



TOWN OF PALM BEACH

Planning, Zoning & Building Department

March 28, 2022

Mr. James M. Crowley, Esq
777 S Flagler Dr
Suite 500 East
West Palm Beach, FL 33401

Subject: ZON-22-018 (COA-22-003) 218 Royal Poinciana Way, Palm Beach, FL

Dear Mr. Crowley:

The Town Council, at its March 9, 2022 meeting, conditionally approved your client's Special Exception with Site Plan Review:

- Special Exception: Sec. 134-229; To allow a cultural arts center use greater than 3,000 SF Of GLA in the C-PC zoning district.

And Variance application for the following:

1. Sec.134-1262(10): Overall building length of 175'-2" & 158'-9" in lieu of the 150' maximum allowed.
2. Sec. 134-1262(8): Building height for the theater building expansion in lieu of the 25' maximum allowed in the C-PC Zoning District.
 - o 2A: Reconstruct playhouse building at 46.83' (flyspace) and 28.25' (theater) due to 50%+ demolition
 - o 2B: New additions at 27.417' in excess of maximum height allowed
3. Sec. 134-1607(1): To allow 16 air conditioning equipment on the roof at the maximum 108 inches in height in lieu of the 48 inch maximum.
4. Sec. 134-1607(1): To allow (2) exhaust equipment at 84 inches in height in lieu of the 36 inches permitted in the C-PC zoning district.
5. ~~Sec. 134-1262(11): To allow landscaped open space at 15.6% in lieu of the 16% previously approved by variance as documented in the 1979 Agreement and the 255 required in the C-PC zoning district.~~ **VARIANCE WITHDRAWN BY APPLICANT AND NOT APPROVED**

6. Sec. 50-114: Floodplain Variance: To allow a portion of the finished floor elevation to be 5.5' NAVD to match existing landmarked building.
7. Sec. 134-2211: Request to eliminate loading zone requirements for new construction over 4,000 SF
8. Sec. 134-2172: To allow new 90° parking spaces adjacent to a drive aisle nonconforming in width.
9. Sec. 134-2175: Request to eliminate 39 required parking spaces by providing 679 parking spaces in lieu of the 718 previously approved at the property.
10. Sec. 134-2179(f): To allow for parking in the street side-yard setback (Cocoanut Row)
11. Sec. 134-2179(f): To allow for parking in the front-yard setback (Royal Poinciana Way)
12. Sec. 134-2237(2): Reestablish existing 3 vehicle tandem parking

The condition of approval is that a new declaration of use agreement replace the 1979 agreement with conditions of approval and returns to review by the Town Council at the April 13, 2022 Meeting.

The Town Council approval is identified on the digitally stamp dated plan package dated March 02, 2022, from Spina O'Rourke & Partners, Nievera Williams Design, Caulfield & Wheeler, Inc., and Simmons & White Civil Engineering Consulting, Inc. all of which are part of the approval. Prior to the issuance of a building permit, the property owner voluntarily committed to either provide a recorded utility easement or an easement agreement satisfactory to the Town that ensures a recorded easement will be granted, if necessary, to underground utilities in the area.

The approval of this zoning application constitutes only zoning approval and does not relieve the owner and/or applicant from obtaining additional Town approvals as may be required such as construction permits. The work authorized under the approval of this zoning application must be commenced within three years from the date of approval or said approval will expire. The approval(s) for the Landmarks Preservation Commission will expire one year (12 months) from the date of the Landmarks Preservation Commission meeting at which the decision was rendered, unless a building permit has been issued for the work.

Sincerely,



Wayne Bergman

Director of Planning, Zoning and Building

cc: James Murphy, Asst. Director of Planning, Zoning and Building
Sarah Pardue, Historic Preservation Planner
Jordan Hodges, Planner II
Bradley Falco, Planner I
zf & pf

