



# TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE -  
SUBJECT TO  
REVISION

## SPECIAL TOWN COUNCIL MEETING

### AGENDA

#### TOWN COUNCIL CHAMBERS

**MONDAY, OCTOBER 13, 2014**

**1:00 PM**

- I. CALL TO ORDER AND ROLL CALL  
Mayor Gail L. Coniglio  
Robert N. Wildrick, President  
William J. Diamond, President Pro Tem  
Richard M. Kleid  
Michael J. Pucillo  
Penelope D. Townsend
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. HISTORY OF THE PALM HOUSE PROJECT  
[John Page, Director of Planning, Zoning, and Building]
- V. PROCEDURES FOR CONTINUED REVIEW  
OF APPLICANT'S REQUESTS FOR SITE PLAN REVIEW  
WITH SPECIAL EXCEPTIONS AND VARIANCES.  
[John C. Randolph, Town Attorney]

VI. **CONSIDERATION OF APPLICATION FOR SITE PLAN REVIEW #12-2014 WITH SPECIAL EXCEPTIONS AND VARIANCES** The application of Gregory S. Kino, Esq., 160 Royal Palm, LLC; relative to property commonly known as 160 Royal Palm Way (“The Palm House”); described as Being all of Lots 31, 32 and 33, Block F, ROYAL PARK ADDITION to the Town of Palm Beach, Florida, according to the plat thereof as recorded in Plat Book 4, Page 1, Public Records of Palm Beach County, Florida; located in the C-B Zoning District. The following approvals are requested:

1. The Applicant is requesting a modification of the site plan which requires approval from the Town Council. The following is a list of the proposed changes to the approved hotel plan:
  - a. Reintroduction of a rectangular shaped pool (26 x 48) previously approved by the Town Council from curvilinear design decision by prior owner.
  - b. Addition of a 75 square foot men's restroom on the pool deck and reduction of previously approved employee pool service building by 75 square feet to provide for women's pool restroom.
  - c. Relocation of 573 square feet of interior Function Room restrooms to Function Room exterior west elevation to serve the Function Room and elimination of water wall.
  - d. Reduction of pool cabanas from four to three and their relocation from the west to the south wall in pool area.
  - e. Redesign of pool deck and abutting Function Room court area with landscape, hardscape, and planters.
  - f. Reintroduction of private spa deck on Function Room roof (with addition of balustrade parapet) previously approved sundeck by the Town Council but relocated by prior owner.
  - g. Addition of enclosed elevator and two stairways to proposed Function Room private spa roof deck as required by Building Code.
  - h. Addition of 1,483 square foot for finishing kitchen, “green room” and speaker area on the east side of the previously approved Function Room (no change in approved seats for Function Room).
  - i. Reintroduction of an awning to connect main hotel and Function Room previously approved by the Town Council but eliminated by prior owner.

- j. Addition of awnings over existing room balconies on north elevation, second floor, and interior east pool courtyard elevation, 3rd floor.
- k. Redesign of main lobby/dining area on first floor (no additional seats).
- l. Redesign of second floor dining area and restrooms with 39 additional dining seats proposed to be relocated to third floor deck pursuant to special exception request.
- m. Conversion of one third floor hotel unit located next to the second floor dining area to a private dining room (no additional seats – relocation of 12 previously approved seats from second floor dining area).
- n. Enclosure of a stairway and relocation and enclosure of a stairway, both previously approved, to third floor deck.
- o. Addition of enclosed passenger elevator and enclosure of previously approved service elevator to third floor deck.
- p. Addition of 80 square foot enclosed storage room to be attached to proposed stairway enclosure and bar/beverage station with 410 square feet of decorative, open trellis on third floor deck.
- q. Addition of 1,132 square feet to and 39 dining seats on third floor deck (to total of 66 outdoor seats previously approved for second floor north and south dining terraces and pool dining area).
- r. Design change to front door (north), west restaurant and east egress doors.
- s. Enclosure of first through third level exterior access corridors on most eastern elevation, above garage entrance.
- t. Addition of second floor wall opening on north elevation for second floor dining service bar to serve north dining terrace.
- u. Addition of awning over doors and dining area on north dining terrace.
- v. Change of building color to custom pink hue.
- w. Redesign and reduction of basement main kitchen by 100 square feet.
- x. Modify the previously approved 7,964 square foot spa/salon/fitness area in basement level to add 1,006 square feet for a total of 8,960 square feet which requires a 10 parking space reduction in the basement.

- y. Add a 6,719 square foot Premier Guest Service Area in the basement level to be utilized by hotel guests, which requires a 2 parking space reduction in the basement.
  - z. Addition of 3,804 square feet of back of house space to basement level and change of such uses for hotel administrative offices on the west side of the basement level, kitchen coolers/freezers, employee break room, restrooms and housekeeping and relocation of laundry/linen to east side of basement level, which requires a 4 parking space reduction in the basement.
2. Request special exception approval for modifications to approved condominium hotel and expansion/modification of hotel accessory uses, including addition of 1,006 square feet of basement level spa/salon/fitness area and 6,719 square feet of hotel lounge, business center, guest recreation and services area (“Premier Guest Service Area”) to primarily serve hotel guests; addition of 3,804 square feet for back of house support services in the basement level and change of such uses to administrative offices, employee break room, restrooms, housekeeping, and kitchen coolers/freezers; addition of 75 square feet for pool deck restrooms; addition of 573 square feet for exterior Function Room bathrooms; change of use to pool deck and adjacent Function Room courtyard area to allow for pre-function events; redesign and reduction of main kitchen by 100 square feet; addition of 1,483 square feet for Function Room finishing kitchen, “green room” and speaker area; reintroduction of previously approved function room sundeck to private spa deck on roof; addition of 39 dining seats to interior second floor restaurant and relocation of those seats to the previously approved third floor deck; and conversion of one hotel room to a private dining room and relocation of 12 previously approved second floor interior restaurant dining room seats to such room.
3. Request special exception approval to permit outdoor dining with a maximum of 39 seats on the previously approved third floor deck and addition of three bar/beverage stations customarily associated with a hotel use: one on the third floor deck, one to serve the second floor north dining terrace and one portable station for the Function Room courtyard area for pre-function events (total approved outside seating in other areas is 66 seats). Total outdoor seating proposed to be 105 seats.

4. The following variances are being requested in order to construct the proposed project:
- a. A variance request to permit construction of an addition to the basement level (for area not below existing building footprint) to allow for back of house space, expanded spa and Premier Guest Service Area which increases lot coverage to 71%, in lieu of the 66.4% existing and the 50% maximum lot coverage allowed by Code.
  - b. A variance request to allow a basement addition to extend further outside the confines of the existing building foot print which is not permitted by code.
  - c. A variance request to allow a landscaped open space of 12.2% in lieu of the 12.7% existing and the 30% minimum required by the Code.
  - d. A variance request for a front yard setback of 7.66 feet in lieu of the 29.54 foot minimum front yard setback required to install a retractable awning which covers the second floor doors and the previously approved outdoor seating area on the north dining terrace.
  - e. A variance request for a 10 foot rear yard setback in lieu of the 15 feet required to relocate previously approved pool cabanas.
  - f. A variance request for a 10 foot rear yard setback in lieu of the 15 foot minimum required for the location of a men's restroom to service the pool area.
  - g. A variance request for a 10 foot rear yard setback in lieu of the 15 foot minimum required to construct an addition to the east side of the previously approved Function Room.
  - h. A variance request for the non-conforming hotel to not provide an additional required loading space for commercial deliveries based on the additional accessory commercial square footage of 7,864 proposed for the hotel.
  - i. A variance request to allow changes to the use of the 1,881 square foot third floor deck as Town Code provides for a two story limitation. The prior variance limited the use of the third floor deck to a private spa deck and there is a proposed change of use associated with that variance to allow for the addition of 39 outdoor dining seats, a bar/beverage station customarily associated with hotel uses (with 410 square feet of decorative, open trellis), 80 square foot enclosed storage room and 1,132 square foot expansion of deck area.
  - j. A variance request for height and overall height to allow a 410 square foot open trellis on the third floor deck associated with the proposed outdoor dining area. The variance request is for the height of the trellis on the third floor to be 41 feet high in lieu of the 25 foot maximum allowed which is 16 feet over the maximum

building height of 25 feet and the maximum overall height of 41 feet in lieu of the 30 foot maximum allowed.

- k. A variance request of 68 off-street parking spaces for the proposed addition of the finishing kitchen, “green room” and speaker area for the Function Room, the increase in spa square footage, the loss of parking spaces resulting from the addition of the Function Room addition, the additional back of house space to serve the hotel, the additional 39 dining seats and the Premium Guest Services Area located in the basement level.

[Attorney: Gregory S. Kino]

[Architectural Commission Recommendation: Implementation of the proposed variances related to the architecture will not cause negative architectural impacts to the subject property. Carried 6-1]  
*Deferred from the September 10, 2014, Town Council Meeting.*

VII. PROPOSED AMENDMENT OF DECLARATION OF USE  
AGREEMENT OUTLINING PROPOSED MODIFICATIONS TO THE  
TERMS AND CONDITIONS OF PREVIOUS AGREEMENTS BETWEEN  
THE TOWN OF PALM BEACH AND PALM HOUSE OWNERS.  
[John S. Page, Director of Planning, Zoning and Building]

VIII. ANY OTHER MATTERS

IX. ADJOURNMENT

**PLEASE TAKE NOTE:**

The progress of this meeting may be monitored by visiting the Town’s website ([www.townofpalmbeach.com](http://www.townofpalmbeach.com)) and clicking on “Meeting Audio” in the left column. If you have questions relative to this feature, please contact the Office of Information Systems (561) 227-6315.

Disabled persons who need an accommodation in order to participate in the Town Council 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 two (2) working days before this meeting.