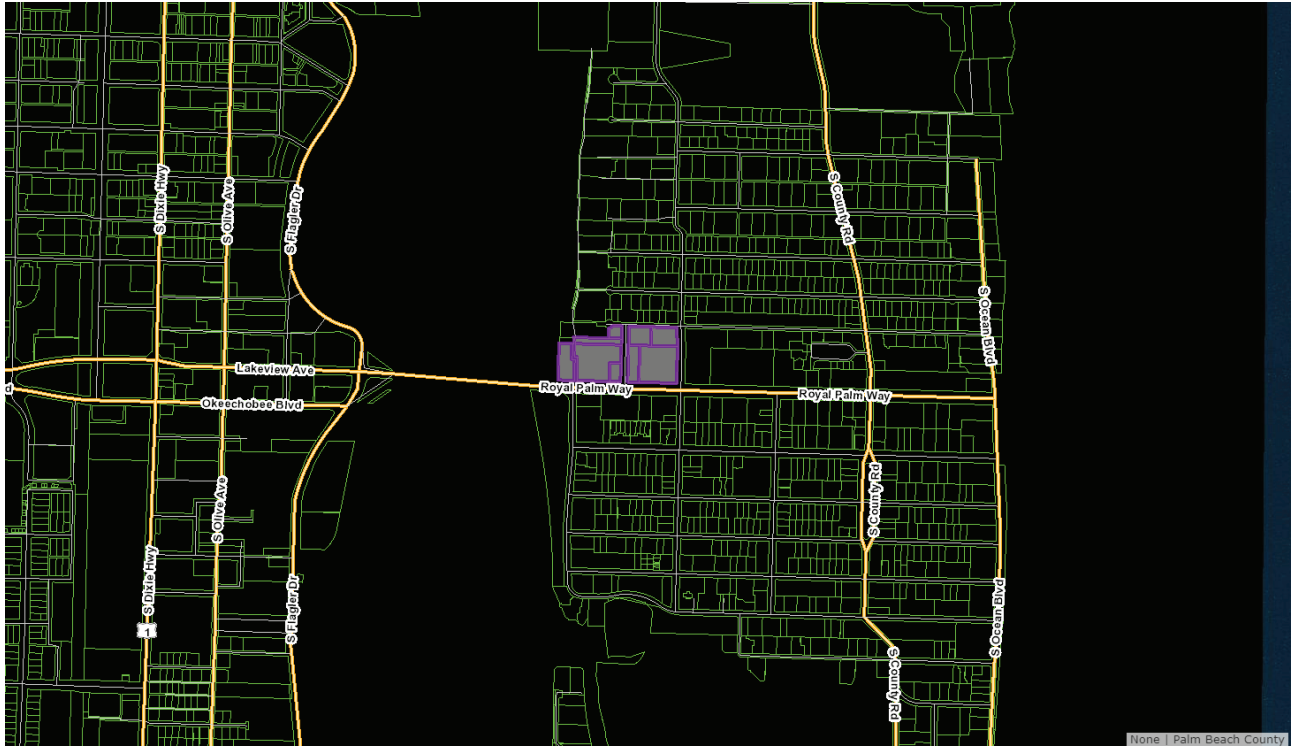


FIGURE 2 – Vicinity map

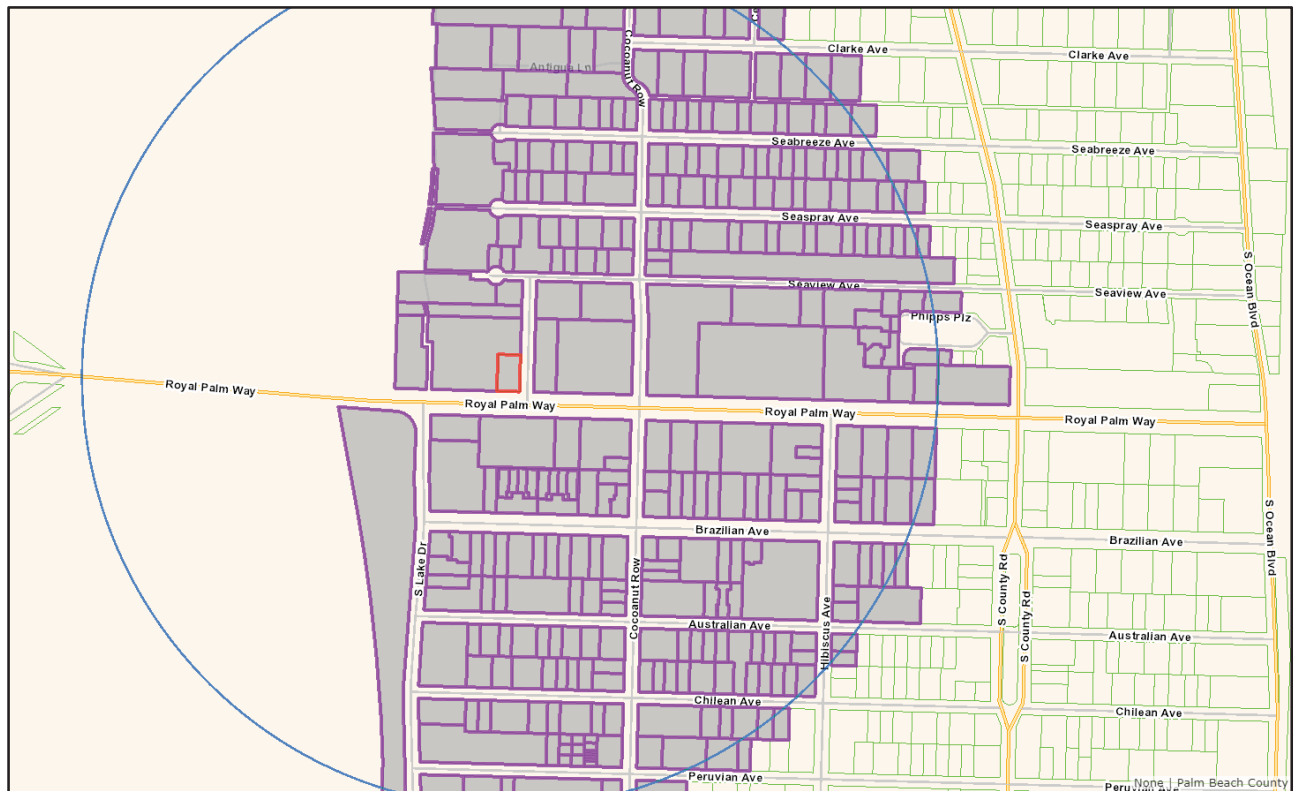


FIGURE 3 – Street map (1,700 ft. buffer)

EXHIBIT J

LEGAL DESCRIPTION

WEST CAMPUS:

A PORTION OF GOVERNMENT LOT 3, LYING WITHIN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, AND LOTS 1, 2, AND A PORTION OF LOT 3, BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2 OF BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, THENCE N90°00'00"W ALONG THE SOUTH LINE OF SAID BLOCK "A" BEING COINCIDENT WITH THE NORTH RIGHT OF WAY LINE OF ROYAL PALM WAY FOR A DISTANCE OF 302.04 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE DESCRIBED IN OFFICIAL RECORDS BOOK 7151, PAGE 617 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N00°00'47"W ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 182.78 FEET; THENCE S89°59'13"W FOR A DISTANCE OF 3.76 FEET TO A POINT ON THE WEST LINE OF A PARCEL DESCRIBED IN SECTION ONE IN OFFICIAL RECORDS BOOK 469, PAGE 230, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N00°49'40"E ALONG SAID WEST LINE FOR A DISTANCE OF 107.24 FEET; THENCE N90°00'00"W TO A POINT ON THE WESTERLY EXTENSION OF LOT 1 OF SAID BLOCK "A" FOR A DISTANCE OF 20.30 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE DESCRIBED IN SAID OFFICIAL RECORDS BOOK 7151, PAGE 617, SAID POINT BEING ON A NON TANGENT CIRCULAR CURVE CONCAVE TO THE WEST, SAID POINT BEARING N88°48'20"E FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 115.00 FEET AND A CENTRAL ANGLE OF 13°23'57" FOR A DISTANCE OF 26.89 FEET TO A POINT OF TANGENCY; THENCE N14°35'41"W FOR A DISTANCE OF 19.16 FEET; THENCE N90°00'00"E ALONG THE NORTH LINE OF PARCEL 3 DESCRIBED IN DEED BOOK 809, PAGE 524, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR A DISTANCE OF 276.10 FEET; THENCE N00°00'00"E ALONG THE WEST LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 5272, PAGE 331, FOR A DISTANCE OF 84.36 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE TO THE NORTHWEST, SAID POINT BEARING S03°10'59"E FROM THE RADIUS POINT OF SAID CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 36.00 FEET AND A CENTRAL ANGLE OF 57°10'32" FOR A DISTANCE OF 35.92 FEET; THENCE S90°00'00"E ALONG THE SOUTH RIGHT OF WAY LINE OF SEA VIEW AVENUE AS SHOWN ON THE PLAT OF POINCIANA PARK 3RD ADDITION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 72 FOR A DISTANCE OF 74.71 FEET; THENCE S00°00'00"W ALONG THE WEST RIGHT OF WAY LINE OF FOUR ARTS PLAZA (FORMERLY CIEBA AVENUE) FOR A DISTANCE OF 437.62 FEET; THENCE N90°00'00"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID ROYAL PALM WAY FOR A DISTANCE OF 47.00 FEET TO THE POINT OF BEGINNING; SAID LANDS SITUATE WITHIN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH (A):

A PORTION OF GOVERNMENT LOT 3 OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF FOUR ARTS PLAZA (CIEBA AVENUE) AND THE NORTH RIGHT-OF-WAY LINE OF ROYAL PALM WAY (100 FOOT WIDE RIGHT-OF-WAY); THENCE N90°00'00"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 90.00 FEET; THENCE N00°00'00"E, PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE OF CIEBA AVENUE, 335.12 FEET; THENCE N90°00'00"W, PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE OF ROYAL PALM WAY, 300.58 FEET TO THE POINT OF BEGINNING; THENCE S14°34'47"E, 21.75 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 105.00 FEET, A DELTA OF 12°53'47", AN ARC DISTANCE OF 23.63 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 3.00 FEET, A DELTA OF 91°41'08", AN ARC DISTANCE OF 4.80 FEET; THENCE TANGENT TO SAID CURVE N90°00'00"W, 6.96 FEET; THENCE S00°00'00"E, 2.51 FEET; THENCE N90°00'00"W, 102.47 FEET TO THE WATERS OF LAKE WORTH; THENCE N00°22'23"E, ALONG SAID WATERS, 50.00 FEET; THENCE S90°00'00"E, 103.29 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH (B):

A PORTION OF GOVERNMENT LOT 3, SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, LYING EAST OF AND ADJACENT TO THE WATERS OF LAKE WORTH (LESS LAKE DRIVE RIGHT-OF-WAY, PER OFFICIAL RECORDS BOOK 7151, PAGE 617, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF FOUR ARTS PLAZA (CIEBA AVENUE) AND THE NORTH RIGHT-OF-WAY LINE OF ROYAL PALM WAY (100-FOOT WIDE RIGHT-OF-WAY); THENCE N90°00'00"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 386.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE, N90°00'00"W, 110.63 FEET TO THE WATERS OF LAKE WORTH; THENCE N00°12'38"E, ALONG SAID WATERS OF LAKE WORTH, 285.13 FEET TO THE INTERSECTION WITH THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 7151, PAGE 614, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N90°00'00"E, ALONG SAID SOUTH LINE, 104.17 FEET TO THE WEST LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 7151, PAGE 617, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S00°00'53"E ALONG SAID WEST LINE, 122.36 FEET; THENCE N89°59'13"E, 7.85 FEET; THENCE S00°52'16"W, 162.79 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA.

EAST CAMPUS:

A PORTION OF GOVERNMENT LOT 3, LYING WITHIN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 43 EAST, AND LOTS 5, 6, A PORTION OF LOTS 4, AND 7, BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7 OF BLOCK "A", REVISED MAP OF ROYAL PARK ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 1, THENCE S00°00'00"W ALONG THE EAST LINE OF SAID BLOCK "A" BEING COINCIDENT WITH THE WEST RIGHT OF WAY LINE OF COCOANUT ROW FOR A DISTANCE OF 275.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE DESCRIBED IN OFFICIAL RECORDS BOOK 1909, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA TO A TANGENT CIRCULAR CURVE CONCAVE TO THE WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 15.00 FEET AND CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 23.56 FEET; THENCE N90°00'00"W ALONG THE SOUTH LINE OF SAID BLOCK "A", BEING COINCIDENT WITH THE NORTH RIGHT OF WAY LINE OF ROYAL PALM WAY FOR A DISTANCE OF 373.90 FEET TO A POINT ON THE EAST LINE OF THE WEST 3 FEET OF LOT 4, PLAT BOOK 4, PAGE 1, AS DESCRIBED IN DEED BOOK 549, PAGE 180, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N00°00'00"E ALONG THE SAID EAST LINE OF THE WEST 3 FEET OF LOT 4 AND THE EXTENSION THEREOF, BEING COINCIDENT WITH EAST RIGHT OF WAY LINE OF FOUR ARTS PLAZA FOR A DISTANCE OF 437.62 FEET; THENCE N90°00'00"E ALONG THE SOUTH RIGHT OF WAY LINE OF SEA VIEW AVENUE AS SHOWN ON THE PLAT OF POINCIANA PARK 3RD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 72, FOR A DISTANCE OF 379.44 FEET; THENCE S00°00'00"E ALONG THE WEST RIGHT OF WAY LINE OF COCOANUT ROW, AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 1909, PAGE 74, A DISTANCE OF 9.51 FEET TO A TANGENT CIRCULAR CURVE CONCAVE TO THE EAST; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY LINE, SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 276.17 FEET, AND CENTRAL ANGLE OF 02°08'33", FOR A DISTANCE OF 10.33 FEET; THENCE S04°08'54"E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 127.72 FEET TO THE POINT OF BEGINNING, SAID LANDS SITUATE WITHIN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA.

MEMORANDUM

PROJECT:	Society of the Four Arts
SUBJECT:	Summary of Project Redesign (DRAFT)
DATE:	22 December 2024
TO:	Roger Ramdeen, Shutts & Bowen
FROM:	Nathaniel Rogers, AIA
CC:	Harvey Oyer III, Shutts & Bowen Nelo Freijomel, Keith Spina, Regan Rupp, Spina O'Rourke + Partners
BBB REF#:	2953

Introduction

This document provides an overview of the design revisions since the November 20th 2024 Landmarks Preservation Commission (LPC) Hearing for the Four Arts project, as a reference for revision of the application LOI.

Gross Areas

O'Keeffe

The proposed expansion of the O'Keeffe Building, as measured in enclosed gross floor area, has been reduced by 1,412 GSF. Of this amount, 1,026 GSF was in the one-story southeastern addition that has been removed from the proposal. The balance, 386 GSF, was cut from the western backstage expansion.

Rovensky

The proposed expansion of the Rovensky Building has been reduced by 459 GSF, a fairly minor change. This is largely explained by slightly reducing the proposed footprints on the second and third stories.

O’Keeffe – LPC Feedback and Status

Elevation	LPC Feedback	Design Response
Typ	1. Window/door trim should not be so contrasting; should be historically supported.	<i>Comment fully incorporated. Window trim color lightened to off-white pending paint analysis, with verdigris accent color for doors and specialty windows.</i>
South	2. Too much of the building is obscured by new construction.	<i>Comment fully incorporated. Southeast addition (1,026 GSF) now removed from proposal, Mizner’s SE windows in this location to be rebuilt according to original drawings.</i>
	The scale of the southwest additions too massive, eaves too aligned.	<i>Comment fully incorporated. Revised to cascade the eave lines of the one-story roofs down progressively moving westward.</i>
	3. Too much blank stucco without articulation to reduce scale.	<i>Comment fully incorporated. Second-story parapet replaced with tile roof; chimney, four windows, and an 11-bay open-air loggia integrated (see PF). Three windows now also provided on second floor southeast corner (matching original location in elevation).</i>
	4. Plane break not convincing.	<i>Comment fully incorporated. 1st Fl plane break offset doubled to 2 feet (from 1 foot).</i>
	5. Extent of westward expansion is too long.	<i>Comment incorporated. The extent of westward expansion <u>reduced by 3 feet</u>, maximum reduction possible per technical requirements.</i>
	6. Acoustical penthouse is too tall and bulky.	<i>Comment fully incorporated. Height reduced by 2 feet, maximum reduction possible per technical requirements; E-W width is <u>reduced by 7 feet</u>.</i>
	7. Acoustical penthouse is too plainly detailed.	<i>Comment fully incorporated. Crenelated corbeling and barrel tile cap detail added to provide traditional scale and color.</i>
West	8. Too much blank stucco without necessary articulation to reduce scale	<i>Comment fully incorporated. Second-story hipped pavilions, shuttered windows, and blind arches refer to Mizner and Volk’s historic elevation, stair dormer removed (and stair replanned).</i>
North	9. At the new arcades, too many undifferentiated bays makes it too repetitive. [B. Damgard via email asks if design team would consider reducing number of arches].	<i>Comment fully incorporated. Reduced from 9 to 8 arches each side, arches enlarged, stuccos capitals added to piers to more closely match Volk portico. Stucco cornices replaced with sloped rafter tails to reduce monumentality. The arch proportions still harmonize with the Volk portico. Worth Avenue comparison study provided to for existing scale relation.</i>
	10. Loss of original windows on north façade, east side is unfortunate.	<i>Comment incorporated. Second floor original windows can’t be retained, but four existing window openings on first floor to now be retained.</i>
	11. Too much blank stucco, seems out of scale. Round windows at second floor don’t seem historically supported.	<i>Comment fully incorporated. All new second floor windows changed to square openings. In addition, projecting towers “bookend” a fully symmetrical façade with parapet. Parapet façade reduced in length.</i>

O’Keeffe – Additional Preservation Foundation Feedback and Status

Elevation	Preservation Foundation Feedback (beyond LPC feedback, provided in 12/10 in-person mtg, 12/13 memo, 12/16 and 12/20 Zoom mtgs)	Design Response
South	1a. The design should more clearly delineate where the original addition ended and the new additions begin. 1b. A lighter, more transparent feeling (how Volk also designed it) is desired to reference the courtyard and auditorium function where the original building sits. 1c. And/or: Could rooflines be adjusted to read original/existing wall and roof planes with the addition below on the front so that original massing can be distinguished? 1d. (Post Loggia Study 1): Please center the loggia and extend it to 11 bays. 1e. (Post Loggia Study 2): The roof in this zone should be raised between the new chimney and existing entry pavilion if the western roofs can’t be lowered. 1f. Desired to either add glass windows to loggia (glassed-in) or leave open-air and provide ornamental doors beyond (i.e. Mizner’s Casa Bendita).	All these comments are now fully incorporated (except 1c). The 11-bay open-air loggia is integrated into south façade design, centered over octagonal windows, using the reference of Mizner’s open-air loggias for the Embassy Club for the piers and brackets. The roof over this zone has its own massing, elevated with offset eaves and hipped roof to read separately from the western expansion. Ornamental (non-functioning doors) added to back wall of loggia. Regarding 1c: BBB shared alternate study on 12/20 Zoom for lower second-story massing in area of auditorium and that it was not mechanically feasible nor desired for overall design quality reasons (emphasizes the western expansions, connects too directly with entry pavilion roof, and provides non-traditional wall exposure). PF agrees that the next best thing is the incorporated higher massing in this area.
South	2. Groupings of windows to the west should be tied together with common sill or lintel detail to look more intentional.	Comment fully incorporated, tied together with common sills and centered over octagonal windows below.
	3. New additions should not touch Mizner’s tower if possible.	Comment fully incorporated (minor interface removed.)
West	4. PF appreciates the improvements of the redesigned west end; however, the blind arch spacing looks overly wide and should be more closely spaced for a more canonical reading.	Comment fully incorporated.
	5. Blind niches at the first story would make reference to the openings once here, even if in entirely new additions.	Comment fully incorporated.
North	6. The earlier experiment with a pilaster every third bay is not historically supported on ground floors (PF and design team agree that it is, however, common for upper	Comment fully incorporated. Interim approach of a pilaster every third bay was removed in favor of reducing the arches from 9 to 8 and improving the detailing of the capitals and bases.

	stories using colossal orders in Neoclassicism.)	
	7. Retain original windows if possible, and/or provide new windows in groupings that relate to original.	<i>Comment partially incorporated. Second floor original windows can't be retained, but four existing window openings on first floor to now be retained.</i>
	8. Arcade stairs should terminate at architectural features if possible.	<i>Comment incorporated. Eastern stairs moved one bay west, terminates on existing window opening (slightly off-center).</i>
	9. Arcade ceilings should be sloped; provide Mediterranean Revival pendants.	<i>Comment fully incorporated.</i>
	10. On the second-floor addition, above the previously open courtyard, consider similar treatment to what PF is suggesting for south – allow reading of original/existing wall/roof	<i>Comment not incorporated. See 1c. as well. There was a robust BBB/PF discussion on 12/20 Zoom about the second-floor plan (auditorium not on exterior wall), the role of these windows and roofline in this area, and the design team's conviction that the Volk portico demands a symmetrical approach. PF appeared to moderate this comment during the Zoom.</i>

Rovensky – LPC Feedback and Status

Elevation	LPC Feedback	Design Response
Typ	1. Window/door trim should not be so contrasting; should be historical.	<i>Comment fully incorporated. Window trim color lightened to off-white pending paint analysis, with verdigris accent color for doors and specialty windows.</i>
East and North	2. Addition is not sufficiently subservient to the existing building in overall presence, scale and articulation. The overall effect is too monumental.	<i>Comment fully incorporated. All openings and details have been revised/reduced in scale to bring down overall reading. Hyphen has been made much quieter visually, the first floor cornice made simpler and lower. Arched windows removed from east elevation. The NE pavilion windows are now smaller, more similar to King Library windows. Second floor typical windows match existing building, increased in number (for spacing more consistent with existing building). Second floor north wall moved south by 3 feet to make first-floor roof more generous and traditional in slope/proportion. Northwest tower windows changed to grouped arched for finer scale and to be more consonant with Palm Beach references.</i>
	3. The entrance arch and arched windows are over-scaled. The water table is not successful. Look at King Library for possible scale reference.	<i>Comment fully incorporated. The water table is now removed, arched openings removed on east elevation and reduced on north. North arches match absolute height of those on the King Library. The entry arch is significantly smaller while retaining design clarity. A small door for children has been added next to the main entry/egress door.</i>
	4. Possibly too much glass at entry storefront. (12/10 Chair/Staff mtg)	<i>Comment fully incorporated. Ornamental grillework will cover the entire storefront, not just sidelights. The themes will be integrated into entry space.</i>
	5. The amount of stone contributes to the weightiness; should be lighter.	<i>Comment fully incorporated. The amount of stone drastically reduced in favor of stucco; the tall water table and quoining now removed.</i>
	6. The roof of the third-floor boardroom pavilion is too tall.	<i>Comment fully incorporated. The proposed board room pavilion roof ridge lowered by 3 feet and is now to be under height of existing roof. Pavilion eaves lowered by 18" to match existing building. (Ramp integrated into 2nd floor office layouts to make this possible)</i>
	7. Pavilion metal roof and storefront below it reads too dark.	<i>Comment fully incorporated. Changed from dull bronze-color copper to verdigris pre-patinated copper.</i>
	8. Third floor pavilion reads as too bulky and too modern due to size; soften.	<i>Comment fully incorporated. Pavilion massing broken into multiple elements, massing revised, all details revised. The entire board room massing shifted south by 5 feet and ridge is now centered on building east elevation. Eaves converted from integrated gutter and broad standing seam fascia to finer soffits (12" overhang) plus half-round copper gutter.</i>
	9. Amount of demolition overall (See PF: All 2nd and 3rd story windows from 1947 being demolished.)	<i>Comment fully incorporated. All 2nd and 3rd story windows to now be kept. Four additional windows to be added.</i>
Roof	10. Courtyard design for building is part of its DNA. Can atrium and/or skylights somehow be retained?	<i>Comment partially incorporated. The overall area is important to the client, and the courtyard was more appropriate when the building was small residential apartments on 2 and 3. Skylights proposed.</i>

Rovensky – Additional Preservation Foundation Feedback and Status

Elevation	Preservation Foundation Feedback <i>(beyond LPC feedback, provided in 12/10 in-person mtg, 12/13 memo, 12/16 and 12/20 Zoom mtgs)</i>	Design Response
East and North	1. Previous eave detail not appropriate for rooftop addition tectonic [BBB/PF consensus on approach at 12/20 Zoom meeting]	<i>Comment fully incorporated. Robust discussion over whether a conservatory-style reading was a better alternative. The design team believes strongly that the roof should have an overhang; BBB and PF agree overall roof treatment must be softer than an industrial-style standing seam roof. PF has moderated their comment for this area.</i>
	2. Remove small windows, first floor, restudy second floor windows.	<i>Comment fully integrated into latest version of design. Small windows removed.</i>
	3. Corner window not supported by stylistic direction of redesign.	<i>Comment fully incorporated. Corner window removed.</i>
West	4. Decision to retain all 2 nd and 3 rd floor windows is a positive development.	<i>Agreed.</i>
Roof	5. The central courtyard was an important feature of the building, and was maintained in the creation of the Children's Library atrium. Any possibility of retaining the atrium would be beneficial to explore.	<i>Comment partially incorporated. Skylights proposed over 3rd floor elevator lobby. Design team notes that Rovensky is actually not all that large a building for an atrium – particularly as a commercial/institutional building. The courtyard made much more sense when the use was residential. As an example, in the existing condition, once an upper-level corridor is accounted for, floor depth for program space is less than 18 feet, which made lots of sense for apartments, but is quite shallow and limits planning flexibility for other uses. There is a great need for mechanical space in the middle of the building on each floor, which does not need natural light.</i>

August 7, 2024
 Revised September 20, 2024
 Revised October 7, 2024
 Revised November 1, 2024
 Revised January 6, 2025

Dr. Phillip Rylands
 The Society of the Four Arts
 100 Four Arts Plaza
 Palm Beach, Florida 33480

Subject: *Society of the Four Arts – Traffic Impact Evaluation*
 Palm Beach, Florida
 Kimley-Horn #245350000

Dear Dr. Rylands:

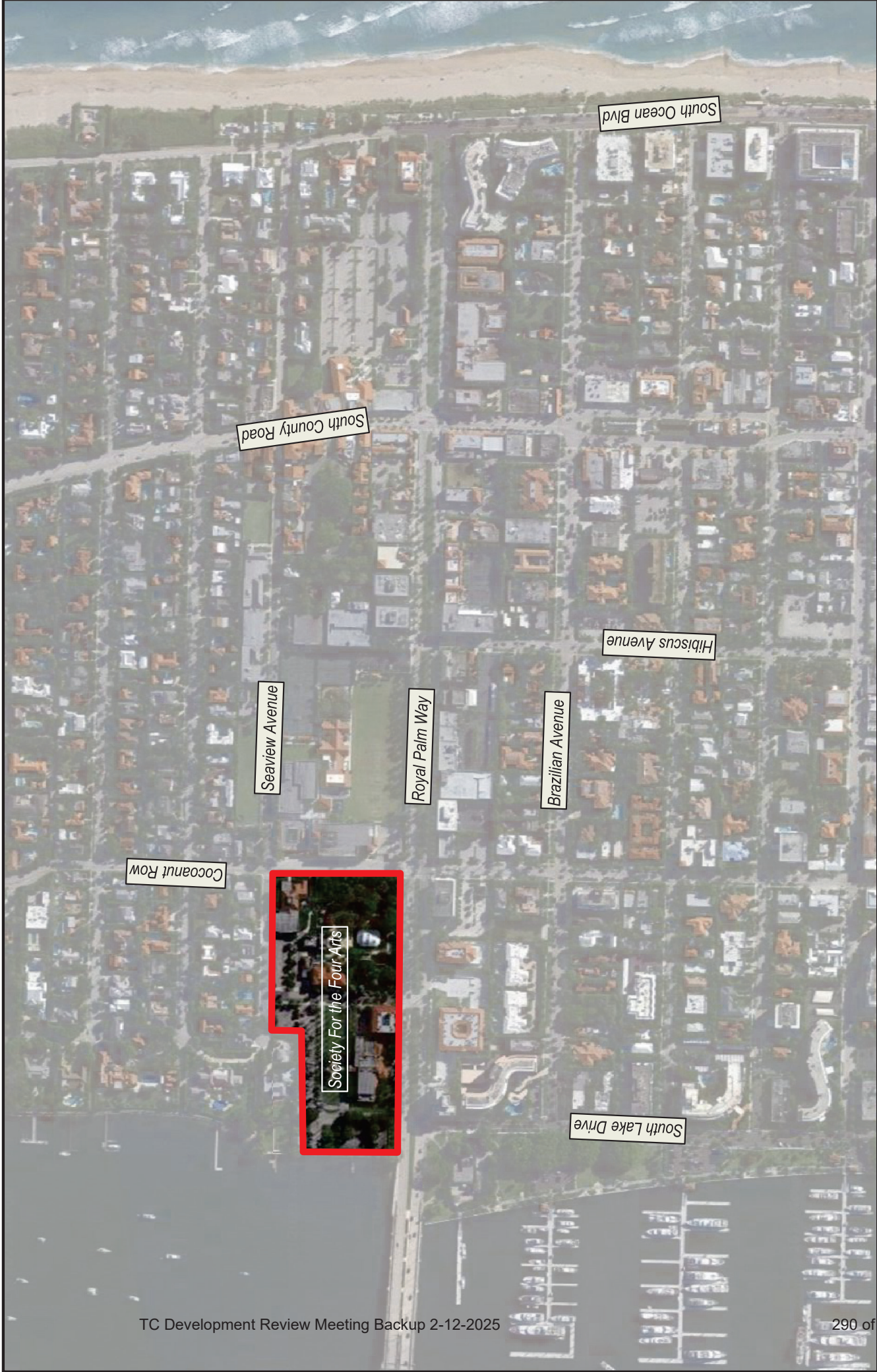
Kimley-Horn and Associates, Inc. was retained to provide an evaluation of traffic impacts generated by proposed changes to the Society of the Four Arts campus, located north of Royal Palm Way and west of Cocoanut Row in the Town of Palm Beach, Florida, as shown in the attached Figure 1. The Property Control Numbers (PCNs) for the site are the following:

50-43-43-23-05-021-0010
 50-43-43-22-00-003-0080
 50-43-43-23-05-021-0010
 50-43-43-23-05-021-0031
 50-43-43-22-00-003-0030
 50-43-43-22-00-003-0090
 50-43-43-22-00-003-0140
 50-43-43-23-05-021-0040
 50-43-43-23-05-021-0050

The Society of the Four Arts campus is a nonprofit cultural organization that was founded in 1936. The site comprises numerous buildings and uses, including a theater, an art gallery, a modern education center devoted to lifelong learning, a library, a children's library, and sculpture garden. The proposed modifications will impact the buildings, parking, and overall use and access to the site. Table 1 provides a summary of the existing and proposed uses on site that were subject to the site traffic evaluation.

Table 1: Existing and Proposed Site Development

Land Use	Existing	Proposed
Theater	714 seats	656 seats
Office	17,035 SF	31,114 SF
Residential	3 DU	1 DU
Museum	5,475 SF	5,002 SF
Library	4,812 SF	7,886 SF



LEGEND

Site Location



FIGURE 1

Society For The Four Arts
KH #245350000

Site Location

Traffic analyses have been undertaken to quantify the net traffic impacts of the proposed changes on site. Guidance on credit against project traffic is published by Palm Beach County and outlined in Chapter A under Section 3 of the Article 12 - Traffic Performance Standards as defined in the Palm Beach County Unified Land Development Code (ULDC). Because the existing land uses have been operational for more than five years, credit was taken in this analysis for significance calculations. The radius of development influence and significant impact calculations have been conducted using the differential between proposed and existing net new external trips.

A Traffic Performance Standards (TPS) letter was issued by Palm Beach County on September 1, 2023 and is attached for reference. The site plan is also attached for reference.

TRIP GENERATION ANALYSIS

The daily and peak hour trip generation potential for the proposed redevelopment plan was calculated based on trip generation rates published by Palm Beach County. The Palm Beach County trip generation rates are primarily based on *Trip Generation, 11th Edition*, published by the Institute of Transportation Engineers (ITE).

As shown in Table 2, the proposed redevelopment results in a net increase of 224 net new external daily trips, an increase of 16 net new external AM peak hour trips (+13 in, +3 out), 25 net new external Midday peak hour trips (+14 in, +11 out) and 35 net new external PM peak hour trips (+10 in, +25 out), which was used for significance determination under Test 1 and Test 2 analyses. The table summarizing the Palm Beach County Traffic Division's trip generation rates and equations have been attached for reference.

Table 2: Trip Generation Comparative Analysis

Land Use	Intensity	Daily Trips	AM Peak Hour			Mid-Day Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out	Total	In	Out
Existing Scenario >5 Years											
Movie Theater	714 seat(s)	1,257	43	33	10	64	35	29	64	35	29
Museum	5.475 ksf	10	2	2	0	2	2	0	1	0	1
Multifamily Mid-Rise	3 DU	14	1	0	1	0	0	0	1	1	0
General Office (10k-250k)	17.035 ksf	185	26	23	3	10	9	1	25	4	21
Library	4.812 ksf	347	5	4	1	39	19	20	39	19	20
	Subtotal	1,813	77	62	15	115	65	50	130	59	71
Pass-By Capture											
Movie Theater	0.0%	0	0	0	0	0	0	0	0	0	0
Museum	0.0%	0	0	0	0	0	0	0	0	0	0
Multifamily Mid-Rise	0.0%	0	0	0	0	0	0	0	0	0	0
General Office (10k-250k)	10.0%	19	3	2	1	1	1	0	3	0	3
Library	10.0%	35	1	0	1	4	2	2	4	2	2
	Subtotal	54	4	2	2	5	3	2	7	2	5
Driveway Volumes		1,813	77	62	15	115	65	50	130	59	71
Net New External Trips		1,759	73	60	13	110	62	48	123	57	66
Proposed Scenario											
Movie Theater	656 seat(s)	1,155	39	30	9	59	32	27	59	32	27
Museum **	5.002 ksf	9	1	1	0	1	1	0	1	0	1
Multifamily Mid-Rise	1 DU	5	0	0	0	0	0	0	0	0	0
General Office (10k-250k)	31.114 ksf	337	47	41	6	19	17	2	45	8	37
Library	7.886 ksf	568	8	6	2	64	31	33	64	31	33
	Subtotal	2,074	95	78	17	143	81	62	169	71	98
Pass-By Capture											
Movie Theater	0.0%	0	0	0	0	0	0	0	0	0	0
Museum	0.0%	0	0	0	0	0	0	0	0	0	0
Multifamily Mid-Rise	0.0%	0	0	0	0	0	0	0	0	0	0
General Office (10k-250k)	10.0%	34	5	4	1	2	2	0	5	1	4
Library	10.0%	57	1	1	0	6	3	3	6	3	3
	Subtotal	91	6	5	1	8	5	3	11	4	7
Driveway Volumes		2,074	95	78	17	143	81	62	169	71	98
Net New External Trips		1,983	89	73	16	135	76	59	158	67	91
Proposed Net External Trips-Existing Net New External Trips		224	16	13	3	25	14	11	35	10	25
Radius of Development Influence:		0.5 mile(s)									
Land Use	Daily	Pass By **	AM Peak Hour		Mid-Day Peak Hour		PM Peak Hour				
Movie Theater	1.76 trips/seat(s)	0.0%	0.06 trips/seat(s) (77% in, 23% out) *		0.09 trips/seat(s) (55% in, 45% out)		0.09 trips/seat(s) (55% in, 45% out)				
Museum	10*PM Rate **	0.0%	0.28 trips/ksf (86% in, 14% out)		0.28 trips/ksf (86% in, 14% out)		0.18 trips/ksf (16% in, 84% out)				
Multifamily Mid-Rise	*** 4.54 trips/DU	0.0%	0.37 trips/DU (23% in, 77% out)				0.39 trips/DU (61% in, 39% out)				
General Office (10k-250k)	*** 10.84 trips/ksf	10.0%	1.52 trips/ksf (88% in, 12% out)				1.44 trips/ksf (17% in, 83% out)				
Library	72.05 trips/ksf	10.0%	1 trips/ksf (71% in, 29% out)		8.16 trips/ksf (48% in, 52% out)**		8.16 trips/ksf (48% in, 52% out)				

*No AM adjacent street peak hour rate provided in ITE 10th or 11th edition, therefore used AM peak hour of generator rate from ITE 11th edition.

**No Daily rate provided in ITE 11th Edition, therefore assumed 10x PM peak hour rate.

*** Mid Day peak hour calculations were derived from ITE 11th Edition time of day variation.

ROADWAY VOLUME DISTRIBUTION

As defined in Article 12 of the Palm Beach County ULDC, the radius of development influence is the links within a half mile from the site. It was assumed that most of the trips will enter the site from the south (arriving from Royal Palm Way) and will exit north and south (departing towards Royal Palm Way or Seaview Avenue). The distribution of trips beyond Royal Palm Way was based upon a review of the surrounding uses and roadway network, based on proximity and location of complementary land uses and the configuration and characteristics of the adjacent roadway network. The net new trips that are subject to the traffic evaluation were then assigned to the existing roadway network based on the trip distribution. Figure 2 illustrates the trip distribution for the site.

Following is a summary of the characteristics of the roadways within the radius of influence that are included in the link analysis in the next section of this report:

- **Okeechobee Blvd (Olive Avenue to Flagler Drive):** This roadway is under the jurisdiction of FDOT (SR 704). This segment is a two-lane, one-way eastbound roadway with a posted speed limit of 35 MPH located within the city limits of the City of West Palm Beach. There are sidewalks on both sides of the roadway, with a paved shoulder approximately 4 feet in width along the south curbline of the roadway for bicycles, although it is unmarked and not officially designated as a bicycle lane. One PalmTran bus stop exists on this segment on the south side of the roadway.
- **Lakeview Drive (Flagler Drive to Olive Avenue):** This roadway is under the jurisdiction of FDOT (SR 704). This segment is a three-lane, one-way westbound roadway with a posted speed limit of 35 MPH located within the city limits of the City of West Palm Beach. There are sidewalks on both sides of the roadway, with a paved shoulder approximately 4 feet in width along the north curbline of the roadway for bicycles, although it is unmarked and not officially designated as a bicycle lane. One PalmTran bus stop exists on this segment on the north side of the roadway.
- **Royal Palm Way (Flagler Drive to South County Road):** This roadway is under the jurisdiction of FDOT (SR 704). This segment is a four-lane, two-way roadway with a posted speed limit of 30 MPH located primarily within the municipal limits of the Town of Palm Beach. There are sidewalks on both sides of the roadway. A marked, designated bicycle lane exists on the bridge portion of this segment (from Flagler Drive to South Lake Drive), but no bicycle lane exists between S Lake Drive and S County Road. Multiple PalmTran bus stops exist on this segment on both sides of the roadway.
- **Flagler Drive (Chadbourn Court to Fern Street):** This roadway is under the jurisdiction of the City of West Palm Beach. This segment is a four-lane, two-way roadway with a posted speed limit of 30 MPH located within the city limits of the City of West Palm Beach. There are sidewalks on both sides of the roadway, with the sidewalk along the east side of the corridor serving as a multi-use path for pedestrians and for bicycles. No PalmTran service exists on this segment.
- **Cocoanut Row (North and South of Royal Palm Way):** This roadway is under the jurisdiction of the Town of Palm Beach. This segment is a two-lane, two-way roadway that operates under the town-wide designated local speed limit of 25 MPH and is located within the municipal limits of the Town of Palm Beach. There are sidewalks on both sides of the roadway but there are no designated bicycle lanes. No PalmTran service exists on this segment.
- **South County Road (North and South of Royal Palm Way):** This roadway is under the jurisdiction of FDOT (SR A1A). This segment varies in cross-section width, from a two-lane divided roadway, to an unbalanced roadway section (two lanes in one direction and one lane in the other direction) to a four-lane section. It operates under a posted speed limit of 25 MPH and is located

within the municipal limits of the Town of Palm Beach. There are sidewalks on both sides of the roadway but there are no designated bicycle lanes. PalmTran service exists on to the north of Royal Palm Way, but not to the south of Royal Palm Way.

ROADWAY LINK ANALYSIS - TEST 1 & 2 ANALYSES

Based upon criteria published in *Article 12* of the *Unified Land Development Code (ULDC)*, significantly impacted thoroughfare roadways are to be evaluated in comparison to LOS D thresholds. For the purposes of the Test 1 analysis, the roadway links within the radius of development influence are significantly impacted if project generated trips are greater than one percent (1%) of the adopted LOS D threshold. As indicated in Table 3, Table 4 and Table 5, none of the roadway segments are projected to be significantly impacted by project traffic.

Because the project traffic impact on these segments results in a significant impact under Test 1 criteria, none of the segments will be significantly impacted under the Test 2, Five Year Buildout, standards. Therefore, no Test 2 analysis has been undertaken.

Table 3: Test 1 AM Peak Hour Significance Analysis

ROADWAY	FROM	TO	EXISTING NUMBER OF LANES	LOS D GENERAL SVC. VOLUME	PROJECT % ASSIGNMENT	NB/EB IN/OUT?	PROJECT TRIPS					
							AM PEAK HOUR					
							TRIPS		% IMPACT			
							NB/EB	SB/WB	NB/EB	Sig?	SB/WB	Sig?
Okeechobee Blvd	Olive Ave	Flagler Drive	2L/OW	2,120	30%	i	4	1	0.19%	No		
Royal Palm Way	Flagler Drive	Cocoanut Row	4LD	1,770	35%	i	5	1	0.28%	No	0.06%	No
Royal Palm Way	Cocoanut Row	County Road	4LD	1,770	35%	o	1	5	0.06%	No	0.28%	No
Lakeview Drive	Flagler Drive	Olive Avenue	3L/OW	3,220	30%	i	4	1			0.03%	No
Flagler Drive	North of Okeechobee Blvd		4LD	1,770	4%	o	0	1	0.00%	No	0.06%	No
Flagler Drive	South of Okeechobee Blvd		2L	810	1%	i						
Cocoanut Row	North of Royal Palm Way		2L	810	25%	o	1	3	0.12%	No	0.37%	No
Cocoanut Row	South of Royal Palm Way		2L	810	5%	i						
County Road	North of Royal Palm Way		4L	1,680	10%	o	0	1	0.00%	No	0.06%	No
County Road	South of Royal Palm Way		2L	810	15%	i						

Table 4: Test 1 Midday Peak Hour Significance Analysis

ROADWAY	FROM	TO	EXISTING NUMBER OF LANES	LOS D GENERAL SVC. VOLUME	PROJECT % ASSIGNMENT	NB/EB IN/OUT?	PROJECT TRIPS					
							MIDDAY PEAK HOUR					
							TRIPS		% IMPACT			
							NB/EB	SB/WB	NB/EB	Sig?	SB/WB	Sig?
Okeechobee Blvd	Olive Ave	Flagler Drive	2L/OW	2,120	30%	i	4	3	0.19%	No		
Royal Palm Way	Flagler Drive	Cocoanut Row	4LD	1,770	35%	i	5	4	0.28%	No	0.23%	No
Royal Palm Way	Cocoanut Row	County Road	4LD	1,770	35%	o	4	5	0.23%	No	0.28%	No
Lakeview Drive	Flagler Drive	Olive Avenue	3L/OW	3,220	30%	i	4	3			0.09%	No
Flagler Drive	North of Okeechobee Blvd		4LD	1,770	4%	o	0	1	0.00%	No	0.06%	No
Flagler Drive	South of Okeechobee Blvd		2L	810	1%	i						
Cocoanut Row	North of Royal Palm Way		2L	810	25%	o	3	4	0.37%	No	0.49%	No
Cocoanut Row	South of Royal Palm Way		2L	810	5%	i						
County Road	North of Royal Palm Way		4L	1,680	10%	o	1	1	0.06%	No	0.06%	No
County Road	South of Royal Palm Way		2L	810	15%	i						

Table 5: Test 1 PM Peak Hour Significance Analysis

ROADWAY	FROM	TO	EXISTING NUMBER OF LANES	LOS D GENERAL SVC. VOLUME	PROJECT % ASSIGNMENT	NB/EB IN/OUT?	PROJECT TRIPS					
							AM PEAK HOUR					
							TRIPS		% IMPACT			
							NB/EB	SB/WB	NB/EB	Sig?	SB/WB	Sig?
Okeechobee Blvd	Olive Ave	Flagler Drive	2L/OW	2,120	30%	i	3	8	0.14%	No		
Royal Palm Way	Flagler Drive	Cocoanut Row	4LD	1,770	35%	i	4	9	0.23%	No	0.51%	No
Royal Palm Way	Cocoanut Row	County Road	4LD	1,770	35%	o	9	4	0.51%	No	0.23%	No
Lakeview Drive	Flagler Drive	Olive Avenue	3L/OW	3,220	30%	i	3	8			0.25%	No
Flagler Drive	North of Okeechobee Blvd		4LD	1,770	4%	o	1	0	0.06%	No	0.00%	No
Flagler Drive	South of Okeechobee Blvd		2L	810	1%	i						
Cocoanut Row	North of Royal Palm Way		2L	810	25%	o	6	3	0.74%	No	0.37%	No
Cocoanut Row	South of Royal Palm Way		2L	810	5%	i						
County Road	North of Royal Palm Way		4L	1,680	10%	o	3	1	0.18%	No	0.06%	No
County Road	South of Royal Palm Way		2L	810	15%	i						



FIGURE 2

Society For The Four Arts
KH #245350000

Project Traffic Assignment

Kimley»Horn

LEGEND

Site Location



Percent Traffic Assignment



INTERSECTION OPERATIONAL ANALYSIS

As requested by the Town of Palm Beach, the surrounding intersections to the site have been analyzed to determine the impacts of the proposed development on the surrounding road network. The intersection analysis included LOS and delay analyses for the following intersections:

1. Cocoanut Row & Royal Palm Way
2. South County Road & Royal Palm Way
3. Cocoanut Row & Seaview Avenue
4. Four Arts Plaza & Royal Palm Way

The study intersections were analyzed for the following three scenarios: Existing Year (2024), Background Year (2029), and Future Total (2029).

DATA COLLECTION

Existing count data was collected at the intersections listed above from 7:30 AM to 5:30 PM. From the data collected a morning, midday, and afternoon peak hour was determined for each of the study intersections. Turning movement counts were collected on the following dates:

- Wednesday, March 13, 2024
- Tuesday, April 2, 2024
- Thursday, September 19, 2024

The counts were collected to determine a baseline for traffic operations within the vicinity of the site. Existing count data is summarized by movement during 15-minute intervals and data summaries are included in the Appendix, for reference.

VOLUME ADJUSTMENT

Existing traffic count data was adjusted to future year conditions using a compounding annual growth rate of 2.33%, plus the addition of committed development traffic identified in conjunction with the Town's consultant to develop Background Year (2029) traffic volumes. Growth rate calculations are also included in the Appendix, for reference. Project traffic data was then added to the Background Year (2029) traffic volumes to develop Future Total (2029) traffic volumes.

EXISTING YEAR

Table 6 summarizes the results of the existing year *Synchro* analysis. *HCM 7th Edition* methodology was used to develop LOS and delay at each of the study intersections. As summarized in the tables, the *Synchro* analysis identifies the following intersections that do not meet the Town of Palm Beach standards.

- Four Arts Plaza & Royal Palm Way (PM Peak Hour)

Table 6: Existing Year (2024) Synchro Summary

#	Intersection	Control Type	Movement	AM Peak Hour		Mid Peak Hour		PM Peak Hour		Town of Palm Beach Accepted LOS
				Delay (s)	LOS	Delay (s)	LOS	Delay (s)	LOS	
1	Cocoanut Row & Royal Palm Way	Signalized	EB	24.6	C	21.5	C	26.7	C	D
			WB	38.5	D	27.4	C	27.4	C	D
			NB	26.8	C	25	C	30.9	C	D
			SB	29.2	C	46.4	D	52.4	D	D
			Overall	28.8	C	27.8	C	32.4	C	D
2	South County Road & Royal Palm Way	Signalized	EB	37.1	D	46	D	39.1	D	D
			WB	43.7	D	44.2	D	48.6	D	D
			NB	10.2	B	11	B	11.3	B	E
			SB	23.5	C	25	C	23.8	C	E
			Overall	28.4	C	30.6	C	29.3	C	D
3	Cocoanut Row & Seaview Avenue	TWSC	EB	9.93	A	13.22	B	14.42	B	D
			WB	18.08	C	17.81	C	21.82	C	D
			NB	-	-	-	-	-	-	-
			SB	-	-	-	-	-	-	-
			Overall	-	-	-	-	-	-	-
4	Four Arts Plaza & Royal Palm Way	TWSC	EB	9.7	A	19.4	C	41.4	E	D
			WB	-	-	-	-	-	-	-
			NB	-	-	-	-	-	-	-
			SB	11.8	B	20	C	27	D	D
			Overall	-	-	-	-	-	-	-

BACKGROUND YEAR (2029) ANALYSIS

The Background Year scenario was analyzed to develop future baseline operations for the surrounding area based on existing count data, and the addition of ambient background growth. Volume development sheets are included in the Appendix, for reference. As summarized in the tables, the Synchro analysis identifies the following intersections that do not meet the Town of Palm Beach standards.

- Coconut Row & Royal Palm Way (PM Peak Hour)
- Coconut Row & Seaview Avenue (PM Peak Hour)
- Four Arts Plaza & Royal Palm Way (PM Peak Hour)

Table 7: Background Year (2029) Synchro Summary

#	Intersection	Control Type	Movement	AM Peak Hour		Mid Peak Hour		PM Peak Hour		Town of Palm Beach Accepted LOS
				Delay (s)	LOS	Delay (s)	LOS	Delay (s)	LOS	
1	Coconut Row & Royal Palm Way	Signalized	EB	28.2	C	22.8	C	53	D	D
			WB	47	D	25.4	C	55.8	E	D
			NB	27.2	C	25.4	C	41.4	D	D
			SB	30.3	C	56	E	129.1	F	D
			Overall	33	C	29.1	C	67.3	E	D
2	South County Road & Royal Palm Way	Signalized	EB	45.4	D	62.9	E	49	D	D
			WB	44.4	D	45.9	D	48.8	D	D
			NB	11.3	B	11.7	B	18.6	B	E
			SB	26.8	C	27.2	C	32.7	C	E
			Overall	33.6	C	37.8	D	37.1	D	D
3	Coconut Row & Seaview Avenue	TWSC	EB	10.64	B	14.31	B	19.59	B	D
			WB	29.1	D	21.24	C	45.29	E	D
			NB	-	-	-	-	-	-	-
			SB	-	-	-	-	-	-	-
			Overall	-	-	-	-	-	-	-
4	Four Arts Plaza & Royal Palm Way	TWSC	EB	10.7	B	25.5	D	171.7	F	D
			WB	-	-	-	-	-	-	-
			NB	-	-	-	-	-	-	-
			SB	13.2	B	24	C	46.6	E	D
			Overall	-	-	-	-	-	-	-

FUTURE YEAR (2029) ANALYSIS

The Future Year (2029) scenario was analyzed to determine future operation for the surrounding area and project driveways based on existing count data, background growth, committed projects plus traffic generated by redevelopment of this site. Volume development sheets are included in the Appendix for reference.

Table 8 summarizes the results of the future year *Synchro* analysis. *HCM 7th Edition* methodology was used to develop LOS and delay at the studied intersections. As summarized in the tables, the *Synchro* analysis identifies the following intersections that do not meet the Town of Palm Beach standards.

- Coconut Row & Royal Palm Way (PM Peak Hour)
- Coconut Row & Seaview Avenue (PM Peak Hour)
- Four Arts Plaza & Royal Palm Way (PM Peak Hour)

Table 8: Future Year (2029) Synchro Summary

#	Intersection	Control Type	Movement	AM Peak Hour		Mid Peak Hour		PM Peak Hour		Town of Palm Beach Accepted LOS
				Delay (s)	LOS	Delay (s)	LOS	Delay (s)	LOS	
1	Coconut Row & Royal Palm Way	Signalized	EB	28.2	C	22.8	C	52.9	D	D
			WB	47.2	D	25.5	C	56.2	E	D
			NB	27.2	C	25.4	C	41.8	D	D
			SB	30.3	C	55.8	E	128.2	F	D
			Overall	33.1	C	29.2	C	67.4	E	D
2	South County Road & Royal Palm Way	Signalized	EB	45.4	D	63.3	E	49.8	D	D
			WB	44.4	D	46	D	48.9	D	D
			NB	11.3	B	11.8	B	18.8	B	E
			SB	26.9	C	27.3	C	32.8	C	E
			Overall	33.6	C	38	D	37.5	D	D
3	Coconut Row & Seaview Avenue	TWSC	EB	10.81	B	14.57	B	19.93	B	D
			WB	29.56	D	21.5	C	47.62	E	D
			NB	-	-	-	-	-	-	-
			SB	-	-	-	-	-	-	-
			Overall	-	-	-	-	-	-	-
4	Four Arts Plaza & Royal Palm Way	TWSC	EB	10.8	B	26.3	C	182.7	F	D
			WB	-	-	-	-	-	-	-
			NB	-	-	-	-	-	-	-
			SB	13.3	B	30.6	D	73.6	F	D
			Overall	-	-	-	-	-	-	-

As shown in the tables above, the level of service at Coconut Row & Royal Palm Way and the westbound approach of Seaview Avenue at Coconut Row are below the LOS D standards during the PM peak hour without the addition of project traffic. According to Florida State Statute 163.3180, because the facilities identified above are background deficient, and because the improvements required to address future background conditions will also provide sufficient service for the proposed project, the project would not be required to provide a proportionate share contribution towards an improvement at these intersections. Note that the Town has implemented adaptive signal control, which is continuing to collect data in order to provide optimal signal timing and phasing patterns to reduce driver delay and maximize signal system efficiency. In the future, as it is fully implemented on the Royal Palm Way corridor, an optimized timing pattern, which may differ from what is used in the analysis, may be in place.

COMPREHENSIVE PLAN LOS ANALYSIS

In addition to the evaluation conducted to determine compliance with the County's Traffic Performance Standards, the following additional analysis has been prepared to determine the LOS for each of the road segments in the Town in comparison to the Town's Comprehensive Plan Transportation Element. Table 9 and Table 10 summarize the LOS for each of the roadway links analyzed during the AM and PM peak hours, respectively. Peak Hour volumes were taken from the Town of Palm Beach 2024 Annual Traffic Count report. The LOS capacities were obtained from the FDOT QLOS Handbook (2020). As summarized in these tables, all of the roadway links in the vicinity of the project are projected to meet the Town's two-way peak hour LOS standard identified in the Comprehensive Plan Standards during future background and total future conditions. The project does not create any new roadway link deficiencies on the surrounding transportation network.

Table 9: AM Future Total (2029) Peak Hour LOS

Location No.	Street Segment	Facility Type	2024 Peak Hour Volume*	Roadway Class	LOS C		LOS D		LOS E		Existing Peak Hour LOS	Future Background (2029) Volumes				Project Distribution	Project Traffic Volume	Future (2029) Total Volume	Future (2029) Peak Hour LOS	Town of Palm Beach Accepted LOS
					Peak Hour Capacity	v/c ratio	Peak Hour Capacity	v/c ratio	Peak Hour Capacity	v/c ratio		Town Of Palm Beach Growth Rate	Committed Traffic	+1% Growth Rate	Future Background 2029 Volume					
5	South County Road (North of Peruvian Avenue)	4L ART Undivided	821	II	983	0.83	2,190	0.37	2,280	0.36	C	100	70		921	15%	3	924	C	E
6	North County Road (North of Breakers Row)	4L ART Undivided	1,296	II	983	1.32	2,190	0.59	2,280	0.57	D	158	138		1,454	10%	2	1,456	D	E
7	North County Road (North of Royal Poinciana Way)	4L ART Undivided	1,594	II	983	1.62	2,190	0.73	2,280	0.70	D	195	112		1,789	5%	1	1,790	D	E
8	Cocoanut Row (South of Seabreeze Avenue)	2L COLL Undivided	702	II	594	1.18	1,197	0.59	1,269	0.55	D	86	42		788	25%	4	792	D	D
9	Cocoanut Row (North of Whitehall Way)	2L COLL Undivided	750	II	594	1.26	1,197	0.63	1,269	0.59	D	92	114		864	25%	4	868	D	E
11	Royal Palm Way (East of Hibiscus Avenue)	4L ART Divided	1,286	II	1,310	0.98	2,920	0.44	3,040	0.42	C	157	75		1,443	35%	6	1,449	D	D
12	Royal Palm Way (West of Hibiscus Avenue)	4L ART Divided	1,401	II	1,310	0.93	2,920	0.48	3,040	0.46	D	171	166		1,572	40%	7	1,579	D	D

NOTES:
Roadway class and level of service volumes are based on the Florida Department of Transportation's 2020 Quality Level of Service Handbook.
* Peak Hour Volumes were taken from the Town of Palm Beach 2024 Annual Traffic Count Update

Table 10: PM Future Total (2029) Peak Hour Link LOS

Location No.	Street Segment	Facility Type	2024 Peak Hour Volume*	Roadway Class	LOS C		LOS D		LOS E		Existing Peak Hour LOS	Future Background (2029) Volumes				Background (2029) Peak Hour LOS	Project Traffic Volume	Future (2029) Total Volume	Future (2029) Peak Hour LOS	Town of Palm Beach Accepted LOS
					Peak Hour Capacity	v/c ratio	Peak Hour Capacity	v/c ratio	Peak Hour Capacity	v/c ratio		Town Of Palm Beach Growth Rate	Committed Traffic	TPS +1% Growth Rate	Future Background 2029 Volume					
5	South County Road (North of Peruvian Avenue)	4L ART Undivided	915	II	983	0.93	2,190	0.42	2,280	0.40	C	112	98		1,027	D	5	1,032	D	E
6	North County Road (North of Breakers Row)	4L ART Undivided	1,428	II	983	1.45	2,190	0.65	2,280	0.63	D	174	127		1,602	D	4	1,606	D	E
7	North County Road (North of Royal Poinciana Way)	4L ART Undivided	1,486	II	983	1.51	2,190	0.68	2,280	0.65	D	182	124		1,688	D	2	1,670	D	E
8	Cocoanut Row (South of Seabreeze Avenue)	2L COLL Undivided	762	II	594	1.28	1,197	0.59	1,269	0.55	D	93	62		855	D	9	864	D	D
9	Cocoanut Row (North of Whitehall Way)	2L COLL Undivided	845	II	594	1.42	1,197	0.71	1,269	0.67	D	103	165		1,010	D	9	1,019	D	E
11	Royal Palm Way (East of Hibiscus Avenue)	4L ART Divided	1,526	II	1,310	0.98	2,920	0.44	3,040	0.42	D	186	103		1,712	D	12	1,724	D	D
12	Royal Palm Way (West of Hibiscus Avenue)	4L ART Divided	1,654	II	1,310	0.79	2,920	0.48	3,040	0.46	D	202	165		1,856	D	14	1,870	D	D

NOTES:
Roadway class and level of service volumes are based on the Florida Department of Transportation's 2020 Quality Level of Service Handbook.
* Peak Hour Volumes were taken from the Town of Palm Beach 2024 Annual Traffic Count Update

DRIVEWAY ACCESS

Access to the project site to/from the adjacent collector/arterial roadway network is provided via two public streets (Seaview Avenue and Four Arts Plaza) is provided at the site driveway along Royal Palm Way, which will provide one-way access. **Figure 3** illustrates the site access volumes on an inbound and outbound basis during both the AM peak hour and PM peak hour.

SITE ACCESS EVALUATION

The Society of the Four Arts is located north of Royal Palm Way and west of Cocoanut Row in the Town of Palm Beach, Florida. Royal Palm Way is a four lane divided east/west road with an approximate 30 foot median. The speed limit on Royal Palm Way is 30 miles per hour. Royal Palm Way has sidewalks on both sides, with the south side having 11 feet in width, while the sidewalk on the north side of road has a width of 5 feet. Cocoanut Row is a two lane north/south road with no posted speed limit. Cocoanut Row has a sidewalk on both sides, with the sidewalk on the east side of Cocoanut Row having a width of 5 feet, and the sidewalk on the west side of Cocoanut Row having a width of 5 feet. Four Arts Plaza is a two lane north/south road with no posted speed limit. The sidewalk on the east side of the road has a width of 8 feet. The west sidewalk has a width of 8 feet

ALTERNATIVE MODE ACCESS

The site is adjacent to Lake Trail, which is a dedicated pedestrian and bicycle route, and access is available to and from this site from pedestrians and bicyclists. A network of pedestrian pathways within the site connect the multiple buildings on the campus, and these in turn connect to primary sidewalks on Royal Palm Way and on Cocoanut Row.

There are no dedicated bicycle lanes on Royal Palm Way. Palm Tran Route 41 runs east-west on Royal Palm Way adjacent to the site.

95TH PERCENTILE QUEUEING ANALYSIS

As requested, a 95th percentile queue analyses were conducted to evaluate the storage lengths during the AM, Midday, and PM peak hours with the addition of project traffic. The following intersections were analyzed:

- Cocoanut Row & Royal Palm Way
- South County Road & Royal Palm Way
- Cocoanut Row & Seaview Avenue
- Four Arts Plaza & Royal Palm Way

Using *Synchro 12* and *HCM 7th Edition* methodology, a 95th percentile vehicle queue length was determined. Table 11 and Table 12 summarizes the future background and future total queue lengths during the AM, Midday, and PM peak hours.

Table 11: Future Background 95th Percentile Queue

Intersection	95 th Percentile Queue									
	AM Peak Hour (ft)					Mid Day Peak Hour (ft)				
	Movement	Existing Storage Length (ft)	Queue	Movement	Existing Storage Length (ft)	Queue	Movement	Existing Storage Length (ft)	Queue	Movement
Cocoanut Row & Royal Palm Way	EBL	150	431	EBL	150	180	EBL	150	437	EBL
	SBL	230	69	SBL	230	49	SBL	230	77	SBL
South County Road & Royal Palm Way	EBL	180	464	EBL	180	397	EBL	180	367	EBL
	EBL	-	2	EBL	-	7	EBL	-	9	EBL
Cocoanut Row & Seaview Avenue	EBR	-	4	EBR	-	4	EBR	-	2	EBR
	WBL	-	101	WBL	-	29	WBL	-	117	WBL
	WBR	-	13	WBR	-	2	WBR	-	9	WBR
	SB	-	7	SB	-	20	SB	-	40	SB

Table 12: Future Total 95th Percentile Queue

Intersection	95 th Percentile Queue									
	AM Peak Hour (ft)					Mid Day Peak Hour (ft)				
	Movement	Existing Storage Length (ft)	Queue	Movement	Existing Storage Length (ft)	Queue	Movement	Existing Storage Length (ft)	Queue	Movement
Cocoanut Row & Royal Palm Way	EBL	150	431	EBL	150	180	EBL	150	437	EBL
	SBL	230	69	SBL	230	50	SBL	230	80	SBL
South County Road & Royal Palm Way	EBL	180	464	EBL	180	399	EBL	180	373	EBL
	EBL	-	2	EBL	-	7	EBL	-	11	EBL
Cocoanut Row & Seaview Avenue	EBR	-	4	EBR	-	4	EBR	-	2	EBR
	WBL	-	101	WBL	-	31	WBL	-	121	WBL
	WBR	-	13	WBR	-	2	WBR	-	9	WBR
	SB	-	7	SB	-	29	SB	-	68	SB

As shown in the tables, the 95th percentile queue is projected to exceed it existing storage at the following interections :

- Cocoanut Road & Royal Palm Way (EBL)
- South County Road & Royal Palm Way (EBL)

As indicated in Table 12, in comparison to the Future Background scenario, the projected Future Total 95th Percentile Queue for the east bound left turn movements at Cocoanut Row & Royal Palm Way and South County Road & Royal Palm Way intersections by less than one additional vehicle. This is a background deficiency, and the project has a *de minimis* impact on this queue. According to Florida State Statute 163.3180, because the facilities identified above are background deficient, and because the improvements required to address future background conditions will also provide sufficient service for the proposed project, the project would not be required to provide a proportionate share contribution towards an improvement at these intersections. Furthermore, it is noted that, although turn lane extensions for both movements are feasible, they would have significant adverse impacts on the landscaping and historic aesthetics of the Royal Palm Way corridor.

SUMMARY

This analysis was prepared to address the requirements of the Palm Beach County Traffic Performance Standards and Town of Palm Beach standards when considering the traffic impacts of modifications to Society of the Four Arts campus. The analysis was done taking into consideration the net change in vehicular trips that will be generated by the proposed modifications to the existing campus. The foregoing analysis demonstrates that the changes do not create the requirement for new mitigation measures to be constructed on the surrounding roadway network.

Please contact me via email at chris.heggen@kimley-horn.com or via phone at 561-840-0248 if you have any questions regarding the information provided herein.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

Christopher W. Heggen, P.E.
Transportation Engineer

Florida Registration
Number 58636

Registry No. 35106

Attachments

K:\WPB_TPTO\2453\245350000 - Society of the Four Arts\Traffic\2025-01-06 Society of the Four Arts TIA.docx



LEGEND

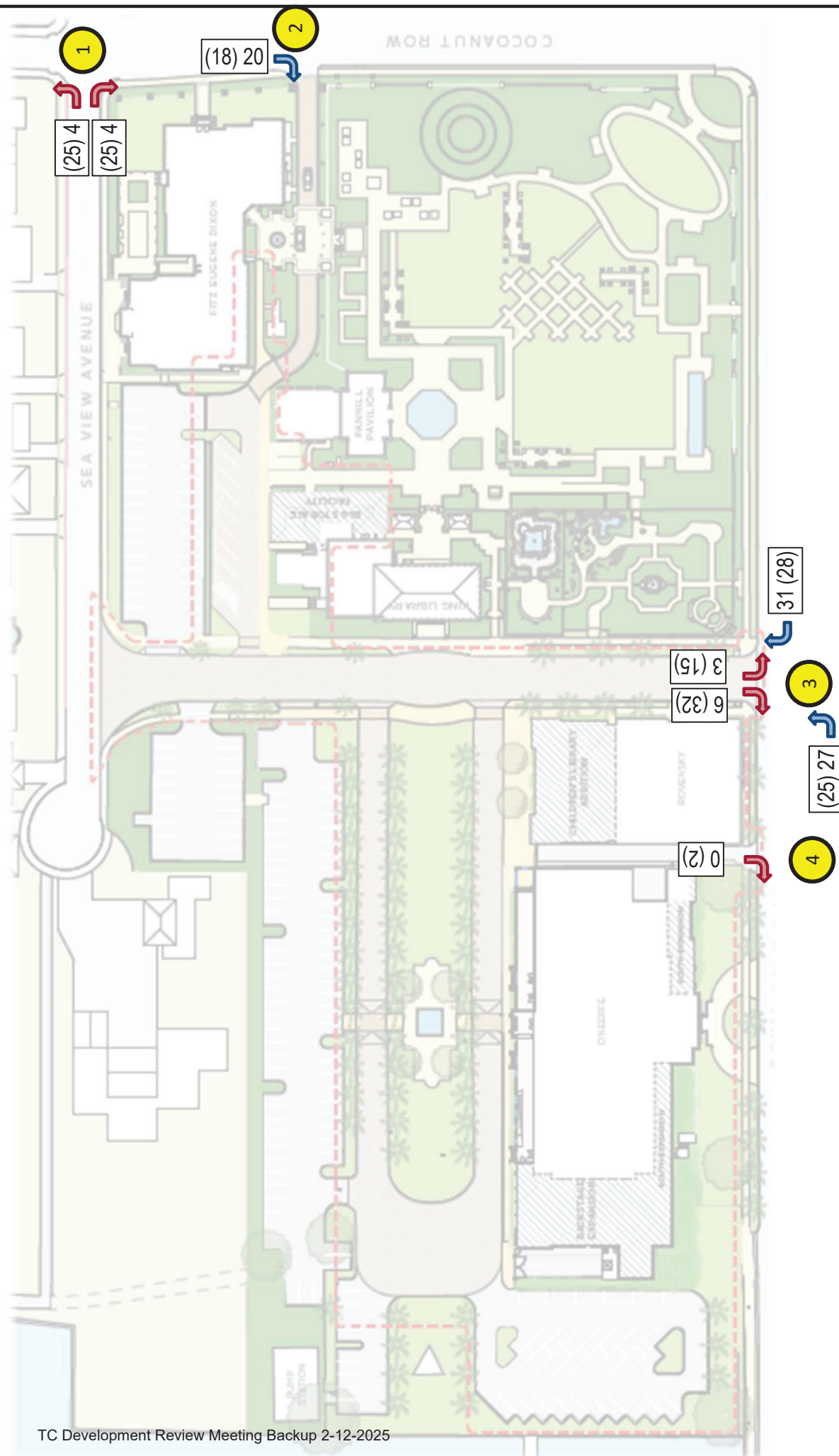
Access Point Number



FIGURE 3

Society For The Four Arts
KH #245350000
Site Access Volumes

Kimley»Horn





September 1, 2023

Christopher W. Heggen, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way, Suite 200
West Palm Beach, FL 33411

**Department of Engineering
and Public Works**

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**Palm Beach County
Board of County
Commissioners**

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Marci Woodward
Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

**RE: Society of the Four Arts
Project #: 230810
Traffic Performance Standards (TPS) Review**

Dear Mr. Heggen:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, dated August 21, 2023, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Palm Beach
Location:	NWC of Royal Palm Way and Cocoanut Row
PCN:	50-43-43-23-05-021-0010(additional PCNs on file)
Access:	As existing <u>(As used in the study and is NOT necessarily an approval by the County through this TPS letter)</u>
Existing Uses:	Theater = 714 Seats Gen. Office = 17,035 SF Multi-Family Residential = 3 DUs Museum= 5,525 SF Library = 4,812 SF
Proposed Uses:	Modify the existing uses as follow: Theater = 656 Seats Gen. Office = 31,562 SF Multi-Family Residential = 1 DU Museum= 5,186 SF Library = 7,800 SF
New Daily Trips:	224
New Peak Hour Trips:	17 (14/3) AM; 35 (10/25) PM
Build-out:	December 31, 2028

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 TPS of Palm Beach County.

Please note the receipt of a 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.

"An Equal Opportunity
Affirmative Action Employer"





Christopher W. Heggen, P.E.
September 1, 2023
Page 2

No building permits are to be issued by the City 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.

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 HAkif@pbcgov.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hanane Akif", with a stylized flourish at the end.

Hanane Akif, P.E.
Professional Engineer
Traffic Division

QB:HA:qg

ec: James Murphy, Assistant Director, Town of Palm Beach
Hanane Akif, P.E., Professional Engineer, Traffic Division
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
F:\TRAFFIC\HA\MUNICIPALITIES\APPROVALS\2023\230810 - SOCIETY OF THE FOUR ARTS.DOCX;

Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Industrial	General Light Industrial	110	1000 S.F.	4.87	10%	88/12	0.74	14/86	0.65
	Manufacturing	140	1000 S.F.	4.75	10%	76/24	0.68	31/69	0.74
	Warehouse	150	1000 S.F.	1.71	10%	77/23	0.17	28/72	0.18
	Mini-Warehouse/SS	151	1000 S.F.	1.45	10%	59/41	0.09	47/53	0.15
	HCF Center Warehouse - Non Sort	155	1000 S.F.	1.81	10%	81/19	0.15	39/61	0.16
Residential	Single Family Detached	210	Dwelling Unit	10	0%	26/74	0.7	63/37	0.94
	Multifamily Low-Rise Housing upto 3 story (Apartment/Condo/TH)	220	Dwelling Unit	6.74	0%	24/76	0.4	63/37	0.51
	Multifamily Mid-Rise Housing 4-10 story (Apartment/Condo/TH)	221	Dwelling Unit	4.54	0%	23/77	0.37	61/39	0.39
	55+ SF Detached	251	Dwelling Unit	4.31	0%	33/67	0.24	61/39	0.30
	55+ SF Attached	252	Dwelling Unit	3.24	0%	34/66	0.2	56/44	0.25
	Congregate Care Facility	253	Dwelling Unit	2.21	0%	58/42	0.08	49/51	0.18
	Assisted Living Facility	254	Beds	2.6	0%	60/40	0.18	39/61	0.24
	Hotel	310	Rooms	7.99	10%	56/44	0.46	51/49	0.59
Ldg	Golf Course	430	Holes	30.38	5%	79/21	1.76	53/47	2.91
	Health/Fitness Club	492	1000 S.F.	32.93	5%	51/49	1.31	57/43	3.45
Institutional	Elementary School	520	Students	2.27	0%	54/46	0.74	46/54	0.16
	Middle/Junior School	522	Students	2.1	0%	54/46	0.67	48/52	0.15
	High School	525	Students	1.94	0%	68/32	0.52	48/52	0.14
	Private School (K-8)	530	Students	3.17 ^a	0%	56/44	1.01	46/54	0.26
	Private School (K-12)	532	Students	2.48	0%	63/37	0.79	43/57	0.17
	Church/Synagogue ^o	560	1000 S.F.	7.6	5%	62/38	0.32	44/56	0.49
	Day Care	565	Students	4.09	50%	53/47	0.78	47/53	0.79
	Library	590	1000 S.F.	72.05	10%	71/29	1	48/52	8.16
Med	Hospital	610	1000 S.F.	10.77	10%	67/33	0.82	35/65	0.86
	Nursing Home	620	Beds	3.06	10%	72/28	0.14	33/67	0.14
Office	General Office (10k-250k SF GFA) ⁿ	710	1000 S.F.	10.84	10%	88/12	1.52	17/83	1.44
	General Office (>250k SF GFA) ⁿ	710	1000 S.F.	$\text{Ln}(T) = 0.87 \text{Ln}(X) + 3.05$	10%	88/12	$\text{Ln}(T) = 0.86 \text{Ln}(X) + 1.16$	17/83	1.44
	Small Office Building (<=10k SF GFA)	712	1000 S.F.	14.39	10%	82/18	1.67	34/66	2.16
	Medical Office (Stand-Alone)	720	1000 S.F.	$T = 42.97(X) - 108.01$	10%	79/21	3.10	30/70	3.93
	Medical Office (Near Hospital)	720	1000 S.F.	31.86	10%	81/19	2.68	25/75	2.84
	Government Office	730	1000 S.F.	22.59	10%	75/25	3.34	25/75	1.71

Palm Beach County Trip Generation Rates

(Must be used with traffic studies submitted to the County on or after 9/1/2022. However, immediate use is highly recommended)

Gr	Landuse	ITE Code	Unit	Daily Rate/Equation	Pass-By %	AM Peak Hour		PM Peak Hour	
						In/Out	Rate/Equation	In/Out	Rate/Equation
Retail	Nursery (Garden Center)	817	Acre	108.1	0%	50/50	2.82	50/50	8.06
	Nursery (Wholesale)	818	Acre	19.50	0%	50/50	0.23	50/50	0.36
	Landscape Services	PBC	Acre ^c	121.70	0%	40/60	34.4	58/42	15.1
	Shop Center (>150ksf)	820	1000 S.F.	37.01	24%	62/38	0.84	48/52	3.4
	Shop Plaza (40-150ksf) w/Sup Market	821	1000 S.F.	94.49	39%	62/38	3.53	48/52	9.03
	Shop Plaza (40-150ksf) w/out Sup Market	821	1000 S.F.	67.52	39%	62/38	1.73	49/51	5.19
	Strip Retail Plaza (<40ksf)	822	1000 S.F.	54.45	63%	60/40	2.36	50/50	6.59
	Automobile Sales (New)	840	1000 S.F.	27.84	15%	73/27	1.86	40/60	2.42
	Automobile Parts Sales	843	1000 S.F.	54.57	28%	55/45	2.51	48/52	4.9
	Tire Store	848	1000 S.F.	27.69	28%	64/36	2.61	43/57	3.75
Services	Supermarket	850	1000 S.F.	93.84	36%	59/41	2.86	50/50	8.95
	Pharmacy + DT	881	1000 S.F.	108.40	50%	52/48	3.74	50/50	10.25
	Drive-In Bank	912	1000 S.F.	100.35	47%	58/42	9.95	50/50	21.01
	Fine Dining Restaurant	931	1000 S.F.	83.84	44%	50/50	0.73	67/33	7.8
	High Turnover Sit-Down Rest.	932	1000 S.F.	107.2	43%	55/45	9.57	61/39	9.05
	Fast Food Restaurant w/o DT	933	1000 S.F.	450.49	45%	58/42	43.18	50/50	33.21
	Fast Food Restaurant + DT	934	1000 S.F.	467.48	49%	51/49	44.61	52/48	33.03
	Coffee/Donut Shop w/o DT	936	1000 S.F.	441.88 ^d	45%	51/49	93.08	50/50	32.29
	Coffee/Donut Shop + DT	937	1000 S.F.	533.57	49%	51/49	85.88	50/50	38.99
	Coffee/Donut Shop + DT w/No Seat	938	DT Lanes	179	49%	50/50	39.81	50/50	15.08
	Gas Station w/Convenience Store ^e	FDOT	FP, 1000 S.F.	14.3 ^f PM Trips	61%	50/50	Note f	50/50	12.3 ^f FP+15.5 ^f (X)
	Carwash (Automated) ^g	PBC	Lane	166.00	0%	50/50	11.97	50/50	13.65

a) Based on Daily to AM peak ratio for LUC 532 (Private School (K-12))

b) Weekend peak hour rate = 10.36 per 1,000 s.f. with a 48/52 directional split

c) Landscape Services acreage consists of overnight vehicle and equipment storage as well as areas (covered or uncovered) for chemicals, fertilizers, landscape materials (excluding plants) and other items needed for day-to-day operations. Not included are drive aisles, customer/employee parking, structures shared by nursery and landscape services, facilities that solely serve the onsite landscape activities or any nursery growing areas.

d) Based on Daily to PM ratio for ITE Code 937 (Coffee Donut Shop + DT)

e) FP=Fueling Position. Use both FP and Convenience Store size in estimating trips using the provided equation. Note that no internalization between the gas pumps and convenience store, as per ULDC Article 12, should be applied to estimate the net trips.

f) Use PM rates

g) Daily rate taken from PBC trip gen. study. Peak hour rates derived by applying peak to daily ratios for gas station to daily carwash rate from older ITE TGM. New PBC rate study underway.

h) Based on PBC analysis of ITE TGM data plots

Modification History

3/2/2020: Added Landscape Services, modification history, edited formatting
7/25/2022: Updated with ITE TGM Manual 11th ed information

MEMORANDUM

To: Dr. Phillip Rylands

From: Christopher W. Heggen, P.E.
Kimley-Horn and Associates, Inc.

Date: August 7, 2024
Revised September 20, 2024
Revised January 6, 2025

**Subject: Society of the Four Arts – Parking Requirements Evaluation
Palm Beach, FL
Kimley-Horn #245350000**

Kimley-Horn and Associates, Inc. has prepared evaluations to review anticipated parking supply needs for potential changes to the Society of the Four Arts campus, located north of Royal Palm Way and west of Cocoanut Row in the Town of Palm Beach, Florida. **Figure 1** illustrates the campus boundary. The general location and configuration of existing parking is shown in **Figure 2**.

The parking requirements for the site were calculated using the requirements listed in the Town of Palm Beach Code of Ordinances. In this Code of Ordinances, the information for parking requirements can be found in Chapter 134- Zoning, Article IX- Off-Street Parking and Loading. **Table 1** below summarizes this information.

Existing and Proposed Campus Uses

Multiple land uses are included on the Society of the Four Arts campus. These land uses include a theater, professional offices, a museum, and a library. **Table 1** below lists the existing and proposed land uses within the site and the related Town of Palm Beach parking requirements for each use.

Table 1 – Use and Town Code Requirements

Land Use	Spaces Required Per Unit
Theater	One per four permanent seats in the main auditorium
Professional Office	One per 250 square feet of gross leasable area (GLA)
Museum	One per 500 square feet
Library	One per 500 square feet

Information sourced from *Palm Beach Code of Ordinances, Chapter 134, Article IX.*

Table 2 below identifies the existing land uses within the Society of the Four Arts site and the code requirements as stated in the Town of Palm Beach Code of Ordinances, Chapter 134, Article IX. This table also lists the existing intensity for each land use and the total overall parking needed for each individual land use and the entire site. Overall, a total of 268 parking spaces would be needed for the existing intensity.

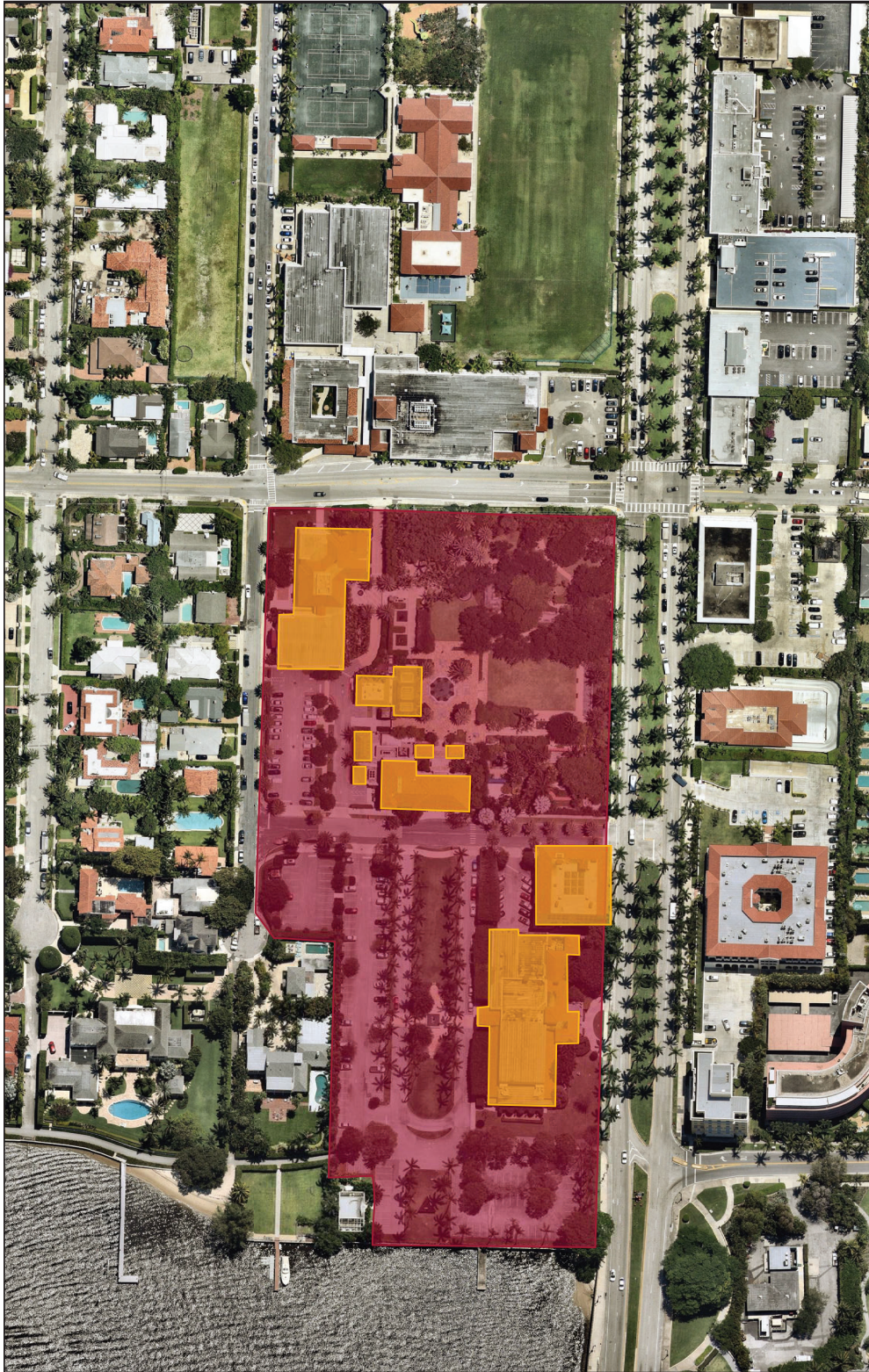
Table 2 – Existing Parking

Land Use	Code Requirements	Existing Intensity	Total Parking Spaces
Theater	1 per 4 seats	714 seats	179 parking spaces
Professional Office	4 per 1,000 SF	17,035 SF	68 parking spaces
Museum	2 per 1,000 SF	5,475 SF	11 parking spaces
Library	2 per 1,000 SF	4,812 SF	10 parking spaces
Total			268 parking spaces

Table 3 below evaluates the proposed updated development program for the Society of the Four Arts site and the code requirements as stated in the Town of Palm Beach Code of Ordinances, Chapter 134, Article IX. Overall, with the new proposed development program for the campus, an overall total of 315 parking spaces would be needed for the site only based upon code requirements.

Table 3 – Proposed Parking

Land Use	Code Requirements	Proposed Intensity	Total Parking Spaces
Theater	1 per 4 seats	656 seats	164 parking spaces
Professional Office	4 per 1,000 SF	31,114 SF	125 parking spaces
Museum	2 per 1,000 SF	5,002 SF	10 parking spaces
Library	2 per 1,000 SF	7,886 SF	16 parking spaces
Total			315 parking spaces



LEGEND

	Site Location		Proposed Crosswalks
	Existing Buildings		Bridge Connection
	Existing Crosswalks		Crosswalks to be Removed

FIGURE 1
 Society For The Four Arts
 KH #245350000
 Existing Buildings

Kimley»Horn

Variance from Town Code Parking Requirements

The Society of the Four Arts campus is a unique site within the Town of Palm Beach that serves a function that is different from any other uses within the Town and, as such, does not directly match with the Town Code categories that have been applied in the initial determination of parking requirements. As such, the site will require a variance from Town Code standards. In support of that variance, the actual parking needs for the site have been calculated using an alternate methodology. In this case, the parking needs for the site were calculated using Town of Palm Beach Code parking requirements in combination with shared parking principles, recognizing that different use components within the campus experience their peak parking demands at different times of the day. Therefore, the evaluations that were undertaken included adjustments to reflect hourly variation in demand as well as differences in weekday and weekend parking demand needs. These adjustments were based upon data published by the Urban Land Institute (ULI) in *Shared Parking, Third Edition*. Following is a summary of the results of this evaluation.

Table 4 provides a summary of the ULI-published data to determine the percent of total parking needs represented by visitor parking demand and by employee parking demand. These factors are published in Table 2-2 of ULI's *Shared Parking, Third Edition*. This is used in subsequent calculations to determine the specific parking ratios needed for employees and for visitors.

Table 4 – Percent of Parking Demand for Visitors vs. Employees, by Use

Land Use	Component	Weekday		Weekend	
		Parking Ratio	Percentage	Parking Ratio	Percentage
Theater	Visitor	0.30 per seat	81%	0.33 per seat	83%
	Employee	0.07 per seat	19%	0.07 per seat	18%
	Total	0.37 per seat		0.40 per seat	
Professional Office	Visitor	0.30 per 1000 SF	8%	0.03 per 1000 SF	8%
	Employee	3.50 per 1000 SF	92%	0.35 per 1000 SF	92%
	Total	3.80 per 1000 SF		0.38 per 1000 SF	
Museum	Visitor	4.00 per 1000 SF	91%	4.50 per 1000 SF	90%
	Employee	0.40 per 1000 SF	9%	0.50 per 1000 SF	10%
	Total	4.40 per 1000 SF		5.00 per 1000 SF	
Library	Visitor	2.00 per 1000 SF	89%	1.90 per 1000 SF	49%
	Employee	0.25 per 1000 SF	11%	2.00 per 1000 SF	51%
	Total	2.25 per 1000 SF		3.90 per 1000 SF	

Note that the site will retain one residential unit on the campus; during daytime hours, the parking associated with this unit is assumed to be counted as office parking and is not separately included in the analysis undertaken.

Existing Campus Parking Needs

Baseline parking needs calculations were then undertaken for the existing uses on campus for both weekday and weekend conditions. **Table 5** determines the parking requirements for visitors and employees for each use by applying the visitor/employee ratios identified in **Table 4** above to the parking ratios defined in Section 134-2176 of the Town's Code of Ordinances. Using the Town's Code and applying ULI adjustments in demand for weekday vs. weekend conditions, as shown in **Table 5**, a total of 247.7 parking spaces would be required on a weekday and 213.0 parking spaces would be required on a weekend if no consideration is made for time-of-day variations in parking needs.

TABLE 5 - Baseline Parking Determination Based on the Parking for the Existing Land Uses
Parking Ratios, Town of Palm Beach Code Of Ordinances

Land Use	Intensity	Weekday				Weekend			
		Total Parking Ratio	Component	Parking Ratio ³	Supply Required	Total Parking Ratio	Component	Parking Ratio ³	Supply Required
Theater	714 seats	0.23 per seat ¹	Visitor	0.19 per 1000 SF	135.7 spaces	0.25 per 1000 SF	Visitor	0.21 per 1000 SF	149.9 spaces
			Employee	0.04 per 1000 SF	28.6 spaces		Employee	0.05 per 1000 SF	35.7 spaces
Professional Office	17,035 SF	4.00 per 1000 SF	Visitor	0.32 per 1000 SF	5.5 spaces 5	0.40 per 1000 SF ²	Visitor	0.03 per 1000 SF	0.5 spaces
			Employee	3.68 per 1000 SF	62.7 spaces 5		Employee	0.37 per 1000 SF	6.3 spaces
Museum	5,475 SF	1.76 per 1000 SF	Visitor	1.60 per 1000 SF	8.8 spaces	2.00 per 1000 SF	Visitor	1.80 per 1000 SF	9.9 spaces
			Employee	0.16 per 1000 SF	0.9 spaces		Employee	0.20 per 1000 SF	1.1 spaces
Library	4,812 SF	1.15 per 1000 SF	Visitor	1.02 per 1000 SF	4.9 spaces	2.00 per 1000 SF ³	Visitor	0.98 per 1000 SF	4.7 spaces
			Employee	0.13 per 1000 SF	0.6 spaces		Employee	1.02 per 1000 SF	4.9 spaces
Total					247.7 spaces				213.0 spaces

NOTES

- 1 adjusted based on weekday / weekend ratio of 0.925 based upon ULI-published data for parking ratios
- 2 adjusted based on weekday / weekend ratio of 0.1 based upon ULI-published data for parking ratios
- 3 adjusted based on weekday / weekend ratio of 0.88 based upon ULI-published data for parking ratios
- 4 adjusted based on weekday / weekend ratio of 0.58 based upon ULI-published data for parking ratios

Future Campus Parking Needs

Future parking needs calculations were then undertaken for the existing uses on campus for both weekday and weekend conditions. **Table 6** determines the parking requirements for visitors and employees for each use by applying the visitor/employee ratios previously identified in **Table 4** to the parking ratios defined in Section 134-2176 of the Town's Code of Ordinances. An additional adjustment was made in the office parking to reflect that there are 26 desk spaces for employees (counted as employee parking requirements, assuming 1 space per employee) + 99 parking spaces for visitors (counting the seating capacity of 99 seats in the large conference rooms). Visitor parking demand for the office use (weekdays) was further adjusted to assume approximately no more than 40% use of the large conference rooms during daytime hours on a day in which the theater would be in full use and 100% in the early evening hours. Using the Town's Code and applying ULI adjustments in demand for weekday vs. weekend conditions, as shown in **Table 6**, a total of 293.6 parking spaces would be required on a weekday and 208.7 parking spaces would be required on a weekend if no consideration is made for time-of-day variations in parking needs.

Tables 7 and 8 show the shared parking calculations based upon ULI time-of-day variations in parking demand for weekday and weekend conditions, respectively. As shown in **Table 7**, the overall weekday peak is projected to occur at 2:00 PM with a total calculated supply requirement of 232 spaces. As shown in **Table 8**, the overall weekend peak is projected to be 201 parking spaces at 2:00 PM.

Charts illustrating these variations in time-of-day demand for each individual use and on a cumulative basis are attached to this memorandum.

TABLE 6 - Baseline Parking Determination Based on the Parking for the Proposed Land Uses
Parking Ratios, Town of Palm Beach Code Of Ordinances

Land Use	Intensity	Weekday			Weekend				
		Total Parking Ratio	Component	Parking Ratio ³	Supply Required	Total Parking Ratio	Component	Parking Ratio ³	Supply Required
Theater	656 seats	0.23 per seat ¹	Visitor Employee	0.19 per 1000 SF 0.04 per 1000 SF	124.6 spaces 26.2 spaces	0.25 per 1000 SF	Visitor Employee	0.21 per 1000 SF 0.05 per 1000 SF	137.8 spaces 32.8 spaces
Professional Office	31,114 SF	4.00 per 1000 SF	V/visitor Employee	0.32 per 1000 SF 3.68 per 1000 SF	99.0 spaces ⁴ 26.0 spaces ⁴	0.40 per 1000 SF ²	Visitor Employee	0.03 per 1000 SF 0.37 per 1000 SF	0.9 spaces 11.5 spaces
	5,002 SF	1.76 per 1000 SF	V/visitor Employee	1.60 per 1000 SF 0.16 per 1000 SF	8.0 spaces 0.8 spaces	2.00 per 1000 SF	Visitor Employee	1.80 per 1000 SF 0.20 per 1000 SF	9.0 spaces 1.0 spaces
Library	7,886 SF	1.15 per 1000 SF	V/visitor Employee	1.02 per 1000 SF 0.13 per 1000 SF	8.0 spaces 1.0 spaces	2.00 per 1000 SF ³	Visitor Employee	0.98 per 1000 SF 1.02 per 1000 SF	7.7 spaces 8.0 spaces
Total					293.6 spaces				208.7 spaces

NOTES

- 1 adjusted based on weekday / weekend ratio of 0.925 based upon ULI-published data for parking ratios
- 2 adjusted based on weekday / weekend ratio of 0.1 based upon ULI-published data for parking ratios
- 3 adjusted based on weekday / weekend ratio of 0.88 based upon ULI-published data for parking ratios
- 4 adjusted to account for 26 employee offices/desks (employees @ 1 space / employee) + 99 seats total in large conference rooms

TABLE 7
WEEKDAY ADJUSTED PARKING REQUIREMENTS - ULI SHARED PARKING (Proposed)

Land Use	Quantity*	Unit	User	Unadjusted Parking Spaces	8 a.m.	9 a.m.	10 a.m.	11 a.m.	Noon	1 p.m.	2 p.m.	3 p.m.	4 p.m.	5 p.m.	6 p.m.	7 p.m.	8 p.m.	9 p.m.	10 p.m.	11 p.m.	
Theater	656	seats	Visitor	124.6	0%	1%	15%	25%	50%	75%	100%	100%	25%	1%	0%	0%	0%	0%	0%	0%	
			Employee		0	1	19	31	62	93	125	125	31	1	0	0	0	0	0	0	
	31,114	SF	Visitor	26.2	3	5	13	24	26	26	26	26	20	13	7	3	0	0	0	0	
			Employee	99.0	20	40	40	40	40	40	40	40	40	40	40	99	99	100%	50	0	0
Professional Office	5,002	SF	Visitor	26.0	13	23	26	26	22	22	25	25	22	16	7	4	1	1	0	0	
			Employee		0	0	4	5	7	8	8	8	7	7	5	2	1	0	0	0	
	7,886	SF	Visitor	8.0	0	0	45%	65%	85%	95%	100%	95%	90%	85%	60%	30%	10%	0%	0%	0%	
			Employee		5%	25%	75%	100%	100%	100%	100%	100%	100%	100%	80%	75%	10%	5%	0%	5%	0
Library	7,886	SF	Visitor	0.8	0	0	1	1	1	1	1	1	1	1	1	0	0	0	0	0	
			Employee		0	100%	100%	98%	98%	98%	78%	72%	65%	70%	79%	60%	50%	40%	0%	0%	0%
			Visitor	8.0	0	8	8	8	8	6	6	5	6	6	5	4	3	0	0	0	0
			Employee		50%	100%	100%	100%	100%	100%	100%	100%	100%	100%	90%	75%	50%	20%	10%	0%	0%
				1.0	1	1	1	1	1	1	1	1	1	1	1	1	0	0	0	0	
Total				294	37	78	112	136	167	197	232	231	128	144	125	113	55	1	0	0	
Maximum Required												232									

Note: Town of Palm Beach parking ratios have been subdivided into Visitor/Employee demand by applying ratios published by ULI for comparable land uses in *Shared Parking, Third Edition*.

Note: time-of day demand ratios for office (visitors) and theater (visitors and employees) have been adjusted based upon site-specific assumptions. These adjustments are highlighted in yellow.

TABLE 8

WEEKEND ADJUSTED PARKING REQUIREMENTS - ULI SHARED PARKING (Proposed)

Land Use	Quantity*	Unit	User	Unadjusted Parking Spaces	8 a.m.	9 a.m.	10 a.m.	11 a.m.	Noon	1 p.m.	2 p.m.	3 p.m.	4 p.m.	5 p.m.	6 p.m.	7 p.m.	8 p.m.	9 p.m.	10 p.m.	11 p.m.
Theater	656	seats	Visitor	137.8	0%	1%	1%	25%	50%	75%	100%	100%	50%	1%	1%	0%	0%	0%	0%	0%
			Employee		0	1	1	34	69	103	138	138	69	1	1	1	0	0	0	0
			Visitor	32.8	10%	20%	20%	20%	30%	100%	100%	100%	75%	50%	25%	10%	30%	0%	0%	0%
			Employee		3	7	7	7	10	33	33	33	25	16	8	3	0	0	0	0
Professional Office	31,114	SF	Visitor	0.9	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%
			Employee		1	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0
			Visitor	11.5	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%
			Employee		7	9	10	12	10	9	7	5	2	1	1	0	0	0	0	0
Museum	5,002	SF	Visitor	9.0	0%	0%	45%	65%	85%	95%	100%	95%	90%	85%	60%	30%	10%	0%	0%	0%
			Employee		0	0	4	6	8	9	9	9	8	8	5	3	1	0	0	0
			Visitor	1.0	5%	25%	75%	100%	100%	100%	100%	100%	100%	80%	75%	10%	5%	0%	0%	5%
			Employee		0	0	1	1	1	1	1	1	1	1	1	1	0	0	0	0
Library	7,886	SF	Visitor	7.7	0%	0%	100%	90%	80%	65%	50%	35%	11%	5%	5%	0%	0%	0%	0%	0%
			Employee		0	0	8	7	6	5	4	3	1	0	0	0	0	0	0	0
			Visitor	8.0	10%	50%	100%	100%	100%	100%	100%	50%	10%	10%	10%	10%	0%	0%	0%	0%
			Employee		1	4	8	8	8	8	8	4	1	1	1	1	1	0	0	0
Total				209	12	22	40	76	113	169	201	193	107	28	17	7	1	0	0	0
Maximum Required																				

Note: Town of Palm Beach parking ratios have been subdivided into Visitor/Employee demand by applying ratios published by ULI for comparable land uses in *Shared Parking, Third Edition*.

Note: time-of day demand ratios for theater (visitors) have been adjusted based upon site-specific assumptions. These adjustments are highlighted in yellow.



Summary

As shown in the site plans, the total parking supply provided is 234 spaces when event valet parking (on grass) is utilized:

- 151 spaces – west campus
- 41 parking spaces – east campus
- 42 parking spaces – stabilized surface grass parking

Accounting for variations in time-of-day demand for uses on site, the peak parking needs for the campus are anticipated to be approximately 232 spaces during the weekday peak period in which the theater is in use. Therefore, the parking needs for the site are anticipated to be met.

Please contact me via phone at (561) 840-0248 or via e-mail at chris.heggen@kimley-horn.com if you have any questions regarding this evaluation.

Attachments

k:\wpb_tpto\2453\245350000 - society of the four arts\parking\2025-01-06 sfa parking .docx

date: January 24, 2025
to: Friederike H. Mittner, FAICP, Design and Preservation
Manager, Town of Palm Beach
from: Eric Czerniejewski, P.E., ENV SP
subject: Society of Four Arts Traffic Review

MEMORANDUM

The Corradino Group, Inc. (Corradino) has been requested to provide a traffic review of the Traffic Impact Evaluation and Parking Evaluation for the Society of the Four Arts redevelopment located at 100 and 102 Four Arts Plaza in the Town of Palm Beach, Florida. The following are our traffic review comments based on the 11/01/24 resubmittal.

1. Please attach a copy of the Palm Beach County Traffic Division Traffic Performance Standard approval letter for the Society of the Four Arts redevelopment dated 09/01/23 to the updated traffic evaluation.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: The TPS letter is attached to the updated study.

TCG 08/16/24 Response: Addressed.

2. Please update Table 2 by placing 2 stars, as shown below the table, to the Daily trip rate for museum. It currently only has 1 star which is related to the Movie Theatre AM peak hour trip rate.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: The footnotes for Table 2 have been updated accordingly in the updated study.

TCG 08/16/24 Response: Addressed.

3. Please include additional narrative in the Traffic Assignment and Site Circulation that provides additional information related to the roadway characteristics of the adjacent roadway facilities. This additional information should include the number of lanes, direction, sidewalk, bicycle and transit infrastructure, speed limit and roadway ownership.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: Additional narrative has been added to the report to provide a summary of the roadway characteristics for each of the roadways analyzed.

TCG 08/16/24 Response: Addressed.

4. Please update Figure 2 to include all the roadways referenced in Table 3 and Table 4. The current Figure does not depict Okeechobee Blvd, Olive Avenue, Flagler Drive and Lakeview Drive.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: Figure 2 has been updated accordingly in the updated report.

TCG 08/16/24 Response: Addressed.

5. Please update Figure 3 to match the total site generated trips with the driveway volumes for the proposed scenario per Table 2. Figure 3 has 80 AM inbound and 17 AM outbound trips. Figure 3 has 71 PM inbound and 99 PM outbound trips.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: The trip volumes in Figure 3 have been revised for consistency in the updated report.

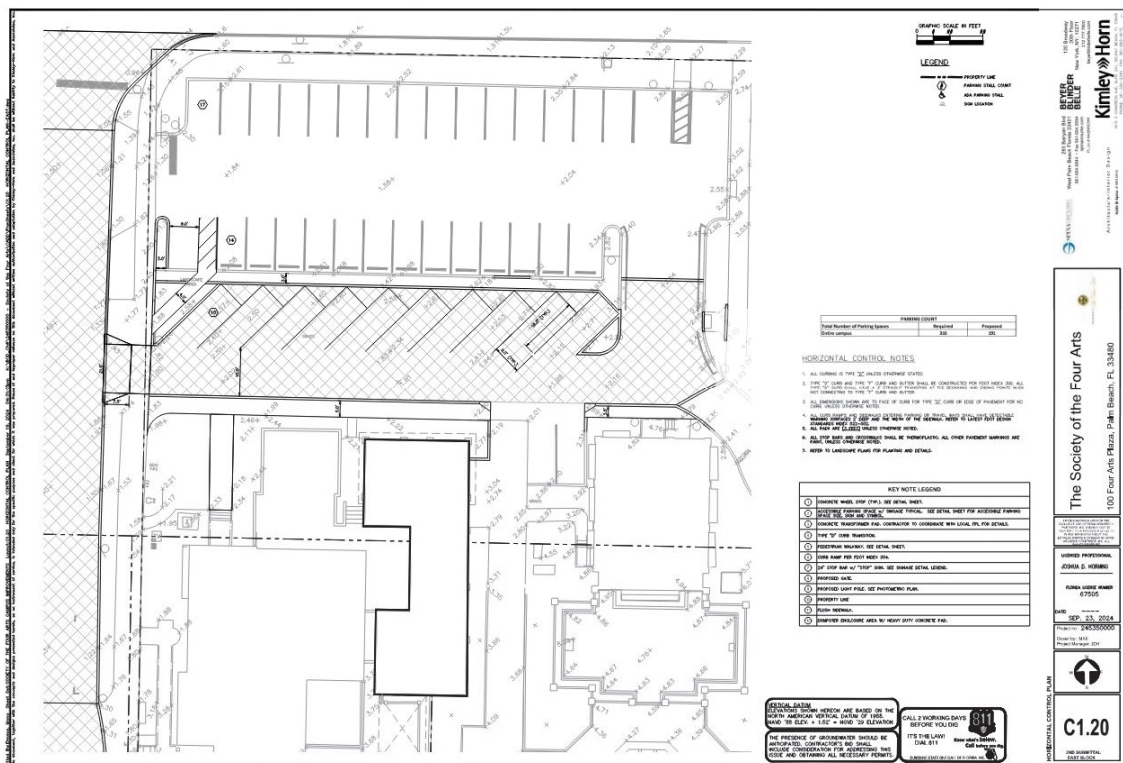
TCG 08/16/24 Response: Addressed.

6. Please provide a pavement marking and signage plan signed and sealed by a professional engineer in the State of Florida for the on-site development. This should include all stop control at the proposed ingress and egress driveway locations. Please provide ADA handicap parking details per MUTCD and local Palm Beach criteria. Safe sight triangles per appropriate agency stakeholder standards should be depicted and match the proposed landscape design plans.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: This is being provided on a separate basis from the traffic study.

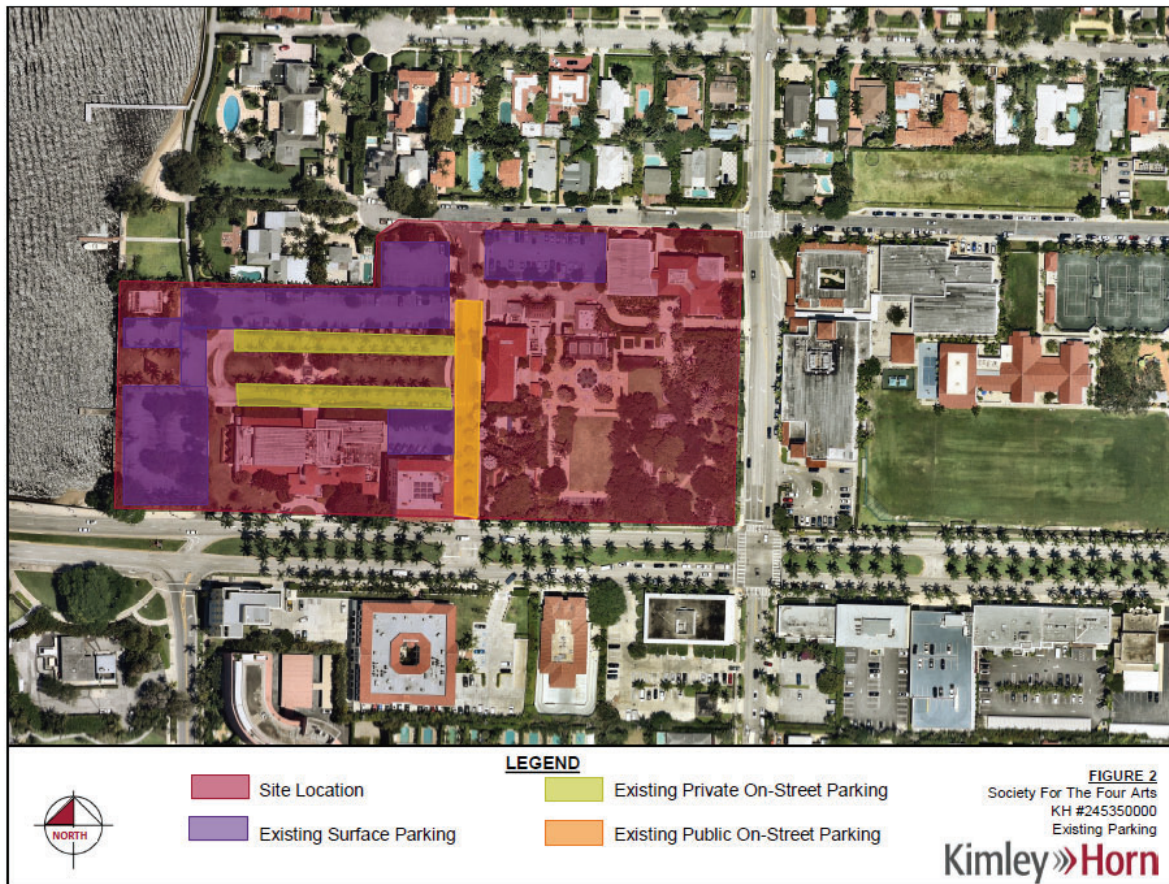
TCG 08/16/24 Response: This item is still pending. A copy of the pavement marking and signage plan was not included as part of the 08/09/24 resubmittal.

TCG 10/04/24 Response: This item is still pending. Plan sheet C.120 is a horizontal control plan and does not provide a complete representation of all of the pavement, marking and signage revisions to the entire campus. Please provide pavement, marking and signage plans for all proposed design revisions for the entire campus. The plan should update the parking count table that calls out the 191 proposed parking spaces. This table should reflect the 223 parking spaces, including the 42 stabilized grass surface parking spaces.



TCG 10/28/24 Response: Addressed.

7. Please update Figure 2 of the Parking Requirements Evaluation by adding the number of parking spaces that are existing in each of the highlighted/shaded areas (surface parking and on-street parking).



Kimley Horn and Associates, Inc.'s 08/09/24 Response: Figure 2 in the parking study has been updated to depict the number of parking spaces in each section of the existing parking field.

TCG 08/16/24 Response: Addressed.

8. Please update the title of Table 5 to define this as the Baseline Parking Determination based on the parking for the existing land uses.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: The title of Table 5 has been updated to identify that this represents the Baseline Parking Determination for the existing uses in the updated parking study.

TCG 08/16/24 Response: Addressed.

9. Please update the title of Table 6 to define this as the Baseline Parking Determination based on the parking for the proposed/future parking land uses.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: The title of Table 6 has been updated to identify that this represents the Baseline Parking Determination for the proposed/future parking in the updated parking study.

TCG 08/16/24 Response: Addressed.

10. The Parking Requirements Evaluation includes adjustments based on time-of-day demand ratios per the ULI Shared Parking, 3rd Edition. There are site specific assumptions referenced in Table 7 for the office (visitors) and theatre (visitors and employees). Please provide an additional narrative that provides more details and justification for the adjustments per the site-specific assumptions.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: Parking demand for the office use in this particular instance is heavily driven by board meetings, etc. that are held in the office area. It was expected that basing it on board meetings and other site-specific characteristics is more accurate than generalized ULI rates. Additionally, during peak season, the theater often hosts lectures/events in the afternoon, whereas the generalized ULI rates are centered around theaters that host performances in the evenings. Therefore, these rates were also adjusted to reflect the site-specific characteristics of this use.

TCG 08/16/24 Response: Addressed.

11. Please update Tables 7 and 8 by highlighting the intersecting columns/rows that have adjusted percentages based on the site-specific assumptions for the office (visitors) and theatre (visitors and employees).

Kimley Horn and Associates, Inc.'s 08/09/24 Response: Highlighting has been added to the relevant rows on these tables in the updated parking study to identify the rows in which the time-of-day percentages were adjusted.

TCG 08/16/24 Response: Addressed.

12. Please provide actual parking utilization data for the existing site parking at the Society of the Four Arts campus. Please coordinate with the Town of Palm Beach on a proposed parking utilization study methodology prior to collecting the existing on-site parking data. Please update the Parking Requirements Evaluation with this site-specific information.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: This data would need to be collected during peak season and is therefore not able to be collected at the current point in time.

TCG 08/16/24 Response: This item is pending and will need to be added as a condition of approval.

Kimley Horn and Associates, Inc.'s 09/23/24 Response: Comment noted.

TCG 10/04/24 Response: Addressed.

13. Please provide site plan that depicts the site parking available on-site and includes a site parking data table that provides details on the required parking per the Town of Palm Beach Code of Ordinances and details required the Modified Parking based on the provided Parking Requirements Evaluation.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: The requested information is provided as a part of the site plan architectural package.

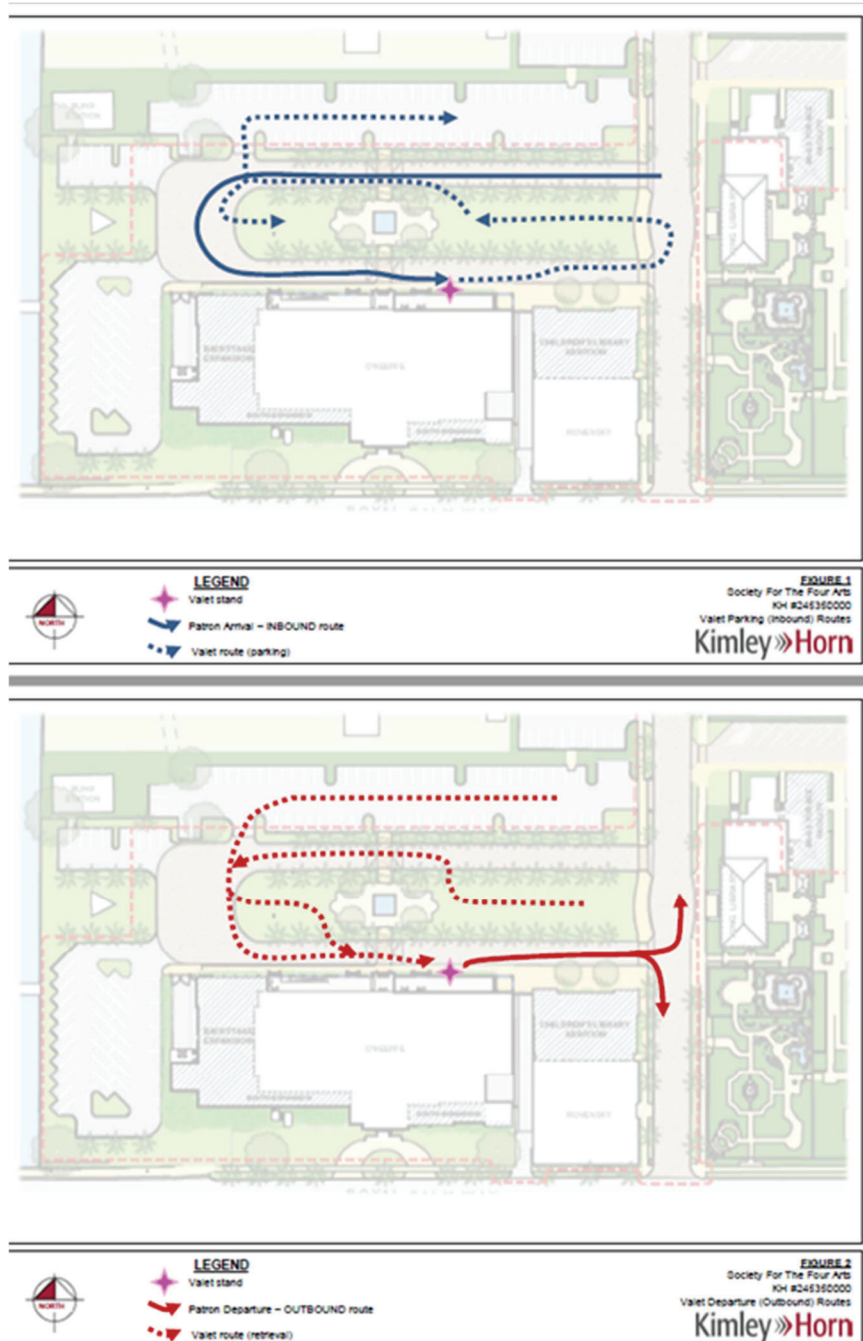
TCG 08/16/24 Response: Addressed.

14. There is a valet parking study for the proposed valet parking operations. Please confirm if there is currently valet parking offered at the existing Society of Four Arts development.

Kimley Horn and Associates, Inc.'s 08/09/24 Response: Valet parking is currently provided when larger events are held at the theater, which is the condition reflected in this analysis.

TCG 08/16/24 Response: Addressed.

15. Please provide additional details regarding the proposed Valet Stand. Figures 1 and 2 provide details regarding the inbound and outbound routes but do not show details of the valet stand and the 4 available stacking spaces for the vehicles to valet.



Kimley Horn and Associates, Inc.'s 08/09/24 Response: Figures 1 and 2 in the updated valet analysis have been updated to identify the valet pick-up/drop-off zone and identify the location of the valet stand.

TCG 08/16/24 Response: Addressed.

16. Please provide a section in the traffic impact study that summarizes the development's compliance with the traffic concurrency as defined in the Town of Palm Beach Code of Ordinances Chapter 30 and the level of service standards as defined in the Town of Palm Beach Code Comprehensive Plan Transportation Element (Policy 2.1). Please use the Generalized LOS Volumes from the FDOT 2020 LOS Handbook. Please provide footnotes to the relevant tables referencing these standards/criteria

Kimley Horn and Associates, Inc.'s 09/23/24 Response: A section addressing LOS as defined in the Town of Palm Beach Code Comprehensive Plan Transportation Element Policy 2.1 has been added to the updated traffic analysis.

TCG 10/04/24 Response: This item is still pending. Please include an intersection volume worksheet that calculates the background trips. The backup sheets of the Town committed trips have been included but there needs to be a more defined accounting for the increase in trips based on these approved but unbuilt development projects.

Kimley Horn and Associates, Inc.'s 10/07/24 Response: Calculations have been undertaken to calculate future traffic growth using two separate methods: calculated historical growth rate (2.33%) and committed development volumes + 1% base growth rate. The higher of the two calculation methods has been used in the analysis to provide for a conservative calculation. Detail on the historic growth rate calculations has been added to the Appendix of the updated report.

TCG 10/28/24 Response: Addressed. Please update the title of the Volume Development Worksheets provided as an attachment to the traffic impact study. The title should be changed from "Paramount Palm Beach" to "Society of the Four Arts".

Kimley Horn and Associates, Inc.'s 11/01/24 Response: Noted. The titles on the Volume Development Worksheets have been updated.

TCG 01/24/25 Response: Addressed.

17. Please include intersection capacity analysis during AM, Midday, and PM peak hours for the following intersections:

- South County Road and Royal Palm Way (signalized)
- Cocoanut Road and Royal Palm Way (signalized)
- Cocoanut Road and Seaview Avenue (stop controlled)
- Four Arts Plaza and Royal Palm Way (stop controlled)

There should be traffic analysis for the existing conditions, future conditions without project and future conditions with project. Please confirm there are no vehicle queueing issues at the key turn lanes at each intersection.

The traffic analysis should include committed trips from approved but unbuilt development projects in the Town of Palm Beach and adjacent West Palm Beach. Recent peak season traffic counts can be used in lieu of new traffic counts if collected within the past 12 months during peak season.

Kimley Horn and Associates, Inc.'s 09/23/24 Response: Intersection capacity analyses at the intersections listed above have been added to the updated traffic analysis.

TCG 10/04/24 Response: Addressed. A condition of approval will be developed that requires the applicant to provide proportionate fair share traffic mitigation improvements for the deficient intersections and roadways.

Kimley Horn and Associates, Inc.'s 10/07/24 Response: Noted.

TCG 10/28/24 Response: Addressed.

18. Please respond to the change in the assumptions for the future parking needs for the visitor parking demand for the proposed office use. The previous parking study included a percentage of no more than 50% use of the large conference rooms during daytime hours on a day in which the theater would be in full use and 100% in the early evening hours. There was a change in the new parking study to a more restrictive 40% use of the large conference rooms for visitors during daytime hours on a day in which the theater would be in full use and 100% in the early evening hours.

Kimley Horn and Associates, Inc.'s 09/23/24 Response: The conference room spaces are anticipated to be used at the highest capacity for Board meetings, etc. which are expected to take place in the early evening hours. During the day, they are anticipated to be used for meetings that may not involve as many attendees, and also these are expected to be meetings at which a significant percentage of the attendees would be employees who are already onsite and are therefore already accounted for in the employee parking numbers. Furthermore, it is anticipated that significant meetings, especially those including outside attendees, would typically not be scheduled on days in which there are high attendance events in the auditorium/theater space. The combination of these factors led to an assumption of 40% externally-generated parking demand during this time period, which is still anticipated to be a conservative number.

TCG 10/04/24 Response: Addressed.

19. Please update the valet parking traffic analysis by using a minimum of 60 seconds for the typical time for “handover” of the vehicle between an arriving patron and valet or the valet and the departing patron.

Kimley Horn and Associates, Inc.'s 09/23/24 Response: The valet analysis has been updated to include an assumption of 60 seconds for the vehicle “handover” time.

TCG 10/04/24 Response: Addressed.

20. Please add a 95th Percentile Vehicle Queueing Analysis Section to the traffic study methodology memo. Please include a table that summarizes the 95th percentile vehicle queues for the key turn lanes at the signalized intersections. The table should include the existing turn lane storage and the 95th percentile vehicle queues at all key turn lanes at signalized intersections for each scenario. Please provide a narrative and report out any turn lanes where the 95th percentile vehicle queue extends past the available storage length.

Kimley Horn and Associates, Inc.'s 10/07/24 Response: This information is included in the “95th Percentile Queueing Analysis” section of the updated report, starting on page 15 of the report. The requested tabular information is summarized in Tables 11 and 12.

TCG 10/28/24 Response: Addressed. Please update Cocoanut Road to read Cocoanut Row.

Kimley Horn and Associates, Inc.'s 11/01/24 Response: Tables have been updated to read Cocoanut Row.

TCG 01/24/25 Response: Addressed.

21. Please update the letter of intent to match the conclusions and recommendations from the parking study prepared by Kimley Horn and Associates, Inc. dated 09/20/24. The parking study indicates that parking supply provided is 233 spaces when event valet parking (on grass) is utilized:

- 150 parking spaces- west campus
- 41 parking spaces- east campus
- 42 parking spaces- stabilized surface grass parking

The LOI dated 08/08/24 references 235 parking spaces (149 parking spaces- west campus, 43 parking spaces- east campus, and 42 parking spaces- stabilized surface grass parking).

Kimley Horn and Associates, Inc.'s 10/07/24 Response: The LOI has been updated accordingly and a copy included with this Final Submittal set.

TCG 10/28/24 Response: Addressed.

22. Please update the years that the study intersections were analyzed for the three scenarios under the Intersection Operational Analysis on page 9 of the traffic impact study. The Existing Year, Background Year, and Future Total Year are noted as 2024. It is my understanding that the buildout year is 2029.

Kimley Horn and Associates, Inc.'s 11/01/24 Response: Text edits have been made to the reports to reflect the buildout year of 2029.

TCG 01/24/25 Response: Addressed.

23. The manual turning movement count traffic data collected at the Royal Palm Way and Four Arts Plaza intersection has been attached to the traffic study dated 10/07/24. Please add a label to this sheet that identifies the date that the traffic counts were collected. The narrative of the traffic study mentions Thursday, September 19, 2024. Please confirm who collected this traffic data as this sheet does not provide this information.

Time	ROYAL PALM WAY					ROYAL PALM WAY					FOUR ARTS PLAZA					FOUR ARTS PLAZA					Total	Rolling Hour	
	Eastbound					Westbound					Northbound					Southbound							
	U-Turn	Left	Thru	Right	RTOR	U-Turn	Left	Thru	Right	RTOR	U-Turn	Left	Thru	Right	RTOR	U-Turn	Left	Thru	Right	RTOR			
7:30 AM	2	25	376	0	0	2	0	161	0	0	0	0	0	0	0	0	0	0	0	6	0	572	2,297
7:45 AM	5	30	395	0	0	1	0	164	1	0	0	0	0	0	0	0	0	1	0	12	0	609	2,305
8:00 AM	3	10	377	0	0	0	0	164	2	0	0	0	0	0	0	0	0	0	0	8	0	564	2,123
8:15 AM	2	5	432	0	0	0	0	108	2	0	0	0	0	0	0	0	0	0	0	3	0	552	2,207
8:30 AM	10	5	414	0	0	0	0	145	2	0	0	0	0	0	0	0	0	0	0	4	0	580	2,028
8:45 AM	6	8	286	0	0	0	0	124	2	0	0	0	0	0	0	0	0	0	0	1	0	427	1,995
9:00 AM	4	3	310	0	0	0	0	130	1	0	0	0	0	0	0	0	0	0	0	0	0	448	2,105
9:15 AM	7	8	421	0	0	0	3	126	3	0	0	0	0	0	0	0	0	0	0	5	0	573	2,085
9:30 AM	9	12	371	0	0	0	3	150	2	0	0	0	0	0	0	0	0	0	0	0	0	547	1,986
9:45 AM	9	12	343	0	0	0	0	171	2	0	0	0	0	0	0	0	0	0	0	0	0	537	1,927
10:00 AM	8	3	225	0	0	0	3	184	3	0	0	0	0	0	0	0	0	1	0	1	0	428	1,819
10:15 AM	9	7	277	0	0	0	2	174	2	0	0	0	0	0	0	0	0	0	0	3	0	474	1,859
10:30 AM	15	2	279	0	0	0	0	187	3	0	0	0	0	0	0	0	0	1	0	1	0	488	1,843
10:45 AM	11	5	265	0	0	0	2	144	2	0	0	0	0	0	0	0	0	0	0	0	0	429	1,859
11:00 AM	11	2	254	0	0	0	4	191	4	0	0	0	0	0	0	0	0	0	0	2	0	468	1,932
11:15 AM	12	5	215	0	0	0	2	222	1	0	0	0	0	0	0	0	0	0	0	1	0	458	1,920
11:30 AM	15	8	266	0	0	0	0	212	2	0	0	0	0	0	0	0	0	0	0	1	0	504	1,945
11:45 AM	17	0	237	0	0	0	5	239	3	0	0	0	0	0	0	0	0	0	0	1	0	502	1,895
12:00 PM	19	1	195	0	0	0	1	231	4	0	0	0	0	0	0	0	0	2	0	3	0	456	1,867
12:15 PM	13	4	251	0	0	0	5	207	2	0	0	0	0	0	0	0	0	1	0	0	0	483	1,900
12:30 PM	16	3	235	0	0	0	4	193	3	0	0	0	0	0	0	0	0	0	0	0	0	454	1,962
12:45 PM	14	3	244	0	0	0	2	203	4	0	0	0	0	0	0	0	0	0	0	4	0	474	2,005
1:00 PM	13	6	247	0	0	0	2	214	1	0	0	0	0	0	0	0	0	0	0	6	0	489	2,081
1:15 PM	19	12	252	0	0	0	3	251	3	0	0	0	0	0	0	0	0	1	0	4	0	545	2,097
1:30 PM	25	3	241	0	0	0	4	215	4	0	0	0	0	0	0	0	0	0	0	5	0	497	2,066
1:45 PM	16	16	235	0	0	0	0	280	2	0	0	0	0	0	0	0	0	0	0	1	0	550	2,012
2:00 PM	14	9	203	0	0	0	1	266	0	0	0	0	0	0	0	0	0	0	0	11	0	505	2,000
2:15 PM	14	10	213	0	0	0	4	269	1	0	0	0	0	0	0	0	0	2	0	1	0	514	2,146
2:30 PM	13	1	182	0	0	0	1	237	4	0	0	0	0	0	0	0	0	0	0	5	0	443	2,205
2:45 PM	12	7	201	0	0	0	1	313	0	0	0	0	0	0	0	0	0	0	0	4	0	338	2,218
3:00 PM	23	2	197	0	0	0	2	407	5	0	0	0	0	0	0	0	0	0	0	15	0	651	2,351
3:15 PM	17	6	151	0	0	0	3	367	19	0	0	0	0	0	0	0	0	0	0	10	0	573	2,333
3:30 PM	12	2	174	0	0	0	0	254	2	0	0	0	0	0	0	0	0	1	0	11	0	456	2,349
3:45 PM	21	5	209	0	0	0	0	418	6	0	0	0	0	0	0	0	0	0	0	12	0	671	2,473
4:00 PM	43	3	158	0	0	0	0	412	1	0	0	0	0	0	0	0	0	0	0	16	0	633	2,189
4:15 PM	21	3	139	0	0	0	2	413	4	0	0	0	0	0	0	0	0	0	0	7	0	589	2,051
4:30 PM	23	2	130	0	0	0	0	416	3	0	0	0	0	0	0	0	0	0	0	6	0	580	1,985
4:45 PM	12	0	86	0	0	0	0	279	0	0	0	0	0	0	0	0	0	0	0	10	0	387	0
5:00 PM	17	1	171	0	0	0	0	294	0	0	0	0	0	0	0	0	0	0	0	12	0	495	0
5:15 PM	18	3	125	0	0	0	0	368	0	0	0	0	0	0	0	0	0	0	0	9	0	523	0

Kimley Horn and Associates, Inc.'s 11/01/24 Response: The PDF containing the manual turning movement count traffic data collected at the Royal Palm Way and Four Arts Plaza intersection has been updated to include the date of when the counts were taken.

TCG 01/24/25 Response: Addressed.

24. Please update Tables, 6, 7 and 8 and add a column to the table for the Town of Palm Beach LOS criteria for each of these intersections. Please bold the overall intersection level of service per peak hour for each scenario that does not meet the LOS criteria. Please update the narrative of the Existing Year, Background Year (2029) and Future Year (2029) to include a bullet list of intersections that do not meet the Town of Palm Beach LOS criteria.

Kimley Horn and Associates, Inc.'s 11/01/24 Response: Tables 6, 7 and 8 have been updated to include Palm Beach LOS criteria. A bullet list identifying the intersection that does not meet the Town of Palm Beach LOS standards.

TCG 01/24/25 Response: Addressed.

25. Please update the Comprehensive Plan LOS Analysis narrative to outline the source for the 2024 two-way peak hour road segment volumes used in Tables 9 and 10, including adding a footnote to these tables with this same information. Please attach a copy of Tables 2 and 3 from the Town of Palm Beach 2024 Annual Traffic Count Update dated 04/24/24 to the updated traffic impact study Appendix. Please add a column in Tables 9 and 10 that specifies the Town of Palm Beach Road Segment LOS criteria.

Kimley Horn and Associates, Inc.'s 11/01/24 Response: Noted. The source of the Peak Hour volumes has been included in the narrative. Tables 9 and 10 have been updated to specify the Town of Palm Beach Road Segment LOS criteria.

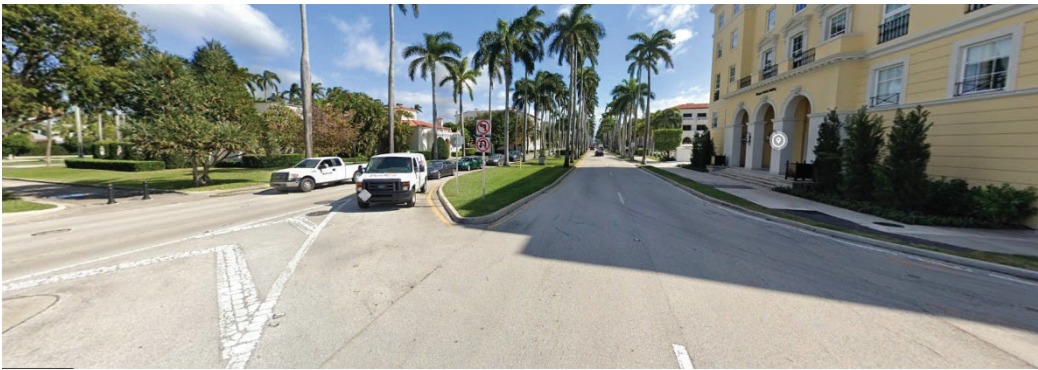
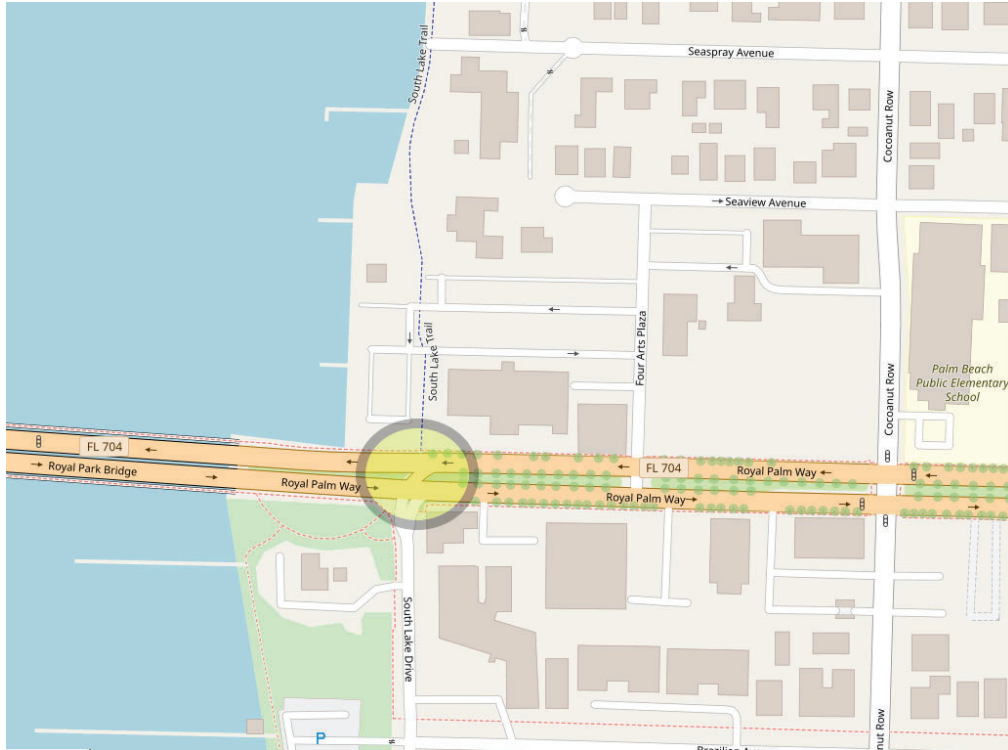
TCG 01/24/25 Response: Addressed.

26. Please add to the narrative in the 95th Percentile Vehicle Queueing section (pages 15-16) and include a discussion of the feasibility of turn lane extensions for the deficient eastbound left turn lanes at Cocoanut Row and Royal Palm Way and South County Road and Royal Palm Way intersections.

Kimley Horn and Associates, Inc.'s 11/01/24 Response: As shown on Tables 11 and 12 in the Traffic Study, during the Future Total scenario, the proposed development is projected to add less than one vehicle to the eastbound left queue at Cocoanut Row & Royal Palm Way and South County Road & Royal Palm Way in comparison to the Future Background scenario. Therefore, it is considered a background deficiency. Turn lane extensions are theoretically feasible, but would have significant adverse impacts to the landscaping in the center median on Royal Palm Way.

TCG 01/24/25 Response: Addressed.

27. Please provide a feasibility study regarding a potential new multimodal connection of the Palm Beach Lake Trail at Royal Palm Way. The Palm Beach Lake Trail does not currently have a safe direct connection at the intersection with Royal Palm Way as there is at the Royal Poinciana Way intersection. The existing condition at Royal Palm Way includes an unmarked at-grade crossing. This intersection includes a westbound left turn lane at the intersection of Royal Palm Way and S. Lake Drive. This feasibility study of a potential reconfiguration of the Palm Beach Lake Trail should address the Town of Palm Beach Comprehensive Plan's goals, objectives, and policies that promote multimodal transportation infrastructure. The applicant should consider constructing the multimodal transportation infrastructure improvements where feasible (see comment #17).



TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - Old Business

Agenda Title

ZON-24-0044 (ARC-24-0085) 315 CHAPEL HILL RD (COMBO)—SPECIAL EXCEPTION(S) AND VARIANCE The applicant, Ocean Breezes 2 LLC (Frances Lynch, Attorney), has filed an application requesting Town Council review and approval for two (2) special exceptions (1) for the redevelopment of an existing nonconforming parcel of land in the R-A zoning district and (2) to provide reduced vehicular queuing back-up distance for vehicular gates installed on a cul-de-sac street. Additionally, one (1) variance to exceed the maximum required building height plane setback area for the construction of the new two-story residence is also being requested. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project with conditions to return to the February 26, Architectural Commission meeting. Carried 7-0.]*

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans 1 of 2**
- ▣ **Plans 2 of 2**
- ▣ **Plans - Landscape**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-*ARB*
Director PZ&B

SUBJECT: ARC-24-0085 (ZON-24-0044) 315 CHAPEL HILL RD

MEETING: JANUARY 29, 2025, ARCOM
FEBRUARY 12, 2025, TC

ZON-24-0044 (ARC-24-0085) 315 CHAPEL HILL RD (COMBO) – SPECIAL EXCEPTION(S) AND VARIANCE. The applicant, Ocean Breezes 2 LLC (Frances Lynch, Attorney), has filed an application requesting Town Council review and approval for two (2) special exceptions (1) for the redevelopment of an existing nonconforming parcel of land in the R-A zoning district and (2) to provide reduced vehicular queuing back-up distance for vehicular gates installed on a cul-de-sac street. Additionally, one (1) variance to exceed the maximum required building height plane setback area for the construction of the new two-story residence is also being requested. The Architectural Commission shall perform design review of the application.

ARC-24-0085 (ZON-24-0044) 315 CHAPEL HILL RD (COMBO). The applicant, Ocean Breezes 2 LLC (Francis Lynch, Attorney), has filed an application requesting Architectural Commission review and approval for the construction of a new, two-story, single-family residence of over 10,000 SF with a detached two-story accessory structure including final hardscape, landscape, and swimming pool improvements; requiring a special exceptions to redevelop a nonconforming parcel in the R-A zoning district and to provide reduced vehicle stacking; also one variance to encroach into the building height plane setback area. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Applicant: Ocean Breezes 2, LLC (Frank Lynch, Attorney)
Architecture: Spina O'Rourke (Keith Spina / Nelo Freijomel)
Landscape: Nievera Williams Design (Mario Nievera)
Legal: Frank Lynch

HISTORY:

The project was initially heard at the November 22, 2024, ARCOM hearing and was deferred to the December 20 meeting with comments pertaining primarily to size and scale of the structure's wings as well as other minor architectural details. The applicant made a request in writing for a deferral to the January 29, 2025, meeting to allow for additional study. At the January 29, 2025 ARCOM meeting, the Commission approved (7-0) the application for new construction of a one-story residence. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "New Residence At: 315 Chapel Hill Road" as prepared by **Spina O'Rourke + Partners**, uploaded on January 10, 2025.

The following scope of work is proposed:

- New two-story single-family residence with over 10,000 SF of area.
- New detached two-story garage accessory structure.
- Final hardscape, landscape and swimming pool improvements.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **SPECIAL EXCEPTION 1: Sec. 134-843(b):** A request for a special exception to redevelop an existing nonconforming parcel comprised of portions of platted lots which is 148' - 2" in depth in lieu of the 150' - 0" minimum depth required in the R-A zoning district.
- **SPECIAL EXCEPTION 2: Sec. 134-1668:** A request for a special exception to provide less than 18 ft of vehicle queuing space between vehicular gates and edge of pavement on a cul-de-sac street.
- **VARIANCE 1: Sec. 134-843(7):** A variance to encroach into the required building height plane setback area.

Site Data			
Zoning District	R-A ESTATE RESIDENTIAL	Future Land Use	SINGLE FAMILY
Lot Size	36,525 SF	Crown of Road	+6.18' NAVD
Lot Depth	Required: 150' Existing: 148.23' <i>Special Exception Required</i>	Lot Width	Required: 150' Existing: 205'
Lot Coverage	Permitted: 25% (9,131 SF) Proposed: 25% (9,131 SF)	Enclosed Square Footage	Prev. Proposed: 14,938 SF Proposed: 15,350 SF
Building Height	Permitted: 25' Prev. Proposed: 21' Proposed: 23'	Overall Building Height	Permitted: 35' Prev. Proposed: 30.67' Proposed: 31.25'
Finished Floor Elevation	+8' NAVD	FEMA Flood Zone	Zone AE 7' & Zone X
Maximum Fill	Permitted: 0.9' Proposed: 0.9'	Zero Datum	+8' NAVD
Overall Landscape Open Space	Required: 50% (18,267 SF) Proposed: 54.2% (19,805 SF)	Front Yard Landscape Open Space	Required: 45% (3,254 SF) Proposed: 45% (3,256 SF)
Surrounding Properties / Zoning			
North	60 Coconut Row House of Worship (Royal Poinciana Chapel) / R-B		
South	4 S Lake Trl Residence / R-A		
East	309 Chapel Hill Rd Residence / R-B & West 100 ft of Lot #6 of Hill Subdivision (Unimproved Parcel) / R-B		
West	Lake Worth Lagoon		

STAFF ANALYSIS

The applicant is proposing the construction of a new two-story residence and new two-story detached accessory structure totaling over 10,000 square feet of enclosed area. The subject property is located at the westernmost terminus of the Chapel Hill Rd cul-de-sac adjacent to the Lake Worth Lagoon. This is the only property on Chapel Hill Rd with R-A zoning. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the Town zoning code and requires two (2) special exceptions and one (1) variance to achieve the application as proposed.



Color elevation with landscape.

The application was originally heard at the November 2024 ARCOM hearing and was deferred for further study of scale and massing, especially as it pertained to appendages of the main structure. Overall, the project was well received by the commission. The applicant resubmitted plans in response to comments of the commission, with modifications to building footprint, roof eave height, ridge height, gable ends, massing, and other architectural details. The attached two-car garage previously proposed at the north of the structure has been eliminated from the design. Landscape and hardscape plans were also adjusted according to the modifications to the structure, including relocation of a vehicular gate and elimination of the pedestrian gate.

The proposed main house is sited roughly center on the parcel with a two-story detached four-bay garage structure proposed in the southeast corner of the site. The site is proposed to be surrounded by site walls and accessed by one of three vehicular curb cuts, all with gates. Open and covered terraces are proposed at the rear of the main structure overlooking an expansive lawn and the Lake Worth Lagoon. A swimming pool is proposed in the southwest rear yard and a paved terrace is proposed at the northwest rear yard. The residence is designed with a primarily two-story volume spanning from the south to north side yards with a small one-story “clipping room” projection on the south side of the structure. The structures feature sloped roofs contained by parapeted gable ends. Exterior details include whitewash brick at the main house with lime wash brick at the wings. Roof types are a shake shingle over the main structure and garage structure with standing seam copper roofs at the projections (bay windows, covered entry, etc.). Windows are proposed in steel or painted wood. An acid washed limestone trim is proposed. Shutters are shown in a green color and a stained mahogany wood door with divided light pattern with transom is proposed for the main entrance.



Previously Proposed Front (East) Elevation



Currently Proposed Front (East) Elevation



Previously Proposed Rear (West) Elevation



Currently Proposed Rear (West) Elevation



Previously Proposed Side (North) Elevation



Currently Proposed Side (North) Elevation



Previously Proposed Side (South) Elevation



Currently Proposed Side (South) elevation

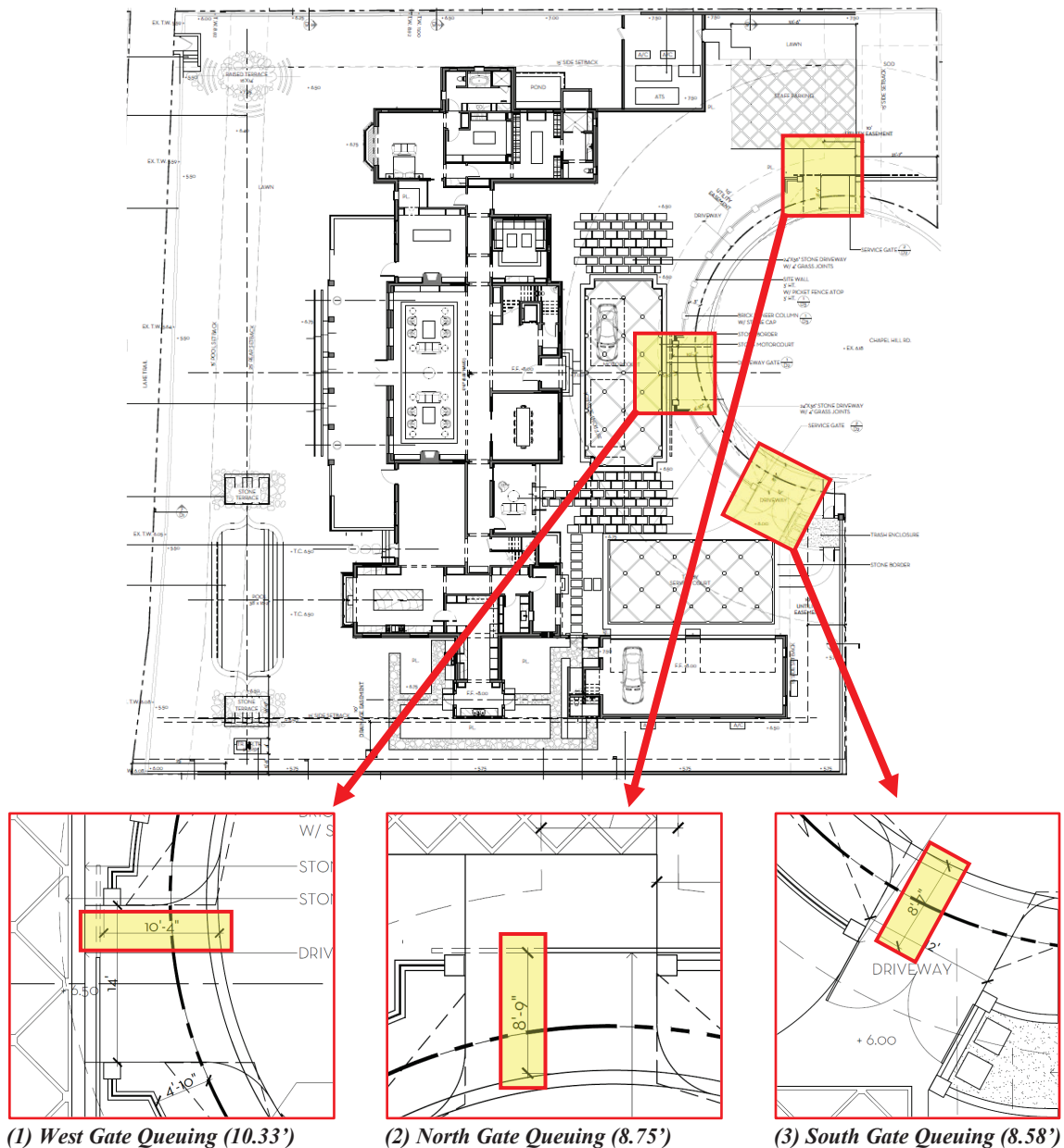


Previously Proposed Landscape and Hardscape Rendering



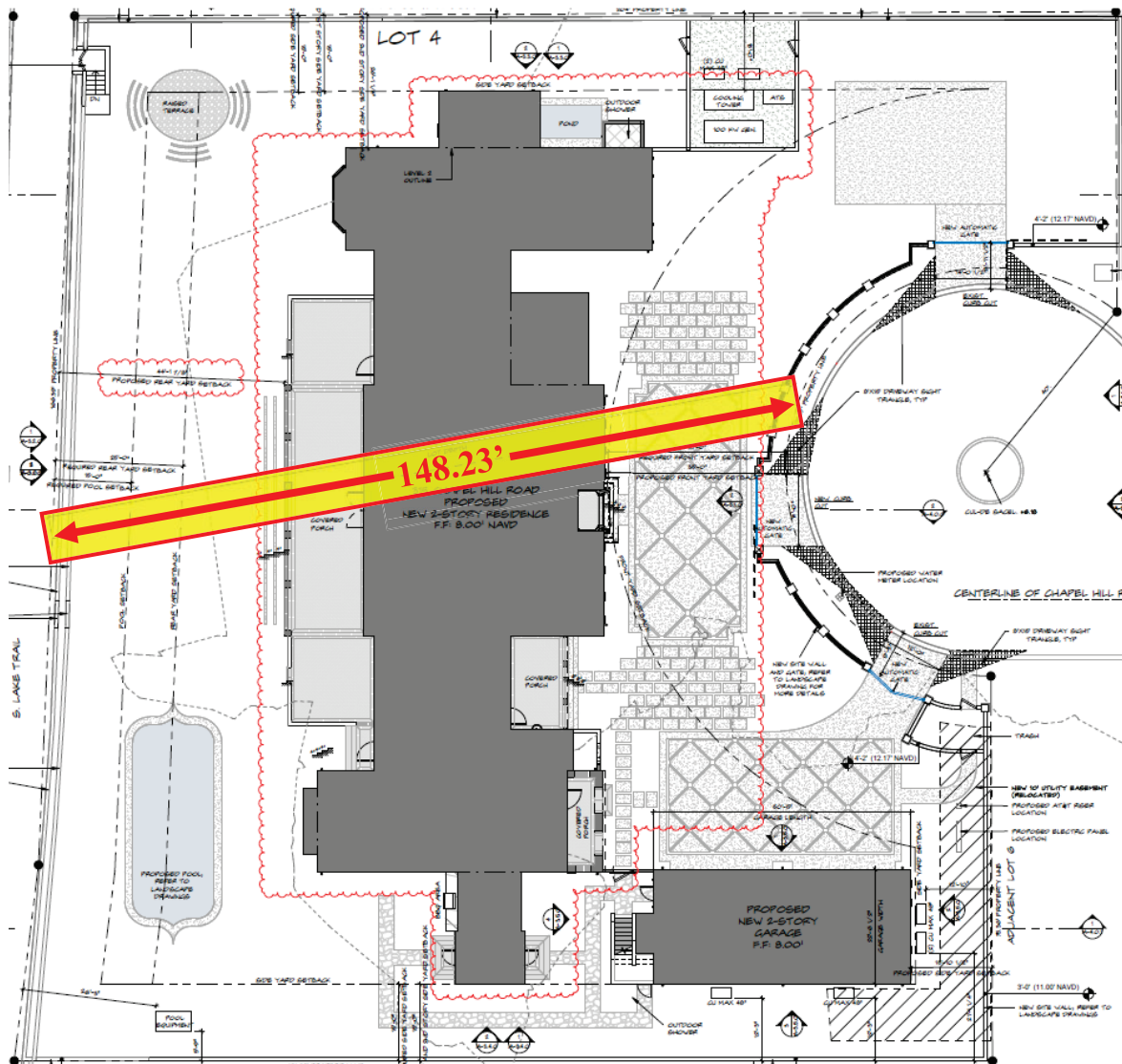
Previously Proposed Landscape and Hardscape Rendering

The proposed gates do require review and approval by Town Council. **Special Exception # 2** pertains to the setback distance of the vehicular gates from the Chapel Hill Road right-of-way. The zoning code requires that an 18'-0" deep vehicle queuing space be provided between the vehicle gate and the edge of the pavement to prevent a car from obstructing the roadway while waiting for the gate to operate. However, when the proposed gates are located on a cul-de-sac street, the Code permits pursuing a special exception for reduced queuing area (in lieu of a variance as would be required on a through-street). The existing residence on site has three curb-cuts all with vehicular gates. In addition to the subject parcel, one other residence on the street has a vehicular gate.



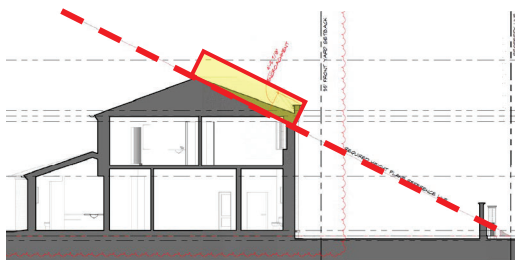
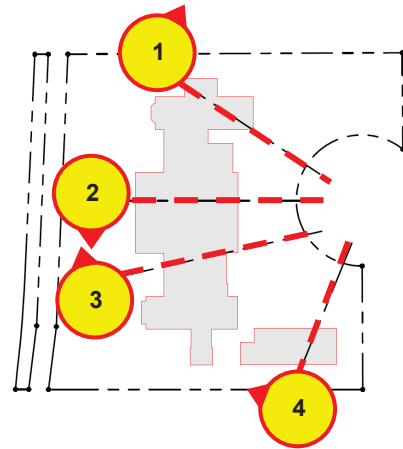
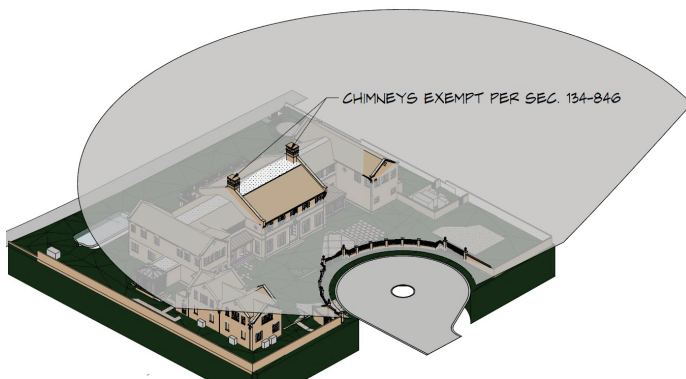
Code Section	Required	Existing/Proposed	Difference
SPECIAL EXCEPTION 2: Sec. 134-1668	18' Vehicle Loading Space at Drive Gate	10.33' (1) West Gate 9.25' (2) North Gate 8.58' (3) South Gate	-7.67' (1) West Gate -8.04' (2) North Gate -9.42' (3) South Gate

Special Exception # 1 pertains to the depth of the lot. The lot is an irregular shape with a concave arc along the front property line as it follows the shape of the cul-de-sac. Due to the zoning code definition of lot depth, the point where to measure the depth of the lot is along this arc, resulting in a lot depth of less than 150'-0" which is the minimum lot depth required for the R-A zoning district. If the lot depth was to be measured along the north or south property lines from east to west, the depth would be conforming at approximately 200'-0". To note, the requested special exception is for an irregularly shaped lot that is only 1.77' deficient at its shaped most pinched point.

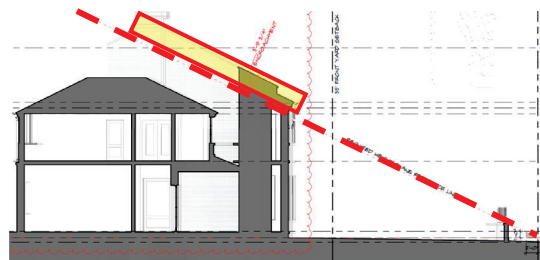


Code Section	Required	Existing/Proposed	Difference
SPECIAL EXCEPTION 1: Sec. 134-843(b)	150' Lot Depth	148.23' Lot Depth	-1.77' Lot Depth

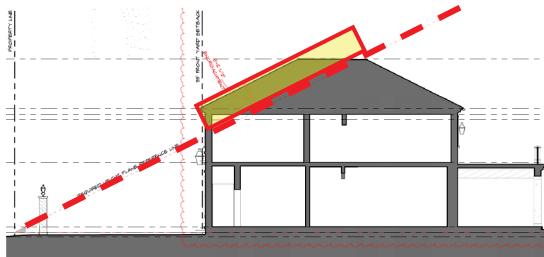
As it pertains to the **Variance** request, the applicant is proposing to construct the new residence beyond the building height plane limitation. The code states that no portion of any building or roof system shall extend beyond a height limiting plane extending at an inclined angle from the intersection of the front yard property line and zero datum. To determine the angle of the building height plane, two feet of setback are required for every one foot in building height. Due to the peculiar shape of the lot, the building projects anywhere between 3.48' to 5.21' beyond the building height plane.



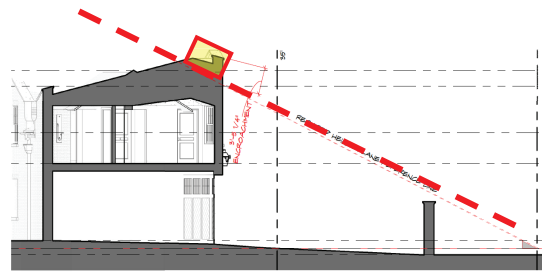
Building height plane encroachment 1 (4.24')



Building height plane encroachment 3 (3.81')



Building height plane encroachment 2 (5.21')



Building height plane encroachment 4 (3.48')

Code Section	Required	Variance
VARIANCE 1: Sec. 134-843(7)	2' setback for every 1' building height	+3.48' – +5.21' Encroachment

CONCLUSION:

Approval of the project will require two (2) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require three (3) separate motion(s) to be made by the Town Council:

- (1) for final determination of approval or denial of the (1) variance by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met; and
- (2) for final determination of approval or denial of special exception #1 (as it pertains to redevelopment of a parcel with reduced lot depth) by the Town Council, and that the special exception **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-229](#), items 1 through 14 have been met; and
- (3) for final determination of approval or denial of special exception #2 (as it pertains to reduced vehicle queuing space between vehicular gates and the roadway on a cul-de-sac street) by the Town Council, and that the special exception **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-229](#), items 1 through 14 have been met.

WRB: JGM: BMF

01/09/25

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

Project: 315 Chapel Hill Road
ARCOM Case Number: ARC-24-0085
Zoning Case Number: ZON-24-0044

We are pleased to submit the accompanying drawings for Development Review of our project at 315 Chapel Hill Road, Palm Beach, FL. The scope of work consists of a new 2-story residence and detached 2-story garage with associated new hardscape and landscape. Special Exception, Site Plan Review and (3) Variances are being requested.

Please note the following as it relates to this application:

- A. Landmarks Preservation in accordance with Section 54-122 and/or Section 54-161 – NOT APPLICABLE.
- B. Architectural Review in accordance with Section 18-205 and/or Section 18/206.
 - a) We consider the plan for the proposed building to be in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
 - b) The plan for the proposed building is consistent with the surrounding properties, relative to reasonable protection against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.
 - c) The exterior materials and detailing proposed are of an extremely high quality and enhance the appearance of the local environment. Specifically, similar materials can be found in numerous residences featuring natural and painted brick in their elevation on Pendelton Lane, immediately South of Chapel Hill Road
 - d) The proposed structure is in harmony with the proposed developments on land in the general area.
 - e) The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
 - 1. Their front and side elevations are not identical to the surrounding structures.
 - 2. The size and arrangement of doors, windows and porches is not identical to the surrounding structures.
 - 3. The proposed materials are consistent with the architectural style and character of the surrounding area while implementing unique detailing.

- f) The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same
 - 1. The proposed height of the building is not excessively dissimilar from the surrounding properties or the existing structure, specifically neighboring residences along the Lake Trail.
 - 2. The architectural expression and exterior detailing are consistent with the proposed architectural style and compatible with the adjacent structures.
 - 3. The proposed work is architectural compatibility with the tropical context and the adjacent structures.
 - 4. The arrangements of the components of the structure are compatible with the adjacent structures.
 - 5. The appearance of mass is broken down in the façade and variety of materiality and detailing.
 - 6. While the general architectural approach is consistent with adjacent properties, the detailing and material selection provides diversity of design without become excessively dissimilar.
 - 7. The proportions of the design features have been carefully studied.
 - 8. Landscape buffer protect the privacy of the neighboring property in a manner consistent with the surround context.
- g) All proposed accessory structures are subservient in style and massing to the principal or main structure.
- h) The proposed architectural style and materials of the structure is consistent with other structures in the immediate area, specifically those along Pendleton Lane to the South.
- i) The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- j) The project's location and design is oriented in a linear organization, with the majority of the rooms oriented to the West in order to protect unique site characteristics, specifically the view of the lake from the property

C. Special Exception in accordance with Section 134-229.

- a) **SPECIAL EXCEPTION PURSUANT TO SECTION 134-843 (3) FOR AN EXISTING NON-CONFIRMING LOT DEPTH OF 148'-2" IN LIEU OF 150'-0" REQUIRED.**
- b) **SPECIAL EXCEPTION FROM SEC. 134-1668 TO REDUCE THE MINIMUM VEHICLE QUEING AREA PERPENDICULAR TO DRIVEWAY GATES FROM 9'-0" BY 18'-0" DEEP TO 9'-0"WIDE BY 8'-8" DEEP MINIMUM.**

D. Site Plan Review Approval in accordance with Section 134-329.

- a) **REQUEST FOR SITE PLAN REVIEW - BY OCEAN BREEZES 2, LLC**
 - 1. Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the Town.

Sufficiency of ownership of the subject property has been demonstrated by the attached copy of the recorded Warranty Deed and Power of Attorney.

2. Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon.

The proposed development intensity of use and/or purpose is consistent with adjacent properties and approval of the site plan will not adversely affect the public interest. In addition, the proposed development program is generally located at the end of a cul-de-sac and will not create any adverse impacts on the adjacent properties. The Property is zoned for single family residences and there is a unity of title for the Property.

3. Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.

Ingress and egress to the property will not change as a result of this application, as the three existing curb cuts will be reused and approval of the site plan will not adversely affect the public interest. Separation of automotive traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire has been carefully studied.

4. Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

The proposed residence program provides sufficient off-street parking and approval of the site plan will not adversely affect the public interest.

5. Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.

The proposed landscape plan will enhance screening and buffers to preserve internal and external harmony and the project will be compatible with surrounding properties. Approval of the site plan will not adversely affect the public interest

6. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacity.

A paving and drainage plan has been submitted, which demonstrates compliance with the above-referenced standards and approval of the site plan will not adversely affect the public interest

7. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

Sufficient utility capacity exists to existing services and proposed development at the Property and approval of the site plan will not adversely affect the public interest

8. Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to community-wide open spaces and recreation facilities.

Not applicable to this request.

9. Such other standards as may be imposed by this chapter for the particular use or activity involved.

Not applicable to this request.

10. Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.

Not applicable to this request.

11. Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

The subject property is uniquely situated at the end of a cul-de-sac and adjacent to two large commercial structures to the North. The visible size and bulk of the proposed development is consistent with surrounding properties.

E. Variance(s) in accordance with Section 134-948(5)a

a) **REQUEST FOR VARIANCE - TO EXCEED THE BUILDING HEIGHT PLANE DUE PURSUANT TO SECTION 134-843 (7) DUE TO THE NON-CONFORMING LOT DEPTH.**

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The existing platted lot is non-confirming in depth, situated on a cul-de-sac and located at the western terminus of Chapel Hill Road.

2. Indicate how the special conditions and circumstances do not result from the actions of the applicant.

The existing lot was platted in 1980, prior to the Applicant's acquisition of same.

3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

The existing lot is was platted in its existing configuration and is the subject of a unity of title, permitting one home to be built on a property which would otherwise allow for two homes to be built. This is consistent with the Town's comprehensive plan which seeks to reduce density when possible.

4. Demonstrate how literal interpretation of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

Compliance with the building height plane would further encumber an existing non-conforming lot limiting the development capability. The building height plane is intended to limit bulk along a front yard setback and along a public way. Situated at the end of a cul-de-sac, there is limited pedestrian interaction with the property.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested variance is the minimum necessary to utilize the property.

6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:
 - a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
 - b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area, and, further, such variance shall
 1. Be granted only for the continuation of the same hotel or residential use; and,
 2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

Not applicable to this request.

7. Show how the granting 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.

The building height plane is intended to limit bulk along a front yard setback and along a public way. Situated at the end of a cul-de-sac, there is limited pedestrian interaction with the Property.

Very truly yours,



KEITH M. SPINA
CEO

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0072 (ARC-24-0119) 136 REEF RD (COMBO) —VARIANCE. The applicants, John and Bonnie Stepan, have filed an application requesting Town Council review and approval for one (1) variance for a reduced side yard setback for the construction of a new rear terrace. The Architectural Commission (ARCOM) shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project. Carried 7-0.]*

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WLB*
Director PZ&B

SUBJECT: ARC-24-0119 (ZON-24-0072) 136 REEF RD (COMBO)

MEETING: JANUARY 29, 2025 ARCOM
FEBRUARY 12, 2025 TC

ZON-24-0072 (ARC-24-0119) 136 REEF RD (COMBO) The applicants, John and Bonnie Stepan, have filed an application requesting Town Council review and approval for one (1) variance for a reduced side yard setback for the construction of a new rear terrace. The Architectural Commission (ARCOM) shall perform design review of the application.

ARC-24-0119 (ZON-24-0072) 136 REEF RD (COMBO) The applicants, John and Bonnie Stepan, have filed an application requesting Architectural Commission review and approval for the reconstruction of a rear terrace with one variance to reduce the side yard setback. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: John and Bonnie Stepan
Design Professional: A&F engineering, Inc.

HISTORY:

At the January 29, 2025 ARCOM meeting, the Commission approved (7-0) the application for new construction of a one-story residence. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "Stepan Residence 136 Reef Road" as prepared by **A&F Engineering, Inc.**, dated December 16, 2024.

The following scope of work is proposed:

- Reconstruction of a rear covered terrace.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **Variance 1:** Sec. 134-893(b)(7)(a): A variance to reduce the side setback to 10.5' vs. the 12.5' required to rebuild the terrace to existing location.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	11,025 SF	Side setback	12.5' required 10.5' requested Variance requested

Lot Depth	105'	Lot Width	105'
Surrounding Properties / Zoning			
North	135 Reef Rd Residence / R-B		
South	141 & 133 Dolphin Rd Residence / R-B		
East	130 Reef Rd Residence / R-B		
West	144 Reef Rd Residence / R-B		

STAFF ANALYSIS

The applicant is proposing to reconstruct an existing wood frame terrace at the southeast corner of the structure facing the southeast corner of the lot. The existing one-story structure was built in 1951. This one story open air terrace has exposed wooden beams and wood lattice on the east side. The proposed terrace will replicate the existing in location and design. Due to the amount of demolition required because of wood decay this proposal requires the granting of one variance to accomplish the plan.



Photos depicting covered patio to be rebuilt.

Code Section	Required	Proposed	Variance
Variance 1: Sec. 134-893(b)(7)a.	12.5'	10.5'	2.0'

CONCLUSION:

Approval of the project will require two (2) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (1) separate motion(s) to be made by the Town Council:

- (1) for final determination of approval or denial of the (1) variance by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB:JGM: FHM

A & F Engineering, Inc.

Licensed Engineers

P.E. No. 53842

3340 Fairlane Farms Road, #7 Wellington, FL 33414

Phone No. 561 790 3116 Fax 561 300 2148

October 15, 2024

RE: 136 Reef Road Palm Beach, FL 33480

Terrace Repair Project – LETTER OF INTENT
RELATED TO THE TERRACE REPAIR/REPLACEMENT 136 Reef Road

We are pleased to submit the accompanying drawings in support of our request to repair the existing rear terrace and roof with like structure at 136 Reef Road. The repair is at the rear of the residence and does not change the existing building footprint and is not seen for the street. A portion of the covered terrace encroaches into the side yard setback to align with the existing non-conforming residence. This repair requires a 1'-6"x16'4"= 26sf or 0.00059 acres to the existing CCR of property, for which we will request a variance. Please note the following:

A) ARCOM 18-205

The submitting party requests ARCOM review and approval for a proposed repair and replacement of terrace like for like. the scope of work of trhe project includes demolisation of existing damaged wood structural members as well as the replace ment of the roof like for like. Not changes to the landscape or exterior details, including the building height and architectural details. ARCOM is to review the design.

B) VARIANCES

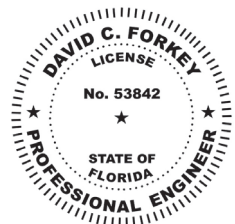
The submitting party requests Town Council Zoning relief for approval for the variance.

Sincerely,

David C
Forkey

Digitally signed by
David C Forkey
Date: 2024.11.20
12:47:15 -05'00'

D. Forkey PE
Florida PE# 53842



TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

**ZON-24-0074 (ARC-24-0133) 410 SEABREEZE AVE (COMBO)—
VARIANCES** The applicant, Deborah Glass, has filed an application requesting Town Council review and approval for two (2) variances for a second story addition to (1) exceed maximum lot coverage permitted and (2) exceed maximum CCR permitted. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project. Carried 7-0.]*

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



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
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WUB*
Director PZ&B

SUBJECT: ARC-24-0133 (ZON-24-0074) 410 SEABREEZE AVE (COMBO)

MEETING: JANUARY 29, 2025, ARCOM
FEBRUARY 12, 2025, TC

ZON-24-0074 (ARC-24-0133) 410 SEABREEZE AVE (COMBO) – VARIANCES. The applicant, Deborah Glass, has filed an application requesting Town Council review and approval for two (2) variances for a second story addition to (1) exceed maximum lot coverage permitted and (2) exceed maximum CCR permitted. The Architectural Commission shall perform design review of the application.

ARC-24-0133 (ZON-24-0074) 410 SEABREEZE AVE (COMBO). The applicant, Deborah Glass, has filed an application requesting Architectural Commission review and approval for a second story addition which requires variance(s). Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: Deborah Glass
Architecture: Kristin Kellogg
Legal: Maura Ziska

HISTORY

This property previously requested an addition (ARC-24-30) and was denied (7-0) by ARCOM on August 28, 2024. This current version is a substantially different request and restores some other elements of the structure.

Previously application VAR-11-2008 was approved by town council in 2008, approving the following variances: (1) CCR of 4.77 in lieu of the 4.29 existing and 4.08 maximum permitted by code. (2) One story east side yard setback of 11.3' in lieu of 12.5' minimum required. (3) Two story west side yard setback of 9.6' in lieu of the 15' minimum required.

At the January 29, 2025 ARCOM meeting, the Commission approved (7-0) the application for new construction of a one-story residence. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "ADDITION AND ALTERATIONS TO 410 SEABREEZE AVENUE" as prepared by **Smith Kellogg Architecture, Inc.**, submitted January 8, 2025.

The following scope of work is proposed:

- Second floor addition to existing two-story residence.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **VARIANCE 1: Sec. 134-893(b)(11)b.:** A variance to rebuild a ground floor terrace and a second story addition with a 31.4% lot coverage, in lieu of the 30% maximum lot coverage permitted. With existing lot coverage at 31.7%.
- **VARIANCE 2: Sec. 134-893(b)(13):** A variance to permit a cubic content ratio (CCR) of 4.59 in lieu of the 4.45 existing and the 4.08 maximum CCR permitted.

Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Lot Size	9,187.5 SF	Crown of Road	+3.34' NAVD
Lot Depth	122.5'	Lot Width	75'
Lot Coverage	Permitted: 30% Existing: 31.7% Proposed: 31.4% <i>Variance Required</i>	Enclosed Square Footage	Existing: 4,344 SF Proposed: 4,522
Cubic Content Ratio (CCR)	Permitted: 4.08 Existing: 4.45 Proposed: 4.59 <i>Variance Required</i>	Angle of Vision	Permitted: 100° Existing/Proposed: 71°
Building Height	Permitted: 22' Existing: 18'-10" Proposed: 18'-10"	Overall Building Height	Permitted: 30' Existing: 24'-6" Proposed: 24'-6"
Finished Floor Elevation	Proposed: 7' NAVD	FEMA Flood Zone	ZONE AE 6
Surrounding Properties / Zoning			
North	417 Seabreeze Ave & 411 Seabreeze Ave Residence(s) / R-B		
South	415 Seaspray Ave Residence / R-B		
East	402 Seabreeze Ave Residence / R-B		
West	416 Seabreeze Ave Residence / R-B		

STAFF ANALYSIS

The subject property is a midblock parcel located on the south side of Seabreeze Avenue. The residence was constructed in the 1930's and designed by Gustav Maass for Mr. & Mrs. Van Voorhees in a colonial style. Numerous permits have been issued throughout the years for renovations, additions and maintenance to the structure. The existing structure is sited roughly mid parcel with existing nonconforming side yard setbacks.

The application is for a proposed addition. The proposed improvements to the structure are within the existing footprint. The applicant is proposing a second story addition at the existing second floor balcony on the rear east side of the structure. The addition is relatively small (178 SF); however, variances are required to achieve the scope of work. The roof of the addition will be a hip that ties into the existing roof surfaced in matching tile. This will eliminate the currently flat roof portion of the house. Exterior finishes include wood siding to match the existing, multi lite windows flanked by painted wooden shutters and French Doors facing the rear.



Existing Front (North) Elevation no changes proposed.



EXISTING
SOUTH ELEVATION
SCALE: 1/4\"/>



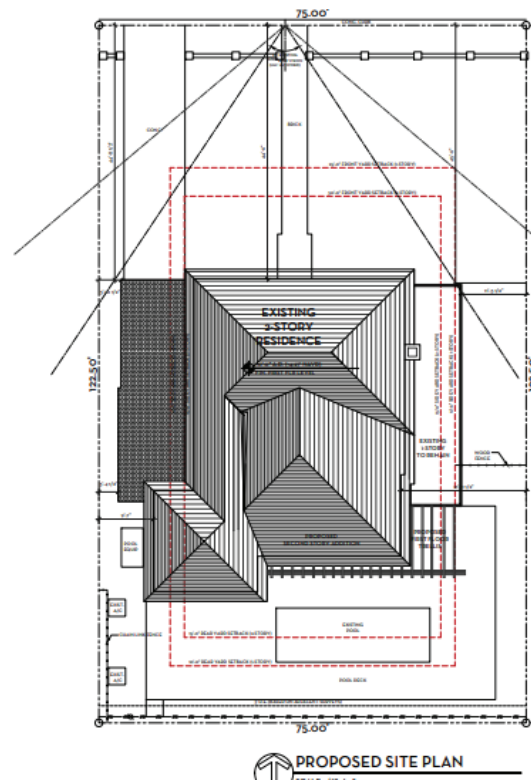
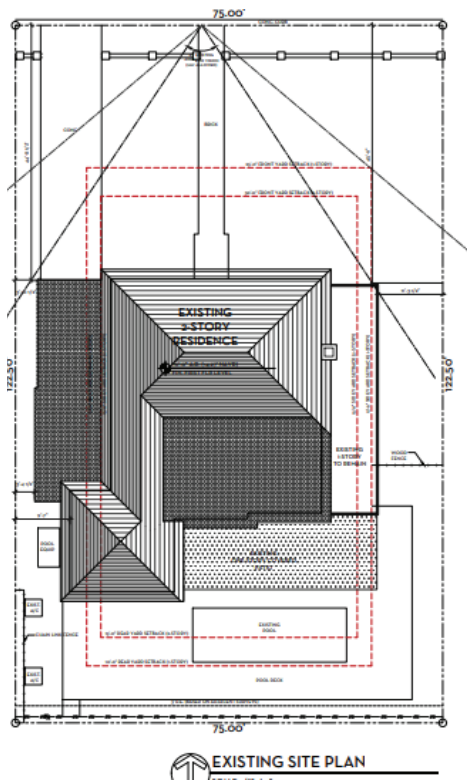
PROPOSED
SOUTH ELEVATION
SCALE: 1/4\"/>

Existing and Proposed Rear (South) Elevations

The design requires two variances as proposed.

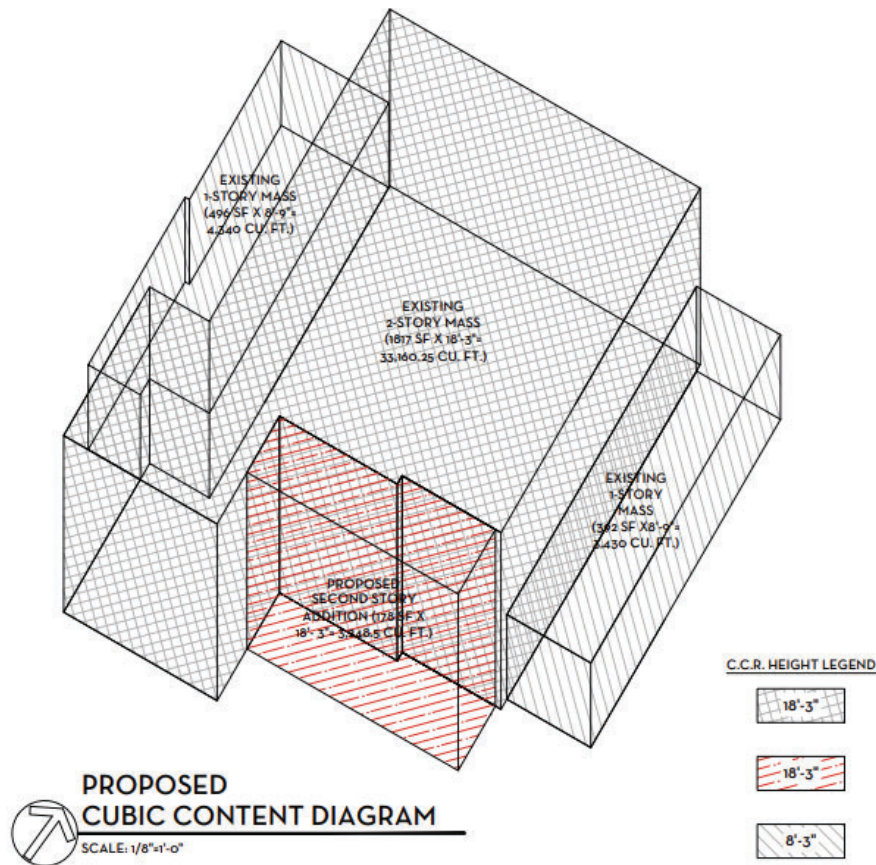
- **VARIANCE 1: Sec. 134-893(b)(11) b.:** A variance to rebuild a ground floor terrace and a second story addition with a 31.4% lot coverage, in lieu of the 30% maximum lot coverage permitted.
- **VARIANCE 2: Sec. 134-893(b)(13):** A variance to permit a cubic content ratio of 4.59 in lieu of the 4.45 existing and the 4.08 maximum CCR permitted.

As it pertains to VARIANCE 1, the rear of the structure is being removed to construct a more cohesive dining room and covered outdoor seating downstairs and a new dressing room upstairs. Due to the extent of demolition of this portion of the house the lot coverage will need to be revisited through a variance despite decreasing the lot coverage from 31.7% to 31.4%.



Code Section	Required	Proposed	Variance
VARIANCE 1: Sec. 134-893(b)(11)b.	30% lot coverage maximum	31.4% lot coverage 31.7% existing	1.4%

Variance 2 is to exceed the maximum cubic content ratio (CCR) permitted on site. As mentioned previously, the structure was built in the 1930s and therefore prior to today's zoning code. In 2008, the Town Council considered and granted a variance for a similar scope of work as it pertained to first and second floor additions to the nonconforming building, which permitted the expansion of the already nonconforming cubic content ratio (CCR) to the 4.59 amount existing today.



Axonometric diagram of cubic content from rear.

The size of the addition is approximately 178 SF at 18.3' in height for that volume, adding an additional 0.14CF of mass to the already nonconforming structure. The addition will not be visible from the public right of way nor the west elevation and matches the existing structure in style and materials. While the relatively small second floor addition seamlessly blends in with the architecture of the 1930's residence, it still remains as a variance and its approval needs to provide hardship in order for the Town Council to grant. Perhaps, as the Code reform continues to examine all aspect of the zoning code, the Town Council could provide specific direction on a lesser standard of approval for CCR on older residential buildings in the Town as a means of further incentivizing their retention.

Code Section	Permitted	Proposed	Variance
VARIANCE 2: Sec. 134-893(b)(13)	4.08 Max CCR	4.59 CCR in lieu of 4.45 CCR existing	+0.14 CCR from exist. +0.37 CCR from max.

CONCLUSION:

Approval of the project will require two (2) separate motion(s) to be made by the Architectural Commission:

1. for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions, and
2. that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (1) separate motion(s) to be made by the Town Council:

1. for final determination of approval or denial of the (1) variance by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB:JGM:FHM

January 8, 2024

Town of Palm Beach Development Review Staff

Re: Letter of Intent for Development Review
ARC-24-O133 / ZON-24-0074 410 Seabreeze Avenue

To Whom It May Concern:

Smith Kellogg Architecture is submitting this Letter of Intent on behalf of the owners of 410 Seabreeze Avenue.

410 Seabreeze Avenue is an existing two-story residence designed by Gustav Maass in 1937. The intent of this application is to add a second-floor dressing room, remove the existing covered terrace structure and replace with a smaller trellis, modify the existing roof structure to eliminate the flat roof, and modify fenestration openings. The proposed work is not visible from the street.

This application is submitted by Smith Kellogg Architecture, Inc. following the denied submittal by an Architect who is no longer affiliated with the project.

The proposed plans require a cubic content variance. A variance is also required for the lot coverage, though the proposed plans would lead to a reduction in the overall lot coverage currently existing.

VARIANCE 1: Sec. 134-893(b)(11) b.: A variance to rebuild a ground floor terrace and a second story addition with a 31.4% lot coverage, in lieu of the 30% maximum lot coverage permitted. Existing lot coverage is 31.7%.

VARIANCE 2: Sec. 134-893(b)(13): A variance to permit a cubic content ratio of 4.59 in lieu of the 4.45 existing and the 4.08 maximum CCR permitted.

Architectural Review code:

Sec. 18-205. - Criteria for building permit.

(a) The architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction only after consideration of whether the following criteria are complied with:

(1) The plan for the proposed building or structure is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.

- Complies. The project scope proposes to enhance the existing exterior of the structure by adding elements that are stylistically appropriate and removing previously added elements which are inconsistent with the historic architecture.

(2) The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.

- Complies. The proposed additions are within the property setbacks and will be constructed of standard building materials to match the existing residence.

(3) The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.

- Complies. The proposed addition will be constructed of standard building materials to match the existing residence and the design elements will be cohesive with the existing.

(4) The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan.

- Complies. The proposed addition and alterations meet the design style of the existing residence.

(5) The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:

- a. Apparently visibly identical front or side elevations;*
- b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or*

c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.

- Complies. The proposed additions are in keeping with the existing residence design style, in regards to window/door configurations, exterior detailing, and are not excessively similar to any other property within 200 feet.

(6) The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:

a. Height of building or height of roof.

b. Other significant design features including, but not limited to, materials or quality of architectural design.

c. Architectural compatibility.

d. Arrangement of the components of the structure.

e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.

f. Diversity of design that is complimentary with size and massing of adjacent properties.

g. Design features that will avoid the appearance of mass through improper proportions.

h. Design elements that protect the privacy of neighboring property.

- Complies. The proposed additions are in keeping with the existing residence design style, in regards to window/door configurations, exterior detailing and are not excessively similar to any other property within 200 feet.

(7) The proposed addition or accessory structure is subservient in style and massing to the principal or main structure.

- Complies. The proposed dressing room and trellis step back from the primary existing mass and are not visible from the street.

(8) The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).

- Complies. The proposed alterations have no impact to the streetscape.

(9) The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.

-Complies. There is no change to location of the structure, alterations decrease overall building footprint.

(10) The project's location and design adequately protects unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

-Complies. There is no change to location of the structure, alterations decrease overall building footprint.

(b) If the above criteria are met, the application shall be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria and shall be such as to bring such building or structure into conformity. If an application is disapproved, the architectural commission shall detail in its findings the criterion or criteria that are not met. The action taken by the architectural commission shall be reduced to writing, and a copy thereof shall be made available to the applicant upon request.

-Understood.

(c) A decision or order of the commission or the planning, zoning and building department director or his/her designee shall not become effective until the expiration of ten working days after the date upon which a ruling of the commission or the planning, zoning and building department director or his/her designee has been made.

-Understood.

Sec. 134-201. - Findings prior to authorization.

(a) The town council may authorize upon appeal such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this chapter will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the town council must and shall find the following:

(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.

- Complies. The existing lot is undersized in both lot width and overall lot area.

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

- Complies. The lot size has not changed since the original 1937 structure was built. The work would decrease the existing lot coverage on site.

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in this same zoning district.

- Complies. The proposal meets all other relevant zoning criteria.

(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.

- Complies. The applicant desires a dressing room for their primary bedroom. The house is a modest size with only three bedrooms.

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

- Complies. The proposed addition is modest in scale and not visible from the street. The proposed addition decreases the existing lot coverage on site as well.

Site History

A previous application for alterations and additions was submitted by another firm and the application was subsequently denied by ARCOM. Our firm was hired following that application and denial.

Should you have any questions or concerns, please do not hesitate to let us know.

Sincerely Yours,

A handwritten signature in black ink, reading "Kristin Kellogg". The signature is written in a cursive, flowing style.

Kristin H. Kellogg

Principal Architect | Smith Kellogg Architecture, Inc.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0076 (ARC-24-0134) 369 LAKE DR PH-A (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, Hunter Trust, has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and three (3) Variances for (1) to exceed maximum building height, (2) to expand the nonconforming 6th floor, and (3) to reduce the existing nonconforming front /side street (west) yard setback, in conjunction with the construction of an approximately +/- 335 SF addition to an existing 6th floor penthouse unit in the R-D(2) zoning district. The Architectural Commission shall perform design review of the application. *[Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Architectural Review Commission approved the project. Carried 7-0.]*

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council Review

FROM: Wayne Bergman, MCP, LEED-AP *WCB*
Director PZ&B

SUBJECT: ZON-24-0076 (ARC-24-0134) 369 S LAKE DR PH-A (COMBO)

MEETING: JANUARY 29, 2025 ARCOM
FEBRUARY 12, 2025 TC

ZON-24-0076 (ARC-24-0134) 369 LAKE DR PH-A (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, Hunter Trust, has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review and three (3) Variances for (1) to exceed maximum building height, (2) to expand the nonconforming 6th floor, and (3) to reduce the existing nonconforming front /side street (west) yard setback, in conjunction with the construction of an approximately +/- 335 SF addition to an existing 6th floor penthouse unit in the R-D(2) zoning district. The Architectural Commission shall perform design review of the application.

ARC-24-0134 (ZON-24-0076) 369 LAKE DR PH-A (COMBO) The applicant, Hunter Trust, has filed an application requesting Architectural Commission review and approval for an approximately +/- 335 SF addition to an existing penthouse unit on an existing 6-story building, requiring a special exception with site plan review and variances for height and setback. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: Hunter Trust
Professional: Bartholemew + Partners,
Representative: Tim Hanlon, Esq.

HISTORY:

At the January 29, 2025 ARCOM meeting, the Commission approved (7-0) the application for the addition to the penthouse. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled " Renovation for the Kepner Family 369 S LAKE DRIVE PH-A", as prepared by **Bartholemew + Partners**, date uploaded to the Town January 10, 2025.

The following is the scope of work:

- The construction of a new approximately 335 SF addition to the penthouse unit of an existing 6-story multi-family building.

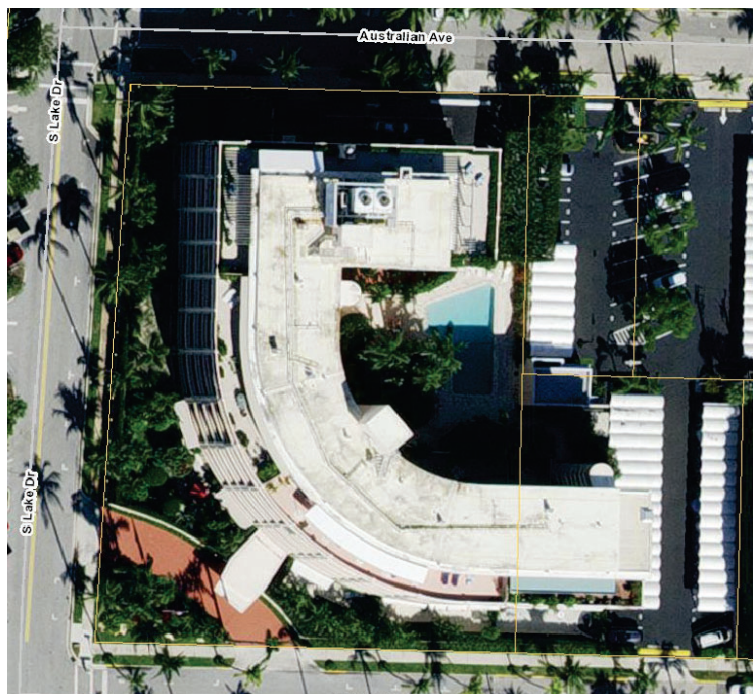
The following Special Exception with Site Plan Review and Variances are required to complete the project:

- SPECIAL EXCEPTION W/ SITE PLAN REVIEW: Special exception and site plan approval to permit addition of 335 SF addition to the existing sixth floor.
- VARIANCE 1: Section 134-1060(8)d. A variance to exceed the maximum building height of 35' to permit the construction of an addition at 57'-6" currently existing.
- VARIANCE 2: Section 134.1060(8)d. A variance to allow the addition to the existing sixth floor in lieu of the three-story maximum currently permitted.
- VARIANCE 3: Section 134.1060(7)d. A variance to reduce the nonconforming front (west) setback of 38'-10" in lieu of the required 57'-5" for the construction of a 335 SF addition to an existing penthouse unit on the sixth floor.

Site Data			
Zoning District	R-D(2)	Future Land Use	MULTI FAMILY HIGH DENSITY
Existing Structure	6 stories 42 units	Year built	1961
Surrounding Properties / Zoning			
North	Four-story multifamily / R-D(2)		
South	Two-story multifamily / R-D(2)		
East	One-story residence / R-C Two-story residence / R-C		
West	Town of Plam Beach Marina / R-B		

HISTORY:

The nonconforming building has a history of development review approvals associated with the granting of numerous variances dating back to at least 1993, most notably for height variances for associated improvements of canopies, enclosed additions and installations to trellises and pergolas to the penthouse level. A comparable example include Variance #17-97 approved on June 10, 1997 for the enclosure of 520 SF terrace addition on penthouse D including nearly identical variance requests. Most recently, approved a project was reviewed and approved at ARCOM pursuant to file #B-057-2021, approved 06-23-21 and landscape 07-28-21) for the construction of a new generator building in parking area.

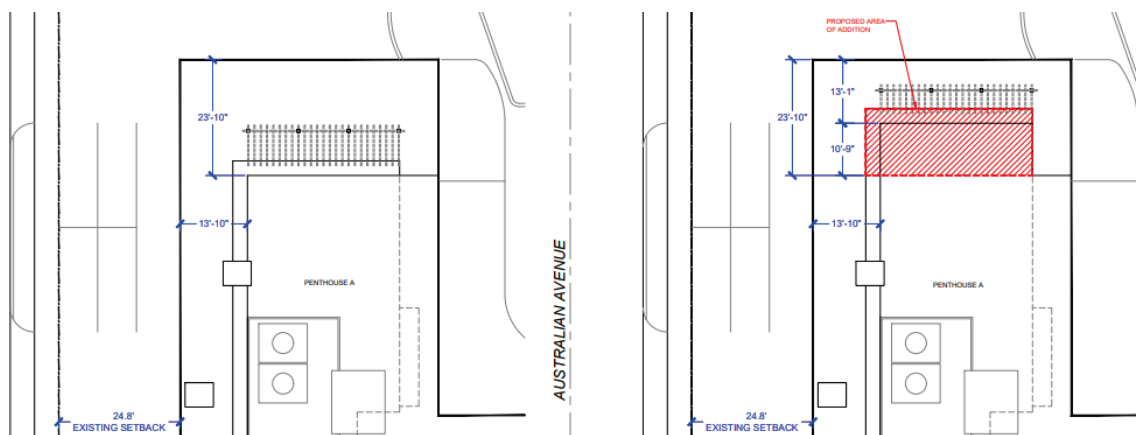


STAFF ANALYSIS

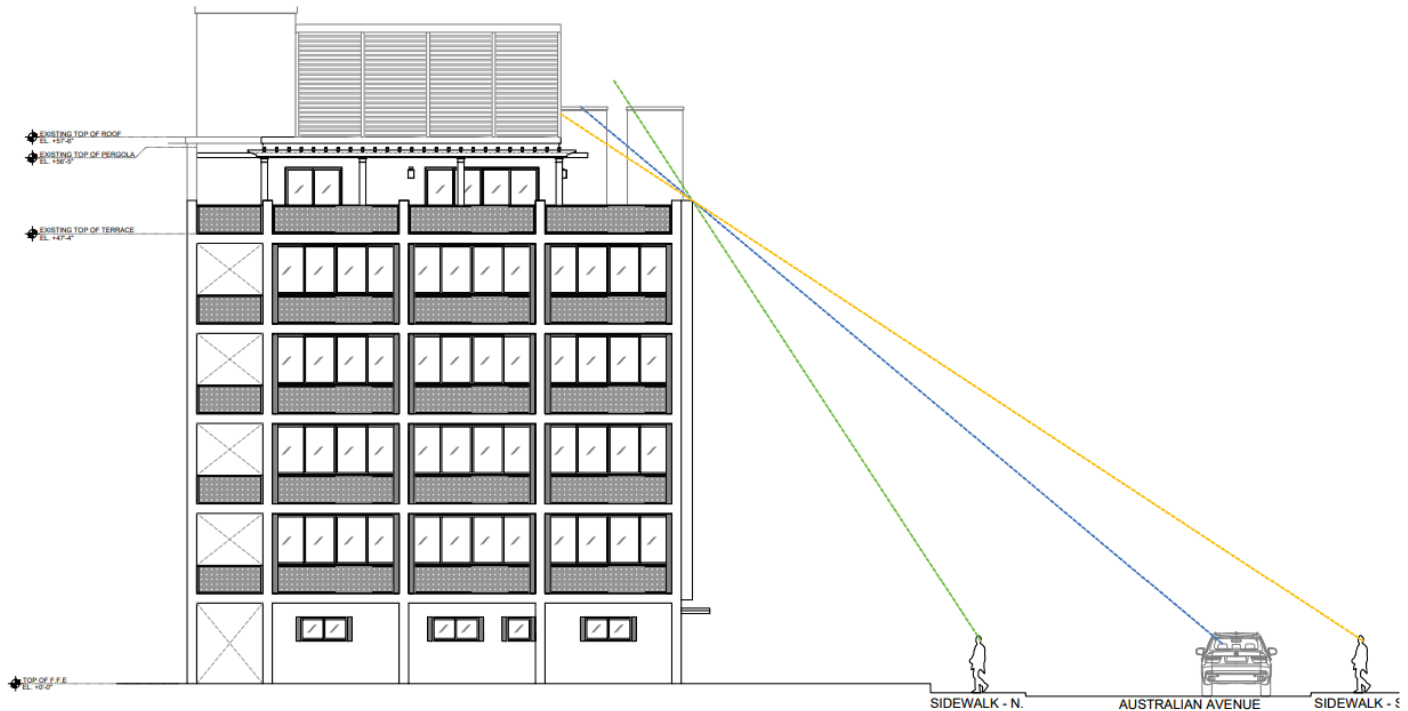
The applicant is proposing to construct an addition containing 335 SF on the penthouse level of an existing six-story building in the R-D(2) zoning district. The sixth floor is existing, and itself nonconforming, and the addition of the laundry room would not acerbate the use or the intensity on the site. This particular penthouse unit is at the northern end of the building, without any abutting residential units, and seeks to decrease the amount of open terrace space to occupy the new footprint of the addition.



The existing trellis and pergola were approved via the granting of a variance (Variance #31-95) on September 10, 1996 for pergolas and trellises on penthouse A with associated height variances.



The proposed addition will occupy the a private outdoor space that has already been granted for height variances. There is no other adjoining penthouse unit that will be negatively impacted by the addition, as this penthouse unit is the end unit of the rooftop penthouses.



Further as evidenced in the line-of-site diagram, the proposed addition will not visually overwhelm the adjacent right-of-way as the actual existing building is already nonconforming in the stories and height and setbacks.

CONCLUSION:

Approval of the project will require two (2) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with [Sec. 18-205](#) criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variance **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require two (2) separate motion(s) to be made by the Town Council:

- (1) for final determination of approval or denial of the (1) variance by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met.

WRB: JGM

LETTER OF INTENT

ARC-24-0134 and ZON-24-0076 is a request for construction of an addition containing 335 square feet on the penthouse level at 369 S. Lake Drive, PH-A. The required plans and zoning history are submitted with this Application.

Sections 134-201, 134-226, 134-227 and 134-326. Applicant is requesting special exception with site plan approval and variances to allow a 335 square foot addition to the penthouse unit of an existing six-story building in the R-D(2) zoning district. The following variances are requested:

1. Section 134-226 and 134-227. Special exception and site plan approval to permit addition of 58 square foot addition to the existing sixth floor.
2. Section 134-1060(8)d. Variance for building height of 57'6" in lieu of 35' maximum permitted. Please note that the 57'6" height is currently existing.
3. Section 134.1060(8)d. Variance to allow the addition to the existing sixth floor in lieu of the three-story maximum currently permitted.
4. Section 134.1060(7)d. Variance to permit the small 335 sq. ft. addition on the sixth floor with a front (west) yard setback of 24'10" in lieu of the required 57'5" minimum required.

The special exception should be granted because this is a permitted special exception use and it has been approved in multiple similar situations previously.

The site plan should be approved because the requested small addition will have no negative impact on neighbors and the Town. The sixth floor is existing, and the primary bedroom addition is very small in scope. The addition will not be visible to any neighbors.

The hardship that runs with the property is that the condominium building is already non-conforming and was built pursuant to a different code. The requested relief is technical only because of the existing non-conformity and is de minimis based upon the very small scope of the proposed renovation. Any change to this penthouse would require a variance.

Granting of the variance will not be contrary to the public's interest because no negative impact to the neighbors will result. This is primarily a cosmetic restoration, and the variance is technical and is de minimis and will not be seen by neighbors.

Criteria for Site Plan Review

1. A multi-family dwelling is a permitted use under the Town of Palm Beach Zoning Code.
2. The proposed small addition is so designed, located and proposed to be operated so that the public's health, safety, welfare and morals will be protected.
3. The proposed small addition will not cause injury to the values of the other properties in the neighborhood as the adjacent penthouse has the same awning as the one proposed.
4. The proposed small addition will be compatible with the intended purpose of the district in which it is to be located as there are covered terraces in the building and neighborhood.
5. The proposed small addition will comply with Schedule of District Regulations for the R-D(2) Zoning District.
6. The proposed small addition will comply with all elements of the comprehensive plan.
7. The proposed small addition will not result in substantial economic, noise, glare or other impact or odor impacts on adjoining properties, and other properties in the district; inasmuch as, the same type of use have existed for many years and it is compatible with adjoining and nearby properties.
8. Adequate ingress and egress to the property and loading are provided.
9. Hunter Trust LLC is the fee simple owner and in control of the subject property.
10. The Applicant intends to continue with the current intended use of the property – a multi-family residence located in the R-D(2) Zoning District.
11. Ingress and Egress to the subject property will be via S. Lake Drive.
12. See attached elevation plan for proposed construction of the small addition and the awning.

Criteria for Special Exceptions

1. The use is a permitted special exception use as set forth in article VI of this chapter. The six-story building is a grandfathered use allowed under a previous zoning code and approval. The laundry room addition does not change the use.
2. The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected. The proposed small addition will not adversely impact the public or neighborhood but alternatively will provide enhancement to the applicant's unit.
3. The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located. The proposed small addition will have no negative impact on the value of other properties in the neighborhood and should increase the neighboring property values.

4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located. The proposed small addition will be compatible with the neighborhood as this area is high density residential district and there are other condominium units that have awnings in this building and others.
5. The use will comply with yard, other open space, and any special requirements set out in Article VI for the particular use involved. Except as stated in this Application, the small addition will comply with all other yard, other open space and any special requirements set forth in Article VI of the Zoning Code.
6. The use will comply with all elements of the comprehensive plan. The proposed small addition will comply with the comprehensive plan, if applicable.
7. The use will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district. The proposed small addition will not result in substantial economic, noise, glare, or odor impacts on the adjoining properties and properties in the district, as the small addition is proposed on the penthouse of an existing multi-family building.
8. The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations. The proposed small addition will not place a greater burden on police or fire protection services.

Criteria for Authorizing a Variance (Applicable to all variance requests)

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The hardship and special conditions applicable to this property are that the building was constructed pursuant to a different code that permitted six stories and the 57'6" existing height.

The requested addition is de minimis in scope and is located on the existing sixth floor and will not be seen or noticed by anyone. A very similar improvement and others and accompanying variances were approved by Town Council in 2018 and 2022 for two sixth floor penthouses at 425 Worth Ave.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

The special conditions existed upon construction of the building and were not created by the Applicant.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

No special privileges will be conferred on the Applicant if the variances are granted because this same relief was granted to the neighbors in 2018 and 2022 and the building height is not being increased.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

Literal interpretation of the ordinances would deprive Applicant of the right to make these small cosmetic tweaks to her residence previously approved for her neighbors.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested relief is the minimum necessary for the requested use as the requested addition is very small (only 58 square feet).

6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:

- a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
- b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
 - i. Be granted only for the continuation of the same hotel or residential use; and,
 - ii. Require the Applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.

N/A

7. Show how the granting 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.

The granting of these variances are in harmony with the intent and purpose of the Zoning Code because the requested very small improvements are consistent with the existing building as previously approved for the neighbor's same small renovation.

These criteria apply to all of the requested variances.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0077 (COA-24-0028) 284 MONTEREY RD (COMBO)—VARIANCE. The applicant, Dustin Mizell with Environmental Design Group on behalf of the owner DHC MONTEREY LLC, has filed an application requesting Town Council review and approval for one (1) variance to reduce the street side yard setback to allow the installation of mechanical equipment for the Landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved the project. Carried 7-0.]*

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT

PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WRB*
Director PZ&B

SUBJECT: ZON-24-0077 (COA-24-028) 284 MONTEREY RD (COMBO)

MEETING: JANUARY 22, 2025, LPC
FEBRUARY 12, 2025, TC

COA-24-0028 (ZON-24-0077) 284 MONTEREY RD (COMBO). The applicant, Dustin Mizell with Environmental Design Group, has filed an application requesting a Certificate of Appropriateness for the review and approval of site modifications including relocation of mechanical equipment which requires a street side yard variance, revised water feature design, and hardscape changes. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

ZON-24-0077 (COA-24-0028) 284 MONTEREY RD (COMBO) - VARIANCE. The applicant, Dustin Mizell with Environmental Design Group on behalf of the owner DHC MONTEREY LLC, has filed an application requesting Town Council review and approval for one (1) variance to reduce the street side yard setback to allow the installation of mechanical equipment for the Landmarked property. The Landmarks Preservation Commission shall perform design review of the application.

Applicant/Professional: Dustin Mizell (Environmental Design Group)
Property Owner: DHC MONTEREY LLC

HISTORY:

The one-story property at 284 Monterey Road was constructed in 1941 and designated as a Landmark in 2013. The Bermuda-style residence was designed by Marion Sims Wyeth and built for E.B. Walton. As stated in the designation report *"Most domestic building in the United States ceased during World War II. The residence at 284 Monterey Road, built in 1941, reflects the end of the pre-war era and represents the development of the north end of Palm Beach by the contracting form of E.B. Walton, Inc."*

In 2022, a Certificate of Appropriateness (COA-22-028) was granted by LPC for the construction of a one-story addition, exterior alterations, as well as landscape and hardscape modifications. The associated variances (ZON-22-079) for side yard setbacks and the angle of vision were granted by Town Council. In 2024, COA-24-002 was granted by LPC for minor window and door modifications. Primarily the relocation of a side (east) entry door to the front next to the garage door, elimination of one window on the west elevation, addition of a window on the east elevation, and conversion of a window to a pair of French doors on the south elevation. Minor exterior alterations were approved through administrative reviews (L-22-00674 and L-23-00717). Neighbor consent was supplied to the Town for the wall and hedge with additional discussions and possible private agreements between the owner and neighbors abutting on the east side that was part of the private negotiations leading to the approval process for the variance in 2022.

In 2024, an administrative review application (LPCS-24-0044) was denied since consent from the neighbor to the east was not secured for the project. At the January 22, 2025 LPC meeting, the Commission approved (7-0) the application. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled “Private Residence 284 Monterey Road, Palm Beach Florida”, as prepared by **Environmental Design Group**, received by the Town on January 8, 2025.

The following is the scope of work for the Project as indicated by the applicant:

- Relocation of mechanical equipment.
- Revised water feature design.
- Landscape and hardscape changes.

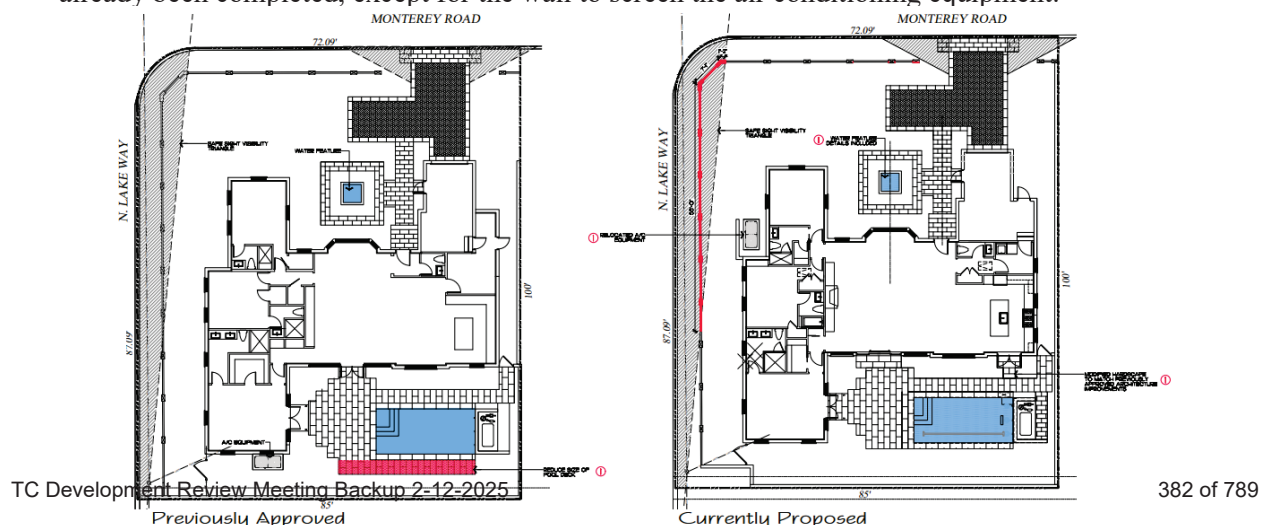
The following variance is required to relocate the mechanical equipment.

- **VARIANCE #1:** A variance to reduce the street side yard setback to 15’-9”, in lieu 20’-0”.

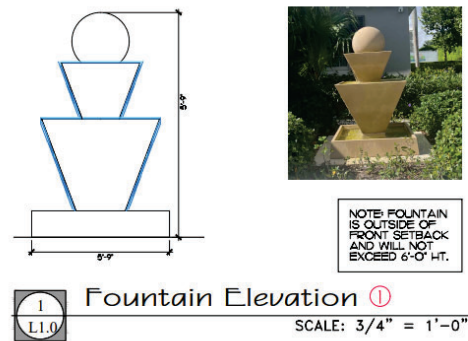
Site Data			
Zoning District	R-B	Future Land Use	SINGLE-FAMILY
Designation	12/11/2013	Architect/Builder:	Wyeth and King
Lot Area	8,465 SF	Year of Construction	1941
Landscape Open Space	Required: 45.0% (3,809.25 SF)	Previously Approved: 47.96% (4,060 SF)	Proposed: 48.8% (4,135 SF)
Surrounding Properties / Zoning			
North	1105 North Lake Way / R-B		
South	1085 North Lake Way / R-B		
West	1098 North Lake Way / R-B		
East	282 Monterey Road / R-B		

STAFF ANALYSIS

The applicant is seeking a Certificate of Appropriateness for exterior alterations to a landmarked property. Air conditioning equipment is proposed to be relocated from the south side of the property to the west, fronting North Lake Way. A street side yard setback variance will be required which is further discussed in the variance analysis portion of this memorandum. The improvements have already been completed, except for the wall to screen the air conditioning equipment.



Additional changes include a revised design for the water feature located on the north side of the property (front yard), hardscape changes surrounding the pool on the south side of the property (backyard), and revisions to the landscaping generally increasing the number of shrubs. As noted in the plans, all the landscaping has already been installed. The water feature has also already been installed without approval.



The plans show a site wall which is located within the intersection safe sight triangle for Monterey Road onto North Lake Way. Due to the substantial improvements completed at the property, the Public Works Department has determined that the site wall must comply with current intersection safe-sight triangle requirements. To reach compliance, the site wall could be relocated outside of the intersection safe-sight triangle area or lowered within its existing location to not exceed a height of 30 inches. A combination of both approaches could be considered. If the applicant wishes to maintain the wall as constructed, a relief request must be reviewed and approved by Town Council. Public Works has denied the request for the restored wall to remain. Staff has asked the applicant to present as-built drawings and photographs at the LPC hearing. Alternative designs that comply with safe-sight triangle requirements can also be presented.

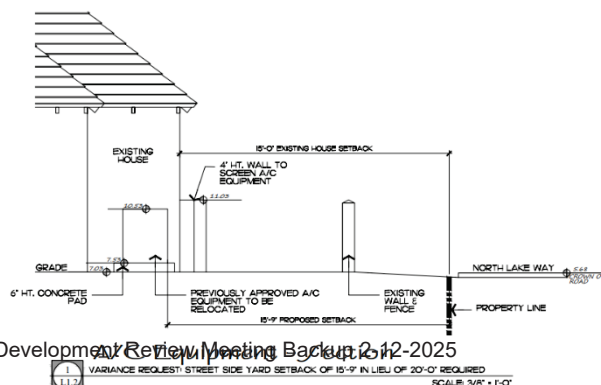
The current water feature is not consistent architecturally with the house and is very visible. The applicant should return to a square basin design or eliminate the water feature entirely. The hardscape changes around the pool and landscape revisions appear to be minor.

However, other changes have been noted in the field that are not reflected in this request. The roof is a white glazed terra cotta tile vs a typical concrete tile with no sheen. Also, the color of the house appears to be a much darker gray with black shutters vs what LPC approved previously. Comprehensively this house has veered greatly from its original landmark days and approvals for rehabilitation.

Variance

A street side yard setback variance will be required for the relocation of air conditioning equipment to the west side of the property, fronting North Lake Way. The street side yard setback will be reduced to 15'-9", in lieu of the minimum 20'-0", as summarized in the table below:

Code Section	Required	Proposed	Variance
Variance #1: Sec. 134-1728(a)(2)	20' Min. Street Side Yard Setback	15.9' Street Side Yard Setback	4.1'



Since the applicant has not demonstrated a hardship and there is sufficient space within the property to locate air conditioning mechanical equipment outside of the setbacks, staff cannot be supportive of the variance request.

CONCLUSION:

The application is presented to the Commission to consider whether all the criteria in section 54-123 have been met. Approval of the project will require two (2) separate motions to be made by the Landmarks Preservation Commission:

- (1) for the overall design of the project in accordance with aforementioned criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

WRB: JGM: FHM: ALF

December 9, 2024

Town of Palm Beach
Planning, Zoning, & Building Department
360 S. County Road
Palm Beach, Florida 33480

ATTN: *ARCOM Staff*
Re: 284 Monterey Road - Landscape Architecture
Our Ref # 22070.00 LA

LETTER OF INTENT

Current zoning for the project is R-B LOW DENSITY RESIDENTIAL

Our current proposal, for improvements to the site, does not include any architectural changes to the approved house. We are proposing the following revisions to the originally approved ARCOM plans.

The proposed changes include:

- Minor modifications to site plan to match previously approved architecture improvements
- Relocate previously approved A/C equipment

Variance Request

- A/C Equipment street side yard setback of 15'-9" in lieu of the required 20'-0"

The attached plan reflects the above-outlined revisions.

If there are any questions regarding this project, please feel free to reach out to our office.

Thank you for your assistance.

Dustin Mizell, MLA RLA #6666784
Environment **D**esign **G**roup

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0078 (COA-24-0030) 448 N LAKE WAY (COMBO)—VARIANCES. The applicants, The Leonard Harlan Rev. Trust u/a/d 8/8/2018 and the The Fleur Harlan Rev. Trust u/a/d 8/8/2018, have filed an application requesting Town Council review and approval for two (2) variances to reduce the side (south) yard setback requirement on the first and second floor for an existing two-story landmarked structure. The Landmarks Preservation Commission shall perform design review of the application. *[Landmarks Preservation Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impacts to the subject property. Carried 7-0.][The Landmarks Commission approved the project. Carried 7-0.]*

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT

PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WRB*
Director PZ&B

SUBJECT: ZON-24-0078 (COA-24-0030)_448 N LAKE WAY (COMBO)

MEETING: JANUARY 22, 2025, LPC
FEBRUARY 12, 2025, TC

COA-24-0030 (ZON-24-0078) 448 N LAKE WAY (COMBO). The applicants, The Leonard Harlan Rev. Trust u/a/d 8/8/2018 and The Fleur Harlan Rev. Trust u/a/d 8/8/2018, have filed an application requesting a Certificate of Appropriateness for the review and approval of a two-story addition to incorporate an elevator, requiring two (2) variances to reduce the side (south) yard setback requirement on the first and second floor for an existing two-story landmarked structure. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

ZON-24-0078 (COA-24-0030) 448 N LAKE WAY (COMBO) - VARIANCES. The applicants, The Leonard Harlan Rev. Trust u/a/d 8/8/2018 and the The Fleur Harlan Rev. Trust u/a/d 8/8/2018, have filed an application requesting Town Council review and approval for two (2) variances to reduce the side (south) yard setback requirement on the first and second floor for an existing two-story landmarked structure. The Landmarks Preservation Commission shall perform design review of the application.

Applicant: The Leonard Harlan Rev. Trust and The Fleur Harlan Rev. Trust
Representative: M. Timothy Hanlon
Professional: Jacqueline Albarran | SKA Architect + Planner

HISTORY:

The residence was constructed in 1897 and altered in 1929. Although the original architect is unknown, alterations were designed by Howard Major. The structure was designated as a landmark in 1979. According to the designation report: *"The Vicarage is a two story wood frame residence on a site that is between North Lake Way and North Lake Trail taking advantage of the view toward the lake to the west. The house was designed and constructed at the turn-of-the-century by an unknown architect during the first development phase of Palm Beach."*

At the January 22, 2025 LPC meeting, the Commission approved (7-0) the application. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture.

THE PROJECT:

The applicant has submitted plans, entitled "HARLAN RESIDENCE", as prepared by **SKA Architect + Planner**, received by the Town on January 2, 2025.

The scope of work for the project includes:

- Construction of a new two-story addition to incorporate an elevator.
- Hardscape and landscape modifications.

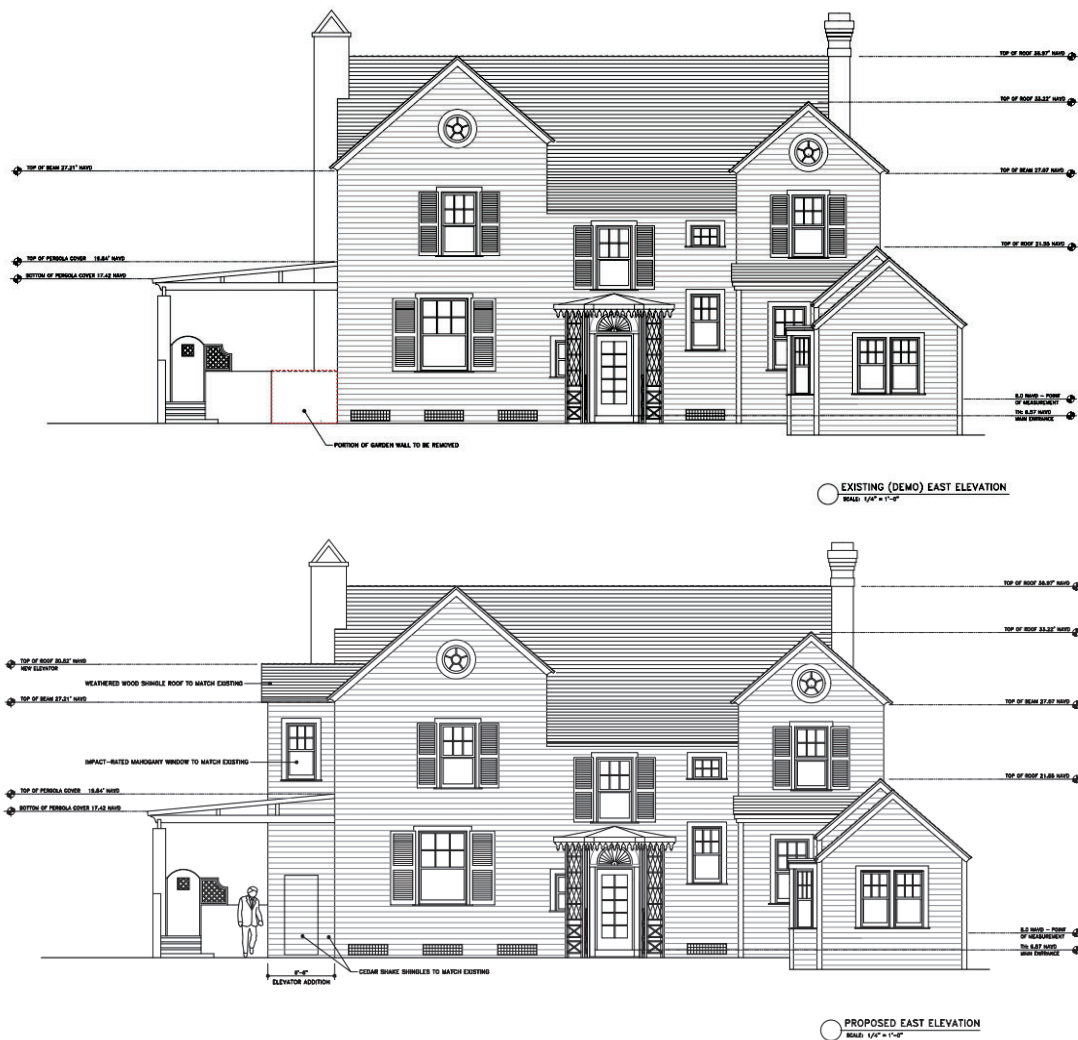
The following variances are required to achieve the additions.

- **VARIANCE #1:** A variance to reduce the side (south) yard setback for the first floor to 10.2', in lieu of the minimum of 12.5'.
- **VARIANCE #2:** A variance to reduce the side (south) yard setback for the first floor to 10.2', in lieu of the minimum of 15'.

Site Data			
Zoning District	R-B	Lot Size (SF)	20,746 SF
Future Land Use	SINGLE-FAMILY	Crown of Road	2.65' NAVD
FEMA Flood Zone	X & AE 6		
Year of Construction:	1897/1929 Alterations	Architect:	Unknown/Howard Major
Project			
	Required/Allowed	Existing	Proposed
Lot Coverage	30.00% (6,223.8 SF)	20.43% (4,238.10 SF)	20.57% (4,268.31 SF)
Building Height*	22'	19.21'	19.21'
Overall Building Height**	30'	29.21'	29.21'
Angle of Vision	100°	65.2°	65.2°
Cubic Content Ratio	4.5	2.74	2.77
Enclosed Square Footage	N/A	6,325.90 SF	6,386.32 SF
Number of Stories	2	2	2 (Addition)
Landscape Open Space	45.00% (9,714 SF)	48.8% (10,533 SF)	48.6% (10,491 SF)
Surrounding Properties / Zoning			
North	496 N Lake Way / R-B		
South	445 N Lake Way / R-B		
East	N Lake Trail & Lake Worth Lagoon		
West	854 South County Road & 4 Via Vizcaya / R-B		

STAFF ANALYSIS

The applicant is seeking a Certificate of Appropriateness (COA) for a two-story addition to incorporate an elevator. The addition will be located on the southeast corner of the primary structure and will be visible from the public ROW via the driveway. A small portion of an existing pergola and garden wall will be removed to accommodate the addition. A variance for the first and second floor minimum side yard setbacks will be required which is further discussed in the variance analysis portion of this memorandum.



The addition is designed with a south-facing gable end. It will match the existing cedar shake shingle siding and wood shingle roof used in the 'Vicarage'. The design also features two (2) new impact-rated mahogany windows with a 6/1 divided-light pattern on the south and east facades. On

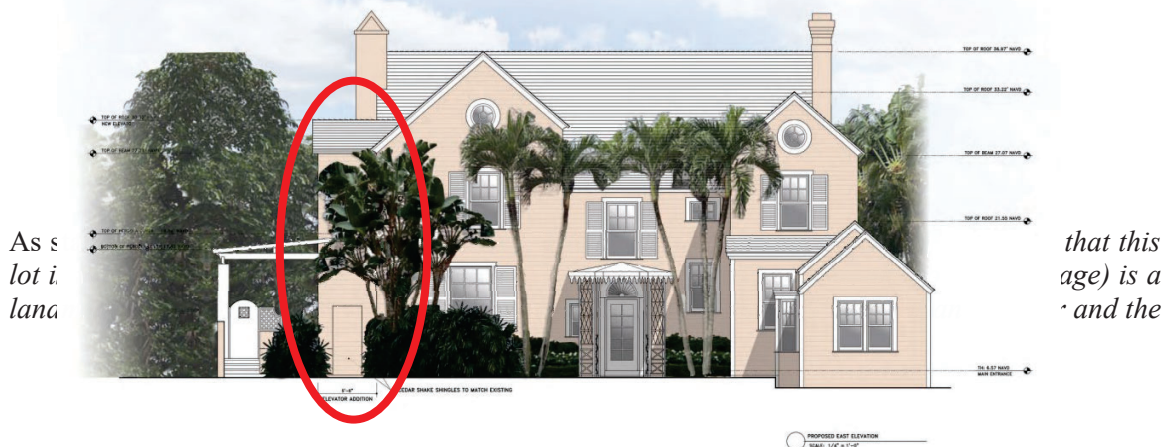
the east elevation, there will be a concealed door that gives access to the elevator at grade. Existing landscaping will be adjusted in this area.



Variances

The proposed two-story elevator addition will require a variance from the first and second-floor minimum side yard setbacks on the south side of the property. The addition will have a 10.2' setback, whereas a minimum setback of 12.5' is required for the first floor and 15' for the second floor, as summarized in the table below:

Code Section	Required	Proposed	Variance
Variance #1: Sec. 134-893(b)(7)(a)	1 st Story: 12.5' Side Yard Setback Min.	1 st Story: 10.2'Side Yard Setback	2.3'
Variance #2: Sec. 134-893(b)(7)(b)	2 nd Story: 15' Side Yard Setback Min.	2 nd Story: 10.2' Side Yard Setback	4.8'



only place it may be added is on the south side of the landmarked home to provide access to and from the primary bedroom.”

Staff concurs there is a hardship associated with the general narrowness of the lot (70 feet) as it relates to the historic placement of the ‘Vicarage’ on the property. Furthermore, the elevator addition is being proposed to accommodate a physical need of the current and long-time owner. For reference minimum lot widths in the R-B zoning district are 100’.

CONCLUSION:

The application is presented to the Commission to consider whether all the criteria in Sections 54-122 and 54-123 have been met. Approval of the project will require two (2) separate motions to be made by the Landmarks Preservation Commission:

- (1) for the overall design of the project in accordance with aforementioned criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variances **will** or **will not** cause negative architectural impacts to the subject property.

Approval of the project will require one (1) motion to be made by the Town Council:

- (1) for final determination of approval or denial of the variances by the Town Council, and that the variance **shall or shall not** be granted that all of the criteria applicable to this application as set forth in Sec. 134-201(a), items 1 through 7 have been met, subject to any proposed conditions.

WRB:JGM:FHM: ALF

LETTER OF INTENT

COA-24-_____ and ZON-24-_____: We are pleased to submit the accompanying drawings for our project at 448 N. Lake Way, Palm Beach, FL. The proposed work includes the following:

- Construction of an elevator to the south side of the existing main house.
- New hardscape and landscaping will be installed.

Please note the following as it relates to this application:

Sections 134-201, 134-226, 134-227 and 134-893(b)(1)(7). Applicant is requesting one variance as described below.

The following zoning relief is requested:

1. **Variances: Sec. 134-893(b)(1)(7):** A variance to allow the addition of an elevator with a side yard setback of 10.2' in lieu of 15' required for a two-story home and 10.2' in lieu of 12.5' required for the one-story portion.

The hardship that runs with the property is that this lot is very narrow and non-conforming. It is only 70' wide. In addition, the home (Vicarage) is a landmarked structure built in 1920. The owners now have a physical need for an elevator and the only place it may be added is on the south side of the landmarked home to provide access to and from the primary bedroom.

Granting of the variances will not be contrary to the public's interest because no negative impact to the neighbors will result. The small elevator is only 30 square feet and will not be visible to the neighbors.

Criteria for Site Plan Review – N/A

Criteria for Special Exceptions – N/A

Criteria for Authorizing a Variance (Variance #1 and #2)

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The hardship and special conditions applicable to this property are that the lot is very narrow (only 70' wide) and non-conforming and Vicarage is a 1920 landmarked home. The owners have a physical need for an elevator to and from their bedroom on the south

side of the property. The narrow nature of the lot precludes any addition in the side yard without a variance.

2. Indicate how the special conditions and circumstances do not result from the actions of the Applicant.

The physical characteristics of the lot are natural, and the home was built in 1920.

3. Demonstrate that the granting of the variance will not confer on the Applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

No special privileges will be conferred on the Applicant if the variances are granted because the applicant is simply trying to add a small elevator to this 1920 landmarked home, which was built on a very narrow lot.

4. Demonstrate how literal interpretation of this ordinance would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the Applicant.

Literal interpretation of the ordinances would deprive Applicant of the right to add an elevator to allow them to continue to use the home safely and which otherwise meets all code requirements and will be screened from the neighbors.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested relief is the minimum necessary because the elevator must be on the south side to provide access to and from the primary bedroom on the second floor.

6. For granting of a variance to sections 134-387, or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings must be demonstrated pertaining to the nonconforming use for which the variance is requested:

N/A

7. Show how the granting 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.

The granting of this variance is in harmony with the intent and purpose of the Zoning Code because the requested elevator will allow the owners to continue to safely occupy and care for Vicarage for years to come.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0085 250 BRADLEY PL—VARIANCES The applicant, Ross Flax (Maura Ziska, Representative), has filed an application requesting Town Council review and approval of two (2) variances to construct a boat lift that 1) exceeds the permitted maximum projection from land 2) provides a deficient north riparian side setback, for boat slip #12 at Lake Towers Condominium.

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Memorandum: Town Council Development Review

FROM: Wayne Bergman, MCP, LEED-AP *WRB*
Director PZ&B

SUBJECT: ZON-24-0085 250 BRADLEY PL

MEETING: FEBRUARY 12, 2025

ZON-24-0085 250 BRADLEY PL – VARIANCES. The applicant, Ross Flax (Maura Ziska, Representative), has filed an application requesting Town Council review and approval of two (2) variances to construct a boat lift that 1) exceeds the permitted maximum projection from land 2) provides a deficient north riparian side setback, for boat slip #12 at Lake Towers Condominium.

Applicant: Ross Flax
Professional: Bolchoz Marine Advisors Inc (Marck Bolchoz)
Representative: Maura Ziska

THE PROJECT:

The applicant has submitted plans, totaling 4 sheets entitled "VARIANCE EXHIBITS - SECOND SUBMITTAL: CASE NUMBER: ZON-24-0085", as prepared by **Bolchoz Marine Advisors Inc** dated submitted to the Town EPL system December 19, 2024.

The following is the scope of work for the Project:

- The installation of a new boat lift in slip #12 of an existing marina.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- **VARIANCE 1:** Sec. 62-74(2)(c): A variance for a boat lift to extend 178'-5" from land in lieu of the maximum 150' projection permitted.
- **VARIANCE 2:** Sec. 62-74(2)(f): A variance for a boat lift setback of 17'-2" at the north property line in lieu of the 25' minimum setback required.

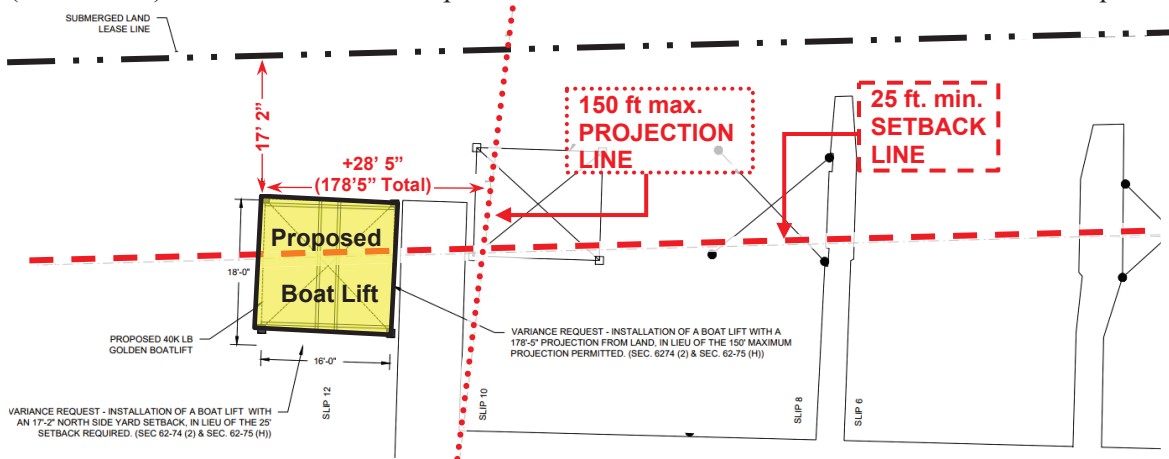
Site Data			
Zoning District	R-D(1)	Future Land Use	SINGLE-FAMILY
Surrounding Properties / Zoning			
North	Two-story residence w/ DOCK / R-B		
South	Two-story multifamily building / R-D(1)		
East	Two-story multifamily residence / R-C		
West	Lake Worth Lagoon		

STAFF ANALYSIS:

The subject property is a lakefront parcel along the end of Atlantic Way and Bradley Place improved with a condominium and double-F shaped dock projection. The Lake Towers condominium is a seven-story building constructed in 1963 with 60 residential units. To the south of the structure is the Villa Plati residential development consisting of two-story townhouses with a common pool deck that extends into the water. The site is currently improved with a double F-shaped dock with three finger piers on each side, providing for multiple boat slips for the building. The applicant is seeking to install a new boatlift into one of the slips of the existing marina.



The applicant is seeking to install a new boat lift at the end of the existing dock (slip #12). The proposed lift measures 18'-0" wide by 16'-0". The existing dock already has nonconforming side setbacks and has multiple boat lifts and mooring piles that extend into the required 25'-0" setback (variance #2). As such it would be impossible to install a new boat lift without the variance request.



Additionally, the existing F-shaped dock already projects further from land than permitted. The granting of variance #1 would extend that conformity by an additional 16'-0".

CONCLUSION:

Approval of the project will require one separate motions to be made by the Town Council:

- (1) for final determination of approval or denial of the variances by the Town Council, and that the variance **shall or shall not** be granted that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met.

LETTER OF INTENT
RELATED TO THE BOATLIFT AT 250 BRADLEY PLACE (BOAT SLIP #12)

December 31, 2024

We are pleased to submit the accompanying drawings to add a new boatlift at 250 Bradley Place, Boat Slip # 12. Please note the following:

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161

Not applicable - This property is not landmarked

B) ARCOM 18-205

Not applicable

B) ARCOM 18-206

Not applicable

C) SPECIAL EXCEPTION 134-229

Not applicable

D) SITE PLAN REVIEW 134-329

Not applicable

E) VARIANCES 134-201

The applicant has filed an application requesting Town Council to review and approve a new boatlift in Slip 12 at the Lake Towers Condominium. The variance being requested is per Section 62-74(2) and Section 62-75(h): A variance to allow a north riparian setback of 17'-2" feet for a boat lift in lieu of the 25 foot minimum setback required and per Section 62-74(2) and Section 62-75(h): A variance for installation of a boat lift with a 178'-5" projection from land in lieu of the 1550' maximum projection permitted. The following criteria is in support of the variance request:

1. The special conditions and circumstances peculiar to this land which are not applicable to other lands in the same zoning district is that the existing marina pre-dates the 25 foot riparian setback and unless a variance is granted for a boat lift setback, it would be not be possible to add a lift to this slip.
2. The special conditions and circumstances related to the variance do not result from the actions of the applicant because the 25 foot riparian setback was enacted after the marina was built and doesn't account for different boat mooring needs.
3. The granting of the variance will not confer on the applicant a special privilege because other property owners have boat lifts in the condominium marina.
4. The hardship, which runs with the land, is that it would be impossible to add a boat lift to the existing boat slip and meet the 25 foot riparian setback.
5. The variance requested is the minimum necessary to make reasonable use of the land considering the need to construct a feasible boat lift.
6. The granting of the variance will be in harmony with the general intent of the ordinance and not be injurious to the neighborhood as there are many other boat lifts along this area of Lake Worth

Sincerely,



Maura Ziska

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0090 (ARC-24-0139) 401 WORTH AVE (COMBO)—
VARIANCES The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Town Council review and approval for two (2) Variances to 1) reduce the required street side yard and 2) reduce the rear yard setback from minimum requirements to install a new 100KW generator with screen wall and landscaping in the required side yard of an existing of multi-family building in the RC district. The Architectural Commission shall perform design review of the application.

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Architectural Commission and Town Council

FROM: Wayne Bergman, MCP, LEED-AP *WRB*
Director PZ&B

SUBJECT: ZON-24-0090 (ARC-24-0139) 401 WORTH AVE (COMBO)

MEETING: FEBRUARY 12, 2025, TC
FEBRUARY 26, ARCOM

ZON-24-0090 (ARC-24-0139) 401 WORTH AVE (COMBO)—VARIANCES. The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Town Council review and approval for two (2) Variances to 1) reduce the required street side yard and 2) reduce the rear yard setback from minimum requirements to install a new 100KW generator with screen wall and landscaping in the required side yard of an existing of multi-family building in the RC district. The Architectural Commission shall perform design review of the application.

ARC-24-0139 (ZON-24-0090) 401 WORTH AVE (COMBO). The applicant, 401 Worth Avenue Building Inc. Condominium Association, has filed an application requesting Architectural Commission review and approval for installation of a new 100KW generator with associated site wall and landscaping on the west side of an existing multi-family building, requiring variances from side and rear setback minimums in the R-C district. Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: 401 Worth Avenue Building Inc. Condominium Association
Architecture: Nievera Williams
Representative: Maura Ziska

THE PROJECT:

The applicant has submitted plans, entitled "401 WORTH AVE PALM BEACH" as prepared by **Nievera Williams**, dated January 6, 2025.

The following scope of work is proposed:

- Installation of new 100kW generator.
- New landscaping enhancements on south side of building.

The following Special Exception, Site Plan Review, and/or Variance(s) are required to complete the project:

- **Variance 1:** Sec. 134-948(5)(d): Request for a variance to allow a street side yard (south) setback along Worth Avenue to be 13'-6" in lieu of the 35'-0" minimum required.
- **Variance 2:** Sec. 134-948(7): Request for a variance to allow the generator to have a rear yard (west) setback of 6'-7" in lieu of the 30-foot minimum required.

Site Data			
Zoning District	R-C district	Future Land Use	MULTI-FAMILY HIGH DENSITY



Proposed landscaping



Existing condition

CONCLUSION:

Approval of the project will require one (1) separate motion(s) to be made by the Town Council:

- (1) for final determination of approval or denial of the (1) variance by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in Sec. 134-201(a), items 1 through 7 have been met.

Approval of the project will require one (1) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with Sec. 18-205 criteria, subject to any imposed conditions.

WRB: JGM

January 6, 2025

Town of Palm Beach
Planning, Zoning & Building Dept.
360 South County Rd
Palm Beach, FL 33480



RE: **Letter of Intent**
401 Worth Avenue, Palm Beach

To whom it may concern,

This property is an R-C Medium Density Residential District (multi-family residential). The project scope includes proposing a 100KW generator with screening wall and hedge. We are also proposing landscaping enhancements to the south side of the building along Worth Ave.

Please find the enclosed drawing set as the first submittal package for the above listed property. The enclosed set represents a drawing set which includes hardscape and landscape plans, materials, and specifications.

The proposed design is in keeping with the subsections outlined within Town of Palm Beach Code of Ordinances sections 18-205. We believe the additions are an enhancement to the property and are in conformity of good taste and design. The proposed design is not of inferior quality or will have a negative impact on the surrounding neighborhood.

A) LANDMARKS PRESERVATION COMMISSION 54-122 & 54-161 N/A

B) ARCOM 18-205

The proposed design is in keeping with the subsections outlined within Town of Palm Beach Code of Ordinances sections 18-205.

B) ARCOM 18-206 N/A

C) SPECIAL EXCEPTION 134-229 N/A

D) SITE PLAN REVIEW 134-329

Site Plan Review: Section 134-329(4): Request for site plan approval to allow the installation of a 100KW generator with screening wall and hedge; proposed landscape enhancements to the south/west side of the building along Worth Avenue.

E) VARIANCES 134-201

VARIANCE 1: Section 134-948(5)(d) : A variance to allow a South street side yard setback along Worth Avenue to be 13'-6" in lieu of the 35-foot minimum required.

VARIANCE 2: Section 134-948(7): A variance to allow the generator to have a rear yard setback of 6'-7" in lieu of the 30-foot minimum required.

The criteria for granting the variances are as follows:

1. List the special conditions and circumstances peculiar to the land, structure or building which are not applicable to other lands, structures or buildings in the same zoning district.

The property is located in the R-C Zoning District and is non-conforming in width and area than what is required in the R-C Zoning District.

2. Indicate how the special conditions and circumstances do not result from the actions of the applicant.

The Applicant was not the cause of the special conditions of the property or residence, as the characteristics of the building and land have been in existence since the building was designed and built.

3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district.

The granting of the variance will not confer on the Applicant a special privilege. There are other properties in the neighborhood with non-conforming setbacks as many of the buildings were constructed prior to today's zoning code requirements.

4. Demonstrate how literal interpretation of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

The hardship for the side yard setback variance, which runs with the land, is that the lot is nonconforming to today's zoning code. The proposed decrease in side yard setback is necessary in order to install a generator as the side yard setback is located in the building footprint.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The variance requested is the minimum necessary to make reasonable use of the land in order to create a modest addition.

6. Show how the granting 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.

Granting the variance will not be injurious to the neighborhood, as the request is minor and will be hidden from sight.

Sean Allen,
Nievera Williams Design

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0079 (ARC-24-0141) 1 S COUNTY RD—THE BREAKERS FAMILY ENTERTAINMENT CENTER (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for modifications to an existing special exception and permitted uses in an existing hotel Planned Unit Development (PUD) (The Breakers Palm Beach) as it relates to the construction of a new three-story structure with basement that will connect with an overhead enclosed pedestrian bridge to the existing two-story building (Beach Club) to replace an existing two-story building with related site improvements. The application requires the approval of a separate resolution to modify the PUD and the Architectural Commission shall review the application for design. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]*

3:30PM TIME CERTAIN

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans 1 of 4**
- ▣ **Plans 2 of 4**
- ▣ **Plans 3 of 4**
- ▣ **Plans 4 of 4**
- ▣ **Traffic Concurrency Statement**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Town Council and Architectural Commission

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-24-0079 (ARC-24-0141)
THE BREAKERS FAMILY ENTERTAINMENT CENTER (FEC)

MEETING: FEBRUARY 12, 2025 TC
FEBRUARY 26, 2025 ARCOM

ZON-24-0079 (ARC-24-0141) 1 S COUNTY RD – THE BREAKERS FAMILY ENTERTAINMENT CENTER (COMBO) – SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for modifications to an existing special exception and permitted uses in an existing hotel Planned Unit Development (PUD) (The Breakers Palm Beach) as it relates to the construction of a new three-story structure with basement that will connect with an overhead enclosed pedestrian bridge to the existing two-story building (Beach Club) to replace an existing two-story building with related site improvements. The application requires the approval of a separate resolution to modify the PUD and the Architectural Commission (ARCOM) shall review the application for design.

ARC-24-0141 (ZON-24-0079) 1 S COUNTY RD – THE BREAKERS FAMILY ENTERTAINMENT CENTER (COMBO). The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting ARCOM review and approval for the demolition of an existing two-story building (Family Entertainment Center & The Italian Restaurant structure) and the construction of a new, three-story structure with basement to replace same that will connect with an overhead enclosed pedestrian bridge to the existing two-story building (Beach Club) at The Breakers Palm Beach Resort, with related site improvements. The proposal requires an amendment to the existing Breakers PUD and special exception approvals and site plan to be reviewed by Town Council.

Applicant: The Breakers Palm Beach, Inc. (Alex Gilmurray)
Architect: Hart Howerton (A. James Tinson)
Legal: Jamie Crowley

HISTORY:

As part of the Breakers current projects, Resolution 05-2025 is proposed for adoption. The site plan presented as part of this application demonstrates the need to alter the existing PUD plat and therefore requires a PUD replat prior to the issuance of a permit.

At the February 04, 2025 Planning and Zoning Commission meeting, the Commission will hear the proposed PUD resolution.

THE PROJECT:

The applicant has submitted plans, entitled "THE BREAKERS PALM BEACH FAMILY ENTERTAINMENT CENTER", as prepared by **Hart Howerton**, dated and uploaded to the Town on January 28, 2025.

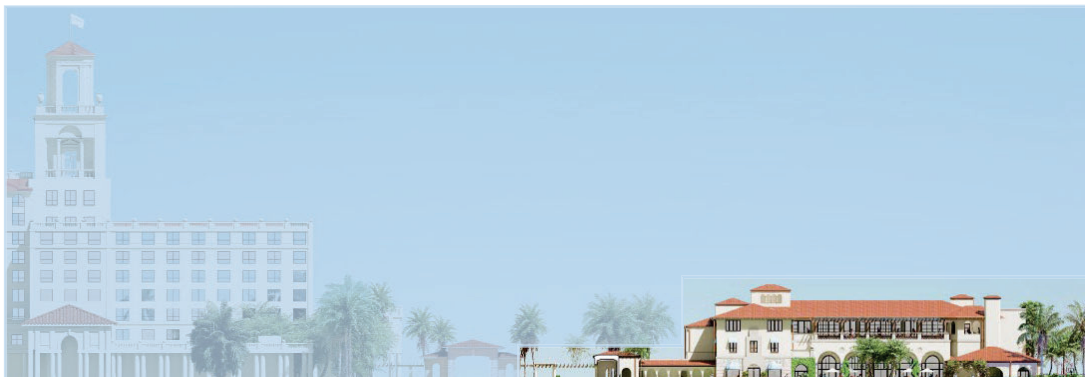
The applicant is proposing the following scope of work at the property:

- Demolition of the existing Breakers Family Entertainment Center (FEC).
- Construction of a new three-story FEC building with basement and pedestrian bridge connection to the Beach Club building.
- Related hardscape/landscape improvements.
- Expanded outdoor recreation areas related to the FEC.
- Reconfigured surface parking.

The following Special Exceptions with Site Plan Review is required for completion of the project as presented:

- SPECIAL EXCEPTION 1:** Sec. 134-477: Town Council approval for permitted use and special exception use in PUD zoning district.
- SPECIAL EXCEPTION 2:** Sec. 134-622(2): Special Exception for commercial structure over 2 stories.
- SPECIAL EXCEPTION 3:** Sec. 134-1759 (d) & (e): Special Exception for the construction of facility using ball backboard (basketball court) and construction of sport courts.

Site Data			
Zoning District	PUD-A	Future Land Use:	APPROVED PUD
Licensed Seats	125	Proposed Seats	154
Lot Coverage	Existing: 12,136 sq ft Proposed: 16,674 sq ft	Enclosed Sq. Ft.	Existing: 17,176 sq. ft. Proposed: 49,138 sq. ft.
Building Height	Proposed: 44' – 10"		
Surrounding Properties			
North	Breakers Hotel & Shopping Boutiques		
South	Breakers Golf Course & Breakers Residences		
East	The Beach Club at the Breakers		
West	Breakers Golf Course		



STAFF ANALYSIS

The Breakers is a 534 room landmarked hotel situated on 140 acres on the Atlantic Ocean. The resort contains many leisure amenities including an 18-hole golf course, tennis facilities, and eight food and beverage operations within its expansive recreational campus. The existing Family Entertainment Center is currently located south of the hotel proper and west of the Beach Club on the opposite side of Breakers Row, just west of the golf course.



west of the Beach Club on the opposite side of Breakers Row, just west of the golf course. The existing FEC building was constructed in the 1960s. The existing structure is proposed for complete demolition and the FEC will be reconstructed with 49,138 SF of interior space across three levels and a basement. The existing restaurant, the Italian Restaurant, is currently approved and licensed (BTR-23-00357) for 125 seats. The proposal does seek to increase that number, as the applicant and site plan indicate seating for 154. According to the applicant's Letter of Intent, the operation of the proposed FEC will remain the same with the same hours of operation and the same access to given to hotel guests and members; and if this proposal did wish to amend that, a separate application would need to be filed seeking Town Council review and approval as a Special Exception and may be subject to a DOUA. The applicant is abandoning 17 previously approved residential units and remaining vested commercial square footage and transferring the density/intensity of use to the expanded FEC center. The equivalency table below demonstrates the reduction in approved square footage and residential unit's conversion to the FEC facility.

BREAKERS PUD CONVERSION TABLE		
Residential Dwelling Units (DU's)	Beach Club	FEC
251 vested DU's minus: the conversion of 17 DU's to accessory hotel uses (25,500 SF)	7,431 square feet of approved but unbuilt space transferred to the proposed FEC	49,138 SF proposed minus: -17,176 SF of the existing FEC to be demolished. - 7,431 SF transferred from the Beach Club -25,500 SF from converted Residential Units
234 Remaining Vested DU's	No vested rights remain with the Beach Club	969 SF will remain vested for the FEC

Notes:

- (1): Per Resolution Nos. 1-98, 70-10, & 11-2014.
- (2): One (1) residential unit = 1,500 square feet of accessory use space.

The proposal is for complete demolition and reconstruction of the Family Entertainment Center (FEC) facility with new or updated amenities including: New restaurant dining "food hall", new fitness center, office spaces, eight (8) lane bowling center, golf simulators, new game hall and arcade spaces, children's activity studio, miniature golf course, basketball court, bocce court, ball pitch, shuffleboard courts, playground with shade structures, and a great-lawn multi-purpose space. The new structure is designed to be compatible with existing structures and architectural style of The Breakers. Stucco



finishes are proposed to match the hotel and other buildings on site, roof is proposed in clay barrel tile with rafters proposed in wood or stone. Mechanical equipment is proposed to be screened on the rooftop. The west elevation will include a continuous loggia with arched openings, connecting to a covered walk at the northern end of the site, providing cover from guests as they move between the new structure and the hotel or Beach Club. A pedestrian bridge is proposed to connect the third floor to the upper floor of the beach club, over the private Breakers Row drive and parking area. The landscape incorporates enhanced outdoor recreation areas, shade structures, playground, and court games. Parking modifications are proposed without reducing existing parking capacity at the hotel.



Proposed West Elevation



Proposed East Elevation

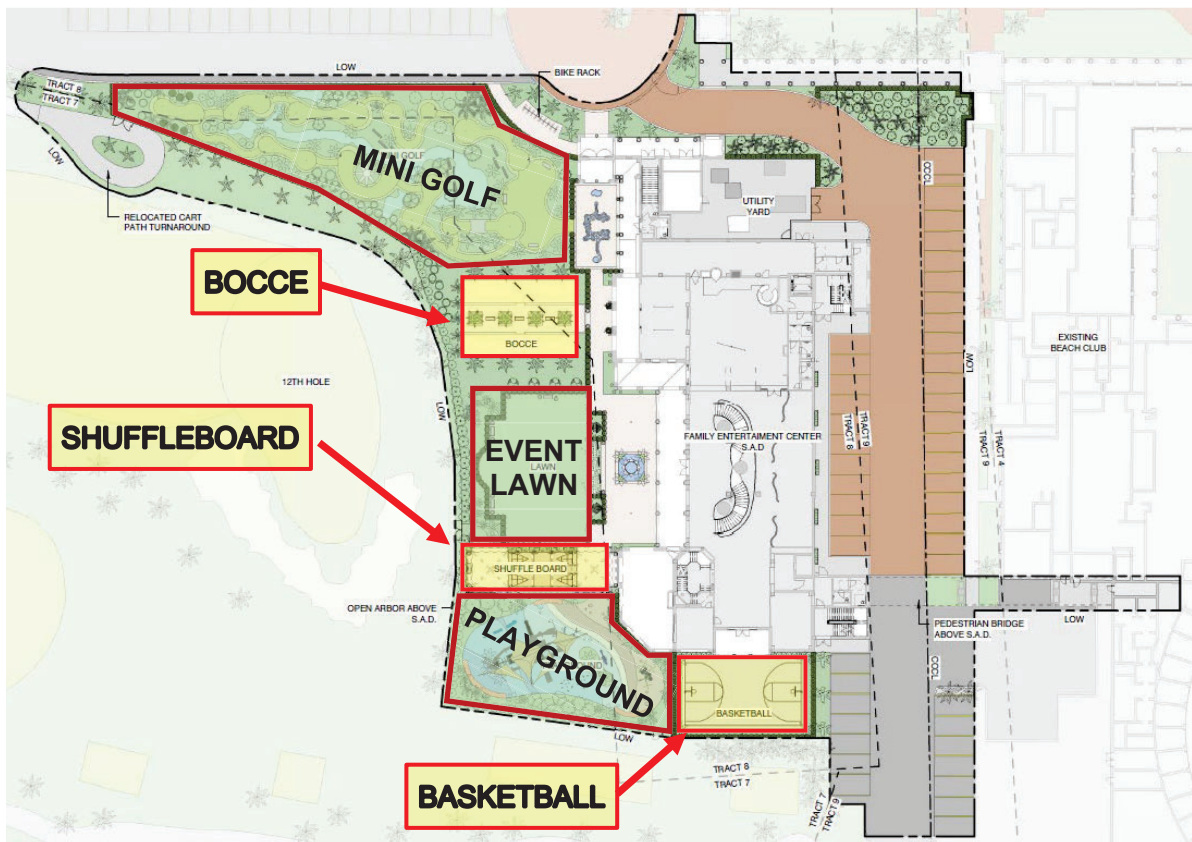


Proposed North Elevation



Proposed South Elevation

The plan calls for expanded entertainment options for children and families. A special exception is required for the outdoor court games being proposed, identified on the plan below with yellow highlight. The other outdoor entertainment areas are also called out for context.



CONCLUSION:

Approval of the project will require three (3) separate motions to be made by the Town Council:

- (1) Sec. 134-477: Town Council approval for permitted use and special exception use in PUD zoning district.
- (2) Sec. 134-622(2): Special Exception for commercial structure over 2 stories.

- (3) Sec. 134-1759 (d) & (e): Special Exception for the construction of facility using ball backboard (basketball court) and construction of sport courts.

Approval of the project will require one (1) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with Sec. 18-205 criteria, subject to any imposed conditions.

WRB:JGM:BMF

January 27, 2025

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

Re: LOI for 1 S County Rd – Family Entertainment Centre (FEC)
Zoning Case #: ZON-24-0079 / ARCOM Case #: ARC-24-0141

We are pleased to submit the accompanying documents and drawings in connection with our combination application for Architectural Commission (ARCOM), Development Review and Site Plan, and Special Exception Approval (the "Application") for the "Family Entertainment Center" ("FEC") project within the Breakers Hotel property at 1 South County Road, Palm Beach, FL (the "Property"). The project will include the following new or updated amenities:

- New restaurant dining "food hall"
- New fitness center
- Office spaces
- 8-lane bowling center
- Golf simulators
- New game hall and arcade spaces
- Children's activity studio
- Miniature golf course
- Basketball "sport court"
- Bocce court
- "Ball pitch"
- Shuffleboard courts
- Playground with shade structures
- Great lawn multi-purpose space

Scope

The FEC at The Breakers Hotel is a nexus of activity and community at the resort. The facility's programming focuses on family activities, both internal to the existing building and in its surrounding grounds. Included in the existing building is a full-service restaurant which provides social gathering space for a range of affairs from casual dining to special

events, also supported are various administrative functions, including office spaces supporting hotel and Beach Club operations.

Despite the importance of these activities, the extant 1960s era building is outdated and under-equipped, and its appearance detracts from the Mediterranean Revival style of the hotel and other buildings on site. A newly reimagined FEC is being proposed as illustrated in the submittal, to replace the existing building and reorganize its landscape setting. The new facility provides 49,138 square feet of interior space and is designed and sited to complement the historic character of the landmark hotel and resort grounds.

The building will provide new entertainment options to hotel guests and members, such as an 8-lane bowling center, golf simulators, and a reimagined game hall experience. The redesign will replace the existing Italian Restaurant in-kind, offering a series of small food venues in a “food hall” format. New fitness center spaces will extend the existing Beach Club fitness facilities across the existing back-of-house parking lot via a new pedestrian bridge. Myriad landscape upgrades will expand the site’s outdoor recreation and gathering facilities.

Landscape and Hardscape Changes

The landscape scope includes a miniature golf course, a basketball “sport court,” bocce, ball pitch, and shuffleboard courts. The proposed children’s playground and shade structures are modeled after Henry Flagler’s yacht, *Alicia*, paying homage to the history of the hotel while providing an additional outdoor activity for families with young children. A Great Lawn located directly west of the building will be a multi-purpose family activity space.

Adjacent Landscape Modifications

Minor changes to the layout of the existing members parking lot along ‘Pine Walk’ accommodate the new FEC project with no reduction in total parking spots within the project area. Changes are also proposed to the staff and hotel operations parking lot east of the FEC, again with no net loss. Landscape screening of the golf course as well as extended safety netting will be modified and enhanced with no loss of open space.

FEC Building

The proposed FEC building will honor the architectural history of The Breakers in its scale, massing, character, and material palette. The façade will be stucco to match the hotel and other existing buildings on site. The roof will be clay tile and will be supported at the eaves by either stone or wooden brackets. Rising above this roof is a series of mechanical equipment enclosures. The western elevation of the building will be flanked by a continuous loggia with arched openings, which will connect to a covered walk at the northern end of the site, allowing guests to walk under cover from the hotel and Beach Club.

At the main entrance, the loggia will expand into a vaulted arcade finished with tile mosaics. Inside, the main arrival hall is a double-height space giving access to the food hall, the arcade game spaces and a children's activity studio. The lower-level features an 8-lane bowling center, which extends partially beneath the parking lot to the east. This floor also contains golf simulators, additional gaming areas, and a casual family dining venue. Notably, total new dining capacity will match, and not exceed, the dining capacity of the existing Italian Restaurant.

The second level contains expanded office space to better accommodate the resort's administrative functions. This administrative space extends to the third floor as well with new employee lockers and break room. The third floor also acts as an extension of the adjacent Beach Club, with an enclosed, conditioned pedestrian bridge over the east parking lot connecting the existing Fitness-Wellness facility with new yoga and cycling studio space atop the FEC. Members will easily travel from the Beach Club fitness area to new spin and fitness studios that open on to a multi-purpose fitness terrace. Members exercising on this terrace will be shaded by a pergola woven with fabric, providing ample sun protection. At the southern portion of the terrace, an octagonal pavilion provides an open-air nook for meditation and relaxation.

Summary

The current FEC is outdated and inadequate and the proposed replacement will provide needed programmatic space in an efficient, safe, and secure structure that has been designed to complement the significant character of the Breakers Palm Beach in its architecture and landscape. Operationally, the FEC will remain the same with the same hours of operation and the same access given to hotel guests and club members.

1. Criteria for Development Order Approval
 - A. Architectural Commission review in accordance with Section 18-205.
 - (a) The architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction only after consideration of whether the following criteria are complied with:
 - (1) The plan for the proposed building or structure is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm, and high quality.
 - (2) The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.
 - (3) The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.

- (4) The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan.
- (5) The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
 - a. Apparently visibly identical front or side elevations;
 - b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
 - c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.
- (6) The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
 - a. Height of building or height of roof.
 - b. Other significant design features including, but not limited to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangement of the components of the structure.
 - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
 - f. Diversity of design that is complimentary with size and massing of adjacent properties.
 - g. Design features that will avoid the appearance of mass through improper proportions.
 - h. Design elements that protect the privacy of neighboring property.
- (7) The proposed addition or accessory structure is subservient in style and massing to the principal or main structure.
- (8) The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
- (9) The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.

- (10) The project's location and design adequately protects unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.
- (b) If the above criteria are met, the application shall be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria and shall be such as to bring such building or structure into conformity. If an application is disapproved, the architectural commission shall detail in its findings the criterion or criteria that are not met. The action taken by the architectural commission shall be reduced to writing, and a copy thereof shall be made available to the applicant upon request.
- (c) A decision or order of the commission or the planning, zoning and building department director or his/her designee shall not become effective until the expiration of ten working days after the date upon which a ruling of the commission or the planning, zoning and building department director or his/her designee has been made.

The Project will be visually compatible with existing buildings and the environment of The Breakers as set forth below. The proposed modifications to the FEC area at the Breakers Hotel will provide a much needed upgrade to the amenities for younger families staying at the hotel, and will also include the same amount of restaurant seating. The project as proposed will not physically alter the existing hotel buildings, and are consistent with the gross volume, width & height of the façades of the adjacent hotel buildings. The FEC area is adjacent to the west side of the Beach Club area, and like the Beach Club, is screened from view from the street by significant landscaping, and given the large distance from South County Road to the FEC area, it will never be viewed from the roadway; therefore, the rhythm of the street will be unaffected by this project. The proposed project will not affect the architectural quality or historic character of the Breakers Hotel. The proposed modifications will meet all code requirements, and the proposed look, materials and color of the changes to the building have been designed to minimize the visual impact, and to blend into the existing structure; therefore, the modifications proposed are not too similar, nor are they too dissimilar to the existing nearby building or the other buildings on the hotel property. The existing and recently approved perimeter landscaping will soften the appearance of all of the structures, which will allow for these structures to better blend into the Property and not draw attention.

B. Site Plan Review Approval in accordance with Section 134-329.

- (1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities, or common lands to ensure preservation of such lands and facilities for their intended purpose

and to ensure that such common facilities will not become a future liability for the town.

- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.
- (3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.
- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.
- (5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.
- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.
- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.
- (8) Recreation facilities and open spaces, with attention to the size, location, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.
- (9) Such other standards as may be imposed by this chapter for the particular use or activity involved.
- (10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.
- (11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

The Breakers has had permanent maintenance control over the entire property for a century, and will continue to maintain the Property to the standard that has made it a world class resort hotel and iconic landmark, and no portion of the Property will become a future liability for the Town of Palm Beach. The scope of the Project is limited to the Beach Club area, and no changes to the existing hotel building is proposed. There is no change in the intensity of use at the Property. The Project will therefore be in harmony and compatible with the existing uses at the Property and with adjacent uses. Existing ingress and egress, parking, stormwater, and utilities will remain unchanged. Given the vast size of the Property and the very specific scope and location of the Project, it is not anticipated that the Project will affect anyone outside of the Property.

C. Special Exception in accordance with Section 134-229:

I. Criteria:

- (1) The use is a permitted special exception use as set forth in article VI of this chapter.
- (2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.
- (3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- (4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.
- (5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.
- (6) The use will comply with all elements of the comprehensive plan.
- (7) The use will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.
- (8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- (9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.
- (10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.

- (11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
- (12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.
- (13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.
- (14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

II. Special Exceptions Requested:

- 1. Special Exception for permitted use and special exception use in PUD zoning district (Sec. 134-477).
- 2. Special Exception for commercial structure over two (2) stories (Sec. 134-622(2)).
- 3. Special Exception for the construction of a facility using ball backboard (basketball court) and construction of bocce courts (Sec. 134-1759(d) & (e)).

III. Justification for Special Exceptions Requested:

Though the zoning for the Property is PUD, this zoning district does not address permitted and special exception uses; therefore, the applicable code to use to address uses is the R-D(2) zoning district, which permits Hotel use as a special exception use, as well as accessory hotel uses and outdoor café seating.

The Special Exception for the accessory commercial uses to hotel uses is permitted within the PUD zoning district, and will allow the demolition of the existing FEC and replacement with a new and modern FEC that includes up-to-date family games and amenities for the hotel guests, which are expected. The reimagined indoor restaurant will provide hotel guests with a better and more comfortable dining experience. Furthermore, by maintaining the existing overall number of restaurant seats, any potential impact to areas surrounding the hotel will not occur, and therefore will not adversely affect the health and general welfare of the public, nor will it adversely affect the movement of people within the hotel.

D. PUD Modification

Finally, because of the PUD zoning for the Breakers, and the PUD approval and subsequent amendments to the PUD referencing specific components within the Breakers property, we are also requesting to modify the Breakers PUD resolution to specifically identify the FEC as an authorized use within the Breakers PUD. The newly designed FEC complies with all of the design standard criteria for PUDs found in Section 134-688 of the Town's Code of Ordinances, because of its design being compatible and in harmony with the existing Beach Club building that it will connect with.

Attached is the site history for the Breakers Hotel property. We thank you for your consideration of our Submittal Package.

Sincerely,



James M. Crowley

JMC/jl

BREAKERS SITE HISTORY

The following is a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements, as well as ARCOM & LPC approvals.

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
3/25/1970	Town of Palm Beach adopts new Zoning Code. First reference to "PUD". Adopted amended zoning map by reference; Breakers shown as PUD	Ordinance 3-70	Ordinance later declared unconstitutional by Florida Supreme Court.
9/10/1970	Detailed list of existing improvements on Breakers Hotel property submitted to Town of Palm Beach.		Information provided by Town to aid in conversion to dwelling units under new Zoning Ordinance.
9/17/1970	Town's consultant refines dwelling unit conversion for Breakers property proposed PUD.		Conversion totals 346 equivalent dwelling units.
10/30/1970	The Breakers "Proposed Plan Unit Development" submitted to Town of Palm Beach by Flagler System, Inc.		Initial PUD document totals 39 pages including several appendices and a number of drawings. Request is for PUD-A designation. Included phasing schedule with 10 proposed phases.
3/31/1971	Resolution passed by Town Council giving tentative approval for Planned Unit Development as submitted by Flagler System, Inc. on October 30, 1970 'in accordance with Ordinance 3-70'	Resolution 6-71 ORIGINAL PUD APPROVAL	Approval contains a number of conditions of approval, including detailed phasing schedule. Approval also included density reduction, stipulated structural locations and open space protection, building height reduction and road improvements.
9/1971-3/1972	Time extensions approved for the finalization of Resolution 6-71		Additional time needed to finalize details
6/23/1971	Request for temporary supervised recreational program on Breakers Hotel complex property.		Refers to Tract 2. Temporary approval granted through June 1, 1972.
3/22/1972	Revised PUD master plan submitted to Town.	Resolution 12-71	Revision reflects reduced dwelling unit densities in various phases, relocation and revised "lateral spread" of structures in Phases 1, 2, and 10, reduced building heights in certain areas, and designation of various

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
			phases as circled numbers on Master Plan. Included revised Condition #3 re open space preservation. NEVER ADOPTED
4/25/1972	Resolution amending Resolution 6-71 for tentative approval for Planned Unit Development.	Resolution 9-72 amends Res. 6-71	Revised density reductions but not schedule. Open space protection. Building heights Subterranean crossing
5/16/1972	Town notifies Flagler System that they have "identified the formerly zoned 'business district' and have transferred that information to a copy of the revised Master Plan for the Planned Unit Development".		None
10/9/1972	Approval of additional temporary tennis courts adjacent to those in existence.		None
3/5/1973	Town notifies Flagler System that they are exempt from building moratorium.		Applies to Tract 2 (=1970 Phase 1)
10/24/1973	Notification to Flagler System from Town that "revised 'Appendix C', dated April 11, 1972, is acceptable in lieu of the same Appendix previously submitted and approved with the proviso that the number of parking spaces indicated on the revised 'Appendix C' appears to be inadequate in light of the Ordinance parking requirements."		Applies to Tract 2. Reduces dwelling units from 128 to 100 and net density from 30 DU's per acre to 23 DU's per acre; decreases parking spaces from 273 to 211.
March 1974	Town adopts new Zoning Ordinance (Ordinance 2-74) in March. Florida Supreme Court voids previous Zoning Ordinance which was Ordinance 3-70.		Supplemental Agreement notes that Flagler System has submitted an application for final approval for the residential portion of Phase 1 of the PUD.
6/10/1974	Building permit issued to demolish four of the Breakers' cottages	Permit # 505-74	
6/28/1974	Application filed for final approval of Phase 1 (Residential) of PUD	Previously granted tentative approval under resolution #6-71, as amended by resolution # 9-72	No public hearing required for this approval
9/10/1974	Declaration of Restrictions addresses	ORB 2380; Page	Restricts open space use (golf

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
	open space protection in PUD.	1986-1989	course) for 30 years from 9/10/74. Open space totals 91.3 acres exclusive of roadways.
9/10/1974	Supplemental Agreement		Ratifies and affirms agreements reached and embodied in Application for Tentative Approval of Planned Unit Development Zoning, as amended by revised Appendices "B" and "C" dated 4/11/72, and as further amended by Resolutions #6-71 and 9-72, and confirmed by Ordinance #2-74
9/10/1974	Resolution of Town Council amending Resolution 6-71 and Resolution 9-72 and authorizing the execution of an agreement between Flagler System and the Town.	Resolution 13-74 Amends 6-71 and 9-72 Clarification as to governing resolutions; ratified resolutions 6-71 and 9-72	This Resolution specifically references the previously described "Supplemental Agreement" which essentially vested the project after the voiding of the previous Ordinance 3-70 and the adoption of the Town's new Zoning Ordinance 2-74. The concern had been that previous PUD approvals may be invalid since they were based upon a Zoning Ordinance which was later found to be unconstitutional.
9/10/1974	Ratification Agreement		Apparently approved by Town Council. Ratifies prior resolutions in light of the determination by the Florida Supreme Court that Zoning Ordinance #3-70 was unconstitutional
9/10/1974	Variance to construct additional tennis courts adjacent to and west of existing tennis courts.	Variance 27-74	Approved by Town Council.
10/2/1974	Variance of from the setback provisions of F.S. 161.052 for construction of a seawall, beach access stairs, and condominium building	File 74-75-V-26	Approved by State of Florida, DNR
10/8/1974	Petitioner appears before Town Council requesting approval of		Request approved by Town Council.

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	modification of Phase 1 Residential Plan. Request was to move residential building so that it has a 20 foot front yard setback from Breakers Row rather than a 25 foot setback.		
11/19/1974	Flagler System requests amendment for hotel parking for Phase 1.		Parking arrangements proposed would provide a total of 656 spaces for hotel support in conjunction with development of Phase 1 apartments.
12/19/1974	Building permit for the construction of 4-building 88-unit apartment complex	Permit # 1254-74	Included underground parking for 194 cars
1/6/1975	Declaration of Restrictions recorded	ORB 2380 Pg 1986	Land platted as "open space" must remain in that use for 30 years
1/9/1975	Proposal for commercial building in Phase 1 at southeast corner of intersection of Coconut Row and Royal Poinciana Way.		None
2/7/1975	Approval by Building Official of plan for 88 unit apartment building on Tract 2 of Plat 1 subject to 2 conditions.	Building Permit 1254-74	Refers to Tract 2.
4/25/1975	Application for final approval of PUD plan for Phase 1 commercial.	Resolution 6-71 as amended by Resolution 9-72 which granted tentative approval	Application contained the following: Schematic drawings for Phase 1 commercial. Boundary and open space plat for entire Breakers property delineating areas for Phase 1 through 10 and also indicating that open space has not been included with application since the plat was filed with the application for final approval of Phase 1 residential. Covenants guaranteeing retention of open space have not been included. This application is for final approval of Phase 1 residential. Plat of Parcel 4, Phase 1 (commercial).

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			Should also be noted that request for final PUD approval for Phase 1 commercial included variance requests to increase parking for 416 spaces to 466 spaces. Request also "modifies the configuration of the north/south roadway serving the new residences".
6/10/1975	Request for final approval of Planned Unit Development Phase 1 commercial which is a CA zoned tract located on Tract 11 of Plat 1.		This references Tract 2. Approval includes only 62,600 square feet of covered floor area plus at-grade automobile parking.
6/10/1975	Town Council considered variance application which approved planned revision for roadway and parking facility.	Variance 23-75	Approved by Town Council.
6/10/1975	Town Council considered request for final approval of Phase 1 Commercial		Approved by Town Council, for 62,200 SF plus an at-grade parking lot facility
7/15/1975	Request for coastal construction permit from State of Florida DNR for rock rubble "T" head on existing groin	File BBS-75-6	Approved by DNR
1/13/1976	Request for modification of PUD Agreement to locate a replacement toilet facility building between the existing 11 th and 12 th fairways.		Approved by Town Council.
6/11/1976	Application for a variance to install awnings inside existing concrete framework over 16 penthouse terraces for Breakers Row apartments, 1 North Breakers Row (Tract 2 of Breakers Row Plat 1).	Variance 32-76	Approved by Town Council.
12/14/1976	Request for extension of time to commence construction of Phase 1 commercial approval which was granted on 6/10/75 for an additional 18 months.		Tract 2. Approved by Town Council for 18-month extension.
9/20/1977	Plans and specifications filed for Phase 2 residential.		None.
11/8/1977	Final approval of request for Phase 2 residential.		Request approved by Town Council subject to a number of

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			conditions including: • Extension of Royal Poinciana way • Any future development of Tract 7 Plat 1 will show reduction of 10 or more dwelling units
12/13/1977	Variance request to increase site coverage of existing apartment buildings by installation of awnings.	Variance 57-77	Denied by Town Council.
6/13/1978	New request for time extension for commencement of construction of Phase 1 commercial.		Approved by Town Council; new deadline for commencement of construction December 10, 1979.
5/8/1979	Modification of PUD approval for the following items: Extend deadline for Phase 2, Tract 1 from May 8, 1979 to November 8, 1980. Extend deadline for filing for final approval of Phase 3 from October 25, 1979 to April 25, 1981. Extend deadline for implementing Town Council approval of Phase 1 "CA" from December 10, 1979 to December 10, 1981.		Item #1 applies to Phase 2, Tract 1. Item #2 applies to Phase 3, Tract 4. Item #3 applies to Phase 1 "CA" Tract 2.
5/8/1979	Request for special exception and zoning variance for property known as 45 Coconut Row to move Old Guard Society of Palm Beach Golfers, Private Club from main Breakers Hotel to building known as 45 Coconut Row; also request a variance to provide a portion of required parking across the street at Royal Poinciana Chapel.	Special Exception 11-79 with variance	Approved by Town Council subject to the provision of at least 20 parking spaces on site
7/10/1979	Permission to modify PUD to permit the construction of 2 additional		Approved by Town Council.

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	tennis courts immediately north of and adjacent to existing tennis courts in Tract 10, Plat 1.		
10/31/1980	Application filed with Town to revise the entire remaining phases of the PUD		As of October 1980, approval allowed 471 new dwelling units which, when added to the equivalent conversion of commercial space and hotel uses, to a total of 954 dwelling units as defined under ordinance #9-72. Only 89 units constructed to date. 6.3 acre commercial site approved on NW corner of property.
11/11/1980	Time extension to commence Phase 2, Tract 1		Extended by Town Council from November 8, 1980 to April 25, 1981
3/13/1981	Extension of License Agreement re trash transfer facility		Extended to April 14, 1983
3/18/1981	Preliminary conceptual approval by Town Council of application filed 10/31/80		Included abandonment of commercial approval at NW corner of property, to be replaced by no more than 150 density units
7/14/1981	Tentative approval for "comprehensive modification of the Planned Unit Development Agreement previously referenced"; including agreement for partial Landmarking of Breakers Hotel; carried forward Condition 3 of Resolution 9-72, 1980 modification approved statement of planning criteria and appendices and adopted open space Condition 3 of Resolution 9-72	Resolution 10-81 amends 6-71, 9-72, and 13-74	Included conditions relating to: • Revised open space plat • Condition 3 of Res. 9-72 is specifically still in 'full force and effect...' • Provision of utility easements and facilities, including certain traffic improvements • Compliance with Town codes including fire codes • Prohibition against time sharing Attachments included Appendix "H" which is a schedule of future development* . Adopted Red Book & Appendices
1981	Agreement (unsigned) between		Agreement references an

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	Town of Palm Beach and Flagler System, Inc., relating to the resolution of Landmarking of Breakers Hotel.		Exhibit "A" which fully describes the portion of the hotel that is subject to Landmarking.
9/15/1981	Request for special exception for auto rental facility at hotel.	Special Exception 10-81	Approved by Town Council. Limited to 15 rental cars. Must be operated by hotel employees, and cars must be rented only to hotel guests
1/5/1982	Amended list of drawings and exhibits for the Breakers Planned Unit Development filed with Town.		The document contains extensive lists of drawings, including many revised in 1981. Also included are several other exhibits, including a 57-page bound booklet entitled, <i>Modification of Planned Unit Development Agreement, 1980 Modification</i> .
2/23/1982	Letter to Town from Flagler System indicating that Resolution 10-81 as passed by Town Council on July 14, 1981 "is satisfactory and the conditions set forth therein are acceptable".		Flagler System attorneys contend that modification to the Breakers PUD (Resolution 10-81) became effective on February 25, 1982 when Flagler notified the Town that the conditions of Resolution 10-81 were satisfactory and acceptable.
3/26/1982	Letter to Town Attorney from Landmark Preservation Commission.		References Landmark status of hotel as being tied to final adoption of Resolution 10-81.
8/9/1983	Amended Declaration of Restrictions supersedes Breakers Row Plat 1; required by Condition #1 of Resolution No. 10-81	Exhibit "C"	Supersedes Declaration Of Restrictions filed September 10, 1974; relates to use of open space
9/8/1983	Agreement ratifying Resolution No. 10-81		Also accepts conditions in Resolution No. 10-81 and accepts the landmark designation of a portion of the property
9/8/1983	Landmark Designation Agreement	Exhibit "B"	Included legal description of "sight easement" and façade of hotel. Legal description goes all the way to the Atlantic Ocean
9/9/1983	Flagler System requests final approval/site plan review for the portion of Breakers PUD known as		Proposed plans include reduction in number of condominium units from 78 to

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	"Priority 3" under provisions of Section 7.35 of Town Zoning Ordinance. Agreement with Town to be bound by Res. 10-81		48, reduction in number of PD equivalent dwelling units from 79.7 to 52.1, and decreases in other property development criteria. Makes September 9, 1983 first day of timetables under Res. 10-81*
9/13/1983	Final approval including site plan for Priority #3, northeast corner, known as Two Breakers Row		Approved by Town Council
10/11/1983	Resolution of Town Council ratifying landmarking of hotel	Resolution 34-83	Resolution notes that a parking structure will be constructed within the sight easement
10/12/1983	Amended Declaration of Restrictions	ORB 4073 Pg 0814	Supersedes Declaration of Restrictions recorded January 6, 1975. The portion of the property designated as "open space" in the replat shall be used only as golf course, park or other open space use "as shall be determined in the sole discretion of Declarant" for a period of 30 years commencing 3/18/81 or as long as property is zoned PUD
10/17/1983	Certificate of Notification of Designation of Certain properties as Landmarks		Ratifies landmarking per Resolution 34-83
12/1/1983	Breakers Row Plat #1 – Replat	P.B. 46 Pg. 188	Describes entire PUD
1/10/1984	Special exception authorizing relocation of Sea Gull Cottage from Breakers Hotel property to Royal Poinciana Chapel property.	Special Exception 1-84	Approved by Town Council.
4/11/1984	Certificate of Appropriateness for receiving dock and receiving courtyard areas	C of A 4-84	Approved by Landmarks Preservation Commission
1/10/1985	Certificate of Appropriateness for rehabilitation and additions to Breakers Hotel	C of A 2-85	Approved by Landmarks Preservation Commission
6/18/1986	Agreement to extend Priority 2 (Lanai Suites) from September 9, 1989 to September 9, 1998.	PB 4949 Pg 1163	Amends 9/8/83 Agreement
3/30/1989	Extension of License Agreement for trash transfer facility		Extended to April 14, 1991

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Fall 1989	Breakers PUD Amendment Request filed		
1/22/1990	Request for adjustment to several aspects of PUD.	Resolution 17-90 amends 6-71, 9-72, 13-74, and 10-81 ORB 6413 Pg 735	Approval included coffee shop, tennis court lighting, additional retail space, tennis shop, retention of golf course through 2019, lease of Pine Walk transfer station through December 31, 1997, renegotiable transfer of development units, road improvements, drainage improvements.
3/30/1990	Agreement implementing Resolution 17-90	ORB 6413 Pg 732	Accepts the conditions in Resolution No. 17-90
Fall 1991	Breakers PUD Amendment Request filed		Request to amend Resolution 17-90 to provide more time for its implementation, and to amend Resolution 10-81 to provide for rephrasing the project
2/11/1992	Request for approval for changes to several developments within PUD.	Resolution 6-92 Amends 6-71, 9-72, 13-74, 10-81 and 17-90	Extended Pine Walk transfer lease to December 31, 2012, renegotiate transfer and road drainage issues prior to 1996-1997 zoning season hearings; internal drainage; revised priority development schedule. As part of the approval, Breakers was required to address three issues: 1) storm drainage; 2) possible elimination of commercial at NWC; and 3) give Town perpetual rights to waste transfer facility. Included PUD Schedule of Development, Appendix "H" to Exhibit 11 of Resolution # 10-81.
2/19/1992	Agreement ratifying Resolution 6-92	ORB 7235 Pg 536	Accepts the conditions in Resolution No. 6-92
11/25/1995	Certificate of Occupancy for renovations to 63 rooms in south wing and elevators	COA # 65-95	
2/29/1996	Letter from Jim Brindell, signed by Bob Moore re coffee shop/retail		Clarifies Modifications 1 and 3; attached Exhibit "A" shows total of 10,307 SF existing and proposed ground level retail & food and beverage uses, main

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			hotel south wing as of 11/1/96
6/18/1996	?		Resolution No. 10-01 references a revision to the 'binding agreement' on this date but none was found in Gunster records
9/10/1996	Letter from Jim Brindell, signed by Bob Moore re Centennial Dining Room		Acknowledges that 48 dining room seats and 250 SF of kitchen space may be temporarily relocated from Florentine Dining Room to Centennial Dining Room in Old Guard Building
9/13/1996	Application filed for PUD Amendment		Extend certain time periods to re-negotiate several important matters with Town, and to establish timing for drainage improvements
3/2/1997	Request to modify PUD	Resolution 1-97 amends Res. 17-90	Modifications to coffee shop, tennis court lighting, additional retail space, new tennis facility, maintenance of golf course as green space through 2019, lease of Pine Walk Transfer Station, requirements for renegotiation, and postponement of road and parking improvements. Also amended Appendix "H" to Exhibit #11 of Resolution 10-81, re PUD schedule.
? 1997	Agreement ratifying Resolution No. 1-97		Should be one but none found in Gunster records
8/25/1997	Letter from Jim Brindell, signed by Bob Moore, re addition of 22 seats to Centennial Dining Room		
9/5/1997	Application filed to amend Breakers PUD		Request to renovate the Beach Club facilities, enlarge the Starlight Ballroom, and modify certain PUD conditions
2/9/1998	Request to modify PUD	Resolution 1-98 amends 1-97	Modification to lease of Pine Walk Transfer Station, requirements for renegotiation, postponement of certain road and parking improvements, demolition and reconstruction

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			of Starlight Ballroom Addition and Beach Club, requirement for additional off-street parking spaces, and on-site parking and traffic circulation management. Per Modification #9, 11,621 SF of accessory hotel space retained for possible later use.
2/9/1998	Site Plan Application to construct a new approximately 20,000 square foot Beach Club and approximate 15,000 square foot Starlight Ballroom and 8,000 square feet of pre-function area. Condition approval was also for approximately 13,500 square feet of storage in kitchen area and associated parking (including a 250 space temporary parking lot located on the northwest corner of the PUD).	Site Plan Review 1-98	4 conditions of approval were included, mostly related to traffic and circulation matters.
3/11/1998	Agreement between Town of Palm Beach and The Breakers Palm Beach, Inc.	ORB 10309; Page 740-744	The essence of the agreement is that "The Breakers hereby accepts the conditions set forth in the Town's Resolution 1-98".
7/19/1999	Certificate of Occupancy for Starlight Ballroom addition and new Beach Club	COA # 55-99	
2/7/2000	Amend PUD to redesign golf course and include a golf and tennis clubhouse west of South County Road	Resolution 3-00 amends 1-98	Modification to conditions re maintenance of golf course as green space through 2025, lease of Pine Walk Transfer Station, requirements for renegotiation, and golf and tennis clubhouse with related facilities. Also amended commencement dates for remaining development to be consistent at December 31, 2025
1/11/2000	Site Plan Review with Special Exception request to redesign golf course and tennis court layout and construct a three-level 40,549 square foot golf and tennis clubhouse.	Site Plan Review 1-2000 w/Special Exception	Approval was granted for new golf and tennis complex and included several conditions of approval.
3/22/2000	ARCOM review of new golf & tennis clubhouse	B9-00	approved
4/12/2000	Agreement ratifying Resolution 3-00		Accepts the conditions in Resolution No. 3-00

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6/5/2000	Letter from Jim Brindell, signed by Bob Moore re adjustments to golf course layout		
9/27/2000	ARCOM review of golf course border landscaping west of South County Road	B52-00	Approved
2/5/2001	Amend PUD to allow opportunity to request redistribution of residential units from west side of County Road to other locations within the PUD	Resolution 10-01 amends 3-00 ORB 12541 Pg 98	Modification to condition re requirement for renegotiation; applicant may relocate up to 149 dwelling units from Priority Areas 1, 7, 8, and 9 to areas west of County Road and/or within Priority Area 1 subject to PUD Master Plan amendment. May apply for same no later than the 2023-2024 zoning season.
4/19/2001	Agreement ratifying Resolution 10-01	ORB 12541 Pg 94	Accepts the conditions in Resolution No. 10-01
12/10/2001	Certificate of Occupancy for south ocean tower alteration for hotel	COA # 90-01	
1/8/2002	Authorizing ad valorem tax exemptions for work at the hotel (south tower)	Resolution 6-02	Contained faulty legal description
2/13/2002	Certificate of Occupancy for renovation of Dallas Rooms, 1 st and 2 nd floors	COA # 84-99	
6/11/2002	Site Plan Review with Special Exception to relocate 55 parking spaces from front driveway, reconfigure front driveway/parking landscape area, relocate balustrades at hotel entrance in order to add additional valet lanes, construct security gatehouse on main driveway, construct approximately 338 square foot service quarter adjacent to the Circle Dining Room; add porte cochere and covered walkways to the south entrance of the hotel and relocate 21 parking spaces from new porte cochere to existing parking area west of Beach Club. Also Special Exception to expand hotel with above improvements.	Site Plan Review 5-2002 w/Special Exception	Approved by Town Council.

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6/11/2002	Amends Resolution 6-02 so as to amend the legal description of the property referenced therein	Resolution 40-02	Amends legal description in the tax exemption covenant to include only the hotel building where the work was done
2/20/2003	Certificate of Completion for renovations to North Ocean Tower		
2/20/2003	Certificate of Completion for renovations to Ocean front meeting rooms, corridors, and mezzanine mechanical room		
2/20/2003	Certificate of Approval and Occupancy for two new 1-story accessory buildings (gatehouse and bathrooms)	COA # 10-03	
4/16/2003	Certificate of Appropriateness for renovation of Venetian Ballroom	C of A #10-2003	Approved with a number of conditions
9/9/2003	Special Exception to construct a 1-story 697 SF golf instruction and storage building on the driving range, as well as a paved employee walkway along the north side of the hotel	Special Exception #20-2003	Approved by Town Council.
2/15/2005	Modification to PUD Master Plan to redesign the Beach Club Cabanas and related facilities.	Resolution No. 4-05 amends 3-00* *note- WHEREAS clause should have included Res. 10-01 but did not	Deletes previous Modification #4 re new tennis facility, to be replaced by Modification #10; erroneously carries forward language from Modification #7 of Resolution 3-00 instead of revised #7 from Resolution 10-01 ; minor modifications to Modification #10 re golf and tennis clubhouse and related facilities; adds Modification #12 re new cabanas and related facilities

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2/15/2005	Site Plan Review, Special Exception, and Variance request for approval of the new cabana project	Special Exception 6-2005 with Site Plan Review and Variance	Variance (for seawall height) withdrawn. Conditions of approval re required fire hydrant and construction traffic restrictions
5/10/2005	Modified lighting plan reviewed by Florida Fish and Wildlife Conservation Commission for cabana project	PB-804	Approved with several conditions
8/12/2005	Building permit for awning for valet parkers	P #8078272	
August 2006	Approval for golf clubhouse awnings		
11/14/2006	Special Exception with Site Plan Review to renovate the old golf clubhouse including a lounge for spa and beach club employees, create new offices on the second floor, and awnings on the new club house and for valet parkers	Special Exception 9-2006 with Site Plan Review	No conditions of approval
7/14/2010	Revised Modification #7.a. to restore the language from Resolution 10-01 re relocation of units to the portions of the PUD west of County Road	Resolution #70-10 Amends Res. 4-05	Application to be filed no later than 2024
10/27/2010	ARCOM review of request to demolish old golf clubhouse building and associated parking lot, AKA the Old Guard Building, 45 Cocoanut Row	B-051-2010	Approved by ARCOM; to be replaced by sod and landscaping; later ratified by Town Council
9/11/2012	Town Council review of request to demolish and rebuild two of the five existing maintenance buildings on the west Pine Walk	Site Plan Review #9-2012 with Special Exception	Approved by Town Council; ARCOM approved administratively
5/15/2013	Town Council review of requested improvements to pool areas on southeast portion of hotel property	Special Exception #8-2013 with Site Plan Review	Approved by Town Council. Included gazebo bar, kiddie pool, jacuzzis, and pavement
June 2013	State of Florida Department of Business and Professional Regulation extension of hotel's alcohol license to include gazebo bar		Approved
8/24/2013	ARCOM review of proposed new railings, awning	A-028-2013	Railing not approved; awning approved
9/25/2013	Administrative Site Plan Review of Flagler Steakhouse awning expansion		Approved by staff
12/11/2013	Modify hotel amenity by expanding the existing playground	Special Exception #20-2013 with Site	Approved by Town Council

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		Plan Review	
2/12/2014	Amend Resolution 70-10 by adding 4,559 square feet of accessory hotel space to the Beach Club for construction of a fitness center. PUD amendment.	Resolution No. 11-2014	Changes to Modification #9 re the Beach Club, adding 4,559 gross square feet/4,190 net (A/C) square feet to construct a new fitness center on the second level of the existing Beach Club building on the Ocean Terrace. The previous 11,621 square feet of accessory hotel space is reduced by 4,190 to leave approximately 7,341 square feet for future use by further amendment to the PUD.
2/12/2014	Special exception and site plan review to construct a new beach access ramp and to replace the 1,588 square foot pavilion on the second level of the Beach Club building with a 4,559 square foot (gross) 4,190 square foot (net, A/C) structure for a new fitness center, and associated elevator.	Special Exception #1-2014 with Site Plan Review	The beach ramp replaces a similar structure which was destroyed by a hurricane. The existing spa functions on the first floor of the Beach Club will be expanded into the previous fitness center space.
3/26/2014	Agreement finalized between Town of Palm Beach and The Breakers documenting acceptance of Resolution 11-2014.		Agreement required by Town's PUD ordinance
12/10/14	Special Exception with Site Plan Review to add awning to pergola east of spa; variance to demolish and reconstruct existing entry fountain	Special Exception #27-2014 with Variance	Approved by Town Council
12/17/14	LPC approval for awning and fountain	COA-053-2014 and 057-2014	
2/11/15	Request approval of: • Four awnings totaling 1,714 s.f. in golf maintenance area at west end of Pine Walk • Renovations to east side of spa building to enclose 614 s.f. of additional space, and redesign of courtyard • Vehicle gate just east of crosswalk near south porte-cochere	Special Exception #1-2015	Approved by Town Council, subject to the requirement that the vehicle gate be opened for overflow parking during large events.

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9/9/15	Request approval of: • Flagler Club Terrace awning structure • Demolish smoke-stack and expand engine room, including 600 KW generator • Add 720 s.f. cooling tower • Add three access control gates on Ponce Promenade	Special Exception #24-2015 with Site Plan Review	Combo project included Landmarks (LPC) review. Approved by Town Council.
9/16/15	LPC approval of aspects of S.E. #24-2015 under their jurisdiction	COA 2015-034	
11/12/15	Request approval of: • Ponce loading dock expansion, including new awning • Service elevator in southeast corner of Mediterranean Courtyard • 900 KW generator in place of 600 KW generator in engine room expansion • Two service pavilions on front croquet lawn west of hotel	Special Exception #31-2015 with Site Plan Review	Approved by Town Council except for service pavilions on west lawn, which were deferred. That part of request was later withdrawn due to LPC objections.
3/9/16	Request approval to demolish building #4 at the maintenance complex on Pine Walk (2,726 square feet) and replace it with or 3,581 square foot building.	Special Exception #5-2016	Approved by Town Council
4/27/16	Request ARCOM approval to repair the chimneys at Spray Cottage	A-016-2016	Approved by ARCOM
5/11/16	Request approval to amend Resolution No. 11-2014 (PUD-A) by extending the commencement of development date for 251 dwelling units, extending the date by which 149 dwelling units may be relocated, extending the date upon which the golf course must remain open space, and extending the date of the lease of the Pine Walk Transfer Station.	Resolution No. 60-2016	All dates extended to December 31, 2049 or December 31, 2050.

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3/15/17	Request Special Exception with Site Plan Review approval to add a 3,000 gallon emergency generator fuel tank just north of the service court, and two service pavilions on the 'croquet' lawn southwest of the main hotel entrance.	Special Exception No. 04-2017 with Site Plan Review, and COA No. 08-2017	Approved by Town Council, including official recognition by Council of ongoing use of the lawn area for outdoor functions
5/10/17	Request Special Exception with Site Plan Review approval to construct a new 404 s.f. retail shop (Mary Lily's) in the Palm Court, and to expand the existing seafood restaurants from 4,330 s.f. to 6,111 s.f. and from 140 seats to 177 seats.	Special Exception #12-2017 with Site Plan Review	Approved by Town Council
12/13/17	Request Special Exception with Site Plan Review to expand seating capacity at Seafood Bar restaurant by an additional 53 seats in 6,111 s.f. restaurant, for a total of 230 seats.	Z-17-00044	Approved by Town Council
1/10/18	Request Special Exception with Site Plan Review to make changes and improvements to The Breakers golf course. Also enlarge golf training facility from 697 s.f. to 2,366 s.f., and replacement of existing free-standing bathroom building of 250 s.f. with a new bathroom building of 267 s.f.	Z-17-00055	Approved by Town Council
6/13/18	Request for extended work hours for golf course project		Approved by Town Council
9/12/18	Request Site Plan Review and Special Exception to add awnings in the renovated golf course	Z-18-00126	Approved by Town Council
9/21/18	Request Landmarks Presentation Commission approval for revised ramp on south side of south lawn pavilion building	COA-040-2018	Approved by Landmark Preservation Commission
10/18/18	Request Administrative Site Plan approval for changes to ramp of south lawn pavilion		Approved and stamped by Town of Palm Beach
05/15/19	Request for site plan review with special exception approval to construct a new security guardhouse and gates, to re-align Breakers Row, and to add a landscaped island on the south side of the proposed guardhouse at North Breakers Row.	Z-19-00187	Approved by Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
02/12/20	Request for zoning text amendment to add hotel and golf course as permitted uses in PUD-A zoning district and to allow for staff approval of site plans consisting of less than 2,500 square feet	Ordinance 1-2020	Approved by Town Council
08/11/21	Request for extension of existing golf course awning, which was denied by ARCOM on July 28, 2021, but approved on appeal by Town Council on August 11, 2021	A-051-2021	Appeal granted by Town Council
02/15/23	Request for new fencing and gates, which was approved by LPC on January 18, 2023, and by Town Council on February 15, 2023	COA-22-008 ZON-23-001	Approved by LPC and Town Council
10/11/23	Request for modifications to existing Tennis Centre to change 10 tennis courts to 6 hydrocourts, 2 hard courts, 4 grass courts, and 2 pickleball courts, which included PUD amendment approval by Town Council on May 10, 2023 (Resolution No. 043-2023). Project was partially approved by ARCOM on May 24, 2023, fully approved by ARCOM on September 27, 2023, and approved by Town Council on October 11, 2023	Res. No. 043-2023 ARC-23-057 ZON-23-049	PUD Amendment approved by P&Z and Town Council. Project approved by ARCOM and Town Council
07/17/24	Request for the renovation of the Mediterranean Courtyard, including the addition of two (2) new structures within the courtyard, which was approved by Town Council on April 10, 2024, and approved by the LPC on April 17, 2024. LPC approved the tax abatement application on July 17, 2024	ZON-24-054 COA-24-013 LTA-24-0001	Approved by LPC and Town Council
07/17/24	Request for modifications to the hotel's main drive and port-cochere entrance, which was approved by Town Council on July 10, 2024, and approved by the LPC on July 17, 2024	ZON-24-0019 COA-24-0005	Approved by LPC and Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
09/28/24	Request for modifications to the previously approved new Tennis Centre (ARC-23-057 & ZON-23-049), to include the addition of two (2) new padel courts, which included PUD amendment approval from Town Council on (Resolution No. 073-2024). Project was approved by Town Council on August 12, 2024, and approved by ARCOM on August 28, 2024	Res. No. 073-2024 ZON-24-0027 ARC-24-0049	PUD Amendment approved by P&Z and Town Council. Project approved by ARCOM and Town Council

FAMILY ENTERTAINMENT CENTER

Town of Palm Beach, FL

TRAFFIC STATEMENT

PREPARED FOR:

The Breakers Palm Beach, Inc.
One South County Road
Palm Beach, Florida 33480

JOB NO. 24-027

DATE: 12/16/2024

Bryan G. Kelley, Professional Engineer, State of Florida, License No. 74006

This item has been digitally signed and sealed by Bryan G. Kelley, P.E., on 12/16/2024.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

**Bryan
Kelley** Digitally signed
by Bryan Kelley
Date:
2024.12.16
15:46:28 -05'00'

2581 Metrocentre Blvd. West, Ste 3 | West Palm Beach, FL 33407

561.478.7848 | simmonsandwhite.com | Certificate of Authorization #3452

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1.0 SITE DATA

1.0 SITE DATA

The subject site is located on the east side of S. County Road south of Royal Poinciana Way in the Town of Palm Beach, Florida. The applicant proposes to construct a new reimagined Family Entertainment Center consisting of a 49,138 SF building. The existing Family Entertainment Center constructed in the 1960's is outdated and inadequate to serve the Breakers guests and members. The existing building consists of a full service restaurant which provides a social gathering spaces for different functions and special events. Additionally, the existing building supports various administrative functions including office support for the hotel and Beach Club operations.

The new proposed Family Entertainment Center will provide new entertainment options to hotel guests and members such as a bowling center, golf simulators, and a reimagined game hall experience. The new building will also include a restaurant, administrative offices, and a fitness center along with various other outdoor recreational activities. The Family Entertainment Center will only be open to hotel guests and members.

Traffic Concurrency for the overall site was addressed when the PUD was approved and Breakers has maintained the ability to substitute accessory hotel uses for other uses. Signalization improvements have also been completed previously as part of prior PUD approvals to address traffic concerns. The Family Entertainment Center is an accessory use to the overall Breakers Hotel, Golf Club, and Resort. The number of hotel guests and members are not proposed to change as part of this application. Instead, the proposed reimagined building is intended to better serve the existing guests and members. Therefore, no additional traffic impacts are anticipated as a result of this application.

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0087 (COA-24-0032) 1 S COUNTY RD – THE BREAKERS (COMBO) —SITE PLAN REVIEW AND VARIANCE.

The applicant, Breakers Palm Beach Inc., has filed an application requesting Town Council review and approval for Site Plan Review for the construction of a new parking structure consisting of one level of subterranean parking and one at-grade surface-level parking area to replace an existing surface parking lot, including one (1) variance to allow tandem parking spaces associated with a new parking structure facility and surface parking lot. Additional improvements include support buildings, realignments of North Breakers Row, golf course changes, as well as landscape and hardscape modifications. These improvements are generally located where there is an existing surface parking lot and a golf course within the designated Landmarked vista from the original hotel building to South County Road. The application requires the approval of a separate resolution to modify the PUD and the Landmarks Preservation Commission shall review the application for design. *[The*

PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 14, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]

3:30PM TIME CERTAIN

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans 1 of 4**
- ▣ **Plans 2 of 4**
- ▣ **Plans 3 of 4**
- ▣ **Plans 4 of 4**
- ▣ **Designation Report**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Town Council and Architectural Commission

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-24-0087 (COA-24-0032) - THE BREAKERS CENTRAL PARK PARKING GARAGE

MEETING: FEBRUARY 12, 2025 TC
FEBRUARY 19, 2025 LPC

ZON-24-0087 (COA-24-0032) 1 S COUNTY RD – THE BREAKERS (COMBO) – SITE PLAN REVIEW AND VARIANCE. The applicant, Breakers Palm Beach Inc., has filed an application requesting Town Council review and approval for Site Plan Review for the construction of a new parking structure consisting of one level of subterranean parking and one at-grade surface-level parking area to replace an existing surface parking lot, including one (1) variance to allow tandem parking spaces associated with a new parking structure facility and surface parking lot. Additional improvements include support buildings, realignments of North Breakers Row, golf course changes, as well as landscape and hardscape modifications. These improvements are generally located where there is an existing surface parking lot and a golf course within the designated Landmarked vista from the original hotel building to South County Road. The application requires the approval of a separate resolution to modify the PUD and the Landmarks Preservation Commission shall review the application for design.

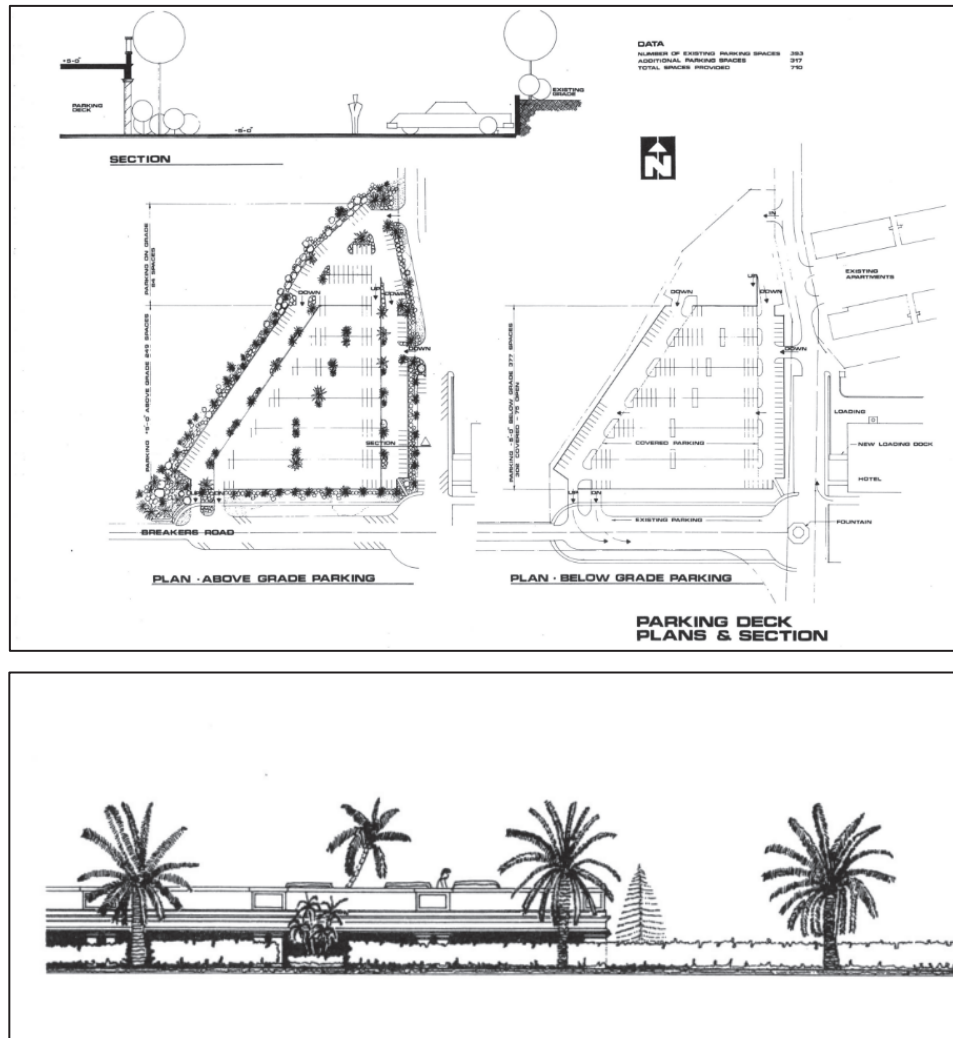
COA-24-0032 (ZON-24-0087) 1 S COUNTY RD – THE BREAKERS (COMBO). The applicant, Breakers Palm Beach Inc., has filed an application requesting a Certificate of Appropriateness for review and approval of a new parking structure consisting of one level of subterranean parking and one at-grade surface-level parking area to replace an existing surface parking lot requiring a variance to allow tandem spaces. Additional improvements include support buildings, realignments of North Breakers Row, golf course changes, as well as landscape and hardscape modifications. These improvements are generally located where there is an existing surface parking lot and a golf course within the designated Landmarked vista from the original hotel building to South County Road. The application requires the approval of a separate resolution to modify the PUD and variance approval to be reviewed by Town Council.

Applicant: Breakers Palm Beach Inc
Professional: Hart Howerton
Representative: Jamie Crowley

HISTORY:

The Breakers Hotel Complex was added to the National Register of Historic Places in 1973. In 1983, Resolution 34-83 was passed and adopted by the Town of Palm Beach to landmark The Breakers Hotel. A Landmark Preservation Sight Easement was also established westward from the

hotel building towards South County Road. In the Breaker's PUD, a parking structure was anticipated in this area (as depicted below):



1981 Breaker's PUD Master Plan

As part of the Breakers current projects, Resolution 05-2025 will need to be adopted. The site plan presented as part of this application demonstrates the need to alter the existing PUD plat and therefore requires a PUD replat prior to the issuance of a permit.

At the February 04, 2025 Planning and Zoning Commission meeting, the Commission will hear the proposed PUD resolution.

THE PROJECT:

The applicant has submitted plans, entitled "THE BREAKERS PALM BEACH CENTRAL PARK", as prepared by **Hart Howerton**, dated and uploaded to the Town on January 28, 2025.

The applicant is proposing the following scope of work at the property:

- Construction of a new parking structure consisting of one level of subterranean parking and one at-grade surface-level parking area with 849 parking spaces to replace an existing surface parking lot with 550 parking spaces.

The following variance is required for the completion of the project as presented:

- **Variance #1** from Sec. 134-2172 to allow 124 tandem parking spaces associated with a new parking structure facility and surface parking lot, whereas parking spaces are required to be arranged so that each automobile may be placed and removed from the parking space without the necessity of moving any other automobile to complete the maneuver.

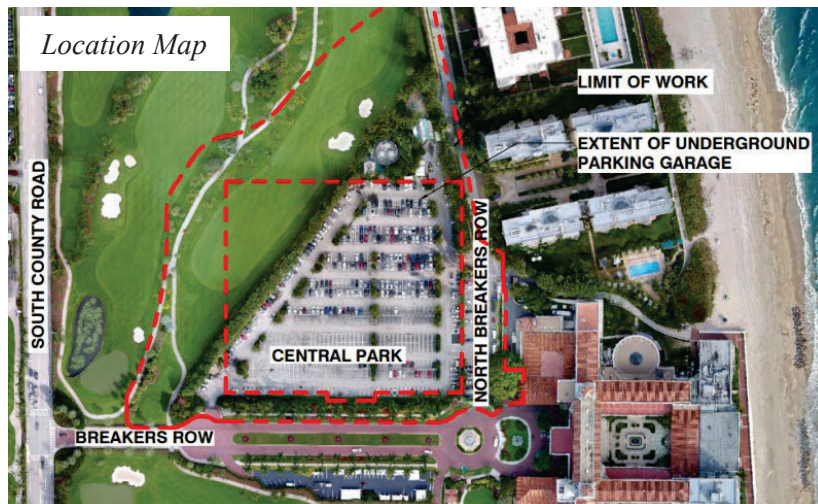
Site Data			
Zoning District	PUD-A	Future Land Use:	APPROVED PUD
Existing Parking Spaces*	550	Proposed Parking Spaces*	849

* Within the area being impacted by this application (main parking lot).

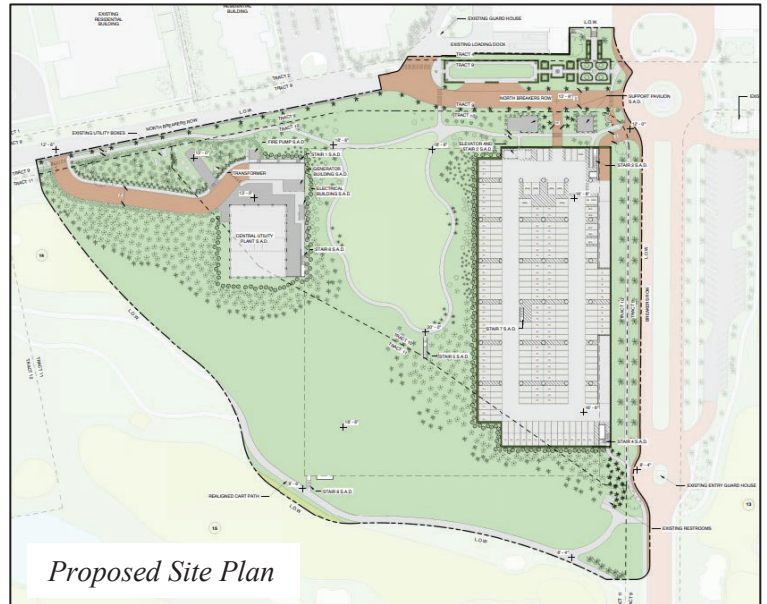
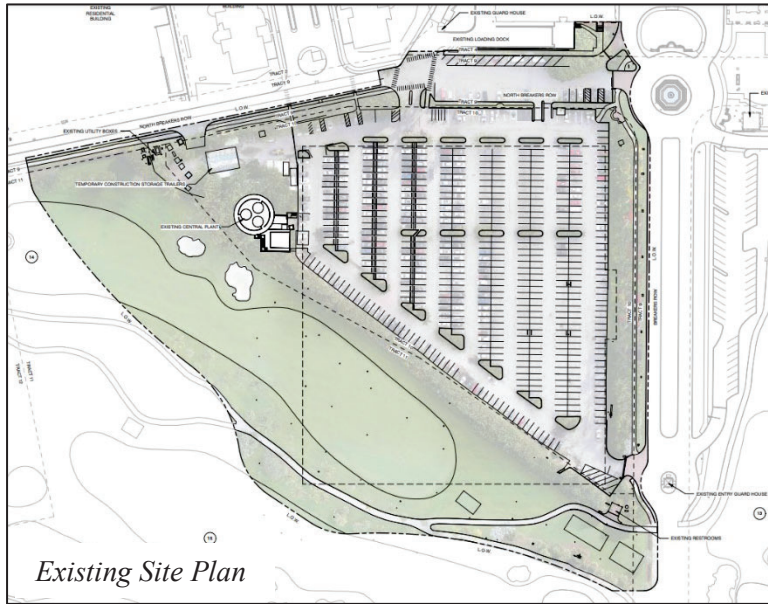
Surrounding Properties	
North	Breakers Hotel Residences
South	Breakers Hotel
East	Atlantic Ocean
West	Breakers Hotel Golf Course

STAFF ANALYSIS

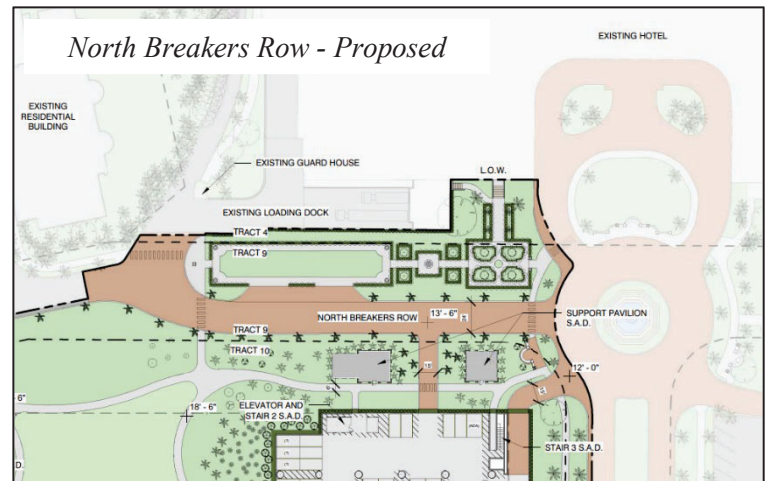
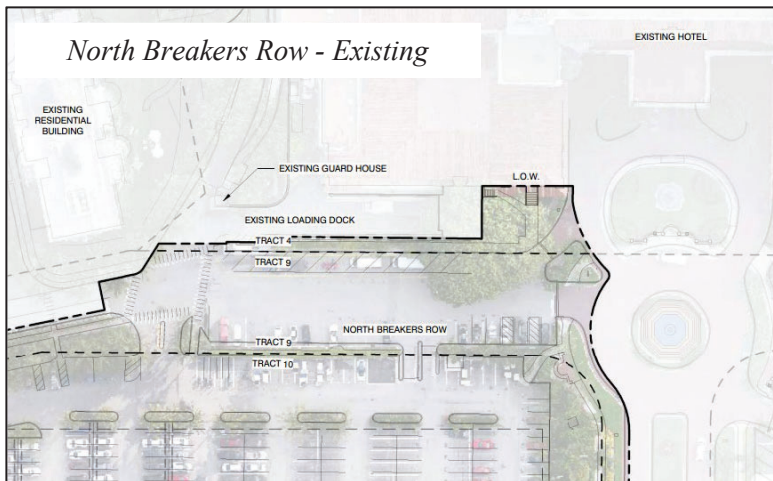
The Breakers is a 534-room landmarked hotel situated on 140 acres on the Atlantic Ocean. The resort contains many leisure amenities including an 18-hole golf course, tennis facilities, and eight food and beverage operations within its expansive recreational campus. The subject application will impact the main parking lot of The Breakers Hotel



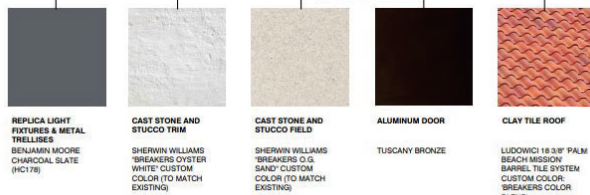
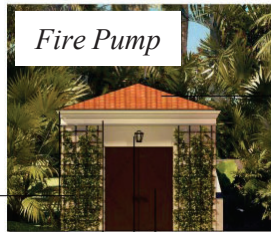
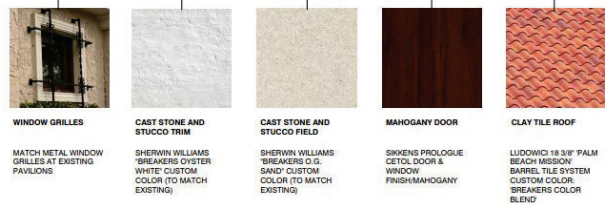
which serves overnight guests, day visitors, and staff. The existing parking lot is approximately 4 acres. It will be redeveloped as the 'Central Park' subterranean parking (218,727 square feet) and one at-grade surface-level parking area (79,808 square feet). The number of parking spaces will increase from 550 to 849. On the at-grade surface level, 124 tandem parking spaces are proposed which will require a variance, further discussed in the variance analysis section of this memorandum.



Improvements to North Breakers Row are proposed. There will be a reduction in the paved road width to accommodate a series of parterre gardens, west of the hotel building.



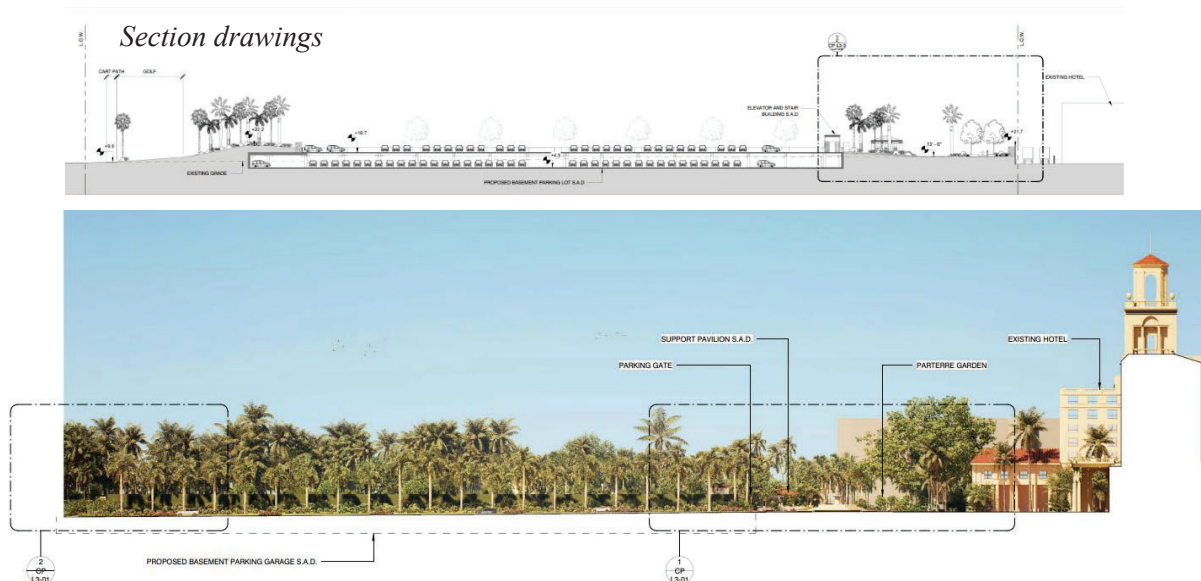
The scope of work includes a new support pavilion, elevator and stair building, fire pump building, electrical building, and central plant building. These buildings are designed to be compatible with other support structures on the property which draw inspiration from Mediterranean Revival architecture. The clay tile roofs, stucco finish, color palette, and architectural detailing are consistent with this style.



Most of the landscaping on the south side of the proposed 'Central Park' garage will remain. The greatest changes will take place north, east, and west of the parking area where a substantial amount of plant material, predominately palms, will be removed to accommodate the proposed improvements. Two to four feet of soil will be added surrounding the parking area to accommodate landscaping. Additionally, the at-grade surface-level parking area will be further screened by hedging. The planting schedule is available on sheet CP L6-00 of the plan set. The adjacent golf course will be re-graded in preparation for future revisions.



Rendering



From a historic preservation perspective, the proposed improvements do not negatively impact the Landmark Preservation Sight Easement.

Variance Analysis

Variance #1 from Sec. 134-2172 is requested to allow 124 tandem parking spaces associated with a new parking structure, facility and surface parking lot, whereas parking spaces are required to be arranged so that each automobile may be placed and removed from the parking space without the necessity of moving any other automobile to complete the maneuver.

According to the applicant: *“Tandem parking is routinely allowed in the Town, and in fact is utilized by the Town at its employee parking lot on Australian Avenue, near Town Hall. Furthermore, the tandem parking at Central Park will be performed by skilled valets, and will account for only 124 of the 849 parking spaces (14.6%). The Breakers is uniquely situated with a large amount of space available to provide the tandem parking spaces without impacting the other spaces in the parking structure, or impacting the surrounding properties; therefore, the request is in harmony with the surrounding area, and will not adversely impact or be injurious to the general public.”*

Staff concurs that the valet parking can help mitigate issues associated with the proposed tandem parking.

CONCLUSION:

Approval of the project will require one (1) motion to be made by the Town Council:

- (1) For the Variance for 124 tandem parking spaces.

Approval of the project will require two (2) separate motions to be made by the Landmarks Preservation Commission:

- (1) for the overall design of the project in accordance with aforementioned criteria, subject to any imposed conditions, and
- (2) that the implementation of the proposed variance **will** or **will not** cause negative architectural impacts to the subject property.

WRB:JGM: FHM:ALF

January 27, 2025

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

Re: LOI for 1 S County Rd – Central Park
Zoning Case #: ZON-24-0087 / Certificate of Appropriateness #: COA-24-0032

We are pleased to submit the accompanying documents and drawings in connection with our combination application for Certificate of Appropriateness, Development Review and Site Plan, and Special Exception Approval (the "Application") for the "Central Park" project within the Breakers Hotel property at 1 South County Road, Palm Beach, FL (the "Property").

Scope

The main parking lot at The Breakers Hotel is essential to the functional operation of the resort, serving overnight guests, day visitors, and staff. The existing surface parking lot includes nearly 4 acres of paved asphalt surface in a highly prominent location at the resort's main arrival, it can also be seen from west-facing guestrooms in the hotel building. The proposed parking structure facility, herein named Central Park, will reduce the impact and visibility of automobiles on the site, better accommodate existing parking loads within a consolidated facility, and reclaim a portion of the resort's tropical landscape setting. The scope of this application includes 218,727 square feet of new parking on a fully below-grade lower level and 79,808 square feet of parking on a structured ground level. The proposal increases vehicular capacity to 849 parking spaces to accommodate current peak demand loads, which are currently managed across several lots, campus-wide. The project includes newly landscaped areas surrounding and atop the structured garage.

Improvements and realignments of North Breakers Row are proposed. This work features a reduction in paved road width to make way for a series of parterre gardens serving as a landscaped apron to the landmark west façade. Also included are a limited number of small support buildings that will house essential services. A small service pavilion building will match the massing, materials, and detailing of a pair of existing similar pavilions located at the west lawn just south of the hotel's main entrance drive, which were previously approved by the Landmarks Preservation Commission in 2017. A new Central Utility Plant building will enclose highly efficient new mechanical equipment serving the hotel campus, and replacing an outdated facility dating back to 1985.

The below-grade parking will be served by a support structure with exit stair and elevator providing required ADA access. Generous landscaped areas surrounding the site will consist of a new park area on top of the northern portion of the garage, as well as a reimagined 14th fairway of the Breakers Ocean Course golf course.

Landscape and Hardscape Changes

Portions of the proposed parking garage will be designed to support two to four feet of soil to accommodate a robust variety of native planting bordering a 300-yard path encircling a verdant lawn. The planting plan restores and extends the landscape from the golf course towards the hotel. A line of palms along the eastern edge will define a new bike path that will encourage guests to access Main Street and Royal Poinciana on foot and by bike. Also featured is a reorganized and better screened loading area. The existing hotel loading dock will become more hidden as hotel operations adapt to reduce the number of larger trucks traveling on the more prominent portions of North Breakers Row.

Golf Course Changes

As part of this project the 14th fairway of the adjacent golf course will be regraded in preparation for course design revisions by the resort's golf architect.

Surface Parking

The upper level of the structured parking facility will be fully screened by a tall hedge providing a backdrop to the palms and flowers that decorate the entry drives. The new hedge conceals the walls of the parking structure as well as the valet ramps. A grove of trees in raised planters screens the proposed surface parking from above.

Structured Parking

The structure of the garage will consist of concrete columns supporting a post-tensioned concrete slab. The facility will have headroom required for ADA van accessibility and charging stations for electric vehicles. The southern end of the garage lot will have long-span structure supporting the surface parking lot and tree planters.

Conclusion

The current surface parking lot detracts from the historic Breakers Hotel and disrupts the guest room views west towards the golf course. The proposed below-grade parking will better accommodate the needs of the existing hotel while offering a reduced surface parking area with opportunities for greenspace and landscaping on top of the garage.

Site History

The Breakers Hotel was designed by the noted hotel and resort architects Leanard B. Schultze and S. Fullerton Weaver of the New York City-based firm Schultze & Weaver. This iteration of The Breakers, the third hotel on the site after the two previous hotels burned down in 1903 and 1925, was hailed as "...without doubt one of the most magnificent and successful examples of a palatial winter resort hotel" (The Architectural

Forum, May 1927, page 456). Completion of The Breakers followed two other notable hotels in Florida by Schultze & Weaver: The Nautilus Hotel (Miami Beach, 1924), and The Miami Biltmore Hotel (Coral Gables, 1926), and preceded the firm's Sherry-Netherland Hotel (1927), Hotel Pierre (1929), and the Waldorf-Astoria Hotel (1931) all in New York City.

In the decades since its opening, The Breakers has undergone multiple additions, renovations, and repairs to maintain its place “among the most luxurious hotels in America” (from “In Pursuit of Pleasure: Schultze & Weaver and The American Hotel” catalog text for 2005-2006 exhibit at The Wolfsonian – FIU, in Miami Beach). Major additions and renovations to the Hotel building have included The Circle dining room (1928), 150 additional guestrooms and restaurant spaces at the East Wings (1968), and the Ponce de Leon Ballroom (1999).

The Breakers has also undertaken many projects related to other buildings on the Breakers grounds. Archival sources show a variety of outbuildings in the area between the hotel and South County Road. Previously demolished buildings include a laundry facility, surface garage and service buildings. Currently *in situ* are the two existing pavilions south of the main drive, a guard house in the center of the main drive and a golf course restroom building west of the proposed site.

Central Park Site

The site of the Proposed Central Park project has been used as the landscaped main surface parking lot for The Breakers and as part of the Breakers Ocean Course golf course since its 1901 expansion to 18 holes. The existing mechanical facilities were built on the site in 1985. The existing golf course was reconfigured in 1938 and 2001 before being redesigned in 2018 by Rees Jones.

Prior to the 1926 reconstruction of The Breakers, the Florida East Coast Railway spur serving the hotel terminated on the site of the existing parking lot. Schultze & Weaver's 1926 plans for the hotel include an unrealized site plan showing development of the land between the South County Road and the Breakers as a compound of grand villas. Archival photos of the site show it initially as an open lawn with scattered trees; subsequently, approximately 100 covered parking garages were added and then torn down to make way for the existing combination of golf fairways, surface parking and mechanical plant buildings. The 1981 Breakers PUD Master Plan revision approved a proposed two-story structured parking facility with 700 total parking spots.

1. Criteria for Development Order Approval
 - A. Landmarks Preservation in accordance with Section 54-122 (New Construction).

- (a) The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related:
 - (1) The height, the gross volume, and the proportion between width and height of the façade;
 - (2) The proportions and relationships between doors and windows;
 - (3) The rhythm of solids to voids created by openings in the façade;
 - (4) The material used in the façade;
 - (5) The texture inherent in the façade;
 - (6) The colors, pattern and trim used in the façade; and
 - (7) The design of the roof.
- (b) Existing rhythm created by existing building masses and space between them should be preserved.
- (c) The landscape plan should be sensitive to the individual building and its occupants and needs and should be visually compatible with the buildings and environment with which it is visually related.
- (d) A new street façade should blend directionally with other buildings with which it is visually related; which is to say, when adjacent buildings have a dominant horizontal or vertical expression, that expression should be carried over in the new façade.
- (e) Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.

B. Landmarks Preservation in accordance with Section 54-123 (Exterior Alterations).

- (a) The criteria set forth in section 54-122, if applicable, shall be considered in passing upon an application for exterior alterations; provided that the commission may consider the original design of the building and the buildings visually related to it and disregard alterations subsequently made thereto.
- (b) Exterior alterations shall not affect the architectural quality or historical character of the building.

The Project will be visually compatible with existing buildings and the environment of The Breakers as set forth below. The proposed parking structure will not physically alter the existing hotel building at all, and is just on the edge of the hotel's Town designated landmarked vista from the original hotel building to South County

Road. Furthermore, the proposed parking structure was previously approved, and a large part of the structure is below grade, and is not contrary to the gross volume, width and height of the façades of the hotel building. Also, as part of the project, landscape and hardscape modifications will be done to minimize the impact of the parking structure. The additional and refreshed landscaping will include native vegetation, and is appropriately scaled for the Property and the hotel building, and will not affect the architectural quality or historic character of the historic hotel.

C. Site Plan Review Approval in accordance with Section 134-329..

- (1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities, or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.
- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.
- (3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.
- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.
- (5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.
- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.
- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.
- (8) Recreation facilities and open spaces, with attention to the size, location, and development of the areas as to adequacy, effect on privacy of adjacent

and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

- (9) Such other standards as may be imposed by this chapter for the particular use or activity involved.
- (10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.
- (11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

The Breakers has had permanent maintenance control over the entire property for a century, and will continue to maintain the Property to the standard that has made it a world class resort hotel and iconic landmark, and no portion of the Property will become a future liability for the Town of Palm Beach. The scope of the Project is limited to the area previously approved for a parking structure, and no other changes to the existing hotel building or other structures are proposed. There is no change in the intensity of use at the Property. The Project will therefore be in harmony and compatible with the existing uses at the Property and with adjacent uses. Existing ingress and egress, parking, stormwater, and utilities will remain unchanged. Given the vast size of the Property and the very specific scope and location of the Project, it is not anticipated that the Project will affect anyone outside of the Property.

D. Variance in accordance with Section 134-201(a).

Variance Criteria:

- (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.
- (2) The special conditions and circumstances do not result from the actions of the applicant.
- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
- (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.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (6) For granting of a variance to sections 134-387 or 134-390 through 134-392, pertaining to the regulation of nonconforming uses, the following additional findings shall be made pertaining to the nonconforming use for which the variance is requested:
 - a. It is the continuance of a unique hotel or residential use that has, for at least 15 years proven compatible with the surrounding uses; and
 - b. Neither rezoning to a district which would allow the use, nor inclusion of the subject use as a permitted or special exception use in the district would act to achieve the preservation of the subject use without opening the possibility of the incursion of uses incompatible with the immediately surrounding area and, further, such variance shall:
 1. Be granted only for the continuation of the same hotel or residential use; and
 2. Require the applicant to submit a declaration of use limiting the utilization of the property for which the variance was granted to the same use as that existing at the time the variance was granted.
- (7) 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. In granting any variance, the town council may prescribe appropriate conditions and safeguards in conformity with this chapter. Upon granting a variance the town council may require the landowner to provide a declaration of use agreement which shall be recorded in the public records to ensure continuing compliance with the town council imposed conditions of such grants. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

Variance Requested:

- (1) A request for Variance from the parking code requirements in Section 134-2172, to allow for 124 tandem parking spaces within the parking structure, in lieu of parking spaces being arranged so that each vehicle can be parked and removed without the need to move any other vehicles to complete the maneuver.

Justification for Variance Requested:

Tandem parking is routinely allowed in the Town, and in fact is utilized by the Town at its employee parking lot on Australian Avenue, near Town Hall. Furthermore, the tandem parking at Central Park will be performed by skilled valets, and will account for only 124 of the 849 parking spaces (14.6%). The Breakers is uniquely situated with a large amount of space available to provide the tandem parking spaces without impacting the other spaces in the parking structure, or impacting the surrounding properties; therefore, the request is in harmony with the surrounding area, and will not adversely impact or be injurious to the general public.

E. PUD Modification

Finally, because of the PUD zoning for the Breakers, and the PUD approval and subsequent amendments to the PUD referencing specific components within the Breakers property, we are also requesting to modify the Breakers PUD resolution to specifically identify the Beach Club as an authorized use within the Breakers PUD.

Attached is the site history for the Breakers Hotel property. We thank you for your consideration of our Submittal Package.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JMC', is centered below the word 'Sincerely,'.

James M. Crowley

JMC/jl

BREAKERS SITE HISTORY

The following is a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements, as well as ARCOM & LPC approvals.

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
3/25/1970	Town of Palm Beach adopts new Zoning Code. First reference to "PUD". Adopted amended zoning map by reference; Breakers shown as PUD	Ordinance 3-70	Ordinance later declared unconstitutional by Florida Supreme Court.
9/10/1970	Detailed list of existing improvements on Breakers Hotel property submitted to Town of Palm Beach.		Information provided by Town to aid in conversion to dwelling units under new Zoning Ordinance.
9/17/1970	Town's consultant refines dwelling unit conversion for Breakers property proposed PUD.		Conversion totals 346 equivalent dwelling units.
10/30/1970	The Breakers "Proposed Plan Unit Development" submitted to Town of Palm Beach by Flagler System, Inc.		Initial PUD document totals 39 pages including several appendices and a number of drawings. Request is for PUD-A designation. Included phasing schedule with 10 proposed phases.
3/31/1971	Resolution passed by Town Council giving tentative approval for Planned Unit Development as submitted by Flagler System, Inc. on October 30, 1970 'in accordance with Ordinance 3-70'	Resolution 6-71 ORIGINAL PUD APPROVAL	Approval contains a number of conditions of approval, including detailed phasing schedule. Approval also included density reduction, stipulated structural locations and open space protection, building height reduction and road improvements.
9/1971-3/1972	Time extensions approved for the finalization of Resolution 6-71		Additional time needed to finalize details
6/23/1971	Request for temporary supervised recreational program on Breakers Hotel complex property.		Refers to Tract 2. Temporary approval granted through June 1, 1972.
3/22/1972	Revised PUD master plan submitted to Town.	Resolution 12-71	Revision reflects reduced dwelling unit densities in various phases, relocation and revised "lateral spread" of structures in Phases 1, 2, and 10, reduced building heights in certain areas, and designation of various

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
			phases as circled numbers on Master Plan. Included revised Condition #3 re open space preservation. NEVER ADOPTED
4/25/1972	Resolution amending Resolution 6-71 for tentative approval for Planned Unit Development.	Resolution 9-72 amends Res. 6-71	Revised density reductions but not schedule. Open space protection. Building heights Subterranean crossing
5/16/1972	Town notifies Flagler System that they have "identified the formerly zoned 'business district' and have transferred that information to a copy of the revised Master Plan for the Planned Unit Development".		None
10/9/1972	Approval of additional temporary tennis courts adjacent to those in existence.		None
3/5/1973	Town notifies Flagler System that they are exempt from building moratorium.		Applies to Tract 2 (=1970 Phase 1)
10/24/1973	Notification to Flagler System from Town that "revised 'Appendix C', dated April 11, 1972, is acceptable in lieu of the same Appendix previously submitted and approved with the proviso that the number of parking spaces indicated on the revised 'Appendix C' appears to be inadequate in light of the Ordinance parking requirements."		Applies to Tract 2. Reduces dwelling units from 128 to 100 and net density from 30 DU's per acre to 23 DU's per acre; decreases parking spaces from 273 to 211.
March 1974	Town adopts new Zoning Ordinance (Ordinance 2-74) in March. Florida Supreme Court voids previous Zoning Ordinance which was Ordinance 3-70.		Supplemental Agreement notes that Flagler System has submitted an application for final approval for the residential portion of Phase 1 of the PUD.
6/10/1974	Building permit issued to demolish four of the Breakers' cottages	Permit # 505-74	
6/28/1974	Application filed for final approval of Phase 1 (Residential) of PUD	Previously granted tentative approval under resolution #6-71, as amended by resolution # 9-72	No public hearing required for this approval
9/10/1974	Declaration of Restrictions addresses	ORB 2380; Page	Restricts open space use (golf

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
	open space protection in PUD.	1986-1989	course) for 30 years from 9/10/74. Open space totals 91.3 acres exclusive of roadways.
9/10/1974	Supplemental Agreement		Ratifies and affirms agreements reached and embodied in Application for Tentative Approval of Planned Unit Development Zoning, as amended by revised Appendices "B" and "C" dated 4/11/72, and as further amended by Resolutions #6-71 and 9-72, and confirmed by Ordinance #2-74
9/10/1974	Resolution of Town Council amending Resolution 6-71 and Resolution 9-72 and authorizing the execution of an agreement between Flagler System and the Town.	Resolution 13-74 Amends 6-71 and 9-72 Clarification as to governing resolutions; ratified resolutions 6-71 and 9-72	This Resolution specifically references the previously described "Supplemental Agreement" which essentially vested the project after the voiding of the previous Ordinance 3-70 and the adoption of the Town's new Zoning Ordinance 2-74. The concern had been that previous PUD approvals may be invalid since they were based upon a Zoning Ordinance which was later found to be unconstitutional.
9/10/1974	Ratification Agreement		Apparently approved by Town Council. Ratifies prior resolutions in light of the determination by the Florida Supreme Court that Zoning Ordinance #3-70 was unconstitutional
9/10/1974	Variance to construct additional tennis courts adjacent to and west of existing tennis courts.	Variance 27-74	Approved by Town Council.
10/2/1974	Variance of from the setback provisions of F.S. 161.052 for construction of a seawall, beach access stairs, and condominium building	File 74-75-V-26	Approved by State of Florida, DNR
10/8/1974	Petitioner appears before Town Council requesting approval of		Request approved by Town Council.

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
	modification of Phase 1 Residential Plan. Request was to move residential building so that it has a 20 foot front yard setback from Breakers Row rather than a 25 foot setback.		
11/19/1974	Flagler System requests amendment for hotel parking for Phase 1.		Parking arrangements proposed would provide a total of 656 spaces for hotel support in conjunction with development of Phase 1 apartments.
12/19/1974	Building permit for the construction of 4-building 88-unit apartment complex	Permit # 1254-74	Included underground parking for 194 cars
1/6/1975	Declaration of Restrictions recorded	ORB 2380 Pg 1986	Land platted as "open space" must remain in that use for 30 years
1/9/1975	Proposal for commercial building in Phase 1 at southeast corner of intersection of Coconut Row and Royal Poinciana Way.		None
2/7/1975	Approval by Building Official of plan for 88 unit apartment building on Tract 2 of Plat 1 subject to 2 conditions.	Building Permit 1254-74	Refers to Tract 2.
4/25/1975	Application for final approval of PUD plan for Phase 1 commercial.	Resolution 6-71 as amended by Resolution 9-72 which granted tentative approval	Application contained the following: Schematic drawings for Phase 1 commercial. Boundary and open space plat for entire Breakers property delineating areas for Phase 1 through 10 and also indicating that open space has not been included with application since the plat was filed with the application for final approval of Phase 1 residential. Covenants guaranteeing retention of open space have not been included. This application is for final approval of Phase 1 residential. Plat of Parcel 4, Phase 1 (commercial).

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			Should also be noted that request for final PUD approval for Phase 1 commercial included variance requests to increase parking for 416 spaces to 466 spaces. Request also "modifies the configuration of the north/south roadway serving the new residences".
6/10/1975	Request for final approval of Planned Unit Development Phase 1 commercial which is a CA zoned tract located on Tract 11 of Plat 1.		This references Tract 2. Approval includes only 62,600 square feet of covered floor area plus at-grade automobile parking.
6/10/1975	Town Council considered variance application which approved planned revision for roadway and parking facility.	Variance 23-75	Approved by Town Council.
6/10/1975	Town Council considered request for final approval of Phase 1 Commercial		Approved by Town Council, for 62,200 SF plus an at-grade parking lot facility
7/15/1975	Request for coastal construction permit from State of Florida DNR for rock rubble "T" head on existing groin	File BBS-75-6	Approved by DNR
1/13/1976	Request for modification of PUD Agreement to locate a replacement toilet facility building between the existing 11 th and 12 th fairways.		Approved by Town Council.
6/11/1976	Application for a variance to install awnings inside existing concrete framework over 16 penthouse terraces for Breakers Row apartments, 1 North Breakers Row (Tract 2 of Breakers Row Plat 1).	Variance 32-76	Approved by Town Council.
12/14/1976	Request for extension of time to commence construction of Phase 1 commercial approval which was granted on 6/10/75 for an additional 18 months.		Tract 2. Approved by Town Council for 18-month extension.
9/20/1977	Plans and specifications filed for Phase 2 residential.		None.
11/8/1977	Final approval of request for Phase 2 residential.		Request approved by Town Council subject to a number of

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			conditions including: • Extension of Royal Poinciana way • Any future development of Tract 7 Plat 1 will show reduction of 10 or more dwelling units
12/13/1977	Variance request to increase site coverage of existing apartment buildings by installation of awnings.	Variance 57-77	Denied by Town Council.
6/13/1978	New request for time extension for commencement of construction of Phase 1 commercial.		Approved by Town Council; new deadline for commencement of construction December 10, 1979.
5/8/1979	Modification of PUD approval for the following items: Extend deadline for Phase 2, Tract 1 from May 8, 1979 to November 8, 1980. Extend deadline for filing for final approval of Phase 3 from October 25, 1979 to April 25, 1981. Extend deadline for implementing Town Council approval of Phase 1 "CA" from December 10, 1979 to December 10, 1981.		Item #1 applies to Phase 2, Tract 1. Item #2 applies to Phase 3, Tract 4. Item #3 applies to Phase 1 "CA" Tract 2.
5/8/1979	Request for special exception and zoning variance for property known as 45 Coconut Row to move Old Guard Society of Palm Beach Golfers, Private Club from main Breakers Hotel to building known as 45 Coconut Row; also request a variance to provide a portion of required parking across the street at Royal Poinciana Chapel.	Special Exception 11-79 with variance	Approved by Town Council subject to the provision of at least 20 parking spaces on site
7/10/1979	Permission to modify PUD to permit the construction of 2 additional		Approved by Town Council.

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	tennis courts immediately north of and adjacent to existing tennis courts in Tract 10, Plat 1.		
10/31/1980	Application filed with Town to revise the entire remaining phases of the PUD		As of October 1980, approval allowed 471 new dwelling units which, when added to the equivalent conversion of commercial space and hotel uses, to a total of 954 dwelling units as defined under ordinance #9-72. Only 89 units constructed to date. 6.3 acre commercial site approved on NW corner of property.
11/11/1980	Time extension to commence Phase 2, Tract 1		Extended by Town Council from November 8, 1980 to April 25, 1981
3/13/1981	Extension of License Agreement re trash transfer facility		Extended to April 14, 1983
3/18/1981	Preliminary conceptual approval by Town Council of application filed 10/31/80		Included abandonment of commercial approval at NW corner of property, to be replaced by no more than 150 density units
7/14/1981	Tentative approval for "comprehensive modification of the Planned Unit Development Agreement previously referenced"; including agreement for partial Landmarking of Breakers Hotel; carried forward Condition 3 of Resolution 9-72, 1980 modification approved statement of planning criteria and appendices and adopted open space Condition 3 of Resolution 9-72	Resolution 10-81 amends 6-71, 9-72, and 13-74	Included conditions relating to: • Revised open space plat • Condition 3 of Res. 9-72 is specifically still in 'full force and effect...' • Provision of utility easements and facilities, including certain traffic improvements • Compliance with Town codes including fire codes • Prohibition against time sharing Attachments included Appendix "H" which is a schedule of future development* . Adopted Red Book & Appendices
1981	Agreement (unsigned) between		Agreement references an

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	Town of Palm Beach and Flagler System, Inc., relating to the resolution of Landmarking of Breakers Hotel.		Exhibit "A" which fully describes the portion of the hotel that is subject to Landmarking.
9/15/1981	Request for special exception for auto rental facility at hotel.	Special Exception 10-81	Approved by Town Council. Limited to 15 rental cars. Must be operated by hotel employees, and cars must be rented only to hotel guests
1/5/1982	Amended list of drawings and exhibits for the Breakers Planned Unit Development filed with Town.		The document contains extensive lists of drawings, including many revised in 1981. Also included are several other exhibits, including a 57-page bound booklet entitled, <i>Modification of Planned Unit Development Agreement, 1980 Modification</i> .
2/23/1982	Letter to Town from Flagler System indicating that Resolution 10-81 as passed by Town Council on July 14, 1981 "is satisfactory and the conditions set forth therein are acceptable".		Flagler System attorneys contend that modification to the Breakers PUD (Resolution 10-81) became effective on February 25, 1982 when Flagler notified the Town that the conditions of Resolution 10-81 were satisfactory and acceptable.
3/26/1982	Letter to Town Attorney from Landmark Preservation Commission.		References Landmark status of hotel as being tied to final adoption of Resolution 10-81.
8/9/1983	Amended Declaration of Restrictions supersedes Breakers Row Plat 1; required by Condition #1 of Resolution No. 10-81	Exhibit "C"	Supersedes Declaration Of Restrictions filed September 10, 1974; relates to use of open space
9/8/1983	Agreement ratifying Resolution No. 10-81		Also accepts conditions in Resolution No. 10-81 and accepts the landmark designation of a portion of the property
9/8/1983	Landmark Designation Agreement	Exhibit "B"	Included legal description of "sight easement" and façade of hotel. Legal description goes all the way to the Atlantic Ocean
9/9/1983	Flagler System requests final approval/site plan review for the portion of Breakers PUD known as		Proposed plans include reduction in number of condominium units from 78 to

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	"Priority 3" under provisions of Section 7.35 of Town Zoning Ordinance. Agreement with Town to be bound by Res. 10-81		48, reduction in number of PD equivalent dwelling units from 79.7 to 52.1, and decreases in other property development criteria. Makes September 9, 1983 first day of timetables under Res. 10-81*
9/13/1983	Final approval including site plan for Priority #3, northeast corner, known as Two Breakers Row		Approved by Town Council
10/11/1983	Resolution of Town Council ratifying landmarking of hotel	Resolution 34-83	Resolution notes that a parking structure will be constructed within the sight easement
10/12/1983	Amended Declaration of Restrictions	ORB 4073 Pg 0814	Supersedes Declaration of Restrictions recorded January 6, 1975. The portion of the property designated as "open space" in the replat shall be used only as golf course, park or other open space use "as shall be determined in the sole discretion of Declarant" for a period of 30 years commencing 3/18/81 or as long as property is zoned PUD
10/17/1983	Certificate of Notification of Designation of Certain properties as Landmarks		Ratifies landmarking per Resolution 34-83
12/1/1983	Breakers Row Plat #1 – Replat	P.B. 46 Pg. 188	Describes entire PUD
1/10/1984	Special exception authorizing relocation of Sea Gull Cottage from Breakers Hotel property to Royal Poinciana Chapel property.	Special Exception 1-84	Approved by Town Council.
4/11/1984	Certificate of Appropriateness for receiving dock and receiving courtyard areas	C of A 4-84	Approved by Landmarks Preservation Commission
1/10/1985	Certificate of Appropriateness for rehabilitation and additions to Breakers Hotel	C of A 2-85	Approved by Landmarks Preservation Commission
6/18/1986	Agreement to extend Priority 2 (Lanai Suites) from September 9, 1989 to September 9, 1998.	PB 4949 Pg 1163	Amends 9/8/83 Agreement
3/30/1989	Extension of License Agreement for trash transfer facility		Extended to April 14, 1991

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Fall 1989	Breakers PUD Amendment Request filed		
1/22/1990	Request for adjustment to several aspects of PUD.	Resolution 17-90 amends 6-71, 9-72, 13-74, and 10-81 ORB 6413 Pg 735	Approval included coffee shop, tennis court lighting, additional retail space, tennis shop, retention of golf course through 2019, lease of Pine Walk transfer station through December 31, 1997, renegotiable transfer of development units, road improvements, drainage improvements.
3/30/1990	Agreement implementing Resolution 17-90	ORB 6413 Pg 732	Accepts the conditions in Resolution No. 17-90
Fall 1991	Breakers PUD Amendment Request filed		Request to amend Resolution 17-90 to provide more time for its implementation, and to amend Resolution 10-81 to provide for rephrasing the project
2/11/1992	Request for approval for changes to several developments within PUD.	Resolution 6-92 Amends 6-71, 9-72, 13-74, 10-81 and 17-90	Extended Pine Walk transfer lease to December 31, 2012, renegotiate transfer and road drainage issues prior to 1996-1997 zoning season hearings; internal drainage; revised priority development schedule. As part of the approval, Breakers was required to address three issues: 1) storm drainage; 2) possible elimination of commercial at NWC; and 3) give Town perpetual rights to waste transfer facility. Included PUD Schedule of Development, Appendix "H" to Exhibit 11 of Resolution # 10-81.
2/19/1992	Agreement ratifying Resolution 6-92	ORB 7235 Pg 536	Accepts the conditions in Resolution No. 6-92
11/25/1995	Certificate of Occupancy for renovations to 63 rooms in south wing and elevators	COA # 65-95	
2/29/1996	Letter from Jim Brindell, signed by Bob Moore re coffee shop/retail		Clarifies Modifications 1 and 3; attached Exhibit "A" shows total of 10,307 SF existing and proposed ground level retail & food and beverage uses, main

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			hotel south wing as of 11/1/96
6/18/1996	?		Resolution No. 10-01 references a revision to the 'binding agreement' on this date but none was found in Gunster records
9/10/1996	Letter from Jim Brindell, signed by Bob Moore re Centennial Dining Room		Acknowledges that 48 dining room seats and 250 SF of kitchen space may be temporarily relocated from Florentine Dining Room to Centennial Dining Room in Old Guard Building
9/13/1996	Application filed for PUD Amendment		Extend certain time periods to re-negotiate several important matters with Town, and to establish timing for drainage improvements
3/2/1997	Request to modify PUD	Resolution 1-97 amends Res. 17-90	Modifications to coffee shop, tennis court lighting, additional retail space, new tennis facility, maintenance of golf course as green space through 2019, lease of Pine Walk Transfer Station, requirements for renegotiation, and postponement of road and parking improvements. Also amended Appendix "H" to Exhibit #11 of Resolution 10-81, re PUD schedule.
? 1997	Agreement ratifying Resolution No. 1-97		Should be one but none found in Gunster records
8/25/1997	Letter from Jim Brindell, signed by Bob Moore, re addition of 22 seats to Centennial Dining Room		
9/5/1997	Application filed to amend Breakers PUD		Request to renovate the Beach Club facilities, enlarge the Starlight Ballroom, and modify certain PUD conditions
2/9/1998	Request to modify PUD	Resolution 1-98 amends 1-97	Modification to lease of Pine Walk Transfer Station, requirements for renegotiation, postponement of certain road and parking improvements, demolition and reconstruction

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
			of Starlight Ballroom Addition and Beach Club, requirement for additional off-street parking spaces, and on-site parking and traffic circulation management. Per Modification #9, 11,621 SF of accessory hotel space retained for possible later use.
2/9/1998	Site Plan Application to construct a new approximately 20,000 square foot Beach Club and approximate 15,000 square foot Starlight Ballroom and 8,000 square feet of pre-function area. Condition approval was also for approximately 13,500 square feet of storage in kitchen area and associated parking (including a 250 space temporary parking lot located on the northwest corner of the PUD).	Site Plan Review 1-98	4 conditions of approval were included, mostly related to traffic and circulation matters.
3/11/1998	Agreement between Town of Palm Beach and The Breakers Palm Beach, Inc.	ORB 10309; Page 740-744	The essence of the agreement is that "The Breakers hereby accepts the conditions set forth in the Town's Resolution 1-98".
7/19/1999	Certificate of Occupancy for Starlight Ballroom addition and new Beach Club	COA # 55-99	
2/7/2000	Amend PUD to redesign golf course and include a golf and tennis clubhouse west of South County Road	Resolution 3-00 amends 1-98	Modification to conditions re maintenance of golf course as green space through 2025, lease of Pine Walk Transfer Station, requirements for renegotiation, and golf and tennis clubhouse with related facilities. Also amended commencement dates for remaining development to be consistent at December 31, 2025
1/11/2000	Site Plan Review with Special Exception request to redesign golf course and tennis court layout and construct a three-level 40,549 square foot golf and tennis clubhouse.	Site Plan Review 1-2000 w/Special Exception	Approval was granted for new golf and tennis complex and included several conditions of approval.
3/22/2000	ARCOM review of new golf & tennis clubhouse	B9-00	approved
4/12/2000	Agreement ratifying Resolution 3-00		Accepts the conditions in Resolution No. 3-00

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
6/5/2000	Letter from Jim Brindell, signed by Bob Moore re adjustments to golf course layout		
9/27/2000	ARCOM review of golf course border landscaping west of South County Road	B52-00	Approved
2/5/2001	Amend PUD to allow opportunity to request redistribution of residential units from west side of County Road to other locations within the PUD	Resolution 10-01 amends 3-00 ORB 12541 Pg 98	Modification to condition re requirement for renegotiation; applicant may relocate up to 149 dwelling units from Priority Areas 1, 7, 8, and 9 to areas west of County Road and/or within Priority Area 1 subject to PUD Master Plan amendment. May apply for same no later than the 2023-2024 zoning season.
4/19/2001	Agreement ratifying Resolution 10-01	ORB 12541 Pg 94	Accepts the conditions in Resolution No. 10-01
12/10/2001	Certificate of Occupancy for south ocean tower alteration for hotel	COA # 90-01	
1/8/2002	Authorizing ad valorem tax exemptions for work at the hotel (south tower)	Resolution 6-02	Contained faulty legal description
2/13/2002	Certificate of Occupancy for renovation of Dallas Rooms, 1 st and 2 nd floors	COA # 84-99	
6/11/2002	Site Plan Review with Special Exception to relocate 55 parking spaces from front driveway, reconfigure front driveway/parking landscape area, relocate balustrades at hotel entrance in order to add additional valet lanes, construct security gatehouse on main driveway, construct approximately 338 square foot service quarter adjacent to the Circle Dining Room; add porte cochere and covered walkways to the south entrance of the hotel and relocate 21 parking spaces from new porte cochere to existing parking area west of Beach Club. Also Special Exception to expand hotel with above improvements.	Site Plan Review 5-2002 w/Special Exception	Approved by Town Council.

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6/11/2002	Amends Resolution 6-02 so as to amend the legal description of the property referenced therein	Resolution 40-02	Amends legal description in the tax exemption covenant to include only the hotel building where the work was done
2/20/2003	Certificate of Completion for renovations to North Ocean Tower		
2/20/2003	Certificate of Completion for renovations to Ocean front meeting rooms, corridors, and mezzanine mechanical room		
2/20/2003	Certificate of Approval and Occupancy for two new 1-story accessory buildings (gatehouse and bathrooms)	COA # 10-03	
4/16/2003	Certificate of Appropriateness for renovation of Venetian Ballroom	C of A #10-2003	Approved with a number of conditions
9/9/2003	Special Exception to construct a 1-story 697 SF golf instruction and storage building on the driving range, as well as a paved employee walkway along the north side of the hotel	Special Exception #20-2003	Approved by Town Council.
2/15/2005	Modification to PUD Master Plan to redesign the Beach Club Cabanas and related facilities.	Resolution No. 4-05 amends 3-00* *note- WHEREAS clause should have included Res. 10-01 but did not	Deletes previous Modification #4 re new tennis facility, to be replaced by Modification #10; erroneously carries forward language from Modification #7 of Resolution 3-00 instead of revised #7 from Resolution 10-01 ; minor modifications to Modification #10 re golf and tennis clubhouse and related facilities; adds Modification #12 re new cabanas and related facilities

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
2/15/2005	Site Plan Review, Special Exception, and Variance request for approval of the new cabana project	Special Exception 6-2005 with Site Plan Review and Variance	Variance (for seawall height) withdrawn. Conditions of approval re required fire hydrant and construction traffic restrictions
5/10/2005	Modified lighting plan reviewed by Florida Fish and Wildlife Conservation Commission for cabana project	PB-804	Approved with several conditions
8/12/2005	Building permit for awning for valet parkers	P #8078272	
August 2006	Approval for golf clubhouse awnings		
11/14/2006	Special Exception with Site Plan Review to renovate the old golf clubhouse including a lounge for spa and beach club employees, create new offices on the second floor, and awnings on the new club house and for valet parkers	Special Exception 9-2006 with Site Plan Review	No conditions of approval
7/14/2010	Revised Modification #7.a. to restore the language from Resolution 10-01 re relocation of units to the portions of the PUD west of County Road	Resolution #70-10 Amends Res. 4-05	Application to be filed no later than 2024
10/27/2010	ARCOM review of request to demolish old golf clubhouse building and associated parking lot, AKA the Old Guard Building, 45 Cocoanut Row	B-051-2010	Approved by ARCOM; to be replaced by sod and landscaping; later ratified by Town Council
9/11/2012	Town Council review of request to demolish and rebuild two of the five existing maintenance buildings on the west Pine Walk	Site Plan Review #9-2012 with Special Exception	Approved by Town Council; ARCOM approved administratively
5/15/2013	Town Council review of requested improvements to pool areas on southeast portion of hotel property	Special Exception #8-2013 with Site Plan Review	Approved by Town Council. Included gazebo bar, kiddie pool, jacuzzis, and pavement
June 2013	State of Florida Department of Business and Professional Regulation extension of hotel's alcohol license to include gazebo bar		Approved
8/24/2013	ARCOM review of proposed new railings, awning	A-028-2013	Railing not approved; awning approved
9/25/2013	Administrative Site Plan Review of Flagler Steakhouse awning expansion		Approved by staff
12/11/2013	Modify hotel amenity by expanding the existing playground	Special Exception #20-2013 with Site	Approved by Town Council

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		Plan Review	
2/12/2014	Amend Resolution 70-10 by adding 4,559 square feet of accessory hotel space to the Beach Club for construction of a fitness center. PUD amendment.	Resolution No. 11-2014	Changes to Modification #9 re the Beach Club, adding 4,559 gross square feet/4,190 net (A/C) square feet to construct a new fitness center on the second level of the existing Beach Club building on the Ocean Terrace. The previous 11,621 square feet of accessory hotel space is reduced by 4,190 to leave approximately 7,341 square feet for future use by further amendment to the PUD.
2/12/2014	Special exception and site plan review to construct a new beach access ramp and to replace the 1,588 square foot pavilion on the second level of the Beach Club building with a 4,559 square foot (gross) 4,190 square foot (net, A/C) structure for a new fitness center, and associated elevator.	Special Exception #1-2014 with Site Plan Review	The beach ramp replaces a similar structure which was destroyed by a hurricane. The existing spa functions on the first floor of the Beach Club will be expanded into the previous fitness center space.
3/26/2014	Agreement finalized between Town of Palm Beach and The Breakers documenting acceptance of Resolution 11-2014.		Agreement required by Town's PUD ordinance
12/10/14	Special Exception with Site Plan Review to add awning to pergola east of spa; variance to demolish and reconstruct existing entry fountain	Special Exception #27-2014 with Variance	Approved by Town Council
12/17/14	LPC approval for awning and fountain	COA-053-2014 and 057-2014	
2/11/15	Request approval of: • Four awnings totaling 1,714 s.f. in golf maintenance area at west end of Pine Walk • Renovations to east side of spa building to enclose 614 s.f. of additional space, and redesign of courtyard • Vehicle gate just east of crosswalk near south porte-cochere	Special Exception #1-2015	Approved by Town Council, subject to the requirement that the vehicle gate be opened for overflow parking during large events.

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9/9/15	Request approval of: • Flagler Club Terrace awning structure • Demolish smoke-stack and expand engine room, including 600 KW generator • Add 720 s.f. cooling tower • Add three access control gates on Ponce Promenade	Special Exception #24-2015 with Site Plan Review	Combo project included Landmarks (LPC) review. Approved by Town Council.
9/16/15	LPC approval of aspects of S.E. #24-2015 under their jurisdiction	COA 2015-034	
11/12/15	Request approval of: • Ponce loading dock expansion, including new awning • Service elevator in southeast corner of Mediterranean Courtyard • 900 KW generator in place of 600 KW generator in engine room expansion • Two service pavilions on front croquet lawn west of hotel	Special Exception #31-2015 with Site Plan Review	Approved by Town Council except for service pavilions on west lawn, which were deferred. That part of request was later withdrawn due to LPC objections.
3/9/16	Request approval to demolish building #4 at the maintenance complex on Pine Walk (2,726 square feet) and replace it with or 3,581 square foot building.	Special Exception #5-2016	Approved by Town Council
4/27/16	Request ARCOM approval to repair the chimneys at Spray Cottage	A-016-2016	Approved by ARCOM
5/11/16	Request approval to amend Resolution No. 11-2014 (PUD-A) by extending the commencement of development date for 251 dwelling units, extending the date by which 149 dwelling units may be relocated, extending the date upon which the golf course must remain open space, and extending the date of the lease of the Pine Walk Transfer Station.	Resolution No. 60-2016	All dates extended to December 31, 2049 or December 31, 2050.

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
3/15/17	Request Special Exception with Site Plan Review approval to add a 3,000 gallon emergency generator fuel tank just north of the service court, and two service pavilions on the 'croquet' lawn southwest of the main hotel entrance.	Special Exception No. 04-2017 with Site Plan Review, and COA No. 08-2017	Approved by Town Council, including official recognition by Council of ongoing use of the lawn area for outdoor functions
5/10/17	Request Special Exception with Site Plan Review approval to construct a new 404 s.f. retail shop (Mary Lily's) in the Palm Court, and to expand the existing seafood restaurants from 4,330 s.f. to 6,111 s.f. and from 140 seats to 177 seats.	Special Exception #12-2017 with Site Plan Review	Approved by Town Council
12/13/17	Request Special Exception with Site Plan Review to expand seating capacity at Seafood Bar restaurant by an additional 53 seats in 6,111 s.f. restaurant, for a total of 230 seats.	Z-17-00044	Approved by Town Council
1/10/18	Request Special Exception with Site Plan Review to make changes and improvements to The Breakers golf course. Also enlarge golf training facility from 697 s.f. to 2,366 s.f., and replacement of existing free-standing bathroom building of 250 s.f. with a new bathroom building of 267 s.f.	Z-17-00055	Approved by Town Council
6/13/18	Request for extended work hours for golf course project		Approved by Town Council
9/12/18	Request Site Plan Review and Special Exception to add awnings in the renovated golf course	Z-18-00126	Approved by Town Council
9/21/18	Request Landmarks Presentation Commission approval for revised ramp on south side of south lawn pavilion building	COA-040-2018	Approved by Landmark Preservation Commission
10/18/18	Request Administrative Site Plan approval for changes to ramp of south lawn pavilion		Approved and stamped by Town of Palm Beach
05/15/19	Request for site plan review with special exception approval to construct a new security guardhouse and gates, to re-align Breakers Row, and to add a landscaped island on the south side of the proposed guardhouse at North Breakers Row.	Z-19-00187	Approved by Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
02/12/20	Request for zoning text amendment to add hotel and golf course as permitted uses in PUD-A zoning district and to allow for staff approval of site plans consisting of less than 2,500 square feet	Ordinance 1-2020	Approved by Town Council
08/11/21	Request for extension of existing golf course awning, which was denied by ARCOM on July 28, 2021, but approved on appeal by Town Council on August 11, 2021	A-051-2021	Appeal granted by Town Council
02/15/23	Request for new fencing and gates, which was approved by LPC on January 18, 2023, and by Town Council on February 15, 2023	COA-22-008 ZON-23-001	Approved by LPC and Town Council
10/11/23	Request for modifications to existing Tennis Centre to change 10 tennis courts to 6 hydrocourts, 2 hard courts, 4 grass courts, and 2 pickleball courts, which included PUD amendment approval by Town Council on May 10, 2023 (Resolution No. 043-2023). Project was partially approved by ARCOM on May 24, 2023, fully approved by ARCOM on September 27, 2023, and approved by Town Council on October 11, 2023	Res. No. 043-2023 ARC-23-057 ZON-23-049	PUD Amendment approved by P&Z and Town Council. Project approved by ARCOM and Town Council
07/17/24	Request for the renovation of the Mediterranean Courtyard, including the addition of two (2) new structures within the courtyard, which was approved by Town Council on April 10, 2024, and approved by the LPC on April 17, 2024. LPC approved the tax abatement application on July 17, 2024	ZON-24-054 COA-24-013 LTA-24-0001	Approved by LPC and Town Council
07/17/24	Request for modifications to the hotel's main drive and port-cochere entrance, which was approved by Town Council on July 10, 2024, and approved by the LPC on July 17, 2024	ZON-24-0019 COA-24-0005	Approved by LPC and Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
09/28/24	Request for modifications to the previously approved new Tennis Centre (ARC-23-057 & ZON-23-049), to include the addition of two (2) new padel courts, which included PUD amendment approval from Town Council on (Resolution No. 073-2024). Project was approved by Town Council on August 12, 2024, and approved by ARCOM on August 28, 2024	Res. No. 073-2024 ZON-24-0027 ARC-24-0049	PUD Amendment approved by P&Z and Town Council. Project approved by ARCOM and Town Council

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Development Review - New Business

Agenda Title

ZON-24-0089 (ARC-24-0116) 1 S COUNTY RD (BREAKERS BEACH CLUB) COMBO — SPECIAL EXCEPTION AND SITE PLAN REVIEW.

The applicant, Breakers Palm Beach Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for modifications to an existing food and beverage operations (Beach Club restaurant). The Architectural Commission shall perform design review of the application. *[The PUD Amendment was not transmitted by the Planning & Zoning Commission on Feb. 4, 2025, and will be considered at the March 6, 2025, Planning & Zoning Commission meeting.]*

3:30PM TIME CERTAIN

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Letter of Intent**
- ▣ **Plans**



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
www.townofpalmbeach.com

PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Town Council and Architectural Commission

FROM: Wayne Bergman, MCP, LEED-AP
Director PZ&B

SUBJECT: ZON-24-0089 (01/27/25)—THE BREAKERS BEACH CLUB

MEETING: FEBRUARY 12, 2025 TC
FEBRUARY 26, 2025 ARCOM

ZON-24-0089 (ARC-24-0116) 1 S COUNTY RD (BREAKERS BEACH CLUB) COMBO — SPECIAL EXCEPTION AND SITE PLAN REVIEW. The applicant, Breakers Palm Beach Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for modifications to an existing food and beverage operations (Beach Club restaurant). The Architectural Commission shall perform design review of the application.

ARC-24-0116 (ZON-24-0089) 1 S COUNTY RD (BREAKERS BEACH CLUB) (COMBO). The applicant, Breakers Palm Beach Inc. (Alex Gilmurray), has filed an application requesting Architectural Commission review and approval for exterior modifications to the east façade of the dining facility, specifically enclosing the existing covered loggia for interior dining space with a new glass windows and doors. The Town Council shall review the application as it pertains to zoning relief/approval.

Applicant: Breakers Palm Beach Inc
Professional: Dailey Janssen
Representative: Jamie Crowley

HISTORY:

As part of the Breakers current projects, Resolution 06-2025 will need to be adopted. The site plan presented as part of this application demonstrates the need to alter the existing PUD plat and therefore requires a PUD replat prior to the issuance of a permit.

At the February 04, 2025 Planning and Zoning Commission meeting, the Commission will hear the proposed PUD resolution.

THE PROJECT:

The applicant has submitted plans, entitled "The Beach Club Restaurant at the Breakers", as prepared by **Dailey Janssen**, dated and uploaded to the Town on 01/27/25.

The applicant is proposing the following scope of work at the property:

- Exterior and interior modifications to the existing restaurant, including enclosing approximately 1,805 SF covered area of the loggia.

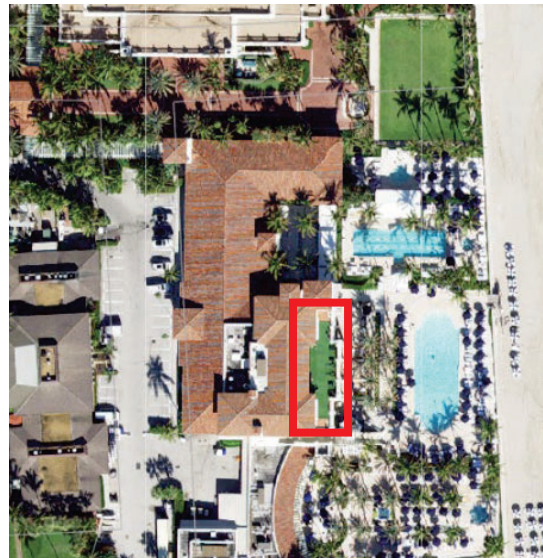
The following Special Exceptions with Site Plan Review is required for completion of the project as presented:

- **SPECIAL EXCEPTION #1** Sec. 134-226 through 229, Special Exception Sec. 134-326 through 330, Site Plan Review Special Exception with Site Plan Review approval to for modifications to an existing food and beverage operation.

Site Data			
Zoning District	PUD-A	Future Land Use:	APPROVED PUD
Licensed seats	340	Proposed Seats	264
Surrounding Properties			
North	Breakers Hotel Residences		
South	Breakers Hotel		
East	Atlantic Ocean		
West	Breakers Hotel Golf Course		

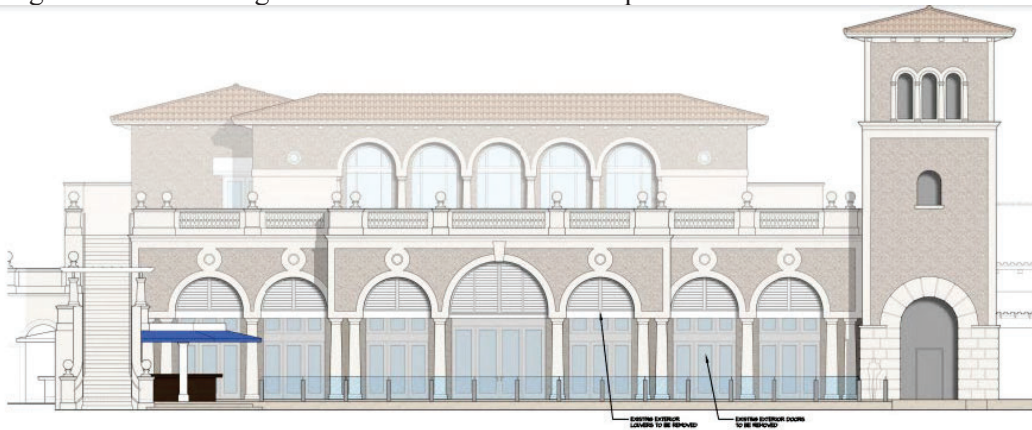
STAFF ANALYSIS

The Breakers is a 534 room landmarked hotel situated on 140 acres on the Atlantic Ocean. The resort contains many leisure amenities including an 18-hole golf course, tennis facilities, and eight food and beverage operations within its expansive recreational campus. The Beach Club is currently located south of the hotel proper and along the ocean. The Beach Club at The Breakers Palm Beach was completed in March 1999, and remodeled in 2012. The facility is not open to the public, but caters rather to hotel guests, spa attendees and members. The Beach Club is currently approved and licensed (BTR-23-00114) for 340 seats. The proposal does not seek to increase that number, as the site plan indicates seating for 236. There was no documentation of any proposed operational changes (enclosure of covered loggia), hours (dinner service) or access (public vs. members) submitted; and if this proposal did wish to amend that, a separate application would need to be filed seeking Town Council review and approval as a Special Exception and may be subject to a DOUA.



The proposal is for modifications to the existing ground floor, beachfront restaurant, The Beach Club. Most notably, exterior modifications to the east façade of the dining facility, specifically enclosing 1,805SF existing covered loggia for interior dining space with a new glass windows and doors. to enclose with a glass storefront system the existing outdoor covered loggia dining space into enclosed air-conditioned space. The existing east dining terrace will continue to be utilized for outdoor dining space. The outdoor bar will be reconfigured into a service bar for the dining terrace, and no longer be used directly by guests, and there will be no customer seating at this bar. The north roof of the bar will be removed and the footprint of the bar will be reduced in size.

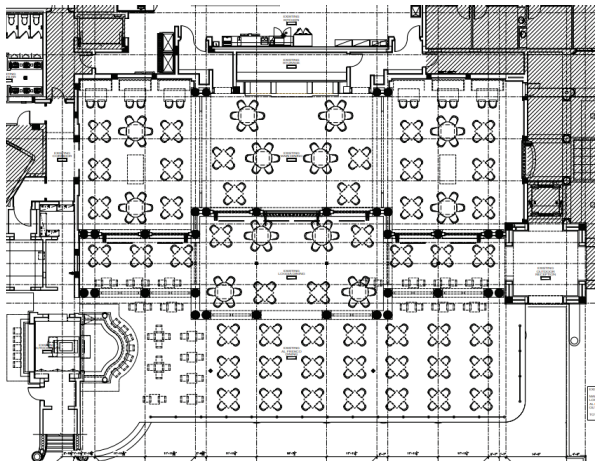
Due to the scope of work, the site plan review may qualify as an administrative site plan review under Section 134-622, which allows for administrative review for additions under 2,500 SF; however, due to the PUD amendment and the other two more substantial applications currently pending, all matters were grouped on the same agenda, albeit as separate applications. With regard to the design review of the project, the proposal was reviewed with the Chair, who determined that the magnitude of the changes merited full Commission input and review.



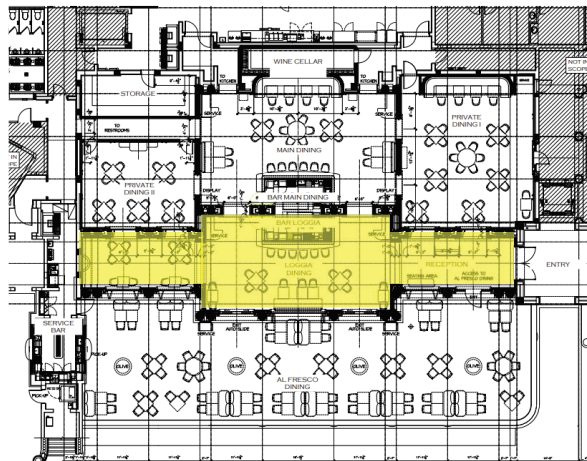
Existing east façade of Beach Club



Proposed east façade of Beach Club



Existing floor plan with seating



Proposed floor plan with seating plan

The applicant is proposing to install a new glass curtain wall system to the arched loggia the currently serves as covered seating. The proposal will increase the interior enclosed space by 1,805 SF but not increase the number of seats. The outdoor bar will be reconfigured into a service bar for the dining terrace, and no longer be used directly by guests, and there will be no customer seating at this bar. The north roof of the bar will be removed and the footprint of the bar will be reduced in size. Other minor modifications include a new glass railing, and new paving tiles. The proposal will not impact any abutting properties and is not visible from any right-of-ways.

CONCLUSION:

Approval of the project will require two (2) separate motions to be made by the Town Council:

- (1) For the Special Exception for the restaurant use.
- (2) For the Special Exception for the outdoor café seating.

Approval of the project will require one (1) separate motion(s) to be made by the Architectural Commission:

- (1) for the overall design of the project in accordance with Sec. 18-205 criteria, subject to any imposed conditions.

WRB:JGM

January 27, 2025

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

Re: LOI for 1 S County Rd – Beach Club
Zoning Case #: ZON-24-0089 / ARCOM Case #: ARC-24-0116

We are pleased to submit the accompanying documents and drawings in connection with our application for approval of the “Beach Club” project (the “Application”) within the Breakers Hotel property at 1 South County Road, Palm Beach, FL (the “Property”).

The scope of work for this project is very limited in nature. We are proposing to enclose the east loggia of the beach club restaurant with new impact resistant windows and doors on the east façade. This modification will convert 1,805 square feet of existing exterior dining space to air-conditioned dining space. The existing east dining terrace will continue to be utilized for outdoor dining space. The outdoor bar will be reconfigured into a service bar for the dining terrace, and no longer be used directly by guests, and there will be no customer seating at this bar. The north roof of the bar will be removed and the footprint of the bar will be reduced in size. Additional improvements to the dining terrace include a new glass guardrail, new pavers, and new dining umbrellas. While the enclosed restaurant area will increase, the total number of restaurant seats will actually be reduced from 340 seats to 236 seats. All other operational elements of the restaurant will remain the same, including the type of restaurant, hours of operation and public access to the restaurant by hotel guests and club members.

As part of the ARCOM and Town Council review for approval of this project, please note the following:

1. Criteria for Development Order Approval
 - A. Architectural Commission review in accordance with Section 18-205.
 - (a) The architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction only after consideration of whether the following criteria are complied with:

- (1) The plan for the proposed building or structure is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm, and high quality.
- (2) The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.
- (3) The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.
- (4) The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan.
- (5) The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:
 - a. Apparently visibly identical front or side elevations;
 - b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
 - c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.
- (6) The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:
 - a. Height of building or height of roof.
 - b. Other significant design features including, but not limited to, materials or quality of architectural design.
 - c. Architectural compatibility.
 - d. Arrangement of the components of the structure.
 - e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
 - f. Diversity of design that is complimentary with size and massing of adjacent properties.
 - g. Design features that will avoid the appearance of mass through improper proportions.
 - h. Design elements that protect the privacy of neighboring property.

- (7) The proposed addition or accessory structure is subservient in style and massing to the principal or main structure.
 - (8) The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).
 - (9) The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
 - (10) The project's location and design adequately protects unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.
- (b) If the above criteria are met, the application shall be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria and shall be such as to bring such building or structure into conformity. If an application is disapproved, the architectural commission shall detail in its findings the criterion or criteria that are not met. The action taken by the architectural commission shall be reduced to writing, and a copy thereof shall be made available to the applicant upon request.
 - (c) A decision or order of the commission or the planning, zoning and building department director or his/her designee shall not become effective until the expiration of ten working days after the date upon which a ruling of the commission or the planning, zoning and building department director or his/her designee has been made.

The Project will be visually compatible with existing buildings and the environment of The Breakers as set forth below. The proposed modifications to the Beach Club venue at the Breakers Hotel will provide better climate controlled restaurant seating, and will actually result in the reduction of the seating for the restaurant from a maximum of 340 seats to 269 seats. The project as proposed will not physically alter the existing hotel buildings, and are consistent with the gross volume, width & height of the façades of the adjacent hotel buildings. The Beach Club area is screened from view from the street by other buildings on the property and significant landscaping, and given the large distance from South County Road to the Beach Club area, it will never be viewed from the roadway; therefore, the rhythm of the street will be unaffected by this project. The proposed project will not affect the architectural quality or historic character of the Breakers Hotel. The proposed modifications will meet all code requirements, and the proposed look, materials and color of the changes to the building have been designed to minimize the visual impact, and to blend into the existing structure; therefore, the modifications proposed are not too similar, nor are they too dissimilar to the existing nearby building or the other

buildings on the hotel property. The existing and recently approved perimeter landscaping will soften the appearance of all of the structures, which will allow for these structures to better blend into the Property and not draw attention.

B. Site Plan Review Approval in accordance with Section 134-329.

- (1) Sufficiency of statements on ownership and control of the subject property and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities, or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the town.
- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the town council the authority to reduce residential densities below that permitted by the use regulations in article VI of this chapter.
- (3) Ingress and egress to the property and the proposed structure thereof, with particular reference to automotive and pedestrian safety; separation of automotive traffic; traffic flow and control; provision of services and servicing of utilities and refuse collection; and access in case of fire, catastrophe or emergency.
- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.
- (5) Proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the property boundaries.
- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall town capacities.
- (7) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.
- (8) Recreation facilities and open spaces, with attention to the size, location, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the property, and relationship to communitywide open spaces and recreation facilities.

- (9) Such other standards as may be imposed by this chapter for the particular use or activity involved.
- (10) Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture.
- (11) Visible size and bulk. The proposed development should be so arranged that it minimizes the visible bulk of the structures to drivers and pedestrians on abutting roadways, the point of reference being the centerline of the abutting roadways, with the intent being to maintain visual impact of multistory buildings at the same relative level of intensity as a single-story building at the minimum required setback.

The Breakers has had permanent maintenance control over the entire property for a century, and will continue to maintain the Property to the standard that has made it a world class resort hotel and iconic landmark, and no portion of the Property will become a future liability for the Town of Palm Beach. The scope of the Project is limited to the Beach Club area, and no changes to the existing hotel building is proposed. There is no change in the intensity of use at the Property. The Project will therefore be in harmony and compatible with the existing uses at the Property and with adjacent uses. Existing ingress and egress, parking, stormwater, and utilities will remain unchanged. Given the vast size of the Property and the very specific scope and location of the Project, it is not anticipated that the Project will affect anyone outside of the Property.

C. Special Exception in accordance with Section 134-229:

I. Criteria:

- (1) The use is a permitted special exception use as set forth in article VI of this chapter.
- (2) The use is so designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected.
- (3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- (4) The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located.
- (5) The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.
- (6) The use will comply with all elements of the comprehensive plan.
- (7) The use will not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district.

- (8) Adequate ingress and egress to property and proposed structures thereon and off-street parking and loading areas will be provided where required, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- (9) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district.
- (10) Location, availability and compatibility of utility service for the use shall be satisfactory to ensure health and safety.
- (11) Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe.
- (12) In all districts except the C-OPI district, and also with the exception of hotel, motel and timeshare uses, the proposed special exception use will not attract the principal portion of its customers/clients from off-island locations. The applicant shall submit evidence satisfactory to the town council that not less than 50 percent of the customers of the proposed use will be town persons. Evidence submitted in support of this contention shall include credible data or information suitable for review by the town to determine the credibility and the appropriateness of the applicant's conclusion. The submittal shall include a description of the types of information used and the methodology employed to arrive at the conclusion. Information used shall include, but shall not be limited to, lists of customer/client addresses or certification thereof by an independent certified public accountant approved by the town, market studies prepared by independent professional firms, or data from similar operations under the control of the applicant. The town may in the future require the applicant to demonstrate to the satisfaction of the town council that the special exception use is continuing to be town-serving.
- (13) If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter.
- (14) The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations.

II. Justification for Special Exceptions Requested:

Though the zoning for the Property is PUD, this zoning district does not address permitted and special exception uses; therefore, the applicable code to use to address uses is the R-D(2) zoning district, which permits Hotel use as a special exception use, as well as accessory hotel uses and outdoor café seating.

The Special Exception for the accessory commercial uses to hotel uses is permitted within the PUD zoning district and will allow the modifications for further enclosed restaurant seating for the Beach Club restaurant, which will actually be a reduction in total restaurant seating from 340 seats to 236 seats. The additional indoor restaurant seating will provide hotel guests with a better and more comfortable dining experience. Furthermore, the reduction in overall seating will lessen the impact of the restaurant and will not adversely affect the health and general welfare of the public, nor will it adversely affect the movement of people within the hotel. Because the Beach Club is internalized within the hotel, it will not impact surrounding properties, which are a great distance from the hotel.

Attached is the site history for the Breakers Hotel property. We thank you for your consideration of our Submittal Package.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JMC', is centered below the text 'Sincerely,'.

James M. Crowley

JMC/jl

BREAKERS SITE HISTORY

The following is a detailed history of all zoning-related requests applicable to this property processed on or after January 1, 1970, in chronological order, including but not limited to variances, special exceptions, site plan reviews, and existing agreements, as well as ARCOM & LPC approvals.

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
3/25/1970	Town of Palm Beach adopts new Zoning Code. First reference to "PUD". Adopted amended zoning map by reference; Breakers shown as PUD	Ordinance 3-70	Ordinance later declared unconstitutional by Florida Supreme Court.
9/10/1970	Detailed list of existing improvements on Breakers Hotel property submitted to Town of Palm Beach.		Information provided by Town to aid in conversion to dwelling units under new Zoning Ordinance.
9/17/1970	Town's consultant refines dwelling unit conversion for Breakers property proposed PUD.		Conversion totals 346 equivalent dwelling units.
10/30/1970	The Breakers "Proposed Plan Unit Development" submitted to Town of Palm Beach by Flagler System, Inc.		Initial PUD document totals 39 pages including several appendices and a number of drawings. Request is for PUD-A designation. Included phasing schedule with 10 proposed phases.
3/31/1971	Resolution passed by Town Council giving tentative approval for Planned Unit Development as submitted by Flagler System, Inc. on October 30, 1970 'in accordance with Ordinance 3-70'	Resolution 6-71 ORIGINAL PUD APPROVAL	Approval contains a number of conditions of approval, including detailed phasing schedule. Approval also included density reduction, stipulated structural locations and open space protection, building height reduction and road improvements.
9/1971-3/1972	Time extensions approved for the finalization of Resolution 6-71		Additional time needed to finalize details
6/23/1971	Request for temporary supervised recreational program on Breakers Hotel complex property.		Refers to Tract 2. Temporary approval granted through June 1, 1972.
3/22/1972	Revised PUD master plan submitted to Town.	Resolution 12-71	Revision reflects reduced dwelling unit densities in various phases, relocation and revised "lateral spread" of structures in Phases 1, 2, and 10, reduced building heights in certain areas, and designation of various

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
			phases as circled numbers on Master Plan. Included revised Condition #3 re open space preservation. NEVER ADOPTED
4/25/1972	Resolution amending Resolution 6-71 for tentative approval for Planned Unit Development.	Resolution 9-72 amends Res. 6-71	Revised density reductions but not schedule. Open space protection. Building heights Subterranean crossing
5/16/1972	Town notifies Flagler System that they have "identified the formerly zoned 'business district' and have transferred that information to a copy of the revised Master Plan for the Planned Unit Development".		None
10/9/1972	Approval of additional temporary tennis courts adjacent to those in existence.		None
3/5/1973	Town notifies Flagler System that they are exempt from building moratorium.		Applies to Tract 2 (=1970 Phase 1)
10/24/1973	Notification to Flagler System from Town that "revised 'Appendix C', dated April 11, 1972, is acceptable in lieu of the same Appendix previously submitted and approved with the proviso that the number of parking spaces indicated on the revised 'Appendix C' appears to be inadequate in light of the Ordinance parking requirements."		Applies to Tract 2. Reduces dwelling units from 128 to 100 and net density from 30 DU's per acre to 23 DU's per acre; decreases parking spaces from 273 to 211.
March 1974	Town adopts new Zoning Ordinance (Ordinance 2-74) in March. Florida Supreme Court voids previous Zoning Ordinance which was Ordinance 3-70.		Supplemental Agreement notes that Flagler System has submitted an application for final approval for the residential portion of Phase 1 of the PUD.
6/10/1974	Building permit issued to demolish four of the Breakers' cottages	Permit # 505-74	
6/28/1974	Application filed for final approval of Phase 1 (Residential) of PUD	Previously granted tentative approval under resolution #6-71, as amended by resolution # 9-72	No public hearing required for this approval
9/10/1974	Declaration of Restrictions addresses	ORB 2380; Page	Restricts open space use (golf

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
	open space protection in PUD.	1986-1989	course) for 30 years from 9/10/74. Open space totals 91.3 acres exclusive of roadways.
9/10/1974	Supplemental Agreement		Ratifies and affirms agreements reached and embodied in Application for Tentative Approval of Planned Unit Development Zoning, as amended by revised Appendices "B" and "C" dated 4/11/72, and as further amended by Resolutions #6-71 and 9-72, and confirmed by Ordinance #2-74
9/10/1974	Resolution of Town Council amending Resolution 6-71 and Resolution 9-72 and authorizing the execution of an agreement between Flagler System and the Town.	Resolution 13-74 Amends 6-71 and 9-72 Clarification as to governing resolutions; ratified resolutions 6-71 and 9-72	This Resolution specifically references the previously described "Supplemental Agreement" which essentially vested the project after the voiding of the previous Ordinance 3-70 and the adoption of the Town's new Zoning Ordinance 2-74. The concern had been that previous PUD approvals may be invalid since they were based upon a Zoning Ordinance which was later found to be unconstitutional.
9/10/1974	Ratification Agreement		Apparently approved by Town Council. Ratifies prior resolutions in light of the determination by the Florida Supreme Court that Zoning Ordinance #3-70 was unconstitutional
9/10/1974	Variance to construct additional tennis courts adjacent to and west of existing tennis courts.	Variance 27-74	Approved by Town Council.
10/2/1974	Variance of from the setback provisions of F.S. 161.052 for construction of a seawall, beach access stairs, and condominium building	File 74-75-V-26	Approved by State of Florida, DNR
10/8/1974	Petitioner appears before Town Council requesting approval of		Request approved by Town Council.

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	modification of Phase 1 Residential Plan. Request was to move residential building so that it has a 20 foot front yard setback from Breakers Row rather than a 25 foot setback.		
11/19/1974	Flagler System requests amendment for hotel parking for Phase 1.		Parking arrangements proposed would provide a total of 656 spaces for hotel support in conjunction with development of Phase 1 apartments.
12/19/1974	Building permit for the construction of 4-building 88-unit apartment complex	Permit # 1254-74	Included underground parking for 194 cars
1/6/1975	Declaration of Restrictions recorded	ORB 2380 Pg 1986	Land platted as "open space" must remain in that use for 30 years
1/9/1975	Proposal for commercial building in Phase 1 at southeast corner of intersection of Coconut Row and Royal Poinciana Way.		None
2/7/1975	Approval by Building Official of plan for 88 unit apartment building on Tract 2 of Plat 1 subject to 2 conditions.	Building Permit 1254-74	Refers to Tract 2.
4/25/1975	Application for final approval of PUD plan for Phase 1 commercial.	Resolution 6-71 as amended by Resolution 9-72 which granted tentative approval	Application contained the following: Schematic drawings for Phase 1 commercial. Boundary and open space plat for entire Breakers property delineating areas for Phase 1 through 10 and also indicating that open space has not been included with application since the plat was filed with the application for final approval of Phase 1 residential. Covenants guaranteeing retention of open space have not been included. This application is for final approval of Phase 1 residential. Plat of Parcel 4, Phase 1 (commercial).

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			Should also be noted that request for final PUD approval for Phase 1 commercial included variance requests to increase parking for 416 spaces to 466 spaces. Request also "modifies the configuration of the north/south roadway serving the new residences".
6/10/1975	Request for final approval of Planned Unit Development Phase 1 commercial which is a CA zoned tract located on Tract 11 of Plat 1.		This references Tract 2. Approval includes only 62,600 square feet of covered floor area plus at-grade automobile parking.
6/10/1975	Town Council considered variance application which approved planned revision for roadway and parking facility.	Variance 23-75	Approved by Town Council.
6/10/1975	Town Council considered request for final approval of Phase 1 Commercial		Approved by Town Council, for 62,200 SF plus an at-grade parking lot facility
7/15/1975	Request for coastal construction permit from State of Florida DNR for rock rubble "T" head on existing groin	File BBS-75-6	Approved by DNR
1/13/1976	Request for modification of PUD Agreement to locate a replacement toilet facility building between the existing 11 th and 12 th fairways.		Approved by Town Council.
6/11/1976	Application for a variance to install awnings inside existing concrete framework over 16 penthouse terraces for Breakers Row apartments, 1 North Breakers Row (Tract 2 of Breakers Row Plat 1).	Variance 32-76	Approved by Town Council.
12/14/1976	Request for extension of time to commence construction of Phase 1 commercial approval which was granted on 6/10/75 for an additional 18 months.		Tract 2. Approved by Town Council for 18-month extension.
9/20/1977	Plans and specifications filed for Phase 2 residential.		None.
11/8/1977	Final approval of request for Phase 2 residential.		Request approved by Town Council subject to a number of

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			conditions including: • Extension of Royal Poinciana way • Any future development of Tract 7 Plat 1 will show reduction of 10 or more dwelling units
12/13/1977	Variance request to increase site coverage of existing apartment buildings by installation of awnings.	Variance 57-77	Denied by Town Council.
6/13/1978	New request for time extension for commencement of construction of Phase 1 commercial.		Approved by Town Council; new deadline for commencement of construction December 10, 1979.
5/8/1979	Modification of PUD approval for the following items: Extend deadline for Phase 2, Tract 1 from May 8, 1979 to November 8, 1980. Extend deadline for filing for final approval of Phase 3 from October 25, 1979 to April 25, 1981. Extend deadline for implementing Town Council approval of Phase 1 "CA" from December 10, 1979 to December 10, 1981.		Item #1 applies to Phase 2, Tract 1. Item #2 applies to Phase 3, Tract 4. Item #3 applies to Phase 1 "CA" Tract 2.
5/8/1979	Request for special exception and zoning variance for property known as 45 Coconut Row to move Old Guard Society of Palm Beach Golfers, Private Club from main Breakers Hotel to building known as 45 Coconut Row; also request a variance to provide a portion of required parking across the street at Royal Poinciana Chapel.	Special Exception 11-79 with variance	Approved by Town Council subject to the provision of at least 20 parking spaces on site
7/10/1979	Permission to modify PUD to permit the construction of 2 additional		Approved by Town Council.

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	tennis courts immediately north of and adjacent to existing tennis courts in Tract 10, Plat 1.		
10/31/1980	Application filed with Town to revise the entire remaining phases of the PUD		As of October 1980, approval allowed 471 new dwelling units which, when added to the equivalent conversion of commercial space and hotel uses, to a total of 954 dwelling units as defined under ordinance #9-72. Only 89 units constructed to date. 6.3 acre commercial site approved on NW corner of property.
11/11/1980	Time extension to commence Phase 2, Tract 1		Extended by Town Council from November 8, 1980 to April 25, 1981
3/13/1981	Extension of License Agreement re trash transfer facility		Extended to April 14, 1983
3/18/1981	Preliminary conceptual approval by Town Council of application filed 10/31/80		Included abandonment of commercial approval at NW corner of property, to be replaced by no more than 150 density units
7/14/1981	Tentative approval for "comprehensive modification of the Planned Unit Development Agreement previously referenced"; including agreement for partial Landmarking of Breakers Hotel; carried forward Condition 3 of Resolution 9-72, 1980 modification approved statement of planning criteria and appendices and adopted open space Condition 3 of Resolution 9-72	Resolution 10-81 amends 6-71, 9-72, and 13-74	Included conditions relating to: • Revised open space plat • Condition 3 of Res. 9-72 is specifically still in 'full force and effect...' • Provision of utility easements and facilities, including certain traffic improvements • Compliance with Town codes including fire codes • Prohibition against time sharing Attachments included Appendix "H" which is a schedule of future development* . Adopted Red Book & Appendices
1981	Agreement (unsigned) between		Agreement references an

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	Town of Palm Beach and Flagler System, Inc., relating to the resolution of Landmarking of Breakers Hotel.		Exhibit "A" which fully describes the portion of the hotel that is subject to Landmarking.
9/15/1981	Request for special exception for auto rental facility at hotel.	Special Exception 10-81	Approved by Town Council. Limited to 15 rental cars. Must be operated by hotel employees, and cars must be rented only to hotel guests
1/5/1982	Amended list of drawings and exhibits for the Breakers Planned Unit Development filed with Town.		The document contains extensive lists of drawings, including many revised in 1981. Also included are several other exhibits, including a 57-page bound booklet entitled, <i>Modification of Planned Unit Development Agreement, 1980 Modification</i> .
2/23/1982	Letter to Town from Flagler System indicating that Resolution 10-81 as passed by Town Council on July 14, 1981 "is satisfactory and the conditions set forth therein are acceptable".		Flagler System attorneys contend that modification to the Breakers PUD (Resolution 10-81) became effective on February 25, 1982 when Flagler notified the Town that the conditions of Resolution 10-81 were satisfactory and acceptable.
3/26/1982	Letter to Town Attorney from Landmark Preservation Commission.		References Landmark status of hotel as being tied to final adoption of Resolution 10-81.
8/9/1983	Amended Declaration of Restrictions supersedes Breakers Row Plat 1; required by Condition #1 of Resolution No. 10-81	Exhibit "C"	Supersedes Declaration Of Restrictions filed September 10, 1974; relates to use of open space
9/8/1983	Agreement ratifying Resolution No. 10-81		Also accepts conditions in Resolution No. 10-81 and accepts the landmark designation of a portion of the property
9/8/1983	Landmark Designation Agreement	Exhibit "B"	Included legal description of "sight easement" and façade of hotel. Legal description goes all the way to the Atlantic Ocean
9/9/1983	Flagler System requests final approval/site plan review for the portion of Breakers PUD known as		Proposed plans include reduction in number of condominium units from 78 to

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	"Priority 3" under provisions of Section 7.35 of Town Zoning Ordinance. Agreement with Town to be bound by Res. 10-81		48, reduction in number of PD equivalent dwelling units from 79.7 to 52.1, and decreases in other property development criteria. Makes September 9, 1983 first day of timetables under Res. 10-81*
9/13/1983	Final approval including site plan for Priority #3, northeast corner, known as Two Breakers Row		Approved by Town Council
10/11/1983	Resolution of Town Council ratifying landmarking of hotel	Resolution 34-83	Resolution notes that a parking structure will be constructed within the sight easement
10/12/1983	Amended Declaration of Restrictions	ORB 4073 Pg 0814	Supersedes Declaration of Restrictions recorded January 6, 1975. The portion of the property designated as "open space" in the replat shall be used only as golf course, park or other open space use "as shall be determined in the sole discretion of Declarant" for a period of 30 years commencing 3/18/81 or as long as property is zoned PUD
10/17/1983	Certificate of Notification of Designation of Certain properties as Landmarks		Ratifies landmarking per Resolution 34-83
12/1/1983	Breakers Row Plat #1 – Replat	P.B. 46 Pg. 188	Describes entire PUD
1/10/1984	Special exception authorizing relocation of Sea Gull Cottage from Breakers Hotel property to Royal Poinciana Chapel property.	Special Exception 1-84	Approved by Town Council.
4/11/1984	Certificate of Appropriateness for receiving dock and receiving courtyard areas	C of A 4-84	Approved by Landmarks Preservation Commission
1/10/1985	Certificate of Appropriateness for rehabilitation and additions to Breakers Hotel	C of A 2-85	Approved by Landmarks Preservation Commission
6/18/1986	Agreement to extend Priority 2 (Lanai Suites) from September 9, 1989 to September 9, 1998.	PB 4949 Pg 1163	Amends 9/8/83 Agreement
3/30/1989	Extension of License Agreement for trash transfer facility		Extended to April 14, 1991

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Fall 1989	Breakers PUD Amendment Request filed		
1/22/1990	Request for adjustment to several aspects of PUD.	Resolution 17-90 amends 6-71, 9-72, 13-74, and 10-81 ORB 6413 Pg 735	Approval included coffee shop, tennis court lighting, additional retail space, tennis shop, retention of golf course through 2019, lease of Pine Walk transfer station through December 31, 1997, renegotiable transfer of development units, road improvements, drainage improvements.
3/30/1990	Agreement implementing Resolution 17-90	ORB 6413 Pg 732	Accepts the conditions in Resolution No. 17-90
Fall 1991	Breakers PUD Amendment Request filed		Request to amend Resolution 17-90 to provide more time for its implementation, and to amend Resolution 10-81 to provide for rephrasing the project
2/11/1992	Request for approval for changes to several developments within PUD.	Resolution 6-92 Amends 6-71, 9-72, 13-74, 10-81 and 17-90	Extended Pine Walk transfer lease to December 31, 2012, renegotiate transfer and road drainage issues prior to 1996-1997 zoning season hearings; internal drainage; revised priority development schedule. As part of the approval, Breakers was required to address three issues: 1) storm drainage; 2) possible elimination of commercial at NWC; and 3) give Town perpetual rights to waste transfer facility. Included PUD Schedule of Development, Appendix "H" to Exhibit 11 of Resolution # 10-81.
2/19/1992	Agreement ratifying Resolution 6-92	ORB 7235 Pg 536	Accepts the conditions in Resolution No. 6-92
11/25/1995	Certificate of Occupancy for renovations to 63 rooms in south wing and elevators	COA # 65-95	
2/29/1996	Letter from Jim Brindell, signed by Bob Moore re coffee shop/retail		Clarifies Modifications 1 and 3; attached Exhibit "A" shows total of 10,307 SF existing and proposed ground level retail & food and beverage uses, main

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			hotel south wing as of 11/1/96
6/18/1996	?		Resolution No. 10-01 references a revision to the 'binding agreement' on this date but none was found in Gunster records
9/10/1996	Letter from Jim Brindell, signed by Bob Moore re Centennial Dining Room		Acknowledges that 48 dining room seats and 250 SF of kitchen space may be temporarily relocated from Florentine Dining Room to Centennial Dining Room in Old Guard Building
9/13/1996	Application filed for PUD Amendment		Extend certain time periods to re-negotiate several important matters with Town, and to establish timing for drainage improvements
3/2/1997	Request to modify PUD	Resolution 1-97 amends Res. 17-90	Modifications to coffee shop, tennis court lighting, additional retail space, new tennis facility, maintenance of golf course as green space through 2019, lease of Pine Walk Transfer Station, requirements for renegotiation, and postponement of road and parking improvements. Also amended Appendix "H" to Exhibit #11 of Resolution 10-81, re PUD schedule.
? 1997	Agreement ratifying Resolution No. 1-97		Should be one but none found in Gunster records
8/25/1997	Letter from Jim Brindell, signed by Bob Moore, re addition of 22 seats to Centennial Dining Room		
9/5/1997	Application filed to amend Breakers PUD		Request to renovate the Beach Club facilities, enlarge the Starlight Ballroom, and modify certain PUD conditions
2/9/1998	Request to modify PUD	Resolution 1-98 amends 1-97	Modification to lease of Pine Walk Transfer Station, requirements for renegotiation, postponement of certain road and parking improvements, demolition and reconstruction

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			of Starlight Ballroom Addition and Beach Club, requirement for additional off-street parking spaces, and on-site parking and traffic circulation management. Per Modification #9, 11,621 SF of accessory hotel space retained for possible later use.
2/9/1998	Site Plan Application to construct a new approximately 20,000 square foot Beach Club and approximate 15,000 square foot Starlight Ballroom and 8,000 square feet of pre-function area. Condition approval was also for approximately 13,500 square feet of storage in kitchen area and associated parking (including a 250 space temporary parking lot located on the northwest corner of the PUD).	Site Plan Review 1-98	4 conditions of approval were included, mostly related to traffic and circulation matters.
3/11/1998	Agreement between Town of Palm Beach and The Breakers Palm Beach, Inc.	ORB 10309; Page 740-744	The essence of the agreement is that "The Breakers hereby accepts the conditions set forth in the Town's Resolution 1-98".
7/19/1999	Certificate of Occupancy for Starlight Ballroom addition and new Beach Club	COA # 55-99	
2/7/2000	Amend PUD to redesign golf course and include a golf and tennis clubhouse west of South County Road	Resolution 3-00 amends 1-98	Modification to conditions re maintenance of golf course as green space through 2025, lease of Pine Walk Transfer Station, requirements for renegotiation, and golf and tennis clubhouse with related facilities. Also amended commencement dates for remaining development to be consistent at December 31, 2025
1/11/2000	Site Plan Review with Special Exception request to redesign golf course and tennis court layout and construct a three-level 40,549 square foot golf and tennis clubhouse.	Site Plan Review 1-2000 w/Special Exception	Approval was granted for new golf and tennis complex and included several conditions of approval.
3/22/2000	ARCOM review of new golf & tennis clubhouse	B9-00	approved
4/12/2000	Agreement ratifying Resolution 3-00		Accepts the conditions in Resolution No. 3-00

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6/5/2000	Letter from Jim Brindell, signed by Bob Moore re adjustments to golf course layout		
9/27/2000	ARCOM review of golf course border landscaping west of South County Road	B52-00	Approved
2/5/2001	Amend PUD to allow opportunity to request redistribution of residential units from west side of County Road to other locations within the PUD	Resolution 10-01 amends 3-00 ORB 12541 Pg 98	Modification to condition re requirement for renegotiation; applicant may relocate up to 149 dwelling units from Priority Areas 1, 7, 8, and 9 to areas west of County Road and/or within Priority Area 1 subject to PUD Master Plan amendment. May apply for same no later than the 2023-2024 zoning season.
4/19/2001	Agreement ratifying Resolution 10-01	ORB 12541 Pg 94	Accepts the conditions in Resolution No. 10-01
12/10/2001	Certificate of Occupancy for south ocean tower alteration for hotel	COA # 90-01	
1/8/2002	Authorizing ad valorem tax exemptions for work at the hotel (south tower)	Resolution 6-02	Contained faulty legal description
2/13/2002	Certificate of Occupancy for renovation of Dallas Rooms, 1 st and 2 nd floors	COA # 84-99	
6/11/2002	Site Plan Review with Special Exception to relocate 55 parking spaces from front driveway, reconfigure front driveway/parking landscape area, relocate balustrades at hotel entrance in order to add additional valet lanes, construct security gatehouse on main driveway, construct approximately 338 square foot service quarter adjacent to the Circle Dining Room; add porte cochere and covered walkways to the south entrance of the hotel and relocate 21 parking spaces from new porte cochere to existing parking area west of Beach Club. Also Special Exception to expand hotel with above improvements.	Site Plan Review 5-2002 w/Special Exception	Approved by Town Council.

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6/11/2002	Amends Resolution 6-02 so as to amend the legal description of the property referenced therein	Resolution 40-02	Amends legal description in the tax exemption covenant to include only the hotel building where the work was done
2/20/2003	Certificate of Completion for renovations to North Ocean Tower		
2/20/2003	Certificate of Completion for renovations to Ocean front meeting rooms, corridors, and mezzanine mechanical room		
2/20/2003	Certificate of Approval and Occupancy for two new 1-story accessory buildings (gatehouse and bathrooms)	COA # 10-03	
4/16/2003	Certificate of Appropriateness for renovation of Venetian Ballroom	C of A #10-2003	Approved with a number of conditions
9/9/2003	Special Exception to construct a 1-story 697 SF golf instruction and storage building on the driving range, as well as a paved employee walkway along the north side of the hotel	Special Exception #20-2003	Approved by Town Council.
2/15/2005	Modification to PUD Master Plan to redesign the Beach Club Cabanas and related facilities.	Resolution No. 4-05 amends 3-00* *note- WHEREAS clause should have included Res. 10-01 but did not	Deletes previous Modification #4 re new tennis facility, to be replaced by Modification #10; erroneously carries forward language from Modification #7 of Resolution 3-00 instead of revised #7 from Resolution 10-01 ; minor modifications to Modification #10 re golf and tennis clubhouse and related facilities; adds Modification #12 re new cabanas and related facilities

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2/15/2005	Site Plan Review, Special Exception, and Variance request for approval of the new cabana project	Special Exception 6-2005 with Site Plan Review and Variance	Variance (for seawall height) withdrawn. Conditions of approval re required fire hydrant and construction traffic restrictions
5/10/2005	Modified lighting plan reviewed by Florida Fish and Wildlife Conservation Commission for cabana project	PB-804	Approved with several conditions
8/12/2005	Building permit for awning for valet parkers	P #8078272	
August 2006	Approval for golf clubhouse awnings		
11/14/2006	Special Exception with Site Plan Review to renovate the old golf clubhouse including a lounge for spa and beach club employees, create new offices on the second floor, and awnings on the new club house and for valet parkers	Special Exception 9-2006 with Site Plan Review	No conditions of approval
7/14/2010	Revised Modification #7.a. to restore the language from Resolution 10-01 re relocation of units to the portions of the PUD west of County Road	Resolution #70-10 Amends Res. 4-05	Application to be filed no later than 2024
10/27/2010	ARCOM review of request to demolish old golf clubhouse building and associated parking lot, AKA the Old Guard Building, 45 Cocoanut Row	B-051-2010	Approved by ARCOM; to be replaced by sod and landscaping; later ratified by Town Council
9/11/2012	Town Council review of request to demolish and rebuild two of the five existing maintenance buildings on the west Pine Walk	Site Plan Review #9-2012 with Special Exception	Approved by Town Council; ARCOM approved administratively
5/15/2013	Town Council review of requested improvements to pool areas on southeast portion of hotel property	Special Exception #8-2013 with Site Plan Review	Approved by Town Council. Included gazebo bar, kiddie pool, jacuzzis, and pavement
June 2013	State of Florida Department of Business and Professional Regulation extension of hotel's alcohol license to include gazebo bar		Approved
8/24/2013	ARCOM review of proposed new railings, awning	A-028-2013	Railing not approved; awning approved
9/25/2013	Administrative Site Plan Review of Flagler Steakhouse awning expansion		Approved by staff
12/11/2013	Modify hotel amenity by expanding the existing playground	Special Exception #20-2013 with Site	Approved by Town Council

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		Plan Review	
2/12/2014	Amend Resolution 70-10 by adding 4,559 square feet of accessory hotel space to the Beach Club for construction of a fitness center. PUD amendment.	Resolution No. 11-2014	Changes to Modification #9 re the Beach Club, adding 4,559 gross square feet/4,190 net (A/C) square feet to construct a new fitness center on the second level of the existing Beach Club building on the Ocean Terrace. The previous 11,621 square feet of accessory hotel space is reduced by 4,190 to leave approximately 7,341 square feet for future use by further amendment to the PUD.
2/12/2014	Special exception and site plan review to construct a new beach access ramp and to replace the 1,588 square foot pavilion on the second level of the Beach Club building with a 4,559 square foot (gross) 4,190 square foot (net, A/C) structure for a new fitness center, and associated elevator.	Special Exception #1-2014 with Site Plan Review	The beach ramp replaces a similar structure which was destroyed by a hurricane. The existing spa functions on the first floor of the Beach Club will be expanded into the previous fitness center space.
3/26/2014	Agreement finalized between Town of Palm Beach and The Breakers documenting acceptance of Resolution 11-2014.		Agreement required by Town's PUD ordinance
12/10/14	Special Exception with Site Plan Review to add awning to pergola east of spa; variance to demolish and reconstruct existing entry fountain	Special Exception #27-2014 with Variance	Approved by Town Council
12/17/14	LPC approval for awning and fountain	COA-053-2014 and 057-2014	
2/11/15	Request approval of: - Four awnings totaling 1,714 s.f. in golf maintenance area at west end of Pine Walk - Renovations to east side of spa building to enclose 614 s.f. of additional space, and redesign of courtyard - Vehicle gate just east of crosswalk near south porte-cochere	Special Exception #1-2015	Approved by Town Council, subject to the requirement that the vehicle gate be opened for overflow parking during large events.

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9/9/15	Request approval of: • Flagler Club Terrace awning structure • Demolish smoke-stack and expand engine room, including 600 KW generator • Add 720 s.f. cooling tower • Add three access control gates on Ponce Promenade	Special Exception #24-2015 with Site Plan Review	Combo project included Landmarks (LPC) review. Approved by Town Council.
9/16/15	LPC approval of aspects of S.E. #24-2015 under their jurisdiction	COA 2015-034	
11/12/15	Request approval of: • Ponce loading dock expansion, including new awning • Service elevator in southeast corner of Mediterranean Courtyard • 900 KW generator in place of 600 KW generator in engine room expansion • Two service pavilions on front croquet lawn west of hotel	Special Exception #31-2015 with Site Plan Review	Approved by Town Council except for service pavilions on west lawn, which were deferred. That part of request was later withdrawn due to LPC objections.
3/9/16	Request approval to demolish building #4 at the maintenance complex on Pine Walk (2,726 square feet) and replace it with or 3,581 square foot building.	Special Exception #5-2016	Approved by Town Council
4/27/16	Request ARCOM approval to repair the chimneys at Spray Cottage	A-016-2016	Approved by ARCOM
5/11/16	Request approval to amend Resolution No. 11-2014 (PUD-A) by extending the commencement of development date for 251 dwelling units, extending the date by which 149 dwelling units may be relocated, extending the date upon which the golf course must remain open space, and extending the date of the lease of the Pine Walk Transfer Station.	Resolution No. 60-2016	All dates extended to December 31, 2049 or December 31, 2050.

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3/15/17	Request Special Exception with Site Plan Review approval to add a 3,000 gallon emergency generator fuel tank just north of the service court, and two service pavilions on the 'croquet' lawn southwest of the main hotel entrance.	Special Exception No. 04-2017 with Site Plan Review, and COA No. 08-2017	Approved by Town Council, including official recognition by Council of ongoing use of the lawn area for outdoor functions
5/10/17	Request Special Exception with Site Plan Review approval to construct a new 404 s.f. retail shop (Mary Lily's) in the Palm Court, and to expand the existing seafood restaurants from 4,330 s.f. to 6,111 s.f. and from 140 seats to 177 seats.	Special Exception #12-2017 with Site Plan Review	Approved by Town Council
12/13/17	Request Special Exception with Site Plan Review to expand seating capacity at Seafood Bar restaurant by an additional 53 seats in 6,111 s.f. restaurant, for a total of 230 seats.	Z-17-00044	Approved by Town Council
1/10/18	Request Special Exception with Site Plan Review to make changes and improvements to The Breakers golf course. Also enlarge golf training facility from 697 s.f. to 2,366 s.f., and replacement of existing free-standing bathroom building of 250 s.f. with a new bathroom building of 267 s.f.	Z-17-00055	Approved by Town Council
6/13/18	Request for extended work hours for golf course project		Approved by Town Council
9/12/18	Request Site Plan Review and Special Exception to add awnings in the renovated golf course	Z-18-00126	Approved by Town Council
9/21/18	Request Landmarks Presentation Commission approval for revised ramp on south side of south lawn pavilion building	COA-040-2018	Approved by Landmark Preservation Commission
10/18/18	Request Administrative Site Plan approval for changes to ramp of south lawn pavilion		Approved and stamped by Town of Palm Beach
05/15/19	Request for site plan review with special exception approval to construct a new security guardhouse and gates, to re-align Breakers Row, and to add a landscaped island on the south side of the proposed guardhouse at North Breakers Row.	Z-19-00187	Approved by Town Council

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02/12/20	Request for zoning text amendment to add hotel and golf course as permitted uses in PUD-A zoning district and to allow for staff approval of site plans consisting of less than 2,500 square feet	Ordinance 1-2020	Approved by Town Council
08/11/21	Request for extension of existing golf course awning, which was denied by ARCOM on July 28, 2021, but approved on appeal by Town Council on August 11, 2021	A-051-2021	Appeal granted by Town Council
02/15/23	Request for new fencing and gates, which was approved by LPC on January 18, 2023, and by Town Council on February 15, 2023	COA-22-008 ZON-23-001	Approved by LPC and Town Council
10/11/23	Request for modifications to existing Tennis Centre to change 10 tennis courts to 6 hydrocourts, 2 hard courts, 4 grass courts, and 2 pickleball courts, which included PUD amendment approval by Town Council on May 10, 2023 (Resolution No. 043-2023). Project was partially approved by ARCOM on May 24, 2023, fully approved by ARCOM on September 27, 2023, and approved by Town Council on October 11, 2023	Res. No. 043-2023 ARC-23-057 ZON-23-049	PUD Amendment approved by P&Z and Town Council. Project approved by ARCOM and Town Council
07/17/24	Request for the renovation of the Mediterranean Courtyard, including the addition of two (2) new structures within the courtyard, which was approved by Town Council on April 10, 2024, and approved by the LPC on April 17, 2024. LPC approved the tax abatement application on July 17, 2024	ZON-24-054 COA-24-013 LTA-24-0001	Approved by LPC and Town Council
07/17/24	Request for modifications to the hotel's main drive and port-cochere entrance, which was approved by Town Council on July 10, 2024, and approved by the LPC on July 17, 2024	ZON-24-0019 COA-24-0005	Approved by LPC and Town Council

DATE	NATURE OF REQUEST/ACTIVITY	PETITION NUMBER AND DESCRIPTION	COMMENT/NOTES
09/28/24	Request for modifications to the previously approved new Tennis Centre (ARC-23-057 & ZON-23-049), to include the addition of two (2) new padel courts, which included PUD amendment approval from Town Council on (Resolution No. 073-2024). Project was approved by Town Council on August 12, 2024, and approved by ARCOM on August 28, 2024	Res. No. 073-2024 ZON-24-0027 ARC-24-0049	PUD Amendment approved by P&Z and Town Council. Project approved by ARCOM and Town Council

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Time Extensions

Agenda Title

Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at 441 Seaview Ave. [*This matter was deferred from the January 15, 2025, Town Council meeting.*]

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**

TOWN OF PALM BEACH

Information for Town Council Meeting on:

February 12, 2025

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager / Wayne Bergman, Director of Planning, Zoning & Building

From: Michelle Sentmanat, Business Services Manager in PZB

Re: Waiver of Town Code Section 18-237, For Building Permit Extension at 441 Seaview Ave, Permit B-22-97563

Date: January 21, 2025

STAFF RECOMMENDATION

Staff recommends that the Town Council consider the request from Tim Givens for Tim Givens Building & Remodeling regarding a second time extension in which to complete the renovations at 441 Seaview Ave. The request is to extend the permit by eight months – until August 31, 2025.

GENERAL INFORMATION

NOTE: PROJECT DEFERRED FROM THE JANUARY TOWN COUNCIL MEETING DUE TO THE LENGTH OF MEETING AND THE CONTRACTOR NOT PRESENT FOR THE ENTIRE MEETING. STAFF APPROVED A THIRTY-DAY EXTENSION FOR THEM TO BE HEARD AT THE FEBRUARY MEETING.

The current owner is 441 Seaview LLC, which purchased the property in March of 2022. The building permit was issued on February 22, 2023, with a duration of 16 months – expiration date 06/21/2024. The Town Council previously granted an extension for six months with an expiration date of December 31, 2024. At this time, the contractor explains in his letter dated December 20, 2024, the need for a second time extension is due to the size of the property causing no onsite parking and limited space to accept deliveries which has caused setbacks to get all trades and materials on site. To keep from disrupting neighbors during the season they want to postpone all streetside exterior work until May allowing all interior work to be completed by end February 2025. The revised construction schedule shows completion by August 31, 2025.

The applicant appears to have complied with all new requirements for neighbor notice.

Attachments: Letter from Tim Givens, with Construction Schedule
Letter for nuisance mitigation measures
Permit Summary for the Property
Property Appraiser Details for the Property
Neighbor notice

No Show -
stop work

TOWN OF PALM BEACH

Information for Town Council Meeting on:

January 15, 2025

To: Mayor and Town Council

Moved to Feb 25

Via: Kirk Blouin, Town Manager / Wayne Bergman, Director of Planning, Zoning & Building

From: Michelle Sentmanat, Business Services Manager in PZB

Re: Waiver of Town Code Section 18-237, For Building Permit Extension at 441 Seaview Ave, Permit B-22-97563

Date: December 26, 2024

STAFF RECOMMENDATION

Staff recommends that the Town Council consider the request from Tim Givens for Tim Givens Building & Remodeling regarding a second time extension in which to complete the renovations at 441 Seaview Ave. The request is to extend the permit by eight months – until August 31, 2025.

GENERAL INFORMATION

The current owner is 441 Seaview LLC, which purchased the property in March of 2022. The building permit was issued on February 22, 2023, with a duration of 16 months – expiration date 06/21/2024. The Town Council previously granted an extension for six months with an expiration date of December 31, 2024. At this time, the contractor explains in his letter dated December 20, 2024, the need for a second time extension is due to the size of the property causing no onsite parking and limited space to accept deliveries which has caused setbacks to get all trades and materials on site. To keep from disrupting neighbors during the season they want to postpone all streetside exterior work until May allowing all interior work to be completed by end February 2025. The revised construction schedule shows completion by August 31, 2025.

The applicant appears to have complied with all new requirements for neighbor notice.

Attachments: Letter from Tim Givens, with Construction Schedule
Letter for nuisance mitigation measures
Permit Summary for the Property
Property Appraiser Details for the Property
Neighbor notice



TOWN OF PALM BEACH

Planning, Zoning and Building

RECEIVED

DEC 26 2024

TOWN OF PALM BEACH
PZB DEPARTMENT

THIS IS A REQUEST FOR:

☒ BUILDING PERMIT TIME EXTENSION

☐ WAIVER OF TOWN CODE SECTION 42-199, CONSTRUCTION WORKING HOURS

Any request for a Building Permit Time Extension OR Waiver of Town Code Section 42-199, Construction Working Hours must be submitted to the Town no later than 30 days PRIOR to permit expiration or period of request. Please send the following items to Director Bergman and Michelle Sentmanat at msentmanat@townofpalmbeach.com and ybergman@townofpalmbeach.com

1. Provide a detailed letter explaining the reasons why a time extension or waiver is being requested.
2. Provide a construction schedule to show completion timeline (CPM, Gantt Chart).
3. Provide a Statement of Nuisance Mitigation measures currently in place on the site.
4. Provide a Statement that first-class mailed notice to neighbors within 300 feet will be provided at least 25 days prior to the meeting at which the extension or waiver is to be considered.
5. Include with the above Statement, a copy of the above notification to neighbors. NOTE: Must include in the notification letter the permit number, site address and meeting date at which this matter will be considered. Also, the following statement must be included in the notification: Comments or concerns regarding this request may be emailed to publiccomment@townofpalmbeach.com.
6. Provide a USPS Certificate of Mailing as proof of the mailed notice.
7. Payment – pay all applicable fees by the submittal deadline.

Deadlines: See Schedule for submittal deadlines (page 3). Town Council Meeting dates are subject to change. Please visit our website at www.townofpalmbeach.com

- Town Council Development Review Date (Wednesday meeting): January 15, 2025
- Deadline for submittal of request/backup must be received by: _____
(Deadline is approximately two weeks prior to the Town Council Development Review Meeting).
- Deadline for Notice to Neighbors: mailed December 20, 2024; Certificate of Mailing delivered December 20, 2024
(Notice to Neighbors must be provided 25 days in advance of TC/DRC Meeting)

Permit #: B-22-97563 Exp. Date: 12/31/24
 Job Address: 441 Seaview Ave. Palm Beach, FL 33480
 Length of time extension being requested: (in days) 243 days
 Specific request for waiver/working hours being proposed: _____
 Proposed completion date if requested time extension is granted: August 31, 2025
 (Must attach completion schedule)
 Contact: Tim Givens Phone: 561-533-5828
 Email: timgivensbuilding@outlook.com

Ext permit - 24-00034

VALUATION OF PERMITS TO DATE:

(Original permit value and any permit updates containing valuation to date)

Job Address: 441 Seaview AvePermit# : B-22-97563 Job Value \$ 730,000.00

Permit# : _____ Job Value \$ _____

Permit# : _____ Job Value \$ _____

Permit# : _____ Job Value \$ _____

TOTAL valuation of project \$ _____

Value of work remaining to complete the project, even if included in valuation above. Include labor, materials and the value of any owner supplied items, etc \$ 75,000

Time Extension fee due based upon 1% of this amount: \$ _____

Waiver fee due \$ _____

Technology Fee (2% of permit fee above) \$ _____

Total Time Extension/Waiver Fee Paid: \$ _____

(attach a copy of the receipt for payment)

OWNERS CERTIFICATION: I certify the information listed above to be true and correct.Mary C. Gann 12-20-24
OWNER SIGNATURE DATE**CONTRACTOR CERTIFICATION:** I certify the information listed above to be true and correct.Tim Givers 12-20-24
CONTRACTOR SIGNATURE DATE**NOTARY TO OWNER**STATE OF
COUNTY OF

Sworn to (or affirmed) and subscribed before me

this 20 day of December2024, By Mary GannWho are personally known ☒ OR produced
identification (Type of identification) _____
OR Online Notarization _____

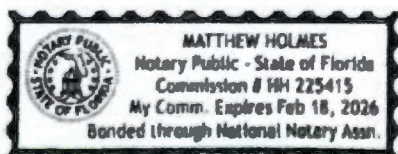
Matthew Holmes

Printed Name of Notary

Matthew Holmes

Signature of Notary

SEAL:

**NOTARY TO CONTRACTOR**STATE OF
COUNTY OF

Sworn to (or affirmed) and subscribed before me

this 20 day of December2024, By Tim GiversWho are personally known ☒ OR produced
identification (Type of identification) _____
OR Online Notarization _____

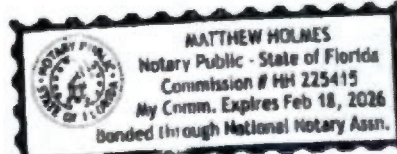
Matthew Holmes

Printed Name of Notary

Matthew Holmes

Signature of Notary

SEAL:



TIM GIVENS BUILDING & REMODELING, INC.

December 20, 2024

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

Re: 441 Seaview, Palm Beach – Permit Extension

To Whom It May Concern:

We are requesting an 8-month extension on Permit B-22-97563 to complete the remaining interior finishes and exterior work by August 31, 2025.

Exterior work to be completed:

- Drainage
- Landscaping
- Driveway
- Paving

Interior work to be completed:

- Painting/wallcoverings
- Window treatments
- Furnishings & Artwork

Due to the small size of the property, there is no on-site parking and limited space to accept deliveries, which has proven to be a setback to getting all the trades and materials on site in the allotted timeframe.

To keep from disrupting the neighbors during the season, we propose to postpone all streetside exterior work until May 2025. All interior work is set to be completed by end of February 2025 including furnishings and artwork.

Sincerely,



Tim Givens

Tim Givens Building & Remodeling, Inc.

TIM GIVENS BUILDING & REMODELING, INC.

December 20, 2024

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

Re: 441 Seaview, Palm Beach – Permit Extension

To Whom It May Concern:

We are requesting an 8-month extension on Permit B-22-97563 due to the extent of the remodel. We have taken the necessary construction mitigation precautions throughout this project and will continue to do so for the duration of construction. We have full-time parking enforcement for traffic, safety, and parking management, a new site wall, a silt fence for all soil run offs, and a transportation shuttle to minimize parking demand.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Givens', is displayed within a light blue rectangular border.

Tim Givens

Tim Givens Building & Remodeling, Inc.

441 SEAVIEW	Jan-25		Feb-25		Mar-25		Apr-25		May-25		Jun-25		Jul-25		Aug-25	
interior finishes																
rear paving																
rear and side landscape																
furnishings and artwork																
temp drive & landscape																
temp punch list																
prep for front drive																
drainage																
driveway and paving																
landscape																

TIM GIVENS
BUILDING & REMODELING

December 20, 2024

To: Neighbors of 441 Seaview Avenue

**Re: 441 Seaview Avenue, Palm Beach
Residence Permit #B-22-97563**

We are the general contractor overseeing the construction of the residence at 441 Seaview Avenue. By way of this correspondence, we would like to notify you of the requests that we will be submitting to the Town of Palm Beach to extend the timeline for the remodel and site work to August 31, 2025. The town will review our request at the January 15th meeting.

Our anticipated substantial completion date for all interior finishes, furniture and artwork deliveries is February 2025. We are postponing the front exterior site work until after the season (May 2025) including drainage, landscape, paving, and driveway. All sitework will be completed by August 2025.

We will continue our best efforts to protect your property throughout the course of this project. In addition to having a full-time superintendent, we also have a full-time traffic attendant on site to manage vehicles, parking, deliveries, etc. Our goal is to make this a smooth experience for everyone and to keep you informed and accommodated during the construction process.

Should you have any questions or requests, please feel free to reach out to us and we will try our best to oblige you.

Project Manager – Matthew Holmes: (561) 427-8230 / mcholmes21@outlook.com

Office - TGBR: (561) 533-5828 / timgivensbuilding@outlook.com

Thank You,



Tim Givens Building & Remodeling

5390 Georgia Avenue
West Palm Beach, FL 33405

Property Detail

Location Address : 441 SEAVIEW AVE
Municipality : PALM BEACH
Parcel Control Number : 50-43-43-22-08-000-6100
Subdivision : POINCIANA PARK 3RD ADD IN
Official Records Book/Page : 33421 / 640
Sale Date : MAR-2022
Legal Description : POINCIANA PARK 3RD ADD LTS 610 & 612

Owner Information

Owner(s)

441 SEAVIEW LLC

Mailing Address

222 LAKEVIEW AVE STE 1500
 WEST PALM BEACH FL 33401 6174

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAR-2022	\$6,800,000	33421 / 00640	WARRANTY DEED	441 SEAVIEW LLC
MAY-2006	\$2,800,000	20530 / 00783	WARRANTY DEED	THOMPSON SANDRA
MAR-2005	\$1,400,000	18266 / 01033	WARRANTY DEED	BRYAN KATHERINE
MAR-2002	\$1	13465 / 00254	WARRANTY DEED	LEBEAU NORMAN
DEC-1999	\$100	11584 / 00322	WARRANTY DEED	LEBEAU LIMITED PARTNERSHIP 1999
MAY-1996	\$550,000	09263 / 01572	WARRANTY DEED	
MAR-1992	\$412,000	07177 / 00207	WARRANTY DEED	
MAR-1986	\$285,000	04825 / 00596	WARRANTY DEED	

Exemption Information

No Exemption Information Available.

Property Information

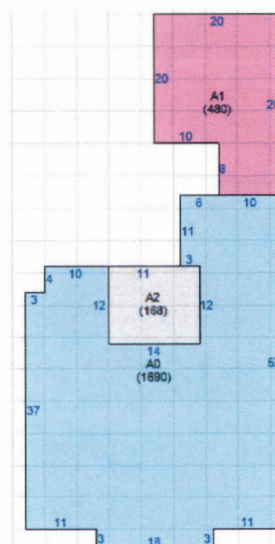
Number of Units : 2
***Total Square Feet :** 2828
Acres : .11
Property Use Code : 0100—SINGLE FAMILY
Zoning : R-B—LOW DENSITY RESIDENTIAL (50-PALM BEACH)

Building Details

Structural Details

Structural Element for Building 1	
Exterior Wall 1	WSF: STUCCO
Year Built	1924
Air Condition Desc.	HTG & AC
Heat Type	FORCED AIR DUCT
Heat Fuel	ELECTRIC
Bed Rooms	2
Full Baths	2
Half Baths	0
Exterior Wall 2	NONE
Roof Structure	GABLE/HIP
Roof Cover	ASPHALT/COMPOSITION
Interior Wall 1	DRYWALL
Interior Wall 2	N/A
Floor Type 1	CERAMIC/QUARRY TILE
Floor Type 2	CARPETING
Stories	1

Sketch for Building 1



Subarea and Square Footage for Building 1

Code Description	square Footage
SFB Semi Finished Base Area	480
BAS Base Area	1690
SFB Semi Finished Base Area	168
Total Square Footage	2338

TC Development Review Meeting Backup 2-12-2025

521 of 789

Area Under Air

2338

Property Extra Feature

Description	Year Built	Units
Patio	1924	604
Spa	1997	1

Property Land Details

Land Line #	Description	Zoning	Acres
1	SFR	R-B	0.1122

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$458,819	\$1,416,635	\$1,355,996	\$455,267	\$468,446
Land Value	\$2,902,844	\$2,171,493	\$1,880,085	\$1,280,227	\$1,175,907
Total Market Value	\$3,361,663	\$3,588,128	\$3,236,081	\$1,735,494	\$1,644,353

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$3,361,663	\$3,588,128	\$1,370,996	\$1,331,064	\$1,312,686
Exemption Amount	\$0	\$0	\$50,500	\$50,500	\$50,500
Taxable Value	\$3,361,663	\$3,588,128	\$1,320,496	\$1,280,564	\$1,262,186

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$49,989	\$53,867	\$20,624	\$20,949	\$20,994
NON AD VALOREM	\$800	\$745	\$738	\$776	\$764
TOTAL TAX	\$50,789	\$54,612	\$21,362	\$21,725	\$21,757

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcapao.gov

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Time Extensions

Agenda Title

Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **363 Coconut Row**.

Presenter

ATTACHMENTS:

- ▯ **PZB Staff Memorandum**

TOWN OF PALM BEACH

Information for Town Council Meeting on:

February 12, 2025

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager / Wayne Bergman, Director of Planning, Zoning & Building

From: Michelle Sentmanat, Business Services Supervisor in PZB

Re: Waiver of Town Code Section 18-237, For Building Permit Extension at 363 Cocoanut Row. Permit B-23-98323

Date: January 21, 2025

STAFF RECOMMENDATION

Staff recommends that the Town Council consider the second request from Melisa Perez, project manager for Mouw Associates, Inc., regarding a time extension in which to complete the renovations at 363 Cocoanut Row. The request is to extend the permit by an additional six months – to complete work by September 15, 2025.

GENERAL INFORMATION

The current owner is 363 Cocoanut Row Propco, LLC who purchased the property in April 2022. The permit was issued May 15, 2023, with a duration of 16 months. Expiration date is September 15, 2024. The contractor originally went to Town Council in August 2024 for a six-month extension based on unforeseen circumstances on the condition of the building's structure. At the meeting, the Town Council granted a longer extension with an expiration date of March 15, 2025. In the contractor's letter dated January 17, 2025, they have explained the reason for another request in detail which includes delays due to numerous mockups, proposals and consultants for the design team to assure they meet the expectations of the Historic Preservation Board. Note: The Contractor currently has an administrative review in for awnings changes under LPCS-25-0203. Currently, they are requesting an additional six months. The revised construction schedule shows the project completion date to be September 15, 2025.

The applicant appears to have complied with all new requirements for neighbor notice.

Attachments: Letter from Mouw Associates with Construction Schedule, Nuisance Mitigation Measures, and Neighbor Notice
Permit Summary for the Property
Property Appraiser Details for the Property



TOWN OF PALM BEACH

Planning, Zoning and Building

BUILDING PERMIT TIME EXTENSION REQUEST

RECEIVED

JAN 21 2025

TOWN OF PALM BEACH
PZB DEPARTMENT

Ext-Permit-25-00036

A request for a building permit time extension must be submitted to the Town no later than 30 days PRIOR to permit expiration. Please send the following items to Director Bergman and Deb Moody at dmoody@townofpalmbeach.com and wbergman@townofpalmbeach.com

1. Provide a detailed letter explaining the reasons why a time extension is being requested.
2. Provide a construction schedule to show completion timeline (CPM, Gantt Chart).
3. Provide nuisance mitigation measures.
4. Provide a statement that first class mailed notice to neighbors within 300 feet will be provided at least 25 days prior to the meeting at which the extension is to be considered.
5. Include a copy of the above notification to neighbors. Be sure to include the meeting date in the letter to neighbors.
6. Provide a USPS Certificate of Mailing as proof of the mailed notice.
7. Payment – provide a copy of the receipt showing payment of applicable fees (1% of remaining, unfinished construction).

Deadlines: See Permit Time Extension Schedule for submittal deadlines (page 3): For Town Council Meeting dates please visit our website at www.townofpalmbeach.com

- Town Council Development Review Date (Wednesday): 2/12/2025
- Deadline for submittal of request/backup must be received by: 1/20/2025
(Deadline is approximately two weeks prior to the Town Council Development Review Meeting).
- Deadline for Notice to Neighbors: 1/17/2025
(must be provided 25 days in advance of TC/DRC Meeting)

Permit #: B-23-98323 Exp. Date: 3/15/2025

Job Address: 363 Cocoanut Row

Length of time extension being requested: (in days) 180 days (6 months)

Proposed completion date if requested time extension is granted: 9/15/2025
(Must attach completion schedule)

Contact: Melisa Perez Phone: 561-271-3707

Email: melisa@mouwassociates.com



VALUATION OF PERMITS TO DATE:

(Original permit value and any permit updates containing valuation to date)

Job Address: 363 Coconut Row, Palm Beach FL

Permit# : B-23-98323 Job Value \$ 1,500,000.00

Permit# : B-23-99504 Job Value \$ 18,000,000.00

Permit# : _____ Job Value \$ _____

Permit# : _____ Job Value \$ _____

Valuation of work remaining to complete the project: \$ 4,323,822.91
(Include labor, materials and the value of any owner supplied items, etc.)

Permit fee due based upon 1% of this amount:
(attach a copy of the receipt for payment)

\$ 43,238.23 u/ technology fee
44,102.99

OWNERS CERTIFICATION: I certify the information listed above to be true and correct.

[Signature] 1/20/25
OWNER SIGNATURE DATE

CONTRACTOR CERTIFICATION: I certify the information listed above to be true and correct.

[Signature] 1/20/25
CONTRACTOR SIGNATURE DATE

NOTARY TO OWNER

STATE OF
COUNTY OF

Sworn to (or affirmed) and subscribed before me

this 20th day of January

20 25, By Trevor Stahelski

Who are personally known _____ OR produced
identification (Type of identification) License
OR Online Notarization _____

Maria P. Chaparro Cardona
Printed Name of Notary

Maria P. Chaparro Cardona
Signature of Notary

SEAL:



Maria Paola Chaparro-Cardona
Notary Public
State of Florida
Comm# HH570291
Expires 7/12/2028

NOTARY TO CONTRACTOR

STATE OF
COUNTY OF

Sworn to (or affirmed) and subscribed before me

this 20th day of January

20 25, By John Mouw

Who are personally known ✓ OR produced
identification (Type of identification) _____
OR Online Notarization _____

Maria P. Chaparro Cardona
Printed Name of Notary

Maria P. Chaparro Cardona
Signature of Notary

SEAL:



Maria Paola Chaparro-Cardona
Notary Public
State of Florida
Comm# HH570291
Expires 7/12/2028



The Vineta Hotel
363 Coconut Row
Time Extension Request
Permit Renewal
January 17th 2025

To whom it may concern,

Mouw Associates is reaching out regarding a time extension request for Permit #B-23-98323, located at 363 Coconut Row, Palm Beach FL, 33480.

Due to the following unforeseen circumstances based on the condition of the building's structure, there have been several additions to the renovation scope that were not encapsulated in the original project schedule as listed below:

1. Stucco removal and reinstallation: *Based on the poor structural condition of the building's existing stucco*, the existing stucco needed to be removed and reinstalled. This quickly was identified as a life safety issue, creating additional scope and duration that were not accounted for in the project's original schedule.
2. Floor Leveling: Once the structure was stabilized, it became apparent there was no safe way to level the floors. The amount of water and termite damage was too great, and the joists were undersized for current building codes. With the building being balloon framed, the walls had to be stabilized and strapped and then the floors removed and replaced one section at a time. This was a timely and costly procedure to execute safely, and beyond the scope of the original plans.
3. Hidden defects and out of compliance elements have played a large part in the addition to scope and timeline of execution. We are highly conscious of the neighbors and the standards of Palm Beach. We make every effort to maintain a clean, well-managed site with Safety and impact on the Town at the forefront of our thinking. Because of this, we have also limited our working hours to Monday through Friday, with our shuttle.
4. Historic Preservation: In an effort to maintain historic preservation to the building, we have been working with subcontractors, consultants, and the preservation board to assure we are correctly and effectively repairing or replacing exterior finishes to comply with the Town of Palm Beach's standards. Because of this, we have had to provide numerous mock ups, proposals, and consultants for our design team's review. Assuring our exterior finishes meet the expectations of the Historic Preservation Board has cost more time and money than anticipated.

Mouw Associates would like to request a 6-month (180 day) time extension for Permit #B-23-98323 as a result of the above listed unforeseen circumstances.

Please feel free to reach out if there are any questions or concerns.

Respectfully,

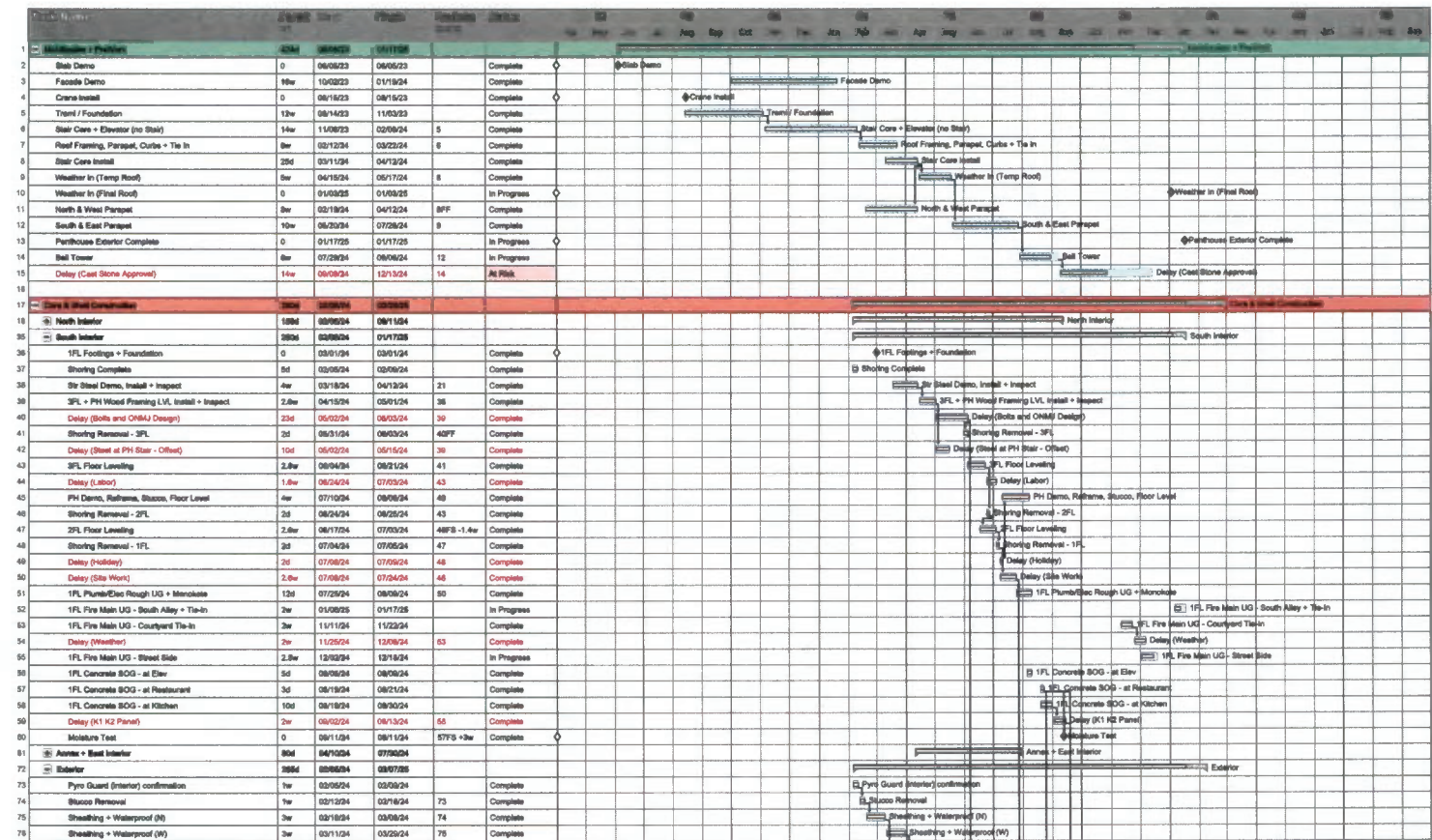
Melisa Perez

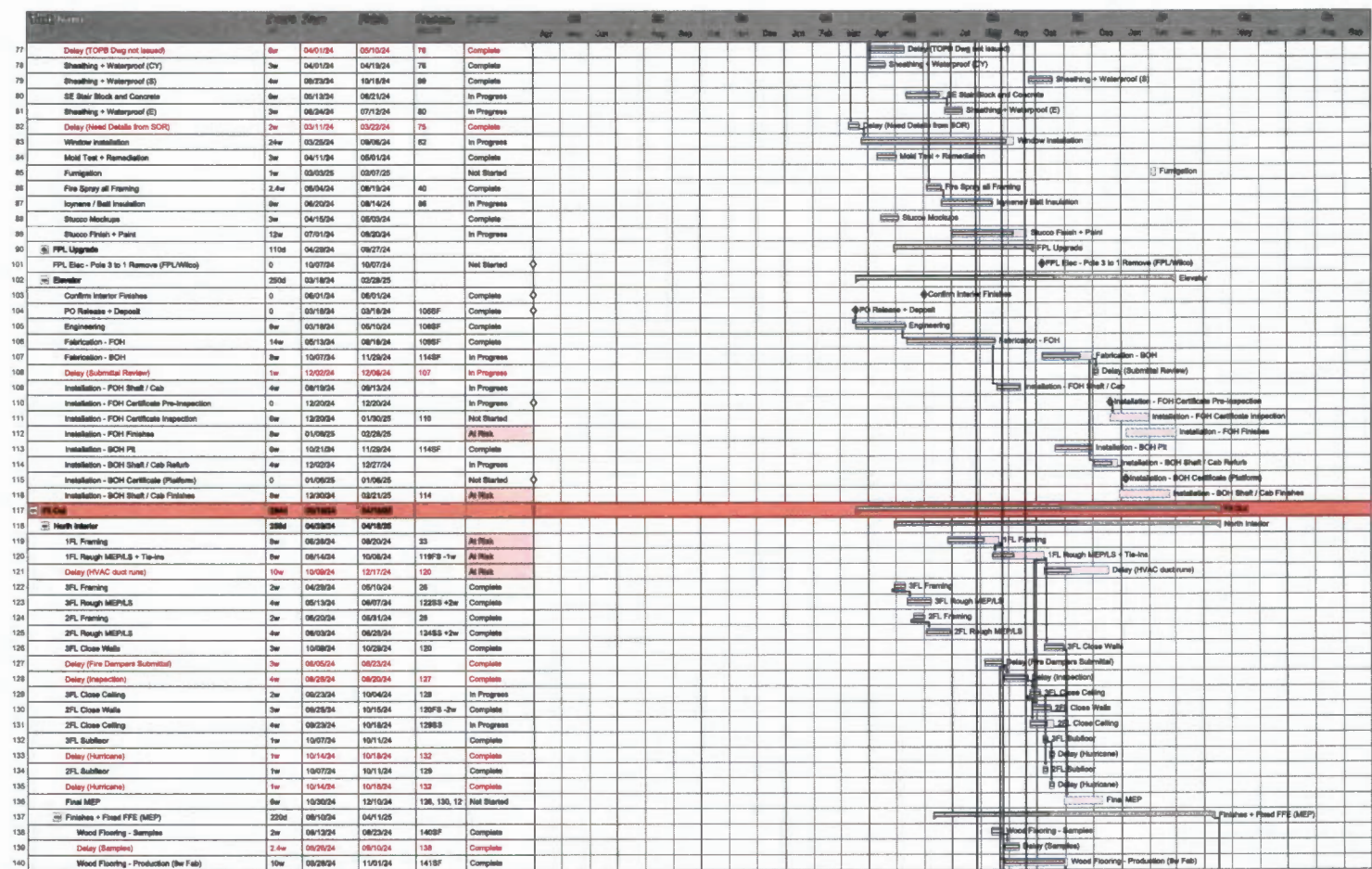
Project Manager

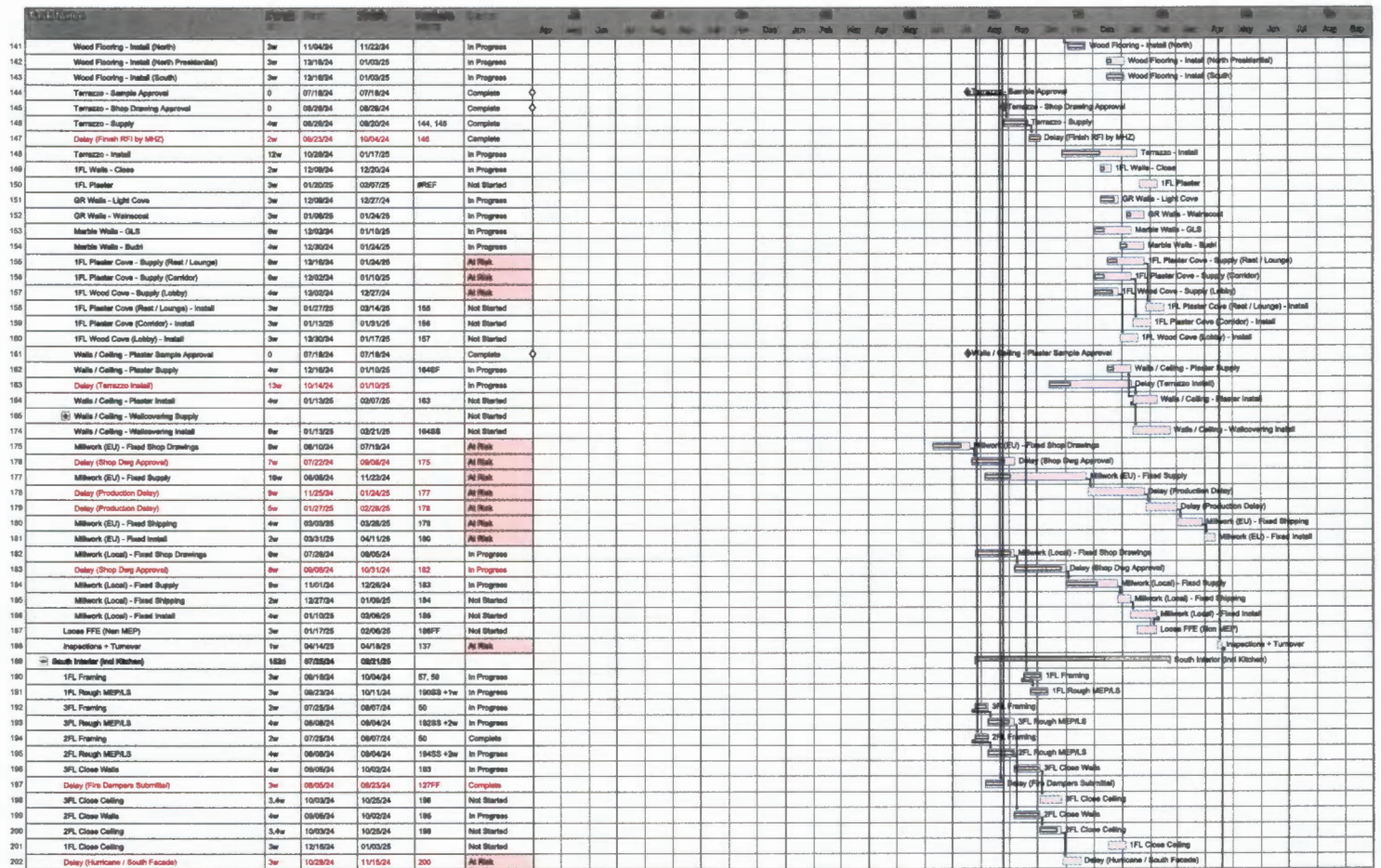
M: 561-271-3707, melisa@mouwassociates.com

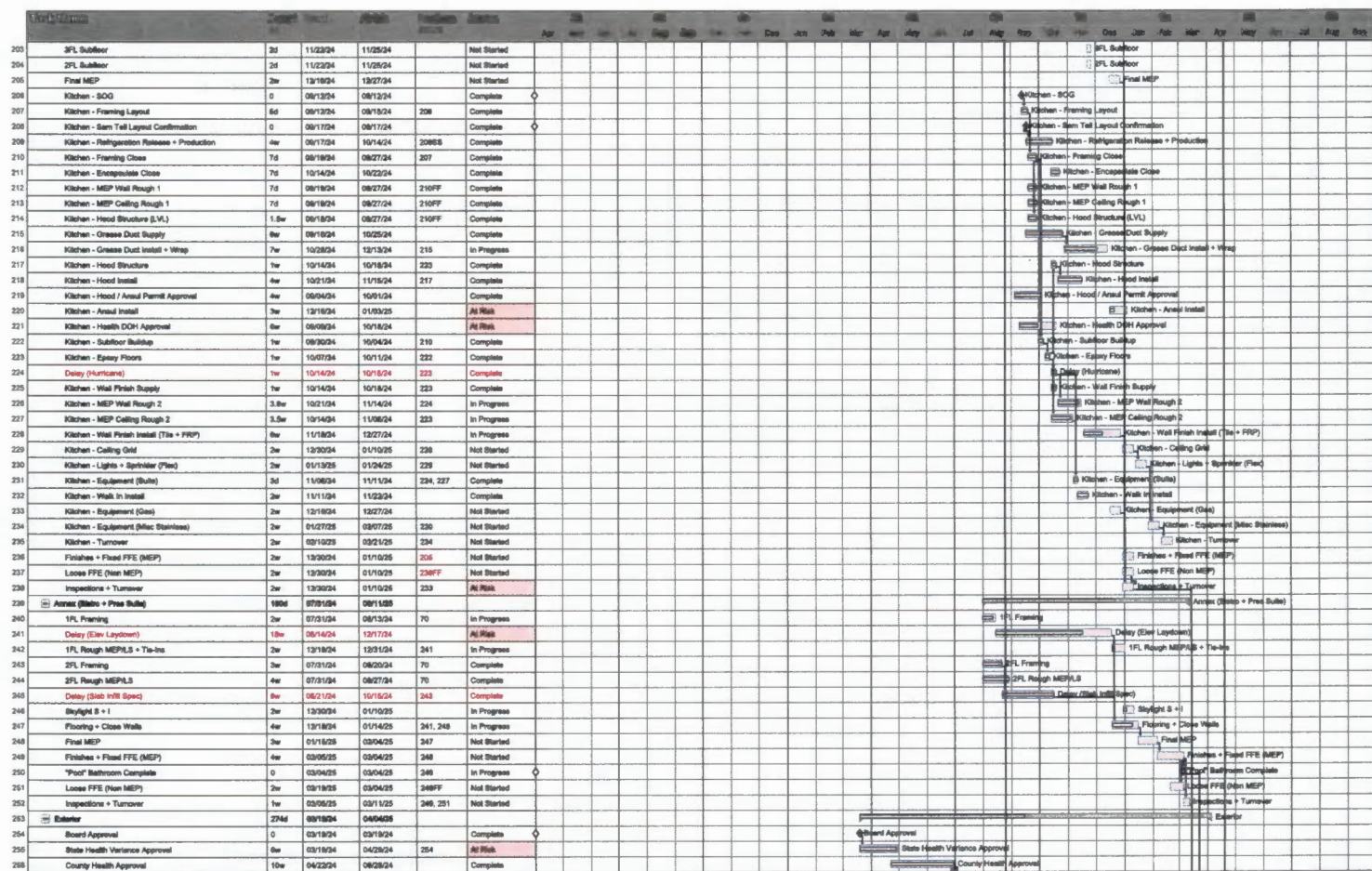
General Contractors - CGC#038463
601 N. Congress Avenue, Suite 109 • Delray Beach, FL 33445
Telephone (561) 276-9640 • FAX (561) 265-3886 • www.mouwassociates.com

Vineta Hotel - Milestone Schedule 20241212









Exported on January 20, 2025 9:20:24 AM PST

Page 4 of 6

[illegible]

Mouw Associates, Inc.

The Vineta Hotel
363 Cocoanut Row
Nuisance Mitigation
Permit Renewal
January 20, 2025

Director Berman & Ms. Moody,

Good afternoon. We would like to share with the Town of Palm Beach some of the measures we have taken to minimize nuisance/impact on the community while renovating the Vineta hotel to its original landmarked status. Below are a few of the steps we have taken.

With an open-door policy, we try to stay in touch with the adjacent neighbors, being mindful of their concerns and safety. The policies and procedures we have put in place cover everything from traffic logistics to mitigating anything that would reduce the use or enjoyment of their property.

1.) Logistics-

- a. MOT plan includes a waterwall to insulate and protect pedestrians and local traffic from the day-to-day operations on site. We expect the waterwall to be unnecessary by early June.
- b. Double screening to keep construction out of the public's eyes.
- c. Large format signs and barricades to direct foot traffic around the construction area.
- d. A planned truck route for deliveries, with a limit on the truck size we will accept.
- e. In and out of season, we are keeping our working hours at 9am-5pm to reduce the noise impact to neighbors.

2.) Cleanliness-

- a. Two full time laborers dedicated to keeping the area adjacent to the site clean and free of debris.
- b. We have invested in filters and "wet socks" to ensure we don't contaminate the water shed.
- c. Onsite foreman to direct men and vehicle traffic during working hours.
- d. We have doubled the OSHA recommendation for porta potties and hand wash stations, having them cleaned and refreshed daily to avoid any air pollutants.

Respectfully,

John Hart
Senior Project Manager
M: 832-808-1807/ Hart@mouwassociates.com

General Contractors - CGC#038463

601 N. Congress Avenue, Suite 109 • Delray Beach, FL 33445
Telephone (561) 276-9640 • FAX (561) 265-3886 • www.mouwassociates.com



Mouw Associates, Inc.

The Vineta Hotel
363 Cocoanut Row
Notification to Neighbors
Permit Time Extension
1/17/2025

To whom it may concern,

The purpose of this letter is to notify all neighbors adjacent to the property located at 363 Cocoanut Row 33480, that Mouw Associates is requesting a 6 month time extension for the existing construction permit B-23-98323.

Due to additional structural rework that was not encapsulated in the project's original project's schedule as well as reduced work hours to comply the Town of Palm Beach's quiet hours during season, Mouw Associates is proposing a 6 month (180 day) time extension request for Permit #B-23-98323 to bring the project to final completion. The Town Council Review meeting to assess the permit's time extension is scheduled for 2/12/2025.

We encourage you to reach out if there are any questions or concerns, as we would like to remain mindful of the properties neighbors at all times. We will continue to abide by the Town of Palm Beach's policies and procedures to mitigate any inconveniences or impacts to the surrounding area.

Site contacts are as listed below:

- Lead Superintendent: Spencer Biggs, Cell: (561)271-3087
- Senior Project Manager: John Hart, Cell: 832-808-1807
- Project Manager: Melisa Perez, Cell: 561-271-3707

Respectfully,

Melisa Perez

Project Manager

M: 561-271-3707, melisa@mouwassociates.com

General Contractors - CGC#038463
601 N. Congress Avenue, Suite 109 • Delray Beach, FL 33445
Telephone (561) 276-9640 • FAX (561) 265-3886 • www.mouwassociates.com

Notice to Neighbors Statement

All neighbors within 300 feet of the property have been notified at least 25 days prior to the meeting at which the extension is to be considered by USPS Mail. Letter and receipt of USPS is attached. Palm Beach Addresses that have been notified are as follows:

1. 334 Australian Ave
2. 412 Australian Ave
3. 401 Australian Ave
4. 328 Australian Ave
5. 322 Australian Ave
6. 403 Australian Ave
7. 415 Australian Ave
8. 343 Australian Ave
9. 333 Australian Ave
10. 331 Australian Ave
11. 329 Australian Ave
12. 414 Australian Ave
13. 354 Brazilian Ave
14. 346 Brazilian Ave
15. 340 Brazilian Ave
16. 412 Brazilian Ave
17. 342 Cocoanut Row APT C
18. 350 Cocoanut Row 2A
19. 340 Cocoanut Row
20. 342 Cocoanut Row APT A
21. 342 Cocoanut Row APT B
22. 330 Cocoanut Row
23. 350 Cocoanut Row 2B
24. 350 Cocoanut Row 3B
25. 350 Cocoanut Row 3A
26. 360 Cocoanut Row
27. 342 Cocoanut Row
28. 355 Cocoanut Row
29. 337 Cocoanut Row
30. 335 Cocoanut Row
31. 323 Chilean Ave
32. 325 Chilean Ave
33. 417 Chilean Ave
34. 347 Chilean Ave
35. 359 Chilean Ave
36. 351 Chilean Ave
37. 354 Chilean Ave
38. 353 Chilean Ave
39. 401 Chilean Ave

Master Permit #	Permit number	Permit type name	Permit description	Permit Address	Permit Suite	Customer Last Name	Application date	Issue date	Approval state
B-23-98323	U-23-13479	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	7/19/2023	7/26/2023	final
B-23-98323	U-23-13480	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/IN RAIN) SIN GLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	7/19/2023	7/26/2023	final
B-23-98323	U-23-13673	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- CRANE ON NORTH SIDE OF PROPERTY	363 COCOANUT ROW		MOUW ASSOCIATES INC	8/8/2023	8/11/2023	final
B-23-98323	U-23-13867	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/IN RAIN) SIN GLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	8/22/2023	9/1/2023	final
B-23-98323	U-23-13955	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	8/29/2023	9/1/2023	final
B-23-98323	U-23-13956	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	8/29/2023	9/1/2023	final
B-23-98323	U-23-13957	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	8/29/2023	9/1/2023	final
B-23-98323	U-23-14066	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- CRANE ON NORTH SIDE OF PROPERTY	363 COCOANUT ROW		MOUW ASSOCIATES INC	9/7/2023	9/12/2023	final
B-23-98323	U-23-14183	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/IN RAIN) SIN GLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	9/19/2023	9/25/2023	final
B-23-98323	U-23-14184	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- CONSTRUCTION E EQUIPMENT, LOADING/UNLOADING, SCAFFOLDING	363 COCOANUT ROW		MOUW ASSOCIATES INC	9/19/2023	9/22/2023	final
B-23-98323	U-23-14185	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	9/19/2023	9/25/2023	final
B-23-98323	U-23-14186	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	9/19/2023	9/25/2023	final
B-23-98323	U-23-14187	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	9/19/2023	9/25/2023	final
B-23-98323	U-23-14508	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/RAIN WATER) SINGLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	10/19/2023	10/24/2023	final
B-23-98323	U-23-14509	U-USE OF/WORK IN ROW	CRANE ON NORTH SIDE OF PROPERTY	363 COCOANUT ROW		MOUW ASSOCIATES INC	10/19/2023	10/24/2023	final
B-23-98323	U-23-14510	U-USE OF/WORK IN ROW	SIDEWALK CLOSURE/REDIRECT SCAFFOLDING FACE	363 COCOANUT ROW		MOUW ASSOCIATES INC	10/19/2023	10/24/2023	final
B-23-98323	U-23-14709	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	11/6/2023	11/8/2023	final
B-23-98323	U-23-14710	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	11/6/2023	11/8/2023	final
B-23-98323	U-23-14711	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	11/6/2023	11/8/2023	final
B-23-98323	U-23-14928	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/1/2023	12/7/2023	final
B-23-98323	U-23-14929	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/1/2023	12/7/2023	final
B-23-98323	U-23-14930	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/1/2023	12/7/2023	final
B-23-98323	U-23-14931	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/RAIN WATER) SINGLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/1/2023	12/7/2023	final
B-23-98323	U-23-15071	U-USE OF/WORK IN ROW	SIDEWALK CLOSURE/REDIRECT SCAFFOLDING FACE	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/20/2023	12/21/2023	final
B-23-98323	U-23-15072	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- CONSTRUCTION E EQUIPMENT, LOADING/UNLOADING, SCAFFOLDING	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/20/2023	12/21/2023	final
B-23-98323	U-23-15073	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/RAIN WATER) SINGLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/20/2023	12/21/2023	final
B-23-98323	U-23-15074	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/20/2023	12/21/2023	final
B-23-98323	U-23-15075	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/20/2023	12/21/2023	final
B-23-98323	U-23-15076	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	12/20/2023	12/21/2023	final

Count: 333

Master Permit #	Permit number	Permit type name	Permit description	Permit Address	Permit Suite	Customer Last Name	Application date	Issue date	Approval state
B-23-98323	U-24-15277	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/RAIN WATER) SINGLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	1/22/2024	1/23/2024	final
B-23-98323	U-24-15278	U-USE OF/WORK IN ROW	CRANE ON NORTH SIDE OF PROPERTY	363 COCOANUT ROW		MOUW ASSOCIATES INC	1/22/2024	1/23/2024	final
B-23-98323	U-24-15628	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/RAIN WATER) SINGLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/4/2024	3/6/2024	final
B-23-98323	U-24-15728	U-USE OF/WORK IN ROW	*****PRIVATE PROVIDER***** USE OF- CONSTRUCTION EQUIPMENT, LOADING/UNLOADING, SCAFFOLDING	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/18/2024	3/19/2024	final
B-23-98323	U-24-15811	U-DEWATERING	DEWATERING POOL (ONGOING FOR GROUND/RAIN WATER) SINGLE (1) 2" HOSE INTO GUTTER	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/27/2024	4/3/2024	final
B-23-98323	U-24-15812	U-USE OF/WORK IN ROW	CRANE ON NORTH SIDE OF PROPERTY	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/27/2024	4/3/2024	final
B-23-98323	U-24-15813	U-USE OF/WORK IN ROW	SIDEWALK CLOSURE/REDIRECT SCAFFOLDING FACE	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/27/2024	4/3/2024	final
B-23-98323	U-24-15814	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/27/2024	4/3/2024	final
B-23-98323	U-24-15815	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/27/2024	4/3/2024	final
B-23-98323	U-24-15816	U-CONSTRUCTION PARKING	*****PRIVATE PROVIDER***** CONSTRUCTION PARKING Parking Attendant: John Hart - (832) 808-1807	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/27/2024	4/3/2024	final
	X-04-11199	X-LEGACY PERMIT	REPLACEMENT OF DUCTWORK SERVICE THE LEOPARD ROOM	363 COCOANUT ROW		INACTIVE	8/26/2004	8/26/2004	final
	X-04-11200	X-LEGACY PERMIT	UPDATE TO INCLUDE REMODEL/ALTER OF LEOPARD ROOM	363 COCOANUT ROW		INACTIVE	10/25/2004	10/25/2004	final
	X-04-11573	X-LEGACY PERMIT	DEMO AND REPLACE DRYWALLS	363 COCOANUT ROW		CATALFUMO CONSTRUCTION LT	9/20/2004	9/20/2004	final
	X-04-12085	X-LEGACY PERMIT	ELECTRIC AS PER MASTER PLAN	363 COCOANUT ROW		PROTON ELECTRIC SERVICE LLC	10/14/2004	10/14/2004	final
	X-04-13522	X-LEGACY PERMIT	RESURFACING POOL & SPA, REDOING POOL TILE	363 COCOANUT ROW		INACTIVE	12/27/2004	12/27/2004	final
	X-05-18133	X-LEGACY PERMIT	REMODEL/ALTER: 2ND FLOOR, 3RD FLOOR & ROOF: SHEET ROCK REMOVAL & REPLACEMENT FOR A/C EQUIP REPLACEMENT	363 COCOANUT ROW		INACTIVE	8/11/2005	8/11/2005	final
	X-05-18224	X-LEGACY PERMIT	DEMO DRYWALL CEILING AND REPLACE	363 COCOANUT ROW		INACTIVE	8/16/2005	8/16/2005	final
	X-05-18374	X-LEGACY PERMIT	REPLACE 2 - 10T A/C ROOF UNITS & WIRE ONE 2T UNIT	363 COCOANUT ROW		ARROW ELECTRIC COMPANY	8/23/2005	8/23/2005	final
	X-05-18693	X-LEGACY PERMIT	FLASH AROUND 2 A/C UNITS USING WHITE GRANULATED MODIFIED BITUMEN FLASHING	363 COCOANUT ROW		GOLD COAST ROOFING & BUILDING	9/9/2005	9/9/2005	final
	X-06-26971	X-LEGACY PERMIT	REPLACE EXISTING CONDENSER AND A/HU. SYSTEM(1)30T C NONSR-SYSTEM (2) 25 AHU.	363 COCOANUT ROW		INACTIVE	12/22/2006	12/22/2006	final
	X-07-31409	X-LEGACY PERMIT	INSTALLATION OF 16KW GENERATOR AND 16 CIR TRANSFER SWITCH-PRE FABBED ENGINEERED STAMPED SLAB	363 COCOANUT ROW		CERRITO ENTERPRISE INC	8/30/2007	8/30/2007	final
	X-07-31410	X-LEGACY PERMIT	REPLACE 1" GALVANIZED SUPPLYING (2) POOL HEATERS W/ 2" GALV. AND ADD 400K BTU GENERATOR	363 COCOANUT ROW		INACTIVE	8/30/2007	8/30/2007	final
	B-18-76138	M-REPLACEMENT	REPLACE A/C UNIT.	363 COCOANUT ROW		SOUTH FLORIDA AIR CONDITIONING CORP	10/24/2018	12/11/2018	issued
	B-20-84635	E-ELECTRICAL	***** EMERGENCY ***** ELECTRICAL DEMO AND GENERAL REPAIRS	363 COCOANUT ROW		BROWN ELECTRICAL SOLUTIONS LLC	6/24/2020	6/25/2020	issued
	B-20-86715	M-MECHANICAL	A/C CHANGEOUT - ONE ROOF TOP 10 TON NOT SEEN FROM THE ROAD ONE CONDENSER UNIT 12.5 TON ON THE FLOOR AT THE BACK	363 COCOANUT ROW		MONROE SERVICE CO	11/17/2020	12/1/2020	issued
B-23-98323	B-22-96612	D-INTERIOR DEMOLITION	(SEE PERMIT CONDITIONS) INTERIOR DEMOLITION	363 COCOANUT ROW		VERDEX CONSTRUCTION LLC	9/23/2022	10/18/2022	issued
	B-23-98323	B-COMMERCIAL ALTERATION	*****PRIVATE PROVIDER***** (SEE PERMIT CONDITIONS) FOUNDATION AND STAIR TOWER/DOORS & WINDOWS/ELEVATOR SHAFT *****TC EXTEND FOR SIX MONTHS - EXPIRATION	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/13/2023	5/15/2023	issued
B-23-98323	B-23-98324	F-FLOOD PLAIN DEVELOPMENT	*****PRIVATE PROVIDER***** FLOOD PLAIN	363 COCOANUT ROW		MOUW ASSOCIATES INC	3/13/2023	5/15/2023	issued
B-23-98323	B-23-99401	E-ELECTRICAL	*****PRIVATE PROVIDER***** TEMP POWER FOR CONSTRUCTION	363 COCOANUT ROW		MOUW ASSOCIATES INC	5/22/2023	5/24/2023	issued
	U-23-13074	U-EXCAVATION IN ROW	EXCAVATION- PARK ALONG ROW IN FRONT OF PROPERTY. 4 8" HANDHOLE TO BE INSTALLED TO FEED REPAIRED TEMPORARY SERVICE.	363 COCOANUT ROW		FLORIDA POWER & LIGHT	5/30/2023	6/2/2023	issued

Count: 333

Property Detail

Location Address : 363 COCOANUT ROW
Municipality : PALM BEACH
Parcel Control Number : 50-43-43-23-05-006-0010
Subdivision : ROYAL PARK ADD TO P B IN
Official Records Book/Page : 33509 / 441
Sale Date : APR-2022
Legal Description : ROYAL PARK ADD LTS 1 THRU 6 BLK 6

Owner Information

Owner(s)

363 COCOANUT ROW PROPCO LLC

Mailing Address

21-24 MILLBANK 4TH FLOOR LONDON SW1P 4QP GREAT BRITAIN & NRTHRN IRELAND

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
APR-2022	\$42,000,000	33509 / 00441	WARRANTY DEED	363 COCOANUT ROW PROPCO LLC
AUG-2011	\$6,500,000	24797 / 01707	WARRANTY DEED	CHESTERFIELD PB HOTEL PROPERTY INC
DEC-1989	\$3,158,000	06285 / 01268	WARRANTY DEED	
OCT-1988	\$0	05831 / 01904		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 55
***Total Square Feet :** 32758
Acres : .43
Property Use Code : 3900—MOTEL
Zoning : R-C—MEDIUM DENSITY RESIDENTIAL (50-PALM BEACH)

Building Details

Structural Details

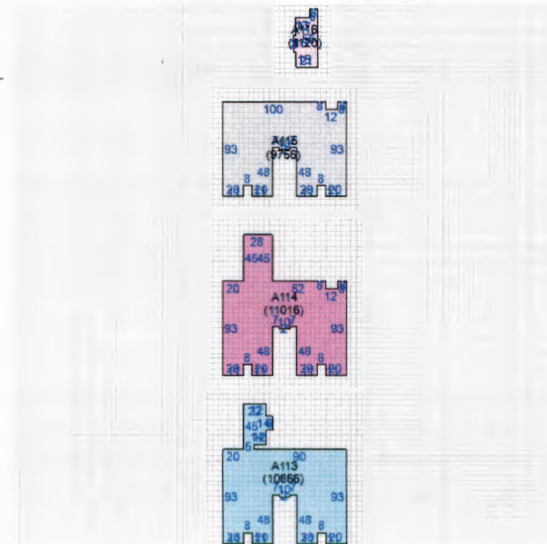
Structural Element for Building 1

Year Built	1918
HOTEL- HI RISE	32758

Subarea and Square Footage for Building 1

Code Description	square Footage
HOTEL HIGH RISE	10866
HOTEL HIGH RISE	11016
HOTEL HIGH RISE	9756
HOTEL HIGH RISE	1120
Total Square Footage	32758

Sketch for Building 1



Property Extra Feature

Description	Year Built	Units
Swimming Pool Commercial	1918	703
Patio	1918	1144
Patio	1918	2273
Spa	1918	1

Property Land Details

Land Line #	Description	Zoning	Acres
1	COMMERCIAL	R-C	0.4304

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$23,213	\$2,904,093	\$10,033,333	\$3,167,261	\$4,587,431
Land Value	\$28,700,000	\$19,912,475	\$18,411,250	\$5,472,390	\$5,313,000
Total Market Value	\$28,723,213	\$22,816,568	\$28,444,583	\$8,639,651	\$9,900,431

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$25,098,225	\$22,816,568	\$9,503,616	\$8,639,651	\$8,844,595
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$25,098,225	\$22,816,568	\$9,503,616	\$8,639,651	\$8,844,595

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$396,109	\$342,536	\$270,736	\$140,179	\$153,283
NON AD VALOREM	\$23,983	\$23,206	\$22,324	\$21,819	\$21,539
TOTAL TAX	\$420,092	\$365,742	\$293,060	\$161,998	\$174,822

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcapao.gov

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Time Extensions

Agenda Title

Requesting a Waiver of Town Code Section 18-237, For Building Permit Extension at **1015 S. Ocean Blvd.**

Presenter

ATTACHMENTS:

- ▯ **PZB Staff Memorandum**

TOWN OF PALM BEACH

Information for Town Council Meeting on:

February 12, 2025

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager / Wayne Bergman, Director of Planning, Zoning & Building

From: Michelle Sentmanat, Business Services Manager in PZB

Re: Waiver of Town Code Section 18-237, For Building Permit Extension at 1015 S. Ocean Blvd – Permit B-22-96412

Date: January 17, 2025

STAFF RECOMMENDATION

Staff recommends that the Town Council consider the request from George A. Bariso with Mark Timothy, Inc., regarding a request for time extension, in which to complete the renovations at 1015 S. Ocean Blvd. The request is to extend the permit by six months - until June 1, 2025.

GENERAL INFORMATION

The current owner is 1015 South Ocean, LLC, which purchased the property in June of 2020. The building permit was issued on January 11, 2023, with a duration of 24 months – expiration date 01/11/2025. Attached the contractor has detailed the reason for request is due to the presence of secret service which has caused road closures and delays to get to the job site. The revised construction schedule shows completion by June 1, 2025.

The applicant appears to have complied with all new requirements for neighbor notice.

Attachments: Letter from Mark Timothy, Inc, with Construction Schedule
Letter for nuisance mitigation measures
Permit Summary for the Property
Property Appraiser Details for the Property
Neighbor notice

Ext permit -25-00035



TOWN OF PALM BEACH

Planning, Zoning and Building

JAN 17 2025

BUILDING PERMIT TIME EXTENSION REQUEST

TOWN OF PALM BEACH
PZB DEPARTMENT

A request for a building permit time extension must be submitted to the Town no later than 30 days PRIOR to permit expiration. Please send the following items to Director Bergman and Deb Moody at dmoody@townofpalmbeach.com and wbergman@townofpalmbeach.com

1. Provide a detailed letter explaining the reasons why a time extension is being requested.
2. Provide a construction schedule to show completion timeline (CPM, Gantt Chart).
3. Provide nuisance mitigation measures.
4. Provide a statement that first class mailed notice to neighbors within 300 feet will be provided at least 25 days prior to the meeting at which the extension is to be considered.
5. Include a copy of the above notification to neighbors. Be sure to include the meeting date in the letter to neighbors.
6. Provide a USPS Certificate of Mailing as proof of the mailed notice.
7. Payment – provide a copy of the receipt showing payment of applicable fees (1% of remaining, unfinished construction).

Deadlines: See Permit Time Extension Schedule for submittal deadlines (page 3). For Town Council Meeting dates please visit our website at www.townofpalmbeach.com

- Town Council Development Review Date (Wednesday): February 12th, 2025
- Deadline for submittal of request/backup must be received by: January 18th, 2025
(Deadline is approximately two weeks prior to the Town Council Development Review Meeting).
- Deadline for Notice to Neighbors: January 18, 2025
(must be provided 25 days in advance of TC/DRC Meeting)

Permit #: 322-90412 Exp. Date: 1/11/2025

Job Address: 1015 S. Ocean Blvd

Length of time extension being requested: (in days) 180 days = 6 months

Proposed completion date if requested time extension is granted: June 1, 2025
(Must attach completion schedule)

Contact: George Bariso Phone: 561-866-5831

Email: george@marktimothy.com

Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480
Telephone: (561)838-5431 • Facsimile (561)835-4621
E-Mail: pzb@townofpalmbeach.com • Website: www.townofpalmbeach.com



VALUATION OF PERMITS TO DATE:

(Original permit value and any permit updates containing valuation to date)

Job Address: 1015 S. Ocean Blvd

Permit# : 22-96412 Job Value \$ 4,177,000.00

Permit# : _____ Job Value \$ _____

Permit# : _____ Job Value \$ _____

Permit# : _____ Job Value \$ _____

Valuation of work remaining to complete the project: \$ 257,000.00
(Include labor, materials and the value of any owner supplied items, etc.)

Permit fee due based upon 1% of this amount: \$ 2570.00
(attach a copy of the receipt for payment)

OWNERS CERTIFICATION: I certify the information listed above to be true and correct.

[Signature] 1/14/25
OWNER SIGNATURE DATE

NOTARY TO OWNER

STATE OF
COUNTY OF

Sworn to (or affirmed) and subscribed before me

this 14 day of January
2025 By John Giampetroni

Who are personally known X OR produced
identification (Type of identification) _____
OR Online Notarization _____

Elizabeth Goldberg
Printed Name of Notary

[Signature]
Signature of Notary

SEAL:  Elizabeth Goldberg
Comm. #HH081607
Expires: April 26, 2025
Bonded Thru Aaron Notary

CONTRACTOR CERTIFICATION: I certify the information listed above to be true and correct.

[Signature]
CONTRACTOR SIGNATURE DATE

NOTARY TO CONTRACTOR

STATE OF
COUNTY OF

Sworn to (or affirmed) and subscribed before me

this 15 day of January
2025 By Gerry Barin

Who are personally known X OR produced
identification (Type of identification) _____
OR Online Notarization _____

Elizabeth Goldberg
Printed Name of Notary

[Signature]
Signature of Notary

SEAL:  Elizabeth Goldberg
Comm. #HH081607
Expires: April 26, 2025
Bonded Thru Aaron Notary

Mark Timothy, Inc.
The Finest Luxury Homes

January 15, 2025

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

Re: Permit Extension Request for 1015 S Ocean Blvd, Palm Beach, FL 33480

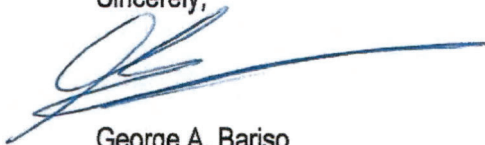
To Whom It May Concern:

Mark Timothy, Inc is requesting a 6-month Permit Extension for permit #B22-96412 at 1015 South Ocean Blvd, Palm Beach.

We require an additional 6 months due to the fact that our job has been slowed down significantly from Secrete Service presence in the area for over a year now. We have found road closures and delays in getting to our job site due to this.

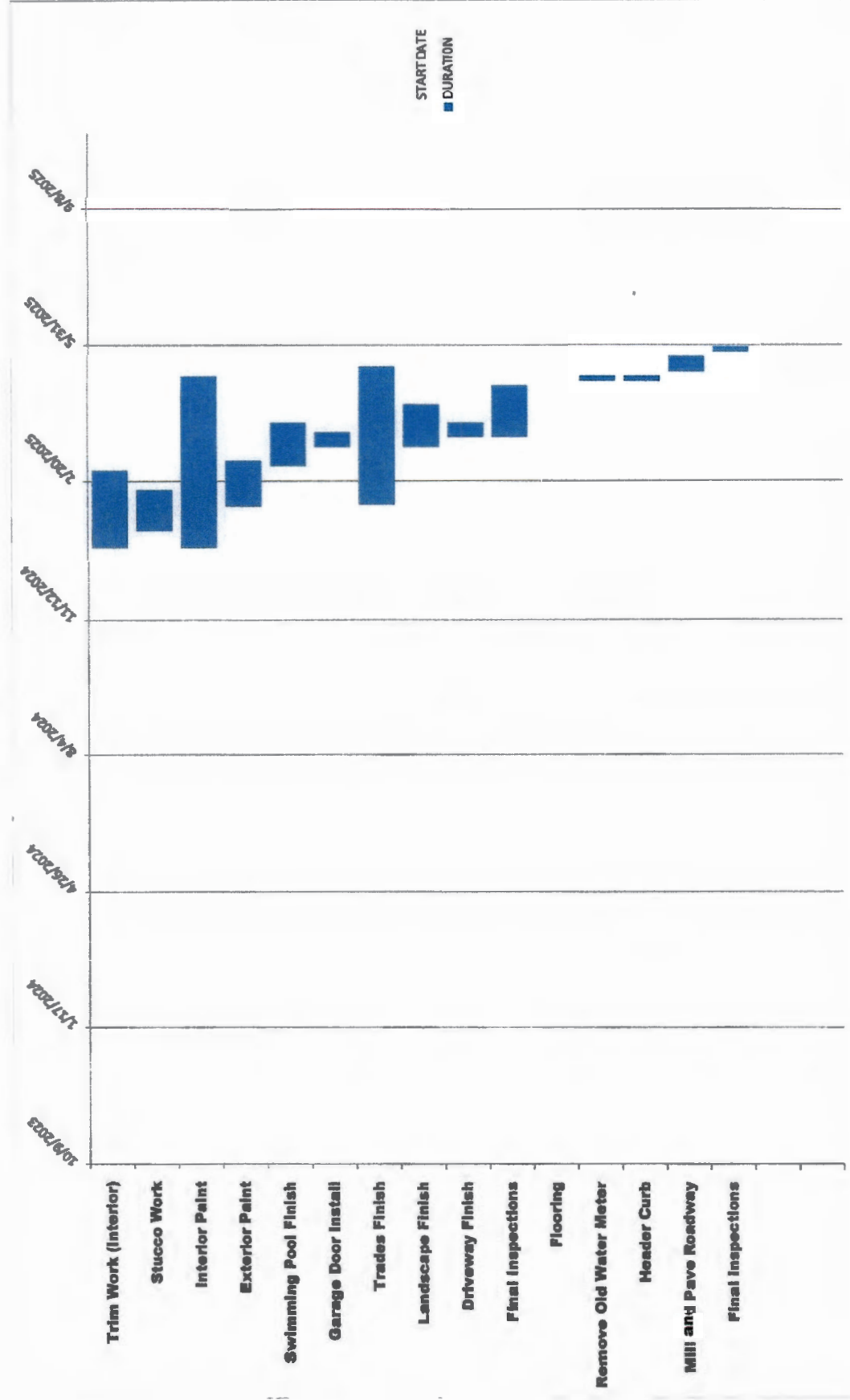
Should you have any questions, please feel free to contact me at (561) 866-5834.

Sincerely,



George A. Bariso
Mark Timothy, Inc.
Residential Contractor
License Number: CRC1327612

41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852



Mark Timothy, Inc.
The Finest Luxury Homes

January 15, 2025

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

Re: Nuisance Mitigation Measures for 1015 S Ocean Blvd, Palm Beach, FL 33480

To Whom It May Concern:

This letter serves as Nuisance Mitigation Measures, we have in place for 1015 South Ocean Blvd, Palm Beach Permit Extension Request.

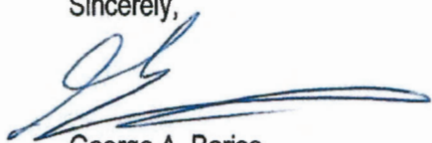
Neighbors – With-in the 2 years that we have been under construction we have had no incidents. We feel that we have a long-standing good relationship with our neighbors and handle any issues face to face. The neighbors have the project managers cell number and can call him at any time if they have any issues.

Traffic – We continue to park off site and have a shuttle service to take contractors to and from job site daily. During the phase of Mill and Paving the roadway we will have a licensed MOT contractor directing traffic safely.

Noise – We will continue to work with in the required working hours of the Tonw of Palm Beach. That said, we no longer have any phases or trades working that will make excessive noise

Should you have any questions, please feel free to contact me at (561) 866-5834.

Sincerely,



George A. Bariso
Mark Timothy, Inc.
Residential Contractor
License Number: CRC1327612

41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852

Master Permit #	Permit number	Permit type name	Permit description	Permit Address	Permit Suite	Customer Last Name	Application date	Issue date	Approval state
B-11-15817	B-11-15817	S-SITE WORK/DRAINAGE	DEMOLITION OF EASTERLY 15' OF EXISTING CBS WALL LOCATED ALONG SOUTH PROPERTY LINE AS SHOWN ON SURVEY	1015 S OCEAN BLVD		VERITAS DEVELOPMENT LLC	3/15/2011	4/6/2011	canceled
B-12-29042	B-12-29042	B-WINDOWS/DOORS/SHUTTER S/GARAGE DOORS	REPLACE 4 OPENINGS IMPACT DOORS	1015 S OCEAN BLVD		SHUTTER UP INDUSTRIES INC	11/16/2012		canceled
B-14-44329	B-14-44329	S-POOL/WATER FEATURE	RESURFACE EXISTING POOL	1015 S OCEAN BLVD		SOUTHERN POOL PLASTERERS INC	10/10/2014	10/28/2014	canceled
B-20-83103	B-20-83103	B-RESIDENTIAL NEW CONSTRUCTION/ADDITION	ADD SECOND FLOOR APARTMENT TO GARAGE	1015 S OCEAN BLVD	GARAGE	ALL FLAGS CONSTRUCTION INC	2/4/2020		canceled
B-22-95473	U-22-10444	U-CONSTRUCTION PARKING	CONSTRUCTION PARKING	1015 S OCEAN BLVD		MARK TIMOTHY INC	7/8/2022		canceled
B-22-95473	U-22-10446	U-CONSTRUCTION PARKING	CONSTRUCTION PARKING	1015 S OCEAN BLVD		MARK TIMOTHY INC	7/8/2022		canceled
B-22-95473	U-22-10447	U-CONSTRUCTION PARKING	CONSTRUCTION PARKING	1015 S OCEAN BLVD		MARK TIMOTHY INC	7/8/2022		canceled
B-22-95473	U-22-11755	U-USE OF/WORK IN ROW	USE OF ROW TO UNLOAD CRANE FOR PILTE INSTALL WITH F LAGMEN	1015 S OCEAN BLVD		MARK TIMOTHY INC	11/1/2022		canceled
B-22-96412	Z-22-00186	Z-DEVELOPMENT REVIEW PERMIT		1015 S OCEAN BLVD		GUNSTER YOAKLEY & STEWART PA	3/8/2019		canceled
B-22-96412	A-23-03210	A-ARCOM STAFF APPROVAL	ARCOM- DELETE ROUND WINDOW AT MASTER WING SECOND FLOOR ON NORTH ELEVATION ; REDUCT WINDOW IN HER DRESSING FIRST FLOOR NORTH ELEVATION TO MATCH	1015 S OCEAN BLVD		MARK TIMOTHY INC	8/25/2023	9/1/2023	final
B-22-96412	A-24-08575	A-ARCOM STAFF APPROVAL	ARCOM STAFF APPROVAL ELIMINATE TWO WINDOWS ON NORTH (SIDE) ELEVATION	1015 S OCEAN BLVD		PARKER YANNETTE DESIGN GROUP	2/28/2024	2/29/2024	final
B-11-18494	B-11-18494	S-SITE WORK/DRAINAGE	REMOVE 15' OF EXISTING 6' HIGH PRIVACY WALL AT SE LOCATION OF PROPERTY.	1015 S OCEAN BLVD		SMITH AND MOORE ARCHITECTS INC	3/6/2024	3/13/2024	final
B-11-18773	B-11-18773	B-WINDOWS/DOORS/SHUTTER S/GARAGE DOORS	EMERGENCY REPAIR-REPLACE 1 CURB MOUNT SKYLITE 34" X 34". REPLACE 1 SELF FLASH SKYLITE 28" X 34" (OK PER IT)	1015 S OCEAN BLVD		PHILLIP JOHNSON INC	7/25/2011	8/30/2011	final
B-16-59264	B-16-59264	B-ROOF REPAIR/RE-ROOF	***ROOF LEAKING - MEDICAL ISSUE*** RE-ROOF 835Q SLOPE USING TINTLASTC SA NAILBASE, SA CAP CP ADHESIVES, ENTEGRA BERMUDA TILE.	1015 S OCEAN BLVD		CAMPANY ROOF MAINTENANCE ROOF	8/18/2016	8/22/2016	final
B-16-59264	B-16-59451	PERMIT UPDATE/CHG IN PLANS AND CORRECTION	PERMIT CORRECTION TO REVISE PERMIT TO SHOW REMOVAL AND REPLACEMENT OF EXISTING SKYLIGHT ALSO RE-ROOF ON FLAT 135Q. - VALUE INCLUDED IN MAIN.	1015 S OCEAN BLVD		CAMPANY ROOF MAINTENANCE ROOF	8/25/2016	9/2/2016	final
B-16-59264	B-16-59705	E-GENERATOR	SUB ELECTRIC GENERATOR - TEMPORARY EMERGENCY GENERATOR. MEDICAL EMERGENCY	1015 S OCEAN BLVD		J CROMPTON ELECTRIC INC	9/6/2016	11/14/2016	final
B-16-59818	B-16-59818	M-REPLACEMENT	EMERGENCY EXACT CHANGE OUT. ONE 3 TON SYSTEM & ONE 2 TON SYSTEM AS PER PLANS.	1015 S OCEAN BLVD		BRADLEY HEATING & AIR CONDITIONING	9/12/2016	9/14/2016	final
B-16-59818	B-16-59887	R-REVISION	REVISION BUILDING: FLAT DECK SYSTEM CHANGE 6AF LIBERTY SBS - SA MODIFIED BIT UNION NO ADDITIONAL VALUE.	1015 S OCEAN BLVD		CAMPANY ROOF MAINTENANCE ROOF	9/14/2016	9/28/2016	final
B-16-59818	B-16-60781	R-PERMIT UPDATE-CHG OF PLANS & VALUE/CORRECTION	PERMIT UPDATE- ADDING A TWO TON HEAT PUMP	1015 S OCEAN BLVD		BRADLEY HEATING & AIR CONDITIONING	10/31/2016	3/3/2017	final
B-16-61016	B-16-61016	S-GENERATOR	INSTALL OWNERS EMERGENCY GENERATOR	1015 S OCEAN BLVD		ALL FLAGS CONSTRUCTION INC	11/10/2016	12/16/2016	final
B-16-61016	B-16-61017	E-GENERATOR	SUB ELECTRIC GENERATOR - RUN ELECTRICAL TO HOOK UP GENERATOR - INSTALL GENERATOR	1015 S OCEAN BLVD		ALL FLAGS CONSTRUCTION INC	11/10/2016	12/16/2016	final
B-16-61016	B-16-61018	G-GENERATOR	SUB GAS GENERATOR - CONNECT NATURAL GAS TO GENERATOR	1015 S OCEAN BLVD		ALL FLAGS CONSTRUCTION INC	11/10/2016	12/16/2016	final
B-17-62333	B-17-62333	B-WINDOWS/DOORS/SHUTTER S/GARAGE DOORS	REPLACE 16 WINDOWS SIZE FOR SIZE WITH IMPACT PRODUCTION CTs.	1015 S OCEAN BLVD		MSIS WINDOWS AND DOORS INC	2/14/2017	5/19/2017	final
B-17-62534	B-17-62534	B-ROOF REPAIR/RE-ROOF	GC WILL COMPLETE STRUCTURAL WORK FOR RE-ROOF AND GC WILL SUPERVISE REPLACEMENT OF TWO FLAT ROOFS IN 2 PHASES. PER ARCOM APPROVAL VALUE OF RE-ROOF IS N	1015 S OCEAN BLVD		ALL FLAGS CONSTRUCTION INC	2/28/2017	3/27/2017	final
B-16-61017	B-17-63168	R-REVISION	REVISION ELECTRICAL- REVISE PLANS AS PER AS BUILT. PER INSPECTOR REQUEST. NO CHANGE IN VALUE. INSTALL (1) SET OF 500 MCM INSTEAD OF PARRELL RUNS	1015 S OCEAN BLVD		J CROMPTON ELECTRIC INC	4/5/2017	5/24/2017	final
B-17-62534	B-17-64914	B-ROOF NEW/REROOF/REPAIR	SUB- ROOF- NEW ROOF-19 SQ USING SA NAILBASE, SA CAP, CP ADHESIVES AND ENTEGRA BERMUDA TILE	1015 S OCEAN BLVD		CAMPANY ROOF MAINTENANCE ROOF	6/15/2017	6/29/2017	final

Count: 67

Master Permit / Permit number	Permit type name	Permit description	Permit Address	Permit Suite	Customer Last Name	Application date	Issue date	Approval state
B-17-62534	R-REVISION	REVISION BUILDING - SUBMIT TRUSS DRAWINGS	1015 S OCEAN BLVD		ALL FLAGS CONSTRUCTION INC	11/17/2017	12/1/2017	Final
B-18-76810	B-WINDOWS/DOORS/SHUTTER S/GARAGE DOORS	REPLACE 3 EACH 10X7 GARAGE DOORS SIZE FOR SIZE.	1015 S OCEAN BLVD	GARAGE	PIERCE INC	12/4/2018	12/18/2018	Final
B-20-82802	FEE CHARGE	DEP LETTER	1015 S OCEAN BLVD		ISMINGER & STUBBS ENGINEERING	1/8/2020	2/11/2020	Final
B-18-76810	R-CHANGE OF CONTRACTOR/QUALIFIER	CHANGE OF CONTRACTOR FROM PIERCE INC TO BOSS CONSTRUCTION	1015 S OCEAN BLVD	GARAGE	BOSS CONSTRUCTION GROUP INC	6/15/2020	6/15/2020	Final
B-20-85632	P-SITE WORK	WATER CAP FOR DEMO	1015 S OCEAN BLVD		THE BG GROUP LLC	8/31/2020	9/1/2020	Final
B-20-85985	D-DEMOLITION	TOTAL DEMOLITION	1015 S OCEAN BLVD		THE BG GROUP LLC	9/24/2020	10/7/2020	Final
B-22-94334	FEE CHARGE	DEP LETTER	1015 S OCEAN BLVD		SCHULKE BITTLE & STODDARD LLC	4/27/2022	4/27/2022	Final
B-22-95473	B-AGREEMENTS PUBLIC WORKS	DRIVEWAY AGREEMENT	1015 S OCEAN BLVD		MARK TIMOTHY INC	7/22/2022		Final
B-22-10444	FEE CHARGE	DENIED CONSTRUCTION PARKING BY PM- REFUND U-2-104 U-2-10446, U-22-10447	1015 S OCEAN BLVD		MARK TIMOTHY INC	8/16/2022	8/16/2022	Final
B-22-96412	R-REVISION	REVISION OTHER: ELEVATOR PLANS	1015 S OCEAN BLVD		MARK TIMOTHY INC	8/2/2023	2/2/2024	Final
B-22-96412	R-REVISION	REVISION- BUILDING- HOLLOW CORE	1015 S OCEAN BLVD		MARK TIMOTHY INC	4/17/2023	4/18/2023	Final
B-22-96412	R-REVISION	REVISION- BUILDING- REVISED WINDOW ATTACHMENT NO A and Engineered Truss Drawings	1015 S OCEAN BLVD		MARK TIMOTHY INC	1/12/2024	2/5/2024	Final
B-22-96500	R-REVISION	REVISION BUILDING - POOL BEAM & DEPTH, SUNSHELF SIZE, ADD BADU JET	1015 S OCEAN BLVD		OSLER POOLS INC	2/14/2024	3/25/2024	Final
B-20-05896	U-SEWER/DRAINAGE - CAP-OFF /CONNECTION	SEWER CAP FOR DEMO *** MAINSTREAM PLUMBING***	1015 S OCEAN BLVD		THE BG GROUP LLC	8/31/2020	9/10/2020	Final
B-20-06085	U-USE OF/WORK IN ROW	USE OF- UNLOAD EXCAVATOR FOR DEMO	1015 S OCEAN BLVD		THE BG GROUP LLC	9/24/2020	10/1/2020	Final
B-22-11051	U-USE OF/WORK IN ROW	USE OF- FRI 08/26/2022 9AM: LESS THAN 30 MIN-MOB IN 1 30 TRACHOE TO THE CABANA SIDE OF 1015 S OCEAN ROW TO DE-MOB 130 TRACHOE	1015 S OCEAN BLVD		S MACDONALD CONTRACTING LLC	8/25/2022	9/11/2022	Final
B-22-11090	U-USE OF/WORK IN ROW	ROW TO DE-MOB 130 TRACHOE	1015 S OCEAN BLVD		S MACDONALD CONTRACTING LLC	8/31/2022	9/12/2022	Final
B-22-95473	U-USE OF/WORK IN ROW	USE OF- UNLOAD CRANE IN NORTH BOUND LANE WITH FLAGMAN TO MAINTAIN ALTERNATE ONE WAY TRAFFIC	1015 S OCEAN BLVD		MURRAY LOGAN CONSTRUCTION LLC	9/9/2022	9/13/2022	Final
B-22-11424	U-USE OF/WORK IN ROW	USE OF- TUES 10/11- 9AM LESS THAN 30 MINS- MOB IN 23 5 EXCAVATOR NO ACCESS TO GET LOWBOY ON SITE).	1015 S OCEAN BLVD		S MACDONALD CONTRACTING LLC	10/3/2022	10/18/2022	Final
B-22-96412	U-USE OF/WORK IN ROW	LOAD CRANE IN NORTH BOUND LANE WITH FLAGMEN TO ALTERNATE ONE WAY TRAFFIC	1015 S OCEAN BLVD		MARK TIMOTHY INC	10/5/2022	11/7/2022	Final
B-22-11583	U-USE OF/WORK IN ROW	USE OF ROW FOR EXCAVATOR	1015 S OCEAN BLVD		S MACDONALD CONTRACTING LLC	10/14/2022	11/4/2022	Final
B-22-11669	U-USE OF/WORK IN ROW	MOND 10/24- LESS THAN 30 MIN - DEMOB 235 EXCAVATOR (NO ACCESS TO GET LOWBOY ON SITE).	1015 S OCEAN BLVD		S MACDONALD CONTRACTING LLC	10/21/2022	11/7/2022	Final
B-22-96412	U-USE OF/WORK IN ROW	SLAB CONCRETE POUR	1015 S OCEAN BLVD		MARK TIMOTHY INC	1/26/2023	2/10/2023	Final
B-22-96412	U-USE OF/WORK IN ROW	USE OF- UNLOAD CRANE IN NORTH BOUND LANE WITH FLAGMEN TO ALTERNATE ONE WAY TRAFFIC	1015 S OCEAN BLVD		MURRAY LOGAN CONSTRUCTION LLC	4/12/2023	4/19/2023	Final
B-22-96412	U-USE OF/WORK IN ROW	USE OF ROW FOR CRANE ON TRUCK IN NORTH BOUND LANE - FLAGMEN TO ALTERNATE ONE WAY TRAFFIC	1015 S OCEAN BLVD		MURRAY LOGAN CONSTRUCTION LLC	5/17/2023	5/22/2023	Final
X-03-04758	X-LEGACY PERMIT	REPLACE EXISTING EQUIPMENT; EXACT CHANGE OUT 3T AIR HANDLER, 10 KW @ MAIN HOUSE	1015 S OCEAN BLVD		JOHN C CASSIDY AIR CONDITIONING INC	8/27/2003	8/27/2003	Final
X-05-18015	X-LEGACY PERMIT	EXACT C/O: 3T A/C SYSTEM SKW	1015 S OCEAN BLVD		JOHN C CASSIDY AIR CONDITIONING INC	8/5/2005	8/5/2005	Final
X-06-18016	X-LEGACY PERMIT	UPDATE TO CORRECT DESCRIPTION: EXACT CHANGE OUT OF 4T A/C SYSTEM WITH 10KW'S	1015 S OCEAN BLVD		JOHN C CASSIDY AIR CONDITIONING INC	4/3/2006	4/3/2006	Final
X-06-18017	X-LEGACY PERMIT	UPDATE TO INCLUDE: REPLACE DINING ROOM DUCTWORK	1015 S OCEAN BLVD		JOHN C CASSIDY AIR CONDITIONING INC	5/2/2006	5/2/2006	Final
X-06-21768	X-LEGACY PERMIT	REPLACE HARDWOOD FLOOR, DRY WALL REPAIR, BASEBOARD DUE TO WATER DAMAGE AT LIVING ROOM (SEE PERMIT CONDITIONS) SITE WORK (LOT CLEARING AND INSTALL OF SHEET PILES)	1015 S OCEAN BLVD		TIM GIVENS BLDG & REMODELING INC	3/31/2006	3/31/2006	Final
B-22-96412	S-SITE WORK/DRAINAGE		1015 S OCEAN BLVD		MARK TIMOTHY INC	7/8/2022	8/24/2022	Issued

Count: 67

Master Permit #/Permit number	Permit type name	Permit description	Permit Address	Permit Suite	Customer Last Name	Application date	Issue date	Approval state
B-22-96412	B-RESIDENTIAL NEW CONSTRUCTION/ADDITION	(SEE PERMIT CONDITIONS) CONSTRUCTION NEW SINGLE FAMILY HOUSE AND ALL THAT GOES ALONG INTERIOR AND EXTERIOR.	10115 S OCEAN BLVD		MARK TIMOTHY INC	9/8/2022	1/11/2023	Issued
B-22-96412	S-POOL/WATER FEATURE	(SEE PERMIT CONDITIONS) NEW CONSTRUCTION POOL, SPA, AND FOUNTAINS	10115 S OCEAN BLVD		OSLER POOLS INC	9/16/2022	6/30/2023	Issued
B-22-96412	F-FLOOD PLAIN DEVELOPMENT	(SEE PERMIT CONDITIONS) FLOOD PLAIN	10115 S OCEAN BLVD		MARK TIMOTHY INC	10/19/2022	1/11/2023	Issued
U-22-10801	U-EXCAVATION IN ROW	TUES 9/6-THURS 9/8: REMOVE 4" CAST IRON LATERAL & REPLACE WITH 6" PVC LATERAL AT SAME LINE, GRADE & ELEVATION AS EXISTING-ASPHALT PATCH.	10115 S OCEAN BLVD		S MACDONALD CONTRACTING LLC	8/5/2022	8/8/2022	Issued
U-22-10803	U-SEWER/DRAINAGE - CAP-OFF / CONNECTION	TUES 9/6-THURS 9/8: REMOVE 4" CAST IRON LATERAL & REPLACE WITH 6" PVC LATERAL AT SAME LINE, GRADE & ELEVATION AS EXISTING-ASPHALT PATCH.	10115 S OCEAN BLVD		S MACDONALD CONTRACTING LLC	8/5/2022	8/15/2022	Issued
B-22-96412	U-EXCAVATION IN ROW	EXCAVATING IN RIGHT OF WAY	10115 S OCEAN BLVD		MARK TIMOTHY INC	10/25/2023	10/31/2023	Issued
U-23-14593	U-EXCAVATION IN ROW	EXCAVATE - LOCATE UTILITIES BY MEANS OF SOFT DIGS	10115 S OCEAN BLVD		INFRAMAP CORP	10/27/2023	11/6/2023	Issued
B-11-21326	S-FENCE/WALL/GATE	*****THIS PERMIT CANCELLED. NO ACTIVITY. WORK NOT DONE. UNABLE TO CANCEL IN SYSTEM ***** REMOVE EXISTING SITEWALL, BUILD NEW SITE WALL PER PLANS AT S PROPERTY	10115 S OCEAN BLVD		ERMIC IV LP	11/3/2011		pending
Z-20-00299	Z-DEVELOPMENT REVIEW PERMIT	1) Section 134-840: Special Exception with Site Plan Review to allow the construction of an 11,031 square foot two-story residence on a non-conforming lot that is 97.97 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning District. 2) Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 16 feet 7.5 inches in lieu of the 35 foot minimum required in the R-A Zoning District. 3) Section 134-843(a)(9): A request for a variance to allow the proposed residence to have a rear setback of 2 feet 7 inches in lieu of the 15 foot minimum required in the R-A Zoning District. 4) Section 134-843(a)(6b): A request for a variance to allow the proposed residence to have an Angle of Vision of 133.74 degrees in lieu of the 120 degrees maximum allowed in the R-A Zoning District. 5) Section 134-843(a)(7): A request for a variance to have a building height plane setback ranging as close to the front property line as 16.8 feet (one story element) to 29.25 feet (two-story element) in lieu of the minimum 35 foot (one story	10115 S OCEAN BLVD		KOCHMAN AND ZISKA	10/21/2020		pending

Count: 67

Property Detail

Location Address : 1015 S OCEAN BLVD
Municipality : PALM BEACH
Parcel Control Number : 50-43-43-35-00-002-0120
Subdivision :
Official Records Book/Page : 31527 / 733
Sale Date : JUN-2020
Legal Description : 35-43-43, S 242.5 FT OF N 549.58 FT OF GOV LT 2 LYG E OF OCEAN BLVD AS IN OR3745P1647

Owner Information

Owner(s)

1015 SOUTH OCEAN LLC

Mailing Address

222 LAKEVIEW AVE STE 1500
WEST PALM BEACH FL 33401 6174

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
JUN-2020	\$14,000,000	31527 / 00733	WARRANTY DEED	1015 SOUTH OCEAN LLC
JUL-2017	\$10	29301 / 01012	WARRANTY DEED	SCAIFE JENNIE K TR
JUN-1995	\$3,500,000	08851 / 00142	WARRANTY DEED	SCAIFE JENNIE K
JUL-1991	\$3,000,000	06904 / 01810	WARRANTY DEED	
JUN-1991	\$100	06904 / 01807	QUIT CLAIM	
MAR-1982	\$100	03745 / 01647	QUIT CLAIM	
FEB-1981	\$850,000	03482 / 00797	WARRANTY DEED	
JAN-1978	\$4,000	02800 / 00761		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 0
***Total Square Feet :** 0
Acres : .90
Property Use Code : 0000—VACANT
Zoning : R-A—ESTATE RESIDENTIAL (50-PALM BEACH)

Building Details

Structural Details

Structural Element for Building 1

Sketch for Building 1

Subarea and Square Footage for Building 1

Code Description

square Footage

No data found

No Image Found

Property Extra Feature

Description

Wall TC Development Review Meeting Backup 2-12-2025

Year Built

1950

Units

550 of 789

Property Land Details

Land Line #	Description	Zoning	Acres
1	OCEAN	R-A	0.5919
2	ACREAGE BEACH	R-A	0.3073

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$3,293	\$3,293	\$3,293	\$2,669	\$970,847
Land Value	\$25,159,900	\$20,128,000	\$19,402,320	\$13,800,300	\$13,390,000
Total Market Value	\$25,163,193	\$20,131,293	\$19,405,613	\$13,802,969	\$14,360,847

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$18,371,752	\$16,701,593	\$15,183,266	\$13,802,969	\$14,360,847
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$18,371,752	\$16,701,593	\$15,183,266	\$13,802,969	\$14,360,847

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$316,076	\$272,880	\$262,792	\$223,955	\$236,866
NON AD VALOREM	\$2,496	\$2,268	\$2,268	\$2,511	\$2,746
TOTAL TAX	\$318,572	\$275,148	\$265,059	\$226,466	\$239,613

Dorothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER www.pbcapao.gov

Mark Timothy, Inc.
The Finest Luxury Homes

January 10, 2025

**980 SOUTH OCEAN JANE LLC &
980 SOUTH OCEAN EMMA LLC &
980 SOUTH OCEAN IAN LLC
980 S Ocean Blvd
Palm Beach, FL 33480**

Re: 1015 S Ocean Blvd, Palm Beach, FL 33480

Dear Semsem FL LLC,

Mark Timothy, Inc is building a home located at 1015 S Ocean Blvd, Palm Beach, FL for 1015 South Ocean Blvd, LLC.

We wanted to make you aware that we will be going to Town of Palm Beach Town Council meeting to request a 6-month permit extension at the February 12, 2025 meeting.

Due to Road Closures from Mar A Lago Secrete Service it has delayed our construction timeline. We are confident the home will be completed with in the next 6 months.

If you have any questions, please feel free to contact me at any time at 561-272-6852.

Thank you,

George Bariso

George Bariso, VP

CRC1327612

**41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852**

Mark Timothy, Inc.
The Finest Luxury Homes

January 10, 2025

**Semsem FL LLC
1030 S Ocean Blvd
Palm Beach, FL 33480**

Re: 1015 S Ocean Blvd, Palm Beach, FL 33480

Dear Semsem FL LLC,

Mark Timothy, Inc is building a home located at 1015 S Ocean Blvd, Palm Beach, FL for 1015 South Ocean Blvd, LLC.

We wanted to make you aware that we will be going to Town of Palm Beach Town Council meeting to request a 6-month permit extension at the February 12, 2025 meeting.

Due to Road Closures from Mar A Lago Secrete Service it has delayed our construction timeline. We are confident the home will be completed with in the next 6 months.

If you have any questions, please feel free to contact me at any time at 561-272-6852.

Thank you,

George Bariso

George Bariso, VP

CRC1327612

**41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852**

Mark Timothy, Inc.
The Finest Luxury Homes

January 10, 2025

**1020 South Ocean LLC
Lynch Francis X ESQ
605 N Olive Ave FL2
West Palm Beach, FL 33401**

Re: 1015 S Ocean Blvd, Palm Beach, FL 33480

Dear 1020 South Ocean LLC,

Mark Timothy, Inc is building a home located at 1015 S Ocean Blvd, Palm Beach, FL for 1015 South Ocean Blvd, LLC.

We wanted to make you aware that we will be going to Town of Palm Beach Town Council meeting to request a 6-month permit extension at the February 12, 2025 meeting.

Due to Road Closures from Mar A Lago Secrete Service it has delayed our construction timeline. We are confident the home will be completed within the next 6 months.

If you have any questions, please feel free to contact me at any time at 561-272-6852.

Thank you,

George Bariso

George Bariso, VP

CRC1327612

**41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852**

Mark Timothy, Inc.

The Finest Luxury Homes

January 10, 2025

**1047 South Ocean Blvd Trust
Attn: Maura Ziska
222 Lakeview Ave #1500
West Palm Beach, FL 33401**

Re: 1015 S Ocean Blvd, Palm Beach, FL 33480

Dear Semsem FL LLC,

Mark Timothy, Inc is building a home located at 1015 S Ocean Blvd, Palm Beach, FL for 1015 South Ocean Blvd, LLC.

We wanted to make you aware that we will be going to Town of Palm Beach Town Council meeting to request a 6-month permit extension at the February 12, 2025 meeting.

Due to Road Closures from Mar A Lago Secrete Service it has delayed our construction timeline. We are confident the home will be completed with in the next 6 months.

If you have any questions, please feel free to contact me at any time at 561-272-6852.

Thank you,

George Bariso

George Bariso, VP

CRC1327612

**41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852**

Mark Timothy, Inc.

The Finest Luxury Homes

January 10, 2025

**Lionel Vickar
1045 S Ocean Blvd
Palm Beach, FL 33480**

Re: 1015 S Ocean Blvd, Palm Beach, FL 33480

Dear Mr. Vickar,

Mark Timothy, Inc is building a home located at 1015 S Ocean Blvd, Palm Beach, FL for 1015 South Ocean Blvd, LLC.

We wanted to make you aware that we will be going to Town of Palm Beach Town Council meeting to request a 6-month permit extension at the February 12, 2025 meeting.

Due to Road Closures from Mar A Lago Secrete Service it has delayed our construction timeline. We are confident the home will be completed with in the next 6 months.

If you have any questions, please feel free to contact me at any time at 561-272-6852.

Thank you,

George Bariso

George Bariso, VP

CRC1327612

**41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852**

Mark Timothy, Inc.
The Finest Luxury Homes

January 10, 2025

**997 S Ocean LLC
222 Lakeview Ave #1500
West Palm Beach, FL 33401**

Re: 1015 S Ocean Blvd, Palm Beach, FL 33480

Dear 997 S Ocean LLC,

Mark Timothy, Inc is building a home located at 1015 S Ocean Blvd, Palm Beach, FL for 1015 South Ocean Blvd, LLC.

We wanted to make you aware that we will be going to Town of Palm Beach Town Council meeting to request a 6-month permit extension at the February 12, 2025 meeting.

Due to Road Closures from Mar A Lago Secrete Service it has delayed our construction timeline. We are confident the home will be completed with in the next 6 months.

If you have any questions, please feel free to contact me at any time at 561-272-6852.

Thank you,

George Bariso

George Bariso, VP

CRC1327612

**41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852**

Mark Timothy, Inc.

The Finest Luxury Homes

January 10, 2025

**Mary Conrad
995 S Ocean Blvd
Palm Beach, FL 33480**

Re: 1015 S Ocean Blvd, Palm Beach, FL 33480

Dear Ms. Conrad,

Mark Timothy, Inc is building a home located at 1015 S Ocean Blvd, Palm Beach, FL for 1015 South Ocean Blvd, LLC.

We wanted to make you aware that we will be going to Town of Palm Beach Town Council meeting to request a 6-month permit extension at the February 12, 2025 meeting.

Due to Road Closures from Mar A Lago Secrete Service it has delayed our construction timeline. We are confident the home will be completed with in the next 6 months.

If you have any questions, please feel free to contact me at any time at 561-272-6852.

Thank you,

George Bariso

**George Bariso, VP
CRC1327612**

**41 Southeast 5th Street, 2nd Floor
Boca Raton, Florida 33432
(561) 272-6852**

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Time Extensions

Agenda Title

Three Strike - Stop Work Order - **286 Orange Grove**

Presenter

ATTACHMENTS:

TOWN OF PALM BEACH

Information for Town Council Meeting on:

February 12, 2025

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager / Wayne Bergman, Director of Planning, Zoning & Building

From: Michelle Sentmanat, Business Services Supervisor in PZB

Re: 286 Orange Grove – Three Strikes & Stop Work Order (Permit B-23-01766)

Date: January 24, 2025

FYI - This Memo is provided as Information to the Town Council

As you know, the Town has a “Three Strike Rule” for construction parking and construction site management. The regulations and process are found in the Town’s “Department of Public Works, Engineering Division, Standards Applicable to Public Rights-of-Way and Easements Within the Town of Palm Beach” (commonly called the Right-of Way-Manual), dated May 1994, as revised through November 8, 2022. Chapter XII, Miscellaneous Provisions, contains the details of the Three Strike rules. The regulations spell out the process in which contractors can secure parking permits, the fees for various violations, and the process that must occur once a contractor receives Three Strikes – three different sets of tickets for construction violations.

286 Orange Grove recently received their third Strike for construction-related violations in the right of way. The contractor is Legacy Builders of Palm Beach, located in West Palm Beach, FL. Please refer to the attached letter dated January 22, 2025, for the details of the Strikes.

The regulations allow a time frame for the violator to appeal the ticket(s). In this case, since the last violation was issued by Public Works. To date, there have been no appeals. The Planning, Zoning & Building Department issued a STOP WORK ORDER for the construction project on January 24, 2025, based upon the number of strikes with no appeal filed.

The contractor is required to pay all fees and fines related to the Strikes.

This is the first time that Legacy Builders of Palm Beach has been before you with Three Strikes for this project. Copies of all violations are attached.

The Town Council's process for this matter is contained within the Public Works "Right of Way Manual", as follows:

"When the Town Council receives a written request to lift a stop work order the Town Council shall have the power to admonish the contractor; take such action as deemed necessary to effect the stop work order on a permanent basis by nullifying the existing building permit; cause the contractor and/or property owner to enter into a binding agreement to memorialize the understandings between the Town and the contractor and/or property owner relative to all conditions placed upon the lifting of the stop work order, if applicable; establish penalties for future right-of-way violations the amount for which shall be in the sole discretion of the Town Council; collect the fine as outlined below, plus payment of any outstanding right-of-way fines and accumulated interest, as referenced herein below and to prohibit the issuance of any additional right-of-way permits for the duration of the work in question.

The fine for a third (3rd) strike shall be \$500; the fine and penalty for a fourth (4th) strike shall be a fine of \$2,500 and a mandatory thirty (30) day shutdown of the construction project; the fine and penalty for a fifth strike shall be a fine of \$5,000 and a mandatory thirty (30) day shutdown of the construction project, plus payment of any outstanding right of-way fines and accumulated interest unless the Town Council chooses to invoke the use of a binding agreement memorializing a penalty structure to be paid to the Town for all future right-of-way violations in excess of three (3) to be paid in accordance with the terms and conditions of the binding agreement between the Town and the contractor and/or property owner. All fines and penalties shall be paid in full prior to issuance of a Certificate of Occupancy for the construction associated with the activity that generated the fines, penalties, and interest."

Any motion to resolve this matter should include "waiving the third strike" and "granting the ability for the contractor to apply for future right of way permits".

Attachments: Copy of the Pending Stop Work Order Notice
Copies of the Violations and Fines
Email from Public Works

Cc: Paul Brazil, Director of Public Works
Nicholas Caristo, Police Chief
Benjamin Alma, Parking and Code Enforcement Manager

Michelle Sentmanat

From: Patricia Strayer
Sent: Friday, January 24, 2025 10:23 AM
To: Michelle Sentmanat
Cc: Craig Hauschild
Subject: RE: 286 Orange Grove

I have not seen anything.

Patricia

Patricia Strayer, PE
Town Engineer

Town of Palm Beach
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401
(O) 561.227.7056
(C) 561.339.7309

From: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>
Sent: Friday, January 24, 2025 10:14 AM
To: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Cc: Craig Hauschild <chauschild@TownOfPalmBeach.com>
Subject: 286 Orange Grove

Good morning,

I have three citations now for the project at 286 Orange Grove. The latest one issued on 1/8/2025 for inadequate maintenance of traffic. Has an appeal by the contractor been made? I do not see anything on my side so I wanted to double check.

Kind Regards,

Michelle Sentmanat

Business Services Supervisor

Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480
(561) 227-6413



TOWN OF PALM BEACH

Planning, Zoning & Building Department

January 22, 2025

Via email & mail: scott@legacypb.com

Legacy Builders of Palm Beach
% Scott Sullivan
991 Stinson Way, Suite 402
West Palm Beach, FL 33411

Re: **STOP WORK ORDER PENDING** - 3-Strike Rule Citations – 286 Orange Grove Rd – B-23-01766

As you know, the Town of Palm Beach Standards Applicable to Public Rights-Of-Way And Easements Within The Town Of Palm Beach regulates the number of construction-related vehicles that can be parked on Town streets in conjunction with building project sites within the Town. Attached to all construction permits issued to a job is information regarding these regulations.

Your project has received **three citations, constituting three strikes**:

Strike 3 January 8, 2025 (PW-0244 for inadequate maintenance of traffic)

Strike 2 December 06, 2024 (PW-0214 for construction parking without permit)

Strike 1 July 8, 2024 (PW-5781 for illegal discharge to Town sewers)

Therefore, under the Town's rules (referred to as the "3-strike" rule), the Director of Public Works and Police Chief have notified the Planning, Zoning & Building Department of these violations, and requested that a "Stop Work" order be issued as allowed by Section 18-204 of Town Code.

Per Town Resolution No 001-2022, because you have received four strikes, fines are being imposed and are also payable immediately to the Town of Palm Beach. These fines are in addition to all right-of-way fines referenced above. Refer to Invoice #INV-25-00009562. Payments can now be made at www.townofpalmbeach.com . **NOTE: Invoice for strike 1 INV-24-00002794 and invoice for strike 2 INV-24-00009037 are past due and must be paid immediately.**

An appeal to Public Works needs to be submitted in writing within 7 days of the ticket. If an appeal is denied or is not filed in a timely fashion, a "Stop Work" order will be issued by the Building Official effective the end of the working day January 15, 2025. After that date, no work may be performed at the site under any permits issued by the Town of Palm Beach.

All requests to lift a "Stop Work" order would need to be decided by the Town Council. The next Town Council meeting date is Wednesday, February 12, 2025. For this item to be considered at that meeting, you would need to submit a written request to Michelle Sentmanat @ msentmanat@townofpalmbeach.com.

Post Office Box 2029 * 360 South County Road * Palm Beach, FL 33480 * (561) 838-5430

Truly yours,

Wayne Bergman

Wayne Bergman
Director, Planning, Zoning & Building Department

cc: Hartnett Shaw Deirdre and Harry Shaw @ P.O. Box 1108, Clinton, NC 28329
K. Blouin, Town Manager
H. Paul Brazil, Public Works Director
Nicholas Caristo, Police Chief
Benjamin Alma, Parking and Code Enforcement Manager

INVOICE (INV-25-00009562)
FOR TOWN OF PALM BEACH

BILLING CONTACT

Legacy Builders of the Palm Beaches
Legacy Builders of the Palm Beaches
991 Stinson Way Suite 402 Suite 402
West Palm Beach, FL 33411



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-25-00009562	01/22/2025	01/23/2025	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
STRIKE-25-00196	Fine for strike 3	\$500.00
286 Orange Grove Rd Palm Beach, FL 33480		SUBTOTAL \$500.00

REMITTANCE INFORMATION

Town of Palm Beach
360 S County Rd
PO Box 2029
Palm Beach, FL 33480
561-838-5431

TOTAL **\$500.00**



PW-

5781

PUBLIC WORKS DEPARTMENT
(561) 838-5440

R.O.W. VIOLATION NOTICENAME: Legacy Builders DATE: 7/8/24JOB ADDRESS: 286 Orange Grove Rd

- | | |
|---|--------------------------------|
| ☐ Working in right-of-way without permit | \$ 150 X _____ = _____ |
| ☐ Failure to have permit on job | \$ 150 X _____ = _____ |
| ☐ Construction parking without permit* | \$ 150 X _____ = _____ |
| 1 st = \$150 2 nd = \$250 and thereafter = \$500 | |
| ☐ Inadequate Maintenance of Traffic | \$ 150 X _____ = _____ |
| ☐ Right-of-way littered by site dirt or debris | \$ 150 X _____ = _____ |
| ☐ Failure to maintain safe sidewalk | \$ 150 X _____ = _____ |
| ☐ Failure to carry-out permit terms/conditions | \$ 150 X _____ = _____ |
| ☐ Storage of materials in right-of-way | \$ 150 X _____ = _____ |
| ☐ Use of right-of-way as work area | \$ 150 X _____ = _____ |
| ☐ Damage to infrastructure in right-of-way | \$ 150 X _____ = _____ |
| ☐ Dewatering without a permit | \$ 150 X _____ = _____ |
| ☒ Illegal discharges to Town sewers** | \$ 500 X <u>1</u> = <u>500</u> |
| ☐ Other _____ | \$ _____ X _____ = _____ |
| ☐ 2nd and added days of violation, double fine | \$ _____ X _____ = _____ |

TOTAL FINE: \$500.00

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Public Works Office at 561-838-5440.

* Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

** Fine plus clean-up cost.

*** Includes but not limited to:

Dumpster In Right of Way - \$100 per incident.

Right of Way restoration - \$30 per day until restored.

ISSUER: Will Campbell

white/violator

yellow/PW

pink/issuer



VIOLATION NOTICE

RIGHT-OF-WAY, PARKING & CONSTRUCTION SITE MANAGEMENT

NAME: Legacy DATE: 12/6/24

JOB ADDRESS: 286 Orange Grove

The following violations shall be considered strikes based on the "3-Strike Rule" for construction projects.
The Town may also concurrently prosecute the violation(s) through the Code Enforcement process.

- | | | | |
|---|--------|---|--|
| ☐ Working outside permit hours of construction | \$150x | = | |
| ☐ Failure to comply with noise regulations | \$150x | = | |
| ☐ Insufficient or not properly maintained construction screening | \$150x | = | |
| ☐ Failure to maintain landscaping, where used for screening | \$150x | = | |
| ☐ Failure to provide or properly screen on-job toilet facilities | \$150x | = | |
| ☐ Violation of approved construction staging/truck logistics plan | \$150x | = | |
| ☐ Failure to provide dedicated traffic monitor | \$150x | = | |
| ☐ Worth Avenue-Parking construction vehicle/not actively loading/unloading | \$150x | = | |
| ☒ Construction parking without a permit* | | | |
| 1st Offense \$150 2nd Offense \$250 Thereafter \$500 | | | |
| Vehicle Tag(s): | | | |

- | | | | |
|--|--------|---|--|
| ☐ Working in right-of-way without permit | \$150x | = | |
| ☐ Failure to have permit on job | \$150x | = | |
| ☐ Inadequate Maintenance of Traffic | \$150x | = | |
| ☐ Right-of-way littered by site dirt or debris | \$150x | = | |
| ☐ Failure to maintain safe sidewalks | \$150x | = | |
| ☐ Failure to carry-out permit terms and conditions | \$150x | = | |
| ☐ Storage of materials in right-of-way | \$150x | = | |
| ☐ Use of right-of-way as work area | \$150x | = | |
| ☐ Damage to infrastructure in right-of-way | \$150x | = | |
| ☐ Dewatering without a permit | \$150x | = | |
| ☐ Illegal discharges to Town sewers** | x | = | |
| ☐ Failure to Comply with Town's right-of-way manual *** | \$150x | = | |
| ☐ Other _____ | x | = | |
| ☐ 2nd and added days of violation, double fine | x | = | |

TOTAL FINE \$150

Should you wish to contest this violation call the Public Works office at 561-838-5440 within seven (7) calendar days of the date of issuance. Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept, PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S County Rd, Palm Beach, FL 33480. Please attach copy of this violation with payment, check must reference violation number.

No further permits will be issued until fine is paid.

*Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

**Fines plus clean-up costs

***Includes but not limited to: Dumpster in Right-of-way -\$100 per incident. Right-of-way restoration-\$30 per day until restored.

ISSUER: Matthew Horton



PUBLIC WORKS DEPARTMENT
561-838-5440

PW -

0244

VIOLATION NOTICE

RIGHT-OF-WAY, PARKING & CONSTRUCTION SITE MANAGEMENT

NAME: Legacy Builders DATE: 1/8/25

JOB ADDRESS: 286 Orange Grove

The following violations shall be considered strikes based on the "3-Strike Rule" for construction projects.
The Town may also concurrently prosecute the violation(s) through the Code Enforcement process.

- | | |
|---|-----------------------|
| ☐ Working outside permit hours of construction | \$150x _____ = _____ |
| ☐ Failure to comply with noise regulations | \$150x _____ = _____ |
| ☐ Insufficient or not properly maintained construction screening | \$150x _____ = _____ |
| ☐ Failure to maintain landscaping, where used for screening | \$150x _____ = _____ |
| ☐ Failure to provide or properly screen on-job toilet facilities | \$150x _____ = _____ |
| ☐ Violation of approved construction staging/truck logistics plan | \$150x _____ = _____ |
| ☐ Failure to provide dedicated traffic monitor | \$150x _____ = _____ |
| ☐ Worth Avenue-Parking construction vehicle/not actively loading/unloading | \$150x _____ = _____ |
| ☐ Construction parking without a permit* | |
| 1st Offence \$150 2nd Offence \$250 Thereafter \$500 | _____ x _____ = _____ |
| Vehicle Tag(s): | |

- | | |
|--|------------------------------|
| ☐ Working in right-of-way without permit | \$150x _____ = _____ |
| ☐ Failure to have permit on job | \$150x _____ = _____ |
| ☒ Inadequate Maintenance of Traffic | \$150x <u>1</u> = <u>150</u> |
| ☐ Right-of-way littered by site dirt or debris | \$150x _____ = _____ |
| ☐ Failure to maintain safe sidewalks | \$150x _____ = _____ |
| ☐ Failure to carry-out permit terms and conditions | \$150x _____ = _____ |
| ☐ Storage of materials in right-of-way | \$150x _____ = _____ |
| ☐ Use of right-of-way as work area | \$150x _____ = _____ |
| ☐ Damage to infrastructure in right-of-way | \$150x _____ = _____ |
| ☐ Dewatering without a permit | \$150x _____ = _____ |
| ☐ Illegal discharges to Town sewers** | _____ x _____ = _____ |
| ☐ Failure to Comply with Town's right-of-way manual *** | \$150x _____ = _____ |
| ☐ Other _____ | _____ x _____ = _____ |
| ☐ 2nd and added days of violation, double fine | _____ x _____ = _____ |

TOTAL FINE \$150

Should you wish to contest this violation call the Public Works office at 561-838-5440 within seven (7) calendar days of the date of issuance. Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept, PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S County Rd, Palm Beach, FL 33480. Please attach copy of this violation with payment, check must reference violation number.

No further permits will be issued until fine is paid.

*Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

**Fines plus clean-up costs

***Includes but not limited to: Dumpster in Right-of-way -\$100 per incident. Right-of-way restoration-\$30 per day until restored.

ISSUER: _____

WHITE/VIOLATOR

YELLOW/ISSUER

PINK/PZB

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Time Extensions

Agenda Title

Three Strike - Stop Work Order - **210 Eden Rd.**

Presenter

ATTACHMENTS:

TOWN OF PALM BEACH

Information for Town Council Meeting on:

February 12, 2025

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager / Wayne Bergman, Director of Planning, Zoning & Building

From: Michelle Sentmanat, Business Services Supervisor in PZB

Re: 210 Eden Rd – Three Strikes & Stop Work Order (Permit B-23-98542)

Date: January 24, 2025

FYI - This Memo is provided as Information to the Town Council

As you know, the Town has a “Three Strike Rule” for construction parking and construction site management. The regulations and process are found in the Town’s “Department of Public Works, Engineering Division, Standards Applicable to Public Rights-of-Way and Easements Within the Town of Palm Beach” (commonly called the Right-of Way-Manual), dated May 1994, as revised through November 8, 2022. Chapter XII, Miscellaneous Provisions, contains the details of the Three Strike rules. The regulations spell out the process in which contractors can secure parking permits, the fees for various violations, and the process that must occur once a contractor receives Three Strikes – three different sets of tickets for construction violations.

210 Eden Rd. recently received their third Strike for construction-related violations in the right of way. The contractor is Four Points Construction of West Palm Beach, FL. Please refer to the attached letter dated January 22, 2025, for the details of the Strikes.

The regulations allow a time frame for the violator to appeal the ticket(s). In this case, since the last violation was issued by Code Enforcement, there has been no appeals. The contractor paid the code fee prior to the hearing and chose not to go before the board. The Planning, Zoning & Building Department issued a STOP WORK ORDER for the construction project on January 24, 2025, based upon the number of strikes with no appeal filed.

The contractor is required to pay all fees and fines related to the Strikes.

This is the first time that Four Points Construction has been before you with Three Strikes for this project. Copies of all violations are attached.

The Town Council's process for this matter is contained within the Public Works "Right of Way Manual", as follows:

"When the Town Council receives a written request to lift a stop work order the Town Council shall have the power to admonish the contractor; take such action as deemed necessary to effect the stop work order on a permanent basis by nullifying the existing building permit; cause the contractor and/or property owner to enter into a binding agreement to memorialize the understandings between the Town and the contractor and/or property owner relative to all conditions placed upon the lifting of the stop work order, if applicable; establish penalties for future right-of-way violations the amount for which shall be in the sole discretion of the Town Council; collect the fine as outlined below, plus payment of any outstanding right-of-way fines and accumulated interest, as referenced herein below and to prohibit the issuance of any additional right-of-way permits for the duration of the work in question.

The fine for a third (3rd) strike shall be \$500; the fine and penalty for a fourth (4th) strike shall be a fine of \$2,500 and a mandatory thirty (30) day shutdown of the construction project; the fine and penalty for a fifth strike shall be a fine of \$5,000 and a mandatory thirty (30) day shutdown of the construction project, plus payment of any outstanding right of-way fines and accumulated interest unless the Town Council chooses to invoke the use of a binding agreement memorializing a penalty structure to be paid to the Town for all future right-of-way violations in excess of three (3) to be paid in accordance with the terms and conditions of the binding agreement between the Town and the contractor and/or property owner. All fines and penalties shall be paid in full prior to issuance of a Certificate of Occupancy for the construction associated with the activity that generated the fines, penalties, and interest."

Any motion to resolve this matter should include "waiving the third strike" and "granting the ability for the contractor to apply for future right of way permits".

Attachments: Copy of the Pending Stop Work Order Notice
Copies of the Violations and Fines
Email from Code Enforcement
Email from Police Chief

Cc: Paul Brazil, Director of Public Works
Nicholas Caristo, Police Chief
Benjamin Alma, Parking and Code Enforcement Manager

Michelle Sentmanat

From: Nicholas Caristo
Sent: Monday, January 27, 2025 10:43 AM
To: Michelle Sentmanat; Patricia Strayer
Cc: Benjamin Alma; Chester Purves; Craig Hauschild; Debby Moody; Kirk Blouin; Martin Deloach; Paul Brazil; Wayne Bergman; Carla Marcote
Subject: RE: STOP WORK Warning Notice Construction Parking & Construction Site Management Citations –210 Eden Rd - B-23-98542

Good morning All,

The NOV citation was paid on January 17th. Per the NOV citation, payment of the fine waives the right to a hearing and admits to the charges. With that said, the PD will not rescind the citation, and Mr. Eccleston will need to go to Council being it's his third strike.

Nicholas Caristo
Chief of Police

Palm Beach Police Department
345 South County Road
Palm Beach, FL 33480
561-838-5454

From: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>
Sent: Monday, January 27, 2025 10:37 AM
To: Patricia Strayer <PStrayer@TownofPalmBeach.com>
Cc: Benjamin Alma <BALma@PalmBeachPolice.com>; Chester Purves <CPurves@TownofPalmBeach.com>; Craig Hauschild <chauschild@TownOfPalmBeach.com>; Debby Moody <DMoody@TownofPalmBeach.com>; Kirk Blouin <KBlouin@TownofPalmBeach.com>; Martin Deloach <MDeLoach@TownofPalmBeach.com>; Nicholas Caristo <NCaristo@PalmBeachPolice.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>; Carla Marcote <CMarcote@PalmBeachPolice.com>
Subject: RE: STOP WORK Warning Notice Construction Parking & Construction Site Management Citations –210 Eden Rd - B-23-98542

That is correct and I have conveyed that to him several times this morning.

Kind Regards,

Michelle Sentmanat

Business Services Supervisor

Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480
(561) 227-6413

From: Patricia Strayer <PStrayer@TownofPalmBeach.com>

Sent: Monday, January 27, 2025 10:36 AM

To: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>

Cc: Benjamin Alma <BAAlma@PalmBeachPolice.com>; Chester Purves <CPurves@TownofPalmBeach.com>; Craig Hauschild <chauschild@TownOfPalmBeach.com>; Debby Moody <DMoody@TownofPalmBeach.com>; Kirk Blouin <KBlouin@TownofPalmBeach.com>; Martin Deloach <MDeLoach@TownofPalmBeach.com>; Nicholas Caristo <NCaristo@PalmBeachPolice.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>; Carla Marcote <CMarcote@PalmBeachPolice.com>

Subject: RE: STOP WORK Warning Notice Construction Parking & Construction Site Management Citations –210 Eden Rd - B-23-98542

But it is a 3rd strike, so they have to go to TC to get it waived unless code wants to waive it?

Patricia

Patricia Strayer, PE
Town Engineer

Town of Palm Beach
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401
(O) 561.227.7056
(C) 561.339.7309

From: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>

Sent: Monday, January 27, 2025 10:35 AM

To: Patricia Strayer <PStrayer@TownofPalmBeach.com>

Cc: Benjamin Alma <BAAlma@PalmBeachPolice.com>; Chester Purves <CPurves@TownofPalmBeach.com>; Craig Hauschild <chauschild@TownOfPalmBeach.com>; Debby Moody <DMoody@TownofPalmBeach.com>; Kirk Blouin <KBlouin@TownofPalmBeach.com>; Martin Deloach <MDeLoach@TownofPalmBeach.com>; Nicholas Caristo <NCaristo@PalmBeachPolice.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>; Carla Marcote <CMarcote@PalmBeachPolice.com>

Subject: RE: STOP WORK Warning Notice Construction Parking & Construction Site Management Citations –210 Eden Rd - B-23-98542

This is not public work. The NOV was code and per Carla the contractor opted to pay the fine and not go to the code board.

Kind Regards,

Michelle Sentmanat

Business Services Supervisor

Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480
(561) 227-6413

From: Patricia Strayer <PStrayer@TownofPalmBeach.com>

Sent: Monday, January 27, 2025 10:34 AM

To: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>

Cc: Benjamin Alma <BAлма@PalmBeachPolice.com>; Chester Purves <CPurves@TownofPalmBeach.com>; Craig Hauschild <chauschild@TownOfPalmBeach.com>; Debby Moody <DMoody@TownofPalmBeach.com>; Kirk Blouin <KBlouin@TownofPalmBeach.com>; Martin Deloach <MDeLoach@TownofPalmBeach.com>; Nicholas Caristo <NCaristo@PalmBeachPolice.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>

Subject: RE: STOP WORK Warning Notice Construction Parking & Construction Site Management Citations –210 Eden Rd - B-23-98542

All,

I do not know who wrote the NOV-10989? Mr. Ecclestone is requesting a meeting with me, but this is not a PW citation.

Patricia

Patricia Strayer, PE
Town Engineer

Town of Palm Beach
Public Works Department
951 Okeechobee Road
West Palm Beach, FL 33401
(O) 561.227.7056
(C) 561.339.7309

From: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>

Sent: Wednesday, January 22, 2025 12:17 PM

To: permits@eshomesfl.com

Cc: Benjamin Alma <BAлма@PalmBeachPolice.com>; Chester Purves <CPurves@TownofPalmBeach.com>; Craig Hauschild <chauschild@TownOfPalmBeach.com>; Debby Moody <DMoody@TownofPalmBeach.com>; Kirk Blouin <KBlouin@TownofPalmBeach.com>; Martin Deloach <MDeLoach@TownofPalmBeach.com>; Nicholas Caristo <NCaristo@PalmBeachPolice.com>; Patricia Strayer <PStrayer@TownofPalmBeach.com>; Paul Brazil <PBrazil@TownofPalmBeach.com>; Paul Burgoon <pburgoon@TownOfPalmBeach.com>; Wayne Bergman <wbergman@TownOfPalmBeach.com>

Subject: STOP WORK Warning Notice Construction Parking & Construction Site Management Citations –210 Eden Rd - B-23-98542

You are receiving this email because you are listed as a copy holder on the attached letter.

Kind Regards,

Michelle Sentmanat

Business Services Supervisor

Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480
(561) 227-6413

Michelle Sentmanat

From: Carla Marcote
Sent: Friday, January 24, 2025 10:16 AM
To: Michelle Sentmanat
Subject: RE: Paid NOV Citation

No problem, they paid prior to the hearing and chose not to go before the board.

Respectfully,

Carla Marcote

Carla Marcote
Office Manager
Palm Beach Police Department
561-227-6388



From: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>
Sent: Friday, January 24, 2025 10:14 AM
To: Carla Marcote <CMarcote@PalmBeachPolice.com>
Subject: RE: Paid NOV Citation

I apologize for that. 210 Eden Road NOW 10989.

Kind Regards,

Michelle Sentmanat

Business Services Supervisor

Town of Palm Beach
360 S. County Rd.
Palm Beach, FL 33480
(561) 227-6413

From: Carla Marcote <CMarcote@PalmBeachPolice.com>
Sent: Friday, January 24, 2025 10:02 AM
To: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>
Subject: RE: Paid NOV Citation

Which one? There is no citation attached to the email, do you have a NOV #?

Respectfully,

Carla Marcote

Carla Marcote
Office Manager
Palm Beach Police Department
561-227-6388



From: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>

Sent: Friday, January 24, 2025 10:00 AM

To: Carla Marcote <CMarcote@PalmBeachPolice.com>

Subject: RE: Paid NOV Citation

Carla,

On this one did they pay the fine and admit guilt?

Kind Regards,

Michelle Sentmanat

Business Services Supervisor

Town of Palm Beach

360 S. County Rd.
Palm Beach, FL 33480
(561) 227-6413

From: Carla Marcote <CMarcote@PalmBeachPolice.com>

Sent: Friday, January 17, 2025 12:58 PM

To: Michelle Sentmanat <MSentmanat@TownofPalmBeach.com>

Subject: Paid NOV Citation

Respectfully,

Carla Marcote

Carla Marcote
Office Manager
Palm Beach Police Department
561-227-6388



TOWN OF PALM BEACH

Planning, Zoning & Building Department

January 22, 2025

Via email & mail: permits@eshomesfl.com

Four Points Construction LLC
% Edwin Ecclestone
1555 Palm Beach Lakes Blvd, Suite 1100
West Palm Beach, FL 33401

Re: **STOP WORK ORDER PENDING** - 3-Strike Rule Citations – 210 Eden Rd – B-23-98542

As you know, the Town of Palm Beach Standards Applicable to Public Rights-Of-Way And Easements Within The Town Of Palm Beach regulates the number of construction-related vehicles that can be parked on Town streets in conjunction with building project sites within the Town. Attached to all construction permits issued to a job is information regarding these regulations.

Your project has received **three citations, constituting three strikes**:

Strike 3 January 14, 2025 (NOV-10989 for obstruction of the right of way – vehicles blocking the alley)

Strike 2 December 13, 2024 (PW-0229 for construction parking without permit)

Strike 1 May 23, 2024 (PW-7045 for construction parking without permit)

Therefore, under the Town's rules (referred to as the "3-strike" rule), the Director of Public Works and Police Chief have notified the Planning, Zoning & Building Department of these violations, and requested that a "Stop Work" order be issued as allowed by Section 18-204 of Town Code.

Per Town Resolution No 001-2022, because you have received four strikes, fines are being imposed and are also payable immediately to the Town of Palm Beach. These fines are in addition to all right-of-way fines referenced above. Refer to Invoice #INV-25-00009571. Payments can now be made at www.townofpalmbeach.com . **NOTE: Invoice for strike 2 INV-24-00009044 is past due and must be paid immediately.**

At this time there is no citation that you can appeal. An appeal would occur within seven (7) days of the citation. If an appeal is denied or is not filed in a timely fashion, a "Stop Work" order will be issued by the Building Official. After that date, no work may be performed at the site under any permits issued by the Town of Palm Beach.

All requests to lift a "Stop Work" order would need to be decided by the Town Council. The next Town Council meeting date is Wednesday, February 12, 2025. For this item to be considered at that meeting, you would need to submit a written request to Michelle Sentmanat @ msentmanat@townofpalmbeach.com.

Truly yours,

Wayne Bergman

Wayne Bergman
Director, Planning, Zoning & Building Department

cc: Sean & Sarah Reynolds @ 210 Eden Road, Palm Beach, FL 33480
K. Blouin, Town Manager
H. Paul Brazil, Public Works Director
Nicholas Caristo, Police Chief
Benjamin Alma, Parking and Code Enforcement Manager

**INVOICE (INV-25-00009571)
FOR TOWN OF PALM BEACH**

BILLING CONTACT

LLwyd Ecclestone
1555 Palm Beach Blvd Suite 300 Suite 300
West Palm Beach, FL 33401



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-25-00009571	01/22/2025	01/23/2025	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
STRIKE-25-00204	Fine for strike 3	\$500.00
210 Eden Rd Palm Beach, FL 33480		SUBTOTAL \$500.00

REMITTANCE INFORMATION
Town of Palm Beach 360 S County Rd PO Box 2029 Palm Beach, FL 33480 561-838-5431

TOTAL **\$500.00**



PW- 7045

PUBLIC WORKS DEPARTMENT
(561) 838-5440

R.O.W. VIOLATION NOTICE

NAME: Eccleston Signature DATE: 5-23-73JOB ADDRESS: 210 Eden Rd

- | | |
|--|--------------------------------|
| ☐ Working in right-of-way without permit | \$ 150 X _____ = _____ |
| ☐ Failure to have permit on job | \$ 150 X _____ = _____ |
| ☒ Construction parking without permit*
1 st = \$150 2 nd = \$250 and thereafter = \$500 | \$ 150 X <u>1</u> = <u>150</u> |
| ☐ Inadequate Maintenance of Traffic | \$ 150 X _____ = _____ |
| ☐ Right-of-way littered by site dirt or debris | \$ 150 X _____ = _____ |
| ☐ Failure to maintain safe sidewalk | \$ 150 X _____ = _____ |
| ☐ Failure to carry-out permit terms/conditions | \$ 150 X _____ = _____ |
| ☐ Storage of materials in right-of-way | \$ 150 X _____ = _____ |
| ☐ Use of right-of-way as work area | \$ 150 X _____ = _____ |
| ☐ Damage to infrastructure in right-of-way | \$ 150 X _____ = _____ |
| ☐ Dewatering without a permit | \$ 150 X _____ = _____ |
| ☐ Illegal discharges to Town sewers** | \$ 500 X _____ = _____ |
| ☐ Other _____ | \$ _____ X _____ = _____ |
| ☐ 2nd and added days of violation, double fine | \$ _____ X _____ = _____ |

Tim Graboski TruckTOTAL FINE: 150

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Public Works Office at 561-838-5440.

* Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

** Fine plus clean-up cost.

*** Includes but not limited to:

Dumpster in Right of Way - \$100 per incident.

Right of Way restoration - \$30 per day until restored.

ISSUER: P. J. B.

white/violator

yellow/PW

pink/issuer



PUBLIC WORKS DEPARTMENT
561-838-5440

PW -

0229

VIOLATION NOTICE

RIGHT-OF-WAY, PARKING & CONSTRUCTION SITE MANAGEMENT

NAME: Eccleston DATE: 12/13/24

JOB ADDRESS: 210 Eden Rd

The following violations shall be considered strikes based on the "3-Strike Rule" for construction projects.
The Town may also concurrently prosecute the violation(s) through the Code Enforcement process.

- | | |
|---|----------------------|
| ☐ Working outside permit hours of construction | \$150x _____ = _____ |
| ☐ Failure to comply with noise regulations | \$150x _____ = _____ |
| ☐ Insufficient or not properly maintained construction screening | \$150x _____ = _____ |
| ☐ Failure to maintain landscaping, where used for screening | \$150x _____ = _____ |
| ☐ Failure to provide or properly screen on-job toilet facilities | \$150x _____ = _____ |
| ☐ Violation of approved construction staging/truck logistics plan | \$150x _____ = _____ |
| ☐ Failure to provide dedicated traffic monitor | \$150x _____ = _____ |
| ☐ Worth Avenue-Parking construction vehicle/not actively loading/unloading | \$150x _____ = _____ |
| ☒ Construction parking without a permit* | : x 1 = 150 |
| 1st Offence \$150 2nd Offence \$250 Thereafter \$500 | |
| Vehicle Tag(s): | |

- | | |
|--|------------------------------|
| ☐ Working in right-of-way without permit | \$150x <u>1</u> = <u>150</u> |
| ☐ Failure to have permit on job | \$150x _____ = _____ |
| ☐ Inadequate Maintenance of Traffic | \$150x _____ = _____ |
| ☐ Right-of-way littered by site dirt or debris | \$150x _____ = _____ |
| ☐ Failure to maintain safe sidewalks | \$150x _____ = _____ |
| ☐ Failure to carry-out permit terms and conditions | \$150x _____ = _____ |
| ☐ Storage of materials in right-of-way | \$150x _____ = _____ |
| ☐ Use of right-of-way as work area | \$150x _____ = _____ |
| ☐ Damage to infrastructure in right-of-way | \$150x _____ = _____ |
| ☐ Dewatering without a permit | \$150x _____ = _____ |
| ☐ Illegal discharges to Town sewers** | _____ x _____ = _____ |
| ☐ Failure to Comply with Town's right-of-way manual *** | \$150x _____ = _____ |
| ☐ Other _____ | _____ x _____ = _____ |
| ☐ 2nd and added days of violation, double fine | _____ x _____ = _____ |

TOTAL FINE _____

Should you wish to contest this violation call the Public Works office at 561-838-5440 within seven (7) calendar days of the date of issuance. Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept, PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S County Rd, Palm Beach, FL 33480. Please attach copy of this violation with payment, check must reference violation number.

No further permits will be issued until fine is paid.

*Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

**Fines plus clean-up costs

***Includes but not limited to: Dumpster in Right-of-way -\$100 per incident. Right-of-way restoration-\$30 per day until restored.

ISSUER: M. H. H.

WHITE/VIOLATOR

YELLOW/ISSUER

PINK/PZB

TOWN OF PALM BEACH

10989



POLICE DEPARTMENT Code Enforcement Unit Notice of Violation



Jeremy
Respondent's Name

Eccleston Signature Homes
Name of Company/Resident/Business comp.

561-335-6699
Respondent's Address

Property/Business Address

YOU ARE NOTIFIED that on Tuesday, Jan 14, 2025 at 1111 hrs
(day) (date) (time)

a violation of Obstruction of the R.O.W (Vehicles blocking the alley)
(description of violation)

which violate the following Town of Palm Beach Code of Ordinances: 106-1
(chapter and section)

occurred at: 210 Eden Rd.
(violation address)

YOUR OPTIONS ARE INDICATED BELOW:



1) YOU MAY ADMIT to the violation by making payment by mail or in person between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at the Town's Finance Department at 360 South County Road., Palm Beach, Florida 33480. NO LATER THAN 5:00 P.M. ON THE MONDAY BEFORE THE SCHEDULED HEARING NOTED BELOW. The fine amount is \$ 125

OR

YOU MAY ELECT TO APPEAR IN PERSON before the Code Enforcement Board on Thursday, Feb 20, 2025 at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080



2) THIS CASE WILL BE HEARD BEFORE THE CODE ENFORCEMENT BOARD on Thursday, _____ at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080

I ACKNOWLEDGE RECEIPT OF THIS CODE ENFORCEMENT NOTICE OF VIOLATION

* Posted
Signature of Respondent

This will be your only notice of the hearing. Failure to pay the fine or appear at the hearing will result in this matter being held in absentia. The maximum fine imposed may be \$250 for a first offense, \$500 for repeat offenses, or a maximum of \$5,000 if irreparable in nature, in addition to the administrative costs.

JOLIVARES / 0272 1/14/25 1134 hrs 2025-014-099
Code Enforcement/Police Officer - I.D. Date Time Case/CAD #

I WISH TO ADMIT TO THE CHARGES, WAIVE MY RIGHT TO A HEARING AND PAY FINE.

Signature of Respondent

TOWN OF PALM BEACH

Town Council Meeting Development Review on: February 12, 2025

Section of Agenda

Ordinances - Second Reading

Agenda Title

Proposed Ordinance to Adopt the Amended Town Comprehensive Plan

ORDINANCE NO. 015-2024: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Of Palm Beach's Comprehensive Plan By Amending The Data & Analysis, As Well As The Goals, Objectives, And Policies Within The Plan Based On The Town's Recent Evaluation And Appraisal Of The Comprehensive Plan; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Herewithin; Providing For Codification; Providing An Effective Date. *[This matter was deferred from the January 15, 2025, Town Council meeting.]*

Presenter

ATTACHMENTS:

- ▣ **PZB Staff Memorandum**
- ▣ **Elements that have changed based on ORC Report**
 - Adoption of 2024 Comprehensive Plan Map Series**

TOWN OF PALM BEACH

Information for Town Council Meeting on:

February 12, 2025

To: Mayor and Town Council Via: Kirk Blouin, Town Manager

From: Wayne Bergman, MCP, LEED® AP Director of Planning, Zoning & Building

Re: Town Council Adoption Hearing on 2024 Comprehensive Plan

Date: February 4, 2025

STAFF RECOMMENDATION

Staff recommends that the Town Council adopt the 2024 Updated Comprehensive Plan with amendments based upon the Department of Commerce's (FloridaCommerce) Objectives, Recommendations and Comments Report (ORC) that addresses one Objection and various comments from the state and the state reviewing agencies.

GENERAL INFORMATION

This EAR-based amendment to the Town's Comprehensive Plan was subject to the State Coordinated Review process, pursuant to §163.3184(4), Fla. Stat. A summary of this process is outlined below.

1. After initial local hearings (Local Planning Agency and Town Council) approving the proposed amendment to the Comprehensive Plan, the Town is required to transmit the complete proposed plan amendment to the State Land Planning Agency (Department of Commerce).
2. Next, within 60 days of receiving the complete amendment proposal, the State Land Planning Agency must issue an Objection, Recommendation, and Comments (ORC) Report to the local government.
3. The local government shall review the ORC Report submitted by the state land planning agency, if any, and written comments submitted to it by any other person, agency, or government.
4. The Town is required to hold a second public hearing to adopt the amendment to the Comprehensive Plan. The adoption shall be by affirmative vote of not less than a majority of the members of the governing body present at the hearing.
5. The complete adopted Comprehensive Plan amendment must then be submitted back to the State.
6. Finally, within 45 days of receiving the complete adopted plan amendment, the State Land Planning Agency issues a Notice of Intent to find the plan in compliance or not in compliance, which is posted on its website.

On January 13, 2024, the Town of Palm Beach received an ORC Report from FloridaCommerce with one Objection and one Comment. The Objection related to the need to provide 10- and 20-year planning periods for public facilities. With the assistance from the Town's Public Works Department, this Objection has been addressed. Additionally, the Florida Department of Transportation (FDOT) and the Treasure Coast Regional Planning Council (TCRPC) offered comments to be included in the Comprehensive Plan,

which has been done. These changes are shown in strikethrough and underlined for FloridaCommerce, FDOT, and TCRPC to see that those changes have been made. The Elements that have been modified to address the ORC Report included the following:

1. Future Land Use Element Goals, Objectives and Policies
2. Transportation Element Data and Analysis and Goals Objectives and Policies
3. Infrastructure Element Data and Analysis and Goals, Objectives and Policies
4. Capital Improvement Element Data and Analysis and Goals, Objectives and Policies

FUNDING/FISCAL IMPACT

There are no funding fiscal impacts associated with the 2024 Comprehensive Plan. See attached Business Impact Estimate Form.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed all Elements of the 2024 Comprehensive Plan and the draft Ordinance No. 015-2024 for legal form and sufficiency.

Attachment: Adoption Document of the 2024 Comprehensive Plan
Ordinance No.015-2024
Business Impact Estimate Form

cc: Joanne M. O'Connor, Town Attorney
James Murphy, AICP, Assistant Planning Director
Jennifer Hofmeister-Drew, AICP, Planner III

January 13, 2025

The Honorable Danielle H. Moore
Mayor, Town of Palm Beach
360 South County Road
P.O. Box 2029
Palm Beach, Florida 33480

Dear Mayor Moore,

FloridaCommerce has completed its review of the proposed comprehensive plan amendment for the Town of Palm Beach (Amendment No. 24-02ER), which was received on November 14, 2024. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. We have identified an objection and have included recommendations regarding measures that can be taken to address the objections. We are also providing a comment. The comment is offered to assist the local government but will not form the basis for a determination of whether the amendment, if adopted, is "In Compliance" as defined in section 163.3184(1)(b), F.S. Copies of comments received by FloridaCommerce from reviewing agencies, if any, are also enclosed.

The Town should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for final adoption and transmittal of the comprehensive plan amendment.

The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of FloridaCommerce's attached report, or the amendment will be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to section 163.3184(4)(e)1., F.S. **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to section 163.3184(4)(e)2., F.S.**

FloridaCommerce staff is available to assist the Town to address the objection and comment. If you have any questions related to this review, please contact Scott Rogers, Regional Planning Administrator, by telephone at (850)-717-8510 or by email at Scott.Rogers@Commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/sr

Enclosures: Objections, Recommendations, and Comments Report
Procedures for Adoption
Reviewing Agency Comments

cc: Jennifer Hofmeister-Drew, Planner, Town of Palm Beach
Thomas Lanahan, Executive Director, Treasure Coast Regional Planning Council

**Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment
Town of Palm Beach, Amendment 24-02ER**

The Florida Department of Commerce (FloridaCommerce) has identified an objection and a comment regarding the Town of Palm Beach's proposed comprehensive plan amendments. The objection and comment are provided below, along with recommended actions the Town could take to resolve issues of concern. If the Town adopts the plan amendment without adequately addressing the objection, FloridaCommerce may find the amendment not in compliance with Chapter 163, Part II, Florida Statutes (F.S.), pursuant to section 163.3184(4)(e)4., F.S. Comments are offered to assist the local government and will not form the basis for a compliance determination.

FloridaCommerce staff has discussed the basis of the report with local government staff and is available to assist the Town to address the objection and comment.

1. Objection 1 (Comprehensive Plan Update): The proposed Amendment 24-02ER does not update the Town's Comprehensive Plan, based on relevant and appropriate data and analysis, to comply with statutory requirements relating to the Town's planning periods.

Chapter 2023-31, Laws of Florida, modified section 163.3177(5)(a), F.S., to require local governments to increase the two required planning periods in their comprehensive plans from 5-year and 10-year planning periods to 10-year and 20-year planning periods. The proposed Amendment 24-02ER does not update the adopted portions of the Comprehensive Plan to expressly state the planning periods. The applicable 10-year and 20-year long-term planning periods should be 10 and 20 years from the anticipated adoption of Amendment 24-02ER.

The proposed Amendment 24-02ER does not update the Town's Comprehensive Plan Infrastructure Element to address the required planning periods, based upon relevant and appropriate data and analysis, consistent with the requirements of section 163.3177(1)(f), F.S., that all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government. Coordination of the elements of the local comprehensive plan shall be a major objective of the planning process, and the elements shall be consistent. Where data is relevant to several elements, consistent data shall be used, including population estimates and projections unless alternative data can be justified for a plan amendment through new supporting data and analysis. Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

The proposed Amendment 24-02ER update to the Comprehensive Plan is not based upon relevant and appropriate data and analysis of public facilities (potable water, sanitary sewer and solid waste facilities) addressing the following for the required updated planning periods: (1) current and projected demand upon public facilities based upon relevant and appropriate population estimates and projections, (2) current and projected designed capacity of public facilities, (3) current and projected operating levels of service of public facilities, (4) identification of any improvements that are needed to public facilities, including the timing and scope of such improvements, in order to achieve and maintain the adopted level of service standards of public facilities, and (5) coordination of any needed improvements within the Capital improvements Element. The Town should revise proposed Amendment 24-02ER to be based upon relevant and appropriate data analysis of public facilities for the planning periods.

Statutory Authority: Sections 163.3177(1)(f), 163.3177(1)(f)3., 163.3177(2), 163.3177(3)(a)2., 163.3177(5)(a), 163.3177(6)(c), 163.3184(4) and 163.3191, F.S.

Recommendation: The Town must revise the Amendment to ensure the Plan contains at least two planning periods in accordance with the requirements set forth by section 163.3177(5)(a), F.S. The necessary updates must also be based upon relevant and appropriate data and analysis. The Plan must include one planning period to cover at least the first 10-year period occurring after the plan amendment adoption and another planning period must cover at least a 20-year period.

2. Comment (Future Land Use Intensity Standards): The proposed Amendment 24-02ER is not consistent with the requirements of sections 163.3177(1) and 163.3177(6)(a)1., F.S., that a future land use category must include meaningful and predictable standards for the intensity of use for non-residential land uses. The proposed Amendment 24-02ER to the Future Land Use Element (Policies 1.10.1, 1.10.2, 1.10.3, 1.11.1, 1.11.3, 1.11.4 and 1.11.6) does not establish meaningful and predictable standards for the maximum intensity of non-residential uses allowed within the following future land use categories: Single-Family Residential, Multi-Family Moderate Density, Multi-Family High Density, Public, Commercial and Private Group Use. The Town should revise the future land use categories to establish meaningful and predictable standards for the maximum non-residential intensities of land use.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (<https://fldco.my.salesforce-sites.com/cp/>) or submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Florida Department of Commerce identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, **in color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the Florida Department of Commerce did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Florida Department of Commerce to the ORC report from the Florida Department of Commerce.

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4B_
From: Staff
Date: December 13, 2024
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Town of Palm Beach Comprehensive Plan
Amendment No. 24-02ER

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, authorizes the regional planning council to review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from the Town of Palm Beach was received on November 14, 2024 and contains amendments to the Future Land Use, Transportation, Housing, Historic Preservation, Public Safety, Infrastructure, Recreation and Open Space, Coastal Management, Conservation, Property Rights, Capital Improvements; and Intergovernmental Coordination elements; updates to the map series; and updates to the data and analysis support documents of the Town's comprehensive plan. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendments

The proposed amendments are based on the Town's Evaluation and Appraisal Review (EAR). The purpose of the EAR is to determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated and to address issues of local concern. Due to the amount of amendment materials, the proposed amendments are included on Council's website as a supplement. The following summarizes the proposed amendments:

Future Land Use Element

The proposed amendments:

- Revise an objective to clarify how the Town will regulate development and redevelopment while maintaining and enhancing the Town's unique physical and historic character.

- Revise a policy to indicate the Town will comply with the land development regulations and that ensure that services consistent with the level of service (LOS) standards are available when needed for development, or development orders and permits are conditioned on the availability of services necessary to serve the proposed development.
- Add a policy to indicate the Town will maintain future land use designations that focus on preserving and protecting the Town's primarily residential community and protect the stability of residential neighborhoods by advocating and promoting year-round occupancy and neighborhood improvements and enhancements.
- Add a policy to revise the definition of an acre to use the actual size of 43,560 square feet, and not the current use of 40,000 square feet.
- Revise a policy related to overuse of infrastructure, parking resources, public services and facilities to maintain the overall high property values of the community.
- Revise a policy that indicates the Town will rigorously discourage commercial establishments that will attract patronage at a regional level.
- Revise a policy to indicate the Town will identify land uses deemed appropriate for each of the individual land use categories.
- Revise a Policy to include shoreline protection and renourishment activities as an essential service under public utility facilities.
- Revise the Single Family Residential land use designation to 4.356 dwelling units per acre, delete group homes and foster care facilities, and list appropriate uses under this category.
- Revise the Multi-Family Moderate Density land use designation to 6.534 dwelling units per acre and list appropriate uses under this category.
- Revise the Multi-Family High Density Residential land use designation to 14.157 dwelling units per acre and list appropriate uses under this category.
- Revise a policy to state that Town-serving commercial establishments shall attract not less than the established percentage defined in the zoning code of their customers/members/clients from among Town persons.
- Revise the Commercial land use designation to indicate that mixed commercial/residential uses are provided primarily for the needs of Town residents and set the maximum density in the Worth Avenue zoning district.
- Delete the maximum lot coverage of 40%.
- Add a statement that the maximum building height may be three stories with Town Council approval.
- Revise a policy to indicate that approved Planned Unit Development (PUD) densities shall not exceed 14.157 dwelling units per acre.
- Revise a policy to indicate the Town will take all technical and administrative measures legally available to prevent the change or transition of existing low-density areas or structures to more intensive use patterns.
- Revise an objective to indicate that the Town will issue development orders and permits in the floodplain and coastal high hazard area only if they meet the building elevations identified in the Flood Insurance Rate Maps, unless the structure has been landmarked or is designated a historically significant building and approved for a floodplain variance.
- Delete a policy related to stormwater management as this is a land development regulation.
- Revise a policy to indicate the Town shall continue to utilize code enforcement procedures to proactively maintain building and property standards.
- Revise a policy to indicate the Town will reduce the number of incompatible uses.

- Revise a policy related to rebuilding destroyed structures when building east of the Coastal Construction Control Line.
- Add a policy to create a new future land use category to correspond with the Beach Area zoning district that provides for essential services.
- Add a policy to create a new Multi-Family Medium Density Residential land use category that corresponds with the R-D(1) Zoning district that limits the number of dwelling units per acre to ten and does not permit hotels.
- Add a policy to consider creating zoning districts to correspond with Public and Recreation land use categories.
- Add a policy stating that within one year of the adoption of the EAR-based amendments the Town will revise the Code of Ordinances and Zoning Map to be consistent with the comprehensive plan.
- Revise a policy to include the City of West Palm Beach, the Palm Beach Transportation Planning Agency (TPA), Palm Beach County, and the School District as agencies the Town will work closely with on regional issues.
- Delete a policy related to coordination of other governments in securing resources by the state and other agencies for programs of their design, creation, and/or benefit, and continue to ensure the protection of local self-determination in matters which are not of actual regional significance.
- Revise an objective to state that the Town will acknowledge previously approved PUDs but will not allow new PUDs in the future.
- Delete a policy related to the types of PUDs allowed in the Town.
- Revise a policy to indicate the Town will review and revise its coastal area residential densities and commercial intensities to ensure there will not be a hurricane evacuation or shelter capacity deficiency.
- Delete a policy related to inadequate access points.
- Revise a policy related to public access points to public beaches not under the Town's jurisdiction.
- Revise a policy related to marinas and marina siting criteria.

Transportation Element

The proposed amendments:

- Revise a goal to indicate the Town shall preserve, protect, and ensure a high quality of life for Town residents focused on multi-mobility that fosters a safe and more efficient transportation and parking management system.
- Revise a policy to update the LOS standards for roadways within the Town and indicate the Town will work with the Florida Department of Transportation (FDOT) and TPA to develop solutions to constrained roadway segments.
- Add a policy to indicate the Town shall maintain an LOS C for local roadways.
- Revise a policy to indicate the Town will require proportionate fair share mitigation for transportation facilities consistent with state and Palm Beach County regulations that cannot meet the concurrency requirements for transportation.
- Revise a policy to state that the Town shall require transportation facilities be in place before the final inspection approval of a development permit.

- Add a policy to state the Town shall develop a strategy to improve the level of service standard on roadways with an LOS of D or lower.
- Add a policy to state the Town shall use the FDOT LOS standards for determining road segment LOS on roadways within the Town.
- Revise a policy to state the Town shall enforce land development regulations that limit the number of access points where vehicle driveways enter the roadway system.
- Revise a policy to related to impacts on major collectors and minor arterials leading into the Town.
- Review a policy related to the placement of signage within the Town.
- Delete a policy related to working with the MPO/State Bicycle and Pedestrian coordination to promote public education on the benefits of walking and bicycling.
- Revise a policy to indicate the Town will continue to coordinate to minimize transportation impacts to the Town through participation on the TPA board.
- Revise a policy to include State Road A1A as a regionally significant road leading to the Town.
- Add an objective and underlying policies related to preserving the built and natural environment by managing traffic and parking impacts on Town residents.

Housing Element

The proposed amendments:

- Revise a goal to state the Town shall preserve, protect, and ensure a high quality of life for Town residents through assurance that the housing stock is safe, sanitary, and within a healthy living environment.
- Revise an objective to indicate the Town shall ensure new and renovated homes are compliant with town codes regarding criteria for approval of building permits for non-landmarked and landmarked structures.
- Revise a policy to indicate the Town will utilize the Architectural Review Commission and Landmarks Preservation Commission to assist Town staff with the design process and zoning review on new construction, rehabilitation, and demolition projects.
- Add a policy to state the Town will continue to maintain and enforce building and property standards consistent with the Florida Building Code.
- Add a policy to indicate the Town shall require new construction and redevelopment to comply with existing protective ordinances related to flood protection and management.
- Delete an objective and underlying policies related to the location of manufactured housing.
- Delete an objective and revise a policy related to substandard housing.
- Revise a policy to indicate the Town will enforce property maintenance codes in accordance with the duties and powers of the code officials.
- Revise an objective and underlying policies related to identifying, protecting, and maintaining housing structures and neighborhoods having significant historic and/or architectural merit.
- Add a policy to indicate the Town shall propose and adopt regulations that incentivize property owners to retain and improve their existing buildings.
- Delete an objective and underlying policy related to the displacement of persons and relocation and/or assistance.

- Delete an objective and underlying policies related to the Town’s Housing Implementation Plan.
- Delete an objective that states the Town will designate a planning administrator to identify housing programs and funding opportunities.
- Delete an objective and underlying policies related to the provision of adequate sites for existing low and moderate income households.
- Add a new objective and underlying policies indicating the Town will collaborate with state, regional, and county efforts in the provision of affordable housing through intergovernmental coordination and other appropriate mechanisms.
- Add a new objective and underlying policies requiring the Town to study the south end of the Town and create a long-range vision for the area.

Historic Preservation Element

The proposed amendments:

- Revise the goal to add visual appearance and vistas to the items the Town will preserve and protect.
- Revise a policy to rename “prehistoric” to “archaeological” resources.
- Revise a policy to indicate the Town will continue to update its list of existing landmarked properties and those under construction.
- Revise a policy to indicate the Town shall designate structures, sites, and districts worthy of landmarking in accordance with state statutes and create a list of preservation policies.
- Revise a policy to indicate the Town will coordinate the Historic Marker Program and encourage educational programs.
- Add policies to produce historic plaques for landmarked properties; ensure protection of historic and specimen trees; encourage the designation of historically significant buildings; and participate in the Certified Local Government program.
- Add an objective and underlying policies related to the protection of structures and streetscapes having historic or architectural merit.

Public Safety Element

The proposed amendments:

- Revise the goal to indicate the Town shall preserve, protect, and ensure a high quality of life through the protection of the health, safety, and security of Town residents.
- Revise a policy to indicate the Town will maintain a proactive public safety program through coordinated roles of the Police and Fire Rescue departments. Additionally, policies are added related to training; staffing of emergency medical technicians; staffing of ocean rescue personnel; and protection of sea turtles.
- Revise a policy to indicate the Town Police Department will participate in the site plan review process.
- Add policies related to enforcement of all traffic laws and explore incorporating state-of-the-art technologies in crime prevention, police response, and crime solving.
- Add policies related to hurricane evacuation and coordination with state and county officials.

Infrastructure Element

The proposed amendments:

- Revise the language of the goal.
- Delete a policy related to funding of drainage improvements in the Capital Improvements Element.
- Add a policy that indicates the Town shall implement a Capital Improvements Program that includes the proactive maintenance of drainage pump stations while maintaining the collection system to the pump stations.
- Delete a policy that states the Town will re-evaluate the needs, priorities, and financing of future storm drainage improvements on residential side streets.
- Delete a sub-policy that states the Town will comply with the Environmental Protection Agency National Pollutant Discharge Elimination System program with respect to methods for instituting water quality analysis of the Town's stormwater discharge into the Lake Worth Lagoon.
- Revise an objective and underlying policies to state the Town shall only issue development orders and permits if the proposed project meets the Town's adopted LOS goals, or if needed expansion of facilities is coordinated with future development.
- Add a policy to state the Town shall review stormwater management criteria for different property uses and size with a desire to increase retention on private properties.
- Revise policies related to requiring developers to consult with the Town's potable water supplier.
- Revise policies related to water conservation.
- Revise a policy to indicate the Town will support the City of West Palm Beach's Water Supply Facilities Work Plan as the City is the Town's potable water service provider.
- Delete policies related to exploring future options for water service.
- Revise policies related to aquifer recharge areas.
- Add a policy to the Sanitary Sewer Sub-Element indicating the Town shall implement a Capital Improvement Program that includes the proactive maintenance of sewer lift stations while maintaining the collection system to the lift station.
- Revise a policy related to sewer treatment plant capacity for new development.
- Revise an objective to indicate the Town will coordinate with the East Coast Regional Board in the City of West Palm Beach regarding sanitary sewer facilities needs.
- Revise a policy in the Solid Waste Sub-Element related to the issuance of development orders and permits meeting LOS standards for solid waste.
- Revise a policy to indicate the Town will coordinate with the Solid Waste Authority on provision of future solid waste disposal needs.

Recreation and Open Space Element

The proposed amendments:

- Revise the language of the goal.
- Delete a policy related to the development of a master plan for maintaining, improving, or redeveloping the Seaview Park and Recreation Center.
- Revise a policy to indicate the Town will continue to provide acceptable access to its recreational facilities.

- Revise a policy related to the Town contracting with private sector recreational providers.
- Add a policy stating the Town will have oversight of all vendors to recreation department activities.
- Revise a policy indicating the Town will continue to protect lands designated as open space.
- Delete a policy related to PUDs.
- Add a policy related to providing landscape maintenance for all Town parks.
- Add a policy stating the Town shall continue to participate in the Florida Clean Marina Program.
- Create a new Recreational Programming Sub-Element.

Coastal Management Element

The proposed amendments:

- Revise the language of the goal.
- Separate the Coastal Management and Conservation Elements into two distinct elements. Objectives and policies moved to the Conservation Element are related to:
 - Protection of native vegetational communities and associated wildlife
 - Protection and preservation of threatened and endangered species
 - Protection of wetland habitat, fisheries, and marine habitat
 - Establishment of standards to minimize the impacts of construction and prevention of hazardous waste contamination
 - Marina siting
 - Reduction of greenhouse gas emissions
- Revise a policy to state the Town shall manage its beach resources through implementation of the 1998 Comprehensive Coastal Management Plan.
- Revise a policy to state the Town will implement the mission of the Beach Management agreement with the Florida Department of Environmental Protection.
- Revise a policy to indicate primary dune restoration is a high priority for coastal flood control.
- Revise a policy to state the Town shall evaluate the utility of maintaining its 1931 bulkhead lines along the Atlantic Ocean and Lake Worth Lagoon shore as the mean high-water line.
- Revise a policy related to shoreline protection and erosion control.
- Delete a policy to explore designating the Town as an Area of Critical Concern.
- Revise a policy related to visual access to the Lake Worth Lagoon and Atlantic Ocean.
- Revise a policy indicating the Town shall utilize the remaining opportunities for shoreline land uses for essential services provided for protection of upland properties, natural resources, and residents.
- Revise a policy to indicate the Town will not permit Town-funded public facilities to be built in the Coastal High Hazard Area.
- Add policies related to incorporating Federal Emergency Management Agency Floodplain Regulations; supporting engineering solutions to prevent flooding; and prioritizing outreach and education on the importance and benefits of coastal and beach management.

Conservation Element

The proposed amendments:

- Revise the language of the goal.
- Revise policies related to the Town's prohibition on industrial uses and spreading of commercial development.
- Revise a policy related to maintenance of median and existing roadway planting.
- Add a policy indicating the Town shall support the goals and related actions of the Lake Worth Lagoon Management Plan.
- Add a policy indicating the Town shall enforce landscaping standards that require preservation of existing natural growth and removal of invasive and exotic plant species.
- Revise a policy indicating the Town will consider modifying land development regulations to stipulate that no development or construction shall destroy wetland vegetation, including seagrass beds.
- Add an objective and underlying policies related to managing environmental threats by identifying and planning for immediate and future threats such as climate change, pollution from pesticides and chemicals, invasive species, sewage/stormwater/garbage impacts and intrusive new technologies.
- Add an objective and underlying policies related to protection of natural resources.

Property Rights Element

The proposed amendments:

- Revise the language of the goal.
- Add a reference to state statutes.
- Revise a policy to delete the reference to mineral rights.
- Add an objective and underlying policies indicating the Town shall develop a comprehensive formal communications program and provide appropriate resources to address information expectations for community residents and Town employees.

Capital Improvements Element

The proposed amendments:

- Revise the language of the goal.
- Add an objective to indicate the Town shall coordinate its land use decisions and fiscal resources with its schedule of capital improvements.
- Revise a policy to delete a reference to the Town's policy to fund renewal and replacement of existing infrastructure on a cash basis.
- Revise a policy related to how the Town will prioritize projects for funding.
- Revise a policy indicating the Town shall ensure that the maximum indebtedness does not exceed 5% of the assessed value of taxable property in the Town.
- Revise a policy to indicate the Town will not allow funding or construction of public facilities within the Coastal High Hazard Area.
- Delete an objective and underlying policies related to the coordination of land use decisions and fiscal resources.

- Add an objective stating the Town shall issue development orders and permits for new development or redevelopment only if public services necessary to meet the Town's adopted LOS standards are available concurrent with the impacts of development.
- Revise an objective to indicate the Town shall consider impacts fees for future development activities as an effective method of distributing the costs of new capital facilities.
- Revise a policy to indicate that the Town may elect to undertake and conclude an investigation into the legal and practical implications of the Town's assessing, to private interests, a pro rata share of the costs necessary to fund the facility expansion necessary to grant a development order or permit and adequately maintain the Town's adopted LOS standards.

Intergovernmental Coordination Element

The proposed amendments:

- Revise the language of the goal.
- Revise a policy to indicate that the Future Land Use Map and GIS Map series is available on the Town's website for access by the public.
- Revise policies related to continued participation in the Intergovernmental Plan Amendment Review Committee and coordination with other municipalities and governmental agencies.
- Delete a policy related to coordination of schools in the Town that are part of the State University System.
- Revise a policy to indicate that Town will actively participate on the Palm Beach TPA governing board and committees.
- Revise an objective and policies to indicate the Town shall continue to partner with governmental agencies having operational or maintenance responsibility for facilities within the Town or which may have impacts on the Town.
- Add a policy to indicate the Town shall pursue appointing a member from the Town to be a member of the Business Development Board of Palm Beach County and the Palm Beach County Chamber of Commerce.
- Revise an objective and policies related to citizen participation in the planning process.
- Revise policies related to coordination of roadway LOS standards with FDOT and the Palm Beach TPA.
- Revise policies to indicate the Town shall coordinate with the School District of Palm Beach County on education and facility planning.
- Revise a policy to indicate the Town will adopt the "Interlocal Agreement between the School District of Palm Beach County, Palm Beach County, and the Municipalities of Palm Beach County for Coordinated Planning."
- Delete an objective related to population projections for school planning as it is addressed elsewhere.
- Revise an objective and policies related to the Town working with federal, state, county, and adjacent municipalities and agencies to protect and restore the existing coastal dune system along the Town's beachfront and establish standards to minimize impacts resulting from beach erosion.
- Revise a policy related to mutual aid agreements with Palm Beach County and the City of West Palm Beach regarding hazardous waste materials.

- Revise a policy to indicate the Town will continue to coordinate the implementation of the Post Disaster Redevelopment Plan.
- Delete a policy to explore designating the Town as an Area of Critical Concern.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

The proposed amendments were provided to the Palm Beach County Intergovernmental Plan Amendment Review Committee Clearinghouse Coordinator on November 8, 2024. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. However, Council offers the following for consideration prior to adoption of the amendments:

1. Objective 3 in the Future Land Use Element references the “Florida” Emergency Management Agency. This should be the “Federal” Emergency Management Agency.
2. Policy 9.1 in the Infrastructure Element is incomplete.
3. Objective 2, Policy 2.2 would be improved by incorporating support for vehicular and pedestrian cross-access between parcels as this will potentially allow for fewer curb cuts and will improve efficiency, reduce roadway trips, and enhance resident convenience.
4. The Town is to be commended for continuing to work hard to preserve their unique scale, character, and sense of place.

Recommendation

Council should approve this report and authorize its transmittal to the Town of Palm Beach and FloridaCommerce.

Council Action

The next scheduled Council meeting is January 17, 2025. To avoid unnecessary delay and meet the 30-day agency review deadline, Council’s Executive Director, Thomas J. Lanahan, approves this report and authorizes its transmittal to the Town of Palm Beach and FloridaCommerce.

This report will be brought to the Council board at the January meeting at which time Council comments and recommendations, if any, will be forwarded to the Town of Palm Beach and FloridaCommerce.

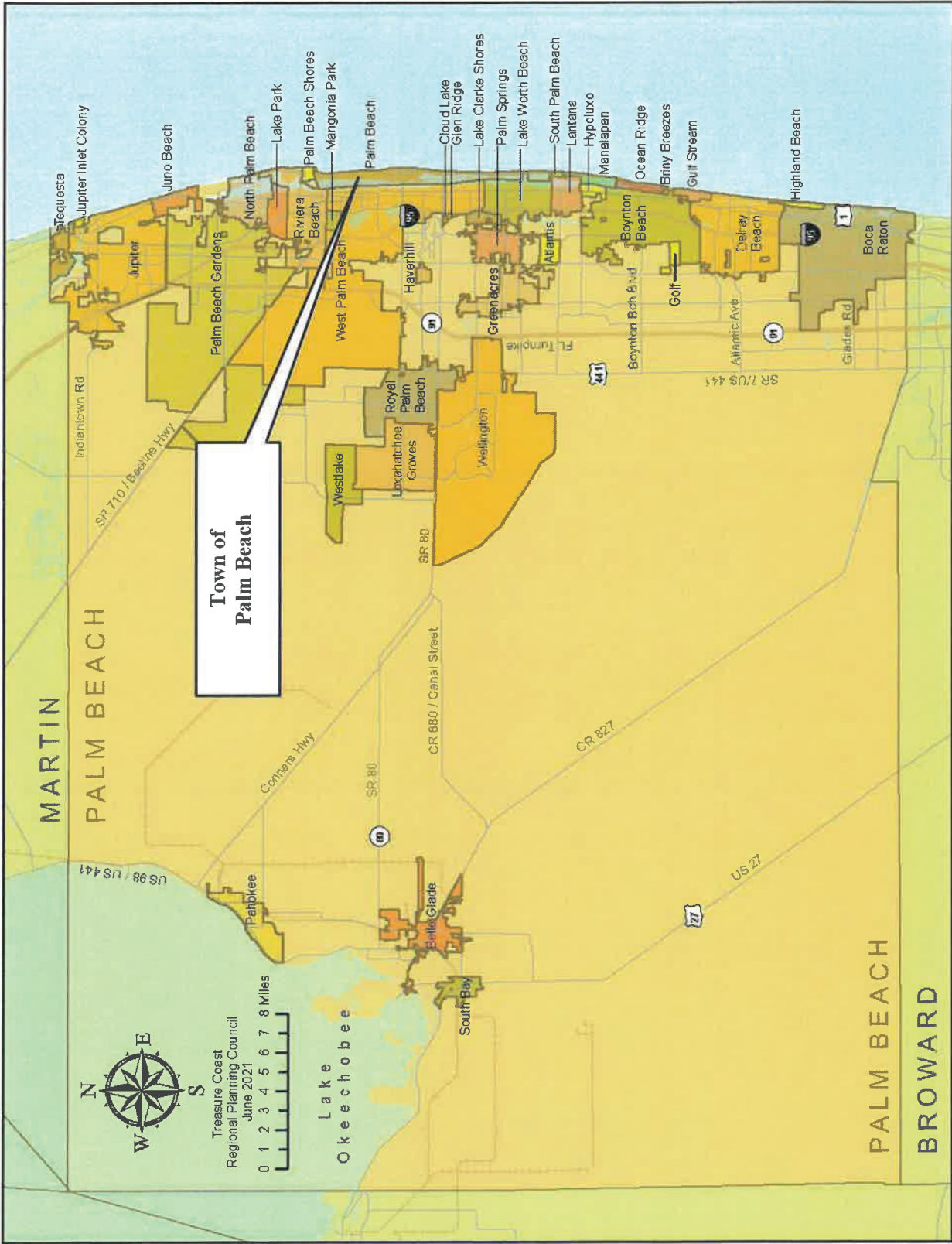
Attachments

List of Exhibits

Exhibit

- | | |
|---|----------------------|
| 1 | General Location Map |
|---|----------------------|

Exhibit 1
General Location Map



Harris, Donna

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Wednesday, December 18, 2024 4:10 PM
To: DCPexternalagencycomments
Cc: Plan_Review
Subject: [EXTERNAL] - Palm Beach 24-02ER Proposed

CAUTION - "This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe."

To: Donna Harris, Senior Plan Processor, Florida Commerce Bureau of Community Planning and Growth

Re: Palm Beach 24-02ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



Harris, Donna

From: Ragsdale, David <dragsdal@sfwmd.gov>
Sent: Monday, December 09, 2024 7:39 AM
To: jhofmeister@TownofPalmBeach.com
Cc: Harris, Donna; Stansbury, James; Stephanie Heidt (sheidt@tcrpc.org); tlanahan@tcrpc.org; DCPexternalagencycomments
Subject: [EXTERNAL] - Town of Palm Beach, DOC #24-02ER Comments on Proposed Comprehensive Plan Amendment Package

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Dear Ms. Hofmeister-Drew:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the Town of Palm Beach (Town). The package includes an EAR-based amendment. The District provides the following comments under Section 163.3184(3)(g), Florida Statutes (F.S.). There appears to be no regionally significant water resource issues; however, the District offers the following technical guidance regarding Regional Water Supply Planning:

Regional Water Supply Planning

The Town is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the LEC Water Supply Plan Update on September 24, 2024. Therefore, the Town's Work Plan needs to be updated and adopted by March 24, 2026. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe conservation and activities needed to meet the projected future demands. Planning tools are available on the District's website for your use and District Staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal. The planning tools are located at this link: <https://www.sfwmd.gov/doing-business-with-us/work-plans>.

District staff are available to meet by teleconference or in person to go over the comments above and to discuss possible solutions and options to resolve the comments. Please contact me if you have any questions, need additional information, or would like to arrange a meeting at dragsdal@sfwmd.gov. The District requests that the Town forward a copy of the adopted amendments to the District at the following email mailbox address: SFLOCALGOVPLAN@sfwmd.gov.

Kind regards,

David Ragsdale
Policy and Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
Office: 561-682-6715 Cell: 850-572-3176
dragsdal@sfwmd.gov | 3301 Gun Club Road, West Palm Beach, FL 33406

January 13, 2025

Mr. James D. Stansbury, Chief
Department of Economic Opportunity
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

RE: Town of Palm Beach 24-02ER Proposed Comprehensive Plan (State Coordinated Review Process) – FDOT Technical Assistance Comments

Dear Mr. Stansbury:

The Florida Department of Transportation (FDOT), District Four, has reviewed the Town of Palm Beach 24-02ER Proposed Comprehensive Plan Amendment, which was transmitted under the State Coordinated Review Process. The proposed Comprehensive Plan includes Evaluation and Appraisal Report (EAR)-based text and map amendments to the Comprehensive Plan. The purpose of the EAR-based amendments is to implement the recommendations of the EAR. This EAR-based Comprehensive Plan Amendment was transmitted by the Town Council in accordance with the requirements of Florida Statutes (F.S.) Chapter 163.

The Town's proposed 2024 EAR-based amendments are intended to address statutory changes to local comprehensive planning and local changes impacting the Town of Palm Beach's Quality of Life; primarily related to traffic and parking issues and intensity of development.

FDOT commends the Town on the development of an updated Comprehensive Plan that includes a clear vision for mobility and future growth management. Based on a review of the Town's amended Plan, FDOT is providing technical assistance comments consistent with Section 163.3168(3) F.S. The technical assistance comments will not form the basis of a challenge. These comments can strengthen the local government's comprehensive plan to foster a vibrant, healthy community and are designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.

This review generally focuses on the goals, objectives, and policies that could impact the four state roadways in/adjacent to the Town, as listed below:

- S.R. A1A, defined by three major sections:
 - Ocean Boulevard generally travels north/south from the southern Town border to Jimmy Buffet Memorial Highway.

- Jimmy Buffet Memorial Highway generally travels north/south from Ocean Boulevard to Flagler Memorial Bridge/Jimmy Buffet Memorial Highway Bridge. A small half mile of this segment is within the City of Lake Worth.
- Flagler Memorial Bridge/Jimmy Buffet Memorial Highway (north bridge) is an east/west road/bridge from Jimmy Buffet Memorial Highway to the Town's western boundary.
- S.R. 704/Royal Palm Way/Royal Park Bridge (middle bridge) is an east west road from S.R. A1A to the Town's western boundary.
- S.R. 80/Southern Boulevard (Southern Boulevard Bridge) is an east west road from S.R. A1A to the Town's western boundary.

Future Land Use Element (FLUE)

Technical Assistance Comment #1 – Coordination

FLUE Policy 4.1 states that a concurrency analysis shall be conducted prior to the approval of any application for a development order, and no final development order shall be issued unless existing facilities and services meet the Town's adopted level of service standards, or the final development order is conditioned on such facilities and services being available at the time the impact of development will occur. FLUE Policy 7.1 references coordination with various agencies with resource planning and management plans. FDOT maintains several State roads in the Town; however, FDOT is not referenced as a collaborative partner.

Recommendation Technical Assistance Comment #1

Any development that could potentially impact the operations on a State/SIS facility should be coordinated with FDOT prior to approval. Please consider adding a policy that requires coordination with FDOT on any planning/development activity that is adjacent to, in close proximity to, or could potentially have an impact on a State/SIS facility.

Additionally, the City should coordinate with the FDOT District Four Community Planning Coordinator, Larry Hymowitz (larry.hymowitz@dot.state.fl.us), to ensure the close integration of transportation and land use. This improved level of coordination could offer new and enhanced opportunities to assist the City with the latest and appropriate guidance and strategies to enhance and preserve the State/SIS.

Transportation Element

Technical Assistance Comment #2 – Coordination

TE Objective 1 states that the Town shall issue development permits for land uses provided on the Future Land Use Map only when there is sufficient right-of-way to ensure that roadways affected by the development will operate at not less than the minimum levels of service standards. TE Policies 2.1.4 and 2.1.5 reference the impacts of development/redevelopment on traffic. These Objectives and Policies do not reference coordination with FDOT as a collaborative partner related to any activity that might impact the operations of State roads.

Recommendation Technical Assistance Comment #2

Consistent with Technical Assistance Comment #1, please consider adding a policy that requires coordination with FDOT on any planning/development activity that is adjacent to, in close proximity to, or could potentially have an impact on a State/SIS facility.

Additionally, the City should coordinate with the FDOT District Four Community Planning Coordinator, Larry Hymowitz (larry.hymowitz@dot.state.fl.us), to ensure the close integration of transportation and land use. This improved level of coordination could offer new and enhanced opportunities to assist the City with the latest and appropriate guidance and strategies to enhance and preserve the State/SIS.

Technical Assistance Comment #3 – Functional Classification

TE Map 2.1 references the Federal Functional Classification System and identifies several State Roads as “Major Arterial” roads. It should be noted that according to the most recent FDOT Roadway Characteristics Inventory (RCI) Handbook (2024)¹ and the FHWA Highway Functional Classification Concepts² report, “Major Arterial” is not listed as a functional classification.

Recommendation for Technical Assistance Comment #3

Please update the TE to designate the official Federal Functional Classification category under the TE Data and Analysis (DIA) and Map 2.1, for consistency with the 2024 RCI Handbook and federal guidelines. By utilizing FDOT’s functional classification categories, consistency is ensured among agencies, including metropolitan and rural planning agencies, local officials and FHWA Division Offices; related to a roadway’s expectations about design, including its speed, capacity and relationship to existing and future land use development.

	Interstate	1
	Other Freeways and Expressways	2
	Other Principal Arterial	3
	Minor Arterial	4
	Major Collector	5
	Minor Collector	6
	Local	7

Technical Assistance Comment #4 – Traffic Analysis

The TE DIA uses yearly peak season daily traffic volumes between years 2010 and 2015. The subsequent levels of service calculations in Tables 2.1 thru 2.3 reflect base data from 2015, which is over nine years old.

¹ <https://www.fdot.gov/statistics/rci/default.shtm>

² www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/fcauab.pdf

Recommendation for Technical Assistance Comment #4

Florida Statutes 163.3177 (6)b) states that a Comprehensive Plan's Transportation Element shall reflect data and analysis related to the existing and projected system levels of service, deficiencies and needs. Please update the LOS analysis to reflect the most currently available traffic count data. FDOT provides annual traffic count data for State (and select off-system) roads via the Florida Traffic Online Web Application³, with historical data thru year 2023. Additionally, Palm Beach County Engineering and Public Works maintains peak season traffic counts to year 2023 at select count locations countywide.

Technical Assistance Comment #5 – Multimodal/Quality Level of Service

TE Policy 1.11 references the Generalized Service Volume Tables from the FDOT 2020 LOS Handbook, dated June 2020. This handbook was updated in 2023 to the Multimodal/Quality Level of Service Handbook.

Recommendation for Technical Assistance Comment #5

Consider revising TE Policy 1.11 to include the correct reference to the Generalized Service Volume tables from the 2023 Multimodal/Quality Level of Service (MMLOS) Handbook. Additionally, the updated MMLOS Handbook incorporates FDOT's context classification systems⁴ for assessing LOS on State and other roadways. FDOT's Context Classification Guidebook provides guidance on developing a transportation network that balances transportation and safety needs with the needs of adjacent land uses. Context sensitive classifications are increasingly being used to assess roadway design needs, determine roadway levels of service, and make other necessary roadway decisions. The 2023 MMLOS Handbook, for instance, now organizes highway and arterial roadways by context classifications in the Generalized Service Volume Tables, and the Access Management Guide contains standards, criteria, and guidance used for planning, designing, and operating roadways in each context classification.

The Town could consider adding a policy to implement FDOT's context classification system for the implementation of context-sensitive development within the Town. This policy could include language encouraging coordination with the FDOT District Four Complete Streets Coordinator in the review and evaluation of the Context Classification system within the Town.

Technical Assistance Comment #6 – Safety

TE Policy 5.7 references safety of all modes of traffic through enforcement and education. However, there is no reference to FDOT's Target Zero or the Palm Beach TPA Vision Zero campaigns to eliminate all traffic fatalities and serious injuries while increasing mobility for all.

³ <https://tdaappsprod.dot.state.fl.us/fto/>

⁴ FDOT Context Classification guidebook: https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/completestreets/files/fdot-context-classification.pdf?sfvrsn=12be90da_2

Recommendation for Technical Assistance Comment #6

Consider adding language in the Comprehensive Plan that acknowledges the TPA's Vision Zero Plan, the State's Target Zero Action Plan, and coordination with the FDOT District Four Complete Streets/Bicycle-Pedestrian. FDOT offers numerous tools, data and additional resources that can aid the Town in achieving safety objectives⁵.

Technical Assistance Comment #7 – Vulnerable Road Users

TE Objective 2 states that the Town shall correct traffic operational deficiencies and undertake necessary measures to provide a safe, convenient, and energy-efficient multimodal transportation system with consideration for the safety of all road users. The USDOT Federal Highway Administration defines a vulnerable road user as a nonmotorist, including a person walking, biking, or rolling. These road users are particularly susceptible to negative outcomes due to collisions on roadways, and account for an increasing number of fatalities and serious injuries.

The TE includes some references to improvements geared towards nonmotorist mobility; however, the references are primarily congestion alternatives to motorized traffic.

Recommendation #1 for Technical Assistance Comment #7

FDOT recommends that the Town add language to Objective 2 to prioritize the safety of vulnerable road users when making design decisions in the multimodal transportation system in tandem with the safety of motorists.

Recommendation #2 for Technical Assistance Comment #7

FDOT recommends that the Town add language related to pedestrian and bicycle outreach and education, and to coordinate with the FDOT District 4 Pedestrian and Bicycle Coordinator and Safety Coordinator regarding community outreach activities as well as resources available to agencies to address pedestrian and bicycle safety, education and enforcement. The District 4 Coordinator works with the State Safety Office and local/regional partners to implement safety related community events, high visibility enforcement funding, free bicycle helmets, pedestrian and bicycle trainings, etc.

Technical Assistance Comment #8 – Safety Improvements for Crash Reduction

TE Policy 5.7 states that the Town shall improve safety through enforcement and public education to reduce accidents. The term "Accidents" is not an industry-standard term to describe traffic incidents or events.

Recommendation for Technical Assistance Comment #8

In 1997, the National Highway Traffic Safety Administration launched the "Crashes Aren't Accidents" campaign to emphasize that traffic incidents are results of specific actions and not unpredictable events outside of human control. This campaign identified

⁵ <https://www.fdot.gov/agencyresources/target-zero>

terms such as “crash,” “collision,” “incident,” and “injury” in recognition of the cause-based and avoidable nature of traffic crashes.⁶ FDOT recommends replacing the term “accidents” to align with an industry-standard and more accurate term.

Coastal Management Element

Technical Assistance Comment #9 – Water-related Activities in the Coastal High Hazard Area (CHHA)

CM Policy 5.16 states that the Town shall support engineering solutions to prevent flooding that include retaining walls, seawalls, and property elevation, and does not include nature-based solutions (NBS), low impact development (LID), or green stormwater infrastructure (GSI) in the list of strategies supported. Besides being a set of emerging strategies to mitigate floods, erosion, heat island effect, and water quality impacts, NBS, LID, and GSI are often programmed into state and federal grant and funding programs that are directed towards and available to municipal communities.⁷

Recommendation for Technical Assistance Comment #9

FDOT encourages the Town to consider additional language that expands engineering solutions to include nature-based solutions, low impact development, and green stormwater infrastructure as flood mitigation and prevention, which can reinforce the engineering strategies identified in CM Policy 5.16.

General Comments

Technical Assistance Comment #10 – Grammar and Formatting

There were several locations in the Elements reviewed that had minor grammar errors or potential for clarification. Additionally, there were several instances where the numbering system/format for the Objectives and Policies were inaccurate or had missing strikethrough for edits.

Recommendation for Technical Assistance Comment #2

FDOT encourages the Town to review the following sections to ensure the Objectives and Policies are numbered correctly and that strikethrough language is appropriately stricken.

Future Land Use Element

1. (Page 86-89/447) – review strikethrough and numbering to ensure Objectives and Policies are numbered correctly.
2. (Page 97/447) Objective 8 has no associated policies.
3. (Page 98-99/447– review strikethrough and numbering to ensure Objectives and Policies are numbered correctly.

⁶ [NHTSA News Archive 1997 v3.11](#)

⁷ [FDEP Resilience and Coastal Protection Project Funding Sources](#)

Transportation Element

1. (Page 113/447) D&A – Second paragraph (“The Townwide historic growth rate...the Town’s roads.”) is repeated in the fifth paragraph, second sentence.

Conservation Element

1. (Page 334/447) Policy 7.11 & 7.16 are the same.
2. (Page 335-337/447) – review strikethrough and numbering to ensure Objectives and Policies are numbered correctly; some numbers are missing strikethroughs or numbered incorrectly.

Thank you for coordinating on the review of this proposed Comprehensive Plan EAR-based amendment with FDOT. If you have any questions, please do not hesitate to contact me by email at larry.hymowitz@dot.state.fl.us or at (954) 777-4663.

Sincerely,



Larry Hymowitz
Community Planning Specialist
Policy & Mobility Planning Section
Planning & Environmental Management Office
FDOT District Four

CC: Jennifer Hofmeister-Drew, Town of Palm Beach
Wayne Bergman, Town of Palm Beach Director of Planning, Zoning & Building
DCP External Agency Comments (dcpexter@commerce.fl.gov) – Florida
Commerce

From: [Ragsdale, David](#)
To: [Jennifer Hofmeister-Drew](#)
Cc: [Donna.Harris@commerce.fl.gov](#); [James.Stansbury@Commerce.fl.gov](#); [Stephanie Heidt \(sheidt@tcrpc.org\)](#); [tlanahan@tcrpc.org](#); [DCPexter@Commerce.fl.gov](#)
Subject: Town of Palm Beach, DOC #24-02ER Comments on Proposed Comprehensive Plan Amendment Package
Date: Monday, December 9, 2024 7:38:53 AM

*******STOP:** 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 Ms. Hofmeister-Drew:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the Town of Palm Beach (Town). The package includes an EAR-based amendment. The District provides the following comments under Section 163.3184(3)(g), Florida Statutes (F.S.). There appears to be no regionally significant water resource issues; however, the District offers the following technical guidance regarding Regional Water Supply Planning:

Regional Water Supply Planning

The Town is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the District's Governing Board. The District's Governing Board approved the LEC Water Supply Plan Update on September 24, 2024. Therefore, the Town's Work Plan needs to be updated and adopted by March 24, 2026. The Work Plan must cover at least a 10-year planning period, include updated water demand projections, identify alternative and traditional water supply projects, and describe conservation and activities needed to meet the projected future demands. Planning tools are available on the District's website for your use and District Staff are available to provide technical assistance to update the Work Plan, including reviewing draft Work Plans prior to formal plan amendment submittal. The planning tools are located at this link: <https://www.sfwmd.gov/doing-business-with-us/work-plans>.

District staff are available to meet by teleconference or in person to go over the comments above and to discuss possible solutions and options to resolve the comments. Please contact me if you have any questions, need additional information, or would like to arrange a meeting at dragsdal@sfwmd.gov. The District requests that the Town forward a copy of the adopted amendments to the District at the following email mailbox address: SFLOCALGOVPLAN@sfwmd.gov.

Kind regards,

David Ragsdale
Policy and Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
Office: 561-682-6715 Cell: 850-572-3176
dragsdal@sfwmd.gov | 3301 Gun Club Road, West Palm Beach, FL 33406

ORDINANCE NO. 015-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN OF PALM BEACH'S COMPREHENSIVE PLAN BY AMENDING THE DATA & ANALYSIS, AS WELL AS THE GOALS, OBJECTIVES, AND POLICIES WITHIN THE PLAN BASED ON THE TOWN'S RECENT EVALUATION AND APPRAISAL OF THE COMPREHENSIVE PLAN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITHIN; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, known as the Community Planning Act (the "Act"); and

WHEREAS, pursuant to Section 163.3191 of the Act, the Town of Palm Beach, Florida, is required to periodically and comprehensively evaluate its Comprehensive Plan to determine if plan amendments are necessary and to notify the state land planning agency as to its determination; and

WHEREAS, on October 23, 1989, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan with the adoption of Ordinance No. 11-89; and

WHEREAS, on October 14, 1997, pursuant to Section 163.3191, Florida Statutes, "Evaluation and Appraisal of Comprehensive Plan", the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan based upon an Evaluation and Appraisal Report (EAR) with the adoption of Ordinance No. 14-97; and

WHEREAS, on April 15, 2009, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan based upon an Evaluation and Appraisal Report (EAR) with the adoption of Ordinance No. 6-09; and

WHEREAS, on August 9, 2017, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan based on the Town's Evaluation and Appraisal Review of the Comprehensive Plan with the adoption of Ordinance No. 9-2017; and

WHEREAS, on January 13, 2021, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan by amending the Infrastructure Element, as well as the 10-Year Water Supply Facility Work Plan; and

WHEREAS, on November 15, 2022, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan by creating a Property Rights Element with the adoption of Ordinance No. 15-2022; and

WHEREAS, on May 15, 2024, the Town of Palm Beach amended the Town of Palm Beach Comprehensive Plan Future Land Use Element Policy 2.3.6 related to the Private Group Use Future Land Use designation to remove the maximum lot coverage and to allow, in limited circumstances, the maximum building height to be three stories with Town Council approval; and

WHEREAS, in accordance with Section 163.3191 of the Act, the Town of Palm Beach conducted a recent Evaluation and Appraisal of the Town of Palm Beach Comprehensive Plan and determined that it is necessary and appropriate to amend the Data & Analysis (D&A) as well as the Goals, Objectives, and Policies (GOPs) of the Town of Palm Beach Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184(4) of the Act, the Town of Palm Beach has followed the state coordinated review process for review of comprehensive plans and plan amendments described in Section 163.3184(2)(c) of the Act; and

WHEREAS, the Town of Palm Beach's Planning and Zoning Commission issued a Record and Report recommending proposed amendments to the Town of Palm Beach Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3174(11) of the Act after notice required by law, the Town Council, acting as the Local Planning Agency (LPA) , conducted a public hearing on November 13, 2024 wherein it considered the Planning and Zoning Commission's Record and Report and all evidence and testimony regarding the proposed amendments;

WHEREAS, the LPA recommended that the Town Council amend the Town of Palm Beach's Comprehensive Plan in the manner set forth in Exhibit "A" hereto (the "Amendments"), and transmit the Amendments to the Florida Department of Commerce; and

WHEREAS, pursuant to Section 163.3184(11) of the Act and after notice required by law, the Town Council conducted a public hearing on November 13, 2024 to consider the LPA's recommendations regarding the Amendments wherein it determined that the adoption of the Amendments would be in compliance with the Act and voted to transmit the Amendments to the Florida Department of Commerce, appropriate reviewing agencies, and any other local government or governmental agency that has made a written request of the Town pertaining to the proposed amendments; and

WHEREAS, the Florida Department of Commerce and appropriate reviewing agencies have reviewed the Amendments for consistency with the Act pursuant to Section 163.3184(4)(c) and (d) of the Act; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals

The above recitals are incorporated as fully set forth herein.

Section 2. Findings

The proposed Comprehensive Plan Amendments, as more particularly described in Exhibit A, have been determined by the Town Council to promote the public health, safety and welfare and are consistent with the requirements in Florida Statutes, and all elements of the adopted Comprehensive Plan.

Section 3. Amendment of the Comprehensive Plan

The Town of Palm Beach Comprehensive Plan is hereby amended to incorporate those amendments set forth in Exhibit A attached hereto and incorporated herein by reference.

Section 4. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 5. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification.

This Ordinance shall be codified and made a part of the official Comprehensive Plan of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect pursuant to Section 163.3184(4)(e)5, Florida Statutes.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading on November 13, 2024, and for second and final reading on the 12th day of February 2024.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Bridget Moran, Town Council Member



Business Impact Estimate

TOWN OF PALM BEACH

TITLE OF ORDINANCE:

ORDINANCE NO. 015-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN OF PALM BEACH'S COMPREHENSIVE PLAN BY AMENDING THE DATA & ANALYSIS, AS WELL AS THE GOALS, OBJECTIVES, AND POLICIES WITHIN THE PLAN BASED ON THE TOWN'S

Business Impact Estimate

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more boxes are checked below, state law **does not** require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation.
- ☐ The proposed ordinance relates to the issuance or refinancing of debt.
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.
- ☐ The proposed ordinance is an emergency ordinance.
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220 - 163.3243.
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

1. Summary of the proposed ordinance:

The proposed Ordinance is to adopt the EAR-based 2024 Comprehensive Plan that amends the data and analysis and goals, objectives and policies.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

n/a

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

n/a

4. Additional information the governing body deems useful (if any):

n/a

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Town of Palm Beach's website by the time notice of the proposed enactment of the ordinance is published.

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS AND BUSINESSES BY MAINTAINING ITS UNIQUE SMALL TOWN CHARACTER.

OBJECTIVE 1

Because the Town of Palm Beach is built-out, the Town shall continue to regulate future development and redevelopment that maintains and enhances its unique physical and historic character, which is predominantly residential. The Town shall accomplish this by allowing the type and number of businesses and other services that meet the needs of Town residents. The measurement of this objective shall be the extent to which the following policies are implemented:

POLICY 1.1

The Town shall continue to comply with §163.3202, Fla. Stat., regarding land development regulations, containing specific and detailed provisions which are required to implement the adopted Comprehensive Plan, and which, at a minimum:

- a. Regulate the subdivision of land.
- b. Regulate the use of land and water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space.
- c. Protect lands designated for Conservation.
- d. Regulate signage.
- e. Regulate areas subject to seasonal or periodic flooding and provide for drainage and stormwater management.
- f. Ensure safe and efficient movement of traffic flow and vehicle parking needs.
- g. Provide that no development order or permit shall be issued which results in a reduction of services for the affected public facilities below the level of service standards adopted in this Comprehensive Plan.
- h. Provide that public facilities and services meet or exceed the standards established in the Capital Improvements Element required by §163.3177, Fla. Stat. and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development.
- i. Provide clean and safe potable water.

POLICY 1.2

The Town shall maintain Future Land Use designations that focus on preserving and protecting the Town's primarily residential community, with the limited Town-Serving commercial uses, by controlling the type, distribution and density of development and redevelopment.

POLICY 1.3

The Town shall revise the Zoning definition of "Acre" to reference the U.S. customary acre size of 43,560 square feet, not the "Palm Beach Acre" of 40,000 square feet.

POLICY 1.4

The Town shall protect the stability of its residential neighborhoods by advocating and promoting year-round occupancy and neighborhood improvements and enhancements.

POLICY 1.5

The Town shall continue to conduct staff reviews of each proposed new development or redevelopment project for the purpose of determining compliance with the Town's Comprehensive Plan and Code of Ordinances.

POLICY 1.6

The Town shall maintain its character as a predominantly residential community by approving development and redevelopment projects that are necessary to meet the needs of Town residents.

POLICY 1.7

The Town shall prevent critical and dangerous overuse of its infrastructure, parking resources, public services and facilities, and damage to its historic character, to maintain the overall high property values of the community.

POLICY 1.8

The Town shall take all technical and administrative measures legally available to minimize the change or transition of existing low-density areas or structures to more intensive use patterns thereby lowering the pattern of residential density and commercial intensity, where possible to minimize tourism inflow.

POLICY 1.9

The Town shall continue to enforce the provisions of its Zoning Ordinance which are directed toward compliance with Town-serving commercial establishments and to rigorously discourage those uses which are likely to attract patronage on a regional level.

POLICY 1.10

The Town shall identify each of the land uses deemed appropriate for each of the individual land use categories.

- 1.10.1 Where essential services are indicated as an appropriate use, essential services shall include public utility facilities related to water supply, telephone (excluding wireless telecommunication facilities), cable television, gas, electrical distribution systems, shoreline protection and renourishment activities, and Town-owned services such as sanitary sewer, stormwater drainage, and solid waste collection and disposal systems, including any necessary appurtenant structures serving the Town.

POLICY 1.11

The Town shall ensure that development orders are issued for new residential development or redevelopment that are consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies:

- 1.11.1 Single-Family Residential – Intended to accommodate and preserve estates and single-family residential development at a maximum density of 4.356 dwelling units per and a maximum height of two stories.

Appropriate uses include single-family dwellings, previously Approved PUDs as set forth in Policies 10.1.1 and 10.1.4, cluster development, public uses and facilities, public and private schools, private group uses, and essential services.

- 1.11.2 Multi-Family Moderate Density – Intended to accommodate and preserve residential development at a maximum density of 6.534 dwelling units per and a maximum height of two stories.

Appropriate uses include single-family, two-family, townhouses and multi-family dwellings; residential PUDs as set forth in Policy 8.1.2; mixed-use PUDs as set forth in Policy 8.1.3; public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services.

- 1.11.3 Multi-Family High Density – Intended to accommodate residential development at a maximum density of 14.157 dwelling units and, under limited circumstances, a maximum height of five stories.

Appropriate uses include single-family, two-family, townhouses and multi-family dwellings; residential PUDs as set forth in Policy 8.1.2; mixed-use PUDs as set forth in Policy 8.1.3; hotel and motel uses up to 28.314 rooms per acre and associated accessory commercial uses (hotel and motel rooms are considered to be equivalent to 0.5 dwelling units); timesharing uses up to 9.801 units per acre; public uses and facilities; public and private schools; private group uses; group homes and foster care facilities; and essential services.

POLICY 1.12

The Town shall ensure that development orders are issued by the Town for new non-residential development or redevelopment that are consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies:

- 1.12.1 The following definitions shall pertain to the application of the non-residential land use designations and associated policies:

a. "Town-serving" shall mean establishments, principally oriented to serving the needs of Town persons and not substantially relying on the patronage of non-Town-persons. Commercial establishments which are not required to meet town-serving requirements of 3,000 square-feet or less of gross leasable area in the C-OPI, C-PC, C-TS and C-B zoning districts, and 4,000 square feet or less of gross leasable area in the C-WA zoning district are assumed to meet the intent of the first part of this definition. Town-serving commercial establishments shall attract not less than the established percentage defined in the Zoning Code of their customers/members/clients from among Town persons.

b. "Town residents" shall include all property owners, both full-time and seasonal, and their guests, and renters of at least three months.

c. "Town persons" shall mean Town residents, as well as visitors staying at accommodations in, or employees working within the Town.

- 1.12.2. Conservation – Intended to preserve and protect unique natural areas and submerged land from development and the negative impacts of public use. No development or redevelopment is permitted on or over land designated in this category, with the exception of docks, essential services or parks owned and operated by the Town.

- 1.12.3. Commercial – Intended to preserve, and enhance areas of attractive, small-scale, retail, personal and professional/business services, and mixed commercial/residential

uses. The mixed commercial/residential uses may be developed either as a unit or in individual parcels, provided these uses are primarily for the needs of Town residents.

a. Appropriate uses include a wide range of commercial retail, service, professional and business uses for residents and visitors; hotels/motels up to 28.314 rooms per; timesharing uses up to 9.801 units per acre; offices; public uses and facilities; public and private schools; private group uses; and residential uses located above the ground floor.

b. Except for uses located in the Worth Avenue zoning district (C-WA), one residential unit may be located above the ground floor, or up to a maximum density of 6.534 dwelling units per acre, whichever is greater. In the Worth Avenue zoning district, the maximum allowable density shall be 10.89 dwelling units per acre provided the Worth Avenue Design Guidelines are met.

c. If allowed by the Zoning Code, the maximum building height of commercial buildings may be three stories with Town Council approval.

1.12.4 Public – Intended to recognize existing locations of, and provide sites for, public uses, structures and facilities.

a. Appropriate uses include public schools, low intensity public buildings and facilities such as fire and police stations, Town Hall, etc., of a scale and intensity necessary to primarily serve the needs of Town residents. Only public uses owned, operated, or supervised by a governmental agency are given this designation.

b. The designation of a property for Public Use on the Future Land Use Plan Map recognizes the current use of the property.

c. In limited circumstances, the maximum building height may be three stories with Town Council approval.

1.12.5 Recreation – Intended to provide for low intensity public recreational uses or activities, natural resources and scenic resources of a scale and intensity necessary to primarily serve the needs of Town residents. Only public facilities owned, operated, franchised, or supervised by a public governmental entity are given this designation.

1.12.6 Private Group Use – Intended to provide for low intensity uses such as private clubs, golf and country clubs, public and private schools, houses of worship, museums, and non-commercial recreation-type or cultural uses at a scale and intensity intended to primarily serve the needs of Town residents.

- a. The designation of a property for Private Group Use on the Future Land Use Plan Map recognizes the current use of the property.
- b. In limited circumstances, the maximum building height maybe three stories with Town Council approval.

1.12.7 Approved PUD – Intended to recognize previously approved PUDs. PUD densities shall not exceed 14.157 dwelling units per acre.

POLICY 1.13

The Town shall establish non-residential intensity standards that are compatible with the corresponding zoning districts.

OBJECTIVE 2

Maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.

POLICY 2.1

The Town shall prevent critical and dangerous overuse of its infrastructure, parking resources, public services and facilities, and damage to its historic character, to maintain the overall high property values of the community.

POLICY 2.2

The Town shall take all technical and administrative measures legally available to prevent the change or transition of existing low-density areas or structures to more intensive use patterns, thereby lowering residential density and commercial intensity.

POLICY 2.3

The Town shall continue to enforce the provisions of its Zoning Ordinances which are directed toward Town-serving commercial uses and discouraging those uses likely to attract patronage on a regional level.

OBJECTIVE 3

The Town shall issue development orders and permits for new development and redevelopment in the floodplain or coastal high hazard area only if they meet the building elevations identified in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) unless the structure has been landmarked or is designated a historically significant building and approved for a floodplain variance.

POLICY 3.1

Prior to the issuance of a development order or permit, the Town shall make and record the determination that the proposed building elevations meet or exceed elevations identified on the Flood Insurance Rate Maps, except when sufficient justification of extenuating circumstances may be shown unless the structure has been landmarked or designated as a historically significant building and approved for a floodplain variance.

OBJECTIVE 4

The Town shall ensure that development orders and permits for new development or redevelopment or building permits for development shall be issued only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.

POLICY 4.1

A concurrency analysis shall be conducted prior to the approval of any application for a development order, and no final development order shall be issued unless:

- a. Existing facilities and services meet the Town's adopted level of service standards,
or
- b. The final development order is conditioned on such facilities and services being available at the time the impact of the development will occur, consistent with the Town's Concurrency Management System and implementing policies of the Capital Improvements Element.

POLICY 4.2

The Town shall determine prior to the issuance of a development order or permit, that the project provides open space, on-site traffic flow and parking commensurate with the requirements of the Town's land development regulations.

POLICY 4.3

The Town shall coordinate with FDOT prior to the approval of any development that could potentially impact the operations of a State/SIS facility.

OBJECTIVE 5

The Town shall continue to ensure that the minimum property maintenance standards provided in Chapter 88, Code of Ordinances, are maintained.

POLICY 5.1

The Town shall continue to utilize the code enforcement procedures provided for in Article V, Code of Ordinances, to proactively maintain high building and property standards.

OBJECTIVE 6

The Town shall reduce the number of uses incompatible with the range and location of land uses, identified in the Town's Future Land Use Plan Map, through attrition; and not permit uses within the Future Land Use categories that are inconsistent with the community's character and the Town's Future Land Use Plan Map.

POLICY 6.1

The Town shall amend its land development regulations, when necessary to be compatible and consistent with the range and location of land uses identified on the Town's Future Land Use Map.

POLICY 6.2

The Town shall prohibit replacement or expansion of uses found to be incompatible or inconsistent with the range and location of land uses identified on the Town's Future Land Use Map and Official Zoning Map.

POLICY 6.3

The Town shall continue to allow designated landmarked structures, single-family dwellings, two-family, townhouse, multi-family, commercial, and public structures or public/private group uses which are unintentionally damaged or destroyed, such as by fire or other casualty, act of terrorism, war or act of God or nature to be rebuilt at the same density and/or intensity, on the same footprint and to the same size and configuration as those nonconforming buildings or structures being replaced provided Florida Department of Environmental Protection (FDEP) standards are met when building east of the Coastal Construction Control Line (CCCL). Actual construction to replace, restore or reconstruct the

nonconforming building or structure shall commence within the time frame outlined in Code Sections 18-237 and 18-238.

POLICY 6.4

The Town shall create a new Future Land Use category to correspond with the Beach Area (BA) Zoning District that provides for essential service uses.

POLICY 6.5

The Town shall create a new Multi-Family Medium Density Future Land Use category that corresponds to the R-D(1) Zoning District which limits the number of dwelling units per acre to ten and does not permit hotels.

POLICY 6.6

The Town shall consider creating Zoning Districts to correspond with Public and Recreation Future Land Use Categories.

POLICY 6.7

The Town shall within one year following the adoption of EAR-based amended Comprehensive Plan amend the Code of Ordinances and Zoning Map to be consistent with the adopted Comprehensive Plan.

OBJECTIVE 7

The Town will coordinate and comply with any resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes, as amended.

POLICY 7.1

The Town shall continue to coordinate with State, regional, county and local agencies to ensure mutual cooperation in the development of all appropriate resource planning and management plans prepared pursuant to Chapter 380, Florida Statutes as amended. The Town will continue to monitor all other local governments' activities when notice is provided. The Town will continue to provide notice as required to other local governments and agencies on upcoming large development projects. The Town will continue to work closely with the **Florida Department of Transportation**, Treasure Coast Regional Planning Council, Palm Beach County, the City of West Palm Beach, TPA, Palm Beach County School District and the State of Florida on regional issues. The Town will continue to maintain mutual aid agreements with other local governments with reference to fire service, police, and disaster preparedness.

OBJECTIVE 8

The Town shall acknowledge previously Approved Planned Unit Developments, (PUDs) but will not allow new PUDs in the future.

POLICY 8.1

The following types of Planned Unit Developments (PUDs) shall be allowed in the Town:

- 8.1.1 Single-family PUDs located within the Single-Family Residential Land Use Category not exceeding four dwelling units per gross Palm Beach acre.
- 8.1.2 Mixed residential development located within the Multi-Family Moderate or Multi-Family High Density Land Use Categories, not exceeding the maximum density allowable within the Land Use Category.
- 8.1.3 Mixed-use development within the Multi-Family Moderate Density or Multi-Family High Density Land Use Categories, allowing for a mix of residential uses not exceeding the maximum allowable density within the Land Use Category and nonresidential development not exceeding 20% of the gross floor area of the PUD.

The following equivalencies shall be used in determining the intensity of the nonresidential components, required pursuant to Chapter 163, F.S.

Land Use Type	Unit of Measurement	Equivalence to One Dwelling Unit of Gross Density
Hotels, motels or similar transient facilities	Number of bedrooms	Two (2) bedrooms
Principal Commercial Uses	Total floor area	750 square feet
Accessory Commercial Uses	Total floor area	1,500 square feet
Other Nonresidential Uses	Total floor area	1,000 square feet

OBJECTIVE 9

The Town shall coordinate its coastal area population with the Regional Hurricane Evacuation Plan. The measurement of this objective will be the degree to which the Town coordinates with the appropriate Evacuation Plan, and the extent to which the following policy is implemented.

POLICY 9.1

The Town shall review, and revise, if necessary, its coastal area residential densities and commercial intensities to ensure that they do not result in hurricane evacuation or shelter capacity deficiencies.

OBJECTIVE 10

The Town shall maintain public access to all recreational facilities, including recreational and commercial working waterfronts as defined in §342.07, Fla. Stat. under the jurisdiction of the Town of Palm Beach.

POLICY 10.1

The Town shall establish priorities for siting appropriate water dependent and water related land uses consistent with §342.07, Fla. Stat. while at the same time protecting shoreline and conservation areas from degradation.

POLICY 10.2

The Town shall, on an annual basis, inspect public access points to public beaches that are not under the Town's jurisdiction, to identify any impediments to access. The Town will notify respective governing agencies of impediments within three months of their identification.

POLICY 10.3

The Town, in evaluating applications for marinas or marina siting, shall address all of the following: land use compatibility; availability of upland support services; existing protective status or ownership; hurricane contingency planning; protection of water quality; water depth; environmental disruptions and mitigation actions; availability for public use; and economic need and feasibility.

EXECUTIVE SUMMARY

The Transportation Element evaluates current and projected traffic circulation and public parking operations to determine their impact on the quality of life for Town residents. This Element relies upon and supports the basic philosophy expressed throughout the Town's planning efforts since its first Plan was adopted in 1929. The "1929 Plan" recognized the relationship between land use and transportation.

Transportation and land use are interwoven since trips are generated as a result of particular land uses. Later versions of the Comprehensive Plan continued to emphasize the effects of growth and the need to control the impacts of traffic on the community. This Element confirms that changes in local conditions in the Town combined with development in downtown West Palm Beach have exacerbated traffic congestion and diminished the availability of convenient parking for Town residents.

As the Town has developed, traffic congestion on both the main corridors and within residential neighborhoods has grown to a point where residents' quality of life has been adversely affected. Most communities identify potential new roadways to accommodate additional traffic impacts within their Transportation Elements. The Town does not have the opportunity for the construction of new streets and limited opportunities for lane modifications to relieve the pressures on its major arterial and collector roadways.

Primary Land Use and Transportation Objectives 1929

"To maintain the quality of life which has given the Town its unique physical and historical character and, towards this objective, to take all legally and technically available measures to stabilize the Town's land use and reduce residential density patterns where possible."

"To preserve the Town's quality of life through retention of an essentially residential character and unique historic personality."

"The concentration of general traffic upon a limited number of streets, a system of leisurely and convenient by/ways free from automobiles, discourage trespassing, and provide safety and quiet for the residents of Palm Beach."

This updated Comprehensive Plan affirms that the Town is built out. Traffic throughout the Town has increased since the last Comprehensive Plan review (2017 EAR) not only during the season but year-round. The contributing factors are due in part to the following:

- Population migration to the Town and South Florida, including neighboring West Palm Beach
- Increased visitors to regional and non-regional attractions in the Town, the Four Arts, Royal Poinciana Plaza, golf courses, private clubs, the beaches, and the 12 existing hotels
- Redevelopment which has added more construction trucks to the roads
- Larger and increased number of service vehicles per home

In addition, Town roadways are subject to traffic impacts resulting from developments in neighboring communities. Recent land use changes will result in increased density and intensity within the Transportation Concurrency Exemption Areas (TCEA) in downtown West Palm Beach, which are negatively affecting traffic circulation both on and off the island.

Unlike West Palm Beach, the Town is seeking ways to mitigate impacts within the community. The Town of Palm Beach's Transportation Element addresses traffic circulation and introduces a Parking Sub-Element to address the impact of parking or lack thereof on residents' quality of life. This is not a new phenomenon as earlier traffic studies dating back to 1969 and again in 2006 recognized parking issues and their relationship with the traffic circulation in the Town due to the increased volume of vehicles.

TRANSPORTATION PLANNING IN THE STATE OF FLORIDA

The FDOT has a series of plans that govern transportation initiatives in this state. Some, such as the Florida Transportation Plan, establish policy, while others, including the Strategic Intermodal Systems Plan, focus on implementation and include the following:

- Florida Transportation Plan (FTP) –Includes long-range goals, objectives and strategies to meet the needs of Florida's "entire transportation system."
- Strategic Intermodal Systems Plan (SIS) –Includes corridors, facilities and services of statewide and multi-regional significance.
- FDOT Work Program –Includes all projects planned by the department for that period. FDOT holds at least one public hearing in each district, followed by a statewide public hearing by the Florida Transportation Commission. The program is then submitted to the Governor and Legislature.
- State Transportation Improvement Program (STIP) – Required by the federal government, the STIP incorporates the first four years of FDOT's Work Program.

- Florida Strategic Highway Safety Plan (SHSP) –Focuses on how to accomplish the vision of eliminating fatalities and reducing serious injuries on all public roads. The SHSP is updated at least every five years by FDOT in coordination with statewide, regional, and local safety partners.¹

As displayed in Exhibit 2-1, Palm Beach is one of the five counties that comprise District 4. The remaining four include Broward, Martin, St. Lucie, and Indian River counties. District 4 is located within Southeast Florida and consists of 5,000 square miles and is home to over four million residents.

In District 4, vehicles travel more than 52.4 million miles daily. Worth noting, the FDOT assists Tri-Rail, a commuter rail service, to connect with Gold Coast Commuter Services, also a commuter assistance program, and two major transit authorities (Broward County Transit and Palm Tran) with 319 vehicles in their fleets.² Additionally, Amtrak runs a low-cost rail line connecting West Palm Beach to Tampa, Florida.

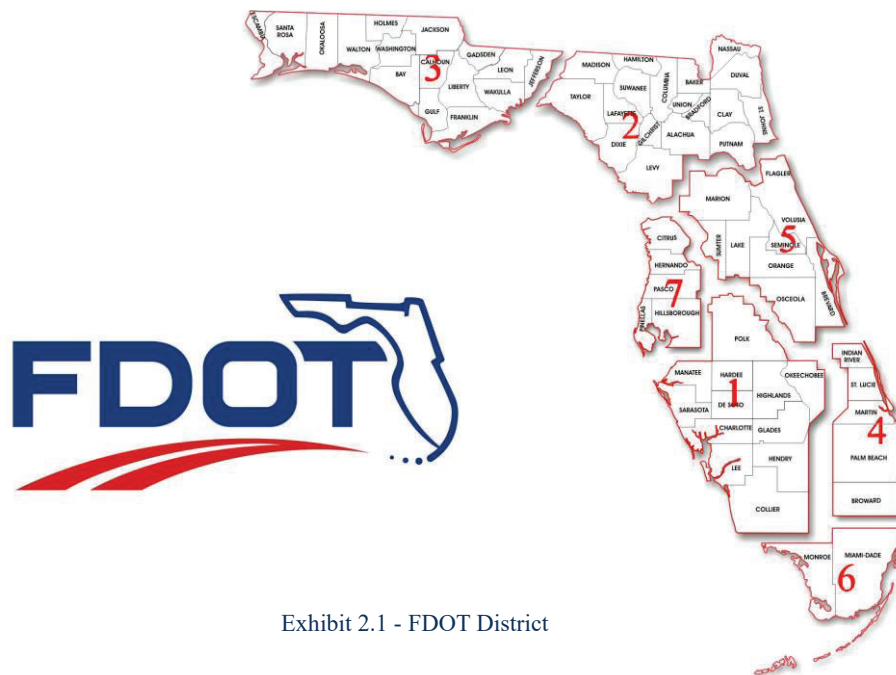


Exhibit 2.1 - FDOT District

¹ <https://1000fof.org/wp-content/uploads/2021/12/transportation-planning-process-FINAL.pdf>

² Ibid

Brightline, which is an intercity rail route between Miami and Orlando, runs on a track owned by Florida East Coast Railway. Brightline is the only privately owned and operated intercity passenger railroad in the United States.



Exhibit 2-2 Current Operating Brightline Routes 2023

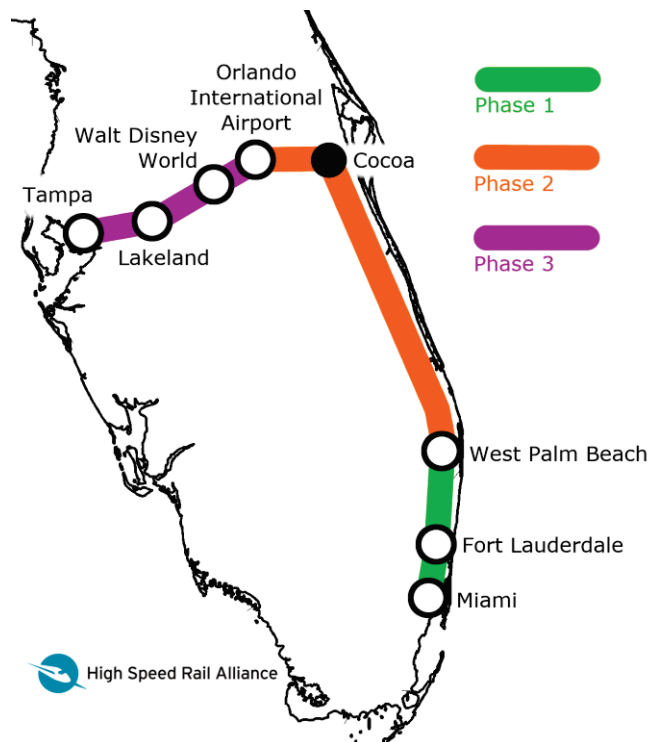


Exhibit 2-3
Phased Development of Brightline Stations

FLORIDA REQUIREMENTS FOR THE TRANSPORTATION ELEMENT

Chapter 163, Fla. Stat., requires that as the population grows, adequate services are available to meet demand. The statute is intended to balance the availability of infrastructure and resources with economic development and community sustainability. Under §163.3177(6)(b), Fla. Stat., the purpose of the Transportation Element is to plan for a multimodal transportation system that emphasizes public transportation systems, where feasible. The Transportation Element is intended to provide for a safe, convenient multimodal transportation system, coordinated with the future Land Use Map or Map Series and designed to support all Elements of the Comprehensive Plan. A local government that has all or part of its jurisdiction included within the Metropolitan Planning Area of a Metropolitan Planning Organization (MPO) under §339.175, Fla. Stat., is required to prepare and adopt a Transportation Element consistent with this subsection.

Each local government's Transportation Element must address traffic circulation, including the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways. The Transportation Element is required to also include a Map or Map Series depicting the general location of the existing and proposed transportation system features and shall be coordinated with the future land use map or map series. The Element is required to reflect the data, analysis, and associated principles and strategies relating to the following key items applicable to the Town, among others:

- The existing transportation system levels of service and system needs and the availability of transportation facilities and services
- The growth trends and travel patterns and interactions between land use and transportation
- All alternative modes of travel, such as public transportation, pedestrian, and bicycle travel
- The capability to evacuate the coastal population before an impending natural disaster

PALM BEACH COUNTY TRANSPORTATION PLANNING

In Palm Beach County, the Transportation Planning Agency (TPA) is the MPO. The TPA partners with Palm Beach County for staff and resources through an Interlocal Agreement and represents all 39 incorporated cities, towns, and villages. The TPA is a federally mandated public agency that works to prioritize and fund the transportation system. The Palm Beach TPA consists of a 21-member Governing Board, with more than \$600 million of federal, state, and local transportation dollars to implement projects that advance our regional vision for the nearly 1.5 million Palm Beach County residents.

The Governing Board is supported by staff and has a five-member Executive Committee and three advisory committees, which consist of the following:

- Technical Advisory Committee (TAC)
- Citizen's Advisory Committee (CAC)
- Vision Zero Advisory Committee (VZAC)

In addition, the TPA administers the Transportation Disadvantaged Local Coordinating Board (TDLCB) in Palm Beach County.

As one of the TPA's most important documents, the Transportation Improvement Plan (TIP) identifies projects for maintaining and improving the transportation system funded by Federal, State and local sources to assist local governments with their transportation planning efforts. This staged program encompasses a five-year period consisting of all regionally significant transportation improvements to all modes of travel in Palm Beach County. The TIP is based on, and reflects, the FDOT Work Program for Palm Beach County. Highway, bus, rail, port, bicycle/pedestrian, and beautification projects are included. The TIP is developed through a comprehensive and coordinated effort involving FDOT, the Palm Beach County Board of County Commissioners, the Port of Palm Beach, the South Florida Regional Transportation Authority, and municipalities within the County.

According to the TIP, there are no capacity improvements planned for the Town, nor are there any such improvements, expansions or new facilities planned for the Town in the Adopted FDOT Five-Year Work Program.³ Further, there are no ports, airports, rail lines, intermodal terminals, high-speed rail lines, or related facilities within the Town.

THE TOWN OF PALM BEACH TRANSPORTATION ELEMENT

The Transportation Element of the Comprehensive Plan has been developed based upon:

1. Analysis of the existing transportation system.
2. Analysis of existing transportation levels of service and system needs.
3. Analysis of projected transportation levels of service and system needs, based upon the future land uses shown on the Future Land Use Map, and pertinent plans of the Florida Department of Transportation.
4. Analysis of traffic circulation
5. Analysis of valet and shared parking agreements with private businesses.
6. Analysis of existing parking facilities and future needs.

Existing Roadway Functional Classification

Map 2.1 of the Map Series provides functional classifications of the roadways within the Town for the current year (2024) and the 20-year planning timeframe (2044).

In order to be eligible for federal funding, federal regulations require a roadway to be functionally classified. Functional classification is the process by which roadways and highways are grouped into classes according to the character of service they are intended to provide. Roads with higher classifications serve the mobility needs of a greater number of people, and typically carry more traffic. Roads with lower classifications tend to provide access more to individual properties than serve the mobility needs of a greater number of people.⁴

³ FY25-29 TIP palmbeachtpa.org

⁴ <https://cmpdd.org/functional-classification/>

Palm Beach County uses the Federal Functional Classification process to group roadways into classes based on the service they provide in relation to the total roadway network. ~~The TPA Governing Board approved the Functional Classification Map on December 9, 2013. The~~ designation of a roadway may only be changed within a decennial census cycle. **According to the 2024 RCI Handbook and federal guidelines, the FDOT functional classification categories ensure consistency among agencies including metropolitan and rural planning agencies local officials and FHWA Division Offices; related to a roadway's expectations about design, including its speed, capacity and relationship to existing and future land use development.** ⁵

- ~~1. Interstate Highways~~
- ~~2. Arterials: Major and Minor Roadways~~
- ~~3. Collectors: Major and Minor Roadways~~
- ~~4. Local Roadways~~

Interstate Highways

~~Interstates are the highest classification and are designed and constructed with mobility and long-distance travel in mind. These facilities are divided highways with full access control and grade separations at all intersections. The controlled access character of interstates results in high lane capacities, which are three times greater than the individual lane capacities of urban arterial roadways.~~

Major Arterial Roadways

~~These roadways serve major activity centers, are the highest traffic volume corridors (except Interstates), have the longest trip demands, carry a high proportion of total urban travel on a minimum amount of mileage and interconnect and provide continuity for major rural corridors to accommodate trips entering and leaving urban areas and movements through urban areas.~~

Minor Arterial Roadways

~~Minor Arterials provide service for trips of moderate length at a somewhat lower level of travel mobility, which is defined as the ease and ability of people, goods, and services to move around. Minor Arterials distribute traffic to smaller geographic areas, provide more land access than Major Arterials without penetrating identifiable neighborhoods, and offer connectivity to the higher arterial system.~~

Major Collector Roadways

~~Major Collector Roadways provide both land service and traffic movement functions. They serve as intermediate feeders between arterials and local roadways and primarily accommodate short-distance trips.~~

⁵ https://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/fcauab.pdf

Minor Collector Roadways

Minor Collector Roadways are used to connect neighborhoods to arterials or major collectors. However, unlike major collectors, they tend to be shorter (often less than 3/4 of a mile in urban areas), have fewer lanes, and can have house driveways directly connected to them.

Local Roadways

Local Roadways consist of all roads not defined as arterials or collectors. Local Roadways typically support direct access to homes and are generally designed for slow speeds.

Under the jurisdiction of the FDOT, the roadway classifications are described as either divided or undivided as follows:

The major roadway function classifications are:⁶

	Interstate	1
	Other Freeways and Expressways	2
	Other Principal Arterial	3
	Minor Arterial	4
	Major Collector	5
	Minor Collector	6
	Local	7

Interstates

Interstates are the highest classification of Arterials and were designed and constructed with mobility and long-distance travel in mind. (Figure 3-1) Since their inception in the 1950's, the Interstate System has provided a superior network of limited access, divided highways offering high levels of mobility while linking the major urban areas of the United States. Determining the functional classification designation of many roadways can be somewhat subjective, but with the Interstate category of Arterials, there is no ambiguity. Roadways in this functional classification category are officially designated as Interstates by the Secretary of Transportation, and all routes that comprise the Dwight D. Eisenhower National System of Interstate and Defense Highways belong to the Interstate functional classification category and are considered Principal Arterials.⁷

Other Freeways & Expressways

Roadways in this functional classification category look very similar to Interstates. While

⁶ FDOT Technical Assistance Comments, January 13, 2025, Larry Hymowitz, Community Planning Specialist, FDOT District Four

⁷ https://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/fcauab.pdf

there can be regional differences in the use of the terms ‘freeway’ and ‘expressway’, for the purpose of functional classification the roads in this classification have directional travel lanes are usually separated by some type of physical barrier, and their access and egress points are limited to on- and off-ramp locations or a very limited number of at-grade intersections. Like Interstates, these roadways are designed and constructed to maximize their mobility function, and abutting land uses are not directly served by them.⁸

Other Principal Arterials

These roadways serve major centers of metropolitan areas, provide a high degree of mobility and can also provide mobility through rural areas. Unlike their access controlled counterparts, abutting land uses can be served directly. Forms of access for Other Principal Arterial roadways include driveways to specific parcels and at-grade intersections with other roadways. (Figure 3-2) For the most part, roadways that fall into the top three functional classification categories (Interstate, Other Freeways & Expressways and Other Principal Arterials) provide similar service in both urban and rural areas. The primary difference is that there are usually multiple Arterial routes serving a particular urban area, radiating out from the urban center to serve the surrounding region. In contrast, an expanse of a rural area of equal size would be served by a single Arterial.⁹

Minor Arterials

Minor Arterials provide service for trips of moderate length, serve geographic areas that are smaller than their higher Arterial counterparts and offer connectivity to the higher Arterial system. In an urban context, they interconnect and augment the higher Arterial system, provide intra-community continuity and may carry local bus routes. The spacing of Minor Arterial streets may typically vary from 1/8- to 1/2-mile in the central business district (CBD) and 2 to 3 miles in the suburban fringes. Normally, the spacing should not exceed 1 mile in fully developed areas.¹⁰

Major and Minor Collectors

Collectors serve a critical role in the roadway network by gathering traffic from Local Roads and funneling them to the Arterial network. Within the context of functional classification, Collectors are broken down into two categories: Major Collectors and Minor Collectors. Until recently, this division was considered only in the rural environment. Currently, all Collectors, regardless of whether they are within a rural area or an urban area, may be substratified into major and minor categories. The determination of whether a given Collector is a Major or a Minor Collector is frequently one of the biggest challenges in functionally classifying a roadway network. In the rural environment, Collectors generally serve primarily intra-county travel (rather than statewide) and constitute those routes on which (independent of traffic volume) predominant travel distances are shorter than on Arterial

⁸ Ibid

⁹ Ibid

¹⁰ Ibid

routes. Consequently, more moderate speeds may be posted. The distinctions between Major Collectors and Minor Collectors are often subtle. Generally, Major Collector routes are longer in length; have lower connecting driveway densities; have higher speed limits; are spaced at greater intervals; have higher annual average traffic volumes; and may have more travel lanes than their Minor Collector counterparts. Careful consideration should be given to these factors when assigning a Major or Minor Collector designation. In rural areas, AADT and spacing may be the most significant designation factors. Since Major Collectors offer more mobility and Minor Collectors offer more access, it is beneficial to reexamine these two fundamental concepts of functional classification. Overall, the total mileage of Major Collectors is typically lower than the total mileage of Minor Collectors, while the total Collector mileage is typically one-third of the Local roadway network.¹¹

Local Roads

Locally classified roads account for the largest percentage of all roadways in terms of mileage. They are not intended for use in long distance travel, except at the origin or destination end of the trip, due to their provision of direct access to abutting land. Bus routes generally do not run on Local Roads. They are often designed to discourage through traffic. As public roads, they should be accessible for public use throughout the year.¹²

Palm Beach's divided roadways include the following.

- Royal Poinciana Way - Major Collector
- South Ocean Boulevard (SR A1A) - Major Collector (Royal Poinciana Way is also considered SR A1A)
- Royal Palm Way – Minor Arterial

The undivided roadways include the following.

- North County Road - Minor Collector
- South County Road - Major Collector
- Southern Boulevard - (SR 80) – Minor Arterial
- Bradley Place/Cocoanut Row – Minor Collector

Map 2.4 illustrates roadway responsibility by the state and county. The remaining roadways within the Town are classified as Local Roadways. Maps 2.5 and 2.6 of the Map Series identify bicycle and pedestrian facilities.

¹¹ Ibid

¹² Ibid

Four bridges cross the Intracoastal Waterway and connect the Town to the mainland. They are:

- Flagler Memorial Bridge
- Royal Park Bridge
- Southern Boulevard Bridge
- Robert A. Harris Memorial Bridge (Lake Worth Road)

The major traffic generators in the Town are the two major commercial areas, those being:

- The northern commercial area encompassing Royal Poinciana Way, Sunrise and Sunset Avenues, Bradley Place, North County Road, and the Royal Poinciana Plaza, with a concentration of retail and restaurants.
- The Midtown area which includes the retail concentrations along South County Road, Peruvian Avenue, Worth Avenue, and the office area along Royal Palm Way, also with a concentration of retail and restaurants.

In addition to the above-listed commercial areas, other traffic generators include the beach, golf courses, cultural arts facilities, restaurants, clubs, hotels, personal services, and offices.

Level of Service Standard

Level of Service (LOS) is a representation of traffic congestion on a roadway. The Town sets the Level of Service standard for Town roads. Palm Beach County uses their Article 12 Palm Beach County Traffic Performance Standards (TPS) Ordinance that applies countywide to County thoroughfares and State roads that are not part of the Florida Intrastate Highway System (FIHS). The State sets the standards for FIHS roads. The Town may set Levels of Service higher than the County or State for County and State roads, but it may not adopt a lower standard without State and/or County agreement.

Maintaining concurrency is a term used to describe the situation where there is capacity on roadways to accommodate traffic without reducing the level of service below the adopted standard. This requires predicting how proposed development will affect traffic congestion. Computer modeling software has been created to evaluate-how many vehicles will use certain roadways to get between various land uses. Short term predictions can be fairly accurate, but long-term ones often are not.

By convention, the Level of Service is written as “LOS” when accompanying a letter standard, as illustrated below.

What is Level of Service (LOS)?			
Level of Service is a quantitative measure of traffic operational conditions. Ranges of operation are defined for each type of roadway section (signalized intersections, freeways, ramp junctions and weaving sections) and are related to the amount of traffic demand at a given time as compared to the capacity of that type of roadway section.			
Six levels of service are defined for each type of roadway section and are given letter designations from A to F, with A representing good operating conditions and F representing unsatisfactory operating conditions.			
Intersection		Roadway	
- Highly stable, free-flow condition with little or no congestion - Delay: <10 seconds/vehicle 	LOS A		- Free flowing - Uninterrupted vehicle
- Stable, free-flow condition with little congestion - Delay: 10 to 20 seconds/vehicle 	LOS B		- Stable flow - Other vehicles are more noticeable
- Free-flow condition with moderate congestion - Delay: 20 to 35 seconds/vehicle 	LOS C		- Stable flow - Vehicle operations affected by other vehicles
- Approaching unstable condition with increasing congestion - Delay: 35 to 55 seconds/vehicle 	LOS D		- High density free flow - Operation of vehicle is affected by other vehicles
- Unstable, congested condition - Delay: 55 to 80 seconds/vehicle 	LOS E		- High density traffic flow, nearing capacity - Operating conditions are extremely poor
- Stop and go - Delay: >80 seconds/vehicle 	LOS F		- Forced or breakdown flow - Amount of traffic exceeds capacity

Kimley-Horn & Associates and Progressive Design & Engineering collected data for the 2017 Comprehensive Plan on the yearly peak season daily traffic volumes and found a steady increase in traffic between 2010 and 2015. At that time, it was expected that the Town would be able to meet its current adopted levels of service standards. However, Table 2.2 illustrates that the LOS for Southern Boulevard and SR A1A has declined to a LOS “F”, Royal Poinciana Way east of Cocoanut Row went from a LOS “C” to a LOS “D”, and Bradley Place north of Royal Poinciana Way from a LOS “D” to a LOS “E”. With the exception of Cocoanut Row and Bradley Place, all of the roadways identified in Table 2.1 through Table 2.3, are FDOT (state roads). These tables show the street segments for which traffic data has been collected within the first block of each of the roadway segments.

TABLE 2.1
YEARLY DAILY PEAK SEASON
TOWN OF PALM BEACH
2008-2015

#	Street Segment	Facility Type	2007	2009	2010	2011	2015	
							Count	LOS
1	Southern Blvd. (W. of SR A1A)	2 Lane Arterial Undivided	14,452	13,445	12,730	13,215	15,079	E
2	SR A1A (N. of Via Del Lago)	2 Lane Arterial Undivided	17,026	14,894	14,091	13,767	15,057	E
3	SR A1A (S. of Via Pelicano)	2 Lane Arterial Undivided	12,615	10,107	9,990	10,2133	10,636	D
4	Ocean Blvd. (N. of El Vedado)	2 Lane Collector Undivided	12,406	10,634	9,368	9,176	9,985	D
5	S. County Rd. (N. of Peruvian)	4 Lane Arterial Undivided	10,108	9,963	9,753	11,359	9,919	C
6	N. County Rd. (N. of Breakers Rd)	4 Lane Arterial Undivided	15,930	14,162	13,590	13,695	15,431	D
7	N. County Rd. (N. of Royal Poinciana Way)	4 Lane Arterial Undivided	14,666	14,407	13,712	14,908	13,070	D
8	Cocoanut Row (S. of Seabreeze)	2 Lane Collector Undivided	9,054	8,262	8,296	8,079	8,639	D
9	Cocoanut Row (N. of Whitehall)	2 Lane Collector Undivided	9,975	8,716	8,567	8,245	8,895	D
10	Bradley Pl. (N. of Royal Poinciana Way)	2 Lane Collector Undivided	16,052	14,084	13,351	14,324	12,279	D
11	Royal Palm Way (E. of Hibiscus)	4 Lane Arterial Divided	17,292	16,240	15,641	15,340	17,289	D
12	Royal Palm Way (W. of Hibiscus)	4 Lane Arterial Divided	19,210	17,992	17,374	17,076	18,821	D
13	Royal Poinciana Way (W. of Cocoanut Row)	4 Lane Arterial Divided	N/A	N/A	N/A	N/A	16,681	D
14	Royal Poinciana Way (W. of County Rd.)	4 Lane Arterial Divided	14,296	13,074	12,223	12,869	10,501	C

TABLE 2.2
YEARLY DAILY PEAK SEASON
TOWN OF PALM BEACH
2017-2024

Location No.	Street Segment	Facility Type								
			2017	2018	2019	2020	2022	2023	2024	LOS
1	Southern Blvd	2L ART	13,606	12,457	12,040	11,621	13,388	15,081	16,445	F
	(West of SR-A1A)	Undivided								
2	SR A1A	2L ART	14,256	13,778	12,507	12,185	14,454	15,422	16,788	F
	(North of Via Del Lago)	Undivided								
3	SR A1A	2L ART	9,792	10,394	8,714	8,686	10,654	11,011	11,932	D
	(South of Via Pelicano)	Undivided								
4	Ocean Boulevard	2L COLL	9,419	9,506	8,344	8,193	11,069	10,251	11,499	D
	(North of El Vedado Road)	Undivided								
5	South County Road	4L ART	9,287	9,327	11,481	11,918	10,548	10,273	10,627	C
	(North of Peruvian Avenue)	Undivided								
6	North County Road	4L ART	15,589	14,966	13,284	13,928	15,308	15,138	16,765	D
	(North of Breakers Row)	Undivided								
7	North County Road	4L ART	13,084	14,837	12,956	14,060	15,193	15,198	16,771	D
	(North of Royal Poinciana Way)	Undivided								
8	Cocoanut Row	2L COLL	9,010	8,849	N/A	8,636	9,469	9,477	8,922	D
	(South of Seabreeze Avenue)	Undivided								
9	Cocoanut Row	2L COLL	9,074	9,243	9,101	9,258	9,940	10,426	9,818	D
	(North of Whitehall Way)	Undivided								
10	Bradley Place	2L COLL	11,809	12,954	12,425	13,092	13,811	13,291	14,038	E
	(North of Royal Poinciana Way)	Undivided								
11	Royal Palm Way	4L ART	17,603	16,351	15,667	15,670	17,311	16,392	18,057	D
	(East of Hibiscus Avenue)	Divided								
12	Royal Palm Way	4L ART	19,043	17,342	21,970	22,142	19,405	18,527	19,976	D
	(West of Hibiscus Avenue)	Divided								
13	Royal Poinciana Way	4L ART	13,235	20,245	20,178	21,023	22,118	22,867	23,037	D
	(West of Cocoanut Row)	Divided								
14	Royal Poinciana Way	4L ART	7,859	13,056	11,634	11,788	13,784	14,246	15,393	D
	(West of County Road)	Divided								

NOTE:

Traffic count data was collected by Progressive Design & Engineering for the years 2007 to 2011.

Southern Boulevard was split in to two segments for data collection for 2024

Although the opportunities are limited, the Town has the legal ability to pursue the acquisition and/or improved use of existing and future rights-of-way when possible. For the most part, potential for additional right-of-way acquisition is limited to that available at the time new development or redevelopment is approved.

Future Levels of Service

Annual traffic counts for the specific 14 road segments have been collected to determine trends in traffic circulation in the Town. As displayed on Tables 2.2 and 2.3, the current and future level of service standard for on-the following links are failing and are projected to remain as such:

- Southern Boulevard west of SR A1A
- SR A1A (South Ocean Boulevard) from South County Road to Southern Boulevard

~~The Townwide historic growth rate was calculated based on data collected throughout the Town between 2017 and 2024. Without significant capacity expansion to the Town's roadway network, the overall traffic growth will be limited to the available capacity of the Town's roads.~~

Year 2044 traffic volumes were projected based on a review of historic and anticipated pattern of growth. Long-range future volumes are typically based on a review of regional traffic volume models. For the Town, the professionally accepted model is the Greater Treasure Coast Regional Planning Model, which develops long-range traffic projections for the region, including all of Palm Beach County and adjacent counties. While this model is the professionally accepted model for long range planning in the region, all models have limitations.

The Town has unique traffic patterns which are influenced by its location on a barrier island with limited redevelopment. The model analyzes maximum redevelopment potential of approved land uses, which could artificially inflate or deflate volumes on certain roadways. For example, on County Road, the model reports a long-range volume that is over 60 percent less than the actual observed volumes.

Recognizing the limitations of the model, it is professionally accepted to review historic growth rates to determine future volume projections. The townwide historic growth rate was calculated based on data collected throughout the Town between 2017 and 2024. Without significant capacity expansion to the Town's roadway network, the overall traffic growth will be limited to the available roadway capacity. The growth rate was then adjusted to account for the annual variations in traffic and the available capacity on the roadway network. The long-range growth was calculated to be 1.05 percent annually through the long-range analysis year. It is important to note the annual growth may be less and or greater than the average growth rate.

As noted on Table 2-2, S.R. A1A along Mar-a-Lago and on Southern Boulevard decreased from a LOS of "E" to "F", which is interpreted to mean that the amount of traffic exceeds capacity. The increase in traffic congestion is believed to be related to Donald Trump's tenure as President of the United States during 2017-2021, the fact that Mar-a-Lago hosts large events that add trips to this roadway segment of SR A1A, and a heightened police and Secret Service presence. Recently a Traffic Management Plan was approved by the Town Council that institutes a traffic demand management program for Mar-a-Lago.

As mitigation options are limited, there is no opportunity to widen segments of the roadways that are now operating at a LOS "E" and "F" during the peak season. The Town will need to explore solutions to improve the level of service in these areas. Furthermore, in order to provide a more comprehensive analysis of local roadways, the Town shall begin collecting daily traffic counts for all local roadways in the Town. This process will establish the baseline. For those local roadways that are a LOS "C" or better, the Town should maintain the current LOS. The minimum peak season, peak hour level of service standard on all other collector or arterial roadways in the Town are currently set at a LOS of "D". The Town should strive to improve the LOS for Town roadways to a LOS "C". The process for changing the LOS for roadways is in coordination with the FDOT and the TPA.

**TABLE 2.3
LONG RANGE GROWTH PROJECTIONS
2017-2044**

Location No.	Street Segment	Facility Type	2017	2018	2019	2020	2022	2023	2024	2044	2044 LOS
1	Southern Blvd	2L ART	13,606	12,457	12,040	11,621	13,388	15,081	16,445	19,905	F
	(West of SR-A1A)	Undivided									
2	SR A1A	2L ART	14,256	13,778	12,507	12,185	14,454	15,422	16,788	20,320	F
	(North of Via Del Lago)	Undivided									
3	SR A1A	2L ART	9,792	10,394	8,714	8,686	10,654	11,011	11,932	14,443	D
	(South of Via Pelicano)	Undivided									
4	Ocean Boulevard	2L COLL	9,419	9,506	8,344	8,193	11,069	10,251	11,499	13,918	E
	(North of El Vedado Road)	Undivided									
5	South County Road	4L ART	9,287	9,327	11,481	11,918	10,548	10,273	10,627	12,863	D
	(North of Peruvian Avenue)	Undivided									
6	North County Road	4L ART	15,589	14,966	13,284	13,928	15,308	15,138	16,765	20,293	D
	(North of Breakers Row)	Undivided									
7	North County Road	4L ART	13,084	14,837	12,956	14,060	15,193	15,198	16,771	20,300	D
	(North of Royal Poinciana Way)	Undivided									
8	Cocoanut Row	2L COLL	9,010	8,849	N/A	8,636	9,469	9,477	8,922	10,800	D
	(South of Seabreeze Avenue)	Undivided									
9	Cocoanut Row	2L COLL	9,074	9,243	9,101	9,258	9,940	10,426	9,818	11,884	D
	(North of Whitehall Way)	Undivided									
10	Bradley Place	2L COLL	11,809	12,954	12,425	13,092	13,811	13,291	14,038	16,992	F
	(North of Royal Poinciana Way)	Undivided									
11	Royal Palm Way	4L ART	17,603	16,351	15,667	15,670	17,311	16,392	18,057	21,856	D
	(East of Hibiscus Avenue)	Divided									
12	Royal Palm Way	4L ART	19,043	17,342	21,970	22,142	19,405	18,527	19,976	24,180	D
	(West of Hibiscus Avenue)	Divided									
13	Royal Poinciana Way	4L ART	13,235	20,245	20,178	21,023	22,118	22,867	23,037	27,885	D
	(West of Cocoanut Row)	Divided									
14	Royal Poinciana Way	4L ART	7,859	13,056	11,634	11,788	13,784	14,246	15,393	18,631	D
	(West of County Road)	Divided									

Regarding the area growth and traffic congestion, Staff reviewed the "daily peak season traffic counts" for the 14 roadway segments that are contained within the existing and proposed Comprehensive Plan Transportation Element. Traffic on these 14 roadway segments is counted each year for the number of vehicle trips. Since the 2017 Comprehensive Plan EAR, the daily peak season traffic counts have increased by 21.7% on these select 14 segments. Over the past year, these same roadway segments have seen a traffic count increase of 6.3%.

Regionally Significant Roadways

On a regional level, there has been an exponential growth of the surrounding area. Palm Beach County's population has grown from less than 400,000 in 1980 to over 1.5 million in 2023. The rapid growth in the regional population can be expected to continue throughout the planning period. Town roadways have been impacted by developments projects in downtown West Palm Beach. In 1995, the City of West Palm Beach applied for a Transportation Concurrence Exception Area (TCEA) for the Downtown area. For the purposes of the TCEA, downtown West Palm Beach is generally defined as Palm Beach Lakes Boulevard to the north, the Intracoastal Waterway to the east, Okeechobee Boulevard with a portion extending to Park Place to the south, and Clear Lake to the west (see Exhibit 2-4).¹³



Exhibit 2-4 - West Palm Beach TCEA Boundary

¹³ 2024 WPB TCEA Report

A TCEA is identified in §163.3180, Fla. Stat. to mean a specific geographic area or areas delineated in a comprehensive plan for urban infill development, urban redevelopment, or downtown revitalization which are exempt from traffic concurrency requirements.

The primary purpose of a TCEA is to allow development to occur in urbanized areas where infrastructure already exists, thereby reducing urban sprawl. Traffic Concurrency Exception Areas allow an exception from the concurrency requirements for transportation facilities if the proposed development is consistent with the adopted local government comprehensive plan and is located within an area designated in a comprehensive plan for urban infill development, urban redevelopment or downtown revitalization.

In 1997, the City of West Palm Beach adopted the TCEA into its Comprehensive Plan. The goals of the TCEA include, but are not limited to:

- Promoting redevelopment of the Downtown to create an attractive, vibrant place where people live, work, and shop
- Creating a Downtown that will be the judicial, governmental, cultural, and historic center of Palm Beach County
- Offering a sustainable alternative to development through mixed use opportunities
- Reducing the City's dependence on automobiles. Generally, the TCEA is an extension or enabler for the implementation of the City's Downtown Master Plan (DMP), contained in the Downtown Master Plan Element of the City's Comprehensive Plan.¹⁴

Approval of the City of West Palm Beach's TCEA, several goals, objectives, and policies (GOPs) were adopted in the Transportation, Capital Improvements, and Downtown Master Plan elements of the City's Comprehensive Plan. The GOPs were created to ensure that the City's Transportation Vision and the intent of the TCEA were maintained.¹⁵

As part of the TCEA requirements, the Transportation Element within the City of West Palm Beach's Comprehensive Plan, Policy 2.3.5(h) was adopted requiring the Downtown to comply with specific residential to non-residential ratios for future years. The policy was adopted to ensure that the future growth of the Downtown is predicated on a balance of land uses which will help achieve shorter vehicle miles travelled and leads to a reduced dependence on automobiles. The current residential to non-residential ratios for Downtown comply with the requirements of the policy below.

Policy 2.3.5(h): The Downtown Master Plan (DMP) and TCEA are predicated on a set of assumptions needed to provide and implement the transportation goals, increase the number of residential dwelling units, and increase the intensity of nonresidential land uses. This balance of land uses is essential in achieving shorter trip lengths and reduced dependence on automobiles, as envisioned by the DMP and TCEA. This balance shall be maintained by the following actions:

¹⁴ Ibid

¹⁵ Ibid

- (a) The City shall implement the DMP to increase the number of residential units in and near the Downtown
- (b) The City shall increase the density and mix of land uses in Downtown
- (c) The City shall increase the ratio of residential to nonresidential land uses¹⁶

The ratio is the total number of built residential dwelling units divided by the total amount of built nonresidential development (1,000 square feet) in the Downtown (for purposes of this calculation, built units or nonresidential floor space are those having been issued a certificate of occupancy). The 1995 ratio (based on 1995 data), as calculated by the Buildable Areas Monitoring Table, shown in Table 2.4, is 0.33, and the DMP projects development within the boundaries of the TCEA to reach a built ratio of 0.46 by year 2010.

Table 2.4
Downtown Baseline Ratios

Years After Effective Date	Baseline Ratio
5	0.33
7	0.36
9	0.39
11	0.42
13	0.45
14+	0.46

Traffic Circulation Analysis

Due to geographical constraints, the Town's existing roadway network does not lend itself to major improvements to increase capacity. To improve safety and traffic flow, the Town completed an intersection/triangle visibility study in 2005 that inventoried and recommended regulations to deal with vegetation, walls and other impediments to motorist visibility of oncoming traffic. In 2008, the Town authorized the "Town-Wide Intersection Sight Distance /Visibility Study" as a supplement to the 2005 Study to provide a more thorough analysis of traffic crash data to support recommendations and/or decisions to modify, change or alter the Town's current sight triangles to the Town Code.

¹⁶ Ibid

Existing System Deficiencies

In 2023, Palm Beach Town Council commissioned the Corradino Group, a transportation consulting firm, to perform a traffic and parking analysis, titled “Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study” to determine the level of traffic generated by restaurants and the related impact that valet parking had on the availability of public parking. As the study relates to the Comprehensive Plan update, it was then extended to include the following:

- Traffic Analyses involving a Trip General Comparison, Intersection Capacity Analysis
- Origin-Destination Analysis
- Parking Supply and Demand Analysis
- Valet Parking Review of 18 restaurant locations
- Intersection Capacity Analysis

The Corradino Group and the Town partnered with Streetlight Data to obtain a subscription license to access data available through the StreetLight InSight Data platform. StreetLight Data is a technology platform that gathers, and reviews data obtained from Connected Vehicle Data (CVD), GPS data, smart phones data and commercial truck data on a daily, weekly, or monthly basis. It allows subscribers to select zones or roadways and analyze where travel originates and ends. The Corradino Group used the platform to determine the current traffic patterns to the Town for average weekday and weekend conditions. The analysis divided the Town into three district areas: North District, Central District and South District, as shown on Map 2.8, and analyzed the following:

- Determination of what percentage of the traffic is local traffic or traffic from outside the Town of Palm Beach.
- Determination of the distribution of traffic originating from each of entry points into the Town.

Based upon the results of the Origin-Destination Analysis, a total of one-way Annual Average Daily Traffic (AADT) of 38,400 trips come into the Town daily using the five entry points that includes the four causeway bridges in addition to Ocean Boulevard at the south end of the Town. It is worth noting that close to that many are also leaving the island, which increases the total daily trips to close to 70,000.

TOWN OF PALM BEACH OD ZONES ANALYSIS



Figure 2-3-0: Zones Analysis Map

Intersection Capacity Analysis

An intersection capacity analysis was completed for the morning and afternoon peak hours for the 2023 and 2028 analyzed scenarios at twenty-three intersections, with morning, mid-day, and afternoon peak periods for existing conditions (2024) and future conditions (2029) at twenty-four intersections (signalized and unsignalized) within the Town. For the completion of this effort, new turning movement counts were collected.

The following is the list of the twenty-four intersections that were analyzed:

1. County Road and Golfview Road (Signalized)
2. County Road and Worth Avenue (Signalized)
3. County Road and Peruvian Avenue (Signalized)
4. County Road and Chilean Avenue (Unsignalized)
5. County Road and Australian Avenue (Unsignalized)
6. County Road and Brazilian Avenue (Unsignalized)
7. County Road and Royal Palm Way (Signalized)
8. County Road and Seaview Avenue (Unsignalized)
9. County Road and Royal Poinciana Way (Signalized)
10. County Road and Breakers Row (Signalized)
11. County Road and Sunset Avenue (Signalized)
12. County Road and Sunrise Avenue (Signalized)
13. Bradley Place and Sunset Avenue (Unsignalized)
14. Bradley Place and Sunrise Avenue (Signalized)
15. Cocoanut Row and Royal Poinciana Way (Signalized)
16. Cocoanut Row and Royal Palm Way (Signalized)
17. Ocean Boulevard and Southern Boulevard (Roundabout)
18. Lake Drive and Royal Palm Way (Unsignalized)
19. Lake Drive and Brazilian Avenue (Unsignalized)
20. Lake Drive and Australian Avenue (Unsignalized)
21. Lake Drive and Chilean Avenue (Unsignalized)
22. Lake Drive and Peruvian Avenue (Unsignalized)
23. Cocoanut Row and Worth Avenue (Unsignalized)
24. Cocoanut Row and Seaview Avenue (Unsignalized)

The purpose of these analyses was to provide an update of the traffic operating conditions of the twenty-four intersections listed above utilizing 2024 traffic counts. Recommendations were provided to improve any excessive delays or capacity issues, as well as turn lane storage length capacity issues where turn lane vehicle queues block the adjacent through movements.

Traffic Signalization

The Town has deployed Adaptive Traffic Control Systems (ATCS) at all signalized intersections within the Town's jurisdiction. The objective of the ATCS is to provide optimized signal timing plans based on real-time traffic demands.

Multimodal Transportation Services

Public transit services, including disadvantaged services, are provided by PalmTran, the countywide system, which operates two bus routes that connect destinations within the Town to the City of West Palm Beach. The Town does not directly provide transit services. Map 2.7 of the Map Series and Exhibit 2.6 show the location of the existing PalmTran bus route. PalmTran provides service to the Town of Palm Beach via Bus Route 41 which extends the length of the island and begins and ends at the Intermodal Transit Center in downtown West Palm Beach.

Since September 2021, the West Palm Beach Downtown Development Authority has partnered with Circuit to provide free rides within Downtown and the Town of Palm Beach (see Exhibit 2-5). Circuit is 100% electric, local shuttle service which promotes better air quality while offering a first-mile/last-mile transportation option that is convenient and easy to use. In addition, since most of the rides are shared among passengers, this also reduces the total vehicle miles traveled on area streets in addition to reducing demand for limited parking. Table 2-2 provides trip starts from the Town to downtown West Palm Beach. Ridership has grown 63%, from 7,098 passengers in March 2022 to 11,606 unique passengers in March 2023. E

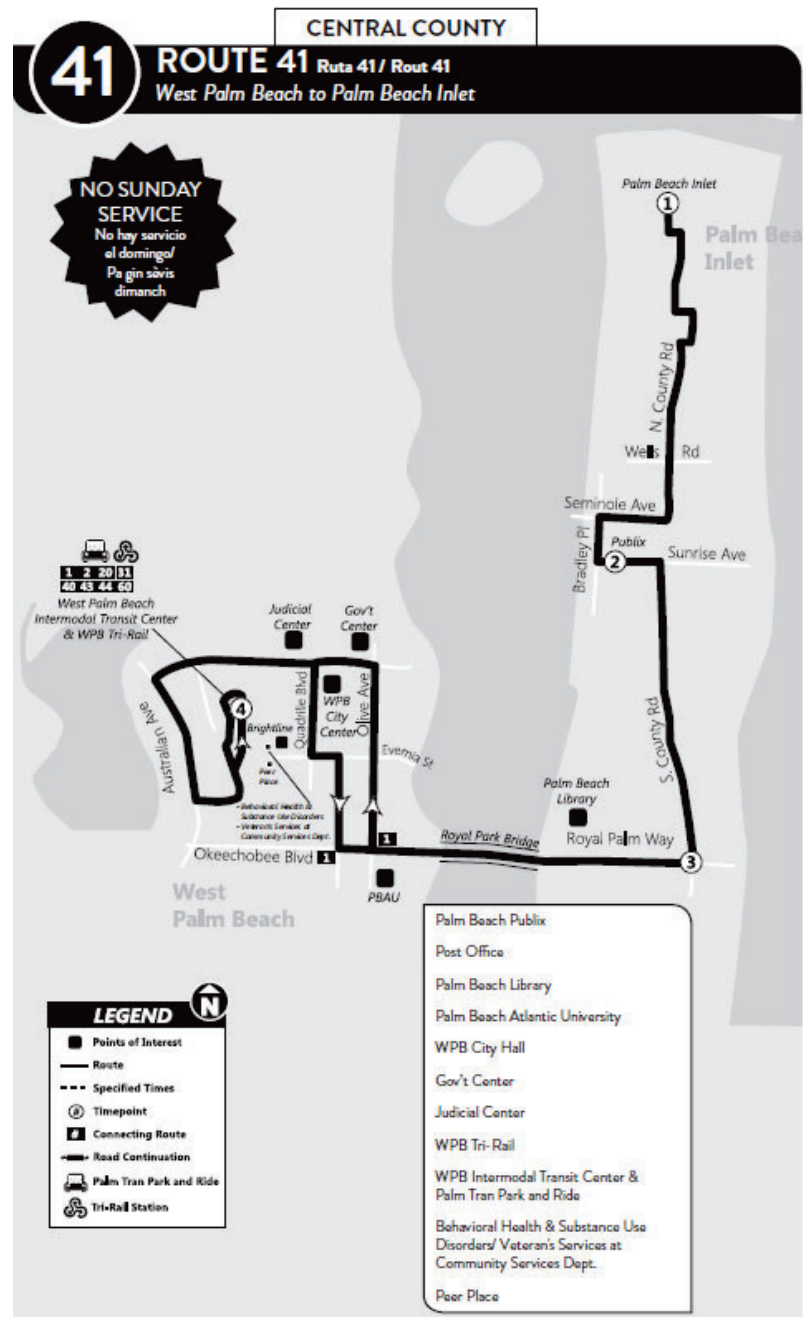


Exhibit 2.6 Route 41

Within the Fare Zone area for trips starting or ending in this area, which is the Town of Palm Beach, a fee of \$4 for the first passenger and \$1 for each additional passenger applies.

The current stops are as follows:

- Tri-Rail
- Brightline
- Local Bus Stops
- The Square
- Downtown
- Worth Ave
- SR A1A.¹⁷

In March of 2023, the WPB DDA and the Transportation Management Association WPBgo (of which the WPB DDA is a funding partner) approached the Palm Beach Town Council to explore funding for the Town's portion of the service area, given the system had reached maximum capacity. According to data provided by Circuit, 19% of trip destinations for the entire system were within the Town. On March 14, 2023, the Town Council approved a 6-week pilot for \$30,000 to test the concept during the twilight weeks of high season. Discussion with the Council acknowledged that transportation solutions that reduced car demand may help with parking challenges.¹⁸

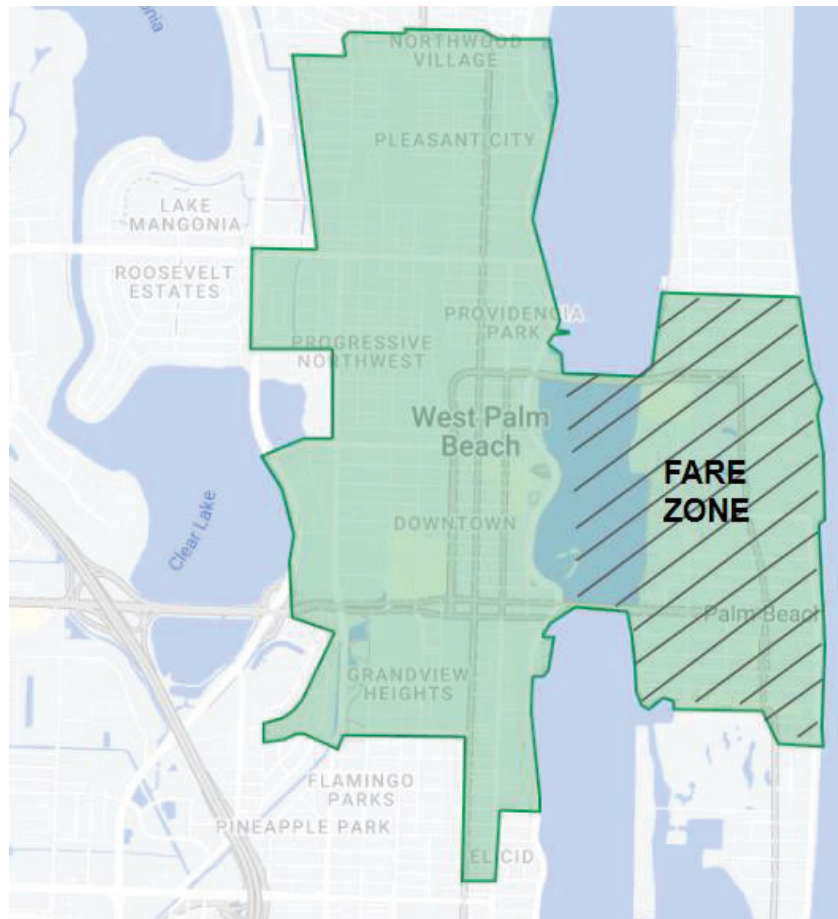


Exhibit 2-7 West Palm Beach Circuit Service Boundary

¹⁷ <https://downtownwpb.com/explore/getting-around/circuit-shuttle/>

¹⁸ Report to Town of PB – On Demand Pilot 2023 Wpbgo

The pilot commenced on Saturday, April 8, 2023, and continued through Friday May 19, 2023.

The key objectives of the pilot were:

1. Reduce excess parking demand and related illegal parking complaints; and
2. Reduce congestion, particularly congestion in/out of Palm Beach over the Flagler and Royal Park bridges; and
3. Assess the value of collaboration with business associations in Palm Beach to achieve these objectives

The Performance Report found that from April 8, 2023 to May 13, 2023, Table 2.2 ridership counts, for both app requests and street hails per month:

Table 2.5 Ridership in the Town					
	January	February	March	April	May
From Palm Beach (pickups)					
<i>Requests</i>	507	592	704	544	582
<i>Rides</i>	357	397	432	381	387
<i>Passengers</i>	644	789	858	727	695
To Palm Beach (drop offs)					
<i>Requests</i>	616	669	934	766	757
<i>Rides</i>	510	520	611	511	492
<i>Passengers</i>	993	1,046	1,259	967	870
To & From Palm Beach (intra PB)					
<i>Requests</i>	116	134	123	140	119
<i>Rides</i>	206	235	255	240	200
<i>Passengers</i>	470	566	640	547	489

The average wait time for pickup was 10:28 during the pilot program, compared to 12:28 in the weeks prior. The desired service standard for this metric is 7 to 10 minutes. The Performance Report also noted that if all riders would have driven their own car without Circuit availability, the presence of Circuit reduced parking demand by as much as 3,957 vehicles.¹⁹

¹⁹ Ibid

Traffic Signage

The issue of Traffic Signage and Clutter was addressed in a pilot program in 2004 where the signage on Royal Poinciana Way was evaluated. Several problems were identified. A working committee of staff assisted by volunteers identified that signs were sometimes repetitious, poorly located, often concealed by vegetation, aesthetically unpleasing, and confusing. A condition of “information overload” as well as an absence of coordination of the signage appurtenances was documented. Often three or four signs were mounted on separate poles within a couple of feet of each other, when one or two mounting poles would suffice. The working committee also noted a lack of color coordination among signs, excessive overhead wires, shiny raw metal sign backs that caused glare, and several other issues that contributed to a visual problem that could be improved.

SUMMARY

Due to geographic limitations, the traffic circulation system in the Town is constrained in its ability to physically alter the roadway network to provide more lanes. Consequently, to improve the quality of life for Town residents, the data, analysis and recommendations of the “Traffic Analysis and Commercial Parking Study” prepared by the Corradino Group should serve as the basis of traffic mitigation and parking management strategies. To improve the quality of life for Town residents, the Town should explore improvements that are operational in nature, such as traffic signalization, transportation demand management measures, alternative modes of transportation, and continued controlled bridge openings during peak hours.

Solutions to improve the level of service are recommended for those segments that are currently or projected to fail in the long-range planning horizon. Additionally, trip counts for all local roadways should be conducted to establish the current LOS. Should it be determined that those roadways are a LOS “C” or better, the Town should pursue working with FDOT and TPA to maintain the current LOS so as to not allow increased capacity for those roadways.

PARKING SUB-ELEMENT

Parking in the Town of Palm Beach has been an identified issue since the 1929 Town Plan. The previous comprehensive traffic and parking study titled “the *Traffic and Parking Improvement Plan*” prepared by American Consulting Engineers of Florida, in 2006 indicated that in certain instances insufficient parking may be affecting the ability of residents and others to safely and conveniently access recreational (including the municipal docks) and school facilities. The Study of 2006 also recognized bridge openings at the Royal Park and Flagler Memorial Bridges needed to be synchronized to be consistent with peak seasonal operations.

Palm Beach has continued to be a visitor destination for its natural and architectural beauty, shops, and restaurants. Consequently, parking availability and utilization continue to affect the daily life of Town residents. In response to resident concern, parking goals were established during a strategic planning process in 2023.

The goals were incorporated in the Town's Strategic Plan and include the following:

- Availability and Accessibility
- Safety and Security
- Uniformity and Consistency
- Best Use of Inventory
- Data-driven Decision Making

The parking analysis portion of the Town of Palm Beach Traffic Analysis and Commercial Parking Study focused on the commercial areas with an emphasis on parking management. The study area examined the land designated as Commercial, divided further by zoning district, and included the following:



Sunrise Avenue Street parking

- Commercial Offices (C-B)
- Commercial Office, Professional, Institutional (C-OPI)
- Commercial Planned Center (C-PC)
- Commercial Town Serving (C-TS)
- Commercial, Worth Avenue (C-WA)
- Several private lots, garages, and valet operations

The Study Area distinguished the South and North Commercial Parking Districts as displayed on Exhibit 2-6. For each district, two types of parking data were collected.

- (1) Parking Accumulation Data/Studies and
- (2) Parking Occupancy Data/Studies.

Parking accumulation studies are a “snapshot” of conditions that measure the occupancy of available spaces. If there is high utilization, above 90%, then either more spaces are needed or a management and information system is needed to direct people to available spaces; however, a small percentage of excess spaces at any given time during peak hours is necessary to maintain a high quality of service for providing adequate parking to satisfy the mobility of parking demand.

The South Commercial Parking Study District, displayed on Exhibit 2-8, includes a total of 1,188 on-street parking spaces from South Lake Drive to South Ocean Boulevard and from Royal Palm Way to Worth Avenue. The actual study area is smaller in that it does not include Royal Palm Way, South Ocean Boulevard, and South Lake Drive or the segment of east-west roadways from Coconut Row to South Lake Drive. These areas include 718 on-street parking spaces. For the entire area, of the 1,188 on-street parking spaces, roughly 70% are available to the public for self-parking, with the rest reserved for commercial and passenger loading, valet areas, or reserved for residential permit holders.

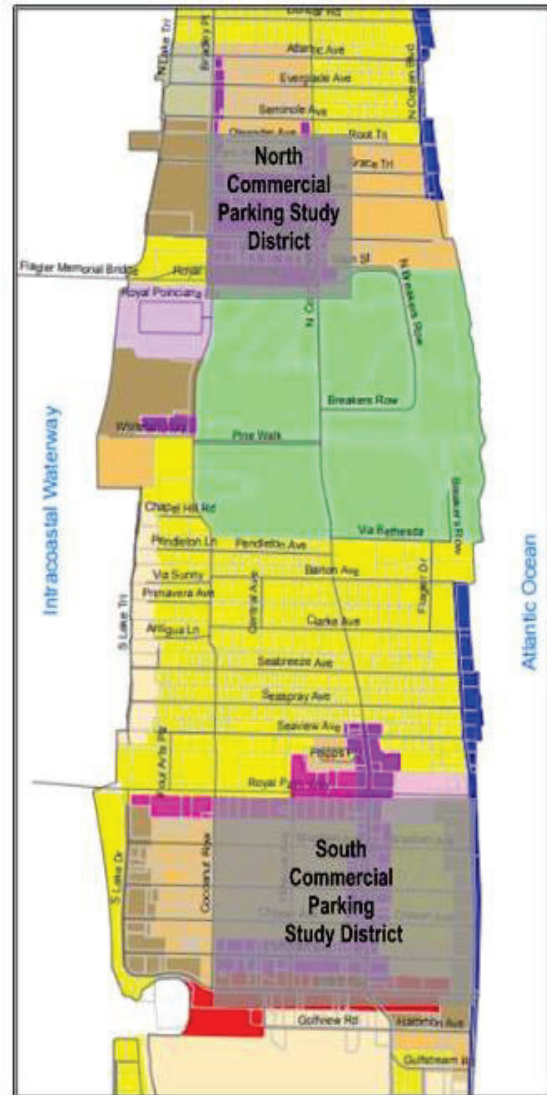


Exhibit 2-8 Parking Districts

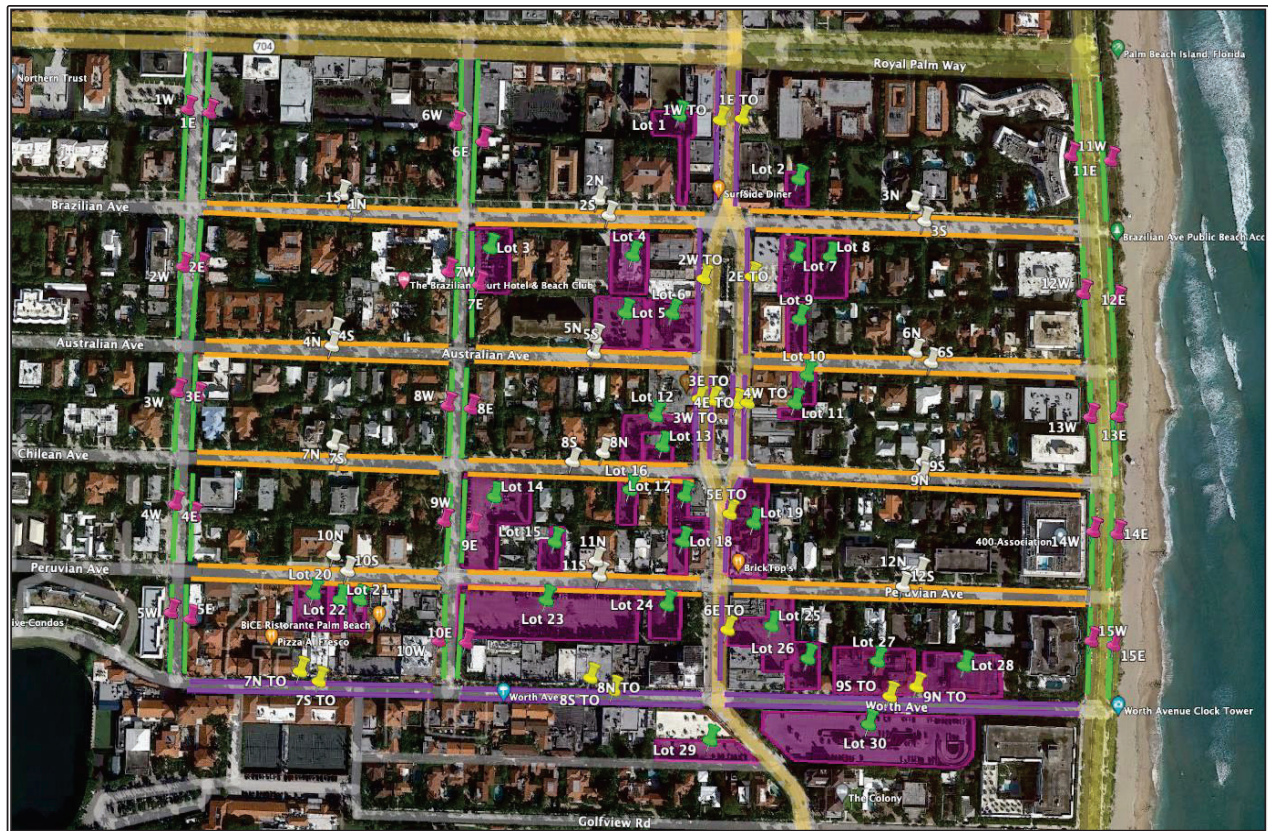


Exhibit 2-9 South Parking Study District

Ownership patterns, marina owners and guest parking, and resident-only parking on off-street spaces cause a similar reduction of public parking supply on off-street locations. In total, 1,350 off-street spaces are available in the South District; however, only 895 (66%) are available for public self-parking. In total, the restrictions lower the publicly available parking supply by 35% in the South Parking Study District.

In the North Commercial Parking Study District, shown in Exhibit 2.9, on-street parking is less impacted by restrictions. There are 220 on-street parking spaces in total, and only 9 are regulated as commercial and passenger loading zones, leaving 96% available for public self-parking. Of the 502 off-street spaces, 386 (77%) are publicly available for self-parking.

Existing and future parking deficiencies were identified within the area of the study based on existing development, and for future conditions based on near-term projected development scenarios. The Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study also examined Chapter 134, Article IX, Off-Street Parking and Loading, and compared the regulations with three communities, Bal Harbour and Naples, Florida and Greenwich, Connecticut for future consideration to parking requirements.

Valet parking is prevalent and necessary within Midtown. because parking is limited. The Palm Beach Police Department administers valet parking agreements with private businesses and the



Exhibit 2.8 North Parking Study District

Preservation Foundation. Currently, there are 32 of them. The valet parking agreements identify the locations of parking spaces that each establishment has been authorized to use per their approved parking plan.

The cumulation of resident complaints caused the Town Council to direct the Town's Business and Administrative Committee (BAC) to examine the parking problem in 2022. As a result, a Six Point-Parking Program, "Palm Beach ParkMobile Expansion" was implemented. A summary of the program is provided below:

- Part 1: Expansion of paid parking from Barton Avenue to Hammon Avenue
- Part 2: Palm Beach Resident Parking Decals
- Part 3: Valet Parking on Worth Avenue and South County Road
- Part 4: Signage to direct drivers to Parking Opportunities
- Part 5: Free 30-minute Parking Spaces for added Convenience
- Part 6: Long-term Goal of Building a Parking Facility

The parking recommendations proposed by the Traffic and Commercial Parking Study align with the six key points of the Parking Program.

SUMMARY

With regard to parking, the following is a summary of the parking supply and demand evaluated.

- There is adequate supply for both commercial parking study districts when considered on a district-wide basis; however, particularly within the South Commercial Parking Study District, there are localized shortages caused by the combined effects of street circulation patterns, destination locations, the distribution of parking within the district, and lack of parking information to visitors.
- The parking supply includes the spaces allocated to valet parking. Valet parking provides an alternative way to access parking and can reduce traffic caused by cars circulating to find parking. For the visitor, valet parking is a convenience. For the business owners, valet operations provide a desired service to their patrons.
- On weekends, Worth Avenue on-street parking is full, and off-street parking is near capacity west of South County Road; however, there is adequate available supply elsewhere within the district.
- On weekdays there is a localized lack of capacity near Brazilian Avenue west of South County Road.
- Additional capacity is not required for the entirety of each district. Management strategies that better utilize available parking areas can alleviate parking issues.
- Community expectations for walking distances are very short, as evidenced by the large number of valet operations. A well-managed valet is a good choice for management at high-priced establishments.

With this in mind, an annual review of valet parking and shared parking plans will be implemented to address local changes to the parking conditions.

Regarding the Town's Code required parking, the number of parking spaces per land use is conservative, requiring more parking spaces than is typical to assure the highest level of convenience for its residents and viable service for its businesses. This also mitigates some of the effects of historic and other older buildings that continue to operate as an important part of the commercial districts with legacy parking supplies dating back to when they were built. However, the current Code allows for parking variances and the "principle of equivalency" policy that provides parking credits when a site is redeveloped - even when there are limited parking spaces on site (often referred to as "phantom parking spaces"). These parking allowances must be scrutinized. Additionally, development applications or modifications to existing and proposed new uses within the Town must continue to undergo a review of site-specific traffic impacts and public parking

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS FOCUSING ON MULTI-MOBILITY THAT FOSTERS A SAFE, AND MORE EFFICIENT TRANSPORTATION AND PARKING MANAGEMENT SYSTEM.

OBJECTIVE 1

The Town shall issue development permits for land uses provided for on the Future Land Use Map only when there is sufficient right-of-way to ensure that roadways affected by the development will operate at not less than the minimum levels of service standards set forth in this Element. Professionally accepted techniques shall be employed for measuring the level of services for cars, trucks, and other vehicles as well as bikes and pedestrians for this purpose.

POLICY 1.1

The Town shall use the following two-way peak-hour, peak-season Level of Service (LOS) standards for facilities and segments listed below, effective at the time of adoption of this Element.

FACILITY OR SEGMENT	"LOS"
(1) SR A1A (FDOT)	"D"
(2) Royal Poinciana Way (FDOT)	"D"
(3) Coconut Row/Bradley Place from to Seabreeze to north of Royal Poinciana Way (Town)	"D"
(4) Southern Boulevard (FDOT)	"D"
(5) All other roadways (Town)	"C"

POLICY 1.2

The Town shall continue to work with the Florida Department of Transportation (FDOT), Palm Beach County and the Palm Beach Transportation Planning Agency (TPA) to develop solutions to the constrained segments of SR A1A, Royal Poinciana Way, and Southern Boulevard roadways within the Town that are currently at a LOS "E" and "F", which is at or close to failing.

POLICY 1.3

The Town shall collect daily peak season traffic counts for all local roadways on an annual basis to determine the current LOS.

POLICY 1.4

The Town shall maintain the current LOS for those local roadways that are determined to be a LOS “C” or better (“B” or “A”).

POLICY 1.5

The Town shall, prior to the issuance of a development order or permit for new construction or redevelopment, make and record a determination that:

- 1.5a The project provides for safe and convenient on-site traffic flow and vehicular parking, considering needed vehicle parking commensurate with the requirements of the Town's land development regulations; and,
- 1.5b The traffic generated by the project will not reduce the level of service on roadways in the Town to a level of service category lower than that established in this Plan.

POLICY 1.6

The Town shall review its adopted level of service standards to determine if modifications, in response to changed conditions, are warranted.

POLICY 1.7

The Town shall maintain records regarding de minimus transportation impacts in order to determine if and when the 110% threshold of such impacts has been reached.

POLICY 1.8

The Town shall continue to require “proportionate fair-share mitigation for transportation facilities” consistent with §163.3180(16), Fla. Stat. Additionally, the regulations shall operate consistently with Palm Beach County’s proportionate fair-share regulations for those projects that cannot meet the concurrency requirement for transportation.

POLICY 1.9

The Town shall require as part of its concurrency management system that all transportation facilities be in place before the final inspection approval of a development permit.

POLICY 1.10

The Town shall develop a strategy to improve the level of service standard on roadways that are at a “D” or lower.

POLICY 1.11

The Town shall use the Generalized Service Volume Tables from the FDOT 2020 LOS Handbook dated June 2020 as the standard for determining the road segment level of service on the roadways within the Town of Palm Beach.

OBJECTIVE 2

The Town shall continue to correct traffic operational deficiencies and undertake other needed measures, identified in this Element, that are necessary to provide a safe, convenient, and energy-efficient, multimodal transportation system, including providing for the protection of existing and future rights-of-way from building encroachment. The multimodal transportation system will be designed to ensure the safety of motorists, **and “vulnerable road users”, which is defined by the USDOT Federal Highway Administration as nonmotorists, including cyclists, wheelchair users** and pedestrians.

POLICY 2.1

The Town shall continue to enforce zoning provisions regarding walls, hedges, and fences at intersections to minimize sight visibility hazards for motorists, cyclists, and pedestrians.

POLICY 2.2

The Town shall continue to enforce land development regulations that limit the number of access points where vehicle driveways enter the roadway system under Code Section 134-2180.

POLICY 2.3

Continue to enforce provisions in the Town's Zoning Ordinance relating to building setbacks from the "ultimate" right-of-way as identified in the Town Atlas; and negotiate, as appropriate, during the site plan review process for dedication of rights-of-way for necessary or potential future roadway modifications.

POLICY 2.4

The Town shall encourage vehicular and pedestrian cross access between parcels to allow for fewer curb cuts to improve efficiency, reduce roadway trips and enhance residential convenience.

OBJECTIVE 3

The Town shall continue to coordinate its transportation planning efforts with the plans and programs of the Palm Beach Transportation Planning Agency (TPA) and the Florida Department of Transportation's Adopted 5-Year Work Program and take into consideration public transportation, bicycle, and pedestrian access in future transportation planning.

POLICY 3.1

The Town shall continue to review this Element regularly to determine its consistency with the Florida Department of Transportation's adopted Five Year Work Program and plans of the TPA and make appropriate recommendations to these agencies regarding proposed projects that will impact the major collectors and minor arterials leading into the Town.

POLICY 3.2

The Town shall consider the appropriateness of, or effects upon, bicycle and pedestrian infrastructure during the planning for construction or expansion of any major transportation facilities within its municipal limits.

POLICY 3.3

The Town shall continue to coordinate between several local, county, state, and federal agencies responsible for street and right-of-way signage to avoid the placement of repetitious, poorly located, and confusing signage within the Town.

POLICY 3.4

The Town shall continue to coordinate with the TPA, FDOT, and PalmTran to evaluate pedestrian, bicycle, and mass transit infrastructure provided within the Town. The Town may also consider enhancement grants through the TPA, FDOT, and other available sources to fund bicycle, pedestrian and other multimodal improvements within the Town, as opportunities arise.

POLICY 3.5

The Town shall continue to coordinate with the City of West Palm Beach and the City of Lake Worth Beach to ensure interconnectivity with these jurisdictions in terms of pedestrian and bicycle facilities, where feasible.

OBJECTIVE 4

The Town shall continue to coordinate with responsible governmental agencies external to the Town to incorporate provisions into their plans, programs and operations and developments within their jurisdictions which will minimize transportation impacts to the Town consistent with the Town's efforts to manage traffic congestion on its roadways. A primary objective is to minimize traffic impacts on all state and other regionally significant roads leading to and from the Town.

POLICY 4.1

The Town shall continue to coordinate with the FDOT, Palm Beach County, the City of West Palm Beach and other communities to minimize transportation impacts to the Town through participation on the TPA Governing Board and its respective committees.

POLICY 4.2

The Town shall continue to coordinate directly with FDOT to mitigate traffic impacts on SR 80, SR A1A and other regionally significant roads leading to Palm Beach.

POLICY 4.3

The Town shall through the Treasure Coast Regional Planning Council (TCRPC) and their Hurricane Evacuation Model, ensure traffic impacts of proposed development in adjacent municipalities within concurrency exemption zones address all factors including, but not limited to the following:

- a. Increased development
- b. Bridge crossing and times
- c. Increased passenger rail traffic
- d. Increased freight rail
- e. Hurricane sheltering

OBJECTIVE 5

The Town shall preserve the built and natural environment by managing traffic and parking impacts on Town residents.

POLICY 5.1

The Town shall consider the recommendations of the report titled “Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study” prepared by The Corradino Group, dated June 10, 2024.

POLICY 5.2

The Town shall direct the Planning and Zoning Commission to develop traffic management strategies that are Town resident-focused based upon the data and recommendations of the Town of Palm Beach Traffic Analysis and Commercial Areas Parking Study”. The recommendations shall then be provided to the appropriate committee and then to Town Council for approval.

POLICY 5.3

The Town shall deploy and monitor Adaptive Traffic Control Systems (ATCS) at all signalized intersections within the Town’s jurisdiction.

POLICY 5.4

The Town shall consider removing the ability to apply for variances to the minimum parking requirements for commercial uses.

POLICY 5.5

The Town shall amend the Zoning Code to update the parking regulations used in the “Principal of Equivalency” when calculating the number of required parking spaces for redevelopment projects.

POLICY 5.6

The Town shall control, regulate, and stabilize mobility including traffic, parking, bicycle and pedestrian-friendly infrastructure, where legally and administratively possible.

POLICY 5.7

The Town shall improve the safety of all modes of traffic to reduce ~~accidents~~ incidents on roadways and waterways through enforcement of traffic laws, ~~and~~ increased public education opportunities, **and adherence to FDOT’s Target Zero and Palm Beach TPA Vision Zero campaigns to eliminate all traffic fatalities and serious injuries for all.**

POLICY 5.8

The Town shall implement recommendations contained in the 2020 Truck Regulations Study that include requiring smaller service vehicles and off-island parking of workers.

POLICY 5.9

The Town shall implement emerging methods and technologies to enhance pedestrian safety including the deployment and monitoring of the Adaptive Traffic Signal Control (ATSC) and strategic crosswalk initiatives.

POLICY 5.10

The Town shall continue to evaluate the existing parking inventory and shortcomings to identify opportunities to develop a comprehensive parking management plan that is resident-focused.

POLICY 5.11

The Town shall continue to partner with local, state, and federal agencies to proactively review and address regional transportation challenges.

POLICY 5.12

The Town shall pursue appointing a member from the Town Council or a Town Commission member to the Business Development Board of Palm Beach County and the Palm Beach County Chamber of Commerce.

POLICY 5.13

The Town shall explore ways to reduce traffic and parking congestion, including bicycle and pedestrian safety and infrastructure, ridesharing for contractors, hybrid work schedules, and employee shuttles to and from the City of West Palm Beach and the Town.

POLICY 5.14

The Town shall consider restricting employee parking to off-island based on the size of the business and the number of employees.

POLICY 5.15

The Town shall explore initiating a Trolley or Shuttle program for Town residents and employees traveling within the Town.

POLICY 5.16

The Town shall continue operating the Six Point Parking Program, referred to as “Palm Beach ParkMobile Expansion”.

POLICY 5.17

The Town shall evaluate converting one-way traffic to two-way to provide additional routes to improve traffic circulation.

POLICY 5.18

The Town shall implement a Traffic Mitigation Plan for roadways not meeting the Town’s level of service standards.

POLICY 5.19

The Town shall consider exploring traffic impact solutions as a part of a Traffic Mitigation Plan for school zones, including drop-off and pick-up operations during the defined arrival and dismissal periods.

POLICY 5.20

The Town shall continue to utilize a parking management program(s) to provide consistent parking regulations per Zone, fees, and high-profile enforcement of all vehicular and non-vehicular traffic laws.

POLICY 5.21

The Town shall continue to request the United States Coast Guard reduce bridge openings during peak travel hours.

POLICY 5.22

The Town shall consider appointing a member of the Town Council to the Treasure Coast Regional Planning Council Governing Board (TCRPC).

POLICY 5.23

The Town shall consider removing the ability to apply for variances to the minimum parking requirements for commercial uses.

EXECUTIVE SUMMARY

The Infrastructure Element of the Town of Palm Beach Comprehensive Plan has been developed based upon the identification and analysis of the appropriate public facilities and their service areas, design capacities, and the ability to maintain standards required by Federal, State, and Town regulations, all provided within each Sub-Element.

This Element provides the framework necessary to ensure adequate public facilities and services are available for the current and future residents of the Town of Palm Beach. The Infrastructure Element is comprised of the Sub-Elements for Drainage (Stormwater Management), Potable Water, Sanitary Sewer, and Solid Waste. The Town of Palm Beach contains no significant Natural Groundwater Aquifer Recharge Area. Irrespective, specific standards and governmental actions geared to stabilizing water table levels in surficial deposits are addressed in the Potable Water Sub-Element. Additionally, the Town commissioned a bond, approved by Town referendum, for the undergrounding of power and communication utilities. A summary of the status and impacts is provided within this Element.

The Town of Palm Beach Public Works Department is responsible for ensuring the adequacy of the components of the Town's infrastructure system to support the residents, businesses, visitors, and employees. The Public Works Department applies both proven and innovative techniques and systems to provide for excellence in the operation, construction, maintenance, and repair to achieve this purpose. The continuous stewardship of the Town's infrastructure is achieved through the dedicated efforts of a diverse group of operational, administrative, engineering, and construction professionals.

THE INFRASTRUCTURE ELEMENT OF THE TOWN OF PALM BEACH

DRAINAGE SUB-ELEMENT (STORMWATER MANAGEMENT)

STATE OF FLORIDA STORMWATER MANAGEMENT

Unmanaged urban stormwater creates a wide variety of effects on Florida's surface and groundwaters. The Florida Department of Environmental Protection (FDEP) is the state's lead agency for environmental management and focuses on protecting the air, water, and land of the state. According to FDEP, development of land can lead to the following effects:

- Compaction of soil
- Addition of impervious surfaces, such as roads and parking lots
- Alteration of natural landscape features, such as natural depressional areas that hold water, floodplains, and wetlands
- Addition of pollutants from everyday human activities
- Construction of highly efficient drainage systems

These alterations within a watershed decrease the amount of rainwater that can seep into the soil to recharge both the Biscayne and Floridan aquifers, among other things. Consequently, the volume, speed and pollutant loading in stormwater that runs off developed areas increases, leading to flooding, water quality problems and loss of habitat. According to FDEP, Florida was the first state in the country to adopt a rule requiring the treatment of stormwater to a specified level of pollutant load reduction for all new development. Florida's original stormwater rule was adopted in 1981 and went into effect in February 1982.

Pursuant to §373.403(10), Fla. Stats., a *stormwater management system* means a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, over-drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system.

In 1990, in response to legislation, the FDEP developed and implemented the State Water Resource Implementation Rule (originally known as the State Water Policy rule). This rule sets forth the broad guidelines for the implementation of Florida's stormwater program and describes the roles of FDEP, the five water management districts (Exhibit 6-1) and local governments. The rule provides that one of the primary goals of the program is to maintain, to the degree possible, during and after construction and development, the predevelopment stormwater characteristics of a site.¹

The FDEP regulations outlined in the Florida Administrative Code (FAC) require notification of work to be completed and potentially the issuance of a National Pollutant Discharge Elimination System (NPDES) permit for any stormwater discharges that result from large or small construction activities. The FDEP also regulates subsurface drainage systems and water quality.

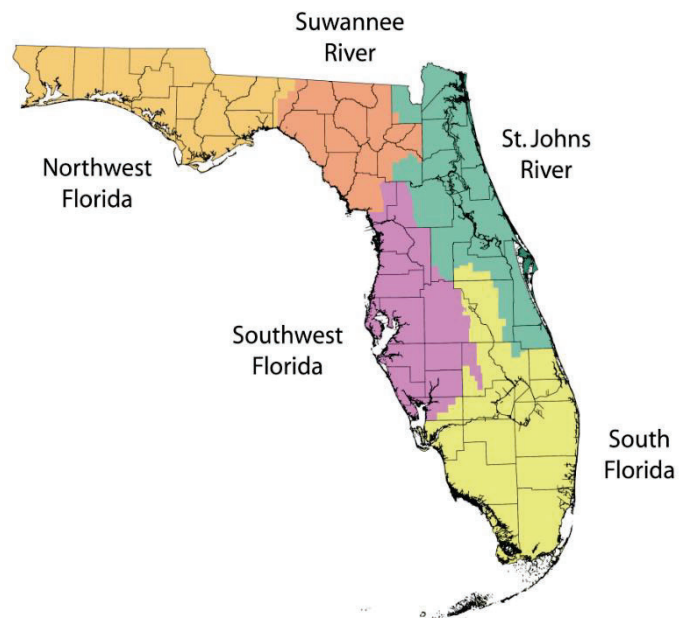


Exhibit 6-1 Water Management Districts in Florida

¹ <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/erp-stormwater>

TOWN OF PALM BEACH DRAINAGE SYSTEM

The Town of Palm Beach is a member of the Palm Beach County NPDES Municipal Separate Storm Sewer System (MS4 Permit). The Palm Beach County NPDES MS4 Permit is held jointly by most MS4 owners within the geographic area of Palm Beach County. The permittees have taken a cooperative approach to permit compliance, jointly conducting several permit activities, and collectively developing a number of tools used to carry out the permit programs.

Prior to Palm Beach settlement, the Town was characterized as a coastal barrier island with a high coastal ridge along the Atlantic, and a low, swampy shoreline along Lake Worth, that would later become the Lake Worth Lagoon, due to the dredging of the Palm Beach Inlet. A marshy slough separated the beach ridge and lake hammocks. Surface accumulation either percolated to the surficial aquifer known as the Biscayne Aquifer, through permeable soils on the ridges, collected in the slough, or ran through poorly drained tidal swamps into Lake Worth Lagoon.



Historical Photo of Lake Worth Lagoon

Extensive shoreline and surface water changes have occurred since 1883. The slough and low lake shorelines have been filled for development, and the Atlantic shoreline has receded due to beach erosion. The development of the Town has reduced the amount of water infiltrating to the Biscayne Aquifer and has increased runoff from impermeable surfaces. The coastal ridge still dominates the island's topography, acting as a seaward barrier to surface water drainage. Remnants of slough areas are prone to flooding. To facilitate the removal of stormwater, a system of storm sewers and pumping stations was created during the early development of the Town. That same system, with major modifications, remains intact today.

Lake Worth Lagoon estuary started out as a freshwater lake sealed off from the Ocean by barrier islands. Water would flow into the Lake from the western interior wetland forests, prairies, and marshes. The Lake was an important source of freshwater along the East Coast provided wildlife and indigenous people with drinking water, food, and transportation. The Seminoles called it “Hypoluxo” meaning “water all around, no get out.” As settlers began to move into the area in the mid-1800s, the freshwater lake was changed into a brackish estuary when pioneers dug the first stable inlet just north of Lake Worth Inlet. The estuary was further altered when the Atlantic Intracoastal Waterway dredging was completed in the early 1900s.

Palm Beach County Website, Lake Worth Lagoon

An example of the Town's pioneering efforts at stormwater management is the "Coral Cut", which combined drainage with site planning that led to one of the most significant and breathtaking geological features. The Town's early pioneers recognized the need to ensure proper drainage of the land that was, in its original form, comprised of high and low elevations that provided the drainage of water necessary to protect the people and property of the Town of Palm Beach.

The Coral Cut was the engineering feat that led from the Lake Trail, located on the west side of the Island, east along the south side of the Palm Beach Country Club Golf Course on what became Country Club Road. Captain W. S. Holloway, a Town of Palm Beach pioneer, headed the excavation, dredging, and dynamiting, arriving with "an army of men" who set up a tent camp at the site. While the ten-ton Sullivan channeling machine was apparently successful in cutting the initial coral cut that would drain the swamp to the south, allowing wheelchair traffic to transport guests from the Lake Trail to the clubhouse, plans for the yacht basin were apparently tabled.²



The Coral Cut, c, 1915-1920 Image courtesy Historical Society of Palm Beach County

² New York Social Diary Palm Beach Greening of Palm Beach Country Club, September 22, 2020.

The trail dredging started out a century ago as a narrow alley just wide enough for bicycle traffic. Today, it is part of the Town's drainage system that is actually the site of a water pumping station. According to "The Cut" article, courtesy of the *Chronicling America, Library of Congress*, the purpose of the Cut was two-fold. It provided a wheelchair path connecting County Road with Lake Trail, in addition to providing a run-off for water from the hydraulic dredge used in-filling the land which is now the golf course of the Palm Beach County Club. With the passing of the years, the Cut has grown more beautiful from year-to-year due to the vines and tropical foliage which has grown. It is also used by bicycle riders who have greatly increased in the last years.³



The Coral Cut on Country Club Road Today

During the mid-1970s, the Town commissioned an engineering report to recommend infrastructure needed to provide better protection against flooding in major rainstorms. The "Smith & Gillespie Long Range Public Works Plan" provided the blueprint for major improvements subsequently constructed during the 1980s and 1990s. As a result, flooding throughout the Town has been greatly reduced by those improvements.

³ Ibid

In February 1991, EPA Region IV notified all MS4 owners within Palm Beach County that they had been designated as a part of the County's MS4 for the purposes of obtaining NPDES permit coverage. EPA Region IV further recommended that all MS4 owners within the County participate as co-applicants under a lead permittee, selected by the group. Presumably based on meeting(s) of the future co-applicants, Northern Palm Beach County Water Control District (Northern) emerged as the lead applicant. Between the months of June 1991 and January 1992, Northern entered into inter-local agreements with all other co-applicants. A Steering Committee was also formed during this time period, for the purposes of providing for representation of the group members and for coordinating the application (and future joint program). The Steering Committee is currently comprised of one representative from the lead permittee, two representatives of larger municipalities, two representatives of smaller municipalities, one representative of a special district, and one representative from Palm Beach County.

The permit application was a two-part process; Part 1 was due on May 18, 1992, and Part 2 was due May 17, 1993.

Permits are issued for a 5-year period; however, each permit remains in effect until a subsequent permit is issued. For the Palm Beach County group, the following permits have been issued.

- Cycle 1 - February 1, 1997
- Cycle 2 - November 18, 2002
- Cycle 3 - March 2, 2011
- Cycle 4 - September 8, 2016

The Cycle 5 Phase I permit template is currently being drafted by FDEP and negotiated with the U.S. EPA. Once the template is approved, FDEP will begin drafting the individual Cycle 5 permits for each of the Phase I permittees in Florida.

In 2000 and 2001, a number of the residential neighborhoods of the north end of the Town experienced severe flooding during heavy rainfalls. In response, the Town staff improved the operating procedures related to preparing for and responding to storms that pose a threat of flooding. The Town considered a new study of the drainage system throughout the affected area from Wells Road north to the Lake Worth Lagoon and that would develop an ambitious multi-year plan to increase the capacity of the storm drainage system. Due to the cost of the study, the Town did not pursue the findings. In its place, the Town implemented a requirement for private properties to retain the first two inches of runoff onsite prior to discharge.

Today, the Town's drainage system consists of a combination of pumping stations and gravity outfalls. Pumping stations are necessary discharge structures within the Town that are below Lake Worth Lagoon's high tide level, causing backflow through stormwater outfalls when above normal tides are experienced. King Tide flooding occurs throughout South Florida. The images below demonstrate some of the impacts the King Tide have caused in the Town.



King Tide Flooding on the Lake Trail in 2018 and 2019
Woods Hole Group, Coastal Resilience Implementation Plan 2021

The Town's stormwater system is unique for the east coast of Palm Beach County as it is a mostly "pumped" system. A majority of each drainage basin's runoff is collected and pumped into the Intracoastal Waterway (Lake Worth Lagoon) rather than being gravity discharged. The Town owns, operates, and maintains 13 stormwater pump stations, in addition to a very extensive drainage collection system to convey runoff to the pumping stations. The stormwater pump stations are designated by Town staff as "D-stations" to help differentiate them from the Town's sanitary sewage pump stations and pneumatic ejector stations.

The Town's stormwater collection and pumping system is divided into the following sections and approximate areas of coverage.

North Collection System: D-2, D-9, and D-10 Stormwater Pump Station

Shown on Exhibit 6-2 and detailed below are the Stormwater Pump Station located at various locations in the Town.

- D-9 Stormwater Pump Station: Area of coverage from East Inlet Drive south to Ocean Terrace
- D-2 Stormwater Pump Station: Area of coverage from Osceola Way south to La Puerta Way
- D-10 Stormwater Pump Station n: Area of coverage from La Puerta Way south to Bahama Lane
- North Central System: D-3, D-4, D-8 and D-12 Stormwater Pump Station
- D-8 Stormwater Pump Station: Area of coverage from south of Bahama Lane to Southland Road
- D-3 and D-4 Stormwater Pump Station: Area of coverage from Plantation Road to Wells Road

- D-12 Stormwater Pump Station: Area of coverage from Wells Road to Royal Poinciana Way

Central Collection System: D-6, D-7, and D-14 Stormwater Pump Station

- D-14 Stormwater Pump Station: Area of coverage from Pine Walk to Royal Palm Way

- D-6 Stormwater Pump Station: Area of coverage from south of Royal Palm Way to Australian Avenue

- D-7 Stormwater Pump Station: Area of coverage from Chilian Avenue to Gulf Stream Road South Collection System: D-16, D-17, and D-18 Stormwater Pump Station

- D-18 Stormwater Pump Station: Area of coverage from El Bravo Way to El Brillo Way

- D-16 Stormwater Pump Station: Area of coverage from El Vedado Road to Jungle Road

- D-17 Stormwater Pump Station: Area of coverage from Via Vizcaya to Clarendon Avenue

In December 2019, the Town of Palm Beach completed a National Flood Insurance Program Community Rating System (CRS) audit which is managed by the Federal Emergency Management Agency (FEMA). The CRS program is a voluntary incentive program which recognizes community floodplain management efforts. As part of the audit, the

Town's drainage requirements were evaluated to determine how prepared the Town, its residents and business owners are for a major storm event. Although evaluation of the Town's regulations resulted in an improved score over previous years, the Town noted some areas of deficiency.⁴



Exhibit 6-2 Pump Station Locations

⁴ Technical Memorandum from Samantha C. Graybill, P.E., Kimley-Horn to Patricia Strayer, P.E, Town Engineer, October 8, 2021

In May 2021, the Town authorized Kimley-Horn and Associates, Inc. (KHA) to provide general engineering services for completion of a stormwater regulation review and analysis of private property drainage requirements by other regional regulatory agencies. The goal of the study was to determine how requirements applicable to Town properties could be modified to positively impact future CRS audit scores.⁵

After identifying agencies with jurisdictional authority over stormwater and drainage within the Town, regulatory documents were reviewed and compared. The CRS encourages the adoption of a “design storm”, which refers to a calculated, hypothetical storm event of a particular duration, rainfall intensity, return frequency, and total depth of rainfall. Selection of a meaningful design storm for stormwater management will result in the design of optimal infrastructure intended for appropriate flood protection.⁶

At this time, the Town regulatory documents do not reference a design storm for private, on-site stormwater management systems. According to Activity 450 in the CRS Coordinator’s Manual, the minimum points available for municipalities that have a regulated design storm would be achieved if a storm with a minimum return frequency of 10 years were cited. Increased points could be obtained by citing a larger storm event (i.e., 25, 50, or 100-year storm). While maximum points would be ideal, any recommendations for the adoption of a design storm would only be feasible if the implementation is reasonable for the various property sizes and types within the Town while also being congruent with existing Town infrastructure.

TABLE 6-1
Level of Service (LOS) Standards for Public Stormwater Infrastructure

Infrastructure Type	Storm Event	Required Runoff Removal Time
Systems Served by Pumping Stations	1-Year	No Flooding Should Occur
Systems Served by Gravity Outfalls	3-Year	No Flooding Should Occur
General Town Ponding	5-Year	60 minutes
	50-Year	90 minutes

The LOS standards provided in Table 6.1 will remain through the 10 and 20-year planning horizon for public drainage infrastructure. A new Policy 2.5 has been added to direct the Town to undertake a study to determine if on-site (private property) retention should be increased to a 10-year design storm event standard.

In addition to design storms, the referenced regulations were also reviewed for base flood elevations. A “base flood elevation” refers to the elevation of flood waters with a 1% chance of

⁵ Ibid

⁶ Ibid

equaling or exceeding that level within a year. In other words, this 1% exceedance is associated with flooding anticipated from a 100-year design storm. Currently, the Town regulatory documents that reference the base flood elevation are compliant with information published by the Florida Building Code (FBC). The FBC notes the base flood elevation as the FEMA base flood elevation with 1.0-ft of freeboard. ~~equating to 7.0 ft above sea level for much of the Town. The Town's Comprehensive Plan references the current flood prevention standard as 7.5 ft above sea level which makes the Town compliant with the FBC.~~⁷

The Town complies with the South Florida Water Management District (SFWMD) stormwater retention requirements for new development and redevelopment. All new development and redevelopment must provide minimum retention of the first two inches of rainwater before discharging into the Town drainage system. Residential development of less than one-half acre is required to route discharge and sheet flow through grassy areas prior to discharge into the Town system. As a result of the Kimley-Horn technical review of the Town's stormwater management system, the Town is reviewing additional retention levels for development.

SUMMARY

The Town of Palm Beach has employed Lucity to monitor public facilities and services. Lucity, Inc. supports an enterprise asset and maintenance management needs for hundreds of municipal agencies and thousands of users nationwide. LucityAM is a comprehensive, flexible, and scalable GIS and Web enabled "office-to-mobile" software solution for Local Governments, Public Works, and Utility Departments. LucityAM enables agencies to extend the useful life of capital assets while managing customer requests, Capital Improvement Project work orders, and preventive maintenance. Lucity is able to integrate fully with GIS to harness the advantages of thinking and working geographically.⁸

The Town of Palm Beach's drainage system operates an ongoing maintenance program with the assistance of Lucity. The Town has completed drainage pump station improvement and modifications identified in a 2017 Condition Assessment Report. In 2023, the Town initiated an updated drainage pump station condition assessment that ~~will~~ provided the Town with a prioritized 10-year capital plan associated with drainage pump stations. The Lucity program is also implementing the next steps with drainage which will include tracking capital improvements and life cycle costs.

The drainage system is generally considered to be in good condition. According to the Public Works Department, the expected service life of the drainage system components exceeds 50 years. The Town needs to continue evaluating the drainage system and replace deteriorated components. Currently, the Town of Palm Beach Public Works Department and consultants are investigating options for additional pollution control tools for implementation at pump stations. Over the next 20 years Public Works will perform capital improvement work on all the drainage pump stations. As displayed in Tables 6-2, a five (5)-year Capital budget for drainage demonstrates continued upgrades that will maintain the level of service standard over the 20-year planning horizon.

⁷ Ibid

⁸ <https://www.linkedin.com/company/lucity-inc->

POTABLE WATER SUB-ELEMENT

STATE OF FLORIDA POTABLE WATER SUPPLY PLAN

From 2002 to 2016, the Florida Legislature enacted legislation to address the state's water supply needs. In particular, Senate Bills 360 and 444, adopted during the 2005 legislative session, significantly amended Chapters 163 and 373, F.S. The legislation resulted in strengthening the statutory links between the regional water supply plans prepared by the Water Management Districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between local land use planning and water supply planning.⁹

The statute mandates that each local government comply with the following requirements, which have been summarized:

1. Coordinate appropriate aspects of its comprehensive plan with the appropriate Water Management District's regional water supply plan.
2. Ensure that its future land use plan is based upon the availability of adequate water supplies and public facilities and services.
3. Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy.
4. For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the "Infrastructure Element"), within 18 months after the Water Management District approves an updated regional water supply plan.
5. Revise the Five-Year Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five-year period.
6. Where applicable, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the appropriate regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s).
7. To maintain internal consistency, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities' plans.

⁹ Town of Palm Beach 10-year Water Supply Facility Work Plan 2020

8. Address in the Evaluation and Appraisal Review (EAR) of the Comprehensive Plan (if necessary), the extent to which the local government has implemented the 10-year water supply facilities work plan.

TOWN OF PALM BEACH WATER SUPPLY PLANNING

The Town of Palm Beach receives its drinking water (potable) from the City of West Palm Beach through a water system that was once owned and operated by Henry Flagler. A portion of the water comes from rainfall captured and stored in a part of the Everglades Ecosystem known as the Grassy Waters Preserve.



Grassy Waters Preserve

Grassy Waters Preserve is a 23-square-mile wetlands ecosystem that serves as a portion of the freshwater supply for the City of West Palm Beach, the Town of Palm Beach, and South Palm Beach. Historically, Grassy Waters was both a key component of the Greater Everglades watershed and the headwaters of the Northwest Fork of the Loxahatchee River. Although human needs have led to severe alterations to the flow of water through South Florida, Grassy Waters Preserve remains a pristine remnant of the once great Everglades system.¹⁰

Henry Flagler's foresight in the early 1890s led him to purchase Grassy Waters preserve property when the land was under private ownership and utilized the water that flowed from Grassy Waters to contribute further to the supply of water in Clear Lake, also under Flagler's ownership.

In 1901, the City of West Palm Beach approved a 30-year franchise for water service when Henry Flagler's East Coast Hotel Company built and began operating a water plant at the northeast corner of Australian Avenue and Banyan Boulevard, adjacent to Clear Lake. When the population of West Palm Beach grew so did the demand for more and higher purity water. As a result, a new filtration plant was constructed in 1927 and nearly tripled the capacity of the plant.¹¹

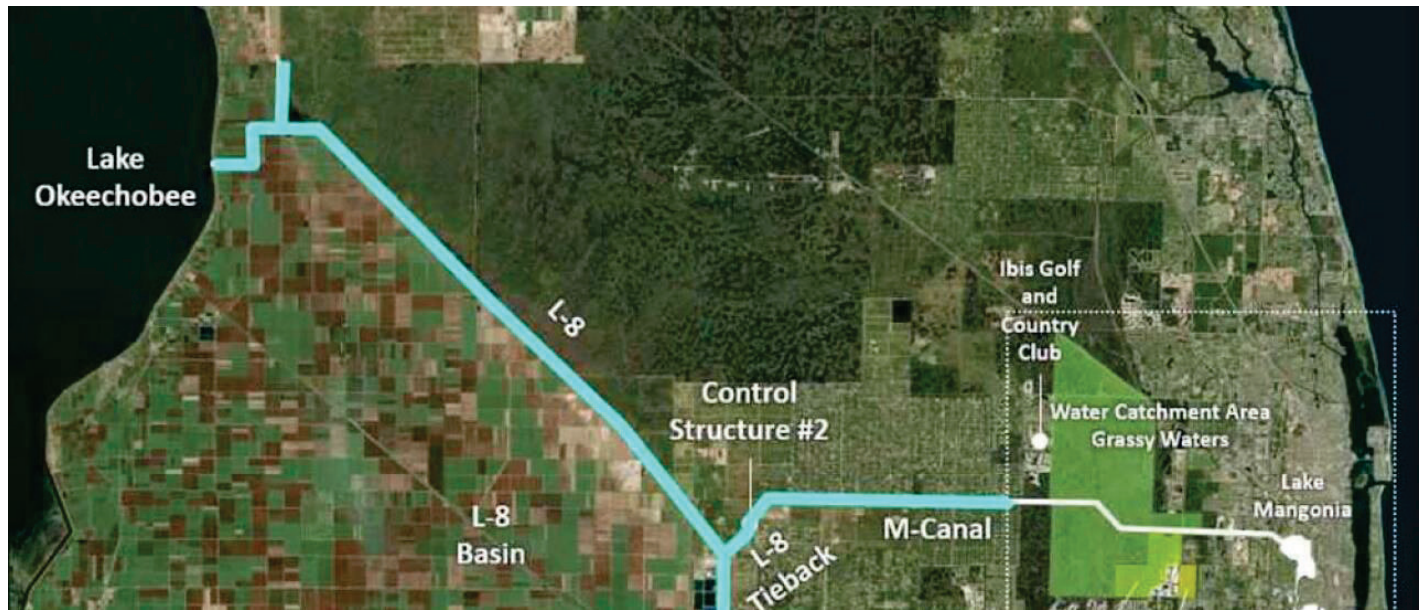


Image of Clear Lake, West Palm Beach

¹⁰ <https://www.wpb.org/government/public-utilities/grassy-waters-preserve/about-grassy-waters>

¹¹ 2022 City of West Palm Beach Water Quality Report

The City of West Palm Beach purchased the Grassy Waters property, along with the Water Treatment Plant in 1955 and later in 1964, Grassy Waters was given special protection by the state legislation to limit the use of Grassy Waters to water consumption. The water system feeds and sustains Lake Mangonia, in addition to Clear Lake via the M-Canal, displayed below, which was constructed in 1930 and runs through the heart of Grassy Waters. These two (2) lakes cover a 1,000-acre area.¹²



Grassy Waters Watershed – M-Canal

A 30-year renewable contract between the Town and the City of West Palm Beach was signed in 1965 and expired in January 1995. The Town subsequently renegotiated the contract with the City, and a new franchise agreement was signed in 1999 and is effective until 2029.

The purpose of the Town of Palm Beach Water Supply Facility Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the Town's jurisdiction. Chapter 163, Part II, F.S., requires the Town to prepare and adopt a Work Plan into its comprehensive plan within 18 months after the water management district approves a regional water supply plan or its update. The *2018 Lower East Coast Water Supply Plan Update* was approved by the SFWMD in November of 2018. Completion of the Town's plan was dependent upon the City of West Palm Beach's Work Plan as the Town's water supplier.

¹² Ibid

The Town's previous 10-Year Work Plan was approved in August 2020. **Capacity projections are provided in Table 6-3 below and demonstrate that should the Town continue to get water supply from the City of West Palm Beach, there is capacity for the 10- and 20-year planning horizon.**

<u>TABLE 6-3</u>					
<u>Projected Annual Finished Water Demand in Millions of Gallons per Day (MGD)</u>					
<u>Level of Service Analysis</u>					
<u>LOS/Year</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>	<u>2045</u>
<u>Population</u>	<u>9464</u>	<u>9569</u>	<u>9627</u>	<u>9642</u>	<u>9818</u>
<u>Potable Water 243.3 MGD</u>	<u>840</u>	<u>849</u>	<u>855</u>	<u>856</u>	<u>872</u>

According to state guidelines, the Work Plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements, conservation, and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. Due to the Town's relationship with the City of West Palm Beach, the Town's Work Plan has the same planning time schedule as the City of West Palm Beach's 10-year Work Plan.

The Town of Palm Beach Work Plan references the initiatives already identified in City of West Palm Beach's 10-year Work Plan since the Town is a retail buyer. The Town's population figures have been included in the City of West Palm Beach's 10-Year Water Supply Facility Work Plan, which also includes the population figures for the Town of South Palm Beach in addition to the City of West Palm Beach. The combined population statistics have been used to project future water demand in the Utility Service Area for the City of West Palm Beach and are included in the City's 10-Year Water Supply Facility Work Plan in the City's Comprehensive Plan. **The 2023-2024 Lower East Coast Water Supply Plan was approved by the SFWMD in September of 2024. The Town will work with the City of West Palm Beach to update the Work Plan by March of 2026.**

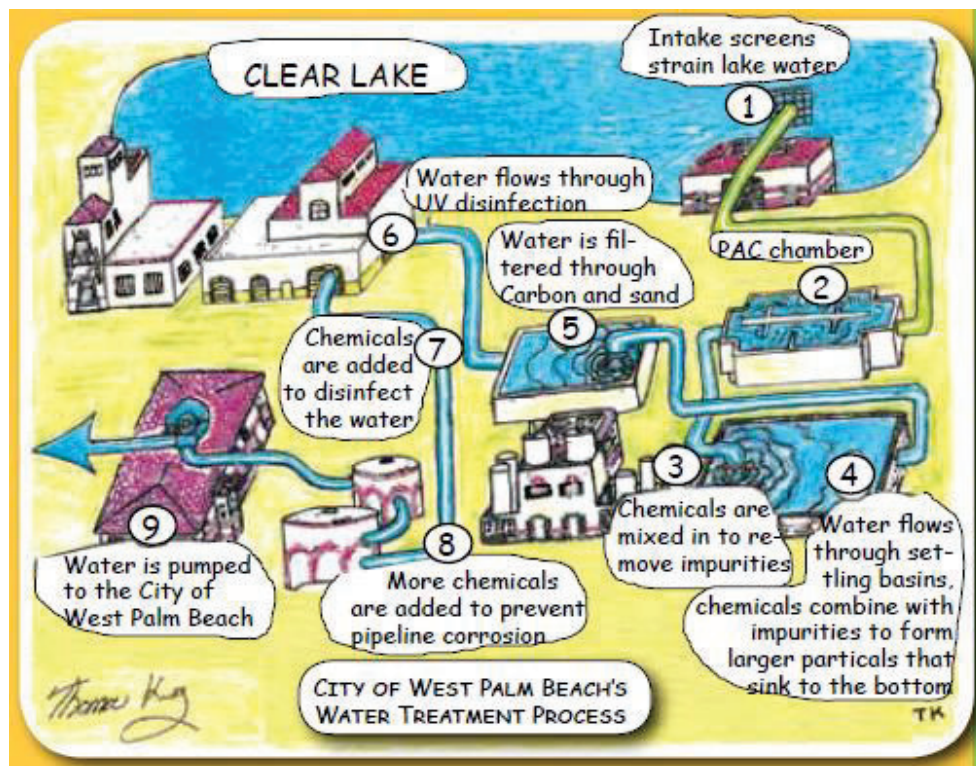


Exhibit 6-3 Clear Lake Plant Treatment Process

According to the 2022 Water Quality Report, the City of West Palm Beach routinely monitors for contaminants according to Federal and State laws, rules, and regulations (see Exhibit 6-3). More specifically, the Environmental Protection Agency requires monitoring of over 80 contaminants with annual reporting. The annual water quality report, referred to as the Consumer Confidence Report (CCR), includes information on source water, treatment processes, detected contaminants, and their meaning. As stated in the 2022 Water Quality Report, the City of West Palm Beach has maintained compliance with all Federal and State requirements and has had no violations.

In 2019, the Water Treatment Plant started up the new Ultra-Violet (UV) treatment system that established an additional barrier to ensure the production of safe drinking water. The UV System is designed to control bacteriological contaminants typically found in surface and groundwater supplies. Housed within massive pipes inside the water treatment plant, the UV system is the largest in Florida. In 2021, the City of West Palm Beach then completed the installation of a Powdered Activated Carbon (PAC) Treatment Unit and began using it to further remove harmful contaminants, such as algal toxins.¹³

¹³ Ibid

Aquifer Recharge

As demonstrated in Exhibit 6-4, the Town of Palm Beach is underlain by two aquifer systems; the Biscayne Aquifer, which is a surficial aquifer and the more deeply located Floridan Aquifer. As displayed in the image below, these two aquifers are separated from each other by the Hawthorn Formation which prevents any recharge from reaching the Floridan aquifer. Neither aquifer is used as a source of potable water by the Town. Development in the Town, including the placement of poorly drained urban fill, has affected the quantity of recharge to the Biscayne Aquifer. Pomello

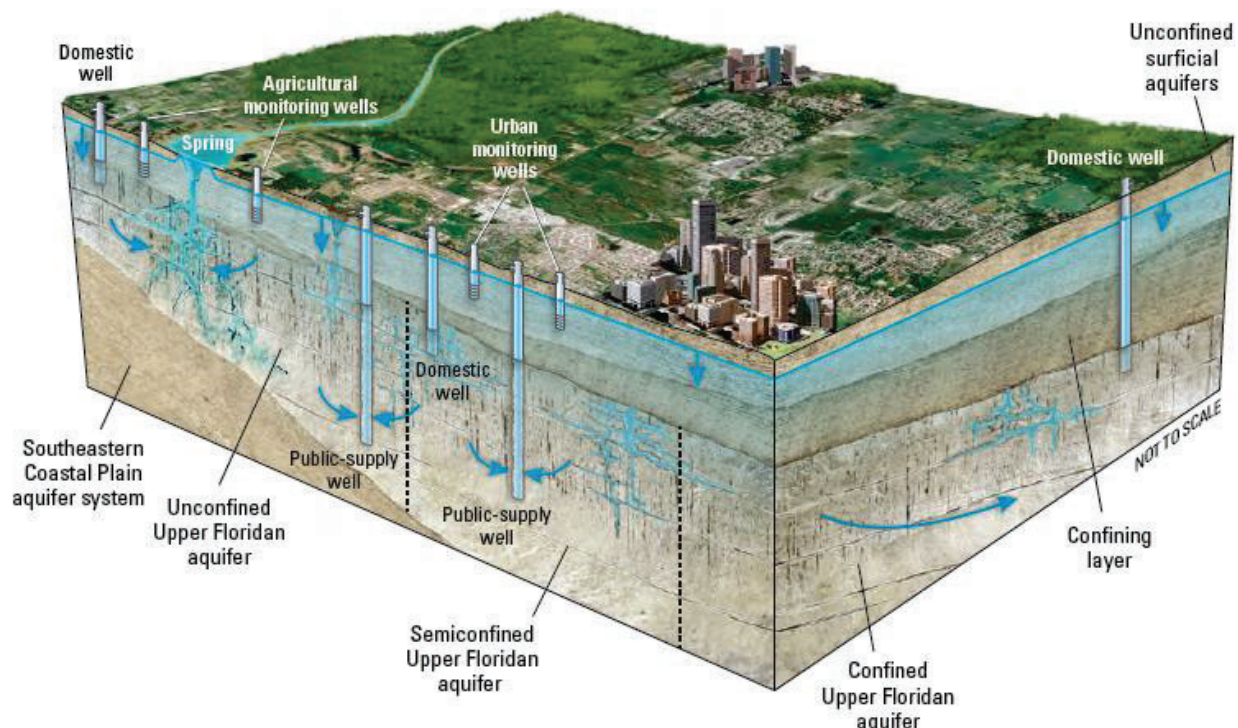


Exhibit 6-4 Groundwater Modeling

fine sand and, to a lesser extent, Palm Beach Urban Complex, are probably the most active recharge soils. According to the Palm Beach County Soil Survey, most native sandy soils are located along the beach ridge, and in the north end of Town, directly behind the beach ridge. The surficial aquifer is not considered a suitable source of potable water, nor as a major source for irrigation because of its high chloride (salt) content.

The Town protects recharge through its stormwater retention requirements and its minimum landscaped area requirements, which ensure pervious areas for water percolation to the aquifer. In addition, all septic tanks in the Town have been abandoned. Additionally, there are no existing or potential identified problems with hazardous waste contamination and no known sources of aquifer contamination or depletion. In the event that the Town chooses to utilize the surficial aquifer as a non-potable water source for irrigation, measures should be taken, in accordance with rules of the South Florida Water Management District, to protect the aquifer and overlying soils and vegetation from negative consequences of drawdown.

SUMMARY

As previously noted, the Town's present contract for potable water supply with the City of West Palm Beach expires in 2029. The Town is presently investigating potential potable water supply sources as a commitment to the Town residents to perform due diligence to ensure the Town receives high quality water in a cost-effective manner. The Town began this process in 2021 to ensure enough time is available to implement whichever alternative is selected by 2029, the time of the existing contract expiration.

SANITARY SEWER SUB-ELEMENT (WASTEWATER)

A sanitary sewer is an underground pipe system for transporting sewage from residential and commercial buildings to a sewage treatment plant for disposal. Sanitary sewer systems include gravity sewer pipes, force mains and lift (pump) stations. In the Town, many pumping and relay stations are required due the flat terrain and the 12-mile length of the Town.

The Town's wastewater system includes pump stations (including drywell/wetwell, wetwell, and air ejector types), forcemains, gravity mains and manholes. The Town can pump its wastewater to either West Palm Beach or Lake Worth Beach for ultimate treatment and disposal at, the East Central Regional Wastewater Treatment Plant, located at Jog Road/Haverhill Road.

The Town's wastewater system includes:

- Ejector (air) Pump Stations:

- "S" Pump Station - Primary inline booster pump station
- "A" Pump Stations - Drywell/wetwell pump stations
- "E" Pump Stations - Electric submersible wetwell type pump stations
- "G" Pump Stations - Very small electric submersible wetwell type pump stations.

Estimated 70 miles of collection system

* A-7 Wastewater Pump Station - Combination of an Inline booster and drywell/wetwell

Sewage contains all the components of wastewater. It is actually a subset of wastewater. The only difference is that wastewater can come from anywhere, while source of sewage is specific. In the Town of Palm Beach, wastewater leaves the Town by means of three (3) force mains, one (1) within each of the three (3) sections of Town, north, central, and south. Sewage then flows to the East Central Regional Wastewater Reclamation Facility (ECRWF) located on the mainland and managed by the City of West Palm Beach. The ECRWF provides the overall wastewater treatment, which includes sewerage for the following jurisdictions.

- The City of West Palm Beach
- The City of Lake Worth Beach
- The City of Riviera Beach
- The Town of Palm Beach
- Portions of Palm Beach County

The ECRWRF is funded and governed by a board comprised of a representative member from each of the entities it serves. The ECRWRF is licensed to function under specific guidelines by the State of Florida and the U.S. Environmental Protection Agency. The plant is operated by Florida licensed Wastewater Plant Operators.¹⁴

The ECRWRF, which is permitted to process 70 million gallons of wastewater per day, removes contaminants from the wastewater using a series of aerobic digestion basins. The wastewater treatment process produces two (2) by-products. Those by-products include effluent, a chemically and micro-biologically treated water, and bio-solids, which are nutrient rich organic materials left over from the treatment process. A portion of the plant's effluent is further treated to provide reclaim water services. The remainder of the effluent is disposed of through deep well injection.¹⁵

The Town's Public Works Department is presently lining gravity sewer lines throughout the Town in order to reduce the inflow and infiltration of ground water or rainfall into the sewer system. In 2023, a lift station condition assessment was initiated that ~~will~~ provided the Town with a prioritized 10-year capital plan associated with lift stations. In conjunction, a Lucity program has also been implemented for sanitary sewer to include tracking capital improvements and life cycle costs.

SUMMARY

Discussions with the Town Public Works Department and representatives of the ECRWRF indicate that at the projected peak seasonal population, the Town will remain within the levels of service for these force mains. Further, the ECRWRF has the capacity to provide service at the Town's adopted LOS throughout the planning period.

In September of each year the Town obtains a letter from the City of West Palm Beach certifying that the ECRWRF has the capacity to treat the volume of wastewater projected to be generated in the Town during the peak season at the Town's adopted level of service.

¹⁴ <https://www.wpb.org/government/public-utilities/our-divisions>

¹⁵ Ibid

Below is the adopted level-of-service standard of wastewater collection in the Town of Palm Beach.

**Wastewater Collection
Development Type**

Avg. Daily Water Flow

Single Family	350 gpd/DU
Multifamily	250 gpd/DU
Commercial	0.20 gpd/SF
Industrial	0.15 gpd/Sf
Hotel	100 gpd/room

DU=dwelling unit

gpd=gallons per day

SF=Square feet

**Pumping Station
Peaking Factor**

Avg. Daily Flow (MGD)

3.5	0.01 to 0.05
3.0	0.05 to 0.25
2.5	0.25 to 2.0
2.0	>2.0

Over the next 20 years Public Works will perform capital improvement work on all Town lift stations. As displayed below, a five (5)-year Capital budget for sewer system demonstrates continued upgrades that will maintain the level of service standard over the 20-year planning horizon as displayed in Table below.

Table 6-4
Annual Projections on Sanitary Sewer Capacity in Million Gallons Per Day (MGD)

<u>Level of Service Analysis</u>					
<u>LOS/Year</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>	<u>2045</u>
<u>Population</u>	<u>9464</u>	<u>9569</u>	<u>9627</u>	<u>9642</u>	<u>9818</u>
<u>Sanitary Sewer, 242 MGD</u>	<u>2.29</u>	<u>2.31</u>	<u>2.33</u>	<u>2.33</u>	<u>2.37</u>

Table 6-2 provides the estimated budget for the Town's Sanitary Sewer System through year 2028

TABLE 6-5

Pay as you go Capital Improvement Plan FY2024—Estimated
Sanitary Sewer System

Location	Accumulated Project- Budget- through FY23	FY2023- Available- Balance as of 6/16/23	FY2024	FY2025	FY2026	FY2027	FY2028	FY2024- 2028 Total
Sanitary Sewer System	\$10,911,136	\$4,233,363	\$1,235,000	\$2,795,000	\$905,000	\$235,000	\$235,000	\$5,405,000
A-4 The Breakers	\$912,000	\$158,600	-	-	-	-	-	\$-
A-5 Royal- Poinciana Way- (S of S-2)	-	-	-	\$2,000,000	-	-	-	\$2,000,000
A-6 Royal- Palm Way/ Intercoastal	-	-	-	-	-	-	-	\$-
A-7 Island- Road/S County Road	\$484,576	\$10,447	-	-	-	-	-	\$-
A-39 Phipps- Park	\$847,112	\$34,850	\$1,100,000	-	-	-	-	\$1,100,000
A-41 Palm- Beach Par 3- Golf Course	-	-	-	-	-	-	-	\$-
A-42 Bellaria- Condominium	\$80,000	\$80,000	-	\$560,000	-	-	-	\$560,000
A-43 Atriums- of Palm Beach	\$90,000	\$90,000	-	-	\$550,000	-	-	\$550,000
E-1 Mediterranean- Road	-	-	-	-	-	-	-	\$-
E-2 Mockingbird- Trail	-	-	-	-	-	-	-	\$-

E-3 Garden Road (trail)	-	-	-	-	-	-	-	\$-
E-5 Country Club Drive	\$1,400,715	\$375,111	-	-	-	-	-	\$-
E-6 Tangier Avenue	\$2,277,063	\$945,996	-	-	-	-	-	\$-
E-11 El Vedado Way	-	-	-	-	\$120,000	-	-	\$120,000
S-2 Royal Poinciana Way (N of A-5)	\$50,000	\$16,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$250,000
Ejector Stations—21 in Total	-	-	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$250,000
Land Implementation	\$4,505,508	\$2,258,198	-	-	-	-	-	\$-
Wastewater Pumpstation Condition Assessment	\$180,000	\$180,000	-	-	-	-	-	\$-
Resiliency Implementation	-	-	-	\$100,000	\$100,000	\$100,000	\$100,000	\$400,000
Wastewater Pump/R&R	-	-	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$125,000
Sanitary Sewer Air Release Valve R&R	\$84,162	\$84,162	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$50,000

SOLID WASTE SUB-ELEMENT

In the Town of Palm Beach, solid waste collection and disposal service includes garbage, trash and vegetative yard trash, recycling, and special solid waste that the Town provides to both residential and commercial establishments. The main objective is to maintain the highest level of service to meet the expectations of the residents and commercial businesses, doing so in the most efficient methods possible. The Town provides garbage pick-up Monday through Friday. For residential pickup, six-cubic yard packers are used for garbage collection. In contrast, commercial garbage is collected in twenty-cubic yard packers.

With regard to commercial pickup, weekend service is provided to such users, as hotels and restaurants, upon arrangement with the Town. These wastes are then transferred to 65-cubic yard tractor trailer packers at the Pinewalk Transfer Station. This transfer station is leased to the Town on a year-to-year basis to the year 2050 by Flagler Systems, the developer of the Breaker's Planned Unit Development (PUD). Should the Pinewalk area be developed and no longer available, the Town will be faced with the decision of whether to purchase or lease a transfer station on the Island or mainland or eliminate the need for a transfer station by increasing the packer fleet. However, it is probable that the Pinewalk Station will remain as is, well past the 20-year planning period.

Waste material is taken from the station in tractor trailers to Palm Beach County's North County Regional Resource Recovery Facility (NCRRRF), through an agreement with the Palm Beach Solid Waste Authority (SWA) which is located on Jog Road. The NCRRRF replaced the Dyer Boulevard Landfill in 1989 and handles both sludge from ECRWRF, and garbage for separation, recycling, and incineration. Aluminum and ferrous materials are separated at the plant. The remaining organic materials are used as fuel for an electricity-producing turbine generator. The plant serves the entire County at a capacity of 3,000 tons per day, six days per week, for an annual capacity of 936,000 tons per year. As the NCRRRF serves the entire County, predominant land uses served include residential, commercial, industrial, recreational, agricultural, and public uses. The current inter-local agreement between the Town and SWA for solid waste and recycling has been in effect since 2009. The expected life of the landfill is the year 2043.

The Palm Beach SWA, which operates NCRRRF, does not allocate any particular share of its capacity to individual users or municipalities. However, since 2006, the Town's contribution of garbage to the Jog Road landfill comprised, on average, less than 1% of the total garbage generated countywide, and will certainly not exceed this proportion during the planning period.

NCRRRF indicates that at the projected peak seasonal population, the NCRRRF will have adequate capacity to provide service at the Town's adopted level of service throughout the planning period. Additionally, every September of each year the Town obtains a letter from the Palm Beach County SWA certifying that the NCRRRF can treat the amount of garbage projected to be generated in the Town during the peak season at the Town's adopted level of service.

Special Solid Waste

The Town additionally provides a scheduled pick-up for appliances, discarded furniture, large packing boxes, and similar household goods for a minimum charge. The level of service standard is to maintain resources to provide the desired level of service and capacity for the duration of the planning period.

SUMMARY

Below is a summary of the operation for solid waste collection and the Public Works mission to ensure compliance with providing this service in the Town of Palm Beach.

Garbage

- Maintain daily scheduled collection and disposal operations of residential and commercial garbage.
- Maintain compliant operations of the transfer station as outlined in the Operating Permit.
- Increase collection fleet units to balance route workloads and maintain per industry standards.
- Maintain inter-local agreement with Solid Waste Authority as part of the Solid Waste Master Plan.
- Look for ways to reduce solid waste tonnage and tip fees through waste diversion methods.
- Evaluate commercial establishments generation rates to determine if collection and disposal methods could utilize the compactor method.

Recycling

- Increase recycling tonnage through public education, increased manpower and collection equipment.
- Maintain inter-local agreement with the Solid Waste Authority for the processing of collected materials and profit sharing of commodities sold.

Vegetative Yard Trash

- Maintain daily scheduled collection and disposal operations of residential and commercial yard waste.
- Maintain compliant landfill operations as outlined in the Operating Permit.
- Continue with the annual Capacity Analysis to monitor available capacity.
- Implement volume reduction process of new and existing vegetative debris cells at Skees Road Landfill off of the Florida Turnpike in the City of West Peach to segregate and dispose of off-site (topsoil, mulch, etc.) to increase the long-term capacity and life span of the landfill.

Over the next 20 years Public Works will continue to contract with the Solid Waste Authority to provide solid waste disposal. As displayed below, a five (5)-year Capital budget for solid waste disposal and a capacity projected for the **10 and 20-year planning horizon** demonstrate continued upgrades that will maintain the level of service standard over the 20-year planning horizon.

Table 6-6
~~Pay-as-you-go Capital Improvement Plan FY2024—Estimated~~
~~Solid Waste/Vegetation Disposal~~

Location	Accumulated Project Budget through FY23	FY2023- Available Balance- as of 6/16/23	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY2024-2028- Total
Solid- Waste/Vegetation- Disposal	\$30,000	\$30,000	\$-	\$200,000	\$-	\$-	\$-	\$200,000
Skees / Okeechobee- Landfill	\$30,000	\$30,000	-	\$200,000	-	-	-	\$200,000

Table 6-7
10- And 20-Year Projected Solid Waste Tonnage Conveyed to the NCRRF

<u>Level of Service Analysis</u>					
<u>LOS/Year</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>	<u>2045</u>
<u>Population</u>	<u>9464</u>	<u>9569</u>	<u>9627</u>	<u>9642</u>	<u>9818</u>
<u>Solid Waste Tonnage</u>	<u>9360</u>	<u>9454</u>	<u>9549</u>	<u>9644</u>	<u>9740</u>

UNDERGROUND UTILITIES (POWERED COMMUNICATIONS)

In 2006, the Town of Palm Beach commissioned a study titled “Conversion of Aerial to Underground Utilities Analysis” by “R.W. Beck, Inc.” to perform a high-level review to analyze the cost of the conversion. At that time, the estimated cost for the undergrounding effort was roughly \$60.3 million.

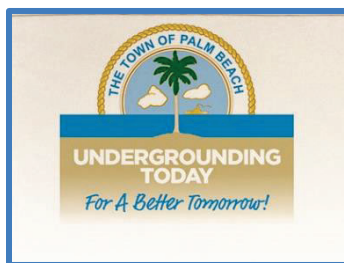
The study did not trigger a Town-wide conversion process. In the following few years, the decision was made to perform undergrounding projects on an “as requested” basis by each neighborhood. While the pace of this effort varied from year to year, it had yielded a handful of completed projects. From that point, if two thirds of the residents within that boundary voted to go forward, the Town would proceed with the planning/design and construction process. The cost of the design and construction would then be assessed to all the residents of that particular street. While these projects were successful, they were on such a small scale that little effect was made on the overall appearance and utility reliability of the Town as a whole.



Workers Installing Underground Utilities

Increasing motivation by the residents of the Town expanded the undergrounding program to cover larger areas. At the October 14, 2014, Town Council meeting FPL presented the need to improve or “harden” large portions of the Town’s existing overhead utilities. That hardening effort, triggered by FPL’s recognition of their facilities’ conditions, would include replacement of many of the existing wood power poles with larger and taller concrete power poles.

Within the context of previous and ongoing conversations between the residents, Council members, staff, and consultant(s) regarding a more “regionalized rather than local” approach to undergrounding of FPL power lines, the hardening proposal by Florida Power and Light (FPL) became an added impetus to view the large-scale undergrounding of utilities located on these poles an alternative whose time had perhaps come.



After in depth deliberations, Town Council unanimously decided to pursue Town-wide undergrounding of all FPL, ATT, and Comcast utilities. A ballot question regarding the financing of the Town-wide project was approved in March 2016. Construction for undergrounding of overhead utilities was initiated in 2017.

The impacts of the Town-wide underground utilities conversion project include installing underground utilities for all areas of the Town that have overhead utilities. The conversion includes locating most of the utilities in the Town’s street rights-of-way, wherever possible.

The Undergrounding Project Team assembled to complete the project work is led by the consulting firm Kimley-Horn and Associates, under the direction of the Town Engineer, Public Works Department, and the Town Manager’s Office, with representatives of FPL, Comcast and AT&T. As displayed in Exhibit 6-4, there are 15 phases which include north and south phases for Phases

1 through 7, with Phase 8 being the last. At present, the undergrounding project is nearing completion. As displayed in the illustration below, the status of the phases are provided below.

- ✓ Phase 1 north was completed in 2019.
- ✓ Phase 1 south was completed in 2020.
- ✓ Phase 2 north was completed in 2020.
- ✓ Phase 2 south was completed in 2023.
- ✓ Phase 3 north was completed in 2021.
- ✓ Phase 3 south is under construction to be completed in 2024.
- ✓ Phase 4 north was completed in 2021.
- ✓ Phase 4 south is under construction to be completed in 2024.
- ✓ Phases 5 north and south are under construction to be completed in 2023.
- ✓ Phases 6 north and south are under construction to be completed in 2025.
- ✓ Phases 7 north and south will begin construction in 2023 and be completed in 2025.
- ✓ Phase 8 will begin construction in 2024 and be completed in 2027.

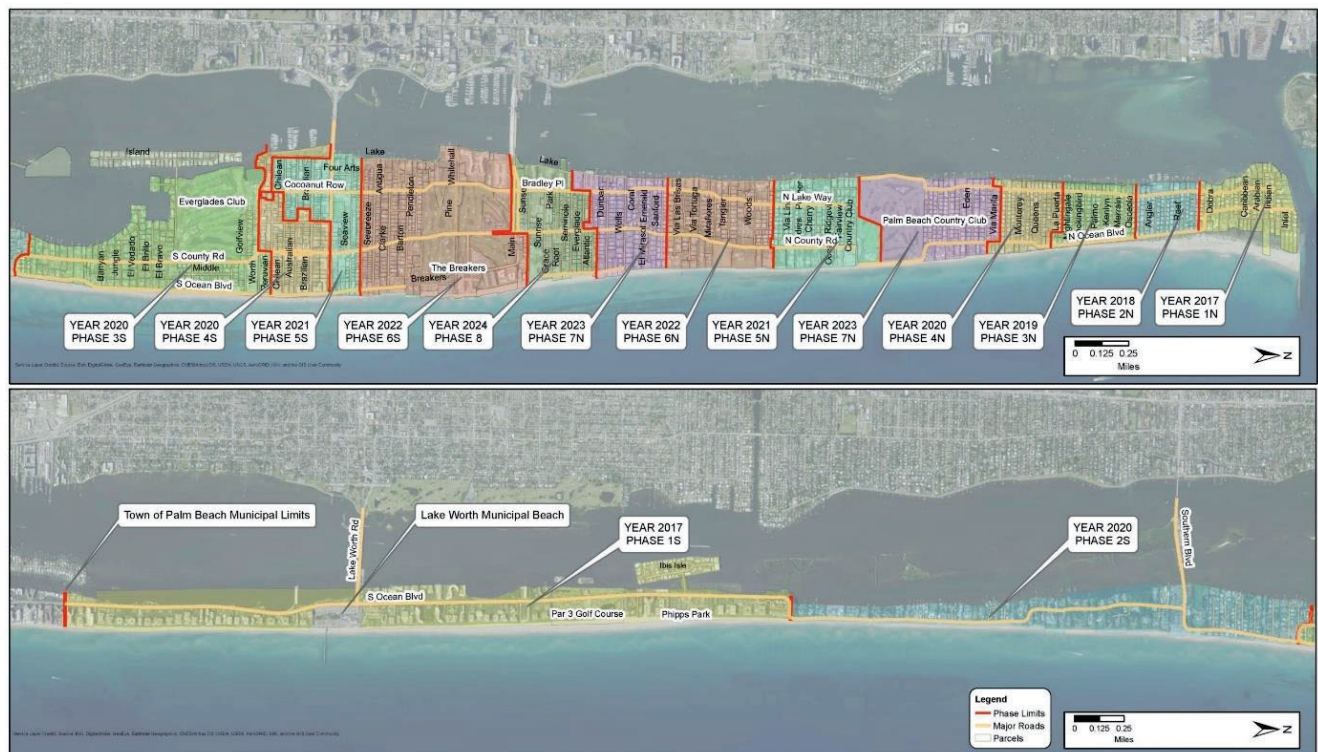


Exhibit 6-5 Sequence of Phases for Undergrounding

SUMMARY

The conversion of the overhead utilities to underground locations is one of the most ambitious infrastructure projects ever undertaken by the Town of Palm Beach. The current estimate for this undertaking is estimated at over \$100 million. The undergrounding will preserve the historic character of the Town and enhance the aesthetics of the landscape and scenic vistas. The conversion will significantly improve the level of service and reliability of the power, telephone, and internet communications to the Town. Once complete, the utility companies will be responsible for the maintenance and response to customers.

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS THROUGH THE MAINTENANCE AND UTILIZATION OF PUBLIC SERVICES AND FACILITIES FOR THE EXISTING AND FUTURE RESIDENTS.

DRAINAGE SUB-ELEMENT

OBJECTIVE 1

The Town shall maintain its existing drainage facilities in the Town and explore methods of improving the quality of stormwater discharge. The measurement of this objective is the extent to which stormwater pump stations remain in operation.

POLICY 1.1

The Town shall implement a Capital Improvement Program that includes the proactive maintenance of drainage pump stations while maintaining the collection system to the pump stations. A drainage pump station facilities assessment was completed in 2016. A new assessment was completed in 2024. This assessment will be integrated into the Capital Improvement Program and the Lucity program to track life cycle maintenance.

POLICY 1.2

The Town shall continue to comply with the following items and actions:

- 1.2a The current FEMA Flood Mapping Data
- 1.2b Update existing stormwater system information, as needed
- 1.2c Determine “hot spots” where pollutant loadings and water quality problems are severe, if they exist
- 1.2d Implement NPDES Permit requirement

POLICY 1.3

The Town shall coordinate with the Florida Department of Transportation to maintain drainage collection on State Roads, especially S.R. A.1.A. and South County Road.

OBJECTIVE 2

The Town shall only issue development orders and permits for new development or redevelopment if the proposed project meets the Town's adopted level of service standards or if needed expansion of facilities is coordinated with future development.

POLICY 2.1

The Town shall establish the following level of service standards:

2.1a Flooding will not occur during a one-year storm for systems served by pumping stations, or during a three-year storm for systems with gravity outfalls; and the minor flooding associated with a five-year storm shall be carried off within sixty minutes.

2.1b Negative impacts of stormwater discharge upon water quality in Lake Worth (Lagoon) are ameliorated by the retention of the first two-inches of rainfall on private property prior to discharge into the Town rights of way and then runoff into drainage system, or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater.

Level of Service (LOS) Standards for Public Stormwater Infrastructure

<u>Infrastructure Type</u>	<u>Storm Event</u>	<u>Required Runoff Removal Time</u>
<u>Systems Served by Pumping Stations</u>	<u>1-Year</u>	<u>No Flooding Should Occur</u>
<u>Systems Served by Gravity Outfalls</u>	<u>3-Year</u>	<u>No Flooding Should Occur</u>
<u>General Town Ponding</u>	<u>5-Year</u>	<u>60 minutes</u>
	<u>50-Year</u>	<u>90 minutes</u>

POLICY 2.2

The Town, prior to the issuance of a development order or permit, shall review drainage plans and calculations for all projects and shall make and record a determination that the project meets the Town's adopted level of service standard.

This section includes proposed work that falls into one of the following categories:

- 2.2a The proposed work exceeds 25% of the market value of the property;
- 2.2b The proposed work includes the construction of a new swimming pool;
- 2.2c The proposed work includes the redevelopment of more than 20% of landscaped open space, 20% of the impervious area of the site including buildings, patios, etc. or a combination thereof which exceeds 20%;
- 2.2d The proposed work includes new driveways or parking areas as the Town supports fewer curb cuts for vehicular and pedestrian cross-access between parcels as this will potentially allow for and will improve efficiency, reduce roadway trips, and enhance resident convenience.
;
- 2.2e The proposed work includes replacement or reconstruction of parking areas other than parking areas designed for less than three residential units; or
- 2.2f Other development as may be deemed appropriate by the Town Engineer.

POLICY 2.3

The Town shall encourage the installation of upgraded storm drainage systems to meet current or new stormwater standards on properties that are proposed for redevelopment.

POLICY 2.4

The Town shall review stormwater management criteria for different property uses and sizes with a desire to increase retention on private properties.

POLICY 2.5

The Town shall undertake a study to determine if on-site (private property) retention should be increased to a 10-year design storm event standard.

POTABLE WATER SUB-ELEMENT

OBJECTIVE 3

The Town shall only issue development orders and permits for new development or redevelopment if potable water capacity is available concurrent with the impacts of the development.

POLICY 3.1

The Town shall adopt a potable water Level of Service standard in accordance with the City of West Palm Beach or the future provider of potable water. The City of West Palm Beach's current Potable Water LOS is 243.Million Gallons Per Day (MGD) based upon the 2020 CAR submitted in January 2020.

Projected Annual Finished Water Demand in Millions of Gallons per Day (MGD)					
Level of Service Analysis					
LOS/Year	2025	2030	2035	2040	2045
Population	9464	9569	9627	9642	9818
Potable Water 243.3 MGD	840	849	855	856	872

POLICY 3.2

The Town shall require developers to consult with the Town's Potable Water Supplier prior to the issuance of a building permit to ensure that an adequate water supply is available to serve new development by the date of issuance of its certificate of occupancy.

POLICY 3.3

The Town shall establish in a timely manner a contract for potable water services to replace the existing agreement with the City of West Palm Beach, which expires in 2029.

OBJECTIVE 4

The Town shall, either on its own initiative or through support of, and participation in, a regional effort, undertake a water conservation program. The Town will also address the following water quality issues:

1. Clean water (smell and taste).
2. Water supply (as related to drought, in addition to conservation measures)

POLICY 4.1

The Town shall continue to implement a program of public education to promote water conservation in conjunction with the City of West Palm Beach and the South Florida Water Management District.

POLICY 4.2

The Town shall continue to implement the water conserving landscape design (Florida Friendly) outlined in Code Section 66-286 applicable to new development and redevelopment.

POLICY 4.3

The Town shall continue to enforce through the Florida Building Code water saving devices in new construction, such as low volume shower heads and toilets, soil tensiometers, or similar control mechanisms, in all irrigation systems and water saving sink faucets.

POLICY 4.4

The Town shall continue to implement any lawn watering restrictions enacted by the City of West Palm Beach or the South Florida Water Management District.

POLICY 4.5

The Town shall continue to implement and enforce watering restrictions and require new water sensing devices on new automatic irrigation systems.

OBJECTIVE 5

The Town shall coordinate with the City of West Palm Beach, as the Town's current potable water supplier, in the City's efforts to extend, or increase, the capacity of its potable water facilities to meet future needs and meet all federal, state, and county standards. The measurement of this objective is whether or not the Town coordinates with the City in its efforts, and the extent to which the following policies are implemented.

POLICY 5.1

Should the City of West Palm Beach remain the Town's potable water service provider past 2029, the Town shall work with representatives of the City on an annual basis to coordinate and assist the City in its efforts to establish priorities for replacement of, or corrections of, deficiencies to potable water quality, facilities, as well as provision for future potable water needs.

POLICY 5.2

The Town shall continue to support the City of West Palm Beach, as the Town's current potable water provider, with the implementation of the City's 10-Year Water Supply Facility Work Plan, created in 2010, amended in 2020 (incorporated and adopted herein by reference as Appendix "A"), that takes into account the 2018 Lower East Coast (LEC) Regional Water Supply Plan. The City of West Palm Beach shall send a letter to SFWMD with identified projects for future water supply needs of the service area. Projects must be selected from the LEC Regional Water Supply Plan or must have prior approval by SFWMD. The Town will coordinate with the City of West Palm Beach, in this regard. The Town shall address SFWMD's adoption of a new LEC Regional Water Supply Plan, and subsequent update to the City of West Palm Beach 10-Year Water Supply Facility Work Plan by updating the Town's 10-Year Water Supply Facility Work Plan.

OBJECTIVE 6

The Town shall protect, and maintain the potential for high recharge, prime recharge and surficial recharge areas within its municipal limits, thereby protecting the remaining natural functions of natural groundwater recharge areas. The measurement of this objective is the degree to which the following policies are implemented.

POLICY 6.1

The Town shall continue to enforce the land development regulations through Chapter 86 of its Code of Ordinances that requires any new development, on lands identified in its Comprehensive Plan as overlying a groundwater recharge area, shall run its stormwater over grassy areas prior to discharge into the Town's system.

POLICY 6.2

The Town shall continue to prohibit industry and the storage of hazardous materials.

POLICY 6.3

In the event that the Town utilizes the surficial aquifer as a water source in the future, the Town shall develop, prior to such uses, additional policies which will protect the aquifer from degradation.

POLICY 6.4

The Town shall continue to identify land uses in the aquifer recharge area as presently indicated on the Future Land Use Map.

POLICY 6.5

The Town shall protect high recharge and prime recharge areas commensurate with their significance to natural systems or status as current or future sources of potable water.

SANITARY SEWER SUB-ELEMENT

OBJECTIVE 7

The Town shall ensure that all existing and future residents, and businesses in the Town, will have access to sanitary sewer facilities and optimize the use of existing collection and treatment facilities. The measurement of this objective is whether or not sanitary sewer facilities are available to all users, and the extent to which the following policies are implemented.

POLICY 7.1

The Town shall rehabilitate or replace its sanitary sewer collection lines, as necessary, to reduce infiltration. The Town's goal is to reduce flows by one-half percent per year through the planning period.

POLICY 7.2

The Town shall implement a Capital Improvement Program that includes the proactive maintenance of sewer lift stations while maintaining the collection system to the lift stations. A lift station facilities assessment was completed in 2016. A new assessment was completed in 2024. This assessment shall be integrated into the Capital Improvement Program and the Lucity program to track life cycle maintenance.

POLICY 7.3

The Town shall, through its concurrency management system on an annual basis, continue to discuss the Town's LOS with the East Central Water Reclamation Regional Facility (ECRWF) managers and request confirmation of available capacity.

OBJECTIVE 8

The Town shall continue to issue development orders and permits for new development or redevelopment only if sanitary sewer facilities, necessary to meet the Town's adopted level of service standards, are available concurrent with the impact of the development.

POLICY 8.1

The Town's level of service for sanitary sewer collection and treatment shall be the same as that established in the City of West Palm Beach's Comprehensive Plan:

**Wastewater Collection
Development Type**

Avg. Daily Water Flow

Single Family	350 gpd/DU
Multifamily	250 gpd/DU
Commercial	0.20 gpd/SF
Industrial	0.15 gpd/Sf
Hotel	100 gpd/room

DU=dwelling unit
SF=Square feet

gpd=gallons per day

**Pumping Station
Peaking Factor**

Avg. Daily Flow (MGD)

3.5	0.01 to 0.05
3.0	0.05 to 0.25
2.5	0.25 to 2.0
2.0	>2.0

Peaking factors for other facilities shall be determined using historical flow records.

POLICY 8.2

The Town shall, prior to the issuance of a development order or permit, make and record a determination that the ECRWRF retains capacity to treat, and the Town's facilities are adequate to collect and transport, or, that the development order or permit is specifically conditioned on the availability of the necessary facilities and services, and that said facilities are authorized at the time the project is authorized.

OBJECTIVE 9

The Town shall coordinate with the ECRWRF Board in the City of West Palm Beach's efforts to extend, or increase, the capacity of its sanitary sewer treatment facilities to meet future needs. The measurement of this objective is whether or not the Town coordinates with the City in its efforts, and the extent to which the following policy is implemented.

POLICY 9.1

A representative of the Town shall meet with representatives of the ECRWRF, upon request, to coordinate and assist the City in its efforts to establish priorities for the replacement of, or corrections of deficiencies to, sanitary sewer treatment facilities, as well as provision for future sanitary sewer treatment needs.

SOLID WASTE SUB-ELEMENT

OBJECTIVE 10

The Town shall maximize the utilization of its capital facilities, and work with the Palm Beach County Solid Waste Authority (SWA) to maximize utilization of its new resource recovery facility. The measurement of this objective is the extent to which the following policy is implemented.

POLICY 10.1

The Town shall, prior to any development of the Pinewalk area and loss of use of the Pinewalk Transfer Station, locate a mainland or on-island site for a replacement transfer station, increase the size of its packer fleet, or explore possible purchase or other alternatives for continued use of the transfer station with officials at Flagler Systems, Inc.

OBJECTIVE 11

The Town shall issue development orders and permits for new development or redevelopment only if the Solid Waste Authority's disposal facilities, necessary to meet the Town's adopted Level of Service standards, are available concurrent with the impact of the development.

POLICY 11.1

The Town's level of service for garbage collection and disposal shall be 2.55 tons per year.

POLICY 11.2

The Town shall coordinate with the SWA, upon request, to assist in its efforts to establish priorities for the replacement of, or corrections of deficiencies to, solid waste disposal facilities, as well as provision for future solid waste disposal needs.

EXECUTIVE SUMMARY

The purpose of the Capital Improvement Element is to evaluate the need for public facilities, as identified in the Infrastructure Element, and to estimate the cost, and fiscal capability to finance and ability to construct such improvements.

The Capital Improvement Element commences in Fiscal Year 2024. The purpose of the Element is to present the generalized needs and funding of the major capital projects outlined for the next five years.

Local practices to guide the timing and location of capital improvement projects weigh needs against projected revenue sources, including the availability of grants. The Town prepares a rolling five-year Capital Improvement Project Plan that is presented to the Town Council every budget cycle. Some of the considerations for projects in the five-year plan are as follows:

- Public health, safety, and welfare benefits of the facility
- Degree of public benefit
- Maintenance of established levels of service, including prevention of future capital costs
- Critical nature of facility needs
- Financial feasibility
- Overall distribution of projects between facility types and geographical location
- Quality of life and timing issues – balancing public improvement needs with general welfare and inconvenience

STATE REQUIREMENTS FOR THE CAPITAL IMPROVEMENT ELEMENT

Per §163.3164(7), Fla. Stat., “Capital improvement” means physical assets constructed or purchased to provide, improve, or replace a public facility and which are typically large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multiyear financing. For this part, physical assets that have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

According to § 163.3177(3)(a), Fla. Stat., comprehensive plans are required to contain a Capital Improvement Element that is designed to consider the need and location of public facilities. The Capital Improvement Element should be designed to encourage the efficient use of public facilities and contain the following:

- A component that outlines principles for construction, extension, or increase in capacity of public facilities, and principles for correcting existing public facility deficiencies that are necessary to implement the comprehensive plan. The components must cover at least a five (5)-year planning period.

- Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.
- Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.

A Schedule of Capital Improvements (SCI) is a schedule of approved projects and equipment to be built or purchased by the local government during a specified multi-year period. Those projects that are necessary to achieve the adopted level-of-service standards for the five (5)-year period must be identified as either funded or unfunded and given a level of priority for funding. The SCI related to transportation planning must address transportation improvements included in the applicable Metropolitan Planning Organization's Transportation Improvement Program adopted under §§339.175(7) and (8), Fla. Stat., to the extent that such improvements are relied upon to ensure concurrency and financial feasibility.

Where applicable, the Capital Improvement Plan shall also include a list of projects necessary to achieve the pollutant load reductions attributable to the local government, as established in a basin management action plan regarding total maximum daily loads for watersheds and basins tributary to the waterbody, pursuant to §403.067(7), Fla. Stat. Lastly, the Capital Improvement Element must be reviewed by the local government on an annual basis. Modifications to update the five (5)-year capital improvement schedule may be accomplished by ordinance and do not require amendments to the local comprehensive plan.

TOWN OF PALM BEACH CAPITAL IMPROVEMENT ELEMENT

In the Town of Palm Beach, the primary purpose of the Capital Improvement Element is the assessment of the need for public facilities and the cost estimation of the improvements for which the Town of Palm Beach has fiscal responsibility. The Capital Improvement Element demonstrates the Town's fiscal capability to finance and construct such improvements. Additionally, the Capital Improvement Element provides financial policies to guide funding and construction of capital improvements when required, based on needs identified in the other Comprehensive Plan Elements, primarily the Infrastructure Element.

The Capital Improvement Element of the Plan has been developed based on the following:

1. Public facility needs identified in other Plan Elements.
2. Identification and analysis of revenue sources and funding mechanisms available for capital improvement financing.
3. Analysis of local practices guiding the timing and location, extension, or increase in capacity of local public facilities.
4. Analysis of the general fiscal implications of current deficiencies and future needs for each type of public facility.
5. Analysis of the costs of capital improvements for mitigation of existing deficiencies, replacement, and new growth needs.
6. Analysis of the impact of new or improved public educational and health care systems and facilities on provision of infrastructure.

7. Analysis of the timing and location of capital improvements to public facilities to support efficient land development and the goals, objectives, and policies in the Future Land Use Element.
8. An assessment of the Town's ability to finance capital improvements based on anticipated population and revenues.
9. Analysis of quality of life and timing issues to balance public improvement needs with general welfare and inconvenience.

The budgeting for the subject Capital Improvements Element commenced in Fiscal Year 2023 2024 and identifies potential projects by year for a rolling five year period, beginning in 2024 and ending in 2028 2029. The Capital Improvement Element presents a generalized needs analysis and funding mechanism for the list of capital projects. A capital project is a multi-year, large-budget effort that aims to improve existing infrastructure, create new infrastructure, or make some other large change or improvement to public land, property, or equipment.

The Town defines a capital expenditure as the cost(s) associated with the acquisition of land, improvements to land, buildings, vehicles, machinery, equipment, works of art, infrastructure, and other tangible or intangible assets that are used in operations and that have an initial useful life extending beyond a single reporting period, as illustrated in the graphic below.

Capital Expenditures
Town of Palm Beach

CAPITAL EXPENDITURES

The Town of Palm Beach defines a "capital expenditure as the cost(s) associated with the acquisition of land, improvements to land, buildings, vehicles, machinery, equipment, works of art, infrastructure and other tangible or intangible assets that are used in operations and that have an initial useful life extending beyond a single reporting period. Capital expenditures with the following minimum dollar threshold are recognized as depreciable as recommended by GFOA Best Practices:

- Infrastructure - \$50,000
- Computer Software - \$25,000
- Machinery, equipment, vehicles and office furniture - \$5,000
- Computers - \$3,000

Exhibit 11-1 FY 2023 Capital Expenditures

The Five-Year programming period has been chosen to correspond to the requirements in Chapter 163, Florida Statutes. The long-term needs have also generally been identified to allow a database for future programs. The program is revised annually considering local conditions and past accomplishments.

Local practices to guide the timing and location of capital improvement projects weigh needs against projected revenue sources, including the availability of grants. The Town does not have

a formalized procedure for prioritizing capital improvements. However, it does use the following set of considerations in balancing project needs with available funds.

- Public health, safety, and welfare benefits of the facility.
- Degree of public benefit.
- Maintenance of established levels of service, including prevention of future capital costs.
- The critical nature of facility needs.
- Financial feasibility.
- Overall distribution of projects between facility types and geographical locations.
- Quality of life and timing issues to balance public improvement needs with general welfare and inconvenience.

This informal process has proven very effective for the Town which, due to the limited size that the Town is built out, and has instituted the Lucity software, the Town is able to monitor public facilities and services.

SUMMARY OF BUDGETED CAPITAL ITEMS

The Town's proposed Schedule of Capital Improvements (SCI) reflects the needs identified in the various Elements of the Comprehensive Plan as well as other capital needs identified by the Town. The Town also has no level of service deficiencies. Due to the limited anticipated growth in the Town over the next five to 10 years (as shown in the population projections found in the Future Land Use Element), most of the existing infrastructure can continue to support the needs of the Town's residents. Many of the projects identified in the SCI are those needed for maintenance of the infrastructure to further ensure that the adopted LOS standards are met or exceeded, and the Town is taking a pro-active approach to address these matters rather than waiting until the infrastructure maintenance becomes critical. Other activities that will be undertaken within the next five years are not listed as they are subject to funding from other sources (such as the Florida Department of Transportation) or due to their costs not qualifying as capital expenditures.

Table 11-1 displays the infrastructure capital projects proposed for Fiscal Year 2024.

Table 11-1
Pay-as-you-go Capital Improvement Plan
FY2024 Budget

Item #	Location	Accumulated Project Budget through FY23	FY2023 Available Balance as of 6/9/23	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024- 2028 Total
Pavement Management									
	Town-Wide Paving Program	\$ 6,325,524	\$ 1,699,101		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 4,000,000
	N County Rd Improvements		\$ 1,600,000						\$ -
	Interconnect Traffic Signals	\$ 1,500,000	\$ 1,435,628						\$ -
	Crosswalk Improvements	\$ 1,000,000	\$ 973,852						\$ -
	Town-wide Sidewalk and Curb				\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,200,000
	Mast Arm Replacements	\$ 116,155	\$ 8,164			\$ 600,000	\$ 600,000		\$ 1,200,000
	Total Pavement Management	\$ 8,941,679	\$ 5,716,745	\$ -	\$ 1,300,000	\$ 1,900,000	\$ 1,900,000	\$ 1,300,000	\$ 6,400,000
Drainage System									
1	D-2 Palmo Way	\$ 396,370	\$ 350,000			\$ 200,000	\$ 1,000,000		\$ 1,200,000
2	D-3 Tangier Avenue			\$ 200,000	\$ 1,400,000				\$ 1,600,000
3	D-6 Royal Palm Way					\$ 140,000			\$ 140,000
4	D-7 Australian Avenue	\$ 20,000	\$ -				\$ 140,000		\$ 140,000
5	D-8 Country Club Road	\$ 1,675,680	\$ 1,657,000						\$ -
6	D-12 Everglade Avenue	\$ 1,000,000	\$ 973,852						\$ -
7	D-14 Four Arts						125,000		\$ 125,000
8	D-17 Clarendon Avenue			125,000					\$ 600,000
9	D-18 El Brillo Way	\$ -	\$ -						\$ -
10	Stormwater Pumpstation Condition Assessment	\$ 100,000	\$ 97,000						\$ -
11	Resiliency Implementation					100,000	\$ 100,000	\$ 100,000	\$ 400,000
12	Seagrass Surveys - Stormwater	\$ 20,000	\$ 19,000						\$ -
13	Stormwater Pump/R&R	\$ 25,000	\$ 24,000			25,000	\$ 25,000	\$ 25,000	\$ 125,000
14	Minor Drainage Improvements	\$ 68,096	\$ 65,000			50,000	\$ 50,000	\$ 50,000	\$ 200,000
	Total Drainage System	\$ 5,549,386	\$ 5,086,852	\$ -	\$ 515,000	\$ 1,440,000	\$ 175,000	\$ 4,530,000	
Sanitary Sewer System									
1	A-4 The Breakers	\$ 912,000	\$ 880,000						\$ -
2	A-5 Royal Poinciana Way (S of S-2)								\$ 2,000,000
3	A-6 Royal Palm Way/Intracoastal								\$ -
4	A-7 Island Road/S County Road	\$ 484,570	\$ 460,000						\$ -
5	A-39 Phipps Park	\$ 847,000	\$ 810,000						\$ 1,100,000
6	A-41 Palm Beach Par 3 Golf Course								\$ -
7	A-42 Bellaria Condominium	\$ -	\$ -						\$ 560,000
8	A-43 Atriums of Palm Beach	\$ -	\$ -						\$ 550,000
9	E-1 Mediterranean Road								\$ -
10	E-2 Mockingbird Trail								\$ -
11	E-3 Garden Road (trail)								\$ -
12	E-5 Country Club Drive	\$ 1,400,715	\$ 1,360,111						\$ -
13	E-6 Tangier Avenue	\$ 2,277,063	\$ 2,215,996						\$ -
14	E-11 El Vado Way					\$ 120,000			\$ 120,000
15	S-2 Royal Poinciana Way (N of A-5)	\$ 50,000	\$ 16,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
16	Ejector Stations - 21 in Total			\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
17	Landfill Implementation	\$ 4,505,508	\$ 1,999,848						\$ -
18	Wastewater Pumpstation Condition Assessment	\$ 180,000	\$ 170,000						\$ -
19	Resiliency Implementation				\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 400,000
20	Wastewater Pump/R&R			\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000
21	Sanitary Sewer Air Release Valve R&R	\$ 84,162	\$ 84,162	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
	Total Sanitary Sewer System	\$ 10,911,136	\$ 3,799,913	\$ 1,235,000	\$ 2,795,000	\$ 905,000	\$ 235,000	\$ 235,000	\$ 5,405,000

Pay-as-you-go Capital Improvement Plan (continued)

FY2024 Budget

Item #	Location	Accumulated Project Budget through FY23	FY2023 Available Balance as of 6/9/23	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024- 2028 Total
Town Facilities									
1	Bradley Park Restrooms & Tea House							\$ 18,958	\$ 18,958
2	Central Fire Station / EOC	\$ 149,000	\$ 64,206	\$ 209,592	\$ 132,376	\$ 270,416	\$ 280,059	\$ 892,443	
3	Maintenance Shop			\$ 10,207	\$ 91,586	\$ 42,322	\$ 94,743	\$ 238,858	
4	Mid-Town Lifeguard Station and Restrooms			\$ 5,103	\$ 29,626	\$ 2,581	\$ 32,446	\$ 69,756	
5	Phipps Ocean Park Restrooms				\$ 4,897	\$ 5,161	\$ 6,334	\$ 16,392	
6	Phipps Ocean Park Tennis Center			\$ 22,976	\$ 6,674	\$ 18,393	\$ 6,228	\$ 54,271	
7	Pinewalk Transfer Station						\$ 11,965	\$ 11,965	
8	Police Department	\$ 170,000	\$ 158,900	\$ 1,247,310	\$ 107,977	\$ 261,138	\$ 172,037	\$ 1,788,462	
9	Public Works Facility	\$ 323,766	\$ 50,306	\$ 326,579	\$ 761,648	\$ 261,251	\$ 1,876,198		
10	Skees Road Storage				\$ 25,073		\$ 25,073		
11	South Fire Station				\$ 924,541	\$ 359,403	\$ 1,754,131		
12	Town Hall				\$ 228,668	\$ 255,755	\$ 1,478,703		
13	Security Access Upgrades							\$ -	
14	Royal/Polindana Way Median							\$ -	
15	Phipps Ocean Park Improvements							\$ -	
16	Phipps Ocean Park Lifeguard Building							\$ -	
17	North Fire Station	\$ 6,100,000						\$ 11,208,604	
18	Midtown Beach Linear Park	\$ 470,000			\$ 4,500,000			\$ 4,500,000	
19	Phipps Park Tennis Resurface and Fence Replacement							\$ 350,000	
20	Mandel Rec Center exterior Paint/Seal				\$ 100,000			\$ 100,000	
21	Sports Field Renovation					\$ 250,000		\$ 250,000	
22	Royal/Palm Fence Replacement/Landscaping					\$ 100,000		\$ 100,000	
Total Town Facilities		\$ 8,138,166			\$ 5,657,597	\$ 2,889,941	\$ 1,499,179	\$ 24,733,814	
Solid Waste/Vegetation Disposal									
1	Skees / Okeechobee Landfill	\$						\$ 200,000	
Total Solid Waste/Vegetation Disposal		\$						\$ 200,000	
General Engineering Services				\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 600,000	
CIP Expenditures - Subtotal				\$ 13,143,604	\$ 6,464,941	\$ 3,209,179	\$ 41,268,814		
Town Wide Undergrounding Transfer - Sales Tax			\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 2,500,000	
Water Main Improvements			\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000	
Expenditures/Encumbrances to date		\$ 18,783,160						\$ -	
Phipps Ocean Park Project			\$ 1,000,000					\$ 1,000,000	
Designated Reserves/Contingency			\$ 328,590	\$ 473,675	\$ 448,880	\$ 323,247	\$ 160,459	\$ 1,734,851	
CIP Expenditures		\$ 32,541,530	\$ 15,972,194	\$ 11,447,168	\$ 10,926,477	\$ 8,288,188	\$ 4,869,638	\$ 51,503,665	
REVENUES									
General Fund Transfer		\$ 9,371,020	\$ 10,308,122	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 50,308,122	
Transfer from Building Fund		\$ 688,049						\$ -	
Transfer from Debt Service Fund			\$ 1,000,000					\$ 1,000,000	
Water Main Improvements		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000	
Donations		\$ 289,095	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Interest		\$ 1,175,000	\$ 500,000	\$ 150,000	\$ 100,000	\$ 70,000	\$ 70,000	\$ 890,000	
1 Cent Sales Tax		\$ 700,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 2,500,000	
Capital Improvement Program Revenues		\$ 13,223,164	\$ 13,308,122	\$ 11,650,000	\$ 11,600,000	\$ 11,570,000	\$ 11,570,000	\$ 59,698,122	

Pay-as-you-go Capital Improvement Plan (continued)

FY 2024 Budget

Item #	Location	Accumulated Project Budget through FY23	FY2024 Available Balance as of 6/9/23	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024-2028 Total
	Surplus/(Deficit)		\$ (19,318,364)	202,832	\$ 673,523	\$ 3,281,812	\$ 6,700,362	\$ 8,194,457
	Beginning Reserve Balance		\$ 22,301,728	318,929	\$ 521,761	\$ 1,195,284	\$ 4,477,096	
	Ending Reserve Balance		\$ 2,983,364	318,929	\$ 521,761	\$ 1,195,284	\$ 4,477,096	\$ 11,177,458

Additionally, the Pay-As-You-Go Capital Improvement Plan Fiscal Year 2024–2025 Budget provides for short-term budgeting and five-year budget items that focus on pavement management, drainage and sanitary sewer system improvements, and Town facilities.

Regarding the budget for Coastal Management, it is consistent with the funding outlook included within the Fiscal Year 2023 2024 Budget, and as indicated in the 2015 updated Town Council Adopted Budget 10-year plan. Beach Nourishment at Phipps Ocean Park in Reach 7 and Dune Restoration in Reaches 7 and 8 are pushed out to Fiscal Year 2025. Mid-Town Seawall Replacement is scheduled for Fiscal Year 2027. ~~Expected Fiscal Year 2024 projects include conducting a sand search to identify suitable sand resources to further support future nourishment projects under the Beach Management Agreement. Other notable items within the Fiscal Year 2024 proposed budget include appropriations coastal resiliency, water level monitoring, as well as regulatory required physical, biological, and sea turtle nesting monitoring.~~

Enterprise Funds

The Town manages three Enterprise Funds: the Town Marina, Par 3, and the Building Enterprise Fund. An enterprise fund is a separate accounting and financial reporting mechanism for which revenues and expenditures are segregated into a fund with financial statements separate from all other governmental activities. An enterprise fund identifies the total direct and indirect costs to provide the service and the sources and amounts of revenues that support the service for which a fee is charged in exchange for service. Direct costs generally consist of personnel services, operational expenses, and capital outlay, which are budgeted and accounted for in the enterprise fund. Indirect costs are expenditures budgeted and accounted for in the general fund on behalf of the enterprise fund, which are allocated to the enterprise fund for funding.

Marina Enterprise Fund

The Town Marina reopened after an extensive \$36 million renovation in Fall 2021. It is designed to fit in with the desirable, historic Palm Beach community, with coveted berths ranging in size from 60'-294' for residents and visitors alike. The Marina's location near both the island's fashionable Worth Avenue shopping district and the commercial downtown of West Palm Beach, makes it a perfect boater's destination. The 84-slips are leased annually, monthly or daily. The marina property offers a variety of amenities, that include three dock buildings, electrical service panels for all vessels, freshwater, Wi-Fi, Captain's lounge and showers, sewage pump-out systems, and seven day a week security with surveillance cameras. The Dockmaster is responsible

for daily operations, supervision of employees (Town and contractual), slip assignments, safety, and revenue collection in accordance with established policies, with assistance from the Assistant Dockmaster, Administrative Assistant and Dock Attendants and Dock Hands. A Marina Maintenance worker provides routine maintenance services and in-house repairs.

Fiscal Year 2023 for the Marina Enterprise Fund ~~has been~~ **was** a very successful year, due in part to improvements in branding, marketing, and financial planning. Through May, revenues are at 89.2% of budget estimates. The Fiscal Year 2025 revenue budget is projected to be 27% or \$3,352,800 ~~higher than Fiscal Year 23 budget~~. The expenditure budget has an increase of 24.4%, \$712,376 due to increases in the submerged land lease, which is based on revenues, increases in salaries, employee benefits and electricity.

Table 11.1
Marina Budget Forecast
Plan FY24 - FY34

Marina Income	FY2024 Proposed	FY2025 Proposed	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
Annual/Seasonal Lease Revenue	13,262,000	9,850,000	10,145,500	10,449,865	10,763,361	11,086,262	11,418,850	11,761,415	12,114,258	12,477,685	12,852,016
Transient Rental	1,750,000	3,670,000	3,780,100	3,893,503	4,010,308	4,130,617	4,254,536	4,382,172	4,513,637	4,649,046	4,788,518
Sub-Total Dockage revenues	15,012,000	13,520,000	13,925,600	14,343,368	14,773,669	15,216,879	15,673,385	16,143,587	16,627,895	17,126,732	17,640,533
Utility Reimbursement	650,000	650,000	663,000	676,260	689,785	703,581	717,653	732,006	746,646	761,579	776,810
Investment Income	250,000	250,000	261,053	428,502	486,596	585,856	695,823	811,151	932,147	1,058,880	1,191,725
Merchandise	20,000	20,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	20,000
TOTAL REVENUE	15,932,000	14,440,000	14,859,653	15,458,130	15,960,050	16,516,316	17,096,861	17,696,744	18,316,687	18,957,190	19,629,069
Marina Expenses											
Salaries and Wages	456,924	483,313	502,646	522,751	543,661	565,408	588,024	611,545	636,007	661,447	687,905
Employee Benefits	206,490	238,284	277,966	286,701	295,812	305,318	315,236	325,586	336,388	347,663	359,432
Contractual Costs	2,914,704	2,698,859	3,014,536	3,102,819	3,194,100	3,288,508	3,386,173	3,487,237	3,591,849	3,700,168	3,812,365
Commodities	53,700	53,700	55,601	57,574	59,620	61,745	63,950	66,238	68,614	71,080	73,641
Total Marina Operating Expenses	3,631,818	3,474,156	3,850,749	3,969,845	4,093,193	4,220,979	4,353,383	4,490,606	4,632,858	4,780,358	4,933,343
FTE Count	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550
Net Income from Operations	12,300,182	10,965,844	11,008,904	11,488,285	11,866,856	12,295,337	12,743,478	13,206,137	13,683,829	14,176,832	14,695,726
Other Non Operating Expenses											
Capital Expense	81,725	48,125	250,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Debt Service	1,992,463	1,996,244	1,996,244	1,999,238	1,996,500	1,998,031	2,003,719	2,003,563	2,007,563	2,005,719	2,008,031
Depreciation Reserve	1,723,069	1,718,888	1,776,009	1,776,009	1,776,009	1,776,009	1,776,009	1,776,009	1,776,009	1,776,009	1,776,009
Contingency	185,883	173,708	192,537	198,492	204,660	211,049	217,669	224,530	231,643	239,018	246,667
Maintenance and Improvement Reserve 1% of Revenue	156,820	141,900	145,986	150,296	154,735	159,305	164,010	168,856	173,845	178,983	184,373
Transfer to General Fund for Cost Allocation	1,096,000	1,109,000	1,142,270	1,176,538	1,211,834	1,248,189	1,285,635	1,324,204	1,363,930	1,404,848	1,446,993
Transfer to TWUU Fund	4,100,000	5,500,000	5,500,000	6,000,000	-	-	-	-	-	-	-
Transfer to Capital Fund	-	-	-	-	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Marina Income	FY2024 Budget	FY2025 Proposed	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
Total Non Operating Expenses	9,331,668	10,687,865	11,003,046	11,350,574	7,893,737	7,942,583	7,997,042	8,047,162	8,102,990	8,154,577	5,712,074
Net Income Including all Operating and Non Operating Marina Expenses	2,968,514	277,979	5,858	137,711	3,973,119	4,352,755	4,746,435	5,158,975	5,580,838	6,022,255	8,983,652
Beginning Unrestricted Net Position	10,553,484	13,521,999	28,617,059	32,368,248	36,528,162	45,209,885	54,408,976	64,151,129	74,452,766	85,340,863	96,833,154
Ending Unrestricted Net Position	13,521,999	13,799,978	28,622,917	32,505,960	40,501,281	49,562,639	59,155,412	69,310,104	80,033,604	91,363,117	105,816,806
Depreciation Reserve Balance	10,246,325	11,965,213	13,741,222	15,517,231	17,293,240	19,069,249	20,845,258	22,621,267	24,397,276	26,173,285	27,949,294
Maintenance and Improvement Reserve	198,192	340,092	486,078	636,374	791,108	950,413	1,114,423	1,283,279	1,457,125	1,636,108	1,820,481
Total Reserves	23,966,515	26,105,282	42,850,217	48,659,564	58,585,629	69,582,301	81,115,093	93,214,650	105,888,005	119,172,510	135,586,581

Marina Budget Forecast for Business

Table 11-2-1
Marina Budget Forecast for Business
Plan FY23 - FY33

Marina Income	FY2023 Approved	FY2024 Proposed	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033
Annual/Seasonal Lease Revenue	11,000,000	13,262,000	13,659,860	14,069,656	14,491,745	14,926,498	15,374,293	15,835,522	16,310,587	16,799,905	17,303,902
Transient Rental	770,000	1,750,000	1,802,500	1,856,575	1,912,972	1,969,640	2,028,730	2,089,592	2,152,279	2,216,848	2,283,353
Sub-Total Dockage revenues	11,770,000	15,012,000	15,462,360	15,926,231	16,404,717	16,896,138	17,403,023	17,925,114	18,462,866	19,016,753	19,587,255
Tender revenue	5,000	-	-	-	-	-	-	-	-	-	-
Utility Reimbursement	687,700	650,000	663,000	676,000	689,000	703,581	717,653	732,006	746,646	761,579	776,810
Investment Income	50,000	250,000	396,500	543,000	690,000	837,500	985,000	1,132,500	1,280,000	1,427,500	1,575,000
Merchandise	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Waiting List Fee	40,000	-	-	-	-	-	-	-	-	-	-
Miscellaneous Revenue/Deposits	6,500	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUE	12,579,200	15,932,000	16,541,903	17,145,831	17,746,717	18,231,901	18,924,124	19,642,135	20,386,907	21,159,247	21,960,180
Marina Expenses											
Salaries and Wages	373,904	456,924	471,000	485,000	499,000	513,536	528,518	543,918	559,751	576,044	592,800
Employee Benefits	192,889	206,490	211,000	216,000	221,000	226,427	232,295	238,600	245,344	252,529	259,164
Contractual Costs	2,310,700	2,914,704	3,066,000	3,177,814	3,290,000	3,345,182	3,433,174	3,524,200	3,618,394	3,715,896	3,816,856
Commodities	42,200	53,700	55,311	56,970	58,679	60,440	62,253	64,121	66,044	68,026	70,066
Total Marina Operating Expenses	2,919,693	3,631,818	3,836,801	3,989,928	4,104,741	4,223,585	4,346,745	4,474,402	4,606,751	4,743,999	4,886,361
FTE Count	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550	4.550
Net Income from Operations	9,659,507	12,300,182	12,705,102	13,091,120	13,540,366	14,008,316	14,577,379	15,167,733	15,780,156	16,415,249	17,073,819

Par 3 Enterprise Fund

The Par 3 Enterprise Fund is associated with the Town's owned and operated public 18-hole golf course. A full-length driving range, putting green and a practice bunker are available. The site also features a two-story Key West style clubhouse with a fully stocked pro-shop on the first floor and the al Fresco Restaurant and Bar on the second level. **The Par 3 revenues are projected to increase over the end of year estimates during Fiscal Year 2025.**

The various Fiscal Year 2024 fee adjustments include strategic increases to green fees and passes which will capitalize on player demand for our unique facility. The Par 3 Golf Course anticipates an operating gross profit of \$1,181,179 prior to depreciation and other below-the-line expenses. The transfer to the reserves for the Golf Course and Clubhouse and the Equipment Replacement Fund total \$227,110. Additional deductions from the operating profit include transfers for debt service (\$188,207), contingency (\$142,022) and the general fund transfer (\$25,000). To date, for Fiscal Year 23, the Par 3 revenues are above estimates at 93.6% of budget and will end the year

over the budget estimates. The Par 3 should end the year with a surplus. The long-term financial plan forecast shows improvement to the net assets of the fund.

Table 11-3
Par 3 Golf Course Five Year Capital Improvement Plan
FY2024 Budget

Description	Location	FY2023 Carryover	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2024- 2028 Total
Expenditures								
Recreation								
Par 3 Golf Course								
Synthetic Tee Club for Range	Golf Course			22,000			28,000	\$ 50,000
Paint New/Old Clubhouse (Interior and Exterior)	Clubhouse	53,855		20,000	60,000			\$ 80,000
A/C Replacement	Clubhouse	60,000				90,000		\$ 90,000
Women's/Men's Restroom Refresh	Clubhouse							\$ -
Sealcoat/Stripe Parking Lot	Clubhouse					25,000		\$ 25,000
New Carpet in Proshop	Clubhouse							\$ 20,000
Mill/Resurface Parking Lot/repaint parking lot	Clubhouse							\$ -
Chairlift on Back Stairs	Clubhouse						150,000	\$ 175,000
Sox Erosion System Installed	Clubhouse							\$ 60,000
Roof replacement-Clubhouse/Maint Bldgs	Clubhouse							\$ -
expand parking lot, double parking	Golf Course							\$ -
Sod Replacement Improvement range	Golf Course			15,000	15,000	15,000	15,000	\$ 81,000
Concrete repair clubhouse and cart paths	Golf Course							\$ 120,000
Landscaping Improvements	Golf Course				20,000		20,000	\$ 60,000
Relevel 9 Tees/enhance	Golf Course				60,000		60,000	\$ 170,000
Rebuild/Enlarge Putting Green	Golf Course							\$ -
Renovate Old Clubhouse Restrooms	Golf Course		250,000					\$ 250,000
Irrigation Pump House Repairs	Golf Course		7,767		30,000			\$ 30,000
Renovate Irrigation System	Golf Course	4,250	40,000					\$ 40,000
Expand Maint. Building, Move Fuel Pumps, Redo Parking Configuration						2,750,000		\$ 2,750,000
Facilities Assessment - Storage Building								\$ -
Facilities Assessment - Par 3 Clubhouse	Clubhouse							\$ -
Facilities Assessment - Old Par 3 Clubhouse	Clubhouse							\$ -
Capital Improvement Program Expenditures		\$ 349,247	\$ 586,000	\$ 77,000	\$ 185,000	\$ 2,880,000	\$ 273,000	\$ 4,001,000
REVENUES								
Source								
M&I Reserve			\$ 586,000	\$ 77,000	\$ 185,000	\$ 2,880,000	\$ 273,000	\$ 4,001,000
Financing								\$ -
Reserves								\$ -
Interest								\$ -
Capital Improvement Program Revenues			\$ 586,000	\$ 77,000	\$ 185,000	\$ 2,880,000	\$ 273,000	\$ 4,001,000
NET COST								
(Surplus / (Deficit))								
Sub-Total - Net Cost			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Table 11.2

**Par 3 Golf Course Five Year Capital Improvement Plan
FY2025 Budget**

Description	Location	FY2024 Carryover	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2029 Estimated	FY2025- 2029 Total
Expenditures								
Recreation								
Par 3 Golf Course								
Synthetic Turf Replacement	Golf Course		30,000			25,000	\$	55,000
Paint New/Old Clubhouse (Exterior)	Clubhouse			40,000			45,000	\$ 85,000
Paint Interior and Replace Wallpaper			30,000				35,000	\$ 65,000
Add or Replace Exterior Cameras			42,000				50,000	\$ 92,000
AC Replacements (Multiple Units)	Clubhouse				40,000	40,000		\$ 80,000
Sealcoat/Stripe Parking Lot	Clubhouse				25,000			\$ 25,000
Replace all Parking Lot Lights			60,000					\$ 60,000
New Carpet in Proshop	Clubhouse		15,000					\$ 15,000
Chairlift on Back Stairs	Clubhouse	15,615						\$ -
Sox Erosion System installed	Clubhouse	60,000						\$ -
Replace Skid Steer Pump Station	Clubhouse		30,000					\$ 30,000
Expand/Resurface Parking Lot	Golf Course	20,464						\$ -
Resod Driving Range	Golf Course	21,000						\$ -
Concrete repair clubhouse and cart paths	Golf Course	120,000		25,000				\$ 25,000
Landscaping Improvements	Golf Course	20,000						\$ -
Relevel 9 Tees/enhance	Golf Course	50,000		60,000		60,000		\$ 120,000
Renovate Old Clubhouse Restrooms	Golf Course	250,000						\$ -
Renovate Irrigation System	Golf Course	40,000						\$ -
Expand Maint. Building, Move Fuel Pumps, Redo Parking Configuration					2,750,000			\$ 2,750,000
Facilities Assessment - Storage Building								\$ -
Facilities Assessment - Par 3 Clubhouse	Clubhouse							\$ -
Facilities Assessment - Old Par 3 Clubhouse	Clubhouse							\$ -
Capital Improvement Program Expenditures		\$ 597,079	\$ 207,000	\$ 125,000	\$ 2,815,000	\$ 125,000	\$ 130,000	\$ 3,402,000
REVENUES								
Source								
M&I Reserve			\$ 207,000	\$ 125,000	\$ 2,815,000	\$ 125,000	\$ 130,000	\$ 3,402,000
Financing								\$ -
Reserves								\$ -
Interest								\$ -
Capital Improvement Program Revenues			\$ 207,000	\$ 125,000	\$ 2,815,000	\$ 125,000	\$ 130,000	\$ 3,402,000
NET COST								
(Surplus / (Deficit))								
Sub-Total - Net Cost			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Building Enterprise Fund

Building Enterprise Fund was created in Fiscal Year 2021 to account for all building permit revenue and expenses and allow for greater transparency as required by the State of Florida. During Fiscal Year 2020, a cost allocation study was performed to confirm the appropriate permit fee multiplier to stay consistent with Florida Statutes and to provide the basis for implementing reduced permit fees for owners and contractors that choose to use private providers on their construction projects. Fiscal Year 2023 revenues are expected to be higher than the budget and will provide for a higher surplus than anticipated. Total revenues for Fiscal Year 2024 are conservatively estimated to be \$10,009,500 and total operating expenses are \$11,173,552, which includes a transfer to the General Fund of \$6,627,997, which is for the allocated costs that the General Fund provides to the building permit process. Building permit-related revenues have increased by \$53,215 due to the anticipated stabilization of building activity. After depreciation of \$86,897 and a 5% operating expense contingency of \$217,708, there is a projected reduction in reserves of \$1,468,657.

The Building Enterprise Fund identifies, recommends, and implements the vision of the community, as expressed through the policies of the Town Council, relative to the development, redevelopment, and use of real property, to ensure the beauty, quality of life, and character of the Town, and the health, safety, and welfare of our residents, businesses, and visitors, while providing the highest quality of service to our customers.

The Capital Improvement Fund of the Town's Annual Budget includes accomplishments as well as summary schedules that reflect each project with carry-over funds from prior years that will be utilized at some point in the future for a designated purpose. The Town accounts for Capital Funds as described below:

Capital Improvement Program (Pay-as-you-go)

While the Capital Improvement Program encompasses a five year period, only the first year of the Program is adopted each year by the Town Council for funding and implementation. The out years of the Program provide appropriate financial information for prudent budget and planning recommendations and assist the Town's Elected Officials and Management Staff in the decision making process.

Table 11.3

**Pay-as-you-go Capital Improvement Plan
FY2025 Budget**

Item #	Location	Accumulated Project Budget through FY24	FY2024 Available Balance as of 8/23/24	FY2025 Budget	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2029 Estimated	FY2025- 2029 Total
Pavement Management									
	Town-Wide Paving Program	\$ 6,325,524	\$ 14,836	\$ 4,000,000	\$ 4,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 23,000,000
	Canopy Drainage (N. County Rd)	\$ 0	\$ 0	\$ 2,600,000	\$ 1,400,000				\$ 4,000,000
	Crosswalk Improvements	\$ 1,000,000	\$ 825,069						\$ -
	Town-wide Sidewalk and Curb				\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,200,000
	Mast Arm Replacements	\$ 116,155	\$ 27,564		\$ 1,000,000	\$ 1,000,000			\$ 2,000,000
	PHB Flashing Beacon @ Breakers/Via Bethesda								\$ -
	Ibis Way & Island Rd Bridges				\$ 200,000	\$ 1,800,000	\$ 150,000	\$ 1,500,000	\$ 3,650,000
	Total Pavement Management	\$ 7,441,679	\$ 867,469	\$ 6,600,000	\$ 6,900,000	\$ 8,100,000	\$ 5,450,000	\$ 6,800,000	\$ 33,850,000
Drainage System									
1	D-2 Palmo Way	\$ 396,370	\$ 111,371			\$ 450,000	\$ 5,000,000	\$ 5,000,000	\$ 10,450,000
2	D-3 Tangler Avenue	\$ 200,000	\$ 139,900		\$ 300,000		\$ 590,000	\$ 4,500,000	\$ 5,390,000
3	D-8 Country Club Road	\$ 1,675,693						\$ 1,215,000	\$ 1,215,000
4	D-12 Everglade Avenue	\$ 1,345,832	\$ 27,751						\$ -
5	D-17 Clarendon Avenue	\$ 179,786	\$ 125,000	\$ 6,750,000					\$ 6,750,000
6	Stormwater Pumpstation Condition Assessment	\$ 100,000						\$ 120,000	\$ 120,000
7	Resiliency Implementation				\$ 100,000		\$ 100,000		\$ 200,000
8	Seagrass Surveys - Stormwater	\$ 20,000	\$ 5,089						\$ -
9	Stormwater Pump/R&R	\$ 200,778	\$ 4,897	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 625,000
10	Minor Drainage Improvements	\$ 350,000	\$ 143,698	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
11	Structural Upgrades				\$ 100,000	\$ 700,000	\$ 330,000	\$ 60,000	\$ 1,190,000
12	Fuel System Upgrades				\$ 80,000	\$ 500,000			\$ 580,000
13	Wet Well Light Upgrades				\$ 70,000	\$ 430,000			\$ 500,000
14	Pump Can Rehabilitation/ Replacement			\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 2,000,000
	Total Drainage System	\$ 4,468,449	\$ 557,706	\$ 7,325,000	\$ 1,225,000	\$ 2,655,000	\$ 6,595,000	\$ 11,470,000	\$ 29,270,000
Sanitary Sewer System									
1	A-4 The Breakers	\$ 912,000	\$ 180,650						\$ -
2	A-5 Royal Poinciana Way (S of S-2)			\$ 2,500,000					\$ 2,500,000
3	A-6 Royal Palm Way/Intracoastal	\$ 2,490,802	\$ 36,134						\$ -
4	A-39 Phipps Park	\$ 1,847,250	\$ 1,453,992	\$ 298,000					\$ 298,000
5	A-41 Palm Beach Par 3 Golf Course					\$ 140,000	\$ 3,113,200		\$ 3,253,200
6	A-42 Bellaria Condominium	\$ 80,000	\$ 80,000		\$ 120,000	\$ 3,307,500			\$ 3,427,500
7	A-43 Atriums of Palm Beach	\$ 90,000	\$ 90,000	\$ 130,000	\$ 3,239,400				\$ 3,369,400
8	E-3 Garden Road (trail)							\$ 796,900	\$ 796,900
9	E-5 Country Club Drive	\$ 1,400,715	\$ 370,731						\$ -
10	E-6 Tangler Avenue	\$ 2,277,063	\$ 446,144						\$ -
11	E-7 North Lake Way (Next to D-4)			\$ 173,000	\$ 691,400				\$ 864,400
12	E-11 El Vedado Way				\$ 120,000			\$ 1,162,500	\$ 1,282,500
13	E-13 Clarendon Ave (Ejector Station)			\$ 350,000					\$ 350,000
14	E-19 Mar a Lago				\$ 190,000	\$ 740,000			\$ 930,000
15	S-2 Royal Poinciana Way (N of A-5)	\$ 100,000	\$ 71,262	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
16	Ejector Stations - 21 in Total		\$ 10,041	\$ 100,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 8,100,000
17	Land I Implementation	\$ 2,851,508	\$ 96,121	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000
18	Wastewater Pumpstation Condition Assessment	\$ 180,000	\$ 4,900						\$ -

Pay-as-you-go Capital Improvement Plan (continued)
FY2025 Budget

Item #	Location	Accumulated Project Budget through FY24	FY2024 Available Balance as of 8/23/24	FY2025 Budget	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2029 Estimated	FY2025- 2029 Total
19	Resiliency Implementation			\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000
20	Wastewater Pump/R&R	\$ 110,000	\$ -	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000
21	Sanitary Sewer Air Release Valve R&R	\$ 100,000	\$ 60,957	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 50,000
Total Sanitary Sewer System		\$ 12,439,338	\$ 2,900,932	\$ 3,936,000	\$ 6,745,800	\$ 6,572,500	\$ 5,498,200	\$ 4,344,400	\$ 27,096,900
Town Facilities									
1	Bradley Park Restrooms & Tea House							\$ 20,000	\$ 20,000
2	Central Fire Station / EOC	\$ 149,000	\$ 42,162		\$ 200,000			\$ 500,000	\$ 700,000
3	Phipps Ocean Park Lifeguard Building	\$ 150,000	\$ 56,972						\$ -
4	Pinewalk Transfer Station			\$ 35,000					\$ 35,000
5	Police Department	\$ 410,000	\$ 28,480		\$ 1,500,000		\$ 300,000	\$ 150,000	\$ 1,950,000
6	Public Works Facility	\$ 1,977,766	\$ 372,665					\$ 150,000	\$ 150,000
7	Skees Road Storage			\$ 280,000					\$ 280,000
8	Skees/Okeechobee Landfill		\$ 20,220	\$ 200,000					\$ 200,000
9	South Fire Station			\$ 300,000	\$ 2,270,000				\$ 2,570,000
10	Town Hall	\$ 21,552	\$ -	\$ 200,000				\$ 170,000	\$ 370,000
11	6th Street Facility/Old Purchasing					\$ 2,200,000			\$ 2,200,000
12	Royal Poinciana Way Median	\$ 200,000	\$ -						\$ -
13	Central Fire Fuel Tank	\$ 2,914,698	\$ 473,830						\$ -
14	North Fire Station	\$ 17,596,769	\$ 1,166,268						\$ -
15	Midtown Beach Linear Park	\$ 470,000	\$ 80,000			\$ 80,000	\$ 3,000,000		\$ 3,080,000
16	Phipps Park Tennis Resurface and Fence Replacement	\$ 350,000	\$ 394,000						\$ -
17	Seaview Tennis and Recreation Center	\$ 13,397,523	\$ 85,704		\$ 135,000	\$ 150,000			\$ 285,000
Total Town Facilities		\$ 37,637,308	\$ 2,720,302	\$ 815,000	\$ 4,305,000	\$ 2,430,000	\$ 3,300,000	\$ 990,000	\$ 11,840,000
General Engineering Services			\$ 27,555	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 1,000,000
Water Feasibility Study		\$ 696,330	\$ -	\$ 75,000					\$ 75,000
CIP Expenditures - Subtotal			\$ 7,073,964	\$ 18,951,000	\$ 19,375,800	\$ 19,957,500	\$ 21,043,200	\$ 23,804,400	\$ 103,131,900
Town Wide Undergrounding Transfer - Sales Tax			\$ 500,000	\$ 500,000					\$ 500,000
Water Main Improvements			\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000
Expenditures/Encumbrances to date			\$ 30,781,657						\$ -
CIP Expenditures			\$ 39,355,621	\$ 20,451,000	\$ 20,375,800	\$ 20,957,500	\$ 22,043,200	\$ 24,804,400	\$ 108,631,900
Item #	Location	Accumulated Project Budget through FY24	FY2024 Available Balance as of 8/23/24	FY2025 Budget	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2029 Estimated	FY2025- 2029 Total
REVENUES									
General Fund Transfer			\$ 10,308,122	\$ 14,250,622	\$ 13,000,000	\$ 13,500,000	\$ 14,500,000	\$ 15,000,000	\$ 70,250,622
Transfer from Building Fund				\$ 60,000	\$ 834,000	\$ 440,000	\$ 60,000	\$ 194,000	\$ 1,588,000
Transfer from Debt Service Fund		\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfer from Marina Fund		\$ -	\$ 4,000,000	\$ -	\$ -	\$ -	\$ 6,000,000	\$ 6,000,000	\$ 16,000,000
Water Main Improvements		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000
Grants		\$ 1,043,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest		\$ 2,500,000	\$ 2,000,000	\$ 1,250,000	\$ 1,000,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 5,250,000
1 Cent Sales Tax		\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000
Capital Improvement Program Revenues			\$ 16,351,122	\$ 21,810,622	\$ 16,084,000	\$ 15,940,000	\$ 22,060,000	\$ 22,694,000	\$ 98,588,622
Surplus/(Deficit)			\$ (23,004,499)	\$ 1,359,622	\$ (4,291,800)	\$ (5,017,500)	\$ 16,800	\$ (2,110,400)	\$ (10,043,278)
Beginning Reserve Balance			\$ 23,782,707	\$ 778,208	\$ 2,137,830	\$ (2,153,970)	\$ (7,171,470)	\$ (7,154,670)	
Ending Reserve Balance			\$ 778,208	\$ 2,137,830	\$ (2,153,970)	\$ (7,171,470)	\$ (7,154,670)	\$ (9,265,070)	

Comprehensive Coastal Management Plan (CCMP)

This fund accounts for coastal expenditures financed with proceeds from bond issues, transfers from other Town funds and grants. Coastal expenditures include beach restoration/renourishment through the placement of sand, construction of groin fields and environmental mitigation for beach stabilization in all or a portion of the beaches located in the Town.

Table 11.4

Coastal Management Program Adopted FY 2025 Budget and 10 Year Plan

Project Name	FY2024 Available Balance as of 7/26/24	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
EXPENDITURES											
ANNUAL PROGRAM ACTIVITIES											
1 Coastal Management Program Operating Expenses		\$ 236,111	\$ 243,194	\$ 250,490	\$ 258,005	\$ 265,745	\$ 273,717	\$ 281,929	\$ 290,387	\$ 299,098	\$ 308,071
2 BMA Physical Monitoring (BMA Required)		\$ 191,000	\$ 195,000	\$ 199,000	\$ 203,000	\$ 209,000	\$ 213,000	\$ 219,000	\$ 226,000	\$ 233,000	\$ 233,000
3 Annual Sediment Report (BMA Required)	\$ 205,000	\$ 59,000	\$ 60,000	\$ 63,000	\$ 65,000	\$ 67,000	\$ 68,000	\$ 70,000	\$ 72,000	\$ 74,000	\$ 74,000
4 Apply And Update Islandwide Sediment Transport Analysis		\$ 27,000	\$ 28,000	\$ 29,000	\$ 30,000	\$ 30,000	\$ 31,000	\$ 32,000	\$ 33,000	\$ 34,000	\$ 34,000
5 BMA Sea Turtle Nesting Monitoring (BMA Required)	\$ 21,708	\$ 274,000	\$ 283,000	\$ 291,000	\$ 299,000	\$ 308,000	\$ 318,000	\$ 327,000	\$ 337,000	\$ 347,000	\$ 347,000
6 BMA Biological Monitoring (BMA Required)		\$ 261,000	\$ 269,000	\$ 277,000	\$ 285,000	\$ 291,000	\$ 297,000	\$ 306,000	\$ 315,000	\$ 324,000	\$ 324,000
7 BMA Beach Tilling (Reaches 1, 2, 3, 4, And 7)	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
8 BMA Escarpment Removal (Reaches 1, 2, 3, 4, And 7)	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
9 Flooding And Climate Change	\$ 588,180	\$ 300,000	\$ 309,000	\$ 319,000	\$ 328,000	\$ 338,000	\$ 348,000	\$ 358,000	\$ 369,000	\$ 380,000	\$ 380,000
10 Water Level Monitoring		\$ 35,000	\$ 36,000	\$ 37,000	\$ 38,000	\$ 39,000	\$ 41,000	\$ 42,000	\$ 43,000	\$ 44,000	\$ 44,000
11 Lobbying	\$ 14,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000
12 Dune Vegetation Maintenance	\$ 243,192	\$ 53,000	\$ 55,000	\$ 58,000	\$ 61,000	\$ 64,000	\$ 67,000	\$ 70,000	\$ 74,000	\$ 78,000	\$ 78,000
13 General Coastal Engineering		\$ 200,000	\$ 69,000	\$ 70,000	\$ 72,000	\$ 74,000	\$ 75,000	\$ 77,000	\$ 79,000	\$ 81,000	\$ 81,000
14 Annual Debt Service Payment		\$ 508,760	\$ 511,417	\$ 512,778	\$ 512,395	\$ 511,062	\$ 510,867	\$ 510,832	\$ 511,710	\$ 512,772	\$ 512,562
15 Beach Cleaning (Public Beaches)	\$ 108,940	\$ 200,000	\$ 200,000	\$ 200,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000
16 Public Communication		\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Program Activities Subtotal	\$ 1,201,020	\$ 2,519,871	\$ 2,398,611	\$ 2,446,268	\$ 2,521,400	\$ 2,566,807	\$ 2,612,584	\$ 2,663,761	\$ 2,720,097	\$ 2,776,870	\$ 2,785,633
PLANNED PROJECTS											
1 Townwide: Seawall/Non-Structural Inventory Assessment & Analysis	\$ 1,116,000	\$ 1,116,000	\$ -	\$ 143,000	\$ 150,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2 Townwide: Seawall Replacement/ Last Line of Defense Rehabilitation	\$ 5,000,000	\$ 3,868,022	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
3 Townwide: Bulkhead Repairs											
4 Townwide: Groin Assessment	\$ 70,000	\$ 70,000	\$ -	\$ 86,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5 Regional Sand Needs/Sand Search	\$ 1,950,000	\$ 256,530	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6 Inlet: Sand Transfer Plant Maintenance	\$ 37,606	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000

Coastal Management Program Adopted FY 2025 Budget and 10 Year Plan (continued)

Project Name		FY2024 Available Balance as of 7/26/24	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	FY2032	FY2033	FY2034
7 Inlet: Sand Transfer Plant Repairs	\$ 1,774,919	\$ 1,675,619	\$ 250,000	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8 Inlet: Sand Forepassing		\$ 385,000	\$ 742,000	\$ -	\$ 787,000	\$ -	\$ 803,000	\$ -	\$ 819,000	\$ -	\$ -	\$ -
9 Bradley Park Bulkhead Replacement		\$ -	\$ -	\$ 600,000	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10 Mid-Town Beach Renourishment Engineering/Permitting		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
11 Mid-Town Beach Renourishment Construction	\$ 3,000,000	\$ 2,691,485	\$ -	\$ -	\$ 22,000,000	\$ -	\$ -	\$ -	\$ 1,400,000	\$ -	\$ -	\$ -
12 Mid-Town Groin Replacement	\$ 3,000,000	\$ 2,886,181	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
13 Mid-Town Seawall Replacement	\$ 11,500,000	\$ 11,473,009	\$ -	\$ -	\$ 10,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
14 Mid-Town Temporary Dune		\$ -	\$ -	\$ 430,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
15 Mid-Town Mitigation - Coral Nursery/Transplantation (Regulatory Required)		\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
16 Mid-Town Mitigation - Artificial Reef Construction [*Carryover from FY 16]	\$ 5,840,942	\$ 5,479,836	\$ 1,200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
17 Reach 7: Phipps Nourishment Engineering/Permitting		\$ 414,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18 Reach 7: Phipps Ocean Park/Reach 7 Beach Nourishment Construction		\$ 23,350,000	\$ -	\$ -	\$ 1,200,000	\$ -	\$ -	\$ -	\$ 27,600,000	\$ -	\$ -	\$ -
19 Reach 8: South End Palm Beach Restoration Permitting		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
20 Reach 8: Construction Access Easement and Site Restoration		\$ 80,000	\$ -	\$ -	\$ 80,000	\$ -	\$ -	\$ -	\$ 80,000	\$ -	\$ -	\$ -
21 Reach 8: Dune/Beach Construct Concurrently with Mid-Town or Phipps		\$ 2,950,000	\$ -	\$ -	\$ 3,100,000	\$ -	\$ -	\$ -	\$ 3,500,000	\$ -	\$ -	\$ -
22 Reach 8: Biological Monitoring (Non-BMA, Regulatory Required)	\$ 87,110	\$ 66,000	\$ 68,000	\$ 70,000	\$ 72,000	\$ 74,000	\$ 75,000	\$ 77,000	\$ 79,000	\$ 81,000	\$ 81,000	\$ 81,000
23 Reach 8: Project Engineering Report (Non-BMA, Regulatory Required)		\$ 14,000	\$ 14,000	\$ 15,000	\$ 16,000	\$ 16,000	\$ 17,000	\$ 18,000	\$ 18,000	\$ 19,000	\$ 19,000	\$ 19,000
24 Reach 8: Beach Tilling (Non-BMA, Regulatory Required)		\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
25 Reach 8: Escarpment Removal (Non-BMA, Regulatory Required)		\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
26 Expenditures/Encumbrances to Date	\$ 6,080,699											
Planned Projects Subtotal	\$ 35,722,096	\$ 29,934,000	\$ 2,528,000	\$ 13,240,000	\$ 38,480,000	\$ 1,315,000	\$ 2,120,000	\$ 1,320,000	\$ 34,721,000	\$ 1,325,000	\$ 1,325,000	\$ 1,325,000
TOTALS	\$ 36,923,116	\$ 32,453,871	\$ 4,926,611	\$ 15,686,268	\$ 41,001,400	\$ 3,881,807	\$ 4,732,584	\$ 3,983,761	\$ 37,441,097	\$ 4,101,870	\$ 4,110,633	\$ 4,110,633

	Outlook											
Source	FY2024 Estimated	FY2025 Estimated	FY2026 Estimated	FY2027 Estimated	FY2028 Estimated	FY2029 Estimated	FY2030 Estimated	FY2031 Estimated	FY2032 Estimated	FY2033 Estimated	FY2034 Estimated	
REVENUES												
General Fund Transfer	\$ 5,791,205	\$ 5,791,205	\$ 6,370,326	\$ 7,007,358	\$ 7,708,094	\$ 8,478,903	\$ 9,326,794	\$ 10,259,473	\$ 11,285,420	\$ 12,413,962	\$ 13,655,358	
County		\$ 4,670,000	\$ -	\$ -	\$ 240,000	\$ -	\$ -	\$ -	\$ 5,520,000	\$ -	\$ -	
State portion of FEMA projects		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
State		\$ 10,876,950	\$ 637,230	\$ 655,650	\$ 2,350,320	\$ 691,350	\$ 707,880	\$ 728,550	\$ 12,879,330	\$ 772,500	\$ 772,500	
Federal	\$ 93,728	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FEMA (including Mid-Town, Phipps, and Reach 8)		\$ 5,330,914	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Bonds		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Interest	\$ 1,300,000	\$ 700,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	\$ 600,000	
Grants Receivable	\$ 4,691,595											
TOTALS	\$11,876,528	\$27,369,069	\$ 7,607,556	\$ 8,263,008	\$ 10,898,414	\$ 9,770,253	\$ 10,634,674	\$ 11,588,023	\$ 30,284,750	\$ 13,786,462	\$ 15,027,858	

NET ANNUAL COST											
	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)	Surplus/ (Deficit)
Surplus/Deficit	\$ (25,046,588)	\$ (5,084,802)	\$ 2,680,944	\$ (7,423,260)	\$ (30,102,986)	\$ 5,888,446	\$ 5,902,089	\$ 7,604,262	\$ (7,156,347)	\$ 9,684,592	\$ 10,917,222

FUND BALANCE												
Fund Balance 10/1	\$38,104,995	\$13,058,407	\$ 7,973,605	\$10,654,549	\$ 3,231,289	\$ (26,871,697)	\$ (20,983,251)	\$ (15,081,162)	\$ (7,476,900)	\$ (14,633,246)	\$ (4,948,654)	\$ (4,948,654)
Fund Balance 9/30	\$13,058,407	\$ 7,973,605	\$ 10,654,549	\$ 3,231,289	\$ (26,871,697)	\$ (20,983,251)	\$ (15,081,162)	\$ (7,476,900)	\$ (14,633,246)	\$ (4,948,654)	\$ 5,968,571	\$ 5,968,571

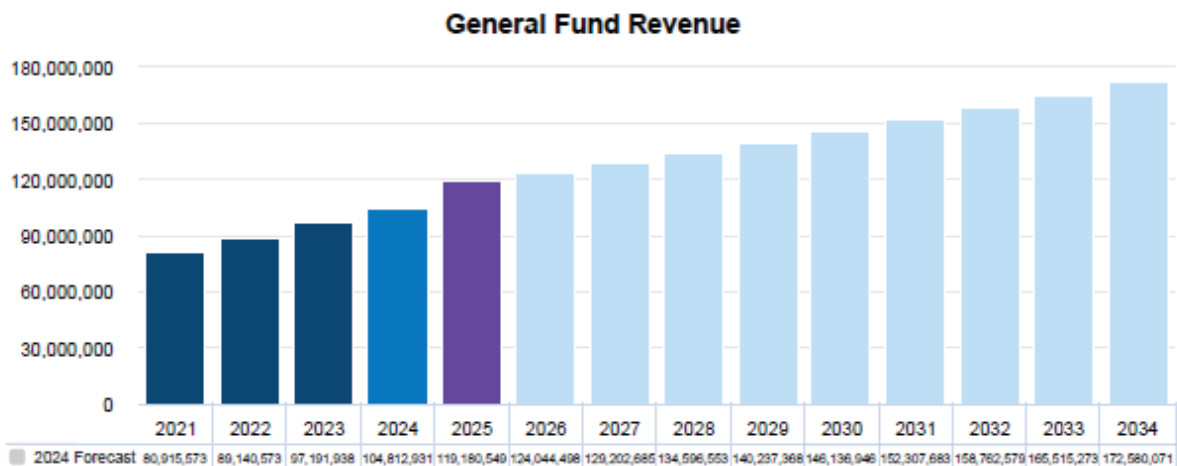
SUMMARY

The Town will continue to employ a Five-Year SCI as an integral part of its annual budgeting process. Each year, the Town Manager, the Town Staff, and the Town Council (acting as the LPA) formally, and in a public meeting, reviews the SCI to ensure its consistency with the Capital Improvement Element. **Financial forecasts are the foundation of a long-term financial plan. The forecast for the first two to four years is based upon recent trends and specific expectations. The forecast for the remaining years is less tactical and more mathematical and is based primarily upon estimates by actuaries and long-term inflation expectations.**

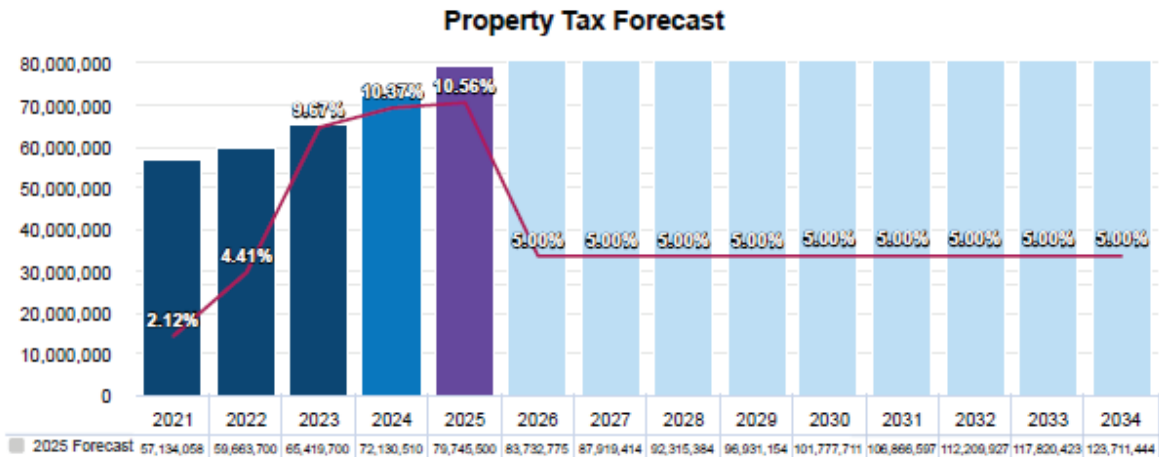
The forecast for revenues for each major category is included in the chart below and contains the property tax increases based on the assumptions shown below:

	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34
Ad Valorem Tax Increase	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
General Inflation	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Salaries & Wages	5.75%	5.75%	5.75%	5.75%	5.75%	5.75%	5.75%	5.75%	5.75%
Health Insurance	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
Pension (ADEC)	8.65%	3.18%	1.51%	(1.15%)	(1.81%)	(2.72%)	(3.90%)	(3.90%)	(11.95%)
Other Employee Benefits	4.82%	4.77%	4.85%	4.81%	4.75%	4.62%	4.64%	4.64%	4.64%
Property Insurance	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%	8.00%
Liability Insurance	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
W/C Insurance	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%

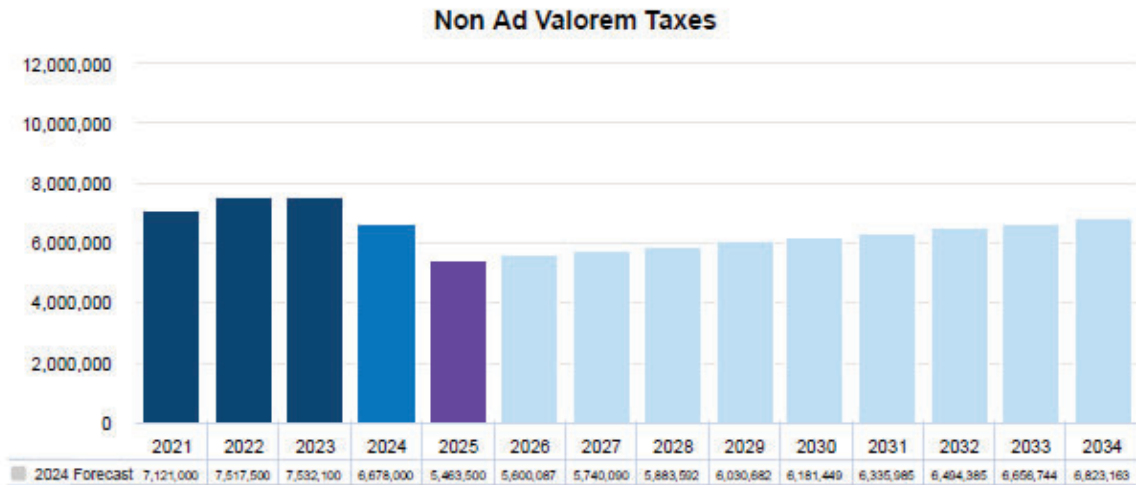
The forecast for reviews is conservative and should allow for minor fluctuations in various revenue sources. The forecast details for each major revenue category are included in the budget analysis conducted annually. The forecast chart on the following page contains the property tax increases.



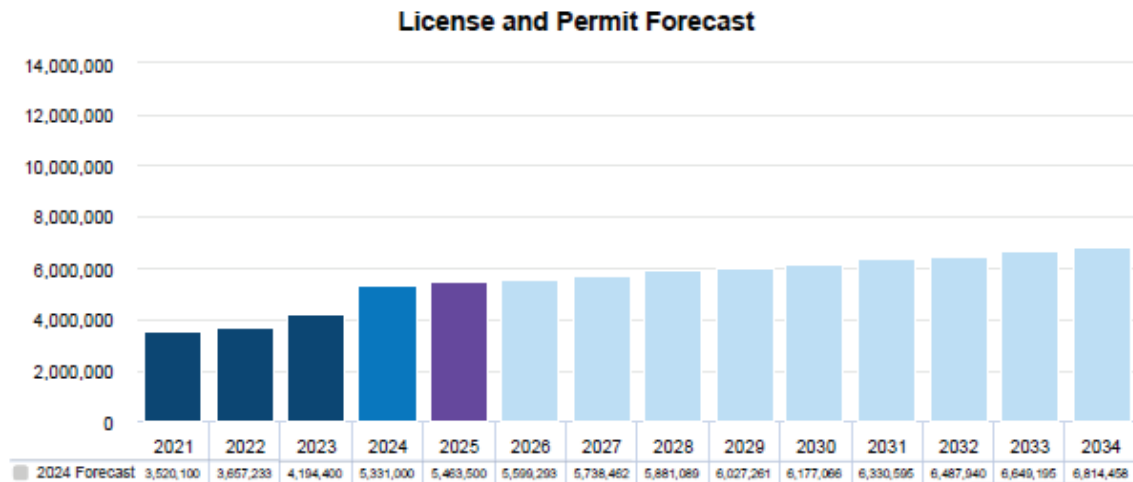
Ad valorem property taxes are utilized as the plug to balance the budget for the forecast years of Fiscal Year 2025 through Fiscal Year 2034. Over the past five years, taxable value has increased by 60%, which is an average of 10% per year. The taxable value increase for Fiscal Year 2025 was 11%.



Non ad valorem taxes include local option gas taxes, franchise fees and utility service taxes. The forecast has increased due to improvements in recent revenue collections. The forecast and trend chart is shown on the following page.

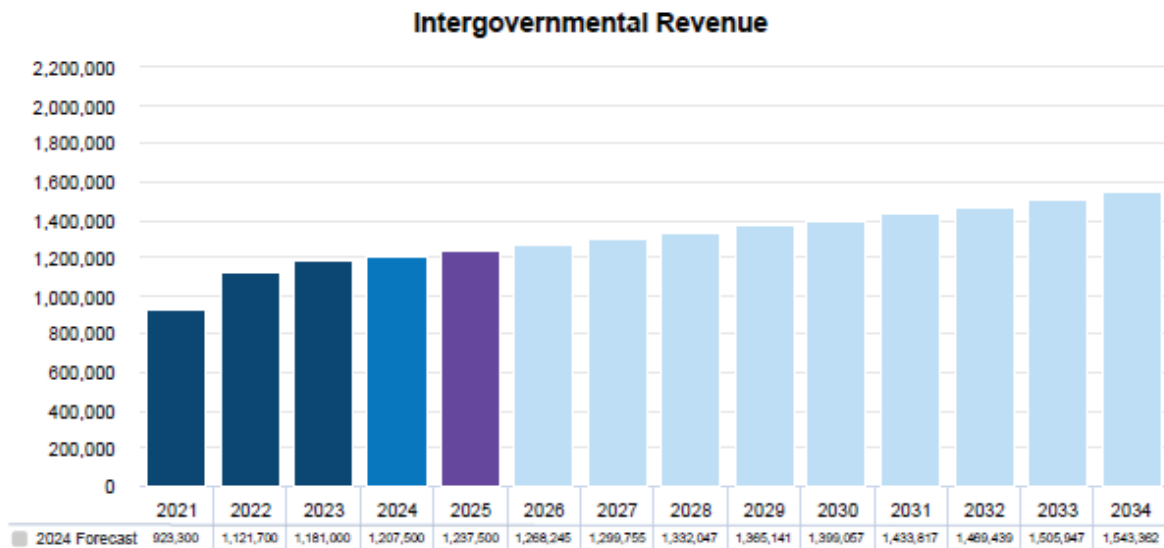


License and permit revenue includes business licenses, building permit revenues, and parking permits. In the Fiscal Year 2021 through 2033, the building permit related revenues have been transferred to the Building Enterprise Fund. The forecast is for the remaining non-building permit revenues.



Intergovernmental revenue includes revenue received from Federal, State, County, and local government sources. Revenues from the State of Florida include State revenue sharing, local government sales tax and alcoholic beverage licenses. Local revenues include County occupational license revenue and the 911 reimbursement from Palm Beach County. Federal and State grants are also included in this category.

The forecast for intergovernmental revenues has decreased slightly for Fiscal year 2025 based on revenue received from the State of Florida for sales tax and revenue sharing returning to more normalized levels. Fiscal Years 2020 and 2021 contained grant funded from FEMA and the Federal Government. The updated forecast for all other revenues anticipates a small inflationary increase per year.



Beginning in the 2025-2026 Comprehensive Annual Budgeting process, the Town will employ financial forecasting for both the 10- and 20-year planning periods. These forecasts will provide the Mayor, Town Council and staff with information needed to more effectively determine future levels of service and methods of funding. A new Policy 4.3 has been added to the Goals, Objectives and Policies to that effect. ~~continue to prioritize capital improvement projects identified as necessary in the various Elements of its Comprehensive Plan. It is suggested that the Town annually update the Data and Analysis Section of the Capital Improvement Element simultaneously as required by state statute.~~

GOAL

THE TOWN SHALL PRESERVE, PROTECT AND ENSURE A HIGH QUALITY OF LIFE FOR TOWN RESIDENTS BY ADHERING TO FISCAL POLICIES AND PROVIDING EFFICIENT PUBLIC SERVICES AND FACILITIES.

OBJECTIVE 1

The Town shall coordinate its land use decisions and fiscal resources with its schedule of capital improvements identified as necessary to maintain the Town's adopted Level of Service (LOS) standards and meet existing and future facility needs of public facilities. These capital improvements and facility improvements shall have priority for allocation of the Town's fiscal resources available for capital expenditures.

POLICY 1.1

The Town shall utilize its Capital Improvements Element and five- (5) year Schedule of Capital Improvements (SCI) to provide needed capital facilities, including those needed to overcome any existing deficiencies.

POLICY 1.2

The Town shall continue to adopt an annual capital budget, which will identify expenditures necessitated by the policies of the various elements of the Comprehensive Plan, as part of its annual budgeting process.

POLICY 1.3

The Town shall continue to establish and maintain a listing and schedule of capital equipment and facilities showing the expected life and replacement date of each. The schedule is to be integrated into the Schedule of Capital Improvements (SCI) and updated annually.

POLICY 1.4

The Town shall identify those projects needing renewal and replacement in its Schedule of Capital Improvements (SCI) and shall give first priority to funding those needed to maintain its adopted levels of service.

POLICY 1.5

The Town shall continue to prioritize capital improvement projects identified as necessary in the various elements of its Comprehensive Plan. This system will include consideration as to whether each project addresses the following:

1. Public health, safety, and welfare benefits of the facility.
2. Degree of public benefit.
3. Maintenance of established levels of service, including prevention of future capital costs.
4. The critical nature of facility needs.
5. Financial feasibility.
6. Overall distribution of projects between facility types and geographical location.
7. Quality of life and timing issues to balance public improvement needs with general welfare and inconvenience.

POLICY 1.6

The Town shall ensure that the maximum indebtedness does not exceed 5% of the assessed value of taxable property in the Town.

POLICY 1.7

The Town shall ensure that the Capital Improvement Element and the entire Comprehensive Plan remain financially feasible.

POLICY 1.8

The Town shall ensure that capital facilities to be funded by outside sources must be guaranteed by a development agreement, inter-local agreement, or any other enforceable agreement.

OBJECTIVE 2

The Town shall not expend any public funds that would subsidize development in the Coastal High Hazard Area, as defined by the Town, except when such expenditures are for restoration/enhancement of natural resources or for shore protection.

POLICY 2.1

The Town shall not allow funding nor construction of public facilities within the Coastal High Hazard Area, as defined by the Town, with the exception of those facilities that provide public access, recreation, resource restoration/enhancement or shore protection.

POLICY 2.2

The Town shall not expand utility systems or public services that would be necessitated by increased development within the Coastal High Hazard Area.

OBJECTIVE 3

The Town shall coordinate its land use decisions and fiscal resources with its schedule of capital improvements identified as necessary to maintain the Town's adopted Level of Service (LOS) standards and meet existing and future facility needs. These capital improvements and facility improvements shall have priority for allocation of the Town's fiscal resources available for capital expenditures.

POLICY 3.1

The Town shall utilize the following Level of Service standards, found in other elements of the Town's Comprehensive Plan, for public facilities in the Town.

3.1a Stormwater Discharge or Runoff -

- 1) Flooding will not occur during a one-year storm for systems served by pumping stations or during a three-year storm for systems with gravity outfalls, and the minor flooding associated with a five-year storm would be carried off within sixty minutes.**
- 2) Negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system; or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater.**

- 3) For all commercial, multi-family, new residential subdivision, and single family lots of one-half acre or more:**
 - a. the impact on the system will not lower the LOS as stated in Policy 3.1a 1 and 2; or,**
 - b. the drainage problem area is scheduled and contracted for improvement in the Town's Schedule of Capital Improvements (SCI); or,**
 - c. the developer upgrades the drainage system to meet LOS as stated in Policy 3.1a 1 and 2; or,**

- d. the post-development run-off does not exceed pre-development run-off, thereby preventing additional degradation of the system.

And, for all single family development of a half-acre or less which is not the result of new subdivision, that one of the four above requirements will be met, when feasible, or that no degradation of existing drainage capacity occurs as the result of development.

3.1b Potable Water – 272 gallons/person/day;

3.1c Recreation - 6 acres/1000 population;

3.1d Transportation - two-way peak-hour, peak-season level of service (LOS) standards for facilities and segments listed below, effective one year from adoption of this Element.

<u>FACILITY OR SEGMENT</u>		<u>“LOS”</u>
<u>(1)</u>	<u>SR AIA</u>	<u>“E”</u>
<u>(2)</u>	<u>Royal Poinciana Way</u>	<u>“D”</u>
<u>(3)</u>	<u>Cocoanut Row/Bradley Place from Seabreeze to north of Royal Poinciana Way</u>	<u>“E”</u>
<u>(4)</u>	<u>Southern Boulevard</u>	<u>“E”</u>
<u>(5)</u>	<u>All other roadways</u>	<u>“D”</u>

3.1e Waste Water Collection

<u>Development Type</u>	<u>Avg. Daily Water Flow</u>
<u>Single Family</u>	<u>350 gpd/DU</u>
<u>Multifamily</u>	<u>250 gpd/DU</u>
<u>Commercial</u>	<u>0.20 gpd/SF</u>
<u>Industrial</u>	<u>0.15 gpd/Sf</u>
<u>Hotel</u>	<u>100 gpd/room</u>
<u>DU=dwelling unit</u>	<u>gpd=gallons per day</u>
<u>SF=Square feet</u>	<u>AC=acre</u>

<u>Pumping Station</u>	
<u>Peaking Factor</u>	<u>Avg. Daily Flow (MGD)</u>
<u>3.5</u>	<u>0.01 to 0.05</u>
<u>3.0</u>	<u>0.05 to 0.25</u>
<u>2.5</u>	<u>0.25 to 2.0</u>
<u>2.0</u>	<u>>2.0</u>

Peaking factors for other facilities shall be determined using historical flow records

3.1f Solid Waste -- 2.55 pounds/person/day for garbage and 0.033 cubic yards per person per day for vegetative yard trash.

OBJECTIVE 4

The Town shall issue development orders and permits for new development or redevelopment, or building permits for developments only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.

POLICY 4.1

In order to ensure availability of public facilities and services necessary to support development concurrent with its impacts prior to the issuance of a development order or permit, the Town shall make and record the determination that the Level of Service Standards established in Policy 3.1 are met as required and the following:

- a. The project will not increase the time necessary to evacuate the Town, in the event of a hurricane, to greater than twelve hours; or
- b. The development order or permit is specifically conditioned on the availability of the necessary facilities and services as identified in Policy 3.1, and that said facilities are authorized at the time the project is authorized.

POLICY 4.2

The Town shall continue to set, and maintain, its Level of Service standards such that it will ensure the availability of public facilities and services to serve developments for which development orders were issued prior to the adoption of the Comprehensive Plan.

POLICY 4.3

The Town shall employ financial forecasting for both the 10- and 20-year planning periods. These forecasts will provide the Mayor, Town Council and staff with

information needed to more effectively determine future levels of service and methods of funding.

OBJECTIVE 5

The Town shall consider, impact fees for future redevelopment activities as there is the potential for increases in public services as an effective method of distributing the costs of new capital facilities in the Town. The Town will continue to levy ad valorem taxes and user fees as the primary methods for distributing the burden of the cost of capital facilities for both existing and future development.

POLICY 5.1

The Town may elect to undertake and conclude an investigation into the legal and practical implications of the Town's assessing, to private interests, a pro rata share of the costs necessary to fund the facility expansion necessary to grant a development order or permit and adequately maintain the Town's adopted Level of Service Standard(s).

OBJECTIVE 6

The Town shall include in its Schedule of Capital Improvements (SCI) all capital improvements needed within the five-year period covered by its Capital Improvement Plan.

POLICY 6.1

The Town's annual revision of its Schedule of Capital Improvements (SCI) shall include a finding that the funds available for capital expenditure will be adequate for capital items identified as necessary in the Comprehensive Plan.

OBJECTIVE 7

The Town shall continue to bury its overhead utility systems in a financially feasible manner to improve aesthetics, reliability, and safety throughout the Town and to require future development to place utility lines underground.

POLICY 8.1

As approved by Town voters on March 15, 2016, the Town shall continue to develop and implement a Master Plan to place utilities underground.

Map Series

1.1 TOWN LOCATION MAP

1.2 FUTURE LAND USE MAP

1.3 ZONING MAP

1.4 TOWN BRIDGES MAP

2.1 FUNCTIONAL CLASSIFICATION MAP

2.2 ROADWAY NUMBER OF LANES MAP

2.3 ROAD NETWORK MAP

2.4 ROADWAY RESPONSIBILITY MAP

2.5 BICYCLE FACILITIES MAP

2.6 PEDESTRIAN NETWORK MAP

2.7 PUBLIC TRANSIT MAP

2.8 OD ZONES ANALYSIS MAP

4.1 LANDMARK STRUCTURES MAP

4.2 HISTORIC DISTRICTS & SCENIC VISTAS MAP

4.3 HISTORICALLY SIGNIFICANT BUILDINGS MAP

4.4 HISTORIC MARKERS MAP

4.5 ARCHAEOLOGICAL SITES MAP

4.6 HISTORIC SPECIMEN TREES MAP

6.1 PUBLIC BUILDINGS MAP

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7.1 PARKS & RECREATIONAL FACILITIES MAP

7.2 BEACH ACCESS MAP

8.1 FLOOD ZONE MAP

8.2 COASTAL HIGH HAZARD MAP

8.3 100-YEAR FLOOD PLAIN MAP

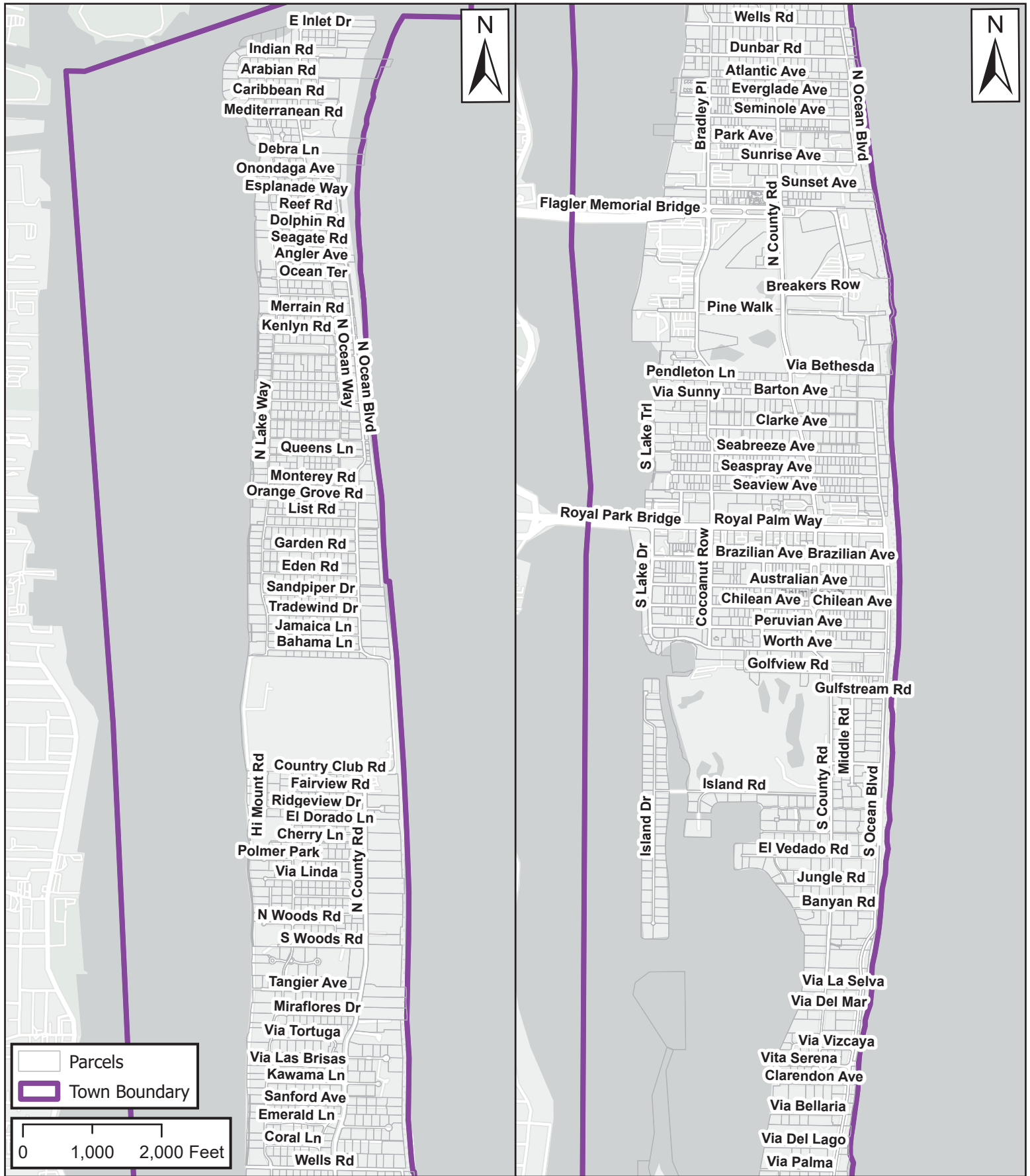
8.4 BEACHES, SHORES, AND WILDLIFE MAP

8.5 ESTUARINE AREAS, WETLANDS & VEGETATIVE COVER MAP

9.1 MINERALS & SOILS MAP

9.2 TOWN SPOIL ISLANDS MAP

9.3 NATURAL & ARTIFICIAL REEFS MAP



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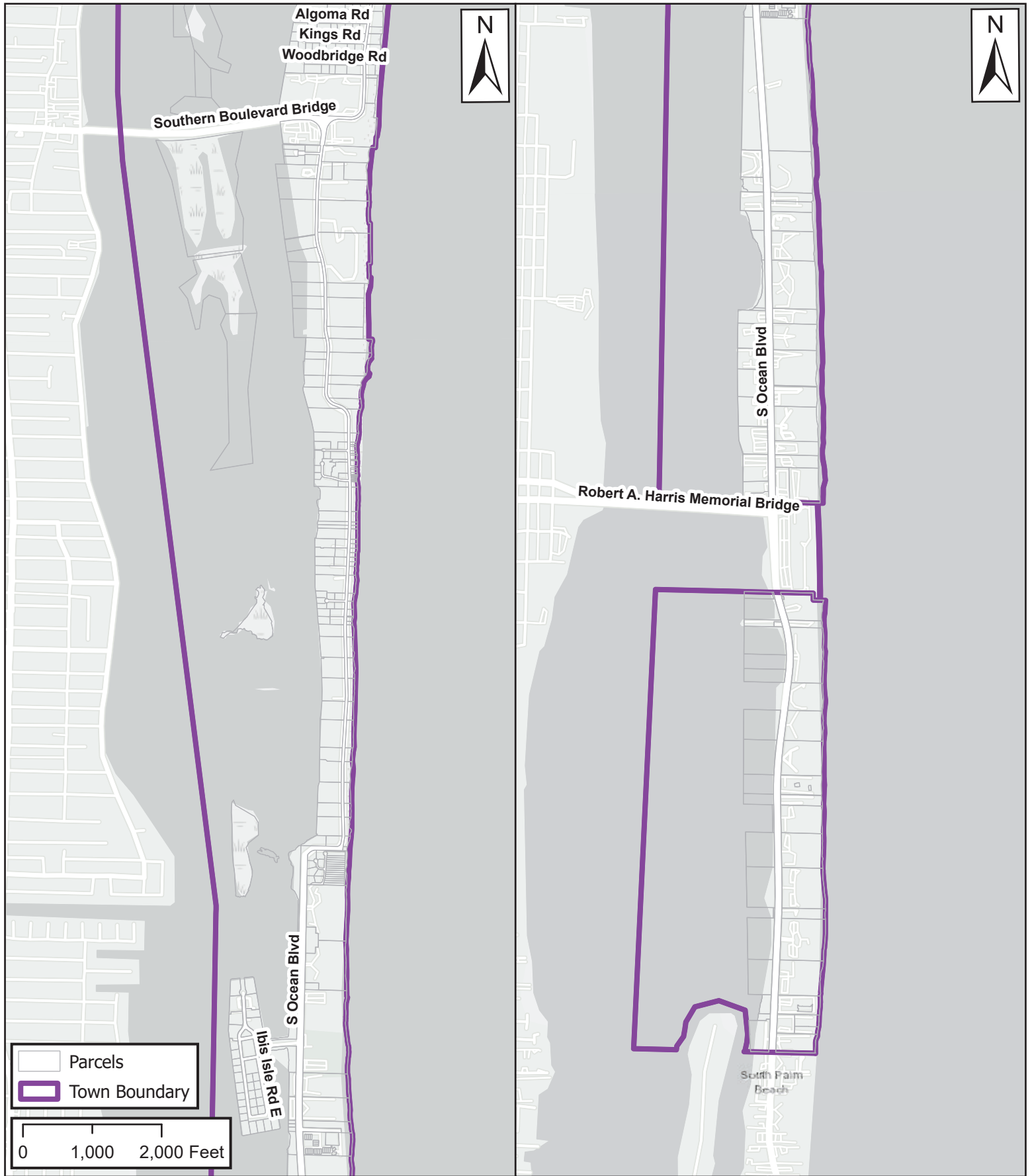


Town Location Map - 2024

GIS Department

Map No.
1.1

Date 7/31/2024



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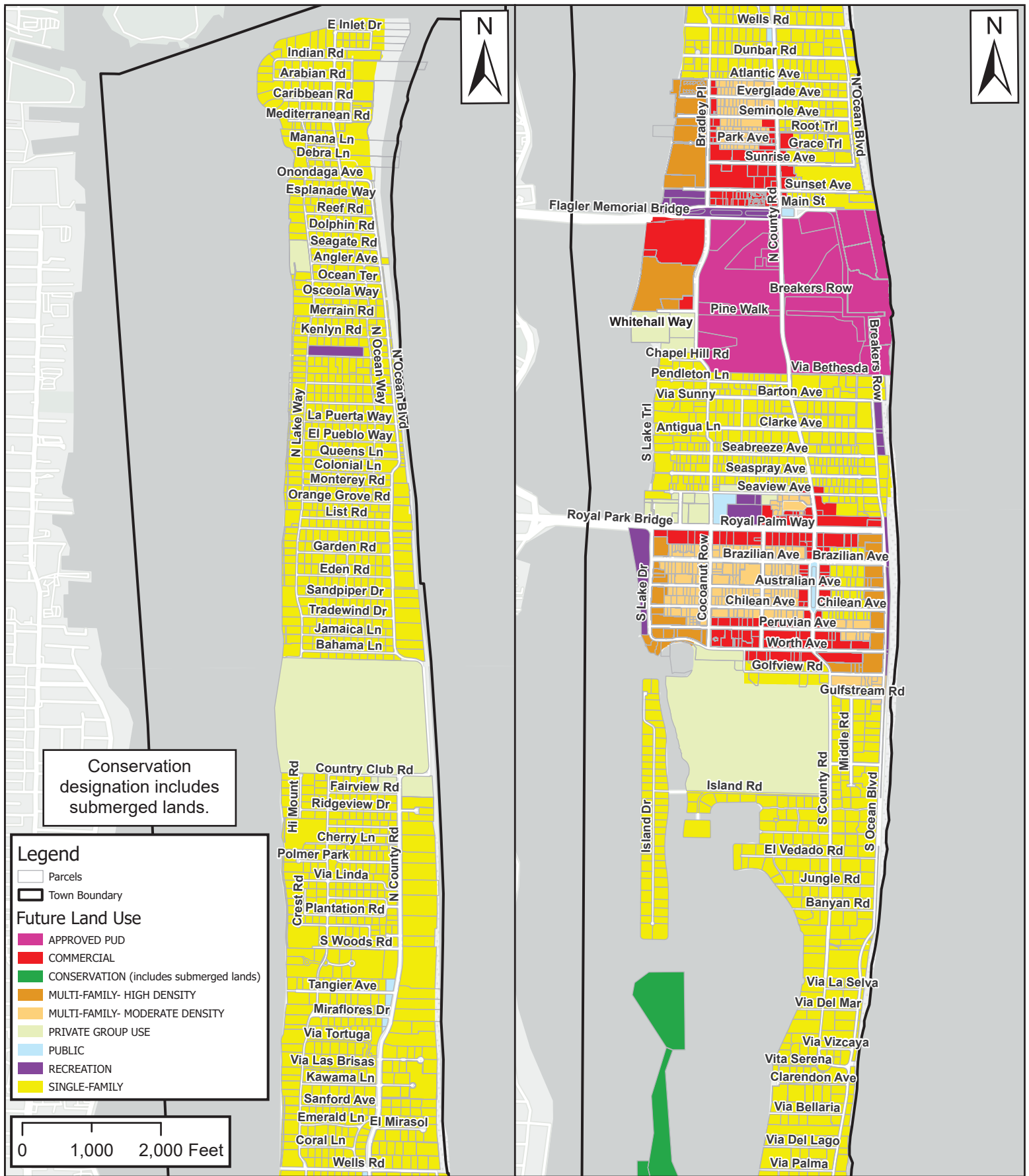


Town Location Map - 2024

GIS Department

Map No.
1.1

Date 7/31/2024 9/19/2024



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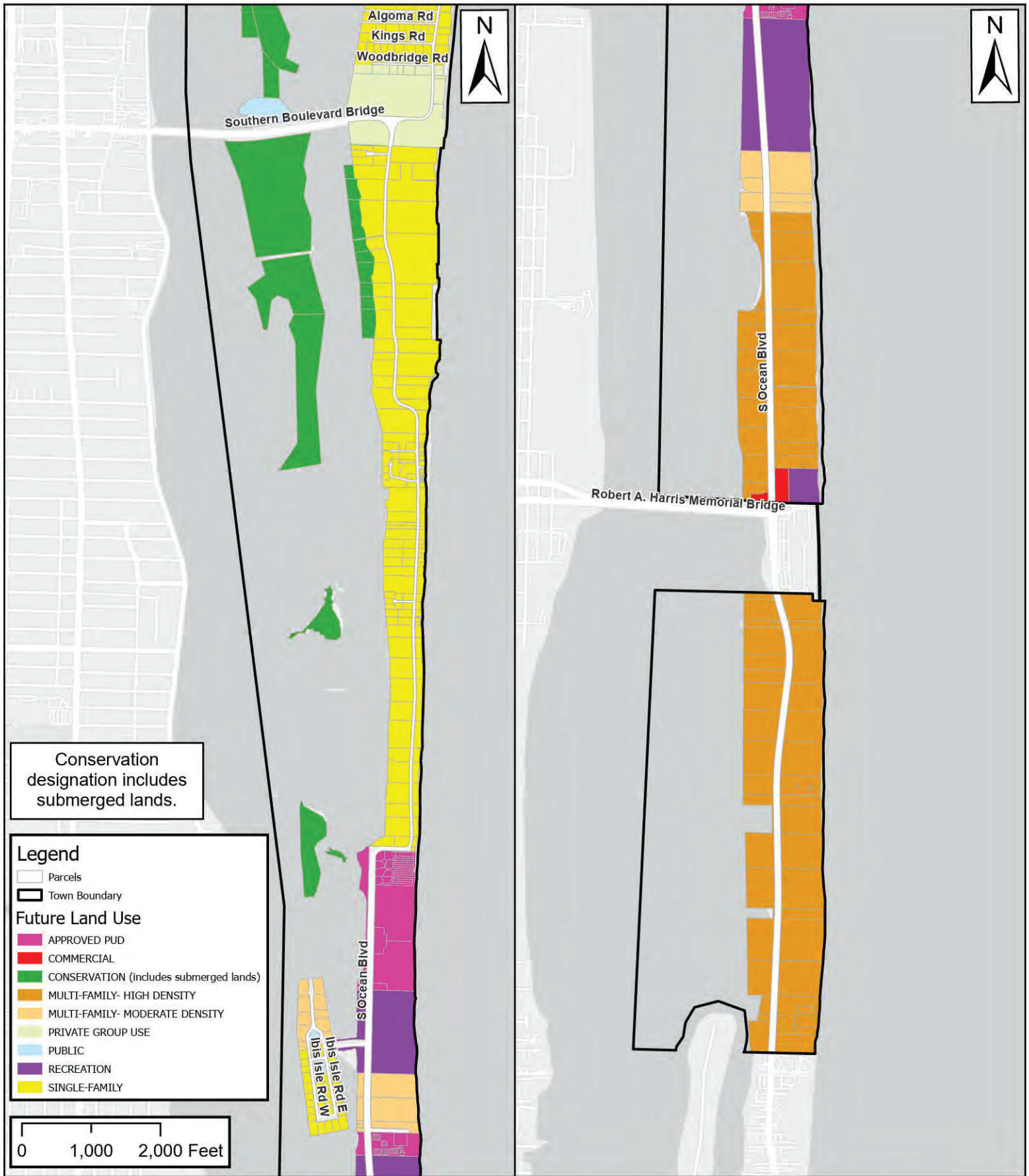
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Future Land Use Map - 2024

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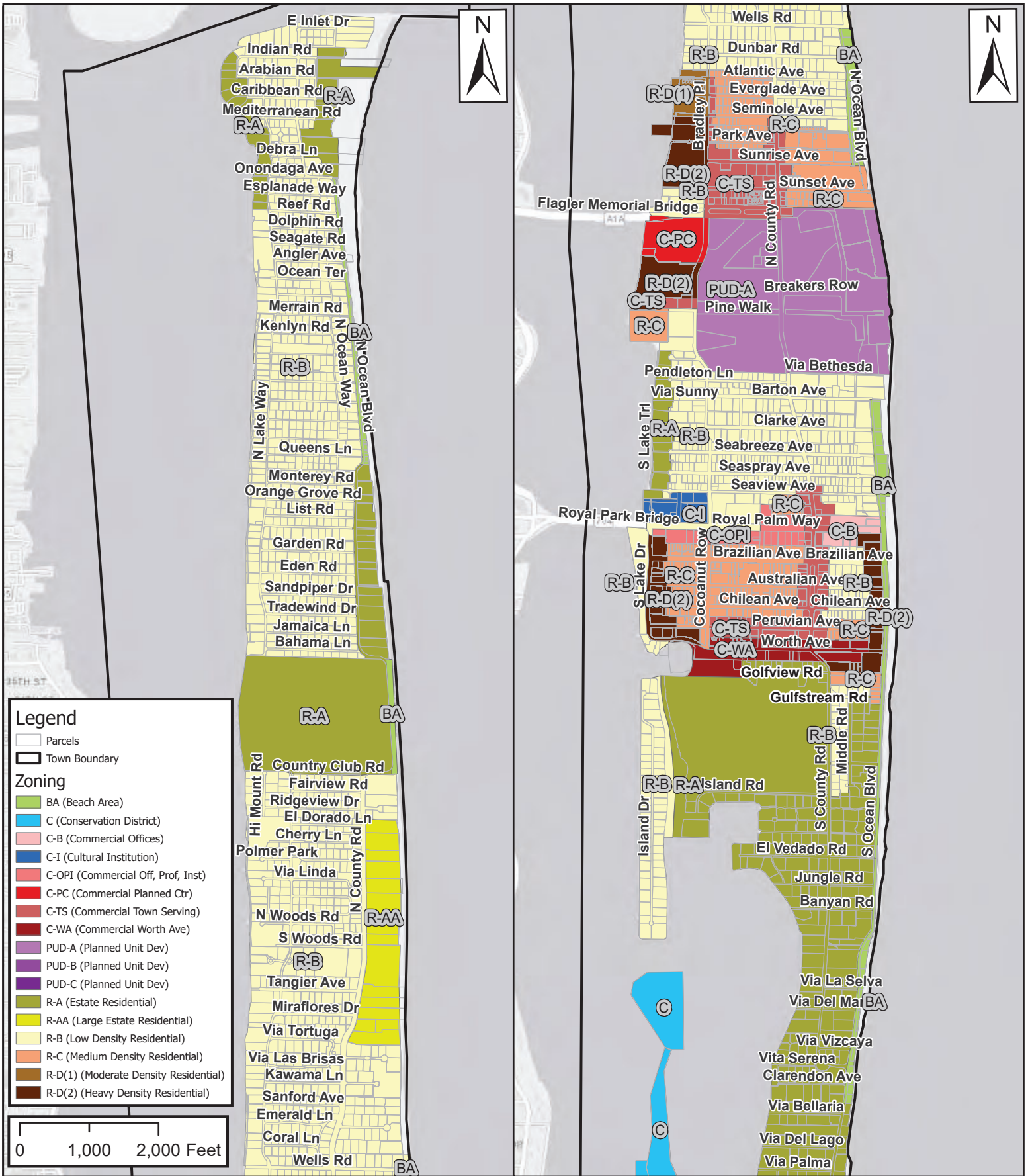


Future Land Use Map - 2024

GIS Department

Map No.
1.2

Date 7/30/2024 9/23/2024



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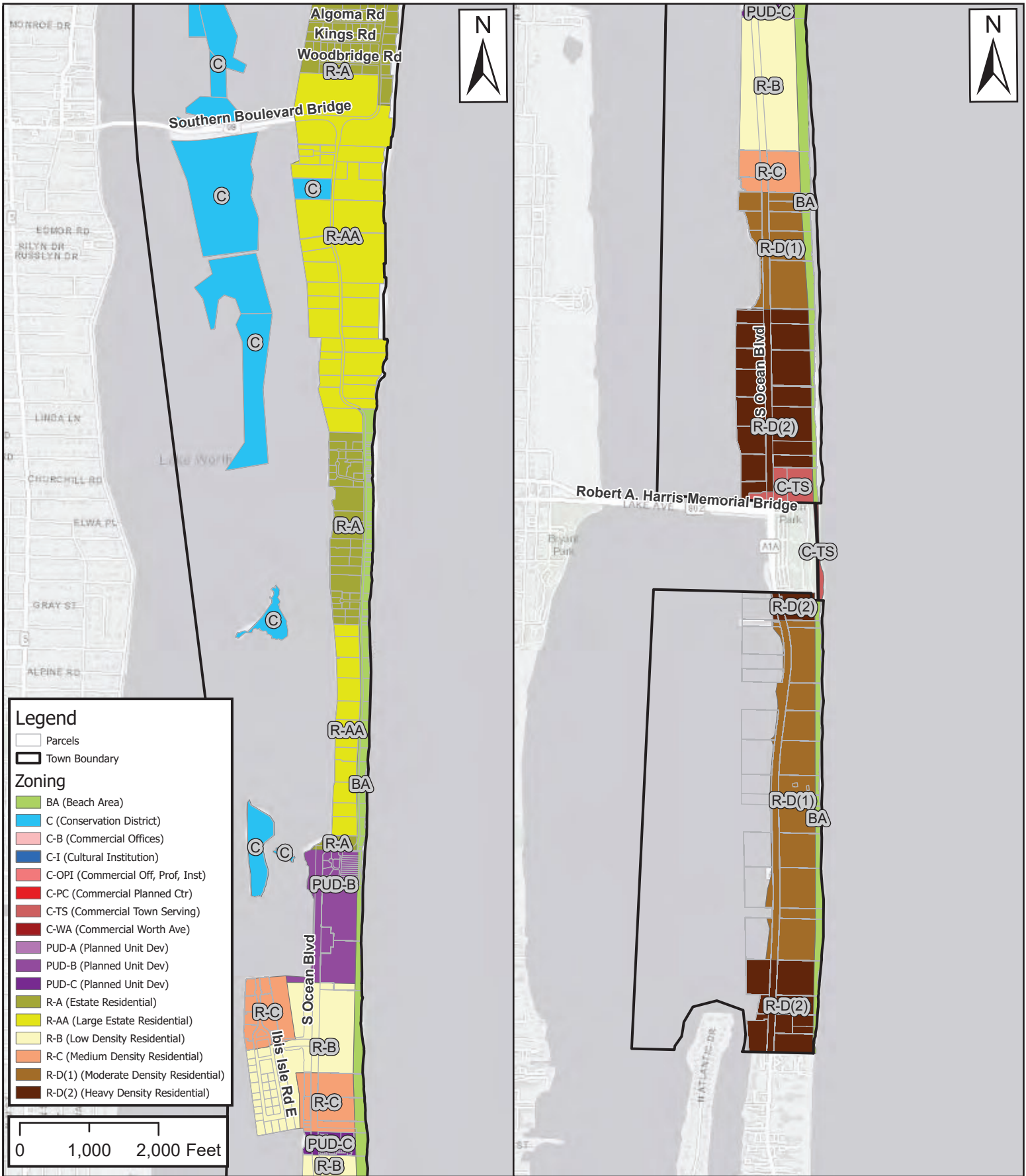


Zoning Map - 2024

GIS Department

Map No.
1.3

Date 7/31/2024
9/26/2024



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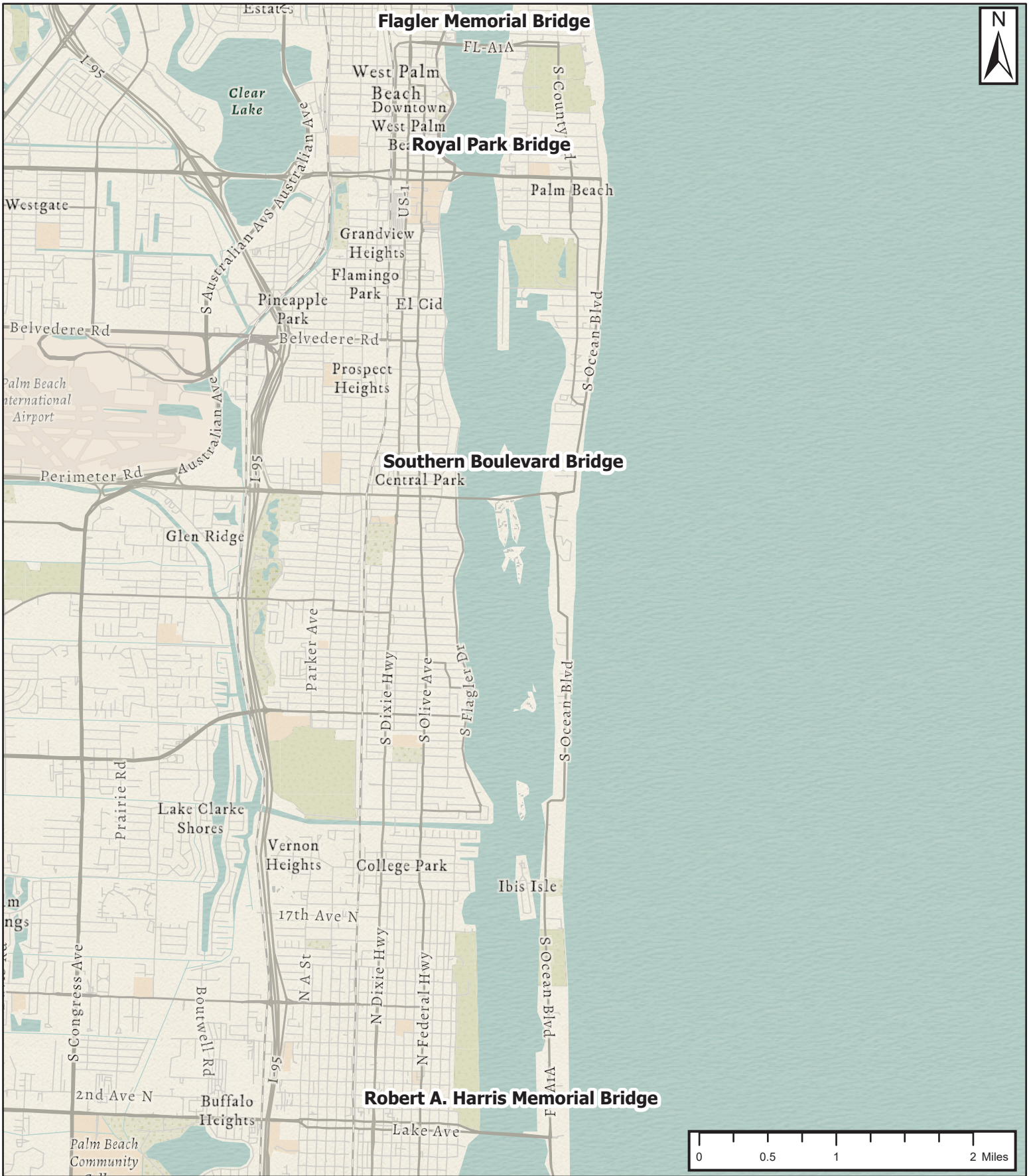


Zoning Map - 2024

GIS Department

Map No.
1.3

Date 7/30/2024 9/23/2024



Map Description:

The Town of Palm Beach is accessible to the mainland, which is the City of West Palm Beach and City of Lake Worth Beach, via four (4) bridges. The bridges are referred to as the Flagler Memorial Bridge (north), the Royal Park Bridge (central), the Southern Boulevard Bridge (south), and the Robert A. Harris Memorial Bridge (south). The bridges connect the Town of Palm Beach with the City of Lake Worth Beach.

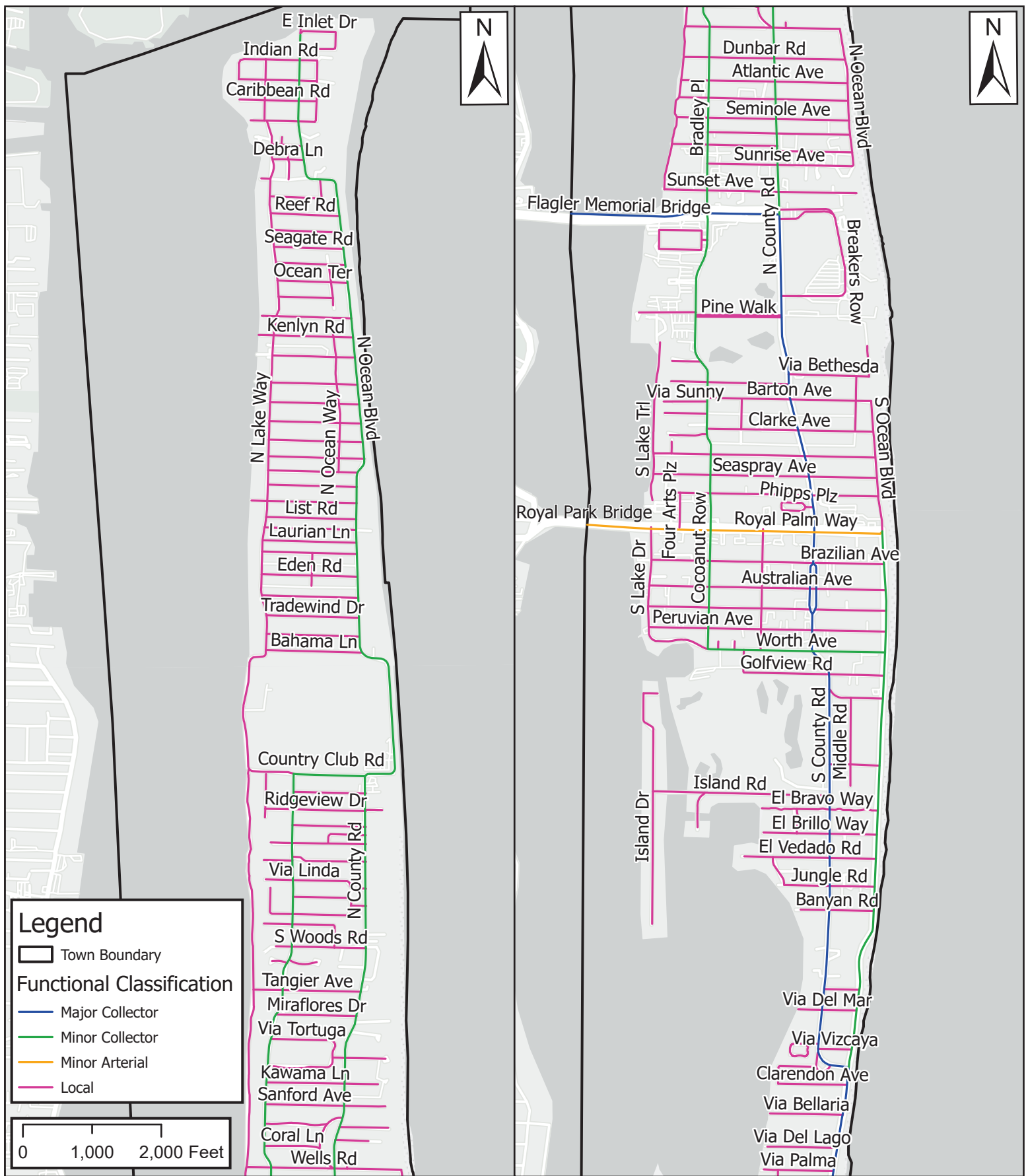


Town Bridges Map - 2024

GIS Department

Map No.
1.4

Date 7/39 of 789
9/26/2024



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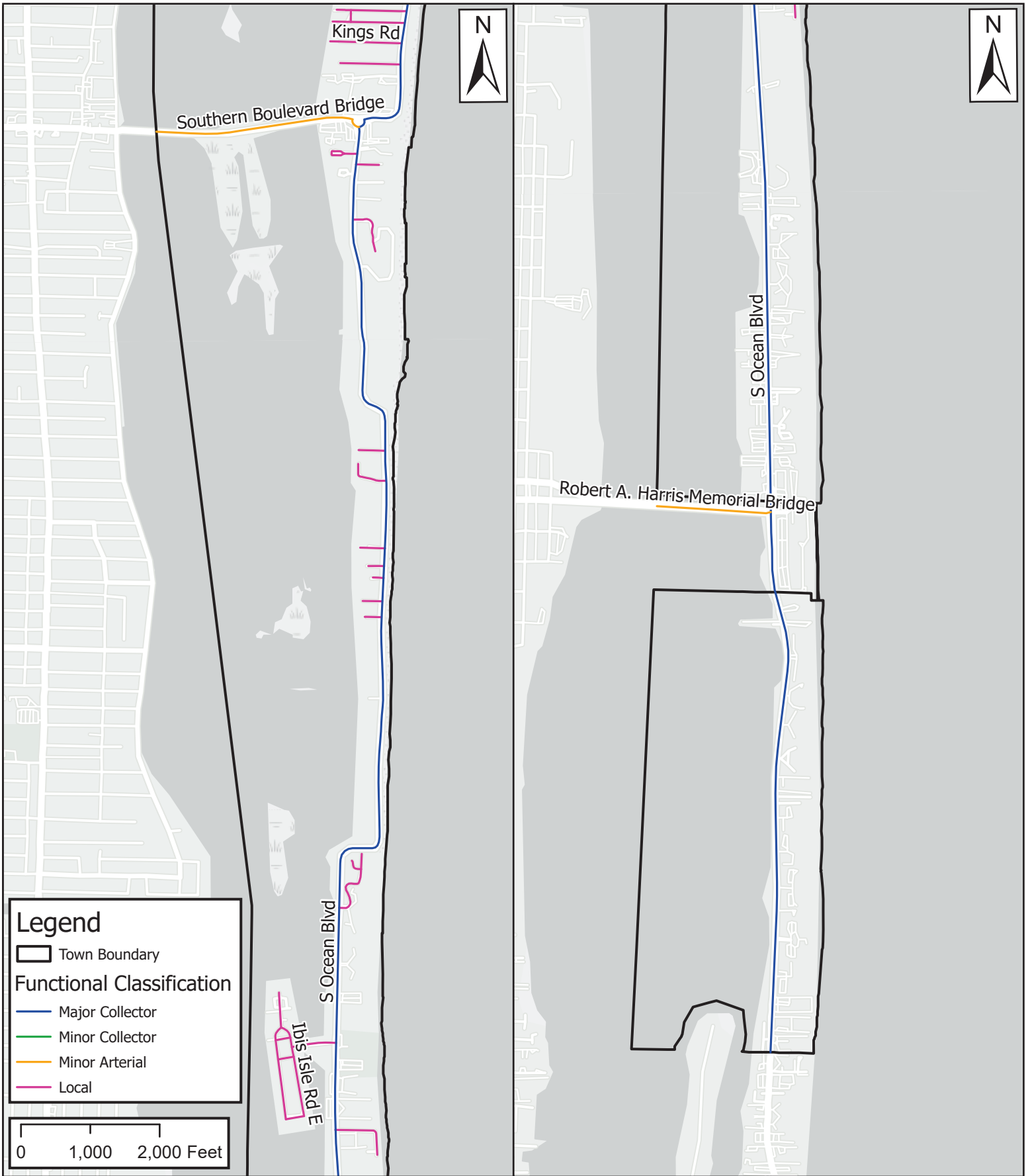


Functional Classification Map - 2024

GIS Department

Map No.
2.1

Date 740 of 789
09/24/2024



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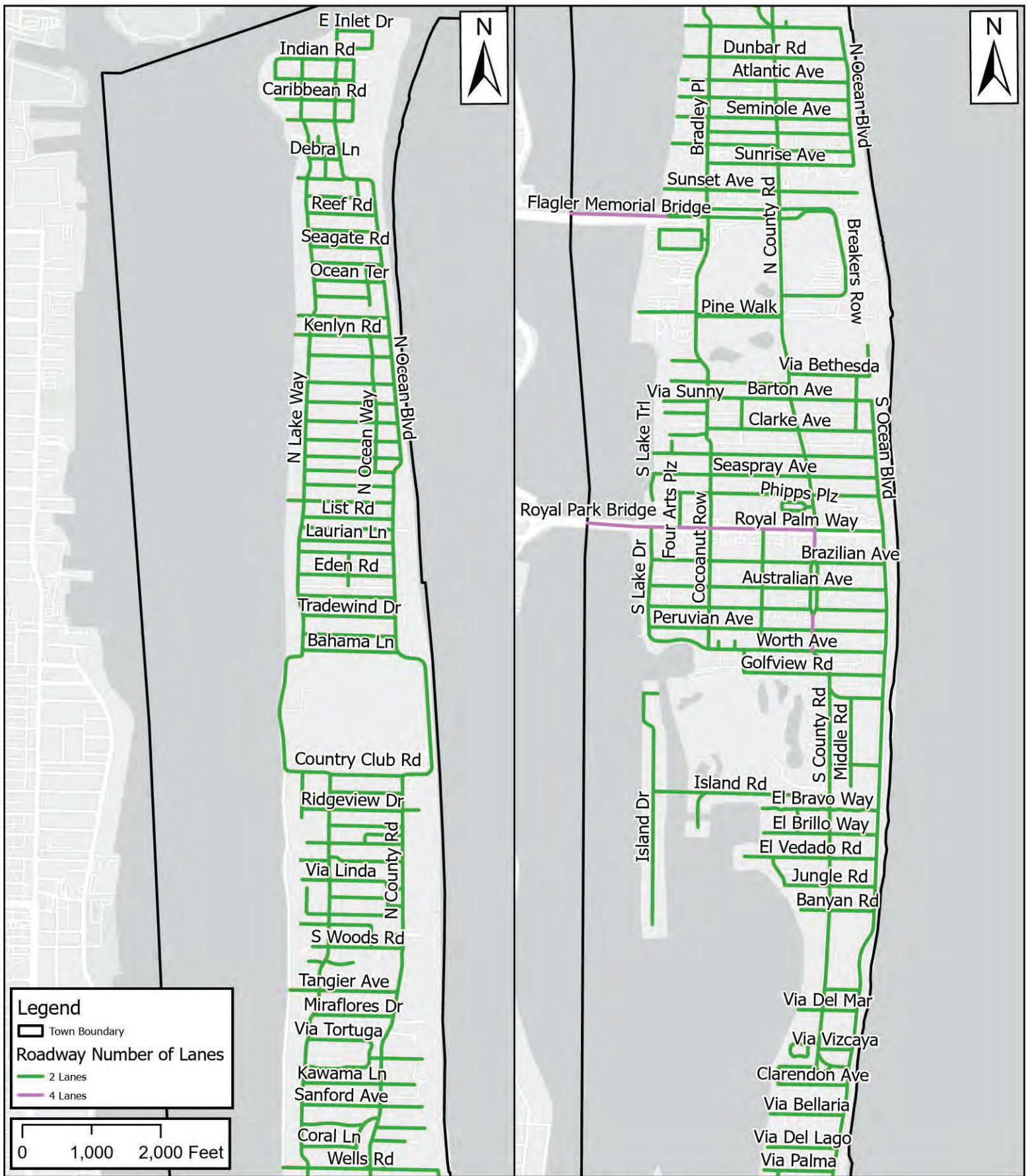


Functional Classification Map - 2024

GIS Department

Map No.
2.1

Date 7/41 of 789
09/24/2024



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Roadway Number of Lanes Map - 2024

GIS Department

Map No.
2.2

Date 7/22/2024 9/23/2024



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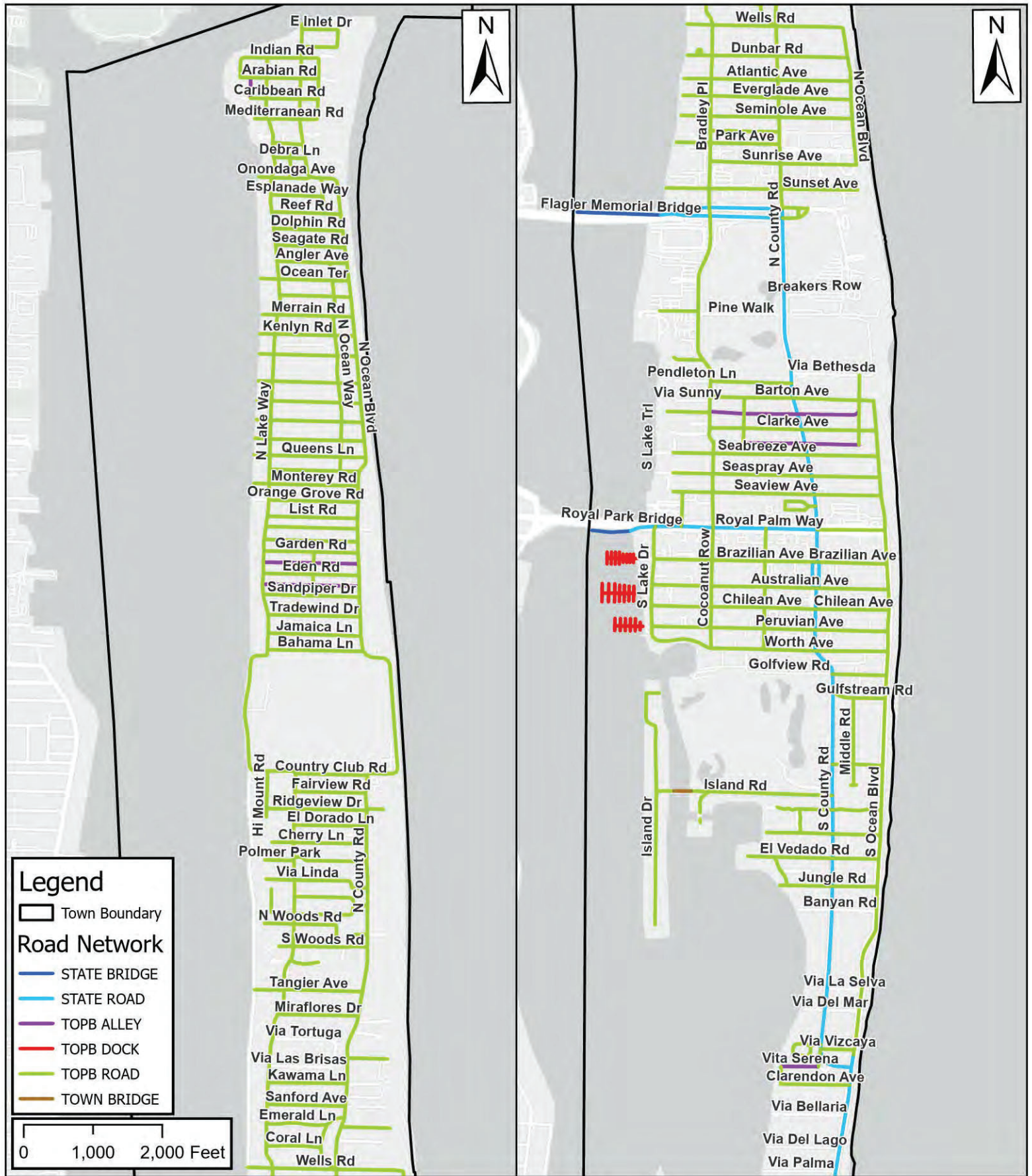


**Roadway Number of Lanes
Map - 2024**

GIS Department

Map No.
2.2

Date 7/43 of 789
9/23/2024



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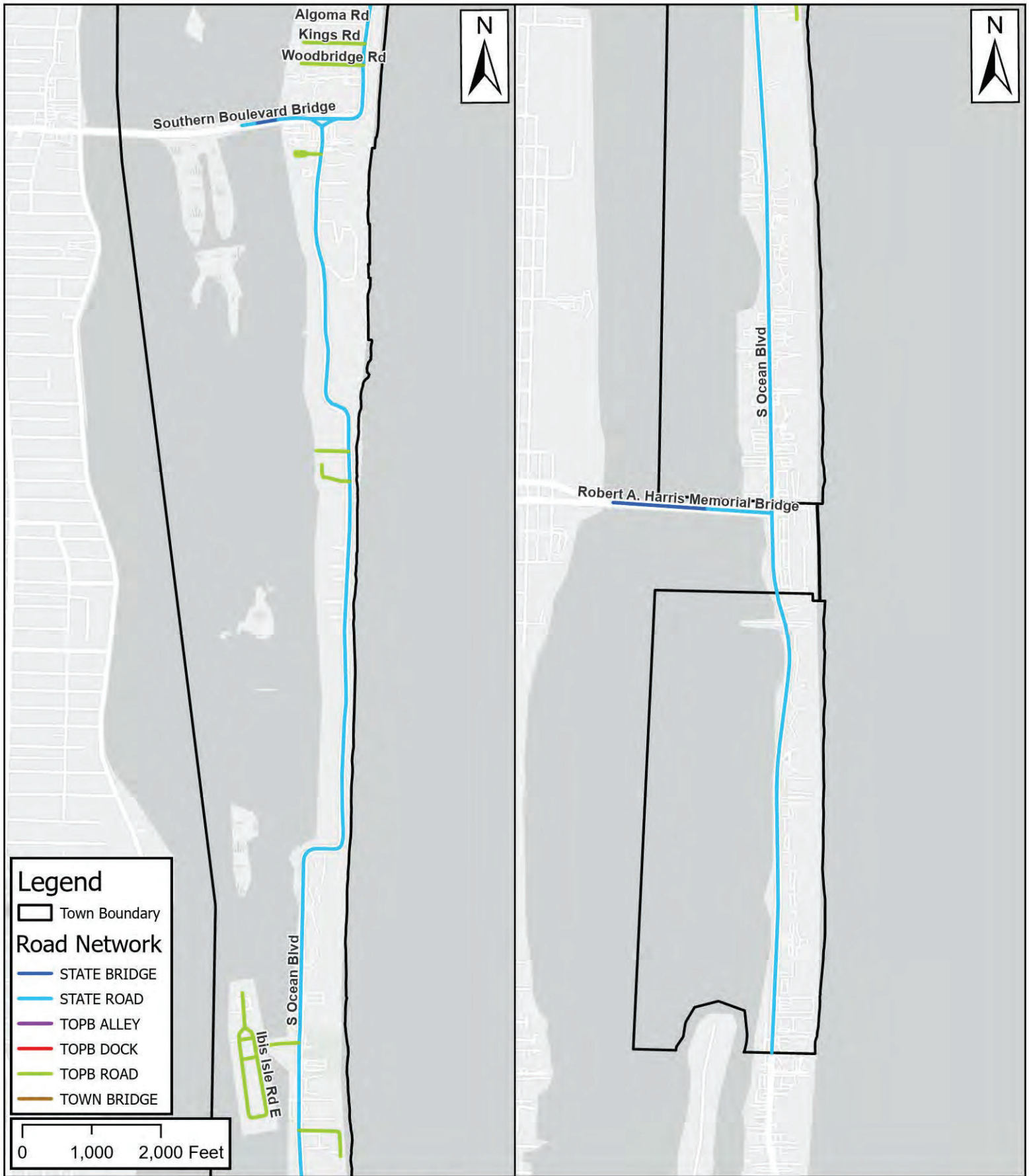


Road Network Map - 2024

GIS Department

Map No.
2.3

Date 9/23/2024



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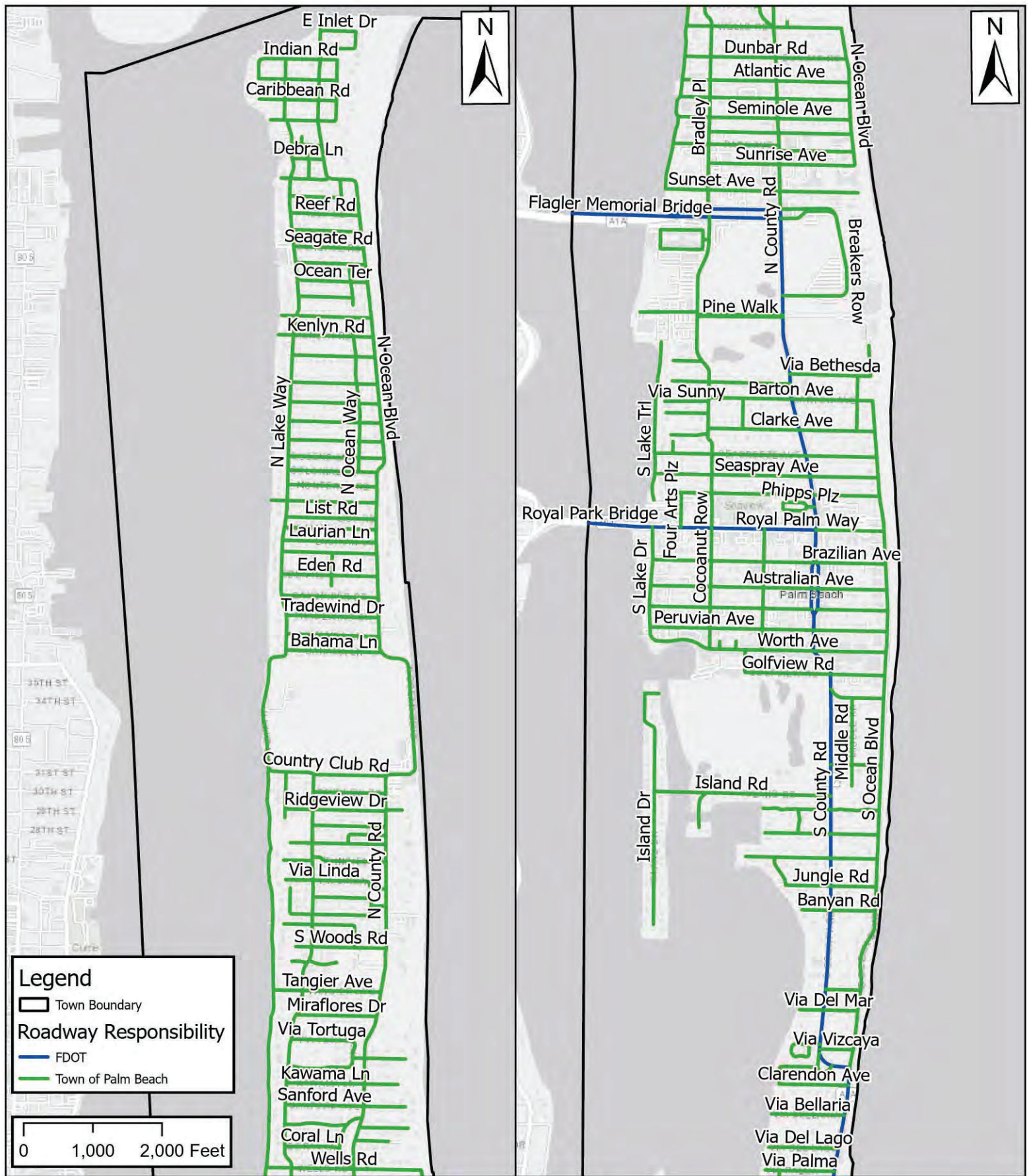


Road Network Map - 2024

GIS Department

Map No.
2.3

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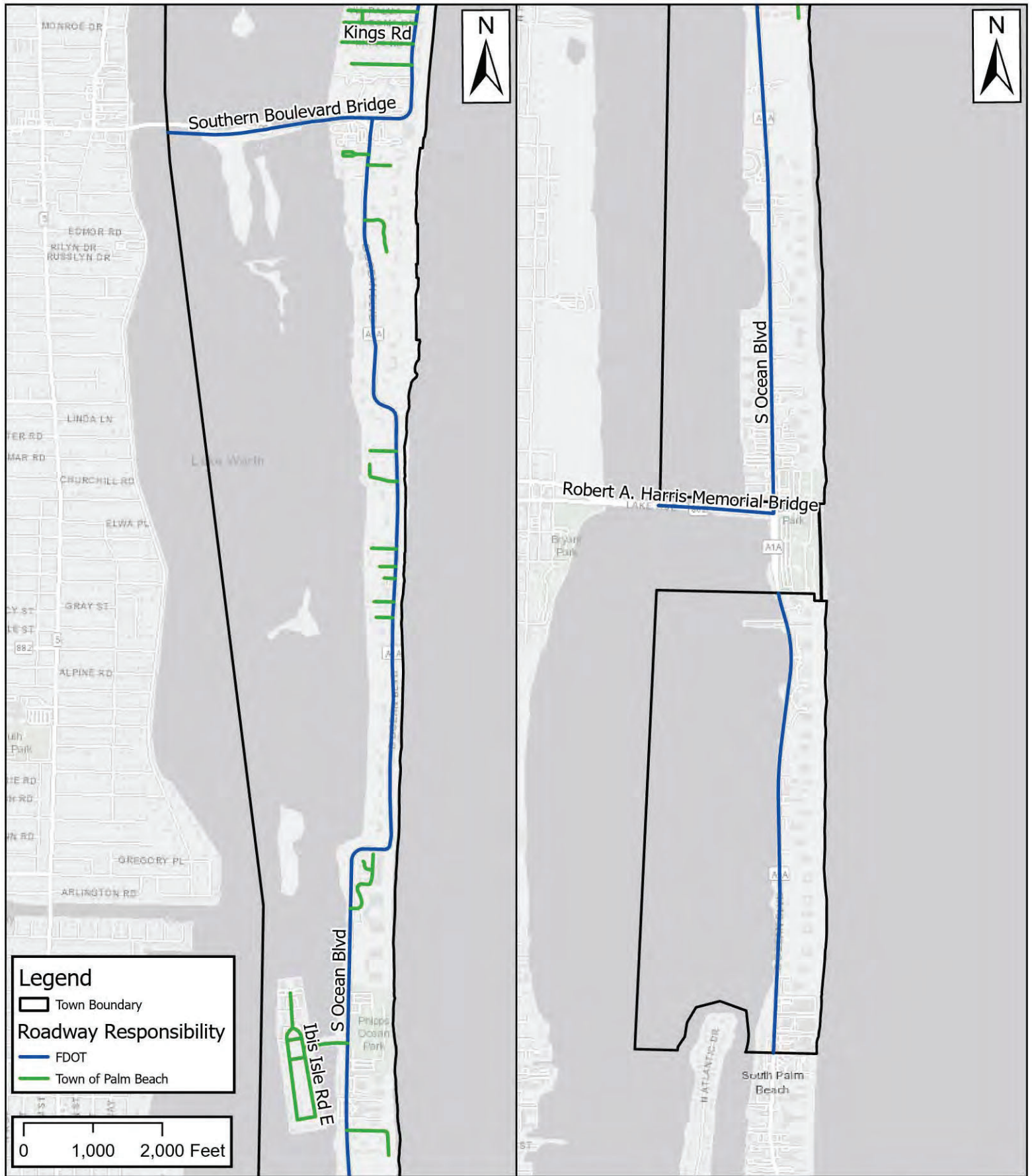


Roadway Responsibility Map - 2024

GIS Department

Map No.
2.4

Date 7/23/2024



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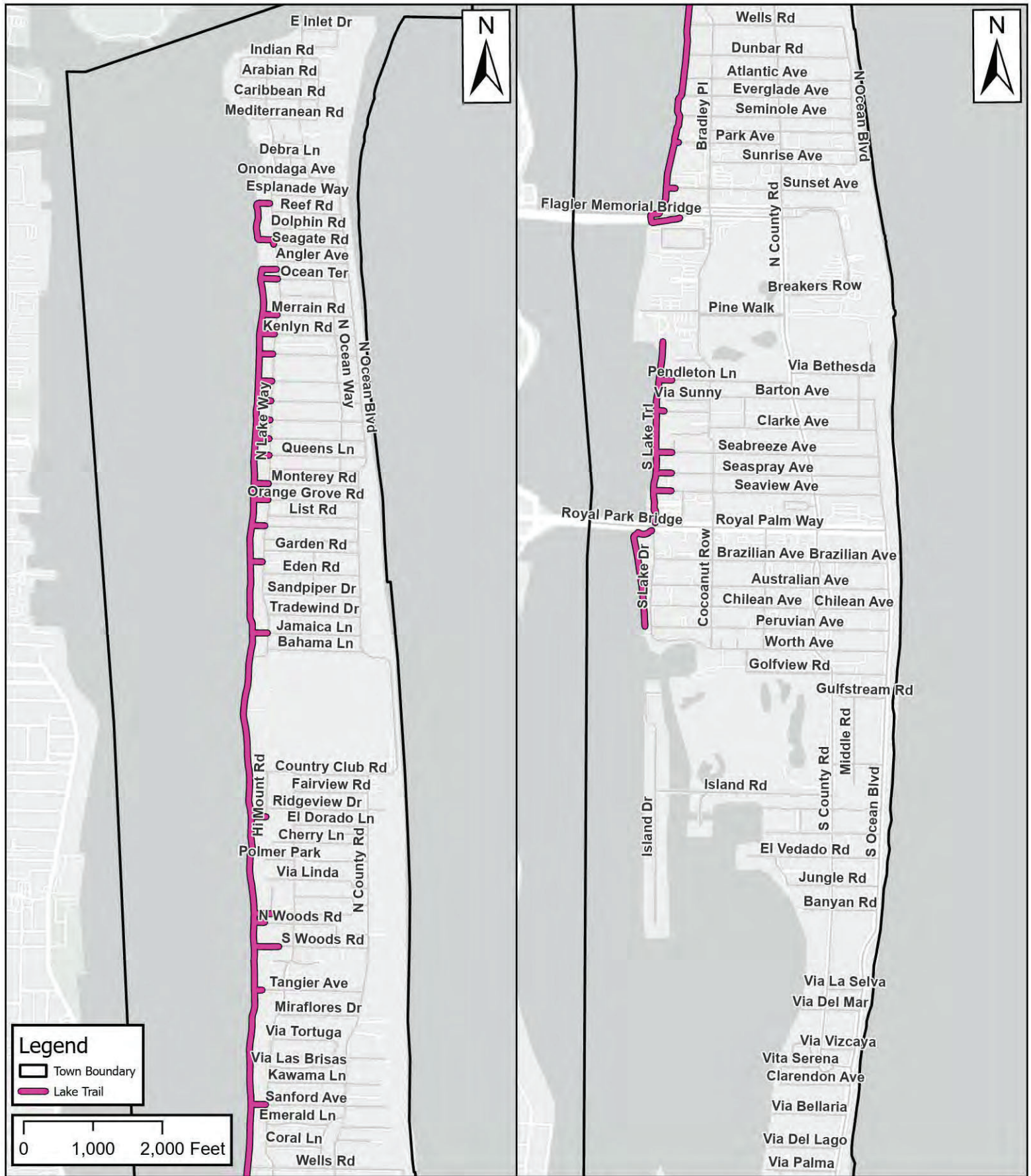


Roadway Responsibility Map - 2024

GIS Department

Map No.
2.4

Date 7/4/2024 9/23/2024



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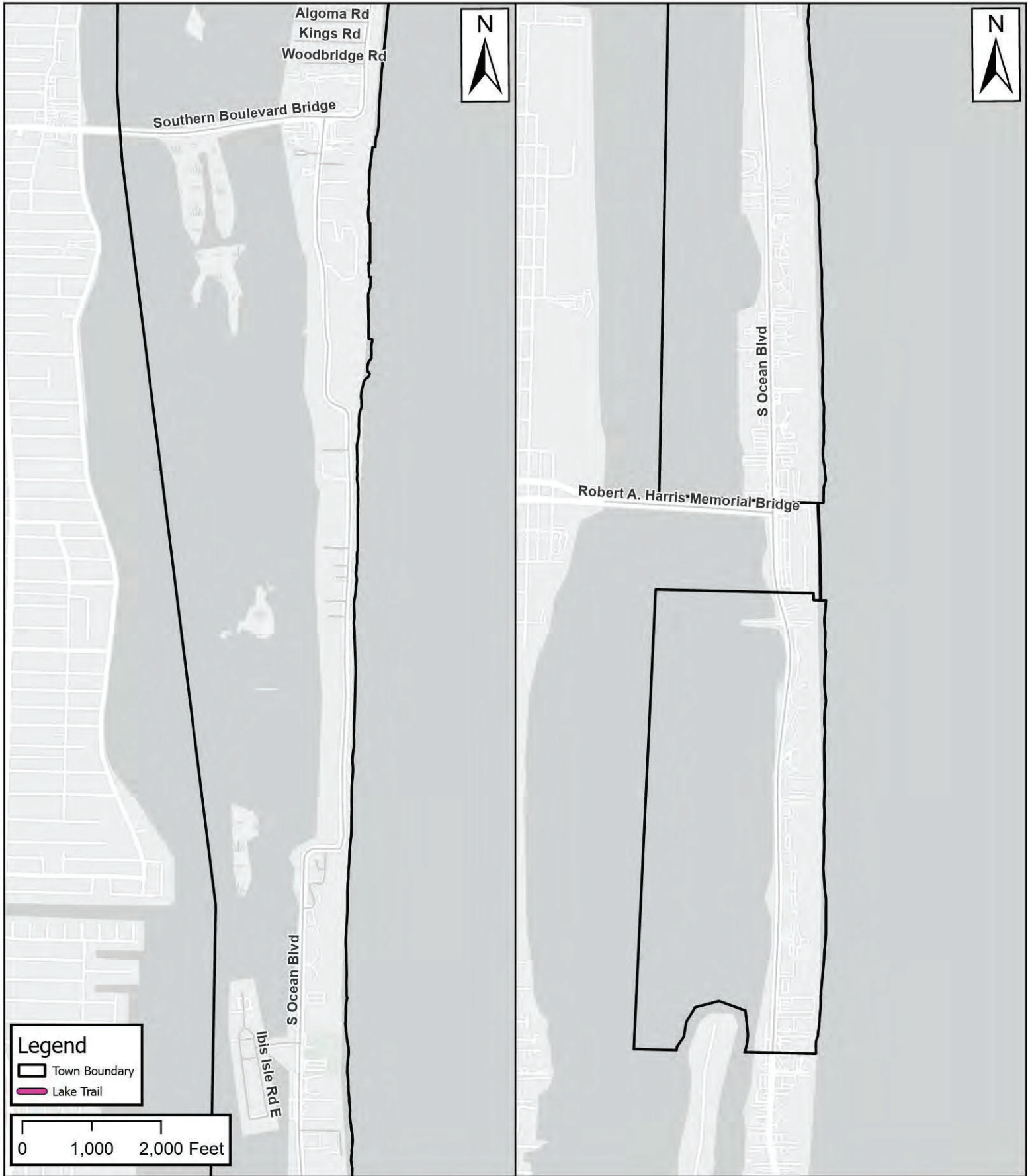


Bicycle Facilities Map - 2024

GIS Department

Map No.
2.5

Date 7/23/2024



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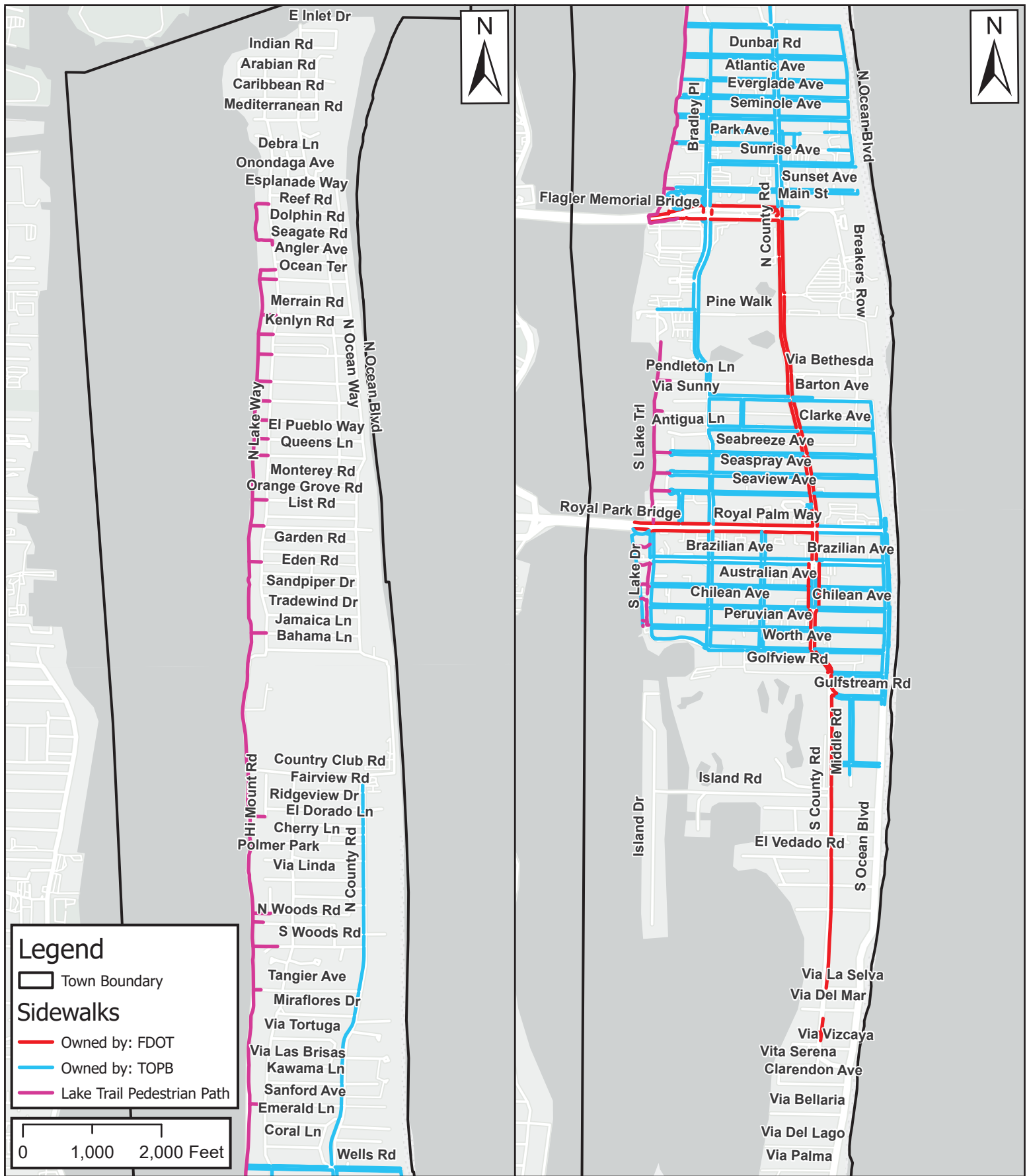


Bicycle Facilities Map - 2024

GIS Department

Map No.
2.5

Date 749 of 789
9/23/2024



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TC Development Review Meeting Backup 2-12-2025

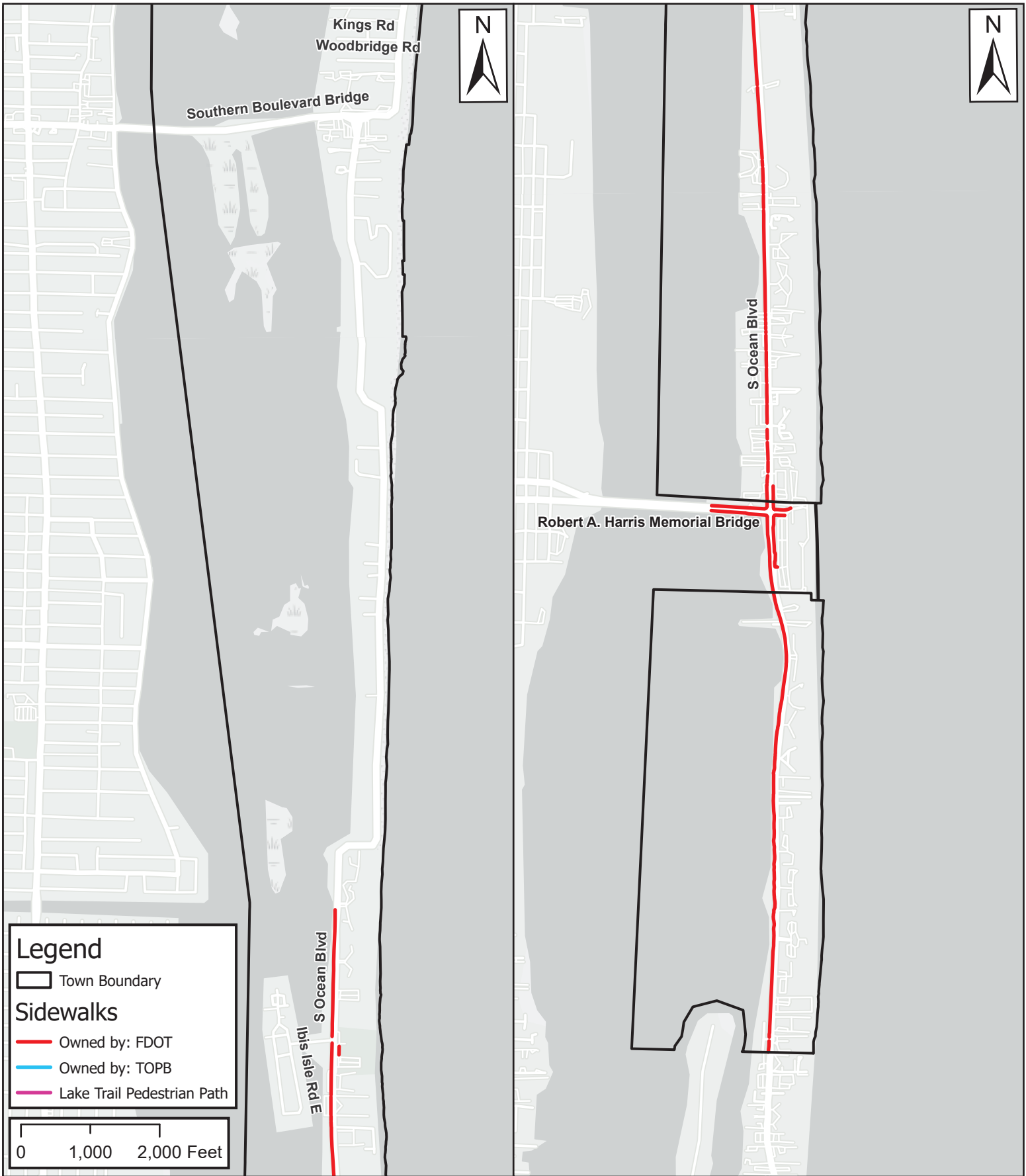


Pedestrian Network Map - 2024

GIS Department

Map No.
2.6

Date 7/50 of 789
9/24/2024



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TC Development Review Meeting Backup 2-12-2025

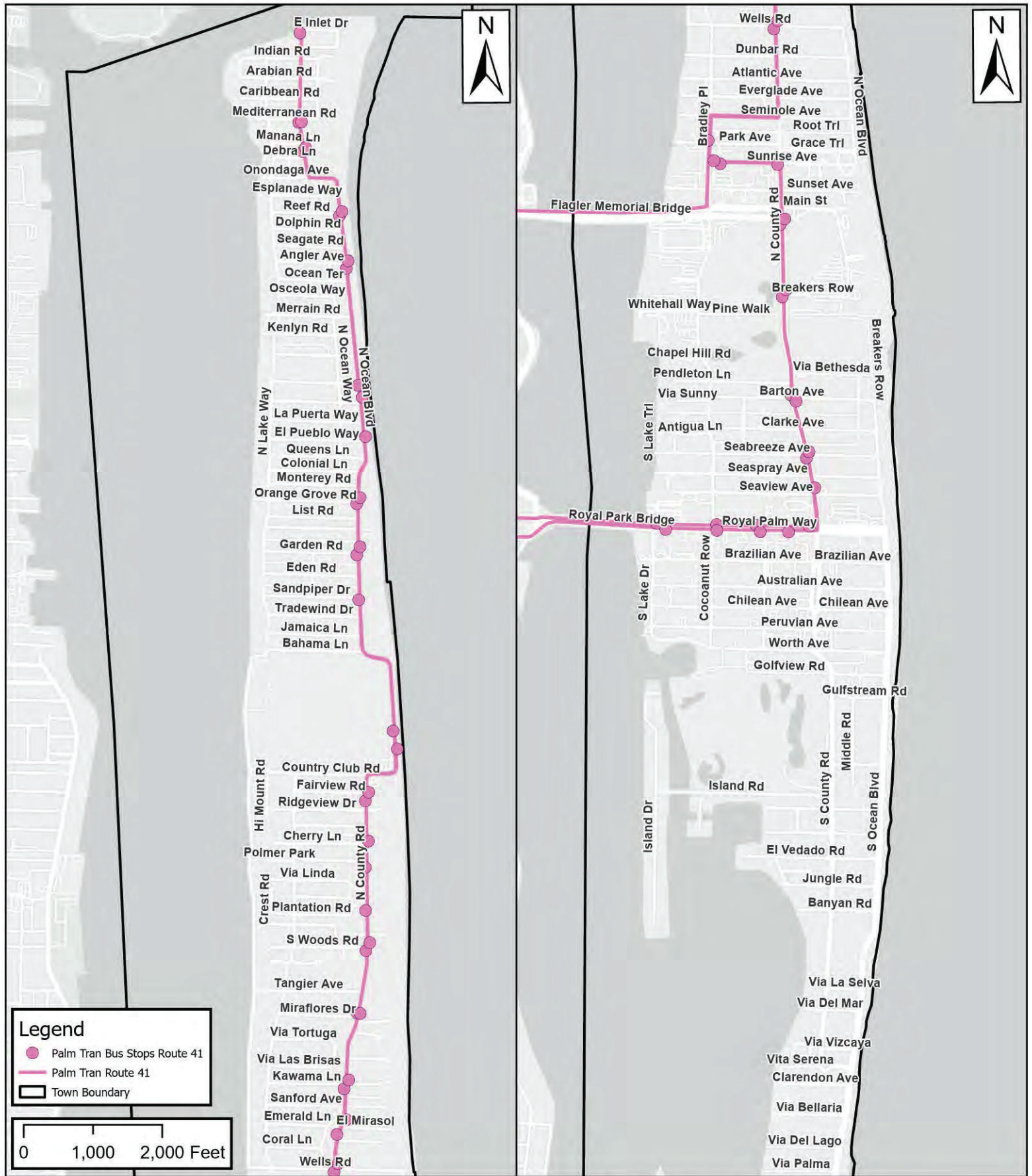


Pedestrian Network Map - 2024

GIS Department

Map No.
2.6

Date 7/51 of 789
9/24/2024



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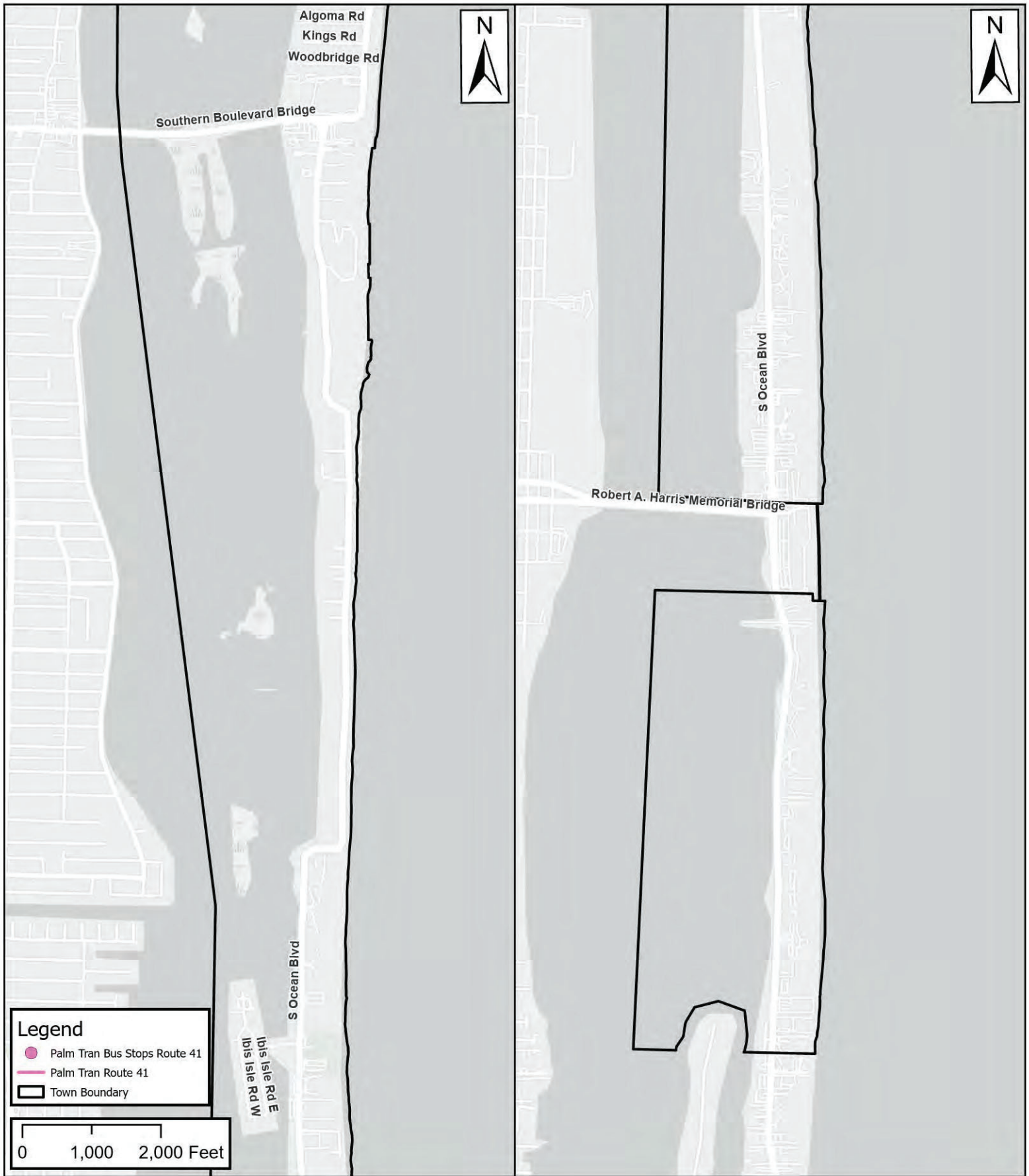


Public Transit Map - 2024

GIS Department

Map No.
2.7

Date 9/24/2024



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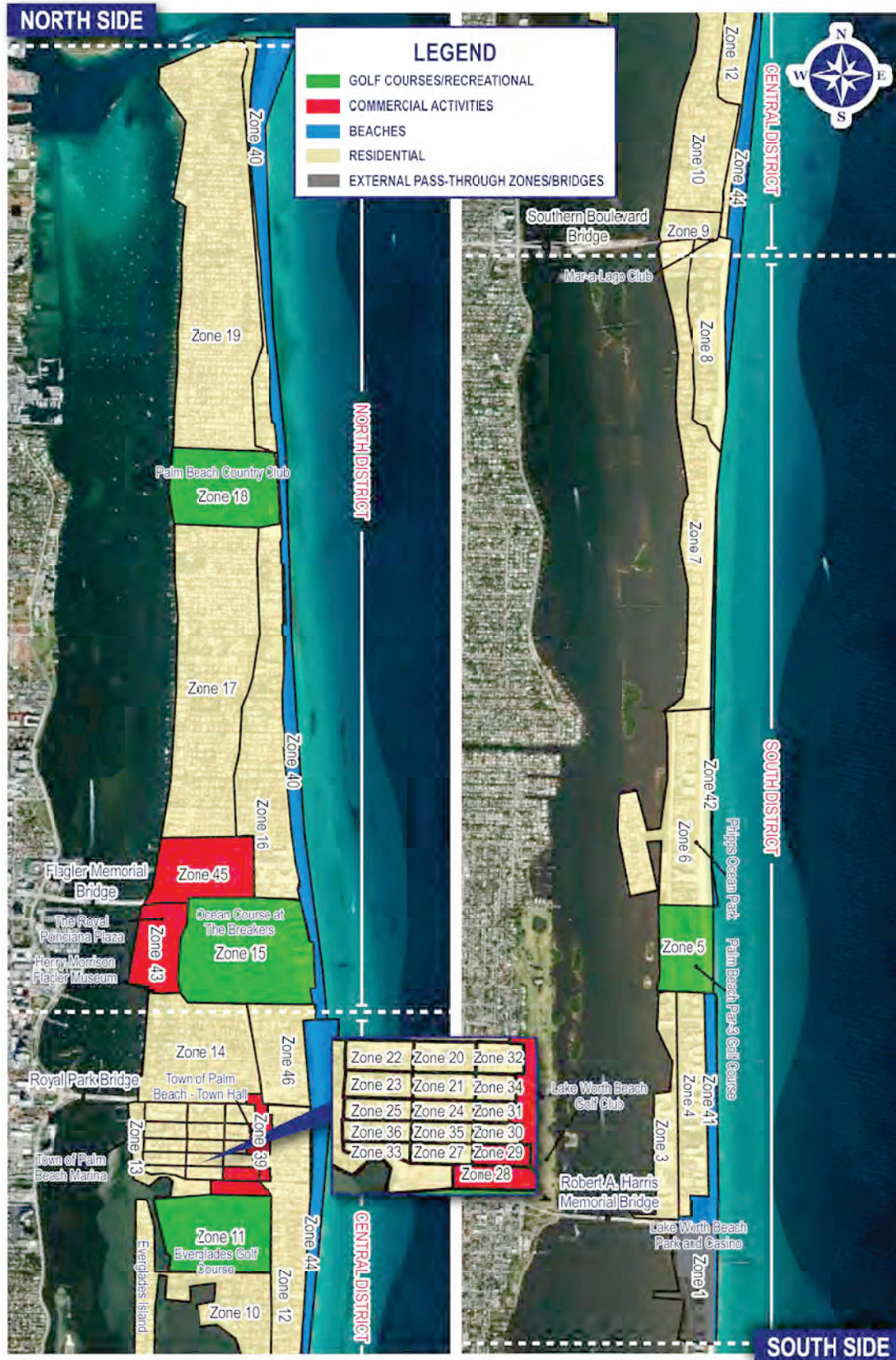
Public Transit Map - 2024

GIS Department

Map No.
2.7

Date 7/53 of 789
9/24/2024

TOWN OF PALM BEACH OD ZONES ANALYSIS



Planning, Zoning & Building Department

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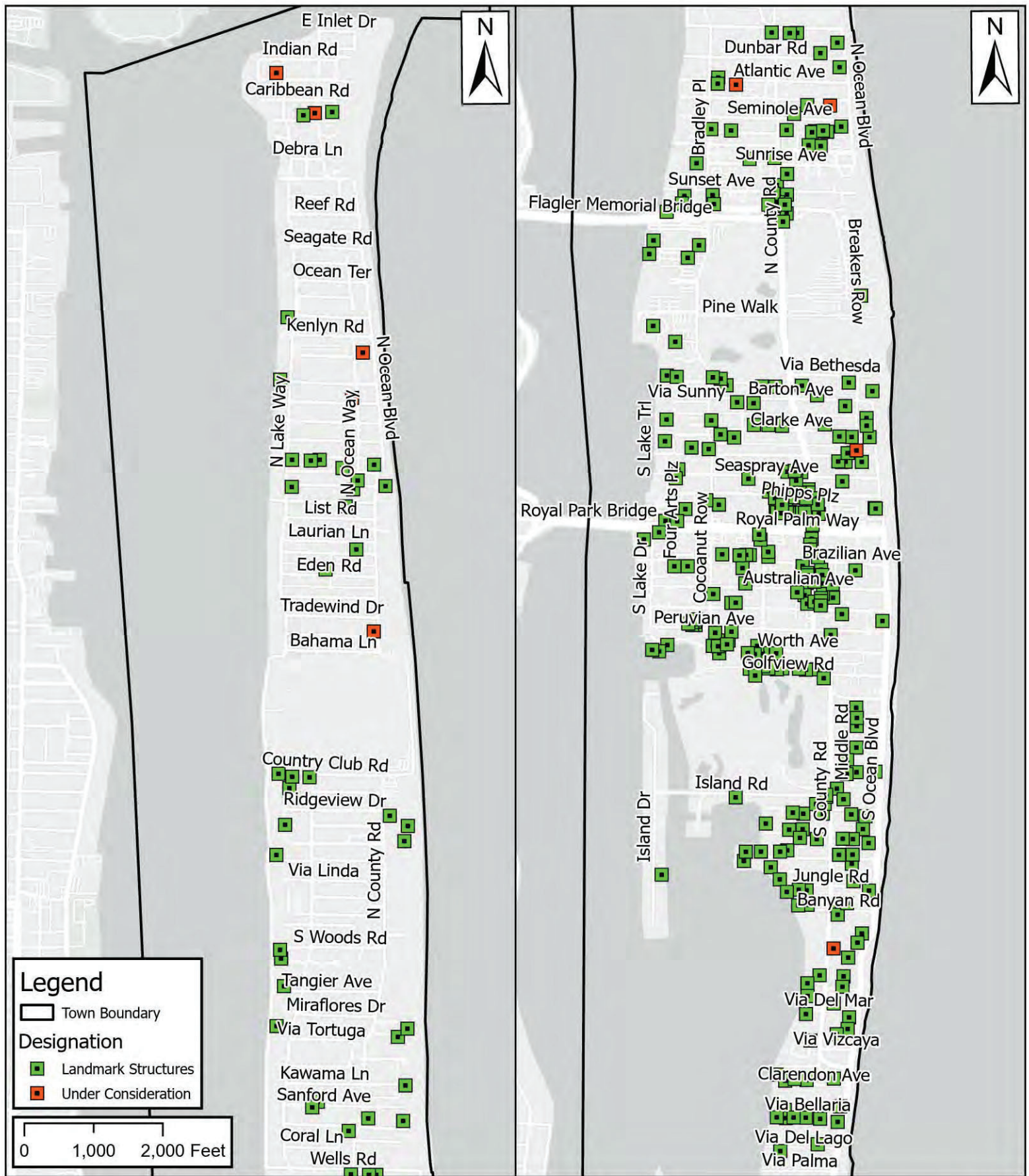


Origin Destination (OD) Zones Analysis Map - 2024

GIS Department

Map No.
2.8

Date 7/26/2024



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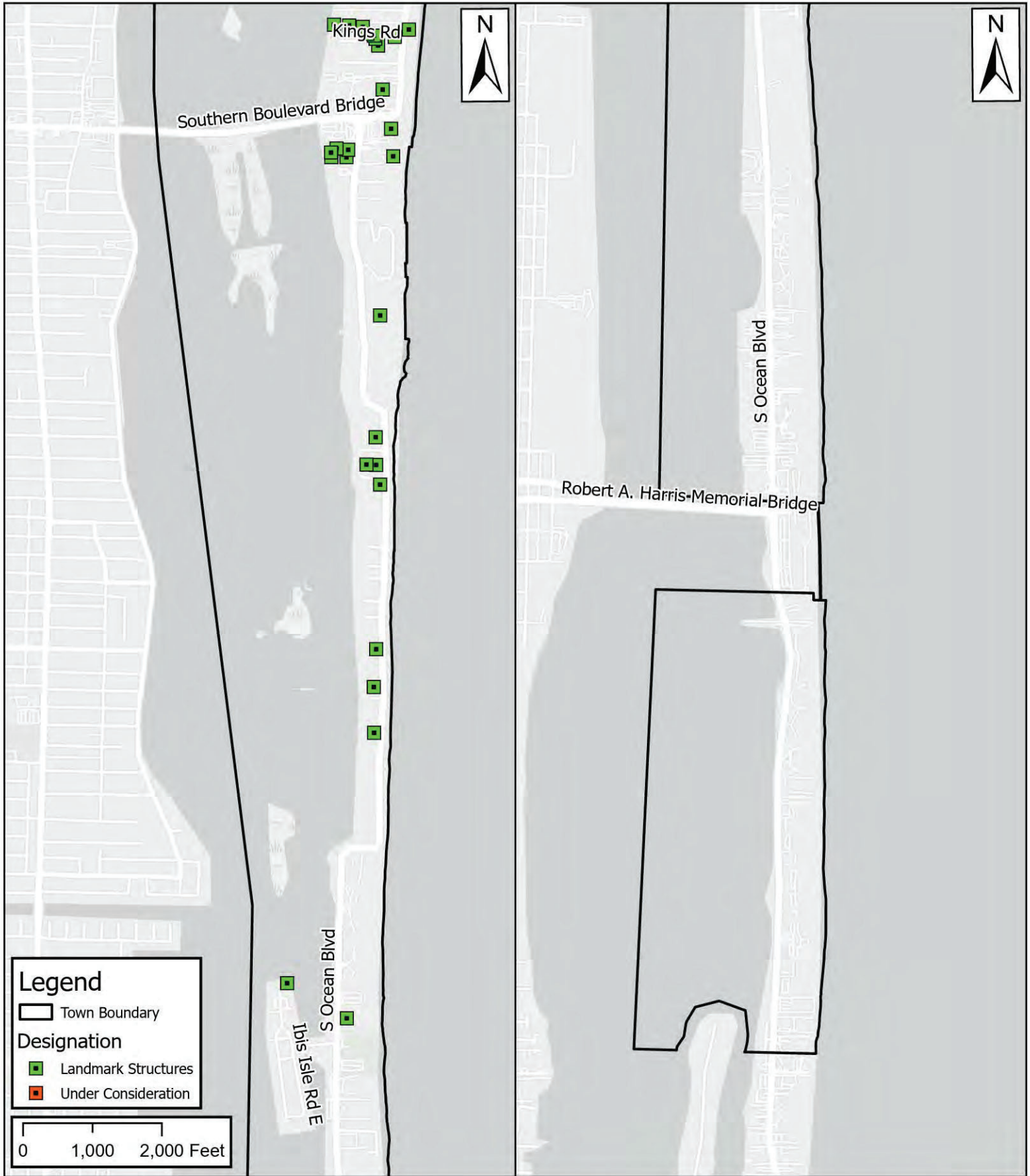


Landmark Structures Map - 2024

GIS Department

Map No.
4.1

Date 7/55 of 789
9/24/2024



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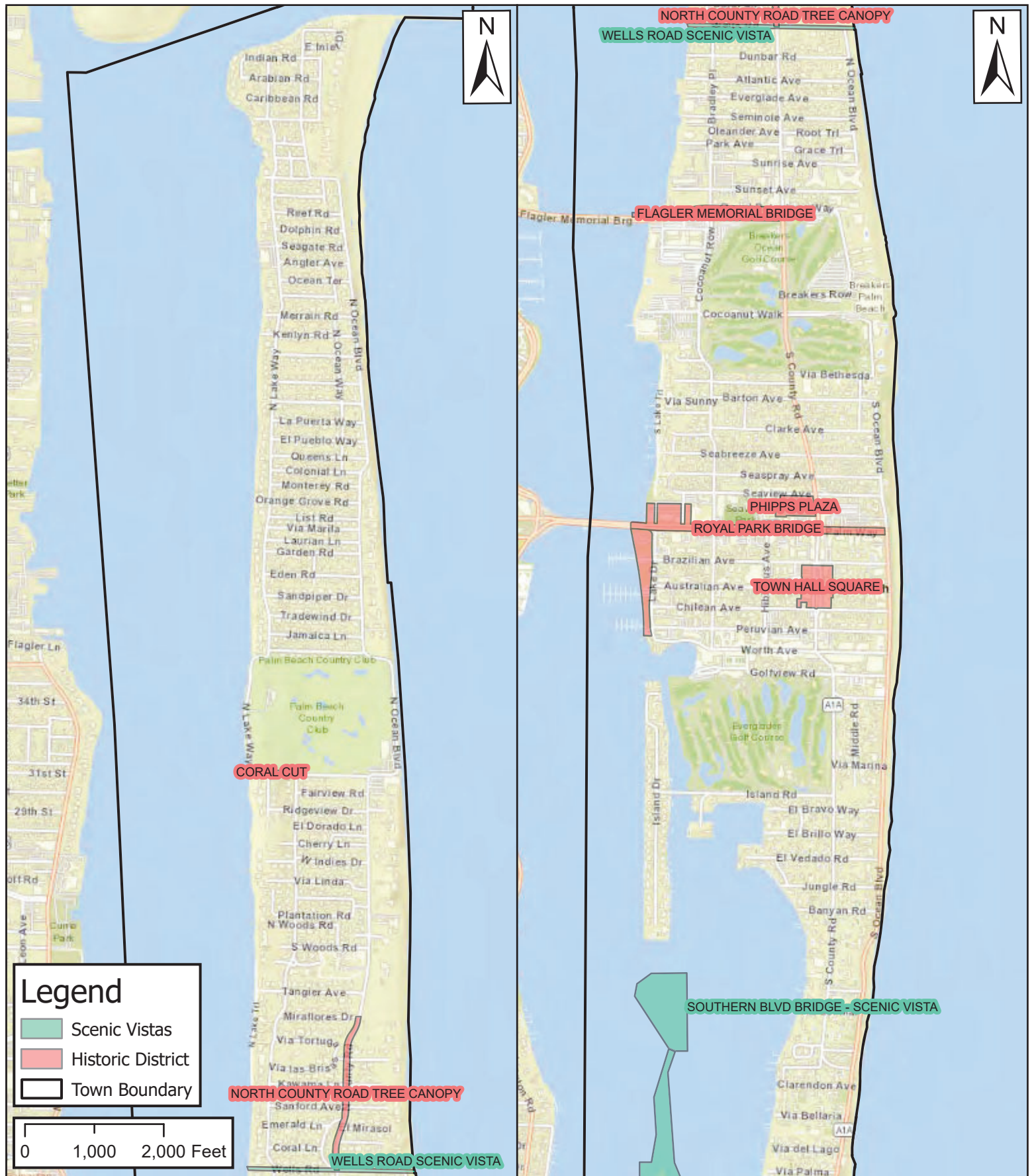


Landmark Structures Map - 2024

GIS Department

Map No.
4.1

Date 7/56 of 789
9/24/2024



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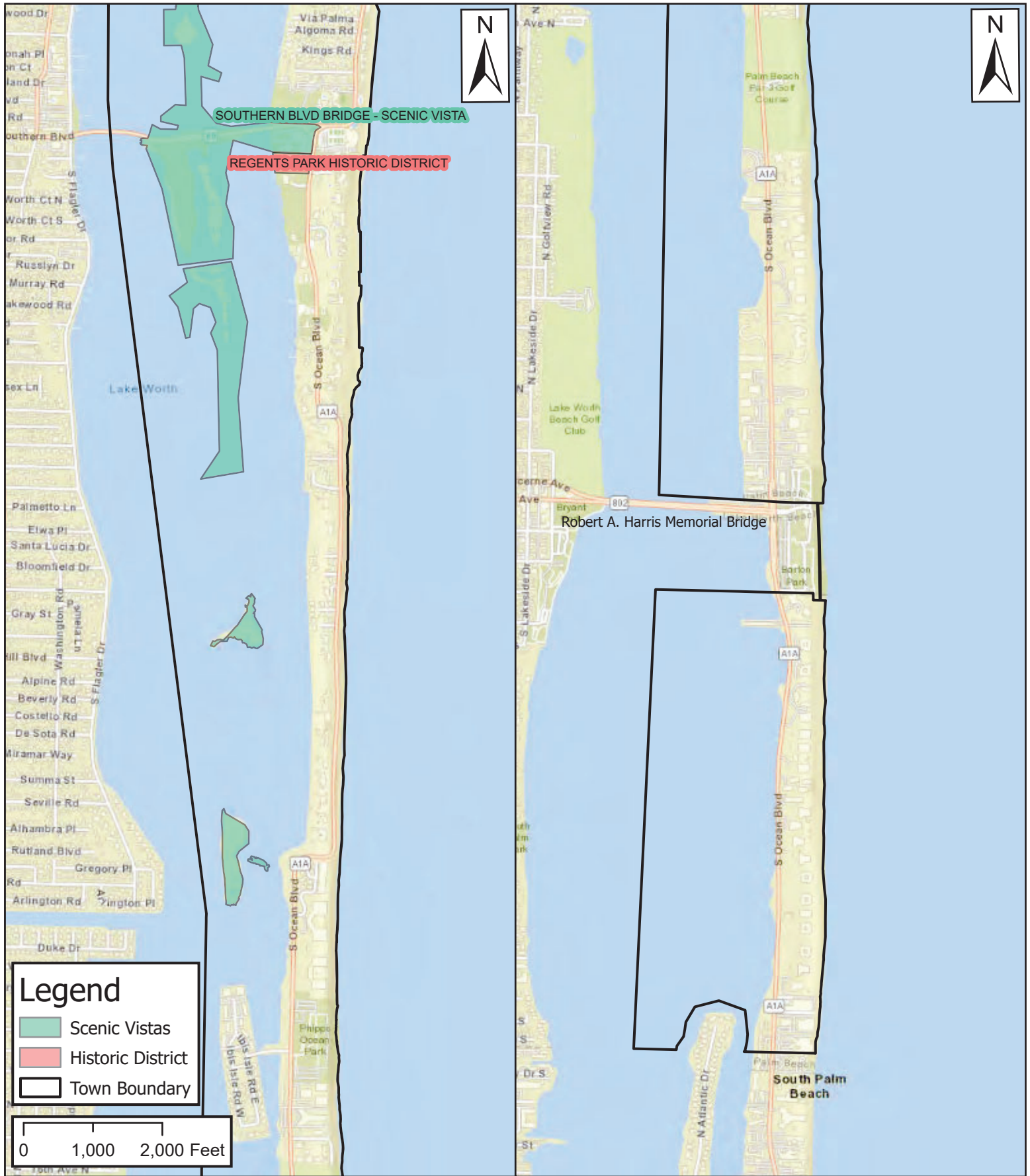


Historic Districts and Scenic Vistas Map - 2024

GIS Department

Map No.
4.2

Date 757 of 789
9/24/2024



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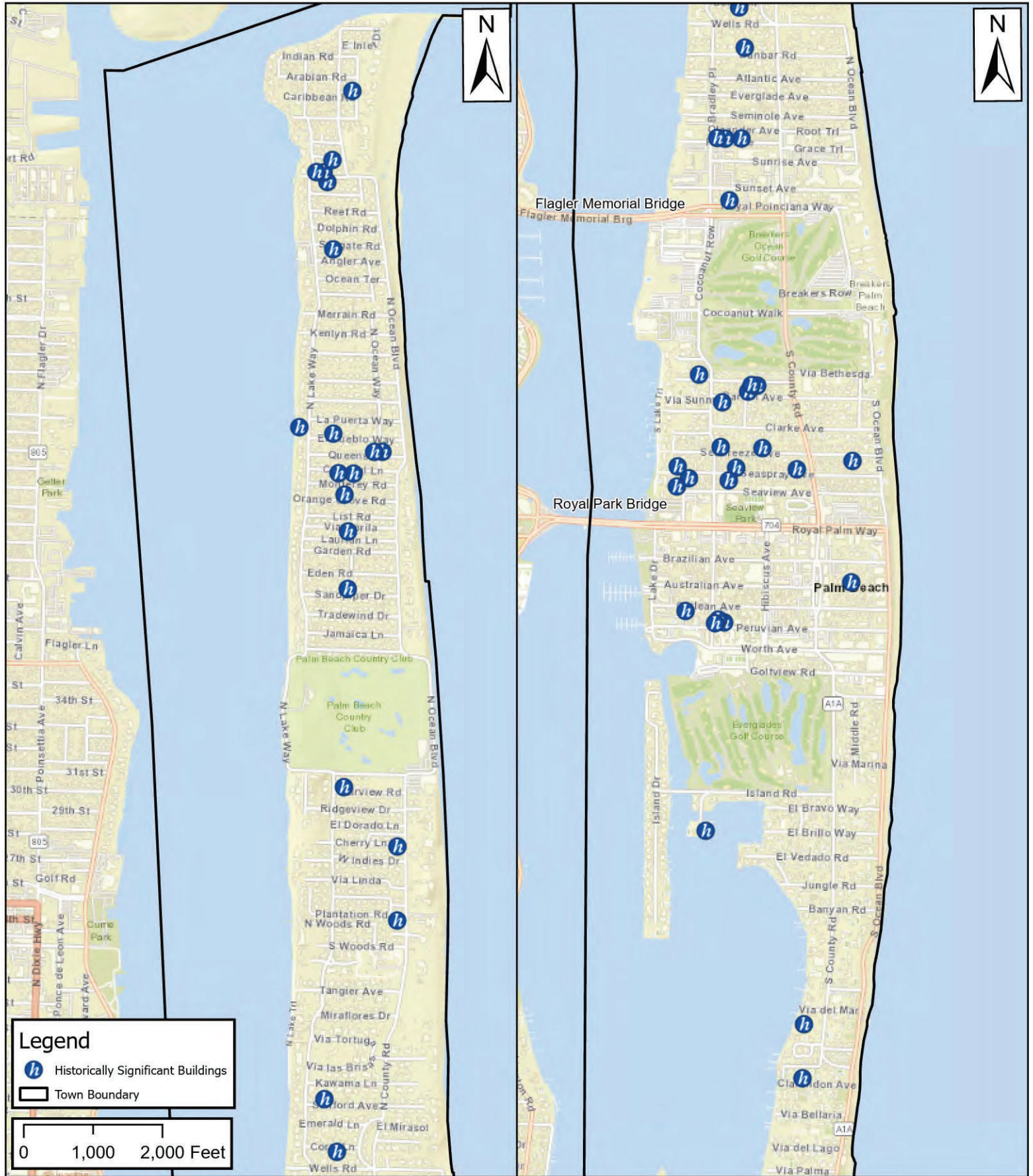


Historic Districts and Scenic Vistas Map - 2024

GIS Department

Map No.
4.2

Date 9/24/2024



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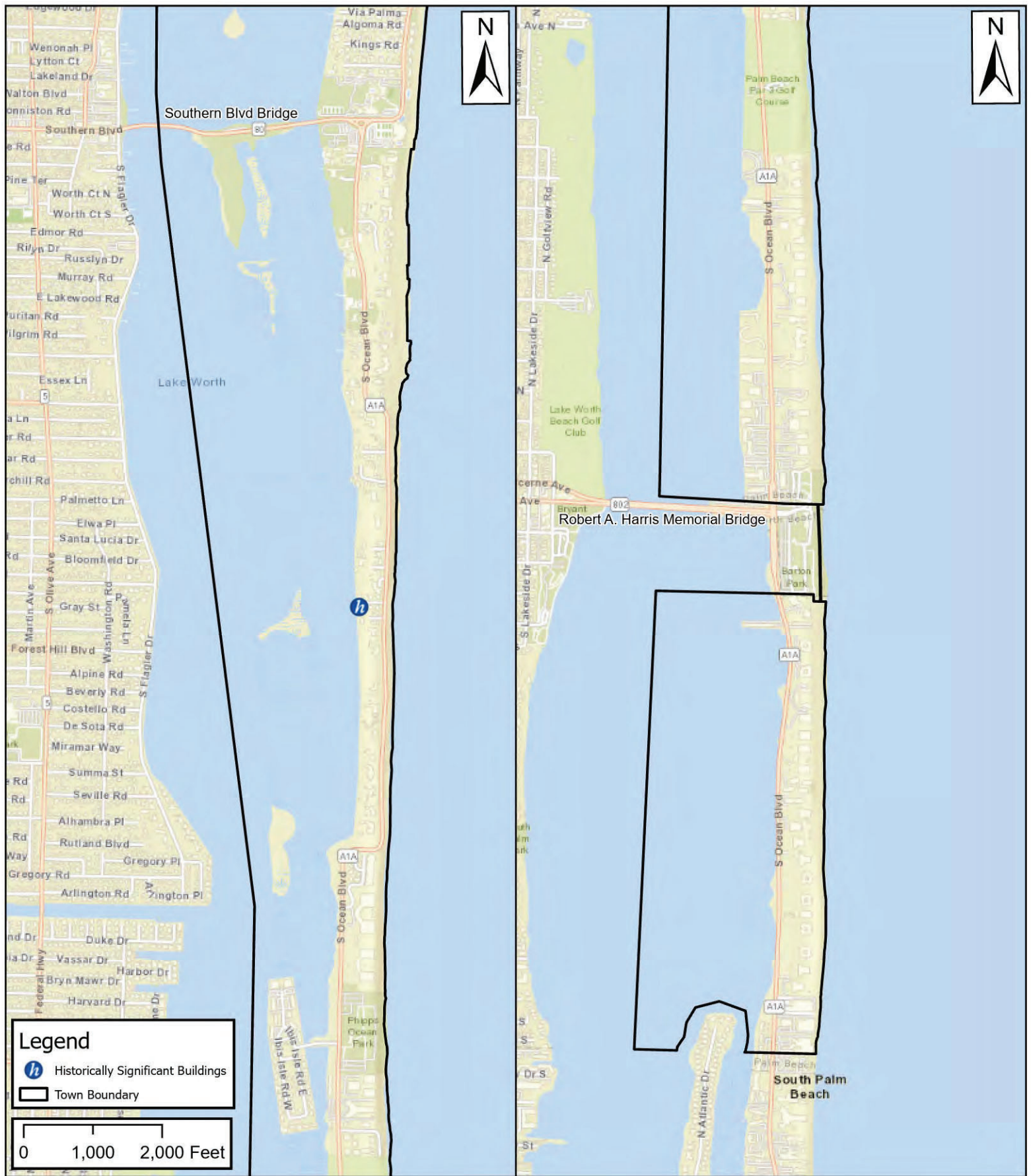


Historically Significant Buildings Map - 2024

GIS Department

Map No.
4.3

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9/24/2024



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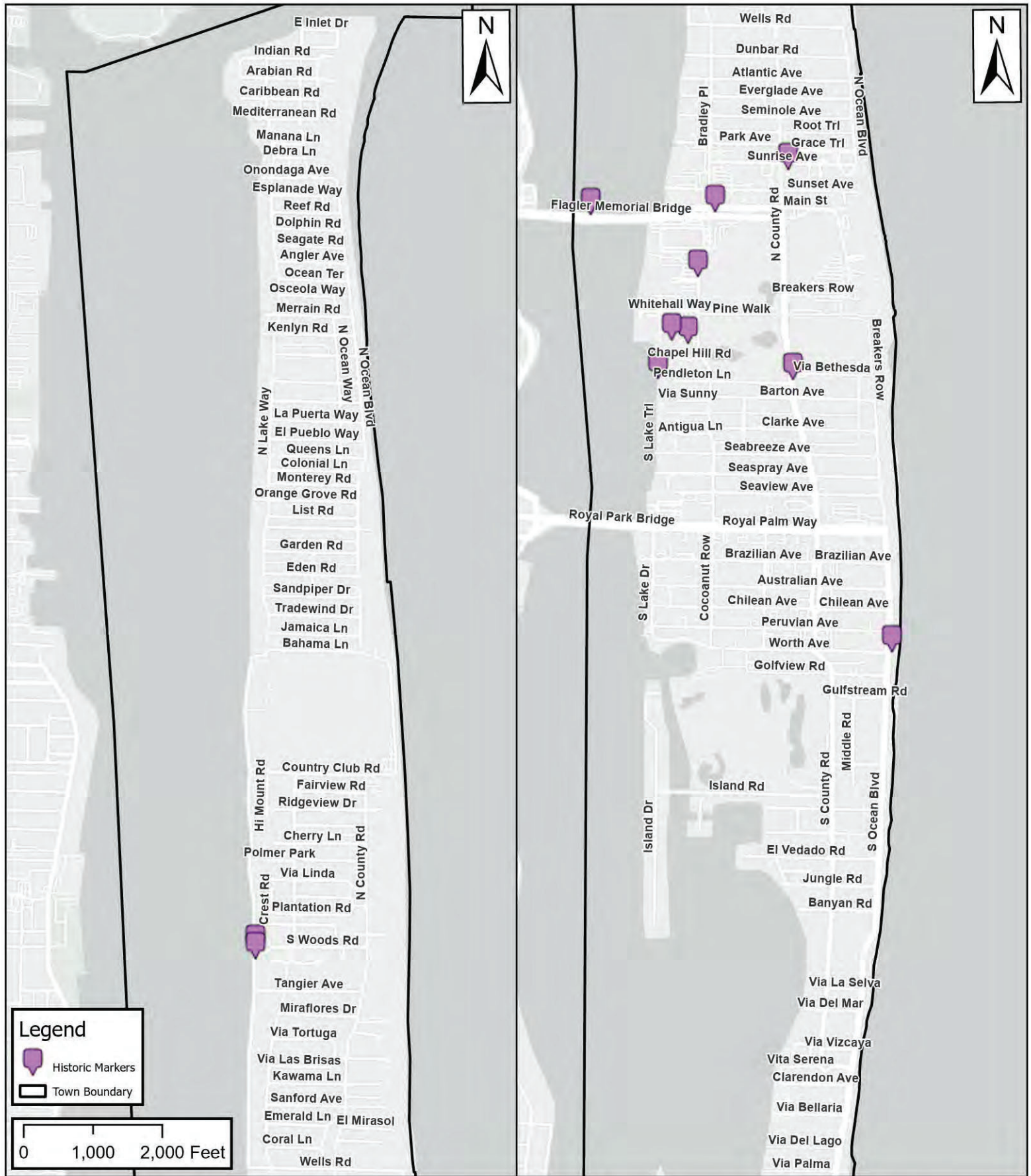


Historically Significant Buildings Map - 2024

GIS Department

Map No.
4.3

Date 7/60 of 789
9/24/2024



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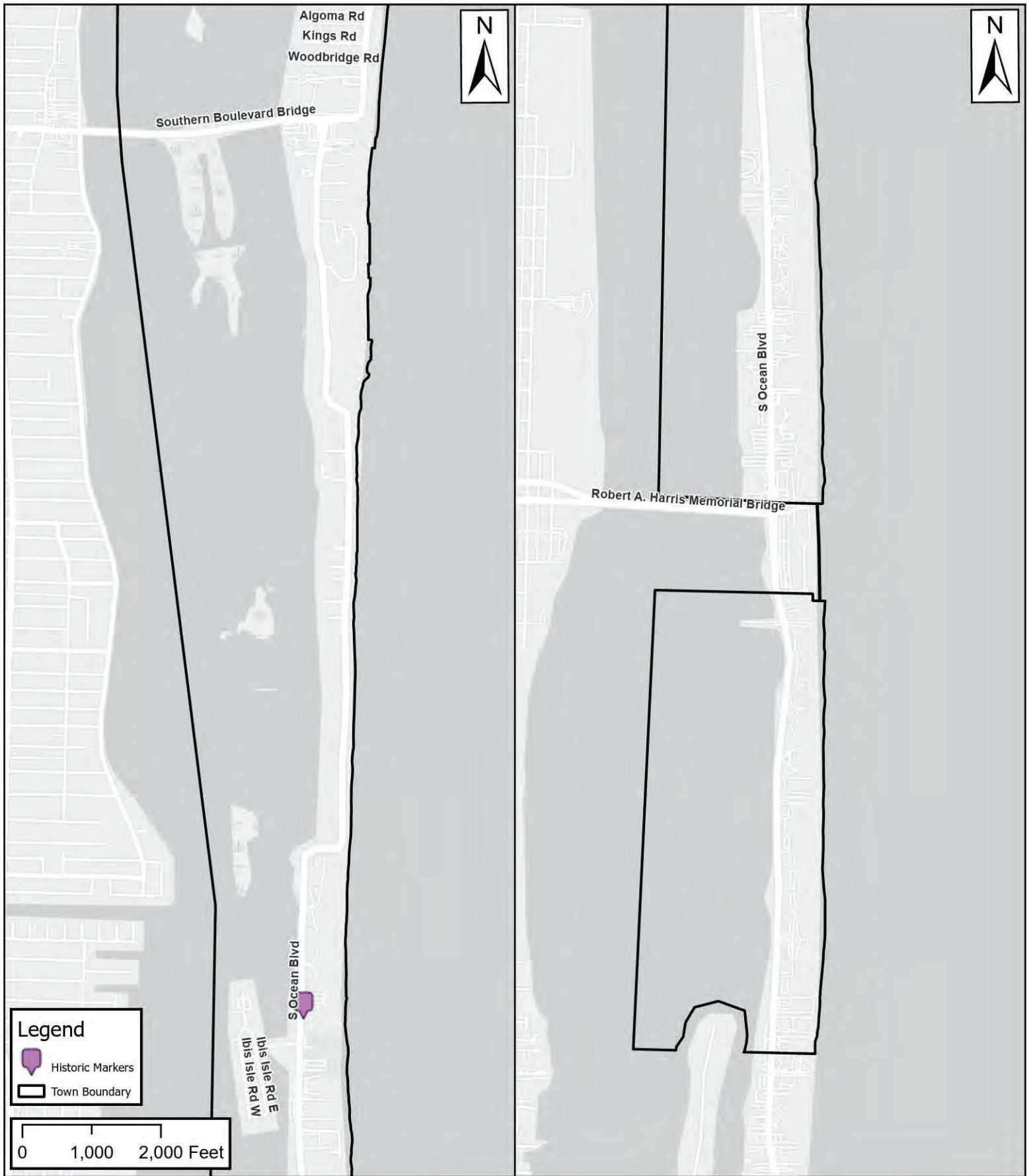


Historic Markers Map - 2024

GIS Department

Map No.
4.4

Date 7/24/2024



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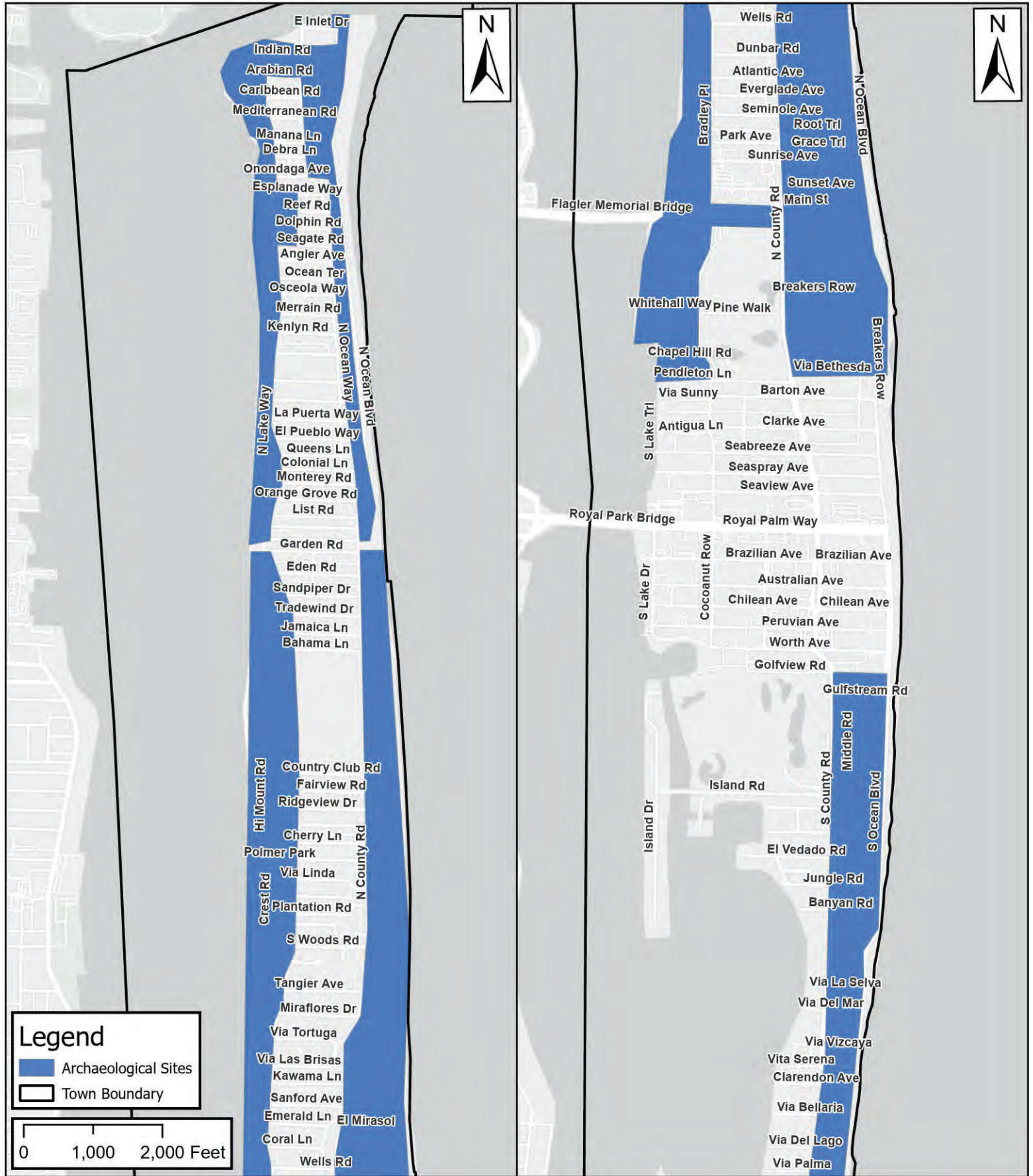


Historic Markers Map - 2024

GIS Department

Map No.
4.4

Date 7/62 of 789
9/24/2024



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Archaeological Sites Map - 2024

GIS Department

Map No.
4.5

Date 7/24/2024



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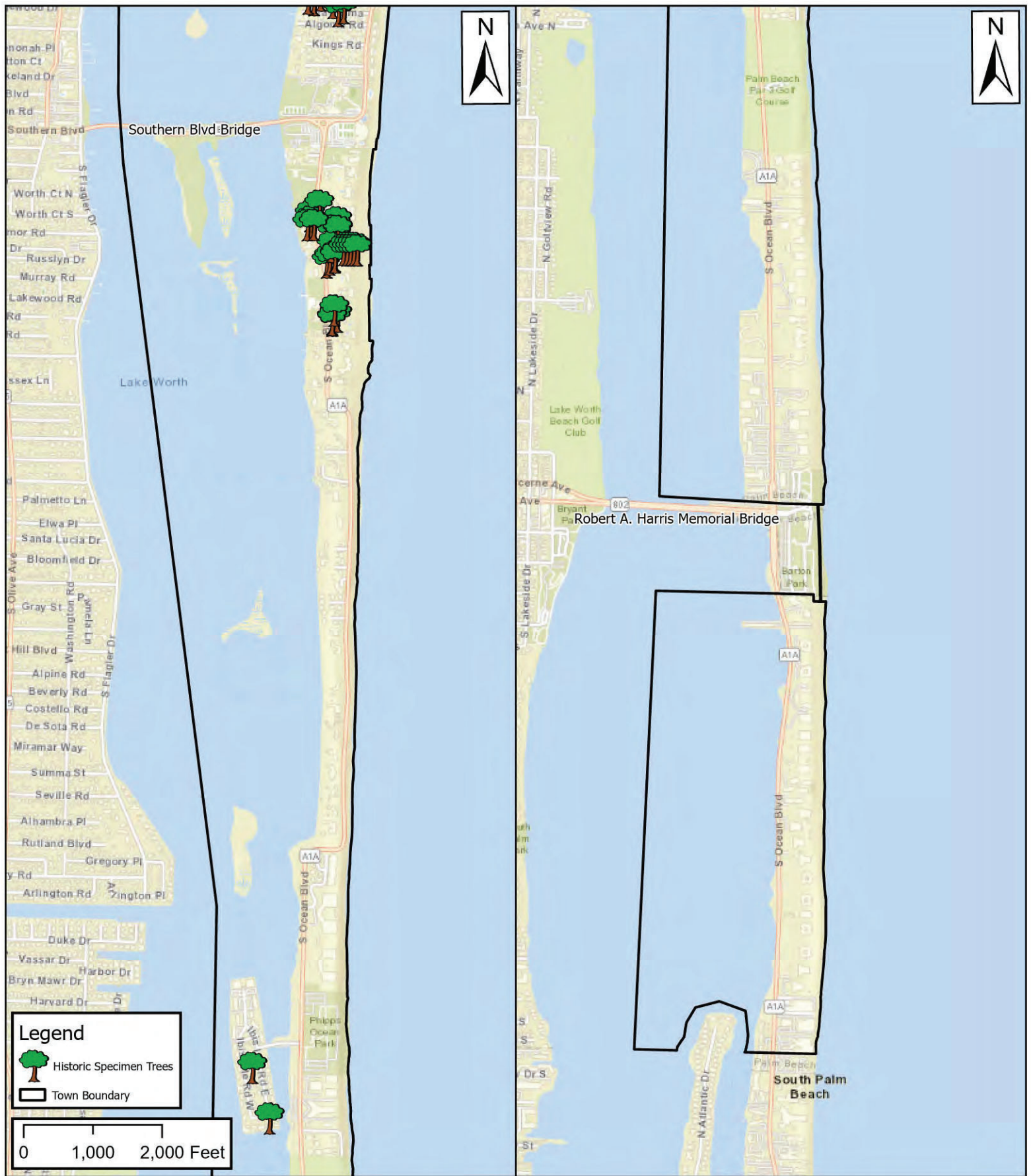


Archaeological Sites Map - 2024

GIS Department

Map No.
4.5

Date 7/64 of 789
9/24/2024



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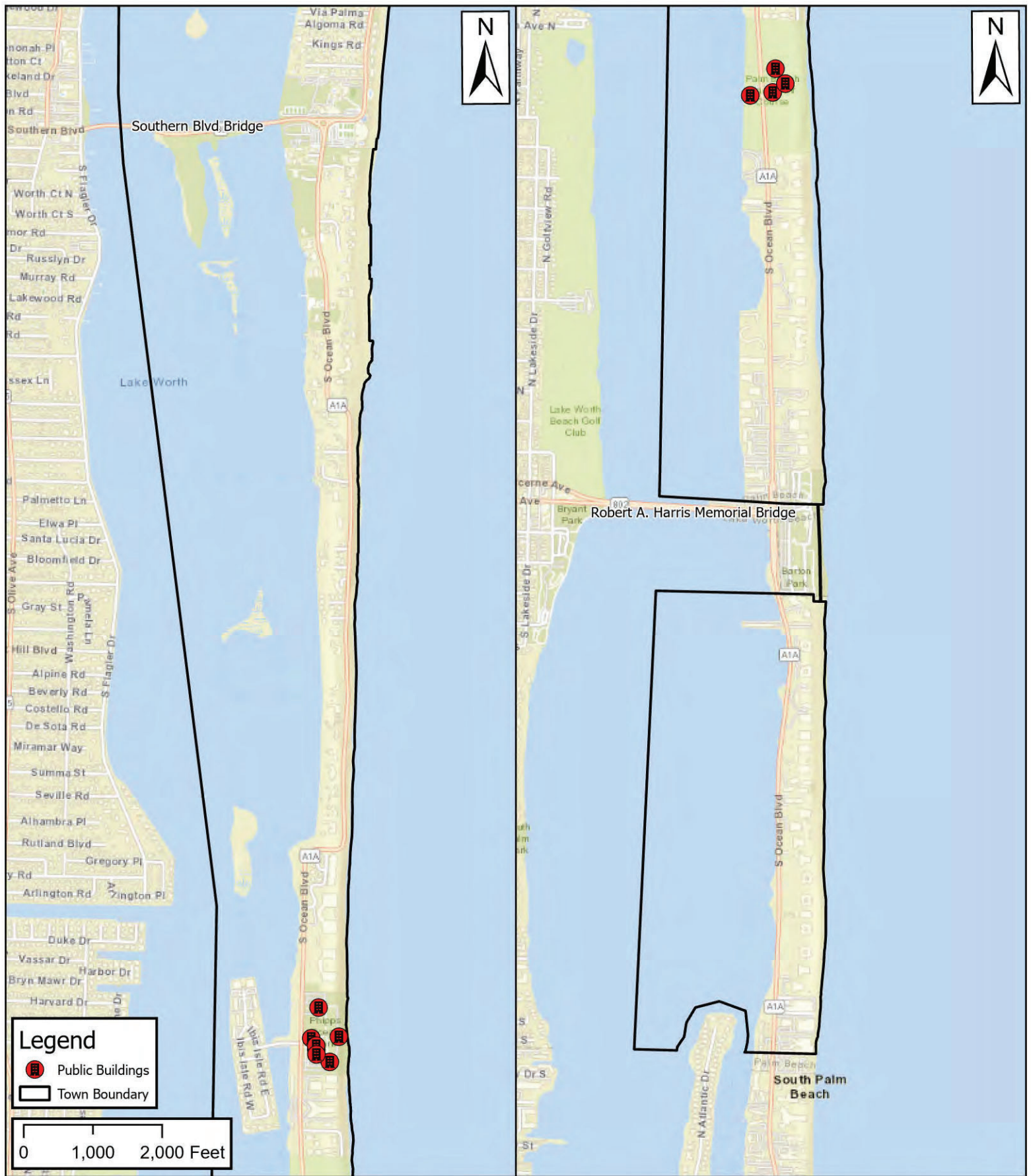


Historic Specimen Trees Map - 2024

GIS Department

Map No.
4.6

Date 7/66 of 789
9/24/2024



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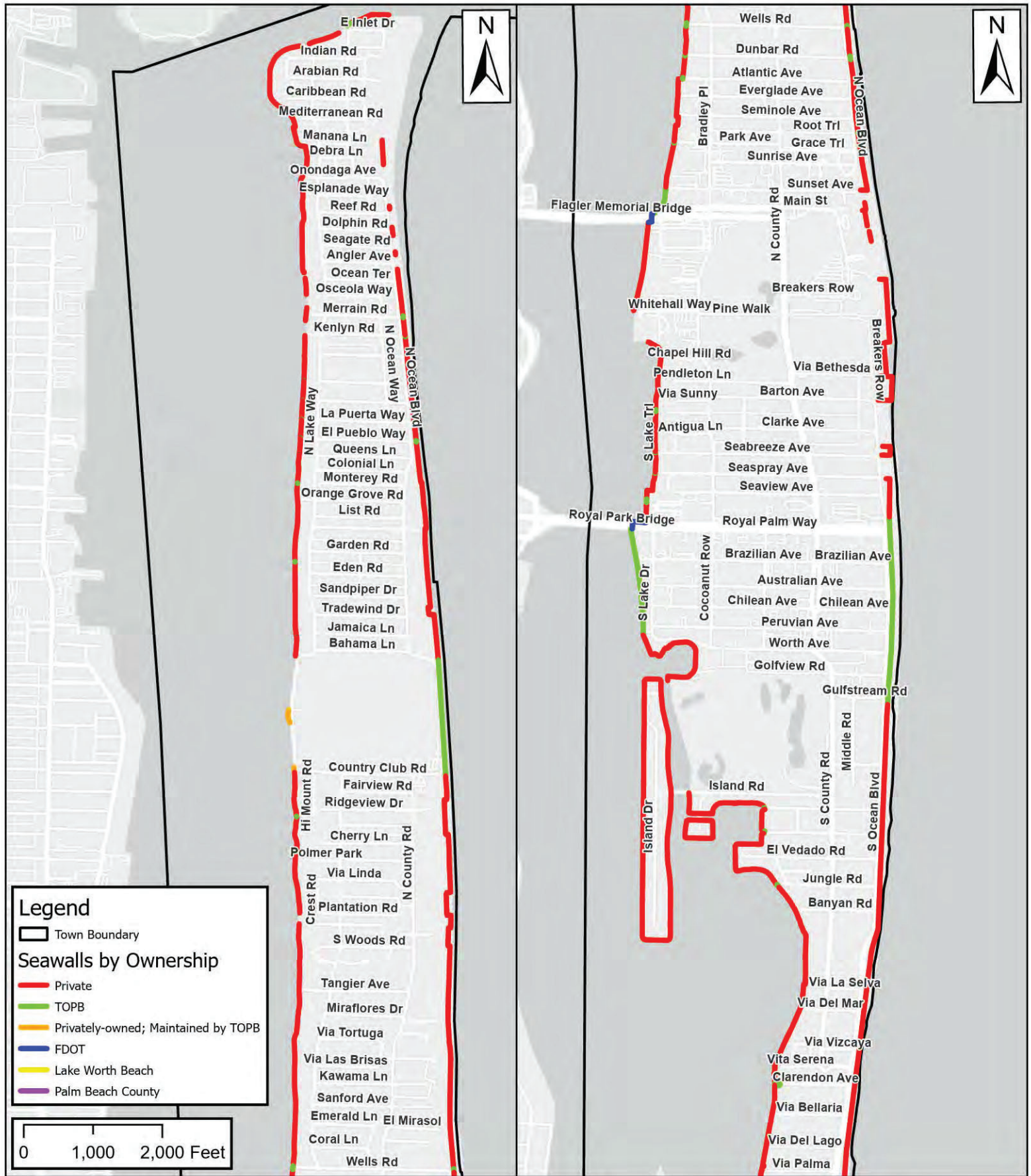


Public Buildings Map - 2024

GIS Department

Map No.
6.1

Date 7/68 of 789
9/24/2024



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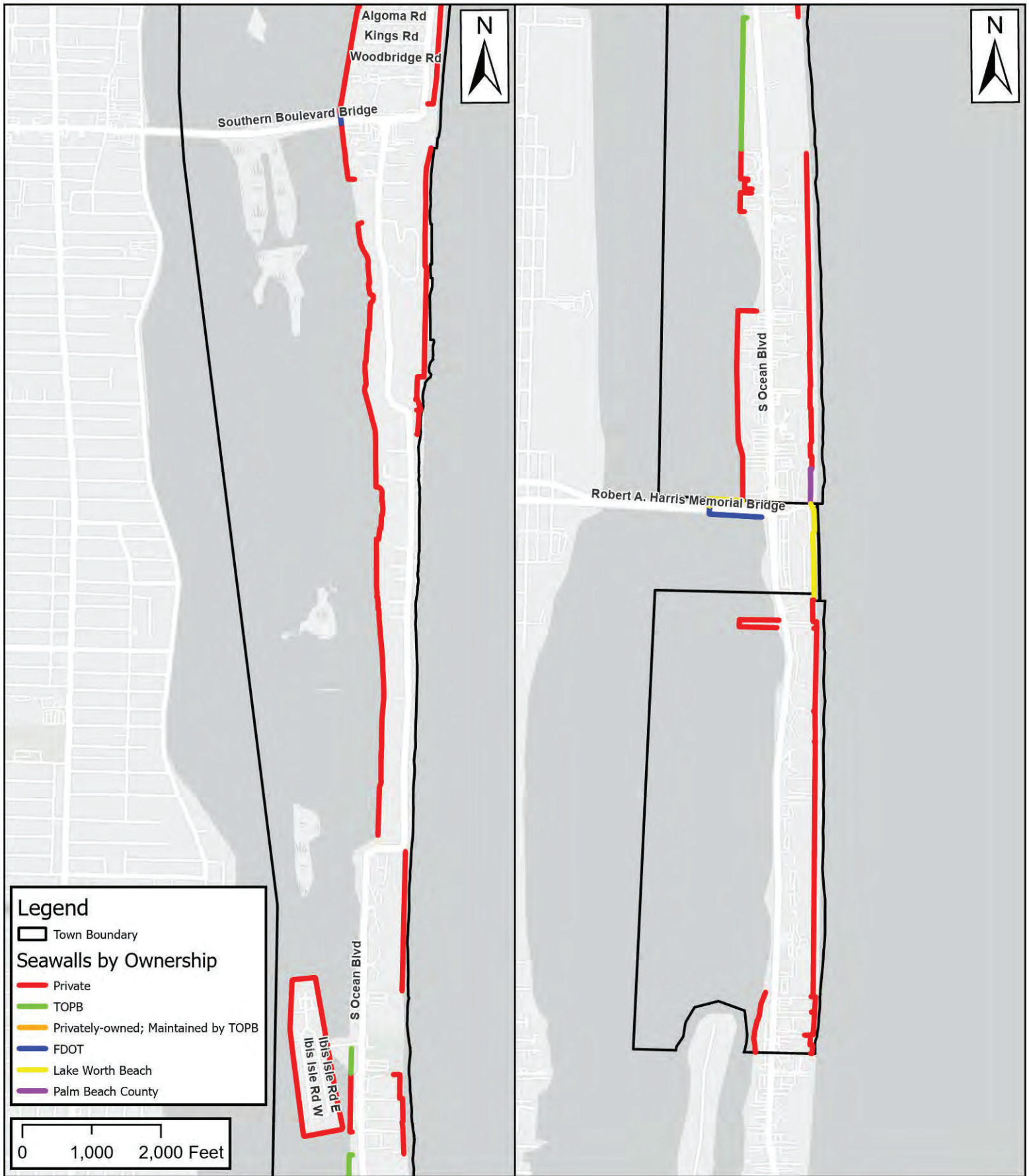


Seawall Map - 2024

GIS Department

Map No.
6.2

Date 7/24/2024



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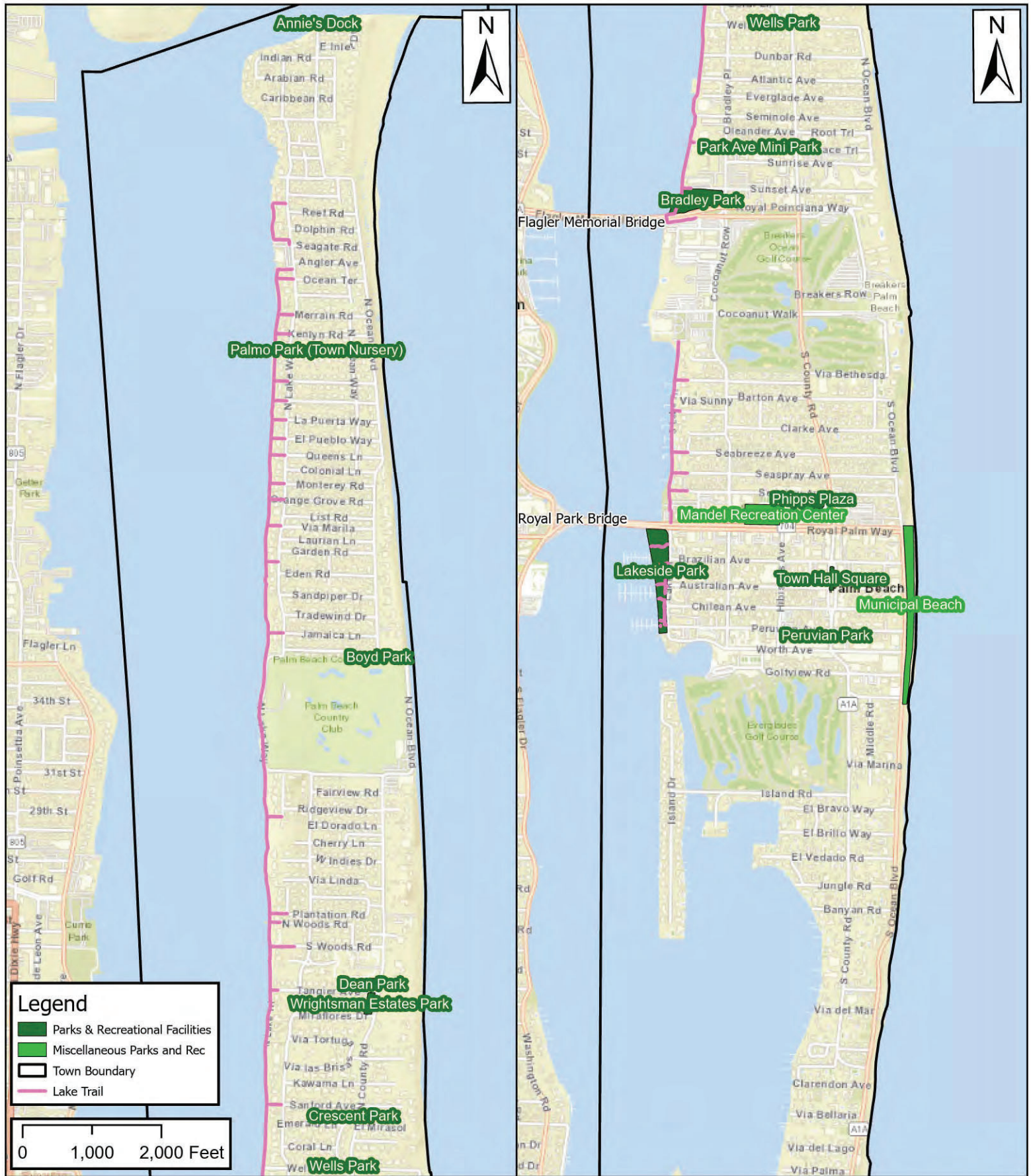


Seawall Map - 2024

GIS Department

Map No.
6.2

Date 7/70 of 789
9/24/2024



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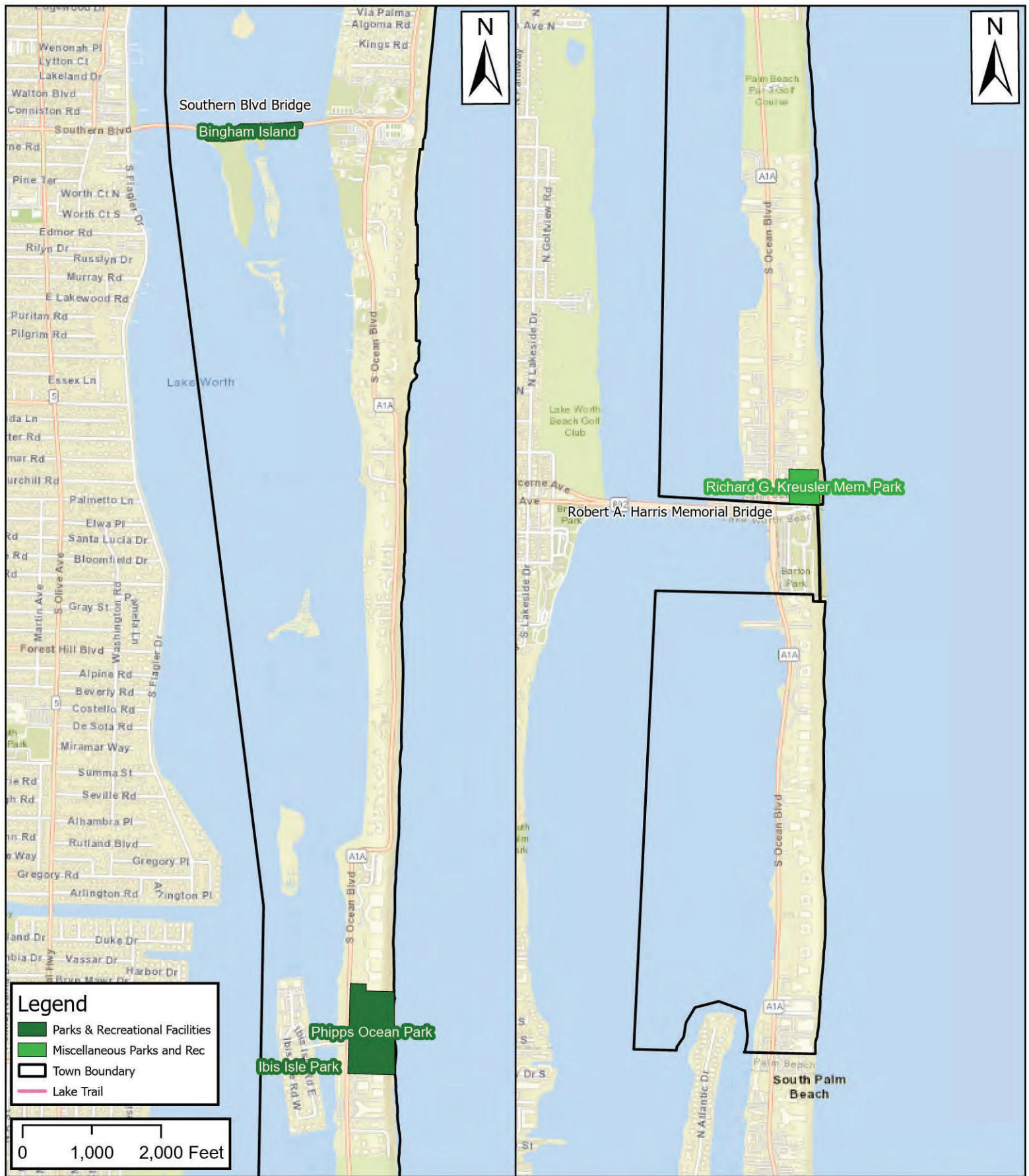


Parks & Recreation Facilities Map - 2024

GIS Department

Map No.
7.1

Date 7/11 of 789
9/24/2024



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Phone: (561) 838-5431

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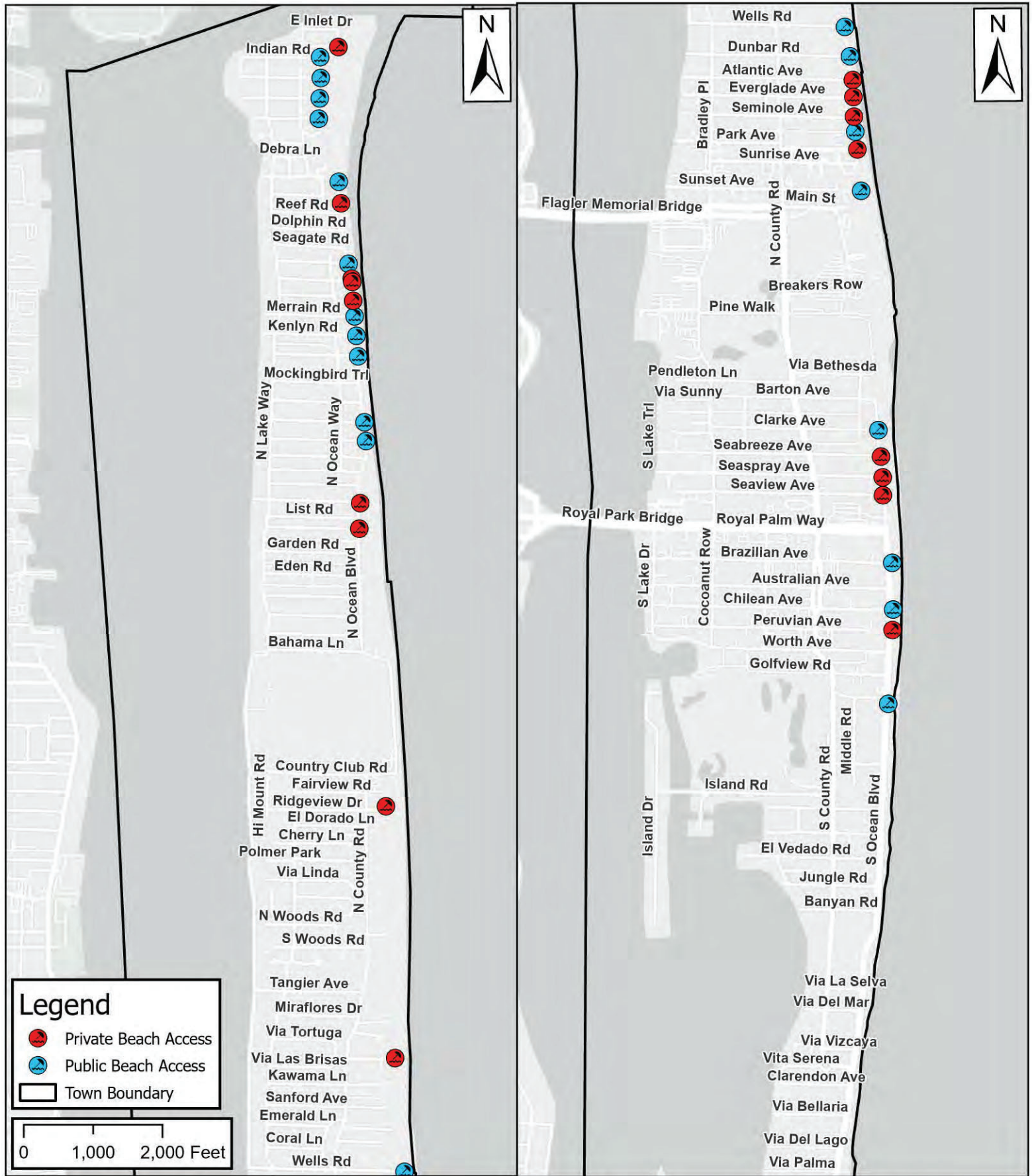


Parks & Recreation Facilities Map - 2024

GIS Department

Map No.
7.1

Date 7/2 of 789
9/24/2024



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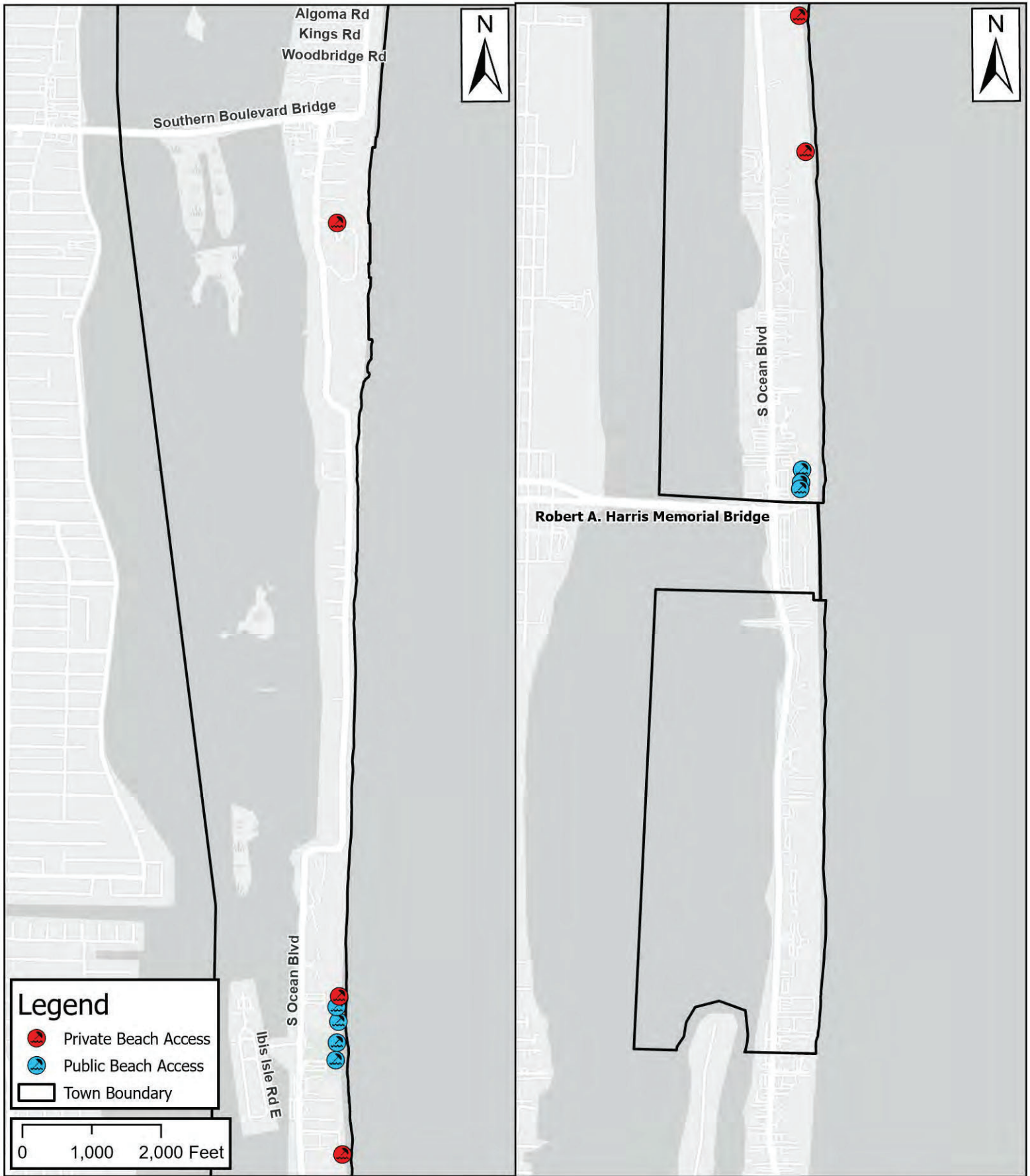


Beach Access Map - 2024

GIS Department

Map No.
7.2

Date 7/31/2024 9/24/2024



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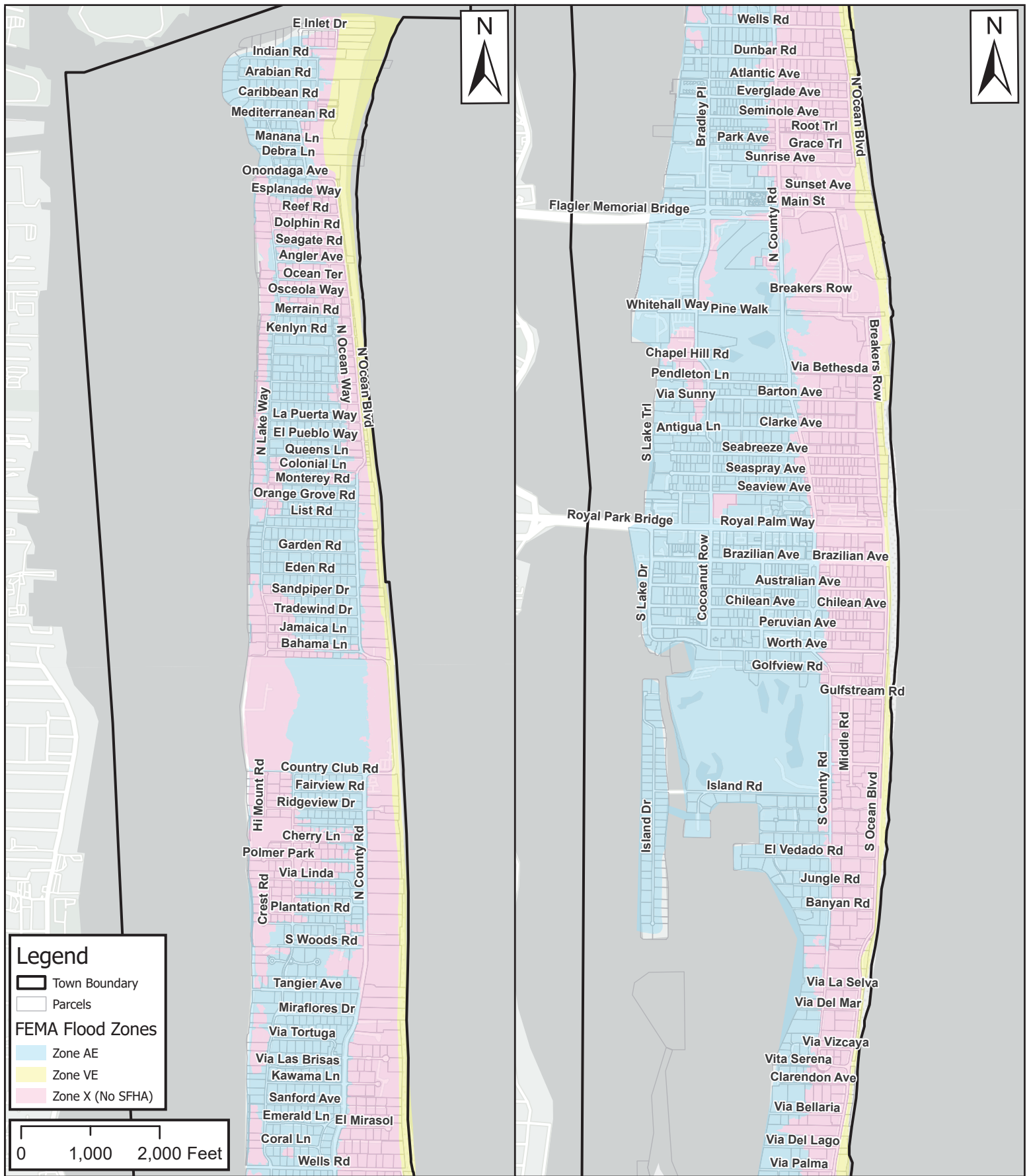


Beach Access Map - 2024

GIS Department

Map No.
7.2

Date 7/4 of 789
9/24/2024



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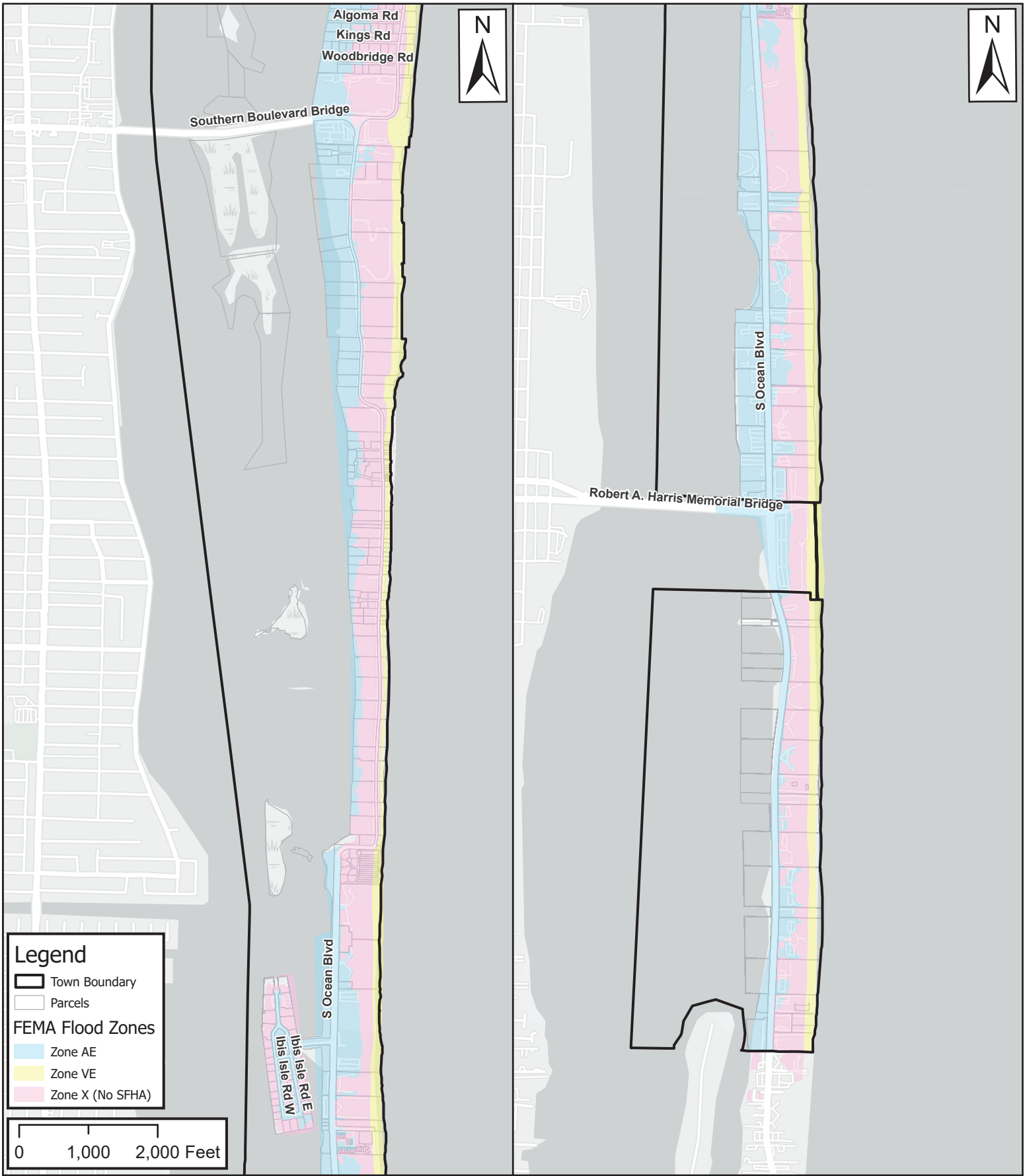


Flood Zone Map - 2024

GIS Department

Map No.
8.1

Date 7/5 of 789
9/24/2024



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Flood Zone Map - 2024

GIS Department

Map No.
8.1

Date 7/6 of 789
9/24/2024



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Coastal High Hazard Area Map - 2024

GIS Department

Map No.
8.2

Date 7/7/2024
9/24/2024



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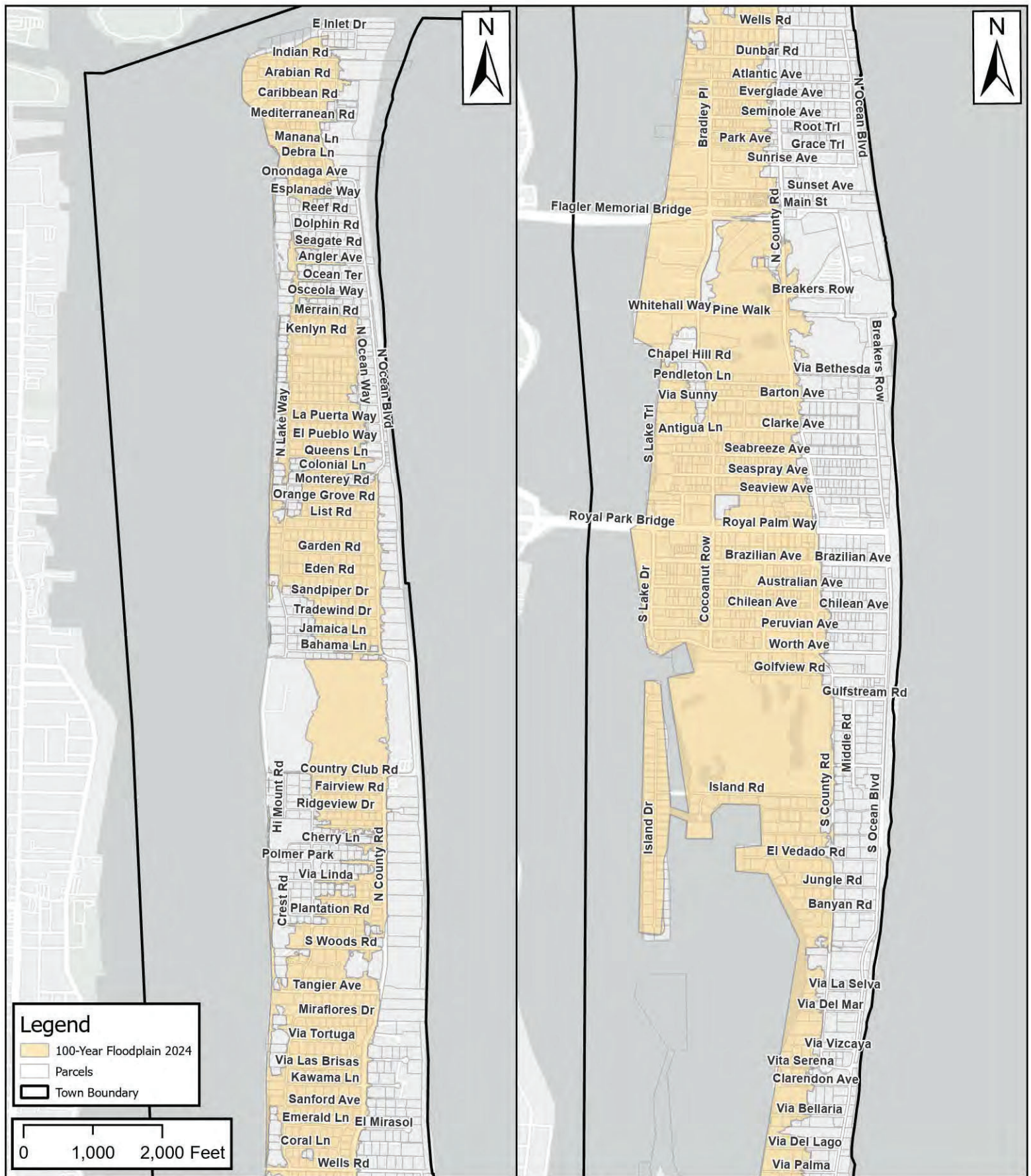


Coastal High Hazard Area Map - 2024

GIS Department

Map No.
8.2

Date 7/8 of 789
9/25/2024



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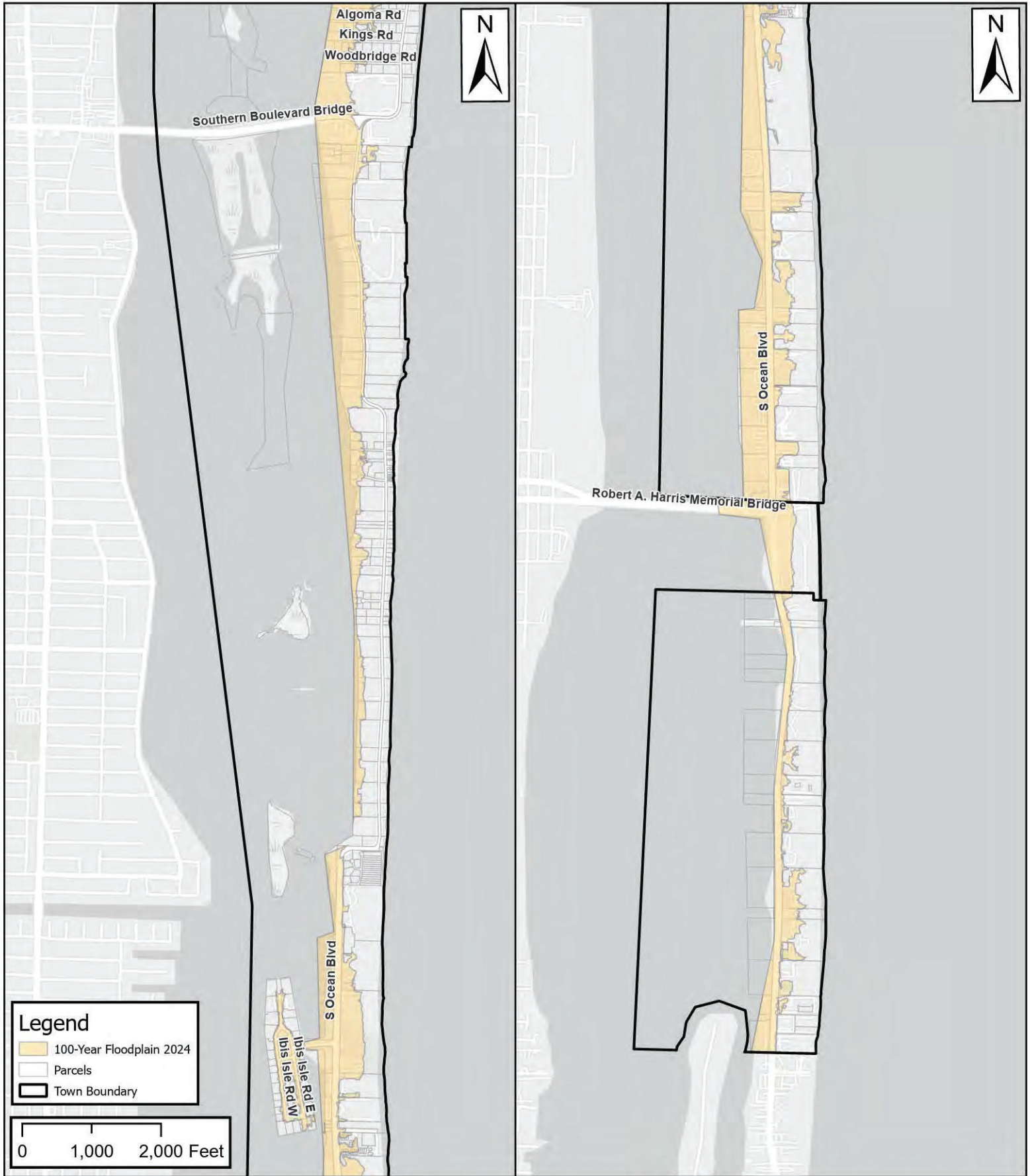


100-Year Floodplain Map - 2024

GIS Department

Map No.
8.3

Date
9/25/2024



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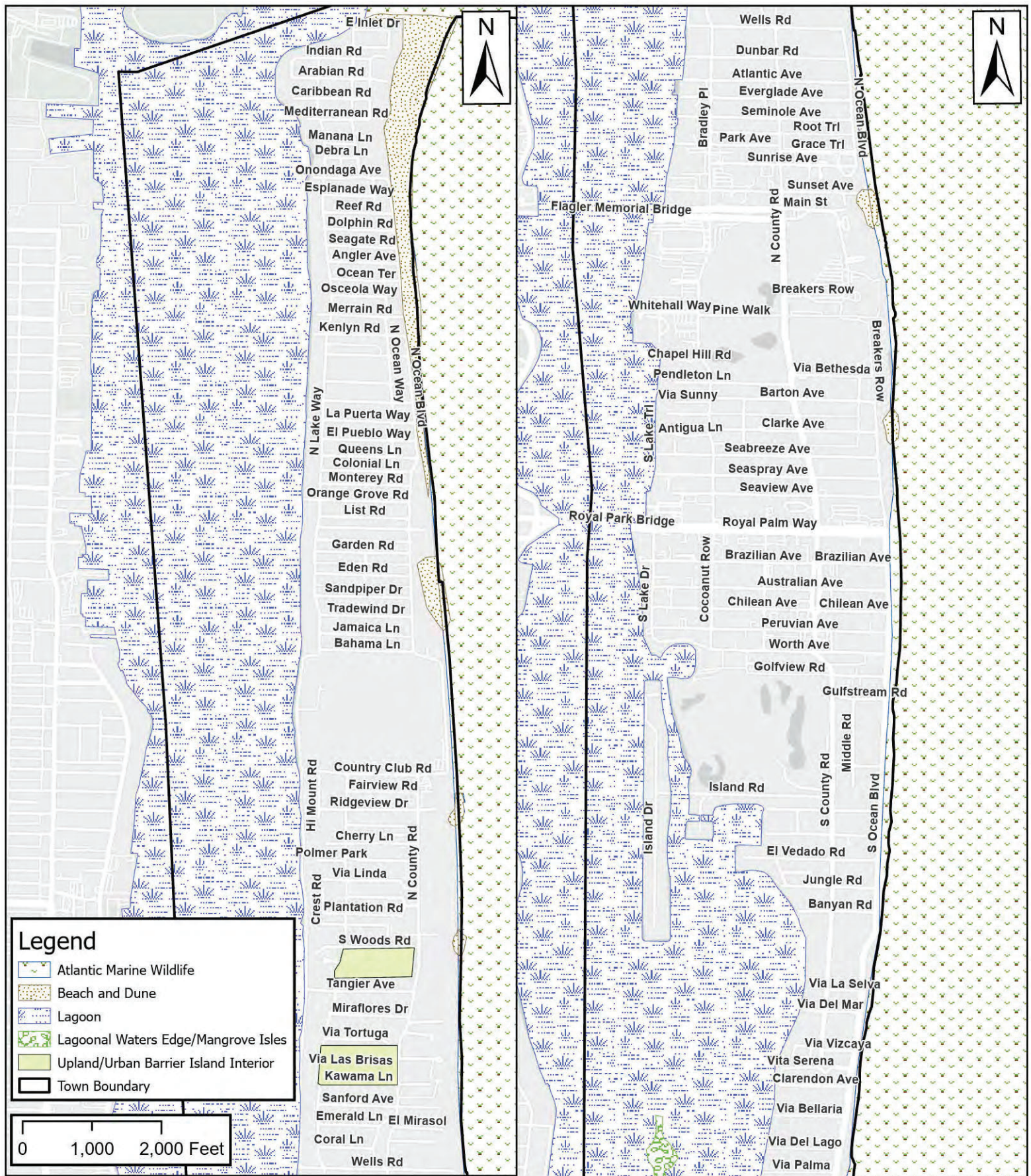


100-Year Floodplain Map - 2024

GIS Department

Map No.
8.3

Date 9/25/2024



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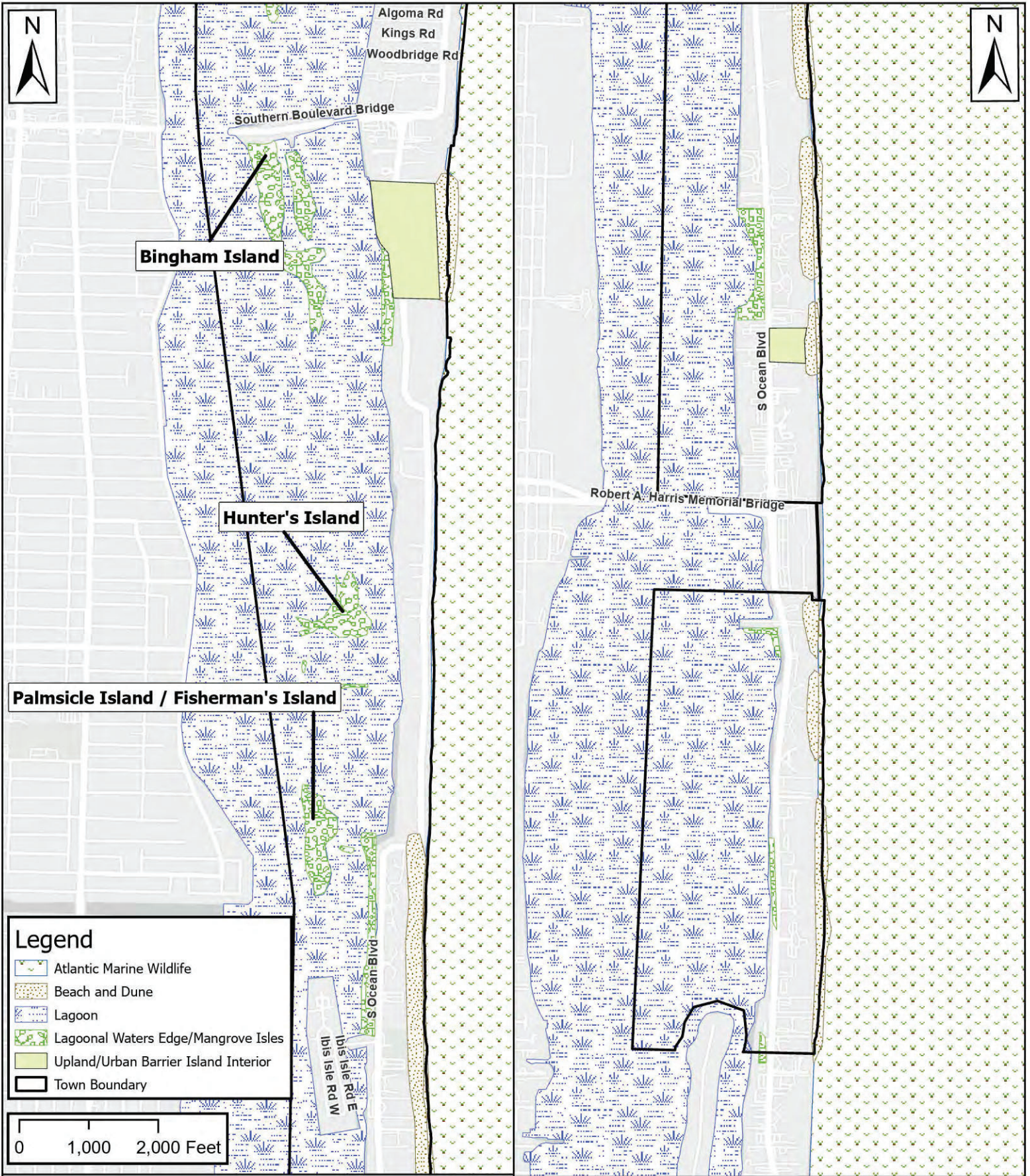


Beaches, Shores, and Wildlife Map - 2024

GIS Department

Map No.
8.4

Date 781 of 789
9/25/2024



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Phone: (561) 838-5431

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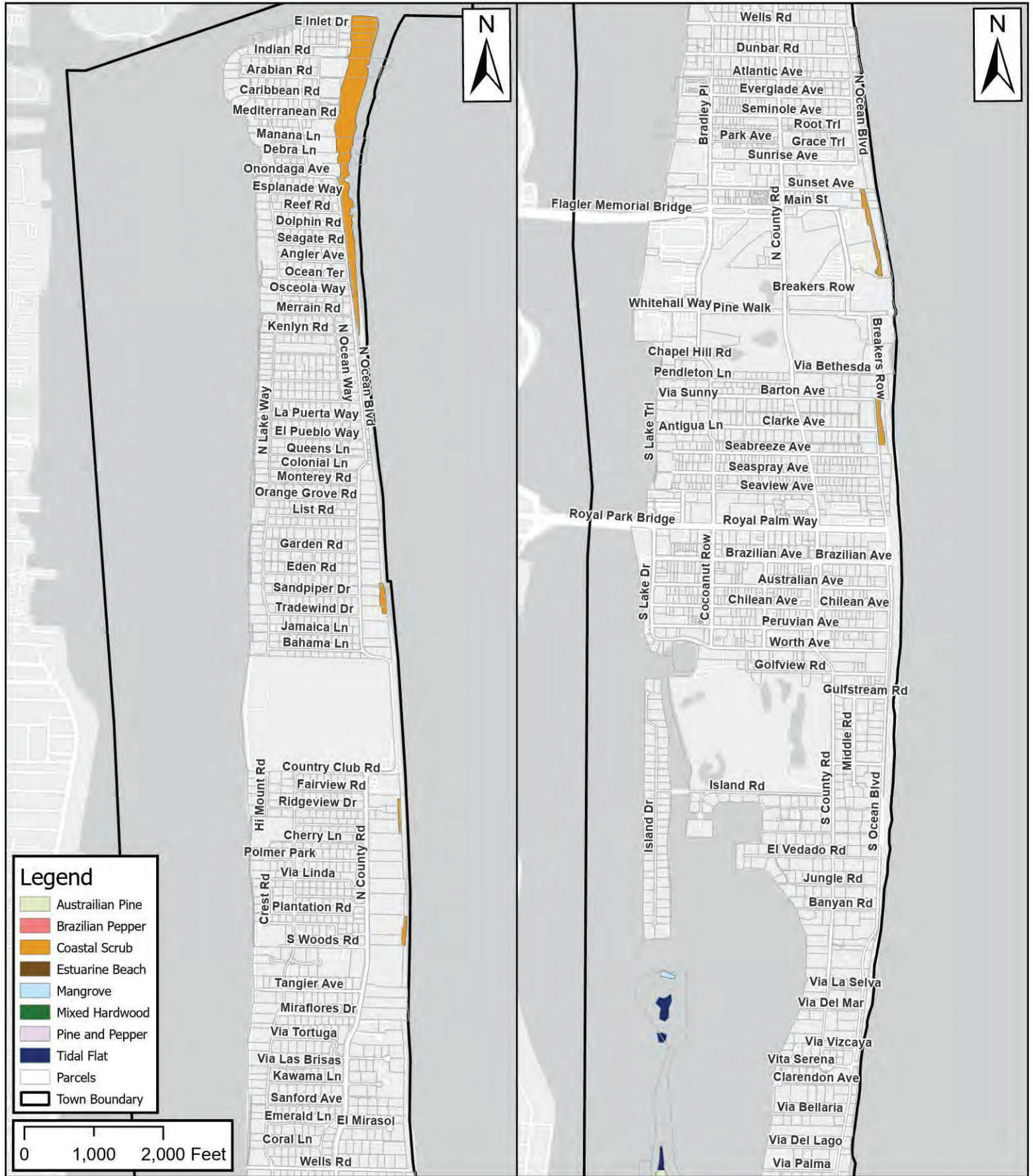
Beaches, Shores, and Wildlife Map - 2024

GIS Department

This map contains approximate locations and information based on current available public records.

Map No.
8.4

Date 7/82 of 7/89
9/25/2024



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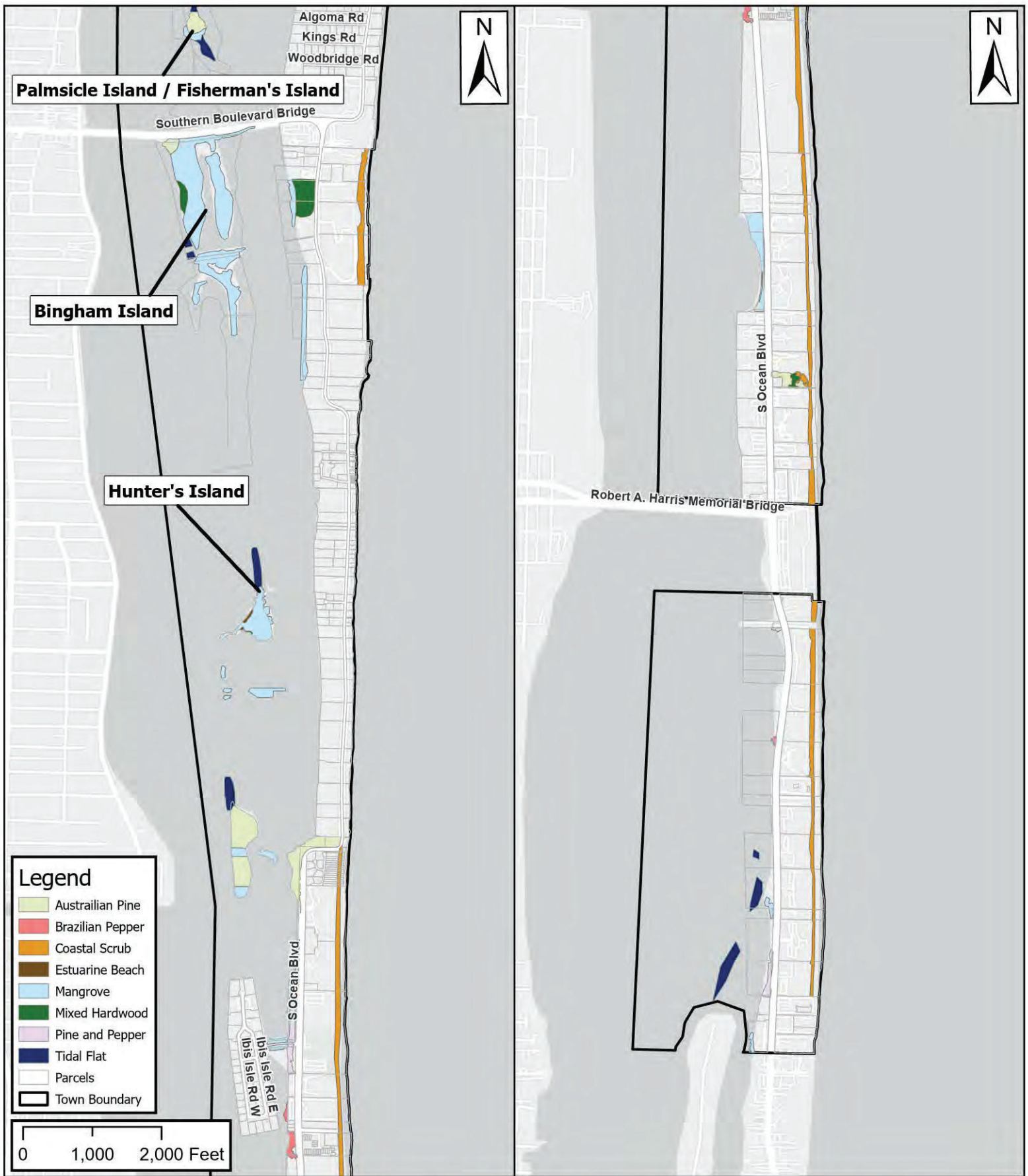


Estuarine Areas, Wetlands, & Vegetative Cover Map - 2024

GIS Department

Map No.
8.5

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9/25/2024



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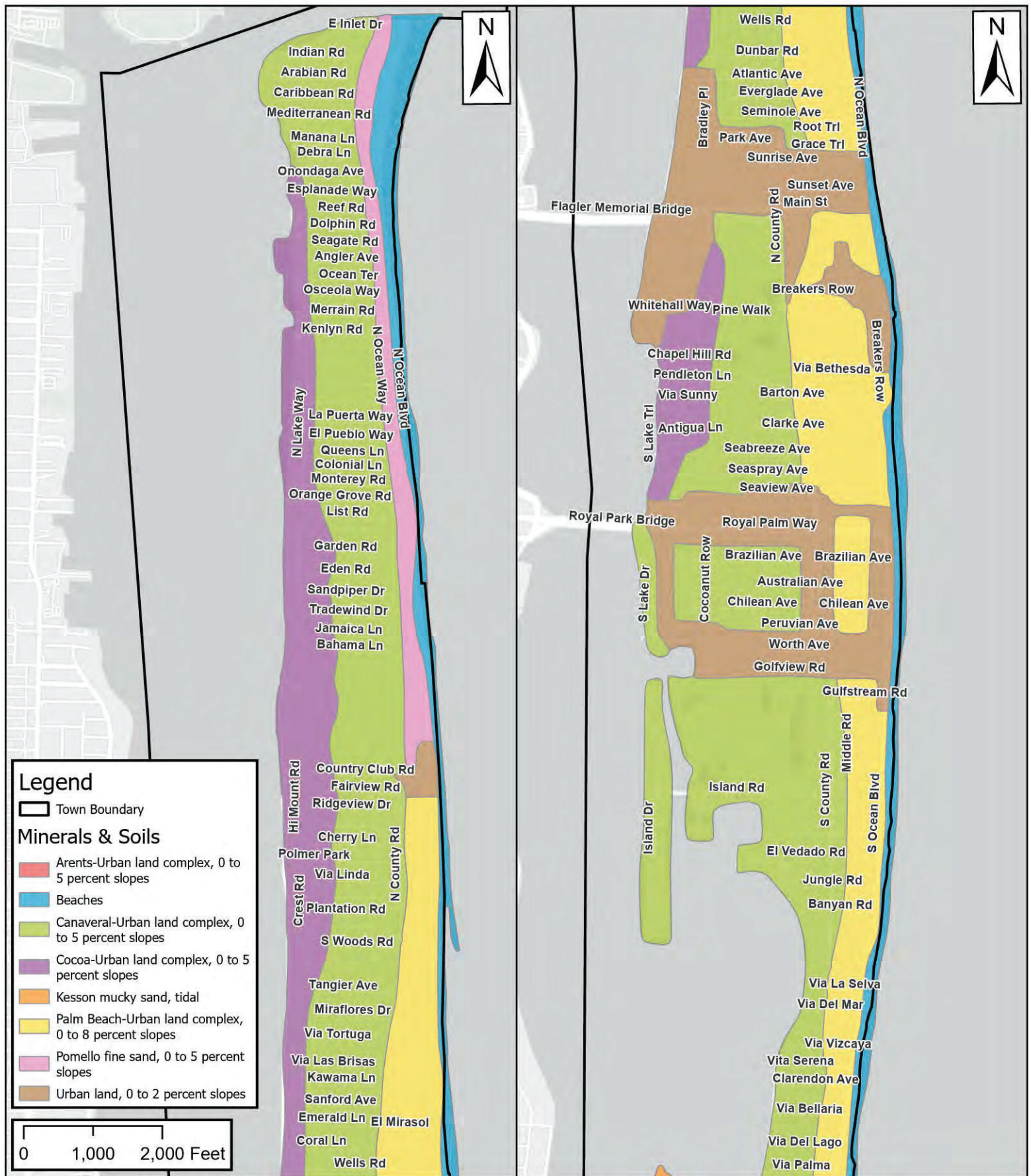


Estuarine Areas, Wetlands, & Vegetative Cover Map - 2024

GIS Department

Map No.
8.5

Date 7/84 of 7/89
9/25/2024



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Minerals & Soils Map - 2024

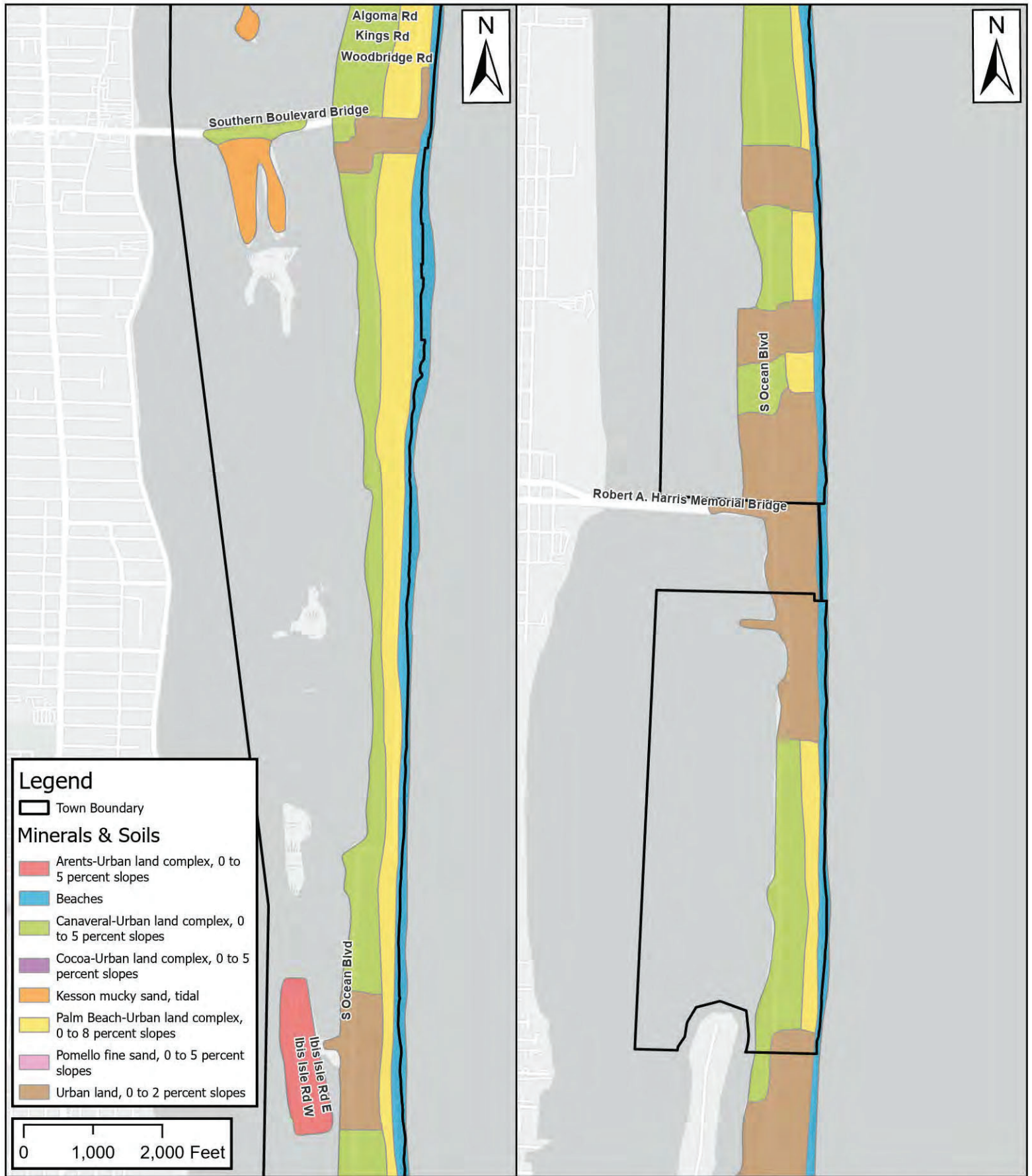
GIS Department

Map No.

9.1

Date

9/25/2024



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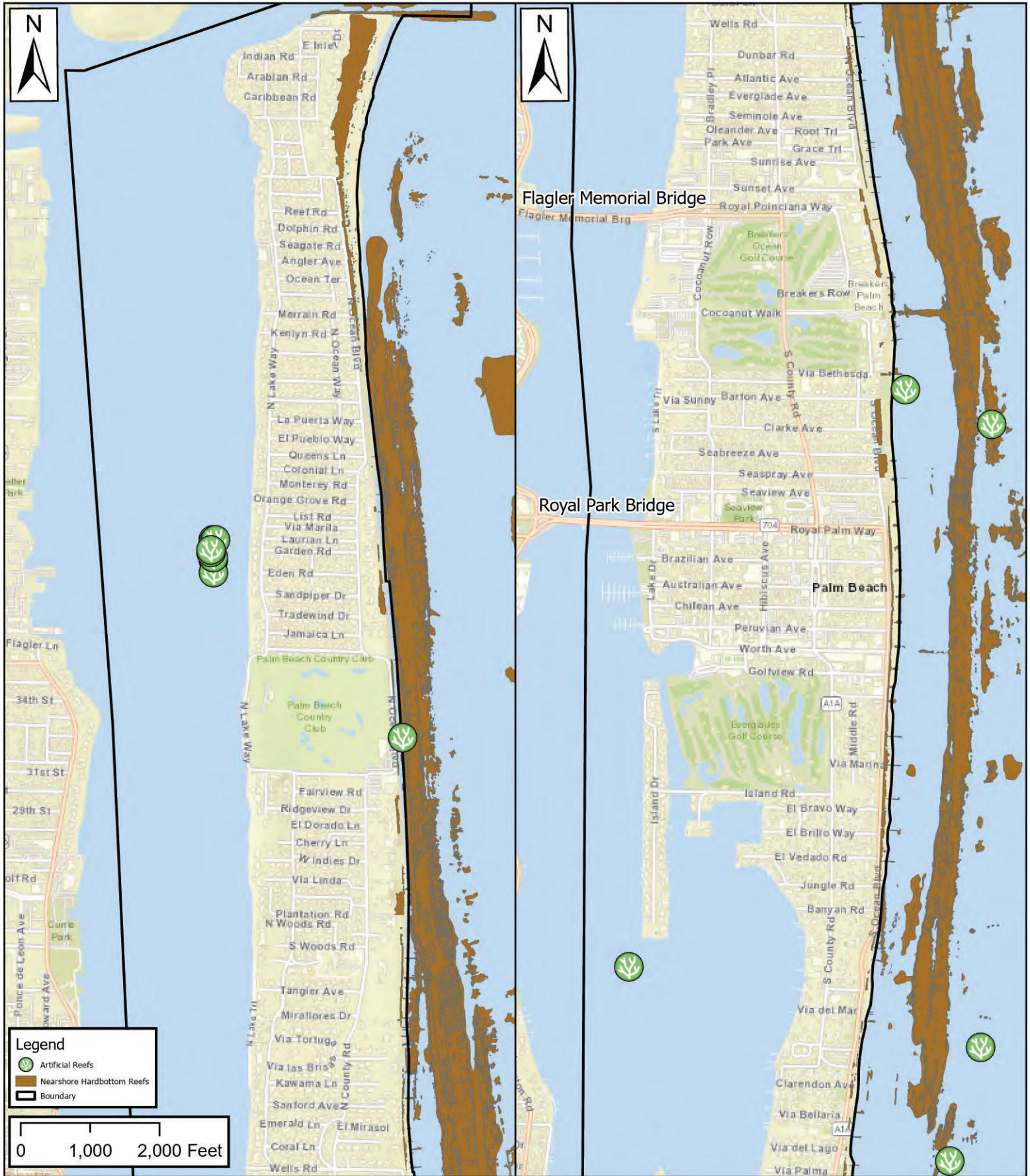


Minerals & Soils Map - 2024

GIS Department

Map No.
9.1

Date 9/25/2024



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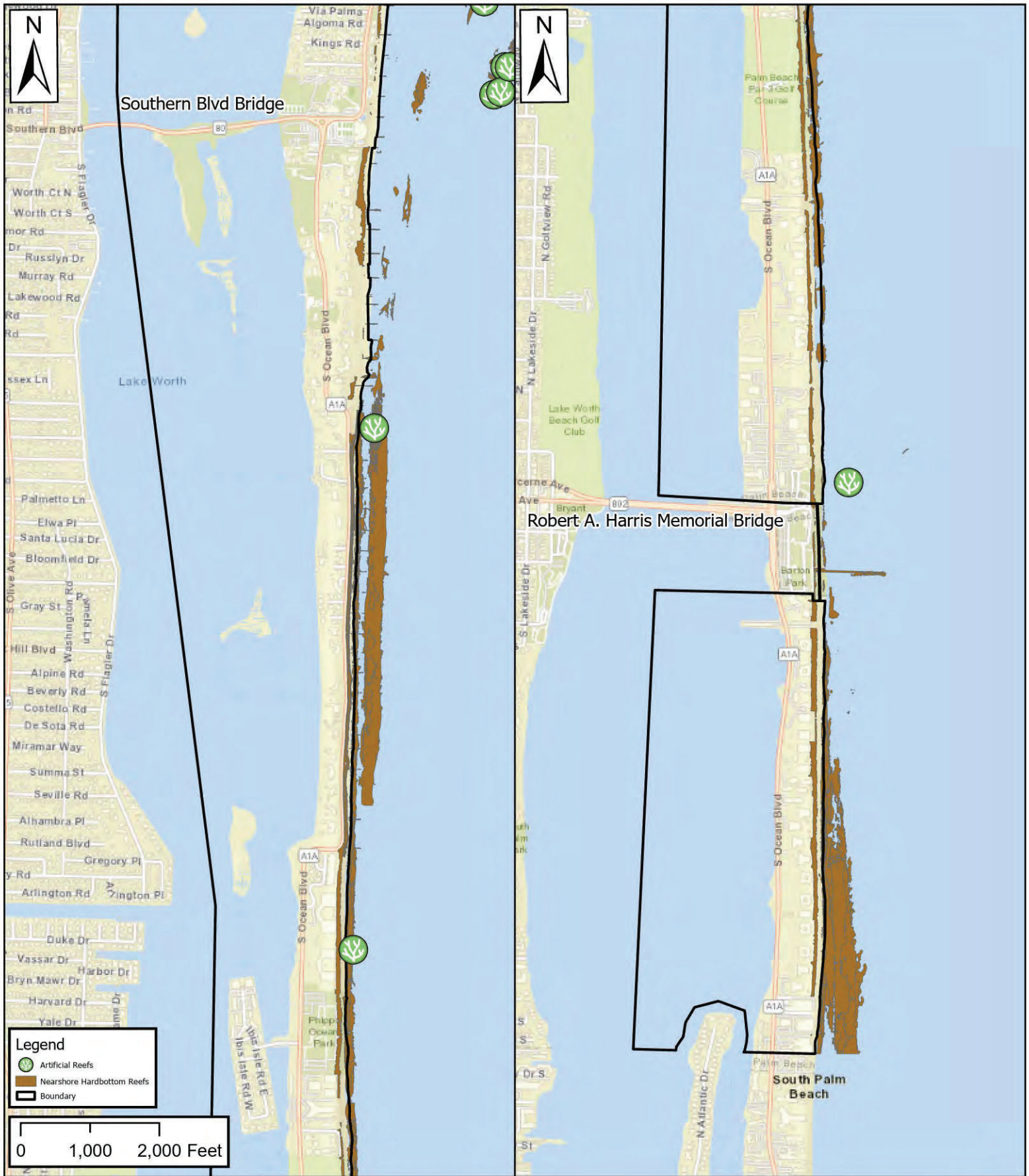


Natural & Artificial Reefs Map - 2024

GIS Department

Map No.
9.3

Date 788 of 789
9/25/2024



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Natural & Artificial Reefs Map - 2024

GIS Department

Map No.
9.3

Date 8/25/2024