

# TOWN OF PALM BEACH

Information for Town Council Meeting on: August 15, 2018

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To: Mayor and Town Council

From: Paul Castro, Acting Director of Planning, Zoning and Building

Re: Z-17-00061 Special Exception  
Review of Royal Poinciana Plaza's Outdoor Promotional Events  
340 Royal Poinciana Way

Date: July 31, 2018

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council allow outdoor promotional events to continue in Royal Poinciana Plaza.

## **GENERAL INFORMATION**

On February 14, 2018, the Town Council conditionally approved the subject Special Exception application to allow RPP Palm Beach Property, LP, the applicant and property owner of Royal Poinciana Plaza, to have outdoor promotional events. The applicant was required to enter into a Declaration of Use Agreement, which outlined the conditions of approval allowing said events. One of those conditions was that the applicant come back to the Town Council's August 15<sup>th</sup> meeting for evaluate how the outdoor promotional events have been working. The following are conditions of approval for events in the Plaza:

- a) The hours of operation for Outdoor Promotional Events shall be 8:00 a.m. to 10:00 p.m., seven days per week.
- b) All events shall take place in the central courtyards of the main retail plaza as identified on the location map attached hereto as Exhibit "B". The property owner shall be responsible for sponsoring and managing any outdoor promotional events.
- c) All events shall prohibit any activity, which constitutes a violation of the Code of Ordinances as determined by the Code Enforcement Division of the Police Department.
- d) All events shall comply with the provisions set forth in Sections 42-196 through 42-229 of the Town Code regulating noise.
- e) No amplified music shall occur within 250 feet of any residence. In addition, amplified music shall end by 9:00 p.m. and acoustical music by 10:00 p.m. Amplified music shall be permitted only on Thursday through Sunday.

- f) There shall be no outdoor sales of alcoholic beverages other than the sales related to Town approved outdoor seating for a licensed business on the subject property.
- g) RPP Palm Beach Property LP shall return to the Town Council to review the Special Exception Approval at the Town Council's August 15, 2018 meeting.
- h) All events shall be Town Serving. RPP Palm Beach Property LP shall provide documentation, which is satisfactory to the Town Council which demonstrates that the Outdoor Promotional Events are Town Serving at the regularly scheduled March Town Council meeting on or before one year from the recordation of this Amendment, as required in the Code of Ordinances.
- i) The events described in Exhibit "C" attached hereto and incorporated herein constitute the types of events permitted by the Special Exception Approval. However, other events with similar characteristics are also permitted by the Special Exception Approval.
- j) The Town Council shall have the right to revoke or modify this Amendment at any time should it be determined that said use has a negative impact on surrounding properties."
- k) Approval of outdoor promotional events may be revoked or modified by the town council at any time should it be determined that said use has a negative impact on surrounding properties.

The applicant has met all of the conditions since the approval at the February 14<sup>th</sup> Town Council meeting. The Planning, Zoning and Building Department, Police Department and Code Enforcement have not received any complaints regarding the operation of promotional events at Royal Poinciana Plaza. We have also had no instances where staff has witnessed any violations of the above conditions.

cc: Kirk Blouin, Town Manager  
Jay Boodheshwar, Deputy Town Manager  
Benjamin Alma, Code Enforcement  
Jamie Crowley, Esq.  
Alexandra Patterson  
zf & pf