

February 04, 2022

Town of Palm Beach  
360 S. County Road  
Palm Beach, FL 33480

Project: 350 S County Road, Palm Beach, FL  
Landmark Case Number: COA-22-011  
Zoning Case Number: Z-22-035

We are pleased to submit the accompanying drawings for first submittal of our project at 350 S County Rd, Palm Beach, FL. Modification to a previously-approved special exception use with site plan approval to add (2) new service yard access gates, and to allow storage for the restaurant for linens, wood, grease receptacle, charcoal and a bike rack. The Town has recycling bins in this area as well.

Please note the following as it relates to this application:

- A. Landmarks Preservation in accordance with Section 54-122 and/or Section 54-161.
  - a. We are submitting modifications to the previously approved project that we consider to be visually compatible with the buildings and environment.
    - i. There are no modifications proposed to the gross volume and the proportion between width and height of the façade.
    - ii. There are no modifications proposed to the proportions and relationship between doors and windows.
    - iii. There are no modifications proposed to the rhythm of solids to voids created by openings in the façade.
    - iv. The general proposed work is consistent with the existing architecture.
    - v. There are no modifications proposed to the texture inherent in the façade.
    - vi. The colors, pattern and trim used in the façade are visually compatible with the surrounding buildings and environment.
    - vii. There are no modifications proposed to the design of the roof.
  - b. There are no modifications to the existing rhythm created by existing building masses and space between them.
  - c. The proposed landscaping is compatible with the existing landscaping and adjacent properties.
  - d. The proposed gates along the exterior street facade blend with other buildings with which it is visually related to the extent possible with respect to the existing Landmark building.
  - e. Architectural details have been incorporated as necessary to relate the new with the old and to preserve and enhance the inherent architectural characteristics of the area.
- B. Architectural Review in accordance with Section 18-205 and/or Section 18/206.
  - a. Not Applicable.
- C. Special Exception in accordance with Section 134-229.
  - 1. The use is a permitted special exception use (restaurant) as set forth in article VI of this chapter.
  - 2. The proposed modification to the previously approved special exception use with site plan approval is designed, located and proposed to be operated that the public health, safety, welfare and morals will be protected. This is a simple request to add gates to the back alley to screen the various items stored in the alley for the use of the restaurant.
  - 3. The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located but will improve values by screening back of house uses and making the area more aesthetic.

4. The use will be compatible with adjoining development and the intended purpose of the district in which it is to be located. This is a town serving restaurant that is now improving the look and function of the restaurant in the back alley.
5. The use will comply with yard, other open space, and any special requirements set out in article VI for the particular use involved.
6. The use will comply with all elements of the comprehensive plan.
7. The use not result in substantial economic, noise, glare, or odor impacts on adjoining properties and properties generally in the district. The proposal is to better screen and alleviate any potential impact to the neighborhood.
8. Adequate ingress, egress and parking are provided on County Road and Australian Avenue.
9. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic impact shall be compatible and in harmony with properties in the district. N/A
10. Location, availability & compatibility of utility service for the use shall be satisfactory to ensure health & safety.
11. Refuse and service areas for the use shall not adversely affect automotive and pedestrian safety and convenience, traffic flow and control, or access in case of fire or catastrophe as the gates will not be locked if there is the need to access the alley.
12. The restaurant is town-serving as evidenced by the fact that over 50% of its customers are "townpersons."
13. If historic/specimen trees are located on the subject property, the location of said historic/specimen trees shall be identified on a signed and sealed survey. In addition, adequate landscaping, screening and barricade protection of historic/specimen trees shall be demonstrated to be provided as required in this chapter. N/A
14. The proposed use will not place a greater burden than would be caused by a permitted use on municipal police services due to increased traffic or on fire protection services due to the existence of or increased potential for fire/safety code violations as the request does not affect the operation of the restaurant, just the alley in the rear.

D. Site Plan Review Approval in accordance with Section 134-329.

1. The owner of the property is the 350 Realty Corp. and entity in control of the property along with Buccan Restaurant under their Lease with the owner of the property.
2. The modifications to the alley is to add gates at both ends to screen the restaurant back of house uses.
3. Ingress, egress, utilities and refuse collection will remain the same along County Road and Australian Avenue.
4. Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the property, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe or emergency. N/A
5. The screening and buffers including the gates and landscaping will be improved with this application.
6. Manner of drainage remains the same.
7. Utility hook ups will remain the same.
8. Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and the uses within the property, and the relationship to community-wide open spaces and recreation facilities. N/A
9. Such other standards as may be imposed by this chapter for the particular use or activity involved. N/A
10. Height of commercial structures with reference to adjoining buildings, the effect on uniformity in height, and the general principle of retaining the low profile scale of commercial architecture. N/A
11. Visible size and bulk. The proposed modifications will be minimal and subtle but will improve the overall look of the property outside and the functionality of the business inside.

E. Variance (s) in accordance with Section 134-201.

- a. Not Applicable.

F. Other – Site History:

July 1994 -SE#19-94 -Unique Restaurant was approved to operate in 4300 sq. feet;

August 1996 -SE#25-96 -Galaxy Grille was approved to operate in 4300 sq. feet with the condition to come back in 6 months to show Town Serving;

August 1997 -SE#23-97 -Supplemental off site shared parking at Gray's Mobil was granted;

October 1998 -SE#27-98 -Galaxy Grille approved to expand into 5088 sq. ft. adding 44 seats and 15 parking spaces at the Apollo lot (This approval, and any conditions placed on the restaurant pursuant to the approval, was never implemented by the previous restaurant owner and thus expired.)

December 2004 -SE#33-2004 -Island Palm Restaurant was approved to operate in 4300 sq. feet.

October 2005 -SE#19-2005 -Island Palm Restaurant was approved to expand to a 4,980 square foot/154 seat restaurant and relocate 20 seats to an outdoor seating area on Australian Avenue.

November 2006 SE#12-2006 -Island Palm Restaurant was approved to allow a retail alcove and allow 4 umbrellas for the outdoor seating area.

November 2007 SE#13-2007 – Beach House Bistro was approved to allow a 4,980 square foot/154 seat restaurant.

October 2010 SE#17-2010 – Buccan was approved to allow a 4,980/154 seat restaurant. The conditions of approval are on file with the Town.

April 2011 - Town Council reviewed the conditions of approval and determined to modify Condition No. 2 to relocate the deliveries from the Bustani parking lot to Australians Avenue and move the loading area on Australian Avenue two parking spaces further east.

August 2011 – SE #21-2011 – Town Council granted approval to expand the restaurant into space next door resulting in a total square footage of 6,333 square foot 177 seat restaurant.

January 2012 – SE #34-2011 – Town Council granted approval of an 845 square foot addition to the restaurant on Australian Avenue to be used for office and storage space.

July 2013 – SE #13-2013 – Town Council approved the use of the name “Imoto at Buccan” for advertising and allowed delivery and off-site catering. Town Council denied curbside pickup.

April 2014 - SE 4-2014 – Town Council approved a portion of the restaurant that fronts Australian Avenue (approved as restaurant office) to be used for a sandwich takeout counter for lunch hours (11:00 a.m to 3:00 p.m.) Monday through Saturday. The restaurant’s number of seats will remain the same and they will continue to follow the conditions of the approval.

June 2021 – SE-21-00356 – Town Council approved the addition of two awnings and new door to sandwich shop and applicant withdrew request for breakfast hours and interior renovation of sandwich shop.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Spina', with a stylized flourish at the end.

KEITH M. SPINA  
CEO