ROYAL POINCIANA WAY COMMITTEE
RECORD AND REPORT
TOWN HALL – COUNCIL CHAMBERS – SECOND FLOOR
360 S COUNTY ROAD, PALM BEACH
WEDNESDAY, MAY 16, 2012, 2:00 p.m.

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

I. CALL TO ORDER AND ROLL CALL

Chairman Pucillo called the meeting to order at 3:04 p.m. On roll call, Committee Members present were:

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

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE (2:06:04 p.m.)

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

III. ADMINISTRATION OF THE OATH (2:06:08 p.m.)

Ms. Morakis administered the Oath of Office to all Committee Members.

IV. COMMENTS FROM THE COMMITTEE CHAIRMAN(2:07:31 p.m.)

Chairman Pucillo thanked the Committee Members for agreeing to serve on the Committee and commented that he felt the group was very talented and knowledgeable. Mr. Pucillo stated that he felt it would be appropriate to hear what was liked or disliked about the existing code and added that he had spent a lot of time doing research and reviewing the existing codes. Chairman Pucillo then called for comments from the Committee Members.

V. COMMENTS FROM THE COMMITTEE MEMBERS (2:11:54 p.m.)

Comments were heard from Committee Member Paul Leone regarding his feeling of the status quo as it relates to the business community versus the residential community. Mr. Leone explained that he felt the business community had to be responsive to change in the market and customer preferences in order to survive and that in the residential community the fight was for preservation. Using The Breakers as an example, Mr. Leone stated that he felt there needed to be a balance between preservation and modernization and that a recent study he did showed that The Breakers was the only large historic luxury resort still in the hands of its original owners.

Mr. Leone stated that what he did not like about the current zoning code was that if most property owners chose to redevelop, given the amount of surface parking available or required, it would not be a pretty sight. Mr. Leone also explained that in 2008 he was asked to serve on the Royal Poinciana District Citizen's Master Plan Commission, which he felt was a significant study that was thrown on a shelf and resulted in a waste of taxpayers' money.

Committee Member Bobbie Lindsay-Buck stated that she grew up here and added that she and her family members touch Royal Poinciana Way every day. Ms. Buck stated that she felt there was some confusion in the neighborhoods about what a "Main Street" is. Ms. Buck mentioned the Janis Research Report, and explained it as a Tampa firm of cultural resource managers that were hired by the State to look at the neighborhoods that would be affected by the new bridge. Ms. Buck stated that she hoped the Committee would be able to come up with a vision of what "Main Street" should be, whether commercial or mixed-use, and, spoke about contributing buildings and non-contributing buildings, adding that the non-contributing buildings should be redeveloped with a scale and density that is compatible with what is worth saving.

Committee Member Nancy Murray stated that she lived in the north end since 1968 and it was the small town feeling that she and her husband moved here for. Ms. Murray stated that some areas needed work but she would like to see the entrance to the island reflect the character of the Town and not look like every other shopping mall in West Palm Beach or Palm Beach County. Ms. Murray stated that she hated to see everything so contentious and she hoped the Commission could share their ideas and concepts and come up with a plan that would work for everyone.

Commission Member Alexander Ives stated that he felt the Town had been through this before and wondered whether the Commission knew whether to address the short term five year problem or was it looking 30 years down the road. Mr. Ives recognized a definite parking issue in the area and stated that he feared under current zoning regulations the Town could have a strip mall effect and wondered if this was going to seem like economic stimulus.

Susan Markin commented that she was hopeful the Committee could come to some beneficial conclusion. Ms. Markin noted that she felt the Town had never put together a marketing plan and spoke about the Town finding its niche.

Alan Golboro noted that he was not making excuses for the Planning & Zoning Commission and added that they did not want to change the character of the area, but, under the existing zoning code, McDonald's could buy a site and the Town could not stop them.

Chairman Pucillo stated that he felt he had heard some common themes from the Committee Members and added that he felt change would come, but, that it had to be controlled and channeled. Mr. Pucillo stated that he had spent a lot of time reading the code and found himself looking more at the provisions related to PUD's, noting that there was a template and process for creating a PUD in the code. Mr. Pucillo mentioned several PUD's in existence in Town and suggested the Committee consider creating a PUD-5 for the area, adding that he felt a PUD was another type of zoning tool and a great planning tool and explained that the Town could dictate what the requirements would be and there could be trade-offs like open space and vias and underground parking and that a site plan approval process would be required for all PUD's. The idea of providing incentives was suggested and Mr. Pucillo added that he felt that 13 units/acre should be the maximum density in this area and that he felt the idea of a PUD in this area could be a template for use in other areas of Town. The suggestion of creating a historic district or historic area was mentioned.

Susan Markin stated that she felt this was a very creative idea and would support the concept of creating a PUD-5. Ms. Markin suggested that some specialists be invited to speak to the Committee regarding the process and suggested the Committee invite Clay Henderson, an Attorney at Holland and Knight who had experience with the New Smyrna Beach restoration. Ms. Markin stated that she had already contacted him and he offered to come and speak to the Committee at no charge.

Alex Ives stated that he felt the idea of creating a PUD-5 was a possible long term solution and added that his main concern was the existing Landmarked properties in the area.

Bobbie Buck stated that she felt this was a great path to start on but would like to see this limited to the Royal Poinciana Way district. Ms. Buck stated that she had also spoken to Clay Henderson and felt it would be a good idea to invite him to speak and suggested to also invite Mayor Riley of Charleston. Ms. Buck also suggested the Committee hear from someone who could help put together a package of incentives including State and Federal tax credits. Chairman Pucillo briefly explained his understanding of the Federal tax code and read from the Code regarding PUD-4.

Mr. Golboro commented that he felt this should be long term solution rather than short term and asked how this would impact the Comp Plan. Chairman Pucillo stated that if anything is done, modifications would have to be made to the Comprehensive Plan.

Ms. Markin stated that she preferred not to get bogged down with the Comp Plan at this time and preferred to deal with the details later.

Nancy Murray also felt the suggestion of a PUD-5 was a good idea, but, added that she felt that work had to be done on the non-historic properties in the area.

Paul Leone stated that he was also in agreement and felt this was a good idea, adding that he felt it was a logical, practical approach with a sound legal basis. Mr. Leone asked whether opposition might be expected from other associations or areas in Town such as The South County Road or Worth Avenue Associations. Chairman Pucillo answered that he felt this could be a template for other areas of Town but that it should be handled slowly. Mr. Pucillo added that the issue of other non-historic properties was a good one that should be included on a list of items to think about. Chairman Pucillo asked for comments from the public.

VI. DISCUSSION AND COMMENTS FROM THE PUBLIC (3:24:31 p.m.)

John Mashek, speaking for the Preservation Foundation, stated that he felt this was a terrific meeting and a fantastic idea that would allow the Committee to address the area and applauded the Committee for coming up with a wonderful solution.

Bill Strawbridge, 223 Atlantic Avenue, stated that he felt the joy of a PUD was that it allowed ultimate flexibility. Mr. Strawbridge added that he felt the Planning and Zoning Commission "nailed it" at their last meeting when it spoke about saving the small business environment. Mr. Strawbridge noted that Charleston was now a premier city since its renovation and it would be a good idea for the Committee to consult with them.

Les Evans, the owner of 249-253 Royal Poinciana Way, stated that he felt having a Committee was a great idea but wished someone on the Committee could speak of the economics in the area. Mr. Evans stated that he was sick of charrettes and studies and added that he felt the Comp Plan was the demise of the area, noting the properties in the area that have reduced density. Mr. Evans spoke about the expenses involved in the maintenance of his older buildings and the economics involved in the rental business, noting that none of the other property owners in the area were here. Mr. Leone asked if Mr. Evans was suggesting an increase in density and Ms. Markin asked Mr. Evans what his ultimate solution for his issues. Mr. Evans stated that he felt a residential component was needed so that the commercial element could be afforded, ideally two or three stories with retail on the ground floor and residential units above.

Chairman Pucillo noted that the proposed increase to13 units/acre would be a significant increase over what existed now in that area.

Ted Cooney of 495 North Lake Way, Chairman of the Landmarks Preservation Commission, thanked the Committee and added that he was encouraged by this conversation, noting that his interest was in the historic preservation element of the area.

Chairman Pucillo suggested the Landmarks Commission place on their agenda the issue of whether landmarked properties ought to be part of this or not.

Attorney Randolph cautioned that under the current code the jurisdiction of the Landmarks Commission was to consider placing properties under consideration for designation, to designate, or, consider Certificates of Appropriateness and further suggested that he would prefer to see the Committee proceed further with discussion before the Landmarks Commission weighed in. Mr. Pucillo stated that he was not suggesting the properties be landmarked but noted that any Site Plan Approvals would go before ARCOM or the Landmarks Commission. Discussion continued and comments were heard from Ms. Markin who asked that the Committee be provided with more details about PUD's.

William Cooley, 8 Windsor Court, thanked the Committee and added that he was encouraged by what he heard. Mr. Cooley presented a memo to the Committee for consideration adding that he felt the idea of a commercial/historic PUD was a good one.

Penny Townsend of 310 Via Linda congratulated the Committee for their thoughtfulness and applauded the Committee for looking at a PUD-5, moving towards historic preservation and keeping it a street where people would want to continue to visit and patronize.

Lori Volk, 206 Phipps Plaza, speaking for the John L. Volk Foundation stated that she felt it was an exciting day and added that she felt it would be a mistake not to include the historic structures.

Anne Pepper, 333 Seaspray Avenue, commented that she felt the Committee had started down a great path and that she liked the ideas she heard.

Chairman Pucillo stated that he had a laundry list of items to be considered for the next meeting. Mr. Pucillo then read an excerpt from the minutes of a 1980 meeting including comments by Bob Grace regarding the need to maintain a residential element. Chairman Pucillo stated that he felt the Commission had some homework to do in preparation of the next meeting and that the Commission should be prepared to discuss some of the following issues: the minimum size of the PUD, height, lot coverage, density, location of properties in the district for residential versus commercial use, types of residential uses, parking, open space, whether landmarked properties should be included, any limitation to size of retail uses, should offices be permitted, the Federal Tax issues, and how to deal with other properties that are non-historic.

Ms. Markin stated that she would like to add some sort of cosmetic consistency in the area related to flowers, plantings, awnings, colors, etc.

Chairman Pucillo stated that he felt that was a good point, that the code did address similarities of architectural styles, street scape.

Mr. Golboro mentioned the consideration of a term limit and Mr. Randolph suggested that a sunset provision be built in. A brief discussion ensued.

Bobbie Buck stated that she would like to get "out of the box" related to parking. Ms. Buck stated that she had recently seen a picture of an elevated parking garage in Miami that looked like the living wall.

Mr. Ives asked how it would be determined what structures were historic and Mr. Pucillo stated that there was language already in the code to address that. Mr. Ives stated that his concern would be that new historic properties were included as they were added in the future.

Mr. Randolph noted that he did not feel that was a problem as long as the burden was on the non-historic properties to show how it was contributing to the area.

VII. SCHEDULING THE NEXT MEETING (4:05:58 p.m.)

After a brief discussion, it was determined that the next meeting of the Committee would be held on June 4, 2012 at 1:00 p.m.

Comments were heard from Ms. Markin who stated she was encouraged by the Committee and indicated she would prefer the Committee not be bound by the three minute time limit related to public comments. Ms. Murray thanked the Chairman for his hours of dedication and preparation for this meeting.

VIII. ADJOURNMENT

The meeting was adjourned at 4:07 p.m. without benefit of a motion.

Respectfully Submitted,

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