NEIGHBORHOOD MEETING
R-B Zoning District Prototype Guidelines

MEETING WITH ATTORNEYS, DEVELOPERS, ARCHITECTS, ETC.

March 24, 2000
9:30 a.m.
Town Council Chambers, 360 South County Road, Palm Beach

This represents a very brief accounting of the record of this meeting. The tape of the meeting is available at the Planning, Zoning & Building Department.

The meeting was called to order by Paul Castro, Zoning Administrator. Staff persons present in addition to Mr. Castro were as follows: Robert L. Moore, Director of Planning, Zoning & Building, Veronica Close, Assistant Director of Planning, Zoning & Building, Timothy M. Frank, Planner/Projects Coordinator, Jane Day, Staff Preservation Consultant, Bill Brisson, Zoning Consultant, and Cynthia Delp, Recording Secretary.

Mr. Castro began the meeting stating that he had faxed notices of this meeting to architects, attorneys, planners, etc. who do work in the town. He explained that these persons were invited to this session to bring their life experiences, working with the Town's boards and codes, to the table in an effort to pinpoint what these professionals perceive as the problems relative to the R-B zoning district, and to offer input to the consultants performing the study. Mr. Castro introduced Town staff members present..

The presentation continued with the zoning consultants present as follows:

Marty Hodgkins, Duncan Associates
Jon Carleen, Urban Design Studio

Mr. Hodgkins began with some introductory remarks stating the purpose of the study. He stated that one of the reasons for the study is a concern relative to demolition in the R-B district and the replacement of the demolished structure with a very large structure, and the accompanying impact to the adjacent neighbors. He outlined the study streets as Jamaica Lane, Mediterranean Road, Seaspray Avenue, and North Ocean Boulevard (between Queens Lane and Onondaga). The streets were chosen for their unique characteristics. Meetings are being held with the residents of those respective streets to gather their opinions on the subject. Owners' property rights must be maintained when instituting any rules, regulations, or guidelines. Generally, in the comments heard to date, there has been extensive support for retaining the existing character of the neighborhoods. Residents are concerned with retaining the uniqueness of the town.

Residents are concerned about new development overpowering existing smaller homes. Residents want to see good architecture and design, diversity of style, good landscaping, and good manners among neighbors. Most recognize that change is occurring. The management of that change is the subject of this study.

Mr. Carleen referred to the distributed handouts: Town of Palm Beach Prototype Design Guidelines, Current Trends, Mass, Bulk & Scale Determinants, R-B Code Summary, and some examples of the Mediterranean Road collected data. He also referred to several photo boards.

Some comments from the public were as follows:

Donald Malasky (Resident and Contractor): Commented that the biggest problem he has, as a builder, is that a piece of land is analyzed by the architect and contractor to arrive at the structure which can be built on that property. Then the project goes to ARCOM, and all the work which has been done so far is destroyed. He didn't know how a municipality could expect people to know what to do when two sets of governing bodies conflict with each other.

Rick Gonzalez, (Architect): Stated he was glad to see this study was being done. He hoped that the consultants will include architectural consultants and landscape consultants on their team. He suggested that minimum standards for construction be set, and then credits or bonuses be awarded if the design quality is in conformance to what the Town wants to see, i.e., bonus points for good design. He suggested that the consultants investigate how this problem is handled in other locations.

Risa Jackson (Resident): Inquired whether the consultants have been hired to look out for the developers or the citizens.

Mr. Hodgkins: For the record, stated that the Town is the client, and they are here for no one but the Town. Zoning is established to provide for the health, safety and welfare of persons in that community.

Risa Jackson: Asked whether the consultants are going to maintain the quality and unique character of the town, or were they there to help developers.

Mr. Hodgkins: Our job is to make the town as good as it can be, not to represent developers.

Paul Castro: Our task is to maintain the character while allowing change.

Al Church (Seaspray Resident): Questioned why Seaspray Avenue was selected.

Paul Castro: The streets were selected for their uniqueness.

Michael Johnson (Architect): One of the problems is that there is a set of guidelines which express maximums of development. Despite these measurements, however, new construction must be compared with homes within 200 feet. If new construction is surrounded by small homes, the architect, and the owner, are "stuck," not able to do much. So the result of this is that the first couple of homes being redeveloped (on a street of smaller homes) are penalized because

that owner and his architect are never able to build what they really want. He stated that these older neighborhoods are going through a growth process, and will eventually become neighborhoods with larger homes than exist now, but the first of the larger homes are penalized to some degree. This presents a problem which is frustrating to the architect and the client. The client asks if the code says I can build to this size, why can't I have it. ARCOM prohibits the maximums.

Bob Moore, Director of Planning, Zoning & Building: The Zoning Ordinance is designed to work in conjunction with the ARCOM ordinance, and as a result of that, you can't always get the maximums you want. Jamaica Lane is a classic example. On this street of predominantly one story smaller homes, one of the dilapidated homes was demolished, and was replaced by a new house which the residents felt was huge in comparison. After much debate at ARCOM, a compromise was reached, but not to the satisfaction of the neighbors. The neighborhood appealed the ARCOM approval to the Town Council, but the Town Council eventually passed it. So the problem is what to do with the initial larger development on the street. What do you do with that person who demolishes a dilapidated property? The new owner wants to put a structure on the property which is large enough to justify the cost of the land. Mr. Moore stated that it must be remembered that property owners have rights, i.e., the Burt Harris Property Owners' Rights Act.

He asked those in attendance to ponder this dilemma, and offer suggestions toward a middle ground between staying the same and huge development.

David Barton, Jamaica Lane Resident: (neighbor to large house mentioned by Mr. Moore above):
He called the large house next to him on Jamaica Lane a "blockbuster" house. 111 Dunbar is the same. When you turn Palm Beach into Boca Raton, it's ruined. He spoke about other places in the country trying to limit huge construction. He urged everyone to be tough as Palm Beach is unique. Over the years, there has been no land planning in the Town. The zoning is too liberal and too many variances are granted. Eighteen residents on Jamaica Lane were opposed to the new construction mentioned, but it was still passed under the zoning umbrella. How can our neighborhoods be allowed to be so disrupted?

Wendy Victor: All of us are timid about saying that when the houses were built there, they were built for those coming back from the war who needed housing. Today's needs are different. Many residents are year-round residents now. She stated that she is for mega-gardens and small houses, but it does seem that the first person on the block who wants to improve these houses should have a chance to do so, in a spirit of looking forward. She supported Mr. Johnson in that it is a tough thing we have built into the laws. She urged the consultants to arrive at some long range planning, and come up with designs for each of the streets.

Mr. Moore: Added that we are asking for this professional group to offer suggestions toward a long range plan. Because of the interest in this issue, the time period for completion of this study has been extended. Wendy Victor hit on it. These smaller homes had been typically seasonal residents, but they are now often occupied by year-round residents, especially in the interior blocks of these streets. The lifestyle change is what has driven some of this.

Hamlin Beattie (North end resident): Commented that 60% of the lots in the north end are below the minimum flood elevation, and cannot be rehabilitated effectively due to the 50% rule. They will most probably be torn down. There is no question that the north end will be redeveloped. Federal law permits it. The question is how it gets developed. He stated that the more we enact setbacks and hard and fast numerical rules, creativity in design is diminished.

Risa Jackson: If you're going to build to the maximum on these north end streets, and the homes are built high enough to meet the flood elevation requirements, you will be producing lots of flooding conditions from run off. Who will take care of the extra burden placed on the Town's sewer system?

Bill Weeks (Jamaica Lane Resident): The Town has an obligation to prevent water run off from flooding the neighbors.

Tony Solo: Commented that he has successfully dealt with ARCOM on several occasions. He finds that if ARCOM is presented with the right solution, they generally accept it. One of the reasons they accept a design is increased setbacks and created garden pockets. Mass can be dealt with by shifting the mass in a way that is acceptable to the neighbors. Landscaping can be used to effectively appease neighbors. Good design can still be achieved despite what may be a larger cubic content.

Michael Johnson: The R-B district is so large and covers so many varied locations, yet has the same rules for all He advocated breaking down the R-B district into smaller districts, i.e., like R-B Lake, R-B Middle, R-B Ocean, etc.

Rick Gonzalez, Architect: Thought everyone would agree in a mission statement for the Town stating a desire to preserve and enhance the unique qualities of architecture and landscaping within the town. No one wants a town full of McMansions. He advocated equalizing the rules of the game. There is too much subjectiveness. ARCOM should be the guardian of quality, but they should have clear cut criteria for review which is absent of subjective tastes. He suggested that a brochure be developed which shows the quality of design as a model for architects, developers and homeowners to follow.

John Moore, Architect: Larger homes can be designed in small home neighborhoods, and can be done successfully. You cannot limit the homeowner of a large lot. Develop some guidelines to help these large lot owners. You can work with one story vs. two story elements, work with the massing and the setbacks, and be sympathetic to the neighbors without limiting the owner of the larger lot.

Ted with Smith & Moore Architects: One way to obtain a house that fits is to play with the mass, undulating it within the setbacks. The closer a house is to the setback, the lower the house should be to lessen the impact to the neighbor.

Tony Solo: There is a large disparity between the Ocean Boulevard homes and the inner streets. Larger homes being built on the ocean need to provide some sort of buffer to the smaller houses on the inner streets.

Don Malasky: Disappointed that the R-B District has not been broken up to date. This had been previously suggested in years past. The variety of lot sizes within the R-B District produce very dissimilar homes, all within that same district. Guidelines are needed. When a citizen or an estate move to sell a piece of ground, they want to maximize the price. Today's buyer wants a large home, not the type of home that was built in the 30's, 40's and 60's. He added relative to the flooding issue that proper on site water retention with good engineering eliminates that problem.

Jane Day, Historic Preservation Consultant: Do you see landmarking as a plus or a minus?

Rick Gonzalez: Save everything you can save, but permit quality additions. Having preservation efforts in place is very important. That's why people come here to live.

Paul Castro: Over the summer, staff will be working with the consultants on the study. The consultants may contact you for more information. In October, we will meet again with the joint commissions. This will be heard by the Zoning Commission in November, and the Town Council will consider the final product in January. He thanked all for coming.

The meeting was adjourned at 10:50 a.m.

Cynthia M. Delp
Recording Secretary