



**TOWN OF PALM BEACH**  
Planning, Zoning & Building Department  
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**PLANNING, ZONING, & BUILDING DEPARTMENT**  
**PZ&B Staff Memorandum: Town Council Development Review**

**TO:** Mayor and Town Council

**FROM:** Wayne Bergman, MCP, LEED-AP  
Director PZ&B

**SUBJECT:** ZON-22-070 (COA-22-026) 241 SEAVIEW AVE (COMBO)

**MEETING:** August 10, 2022

**ZON-22-070 (COA-22-026) 241 SEAVIEW AVE (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW.** The applicant, Palm Beach Day Academy Inc., has filed an application requesting Town Council review and approval for a modification to a previously approved Special Exception with Site Plan Review for the installation of a surface parking lot for 34 cars, new parking gates and lighting plan, and to replace a portion of the west lawn. The applicant is also seeking to modify the existing Declaration of Use related to the number of times parking can be used. The Landmarks Preservation Commission will perform design review of the application.

**LPC NOTICE:**

**COA-22-026 (ZON-22-070) 241 SEAVIEW AVE (COMBO).** The applicant, Palm Beach Day Academy Inc., has filed an application requesting a Certificate of Appropriateness approval the construction of a new surface parking lot, new parking gates and lighting plan, to replace a portion of the west lawn and the construction of a new PVC fence along the north property line. Town Council will review the special exception with site plan review portion of the application.

Applicant: Palm Beach Day Academy, Inc. (Fanning Hearon, Head of School)  
Professional: Nievera William Design (Jed Hall)  
Representative: Maura Ziska

**HISTORY:**

In 2018, Palm Beach Day Academy requested a Special Exception with Site Plan Review (Z-18-00138) (COA-041-2018) to create a paved parking lot containing 30 vehicular spaces on the west lawn to be used by faculty, families, and guests of the school, and to modify the existing Declaration of Use Agreement. The application was subsequently withdrawn.

The current request was initially heard and deferred at the May 18, 2022, LPC meeting. The applicants have resubmitted plans and an updated LOI in response to Landmarks Preservation Commissioner comments. At the June 22, 2022 LPC meeting, the surface parking lot was approved (5-0) with specific changes to the layout and exterior materials.

The zoning application was originally scheduled for the June 15, 2022 Town Council Development Review meeting but was deferred by the applicant since at that time, the item did not receive Landmarks approval.

This item was originally presented at the July 13, 2022, Town Council meeting, and after lengthy discussion was deferred for one month.

**THE PROJECT:**

The applicant has submitted plans, entitled "PBDA Parking Lot", as prepared by **Nievera Williams Design**, dated July 25, 2022.

The following is the revised scope of work for the project includes:

- The addition of a new surface parking lot accommodating 31 vehicular off-street parking spaces.
- Modification of existing on-street parking spaces from 15 existing to 13 proposed
- Installation of a decorative aluminum vehicular gate.
- Low level lighting plan for the parking lot is proposed. Bollard style lighting with a maximum fixture height of 42" above grade and landscape lighting.
- Drainage improvements and additional exfiltration trench capacity are proposed.
- Construction of a new 8' height masonry site wall is proposed along the north property line to buffer/screen the new parking lot, from the northwest property corner to the chiller building.

The following Special Exceptions with Site Plan Review are required to complete the project:

- Section 134-890: Special exception with site plan review to create 31 parking spaces in the west lawn of the Palm Beach Day Academy and requiring modification to the Declaration of Use.

Site Data			
<b>Zoning District</b>	R-B Low Density Residential	<b>Lot Size (SF)</b>	113,168 SF
<b>Future Land Use</b>	Private Group Use	<b>Lot Coverage</b>	No Change
<b>C-O-R</b>	1.58' NAVD	<b>Flood Zone</b>	AE 6'
<b>Year of Construction:</b>	1931	<b>Architect:</b>	Marion Sims Wyeth
Project			
	Required/Allowed	Existing	Proposed
<b>Parking</b>	24 spaces	6 spaces	31 new spaces 6 existing spaces
<b>Front Yard Open Space</b> 45% OF FRONT YARD:	40% (11,247 SF)	61.2% (17,203 SF)	59.9% (16,851 SF)
<b>Landscape Open Space</b>	50% (56,587 SF)	60.2% (68,151 SF)	50% (56,587 SF)
<b>Native Plant Species %</b>	35%	N/A	55.67%

Surrounding Properties / Zoning	
<b>North</b>	1924 Two-story Single-family residence



<b>South</b>	1973 Three-story Private School
<b>East</b>	1940 One-story commercial office building
<b>West</b>	1943 One-story single-family residence

### **STAFF ANALYSIS**

The proposal includes impactful site modifications including a new off-street parking area, modifications to the existing on-street parking area due to the creation of new curb cuts, as well as new fencing, gates, lighting, and landscaping adjacent to Seaview Avenue. A Special Exception with site plan review is being requested to create 31 parking spaces in the west lawn of the Palm Beach Day Academy, requiring modification to the Declaration of Use. A solid wall, along the north property line, in addition to the landscaping, was proffered at the LPC meeting. The scheme for 31 spaces was approved (5-0) by the LPC.



It must be noted that currently the Palm Beach Day Academy has six on sites spaces. If parked under today's code:

	Parking Ratio	Enrolled	New	Total
Grades 4-6	1 space per 14 students	136/14=9.7 (round up to 10)	14/14=1	11 spaces
Grades 7-9	1 space per 9 students	102/9= 11.3 (round up to 12)	4/9=.44 (round up to 1)	13 spaces
<b>TOTAL Number of Spaces Required</b>				<b>24 spaces</b>

As such, the proposal to provide on-stie parking will bring a very much non-conforming school / place of assembly as it pertains to the required parking of the use.

### **Declaration of Use**

The 2000 Declaration of Use is proposed to be modified to accommodate the proposed use. Specifically, several conditions of the original approval are required to be deleted in order to facilitate the proposal, ie, *no parking in the west play field, and no lighting in the west play field.*