



TOWN OF PALM BEACH
Planning, Zoning & Building Department
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PLANNING, ZONING, & BUILDING DEPARTMENT
PZ&B Staff Combination Memorandum: Landmarks Preservation Commission and Town Council

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

SUBJECT: HSB-22-016 (ZON-22-154) 353 PERUVIAN AVE (COMBO)

MEETING: MARCH 22, 2023 (LPC)
APRIL 04, 2023 (TC)

HSB-22-016 (ZON-22-154) 353 PERUVIAN AVE (COMBO). The applicant, Lifestyle Holdings LLC, has filed an application requesting Landmarks Preservation Commission review and approval for proposed exterior alterations and additions to a one-story and a two-story Historically Significant Building, requiring variances from the Floodplain requirements from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner building, including demolition of more than 50% of portions of the existing Historically Significant buildings necessitating variance relief from parking and loading space requirements, setback requirements to retain a nonconforming structure, and open space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

ZON-22-154 (HSB-22-016) 353 PERUVIAN AVE (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, Lifestyle Holdings LLC, has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review for (1) the addition onto an existing second floor, and (2) for commercial uses > 3,000 SF in C-TS zoning district and Variances (1) to reduce the existing north (side) setback requirements in order to retain an existing nonconforming building and (2) to reduce the required parking spaces, (3) to reduce the required on-site loading spaces, (4) to reduce the required overall landscape open space, and (5) to reduce the required overall front yard open space, and from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, which results in demolition of more than 50% of portions of the existing one-story and two-story Historically Significant building and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner building. The Landmarks Preservation Commission will perform design review of the application and review and approved the Floodplain variance.

Applicant: Lifestyle Holdings LLC
Design Professional: Jerome Baumoehl Architect
Representative: Maura Ziska

HISTORY:

The subject property contains two structures—an “L” shaped one-story corner retail building and a rear two-story residential building that were designated as ‘historically significant’ in September of 2022. The property is located within the Royal Park Conservation District. The rear two-story residential structure (since converted into commercial/office use) was designed by the architectural firm of Simonson and Holley in 1949. The residence was constructed at the center of the property with the main façade facing south towards Peruvian Avenue, and a detached garage was constructed at the northwest corner of the property with access from Coconut Row. The residence is partially concealed by the front one-story commercial structure which was constructed in 1955.



Figure 1: Subject property location arial.

THE PROJECT:

The applicant has submitted plans entitled “353 PERUVIAN AVENUE (REVISED SECOND SUBMITTAL)” as prepared by Jerome Baumoehl Architect, dated February 13, 2023.

The following is the scope of work for the Project:

ONE-STORY BUILDING

- Remove existing applied moldings from a 1984 renovation and use existing stucco moldings from original building design.
- Replace existing storefront systems with new impact storefronts in the majority of existing/ modified storefront openings.
- Add new awning structures per proposed floor plans/ building elevations.
- Extend existing stucco quoins at corners.

TWO-STORY BUILDING

- Rework existing ground floor layout to accommodate new second floor layout.
- Rework existing second floor to accommodate addition of +/- 564 square feet.
- Rework existing ground and second floor roof structures to accommodate new layout.
- Rework exterior building elevations.
- Replace existing roof with new "Bermuda Style" white cement tile roof.
- Addition of weathervane at roof peak as per original design prepared by Simonson & Holley Architectural firm.

The following Special Exception, Site Plan Review, and/or Variance(s) are required for the application:

- **SPECIAL EXCEPTION with SITE PLAN REVIEW:** Sec. 134-1113(8)(c): building onto second floor.
- **SPECIAL EXCEPTION:** Sec. 134-1109 (11): For uses > 3,000 SF in C-TS zoning district
- **VARIANCE #1:** Sec. 134-1113(6): a variance to maintain an existing nonconforming north side yard setback of 2.5' in lieu of 10' minimum required when C-TS abuts residential district (R-C), and a to maintain an existing nonconforming west front yard setback of 4.6' in lieu of 5' minimum required in the C-TS district, with the demolition of more than 50% cubic volume of a nonconforming structure on a nonconforming lot.
- **VARIANCE #2:** Sec. 134-2176: Variance to not provide the required 4 spaces for new commercial additions and 42 spaces for the retention of the nonconforming commercial building, for a total of 46 required spaces:
- **VARIANCE #3:** Sec. 134-1113(11)(c): Additionally, not less than 35 percent of the required front yard must be landscaped open space in the C-TS district. Proposed 0% Required 35%.
- **VARIANCE #4:** Sec. 134-1113(11)(b): For two-story buildings, the minimum landscaped open space is 25 percent. Proposed 16.7% Required 25%
- **VARIANCE #5:** Sec 134-2211(a): A variance to not provide a loading space.
- **VARIANCE #6:** Chapter 50-114: Historic Buildings – A variance is authorized for the improvements to and rehabilitation of this historic building that is determined eligible for the exception of the flood resistant construction requirements of the Florida Building Code, Existing Buildings, Chapter 12 Historic Buildings, as the proposed improvements will not preclude the building's continued designation as a Historic building to maintain a ground floor and additions with a finished floor of 2.38' NAVD and 3.20' NAVD in lieu of the required 7' NAVD.

Site Data			
Zoning District	C-TS	Future Land Use	COMMERCIAL
Year of Construction	Residence – 1949 Commercial - 1955	Architect/Builder:	Residence - Simonson & Holley Commercial - Earl H. Martin
Lot Size	12,500 SF	Base Flood Elevation	AE-6

Lot Coverage	Existing: 52.52% (6565 SF) Proposed: 52.6% (6,579 SF) Permitted: 70% (8,750 SF)	# Parking Spaces	Required: 46 (42 + 4) Existing: 0 Proposed: 0 <i>Variance Requested</i>
Crown of Road	1.89' NAVD (Cocoanut Row) 2.01' NAVD (Peruvian Ave)	Side Yard Setback	Existing north: 2.5' Required: 10' <i>Variance requested</i>
Exist Fin. Floor Elevation	2.38' NAVD and 3.20' NAVD	Prop. Fin. Floor Elevation	2.38' NAVD and 3.20' NAVD <i>Floodplain Variance requested</i>
Landscape Open Space (LOS)	Existing: 6% (750 SF) Proposed: 16.7% (2,088 SF) Required: 25% (3,125 SF) <i>Variance Requested</i>	Front Yard Landscape Open Space	Existing: 0% Proposed: 0% Required: 35% <i>Variance Requested</i>
Surrounding Properties / Zoning			
North	1963 6-Story Multifamily building / R-C Zoning		
South	1923 4-Story Office building / C-TS 1923 5-Story Office building / C-TS		
East	1927 3-Story Residence / C-TS		
West	1963 4-Story Multifamily building / R-C		

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 application is presented to the Commission to consider whether all the criteria in section 54-122 have been met. A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the above-mentioned sections of the Town zoning code, including requests for: a floodplain variance and 5 other variances mostly attributed to the demolition of more than 50% of an exterior wall square footage, requiring the entire property to be brought up to the code.

As previously stated, the subject property consists of two detached structures on site, a two-story center structure and a one-story commercial 'liner' building. The commercial liner building wraps the corner of the property along Peruvian Avenue and Cocoanut Row. The applicant is proposing substantial alterations to both buildings.

Street-facing façade alterations to the single-story commercial liner building include the removal of the decorative acorn pediment and engaged column door surrounds that were part of a renovation approved by ARCOM in 1984. Additionally, the applicants are requesting to replace the existing storefronts with new divided lite impact storefront systems and four lite doors. New awnings are proposed over the street-fronting fenestration. The changes to the street-fronting elevations are most evident on Sheets A7 and A8 of the architectural plan sets.

The rear courtyard-facing elevations of the commercial liner building are proposed to undergo considerable alterations, including the construction of large divided lite sliding openings designed to create a storefront appearance from the courtyard, in lieu of the original non-public service facades. As the applicant seeks to create a "via-like" experience within the courtyard, and these rear openings are designed to promote internal circulation by allowing thru-traffic from the public sidewalk to the interior courtyard. The proposed fenestration headers are considerably taller than they are on the street-fronting elevations and new awnings are proposed on some openings as they are on the street-fronting elevations. The changes proposed for the courtyard fronting elevations are most evident on Sheets A9 and A10 of the architectural plan sets.

The central two-story building is proposed to undergo numerous exterior alterations as well as a second-floor addition over an existing single-story portion of the building on the west and north sides. The original architectural plans for this structure, provided on pages 2-5, illustrate a building with a brick clad first floor with a simple recessed entryway, a vertical board-and-batten second floor, and a Bermuda style hip roof. Fenestration largely consists of divided lite hung windows, awning, and jalousie windows. Architectural embellishments include exposed wood rafter tails, wood shutters, a wrought iron decorative grill around the entryway, and a projecting louvered roof cupola topped with a weathervane.

The most impactful alteration proposed for the building is the +/- 560 SF second-floor addition. Currently, the second floor, which is visible from Peruvian Avenue and Cocoanut Row, is nearly a perfect square, measuring 26'-1" x 27'. The existing ground floor is significantly larger, as a single-story portion was designed to wrap around the west and north sides of the building. The application does not seek to substantially change the footprint of the building, but it does request to add a second floor atop the existing single-story portion, most evident in the "Proposed Second Story" plan on Sheet A16, and the "Proposed Roof" plan on Sheet A17.

As evident on Sheets A18 and A19, the proposed addition has a significant impact on the structure's massing, scale, proportion, and roof shape. The applicant has selected to utilize the building's historic design features in the addition's design, including the use of divided lite hung windows, wood shutters, exposed rafter tails, and exterior cladding materials. Additionally, the character defining cupola roof vent and weathervane are proposed to be reconstructed in new proportions to accommodate the new roof configuration and dimensions of the second floor mass.

Per Sec. 18-302, alterations and additions to designated Historically Significant Buildings (HSBs) shall be designed and undertaken in a manner that are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Such work should not preclude the building's continuation as an HSB. The buildings at 353 Peruvian Avenue benefit significantly from an HSB status, as the designation avails the property to exceptions for flood hazard area requirements of the Florida Building Code.

Staff would note that there are some inconsistencies within the plans, most notably the location of the new air conditioning equipment is absent, and the site plan (Sheet SP), identifies a new pedestrian gate at the southern wide entrance off Peruvian Avenue to be detailed in the landscape set, but those plans do not identify any such gate or fence in that location.

The improvements to the older historically significant structures will exceed both 50% of the value improvements to the structure, and 50% of the demolition of the rear façade of the one-story building and portions of the second floor of the two-story building, all of which triggers the

building's nonconformances to be brought up to the today's zoning requirements. The historically significant building is already nonconforming in construction with the north side setback (variance #1), required parking spaces (variance #2), open space requirements (variance #3 and #4), and loading space requirements (variance #5). These deficiencies must be established through the variance process.

Variance #1 seeks to establish to the existing nonconforming setbacks of the original one-story retail structure, the improvements to the older historically significant structure will exceed both the 50% of the value improvements to the structure and 50% of the demolition of the rear façade, which triggers all of the building's nonconformances to be brought up to the today's zoning requirements. The historically significant building is already nonconforming in the north side setback, Variance #2, the existing side yard one-story setback for the existing structure is proposed to remain at 2.5' in lieu of the 10' minimum required. Staff would note that in the C-TS district, there is no minimum side yard required for one-story structures, but when a C-TS property adjoins property zoned in any R district, a ten-foot side yard is required on that side. Since the neighboring property is R-C, the increased setback is required. Additionally, the front yard setback is required to be 5'-0" for one-story structures under today's Code. The structure, as confirmed by the survey, is setback, 4.6' from the front property line along Coconut Row.



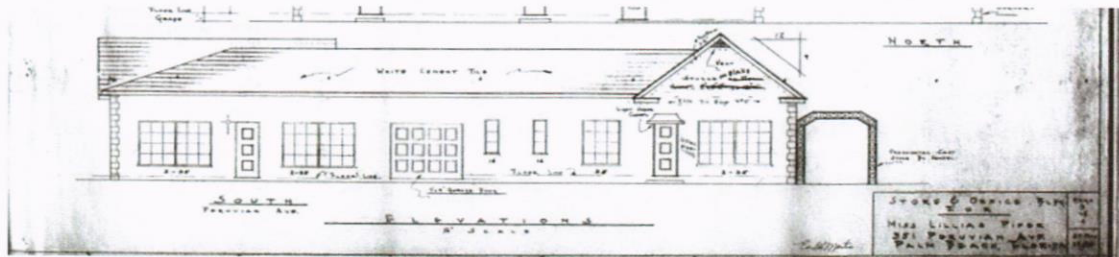
As it pertains to variances #2, a variance to not provide the required 4 spaces for new commercial additions and 42 spaces for the retention of the nonconforming commercial building, for a total of 46 required spaces. The parking requirement breakdown is as follows:

- I. 5,100 SF retail liner @ $1/200 = 25.5$ spaces or 26 required spaces
- II. 1,470 SF 1st floor back building @ $1/200 = 7.35$ spaces or 8 required spaces
- III. 1,470 SF 2nd floor back building @ $1/200 = 7.35$ spaces or 8 required spaces
Total of 42 spaces + the required 4 spaces for new commercial additions
- IV. NEW commercial SF requires a parking component at $1 / 200$ (Sec. 134-2176).
New 700 SF / 200 = 3.5. Variance needed to not provide the required 4 spaces for new commercial additions.

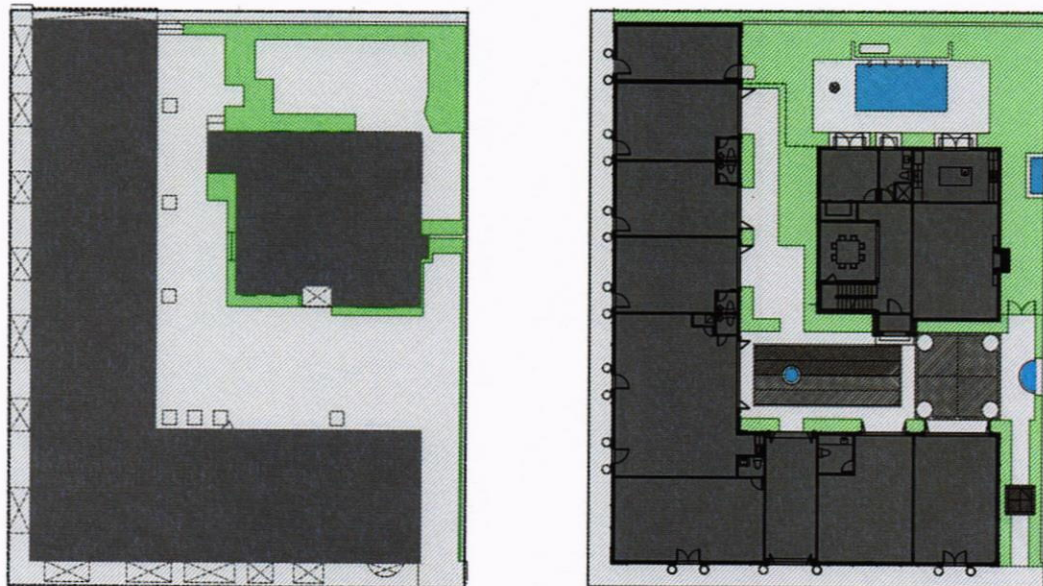
The structure has been a commercial building since 1955 operating without any required parking. The new additions to the rear building trigger their own parking requirements as well. Again, due to the extent of demolition in order to improve the project, the entire site must be calculated towards what would be the required parking component under today's code. Staff notes that it would be physically impossible to provide the amount of parking space on-site due to the footprint and location of the historically significant buildings.

As it pertains to variance #3, the existing site plan places the building constructed in 1955 at the property line, and compliance with the required front yard to achieve the required 35% would be impossible without the substantial demolition of portions of the primary façade. The structure, as

confirmed by the survey, is setback, 4.6' from the front property line along Coconut Row (see variance #1). Additionally, while the south elevation complies with the required front yard setback of 5.4', the design as a showroom, office and retail space (with a garage) never conceived or provided for landscaping in the front yard of a walkable and active commercial area.



As it pertains to variance #4, to reduce the required overall open space. In the C-TS zoning district, the Code requires a 25% minimum overall landscaped open space for two-story buildings. The existing condition is 6% and the proposal seeks to increase that amount to 16.7%. It should be noted that for one-story structures, the requirement is 15%. The site contains both a one- and a two-story structure, requiring the more restrictive regulation to be applied. In order to create a viable commercial plaza, hardscape is desired to blend the indoor space into the outdoor courtyard through the use of operable Nana wall storefront systems, even still the applicant has applied green planting areas along the interior façade of the one-story retail liner building.'



As it pertains to variance #5, a variance to not provide a loading space, the zoning code prescribes a minimum number of loading bays based on the amount of commercial square footage available in the building. One space is required for buildings which are between 4,000—25,000 SF. The site currently offers zero loading bays, and has been a commercial building since 1955 operating without any required parking or on-site dedicated loading berths. The site is within a commercial corridor and adjacent to Worth Avenue to the south, as such, it is assumed that the site will utilize existing dedicated on street loading spaces. Staff notes that it would be geometrically and

physically impossible to provide the loading space on-site due to the footprint and location of the historically significant buildings.

As it pertains to variance #6, in order to keep and to expand the rear of the structure and have it closely resembling the appearance of the original, the finished floor of the new structure is proposed to match the existing floor height of the main residence, which is below the current required base flood elevation. A flood plain variance is being requested for the historic structure to allow an addition with a finished floor of 2.38' NAVD and 3.20' NAVD (lowest slab of interior habitable space) in lieu of the 7' required by code. As such, a flood plain variance is necessary for retention of the building at a lower grade, in lieu of the 7' NAVD current minimum—although commercial properties may floodproof the structure, the applicant has expressed long term interest of possibly converting the two-story structure back into a residence. The floodplain waiver is only afforded to landmarked and historically significant buildings in the Town and is in fact one of the greatest benefits of the program for the older historic building stock. The floodplain variance is now reviewed and approved by the LPC.

As it pertains to the two Special Exception requests: Special Exception #1, building onto second floor (Sec. 134-1113(8)(c)) requires Town Council to review and approve a second floor. Although it is an existing two-story building constructed in 1949, and the applicant is proposing a small second story addition, and thus the review is required. Special Exception #2, to permit uses > 3,000 SF in C-TS zoning district (Sec. 134-1109 (11)) will allow the applicant the flexibility to utilize the existing historically significant buildings with retail opportunities and showrooms as the building was originally conceived.

Approval of the project will require three separate motions to be made by the Landmarks Preservation Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, (2) the approval of variance #1, for a floodplain with a finished floor of 2.38' and 3.20' NAVD in lieu of the required 7.0' NAVD; (3) that the implementation of the proposed variances **will or will not** cause negative architectural impact to the subject property. The other variances (#1 and #5) requests and Special Exception approval portion of the application is scheduled for review by Town Council.

WRB:JGM