



TOWN OF PALM BEACH

**TENTATIVE AGENDA:
SUBJECT TO REVISION**

**ARCHITECTURAL COMMISSION
360 SOUTH COUNTY ROAD
2ND FLOOR, TOWN COUNCIL CHAMBERS**

JULY 28, 2010

9:00 A.M.

WELCOME!

The progress of this meeting maybe monitored by visiting the Town's web site. (www.townofpalmbeach.com) and selecting "Live Meeting Audio" under the "Your Government" tab. If you have any questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 12 hours after the conclusion of the meeting under "Agendas, Minutes, and Audio."

- I. **CALL TO ORDER**
- II. **ROLL CALL:**
- III. **PLEDGE OF ALLEGIANCE:**
- IV. **APPROVAL OF THE MINUTES FROM THE JUNE 23, 2010 MEETING:**
- V. **APPROVAL OF THE AGENDA :**
- VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:**
- VII. **OTHER BUSINESS:**
- VIII. **PROJECT REVIEW:**

A. MAJOR PROJECTS - OLD BUSINESS

B25/10 Demolition and New Construction of Publix Supermarket (In association with MODIFIED Site Plan Review #4-2010 with Special Exception and Variances) **ARCOM TO MAKE RECOMMENDATION REGARDING VARIANCES**

Address: 265 Sunset Avenue

Applicant: Publix Supermarkets, Inc. & Sunset Avenue Corp.

Architect: Fisher and Associates, LLC

Project Description: The modified application of Publix Super Markets, Inc. and Sunset Avenue Corp.; relative to property commonly known as 265, 255, 235, 231 Sunset Avenue and 240 Sunrise Avenue; described as lengthy legal description on file; located in the C-TS Zoning District. The applicant is requesting Site Plan Review and Special Exception to construct a 53,272 (44,018 gross leasable) square foot one story grocery store on 4.36 acres. The new store will provide 201 off-street parking spaces. There is proposed to be an outdoor ATM and the grocery cart storage will be within the building. All of the proposed mechanical equipment will be contained within portions of the building and will not be seen as equipment on the roof. Part of the proposed design is to have two generators located on the southeast corner of the proposed store that will contain a 100 KW standby generator and a 500 KW main generator. There is proposed to be two loading areas within the loading dock on the east side of the building that will be screened. The proposed store will have a pharmacy, deli, bakery and a larger selection of food items and other products. Since the proposed grocery store is in excess of 2,000 square feet, the applicant is required to obtain Town Council approval of a special exception and a finding that the proposed use is town serving. The following variances are being requested to construct the proposed one story grocery store: (a) to allow a building length of 257'-5" feet in lieu of the 150 foot maximum allowed; (b) to allow a front yard setback at the northwest corner of the proposed building of 6'-7" feet in lieu of the 10 foot minimum required based on building height; (c) to allow a side yard setback of 3'-9" feet in lieu of the 10 foot minimum required; (d) to allow two loading spaces in lieu of the three spaces required by code; (e) to allow the proposed building to be a total square footage of 53,272 square feet in lieu of the 15,000 square foot maximum allowed; (f) to allow a rear yard setback of 14'-2" in lieu of the 15 foot minimum required; (g) to allow an architectural tower to be on the entry façade that is not permitted by Code; (h) to allow the height of the business identification sign to be 22 feet in lieu of the 15 foot maximum allowed; (i) to allow the height of the proposed one story grocery store to be **25' (to be confirmed)** feet in lieu of the 15 foot maximum allowed; (j) to allow the overall height of the proposed one story grocery store to be **36'-6" (to be confirmed)** feet in lieu of the 20 foot maximum allowed; (k) to allow 201 parking spaces in lieu of the 220 required (a deficit of 19 parking spaces); (l) to allow a 4 parking spaces with a depth of 17'-6" in lieu of the 18 feet minimum required.
[Attorney: Maura A. Ziska]

Please note that the Publix project (prior to modification) was reviewed and deferred from the April meeting, and the following motion was made at that time: MOTION BY MRS. VANNECK FOR DEFERRAL FOR ONE MONTH. MOTION SECONDED BY MR. ZUKOV. MRS. VANNECK CLARIFIED SOME REASONS FOR DEFERRAL: TOO MANY UNANSWERED QUESTIONS; THE SITING OF THE STORE IS A MAJOR PROBLEM; AND MORE PIERCINGS IN THE SHELL WOULD MAKE THE STORE MORE USER FRIENDLY. MR. ZUKOV CALLED FOR RE-DESIGN OF THE BUILDING, AND A DIFFERENT ROOF TREATMENT. HE NOTED THAT THE VARIANCES WOULD PROBABLY ALL BE ACCEPTABLE IF THE COMMISSION LIKED THE BUILDING ARCHITECTURE AND THE SITE PLAN. MR. SMITH CALLED FOR THE RE-STUDY OF THE SITE PLAN, ENCOURAGED THE ACQUISITION OF THE WACHOVIA PROPERTY; RECOMMENDED MORE THAN ONE ENTRANCE INTO THE STORE; RECOMMENDED THE PURSUIT OF THE "SENSE OF COMMUNITY" WITHIN THE STORE...A PLACE TO HAVE COFFEE WITH FRIENDS; STRESSED THE IMPORTANCE OF LANDSCAPING; AND NOTED THAT IT IS TOO EARLY TO EVEN CONSIDER THE VARIANCES. MRS. VANNECK RE-CLARIFIED THAT IT IS

RECOMMENDED THAT THE DESIGN INCLUDE MORE ENTRANCES (BOUTIQUE-LIKE ENTRANCES) INTO SPECIFIC AREAS OF THE STORE TO MAKE IT MORE STREET FRIENDLY; IT IS RECOMMENDED THAT THERE BE WINDOWS ON THE FIRST FLOOR; IT IS RECOMMENDED THAT THERE BE MORE SHADE TREES; AND, IT IS RECOMMENDED THAT THE SITE PLAN BE RE-STUDIED. MR. ZUKOV CALLED FOR MORE WORK ON THE ARCHITECTURE AND THE ROOF; MR. SMITH CALLED FOR RE-STUDY OF THE SITE PLAN, PARKING CIRCULATION AND TRUCK UNLOADING AREA. MOTION CARRIED UNANIMOUSLY.

At the May meeting, after hearing the project, there was a motion for deferral to the June meeting and a motion to hold a workshop devoted to the Publix project on June 8th. At the June meeting, the project was deferred to the July meeting to allow the architect time to re-design the project. (The re-designed project is as noted above.)

Call for disclosure of ex parte communication

B24/10 New Loggia (In association with Variance #4-2010)

ARCOM TO MAKE RECOMMENDATION REGARDING VARIANCE

Address: 151 Via Bellaria

Applicant: Robert J. Tomsich

Architect: Smith and Moore Architects, Inc., Jonathan Moore

Project Description: Construction of a new two-story open loggia to replace smaller existing two-story open loggia. Variance to permit the construction of a new larger two-story open loggia to replace the existing two-story loggia, which will result in a lot coverage of 25.8% in lieu of 24.9% existing and 25.0% maximum allowed.

Please note that at the April meeting, after review, the project was deferred to the May meeting for re-study. At the May meeting, the project was not heard and was deferred to the June meeting at the request of the architect. At the June meeting, the project was deferred to the July meeting, cautioning the applicant that if the applicant does not make a presentation next month, the project will be removed from the agenda. PLEASE BE ADVISED THAT THE ATTORNEY FOR THE APPLICANT HAS REQUESTED THAT THE PROJECT BE WITHDRAWN.

B-031-2010 Gates

Address: 225 Dunbar Road

Applicant: Michael and Fiona Scharf

Architect: Thomas M. Kirchhoff, AIA, P.A.

Project Description: New aluminum motorized sliding gate with new piers to match existing. New cypress pedestrian gate to replace existing aluminum pedestrian gate.

Please note that at the June meeting there was a motion for deferral to the July meeting to simplify the design of the gate and use landscaping instead of cypress, and remove the extra set of piers.

Call for disclosure of ex parte communication

B. MAJOR PROJECTS - NEW BUSINESS

B-032-2010 Demolition

Address: 140 El Mirasol

Applicant: NSHE Rosemead, LLC

Architect: Smith and Moore Architects, Inc.

Project Description: Demolition of a one-story cabana structure, pool and associated hardscape

Call for disclosure of ex parte communication

B-033-2010 Time Extension

Address: 235 Eden Road

Applicant: 235 Eden Road LLC

Architect: Smith and Moore Architects, Inc.

Project Description: A twelve month extension of a previously approved two-story residence and pool

Call for disclosure of ex parte communication

B-034-2010 Demolition

Address: 212 Nightingale Trail

Applicant: Mr. and Mrs. Howard and Charlotte Abrams

Architect: SKA Architects/Patrick W. Segraves

Project Description: Demolition of existing one-story mid-century modern style home

Call for disclosure of ex parte communication

C. MINOR PROJECTS - OLD BUSINESS:

D. MINOR PROJECTS - NEW BUSINESS:

A-009-2010 Balustrade & site wall

Address: 300 Dunbar Road

Applicant: Dean O'Hare c/o M. Timothy Hanlon

Architect: T & L Architecture Inc.

Project Description: Addition of ornamental balustrade on top of existing parapet. Also, addition of new site wall at entry points of driveway, replace existing site wall at pool and related landscaping

Call for disclosure of ex parte communication

IX. **COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

X. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT:**

XI. **ADJOURNMENT:**

Note 1: If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Note 2: A disabled persons who need an accommodation in order to participate in this Commission Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least five (5) working days before this meeting.