

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 10, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building



Re: Waiver of Town Code Section 42-199, For Extended Working Hours at 225 Worth Avenue

Date: August 1, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council consider a request for an extension of work hours for the renovation of 225 Worth Avenue, the new location for Gucci. If approved, staff recommends that it be conditioned upon the letter (attached) from Rose Eustor, received August 1, 2022, along with the construction schedule, dated July 28, 2022.

Staff has notified the applicant that granting of extended working hours is the sole discretion of the Town Council.

GENERAL INFORMATION

The applicant is renovating the retail space at 225 Worth Avenue. The letter from Gucci explains that due to supply chain issues the mechanical equipment fabrication and installation will be delayed. Therefore, the completion of the millwork and displays will be delayed, along with the final trim-out of the store. The applicant is forecasting that work will continue through January 15, 2023.

Ordinance 03-2018, passed by the Town Council on second reading on February 13, 2018, modified the construction working hours in the Town as follows:

Sec. 42-199. - Hours for construction work.

- (b) Limited. Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday, and legal holidays, when all construction work is prohibited. In no event shall heavy equipment or other construction-related noise be permitted before 9:00 a.m. At all other times such work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and legal holidays, including the Friday immediately after Thanksgiving, when all construction work is restricted or prohibited. Construction work is permissible on Saturdays from May through the Monday preceding*

Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature during which all of the noise and machinery prohibitions identified in section 42-198 are applicable; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restriction due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending on October 31, except Sundays and legal holidays, when all construction work is prohibited.

(c) *Exceptions.*

- (5) *The town council, in its discretion, for the benefit of the health, safety and welfare of the residents of the town may, by resolution, temporarily amend the hours for construction work referenced herein.*

The applicant notified the surrounding property owners of the request and of the date of this meeting, as required. The formal request, under code, is to allow construction at this Worth Avenue location, from November 1, 2022 through January 15, 2023, from 8:00am through 8:00pm, Monday through Saturday.

Attachments – Letter from Rose Eustor, Gucci America, received August 1, 2022
Gucci Palm Beach Construction Schedule, dated July 28, 2022

WRB

GUCCI

RECEIVED

AUG 01 2022

TOWN OF PALM BEACH
PZB DEPARTMENT

To: Wayne Bergman, MCP, LEED® AP
Director
Town of Palm Beach
Planning, Zoning, Building
360 S. County Road
Palm Beach, FL 33480
Office: 561-227-6426

Re: Request for a Waiver to Section 42-199 (Hours of Construction Work – Commercial Worth Avenue CWA zone) - Gucci 225 Worth Ave Project Permit # B-22-94272

Dear Sir,

We would like to request for a waiver to Section 42-199 of the Town of Palm Beach Code of Ordinances, relating to the construction working hours beyond October 31 – May 1st of every calendar year.

Due to the supply chain issues in various trades on the project, we are experiencing shipment delays and mechanical equipment fabrication setbacks that is affecting our ability to complete the installation of our display millwork by October 31, 2022. Attached here is our construction schedule. The remaining work beyond October 31, 2022, will be limited to interior finishing work, installation of millwork ceiling, wall panels, and product display shelves. At this time, our millwork install crew will be using typical wood working cutting and drilling tools and shall be done in the interior of the space during the hours of 8am – 8pm.

Based on our schedule, we would like to request the time of November 1, 2022, through January 15, 2023, to complete this remaining work.

We hope that this request may be considered.

Rose Eustor

Rose Eustor
Vice President
Store Planning and Development
Gucci America

