



TOWN OF PALM BEACH
Planning, Zoning & Building Department
360 South County Road
Palm Beach, FL 33480
(561) 838-5431 • www.townofpalmbeach.com

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-23-035 340 ROYAL POINCIANA WAY STE 337 345

MEETING: FEBRUARY 15, 2023

ZON-23-035 340 ROYAL POINCIANA WAY, STE M337 – STE M345—SPECIAL EXCEPTION WITH SITE PLAN REVIEW. The applicant, Marissa Collections of Palm Beach, Inc. (Jay Hartington, CEO), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review to increase the retail gross leasable square footage in excess of the 3,000 SF permitted by right in the C-PC Planned Center District and assignment by the Town Council of two vested parking spaces reserved pursuant to the Amended and Restated 1979 Agreement governing development at the property.

Applicant: Marissa Collections of Palm Beach
Professional: Keith Spina / Spina Orourke + Partners
Representative: James M. Crowley, Esq.

HISTORY:

The Royal Poinciana Playhouse was constructed in 1957. Building permits indicate that the Playhouse has had maintenance work, exterior alterations, and additions over the years, but has not been severely altered since construction in 1957. The building has been vacant since 2004 and is in need of full interior and exterior rehabilitation.

At the February 16, 2022 Landmarks Preservation Commission an application was approved for the construction of substantial site and architectural improvements including new one- and two-story additions to an existing two-story landmarked playhouse building including variances, pursuant to COA-22-003. The project continued on to Town Council at the March 09, 2022 meeting for review (and where it was approved) for Special Exceptions, Site Plan Review and 11 variances and was approved pursuant to ZON-22-018

THE PROJECT:

The applicant has submitted plans, entitled " MARISSA COLLECTIONS THE ROYAL POINCIANA PLAZA", as prepared by **Spina Orourke + Partners**, dated SECOND SUBMITTAL 12-27-2022.

The applicants are proposing the following scope of work at the property:

- To convert 4,015 SF of second floor office area into expanded second-floor retail space for the existing ground floor retail space Marissa Collections.
- Architectural changes to be reviewed at the LPC administrative review.

The following Special Exceptions with Site Plan Review is required for completion of the project as presented:

- **SPECIAL EXCEPTION: Sec. 134-1259(a)(11):** A special exception to increase the Gross Leasable Area (GLA) of Marissa Collections from previously approved 3,040 SF to 7,519 SF in excess of the 3,000 SF GLA allowed by right.

Site Data			
Zoning District	C-PC Planned Center	Lot Size (SF)	512,726 SF
Future Land Use	Commercial	Flood Zone	AE 6' NAVD
Finished Floor Elevation	5.5' NAVD	Designated Landmark	11/12/08
Year of Construction:	1957	Architect:	John Volk
Project			
	Required/Allowed	Existing	Proposed
Retail Square Footage	Existing: 3,040 SF Proposed: 7,519 SF <i>Special Exception Requested</i>	Parking Spaces	540 (1957 Original) 679 (2022 Approved)
			464 SF one (1) parking space per 300 feet of leasable area. The conversion of 464 SF of common area into gross leasable area requires parking for 1.5 space, or 2 spaces.
Surrounding Properties			
North	Flagler Memorial Bridge / Municipal park		
South	1956 Seven-story Condominium		
East	Breakers Golf Course		
West	Lake Worth Lagoon		

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

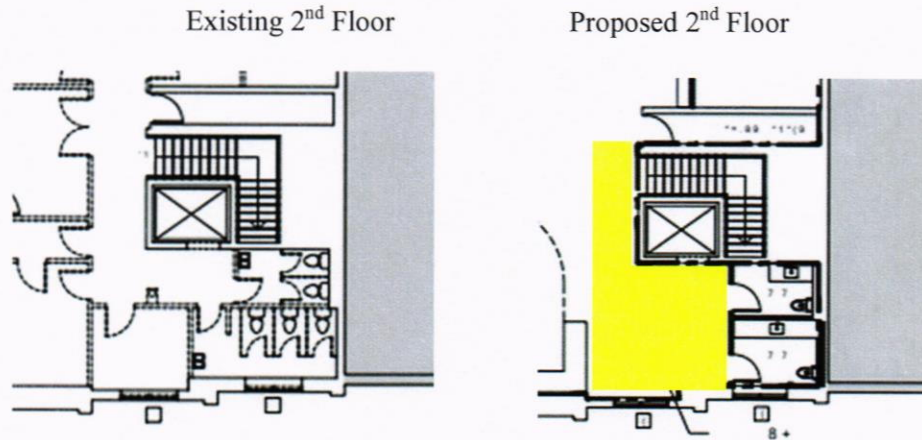
A preliminary review of the project indicates that the proposed **application** is **consistent** with the **COMMERCIAL** designation of the Future Land Use Map of the Comprehensive Plan.

STAFF ANALYSIS

This application is presented to the Council to consider whether all of the criteria in 134-1259(a)(11) for the granting of a Special Exception for retail uses in excess of the 3,000 SF GLA allowed by right have been met.

The applicant is proposing to expand the retail operations of the Marisa Collection to the second floor. Located at the western end of the Royal Poinciana Plaza, the Marisa Collection has been

successful since its opening at the Palm Beach location. As a result of the vertical expansion, an existing 464 square-foot common stair element connecting the first and second floors will be converted from “common area” into gross leasable area (GLA). This existing enclosed space yields a parking requirement.



The 1979 Agreement decided that the parking requirement is one (1) parking space per 300 feet of leasable area; as such the conversion of 464 SF of common area into gross leasable area requires parking for 1.5 space, or 2 spaces. There are an existing 45 “vested and unused” parking spaces on the Property per Section 9 of the Amended and Restated 1979 Agreement; therefore, the required two (2) additional parking spaces will be taken from the 45 surplus spaces, which will leave the Property with 43 “vested and unused” parking spaces, and will eliminate the need for a parking variance. The assignment of these spaces from the “parking bank” shall be required by the Town Council of two vested parking spaces reserved pursuant to the Amended and Restated 1979 Agreement governing development at the property.

Staff is fully supportive of the application as presented, and notes that the proposed architectural changes are consistent with the prior approvals and shall be reviewed at the LPC administrative review.

WRB:JGM