

TOWN OF PALM BEACH

Information for Town Council Meeting on: November 9, 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 172 Worth Avenue

Date: November 1, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council consider a request for an extension of work hours for the renovation of 172 Worth Avenue, the Saks Fifth Avenue Retail Store. If approved, staff recommends that it be conditioned upon the letter (attached) from Peter Chachura, dated October 27, 2022, along with the attached construction schedule.

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 second floor at 172 Worth Avenue. This request seeks permission to work beyond the normal October 31 cutoff date. They request work hours until February 8, 2023 to complete the interior work. Their letter does not explain the need for this additional time to complete the renovations. The construction schedule shows that all work on the VIP Room area will be complete by February 8, 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.

Attachments – Letter from Peter Chachura, dated October 27, 2022
Saks VIP Room Construction Schedule



Peter Chachura
Vice President Store Planning & Construction
Saks Fifth Avenue
225 Liberty Street – 31st Floor
New York, NY 10281
peter_chachura@s5A.com

October 27, 2022

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

Re: Saks Fifth Avenue
172 Worth Avenue
Palm Beach, FL
Permit # B-22-96741

Dear Mr. Bergman,

Saks Fifth Avenue is in receipt of building permit #B-22-96741. We are requesting approval to construct fitting rooms this permit has been issued for post October 31st.




















The area of construction is located on Level 2 and is contained within the walls of our store. All deliveries will be made to the Saks loading area on the ground floor and brought into our store. We will not disrupt any adjacent tenants with our construction.

Thank you for your consideration.



















Very truly yours,

A handwritten signature in brown ink, appearing to read 'Peter Chachura'.

Peter Chachura
Vice President Store Planning & Construction

ID	 Task Mode	Task Name	Duration	Start	Finish	22	T	W	T	F	S	Oct 30, '22	S	M	T	W	T	F	S	Nov 6, '22	S	M	T	W
1		Install Barricade Wall	3 days	Mon 11/21/22	Wed 11/23/22																			
2		Demo	4 days	Thu 11/24/22	Tue 11/29/22																			
3		Framing	5 days	Wed 11/30/22	Tue 12/6/22																			
4		MEP's rough-in	5 days	Wed 12/7/22	Tue 12/13/22																			
5		Inspections	1 day	Wed 12/14/22	Wed 12/14/22																			
6		Hang and finish drywall	7 days	Thu 12/15/22	Fri 12/23/22																			
7		X-Mas/Holiday Break	7 days	Sat 12/24/22	Sun 1/1/23																			
8		Floor prep	1 day	Mon 1/2/23	Mon 1/2/23																			
9		Wood floor install	3 days	Tue 1/3/23	Thu 1/5/23																			
10		Wood trim/Door install	5 days	Fri 1/6/23	Thu 1/12/23																			
11		Prep/Paint	3 days	Fri 1/13/23	Tue 1/17/23																			
12		Wall coverings	3 days	Wed 1/18/23	Fri 1/20/23																			
13		MEP's trim	4 days	Mon 1/23/23	Thu 1/26/23																			
14		Barricade removal/drywall,paint touch up/ window film removal	1 day	Fri 1/27/23	Fri 1/27/23																			
15		Install carpet	2 days	Mon 1/30/23	Tue 1/31/23																			
16		Fixture install	2 days	Wed 2/1/23	Thu 2/2/23																			
17		Final inspections	2 days	Fri 2/3/23	Mon 2/6/23																			
18		Walk and punch	2 days	Tue 2/7/23	Wed 2/8/23																			

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Project: Saks, VIP Room (Palm B) Date: Wed 10/26/22	Task		Inactive Summary		External Tasks	
	Split		Manual Task		External Milestone	
	Milestone		Duration-only		Deadline	
	Summary		Manual Summary Rollup		Progress	
	Project Summary		Manual Summary		Manual Progress	
	Inactive Task		Start-only			
	Inactive Milestone		Finish-only	