



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-22-116 380 SOUTH COUNTY ROAD

MEETING: August 10, 2022

ZON-22-116 380 S COUNTY RD – SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES The applicant, General American Asset Management (Christian Rollins, CFO), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review to expand professional offices on the second floor of an existing two-story building with on-site shared Parking Agreement with an existing on-site restaurant on the first floor, including the interior tenant improvement to the 2,506 SF tenant space ~~(including the enclosure of an existing 452 SF atrium)~~ on the second floor of an existing 6,017 SF two-story building; ~~and including a variance (1) to provide 0 required 2 parking spaces for the new 452 SF second floor addition~~ by utilizing a Shared Parking Agreement for daytime use of the existing 19 existing required spaces.

Applicant: General American Asset Management (Christian Rollins, CFO)
Professional: Spina Orourke + Partners
Representative: Maura Ziska

HISTORY:

On December 18, 2019, building permit application B-19-82652 was made for interior and exterior renovations to the building. PZB approved the change of use from bank to restaurant/bar (permitted by right under the code at the time) for 108 seats utilizing the principle of equivalency to calculate the parking credit. Note, in order to maximize the number of seats for the credit, the parking credits for the second floor office space was transferred to the ground floor restaurant. The ground floor restaurant/bar contained some upstairs BOH storage areas and the restrooms, but was otherwise the balance of the second floor was identified as “not part of the restaurant/bar” and was to remain vacant. The maximum SF of the restaurant/bar space was limited to under 3,000 SF.

As such, because of this action, any activation of the second floor areas identified as “not part of the restaurant/bar” would need to satisfy the parking requirement as recognized under today’s code.

THE PROJECT:

The applicant has submitted plans, entitled "Interior Improvements for General American Asset Management 380 S County Road-Second floor", as prepared by **Spina Orourke + Partners**, dated July 08, 2022.

The scope of work for the Project:

- The interior tenant improvement to an existing 1,119 SF common area and 1,601 SF tenant space on the 2nd floor of an existing 5,333 SF two-story building. There are no proposed modifications to the exterior of the subject property.
- On site shared parking.

The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

1. ~~SPECIAL EXCEPTION (1): Section 134-1113(8)c: To modify special exception use above the first floor (expansion of 2nd floor).~~ **Special Exception withdrawn.**
2. SPECIAL EXCEPTION (2): 134-2182(c): For on-site shared parking.
3. SITE PLAN REVIEW: Section 134-227 and Section 134-1112: Site plan approval for new building additions.
4. ~~VARIANCE 1: Section 134-2176: To reduce the required parking. Variance to provide 0 spaces in lieu of the required 2 space utilizing a Shared Parking Agreement for daytime use of the existing 19 existing required spaces. (1 per 250) for 452 New SF slab atrium.~~ **Variance withdrawn.**

Site Data			
Zoning District	C-TS Zoning District	Lot Size (SF)	13,125 SF
Future Land Use	COMMERCIAL	Total Office Size (SF)	2,078 GLA 2nd floor office
Parking	Existing 19 Proposed 19	Open Space	N/C
Surrounding Properties / Zoning			
North	One-story commercial (Church Mouse)		
South	Mayor Lesly S. Smith Park		
East	One-story commercial (Bricktops)		
West	Two-story 1953 private club (Club Colette)		

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **application** is **consistent** with the **COMMERCIAL** designation of the Future Land Use Map of the Comprehensive Plan.

STAFF ANALYSIS

The structure is an existing two-story 6,226 SF building located on a corner lot just south of the Town Hall Square Historic District. The former bank site contains 19 existing on-site surface parking spaces—9 under the second floor and 11 along the western property line.

In order to provide daytime office use when the restaurant is closed, the applicant is proposing on-site shared parking, which is subject to the review and approval by Town Council of a special exception request. Since the current unoccupied second floor office has no parking credit due to the 2019 zoning action, any activation of the second floor would need to satisfy the parking requirement as recognized under today's code. This would trigger the need for 9 spaces based on 1 per 250 for 2,000 SF space. However, under the on-site shared parking agreement, the two uses would will utilize the existing on-site parking resource and share their parking spaces, as the two tenants in the same building have opposite operating schedules. The existing restaurant is currently open from 5:00 PM to 12:00 AM on Tuesday through Saturday. The proposed office use is expected

to operate from 7:00 AM to 4:30 PM on Monday through Friday. As such, the same parking might be used for office workers during the week and by restaurant patrons during the evening and weekend.

Since the original submittal, the applicant has abandoned the initial scope to enclose in an existing 450 SF open-air ground floor atrium in order to gain additional SF of office space for the second floor from the new floor area; this request would have required a parking variance for 2 additional spaces. This portion of the original request (and notice) has been withdrawn.