

TOWN OF PALM BEACH

Planning, Zoning & Building Department

PLANNING & ZONING COMMISSION 2007-2008 ZONING HEARINGS RECORD AND REPORT TUESDAY, APRIL 1, 2008 9:30 a.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: (0:01:25) Chairman Guttman called the meeting to order at 9:30 a.m.

PRESENT: William M. Guttman, Chairman
Alan S. Golboro, Secretary
Lowry M. Bell, Jr., Member
Leslie A. Shaw, Member
Eugene Lawrence, Member
Floyd Wideman, Jr., Alternate Member
Martin I. Klein, Alternate Member
E. James Ryan, Alternate Member
John S. Page, Director of Planning, Zoning & Building
Paul W. Castro, Zoning Administrator
John C. Randolph, Town Attorney

ABSENT: John H. Schuler, Member (excused)
Walter Anthony Dowell, Member (excused)

RECORDING SECRETARY: Deborah A. Morakis

II. INVOCATION AND PLEDGE OF ALLEGIANCE: (0:01:53) Ms. Morakis gave the invocation and led the Commission in the Pledge of Allegiance.

III. COMMENTS FROM THE PUBLIC: (0:02:40) There were no comments from the public at this time.

IV. REGULAR AGENDA: (0:03:29)

1. Approval of February 5, 2008 Planning and Zoning Commission Minutes.

2. Approval of March 4, 2008 Planning and Zoning Commission Minutes.

MOTION BY MR. WIDEMAN FOR APPROVAL OF THE FEBRUARY 2008 AND MARCH 2008 MINUTES.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY AFTER ROLL CALL VOTE.

3. Presentation by the Treasure Coast Regional Planning Council of the Royal Poinciana Area Planning Study. **(0:04:31)**

Chairman Guttman announced that there would be a brief presentation to the Planning & Zoning Commission today by TCRPC on the Royal Poinciana Area Planning Study. A complete report will be presented to the Town Council on April 7, 2008 and residents will have an opportunity to provide input at that meeting.

Chairman Guttman stated that the job of the Planning & Zoning Commission is not to delve into design details of the Master Plan presented by Treasure Coast, but emphasized that the job of the Planning & Zoning Commission is to determine whether the TCRPC master plan adequately captures the consensus vision for the Royal Poinciana area corridor expressed at the first charrette, and, if that plan meets the benchmarks, recommend to the Town Council to retain TCRPC to proceed to Phase II which is to express the plan in traditional land-use zoning regulations. Treasure Coast should then draft traditional land-use based zoning regulations for the Planning & Zoning Commission to review during the 2008-2009 zoning season, which excludes the C-PC zoning district (the Poinciana Plaza) because the master plan doesn't contemplate zoning changes in that district.

(0:08:03)

Marcella Cambor, of the Treasure Coast Regional Planning Council, presented an update to the Planning & Zoning Commission and stated that a more detailed report would be presented to the Town Council on Monday, April 7, 2008. Ms Cambor stated that the report with detailed explanations will be distributed to the Town Council, Planning & Zoning Commission and the Steering Committee next week, and will also be posted

online. Ms. Cambor added that the Town Council and the Planning & Zoning Commission should determine a time frame appropriate for TCRPC to receive written comments back and those comments will be incorporated into the final plan report. (Copy attached)

Ms. Cambor and Mr. Dana Little of the Treasure Coast Regional Planning Council answered questions from residents and the Planning & Zoning Commission Members.

Mr. Bill Diamond of 220 Wells Road, asked if TCRPC had computed the total amount of density in square footage and population if the plan were to be built out.

Ms. Cambor answered that TCRPC is working on those numbers, but there will be a number of variables depending upon what use the Town chooses for the area. The numbers will not be in excess of what the Comprehensive Plan allows today.

Mr. John Ripley, Preservation Foundation of Palm Beach, stated that the Preservation Foundation has been working closely with the students and three instructors of the University of Miami School of Architecture. The students and instructors have committed their focus for the entire semester to looking at the visioning study through a preservation lens and will start making suggestions toward preservation and preservation ideals.

Mr. Leslie Evans, owner of 249 to 253 Royal Poinciana Way, suggested that the Town look at the median and the cut-through in the 200 block of Royal Poinciana Way. If that cut-through was eliminated, it would add approximately 30 parking spaces and more green space. Mr. Evans stated that all the buildings in that area are old and could not be rebuilt. Mr. Evans stated that he does a report, "The Evans Report", which indicates that density in Town is down 8-10% over the last ten years.

Ms. Laurel Baker, Palm Beach Chamber of Commerce, requested that the Planning & Zoning Commission look upon zoning in a "proactive, positive philosophy." Ms. Baker added, "There needs to be a movement away from fearing change and discouraging retailers from wanting to come here. Having to prove "town-serving" is not well understood. Most of the people who work in town do not live in town, but are supporting the businesses here and the residents. The retailers want to be here and need to know they are welcome, not only by this Commission, but by the Town Council."

Mr. Pat Flynn, Palm Beach Theater Guild, asked if the Planning & Zoning Commission was aware of the 1979 covenant, which restricts density, defines the use of the playhouse as a theater and defines the unity of title.

Ms. Cambor answered that the TCRPC did consider the covenant, but added that a new agreement may be required.

After further discussion, Mr. Flynn presented a feasibility plan to Ms. Cambor and stated that his plan will be available on his website and asked if TCRPC would consider including it in the presentation to the Town Council.

Chairman Guttman asked Mr. Flynn to include a paragraph in his public distribution of his updated plan about how the operational plan envisions the playhouse being town-serving.

Mr. Shaw asked if the building known as “the celebrity room” would be preserved and Ms. Cambor stated that the annex to the south is not being preserved, it would be rebuilt.

Mr. Chris Kellogg, 475 No. County Road, commented that he was pleased to see a positive change in the comments of TCRPC since the charrette. “TCRPC is recognizing the desire of the Town to preserve the lifestyle that we presently have. The retail destination concept would hurt Worth Avenue. The real issue this Town needs to focus on is parking, like adding a two-story parking facility behind Worth Avenue”.

Mr. Tom Testa, Testa’s Restaurant, 221 Royal Poinciana Way, stated that he appreciates the work that TCRPC has done. Mr. Testa stated, “economic viability has got to be a guideline or the whole exercise is pointless”. Mr. Testa added that he agreed with Mr. Evans’ earlier comment.

After additional comments and discussion by the Planning & Zoning Commission, the following motion was made: **(2:14:25)**

MOTION BY MR. KLEIN FOR THE PLANNING & ZONING COMMISSION TO RECOMMEND TO THE TOWN COUNCIL TO CONSIDER RETAINING TREASURE COAST REGIONAL PLANNING COUNCIL FOR THE SECOND PHASE, WHICH IS TO EXAMINE CHANGES IN ZONING ISSUES AND MOVE FORWARD WITH RESPECT TO FDOT.

MOTION SECONDED BY MR. BELL.

MOTION CARRIED UNANIMOUSLY AFTER ROLL CALL VOTE.

After a short break, the meeting was re adjourned by Chairman Guttman at 11:55 a.m.

4. Study Item 7. Creation of Visitor Parking Permits for Residential Permit Parking Programs. **(2:16:55)**

Mr. Tom Bradford, Deputy Town Manager, stated that the Town Council requested he come back to the Planning & Zoning Commission to let the Commission know the findings about technology enhancements available. Mr. Bradford stated that there are two technologies available that are currently not used in the Town; bar code technology and a radio frequency ID system. Mr. Bradford stated that the bar code technology is less

efficient than the current system in use and recommended the Town go with the RFID system. The RFID system is currently being tested in Baltimore, Maryland by Duncan Solutions. Mr. Bradford added that the RFID technology does not come on the market for 12-18 months, and recommended that the Town wait for that technology to be available.

MOTION BY MR. BELL TO APPROVE STUDY ITEM 7 AND TO RECOMMEND GOING WITH THE RFID SYSTEM.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

5. Status Report on Comprehensive Plan Amendments based upon the Evaluation and Appraisal Report (Verbal). (2:21:47)

Mr. Tim Frank, Planning Administrator, stated that a more complete report will be made to the Planning & Zoning Commission in May. The use of the GIS map as the official map will be done next year. The official map will become the base street map for the Comprehensive Plan. Staff is researching whether to hire a consultant to do the upgrades to the HR260 mandates. The complete update and purging of outdated material from the Comprehensive Plan that was previously adopted will have to be removed by adoption and that will be an ongoing program. There will be a comprehensive program to bring the entire plan up-to-date as soon as the state mandates are met.

Mr. Bell asked about potable water and whether that section of the Comprehensive Plan has been updated.

Mr. Frank stated that the Public Works input has been updated, but added that the potable water recommendations that may or may not be on the table are not part of the Comprehensive Plan. The potable water updates only include the West Palm data and information coming from them. There is a potable water report coming from the City of West Palm Beach in May which will be included in the Comprehensive Plan. Any changes to that would be the result of the Town Council authorizing addition studies.

V. COMMENTS OF THE PLANNING AND ZONING COMMISSION AND THE DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT (2:27:02)

Mr. John Page, Director of the Planning, Zoning & Building Department commented that May is the month when Staff comes to the Planning & Zoning Commission with an overview of accomplishments that the Commission has completed, and, in addition, will have a dialog about upcoming zoning study items for the year ahead. The goal would be to finalize that list in June or July.

Chairman Guttman stated that he had a concern about that list of study items and repeated that he hoped the Town Council would pick at least one meaty, systematic, comprehensive, major topic for the Planning & Zoning Commission to study.

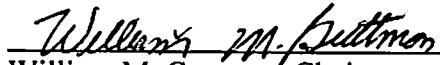
VI. ADJOURNMENT (2:28:36)

MOTION BY MR. SHAW TO ADJOURN.

MOTION SECONDED BY CHAIRMAN GUTTMAN.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,



William M. Guttman, Chairman
Town of Palm Beach
Planning and Zoning Commission



Alan S. Golboro, Secretary
Town of Palm Beach
Planning and Zoning Commission

dam

attachment: TCRPC report