



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

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

SUBJECT: ARC-23-057 (ZON-23-049) 2 S COUNTY RD (THE BREAKERS)

MEETING: MAY 24, 2023

ARC-23-057 (ZON-23-049) 2 S COUNTY RD (COMBO). The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Architectural Commission review and approval for the renovation and expansion of the existing tennis area, including replacements of 10 existing courts, addition of 2 courts, addition of pickleball courts, shade structures, decorative fencing, new service path, stretching area and landscape improvements; requiring town council review of special exception, site plan review, and variances. This is a combination project that shall also be reviewed by Town Council as it relates to zoning relief/approval.

ZON-23-049 (ARC-23-057) 2 S COUNTY RD (COMBO) —SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES. The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Town Council review and approval for Special Exception with Site Plan Review for modifications to the tennis center at the Breakers hotel including replacement of and addition of courts, shade structures, walkway and stretching area, and (2) variances to (1) provide court fencing that is deficient in height and (2) to provide tennis court lighting that exceeds maximum heights allowed. The Architectural Commission shall perform design review of the application.

Applicant: The Breakers Palm Beach, Inc. (Alex Gilmurray)
Professional: Edsa
Representative: James Crowley, Esq.

HISTORY:

Due to the highly specific language of the The Breakers Planned Unit Development Resolution, the extent of the proposed improvements herein this application, specifically the expansion of the tennis court areas, required an amendment to be filed to Town Council. This amendment was required to be vetted at the Planning and Zoning Commission. In April, the PZC transmitted the PUD amendment with a favorable recommendation to the Town Council. At the 05/10/23 Town Council Development Review meeting, the Town Council unanimously (5-0) adopted the resolution amending the existing Resolution No 003-00 for The Breakers Planned Unit Development (PUD-A) related to site modifications at the tennis center, pursuant to Resolution No. 043-2023.

THE PROJECT:

The applicant has submitted plans, entitled "THE BREAKERS - TENNIS" as prepared by **edsa**, dated April 05, 2023.

The following is the scope of work:

- Replacement of existing tennis courts with new tennis courts and pickleball courts.
- New low decorative fencing around courts.
- New service path and stretching area.
- Replacement of small court side shade structures.
- Shade structures over two (2) tennis court areas.
- Relocated and new court lighting to match existing.
- Minor landscape and hardscape adjustments.

The following Special Exception, Site Plan Review and/or Variances are required to complete the project:

- **Special Exception 1: Sec. 134-1395(1):** Special Exception request for modifications to The Breakers Tennis Center.
- **Special Exception 2: Sec. 134-1759(e):** Special Exception request for construction of new tennis/pickleball courts.
- **Special Exception with Site Plan Review 3: Sec. 134-1759(g):** Special Exception with site plan review for tennis court lighting.
- **Variance 1: Sec. 134-1759(c):** A variance to permit perimeter tennis fencing at 4 – 6 ft in height, in lieu of the 10 ft in height required.
- **Variance 2: Sec. 134-1731:** A variance to permit new tennis light poles at 21 feet in height in lieu of the 15' maximum height permitted.

Site Data			
Zoning District	PUD-A	Future Land Use	APPROVED PUD
Lot Size	184, 406 Sq. Ft.	Fence Height (tennis court)	Required: 10' Proposed 4' – 6' <i>VARIANCE REQUESTED</i>
Building Height	11' Shade Structure	Lighting Height	Permitted: 15' Proposed: 21' <i>VARIANCE REQUESTED</i>
Surrounding Properties			
North	Royal Poinciana Way Right-of-Way		
South	Flagler Steak House / Sports Pro Shop (The Breakers)		
East	S County Rd Right-of-Way / Golf Course (The Breakers)		
West	Golf Course (The Breakers)		

STAFF ANALYSIS

This application is presented to the Commission to consider whether all criteria in Sec. 18-205 have been met. A preliminary review of the project indicates that the application, as proposed, is inconsistent with the abovementioned sections of the Town zoning code.

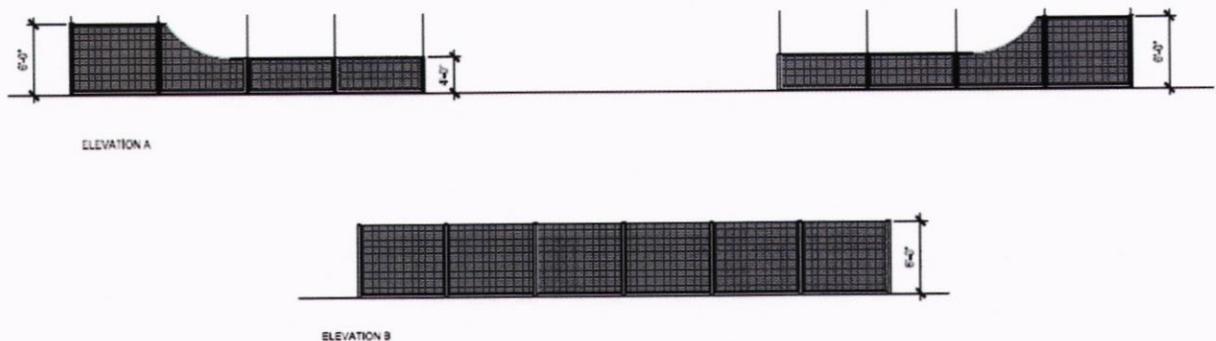
The project includes improvements to the existing Breakers Tennis Center. Work includes renovation and slight expansion to the existing Tennis Center, which will include the replacement of the ten (10) existing “Har-Tru” style tennis courts with six (6) “Hydrocourts”, two (2) hard courts, two (2) pickleball courts, and four (4) grass courts. The grass courts will only be used 2 at a time on a rotating schedule to allow for regrowth after use and wear. Two (2) Hydrocourts on the interior of the tennis center are proposed to have a shade structure over the courts, and both pickleball courts are proposed to be covered with a shade structure as well. The plan also proposes a low decorative fencing around the courts, a new service path, a new stretching area, and minor hardscape and landscape adjustments. The existing 21’ high lighting poles and fixtures will be kept and relocated, and new poles with matching features are proposed.

Special Exception 1 pertains to modification to the existing “private social, swimming, golf, tennis and/or yacht club” in a PUD district. The scope of work includes modifications to the The Breakers Tennis Center including new sports courts, shade structures, and adjustments to hardscape and landscape requiring review and approval for special exception by the town council.

Special Exception 2 pertains to the actual construction of the new tennis and pickleball courts. Any newly proposed courts, whether at a private club, a condo, or on single family property, are required to receive special exception approval from the Town Council.

Special Exception with Site Plan Review 3 pertains to the installation of tennis court lighting. All such lighting desired to light sports courts at night are required to undergo review and approval from the town council, to review for appropriateness or potential impact to surrounding areas.

Variance 1 pertains to the zoning code required fencing around tennis courts. The zoning code requires that a 10’ fence be provided around tennis courts, however, the applicant is proposing fencing which ranges in 4 – 6 feet in height.

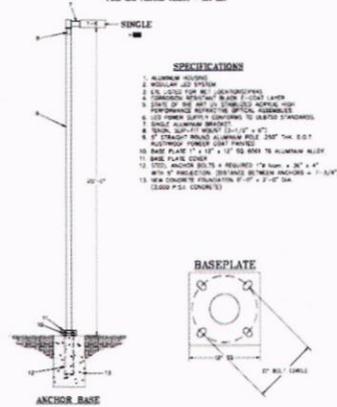


1 FG-01 COURTS FENCE
SCALE - 1/8"=1'-0"

Variance 2 pertains to the installation of the proposed tennis lighting poles. The code limits the height of court lighting to 15’ in height, however, the applicant is proposing lighting that is 21’ in height. A photometric plan is included in the submittal for review of potential impacts.

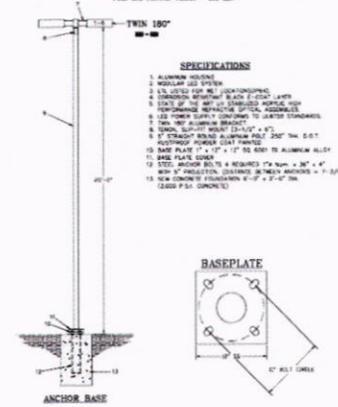
STRUCTURAL SUPPORT FOR SINGLE LM-TIL SERIES LED LUMINAIRE

MINOR WIND LOAD = 120 N.P.S. Exp. "C"
 WIND CAT. B F.W.E. 2000
 UNIFORM AND POINTED WIND (S.F.) = 0.9
 POLE WEIGHT = 100 LBS
 (BASE TO ALUMINUM HOIST)
 FIXTURE WEIGHT = 40 LBS
 POLE AND FIXTURE WEIGHT = 140 LBS



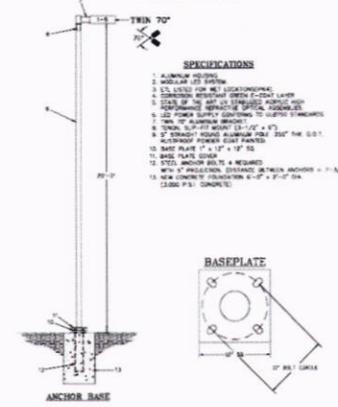
STRUCTURAL SUPPORT FOR TWIN 100' LM-TIL SERIES LED LUMINAIRE

MINOR WIND LOAD = 120 N.P.S. Exp. "C"
 WIND CAT. B F.W.E. 2000
 UNIFORM AND POINTED WIND (S.F.) = 1.8
 POLE WEIGHT = 100 LBS
 (BASE TO ALUMINUM HOIST)
 FIXTURE WEIGHT = 40 LBS
 POLE AND FIXTURE WEIGHT = 140 LBS



STRUCTURAL SUPPORT FOR TWIN 70' LM-TIL SERIES LED LUMINAIRE

MINOR WIND LOAD = 120 N.P.S. Exp. "C"
 WIND CAT. B F.W.E. 2000
 UNIFORM AND POINTED WIND (S.F.) = 0.9
 POLE WEIGHT = 100 LBS
 (BASE TO ALUMINUM HOIST)
 FIXTURE WEIGHT = 40 LBS
 POLE AND FIXTURE WEIGHT = 140 LBS



Conclusion

Approval of the project will require two separate motions to be made by the Commission: (1) for the overall design of the project in accordance with the aforementioned criteria, subject to any imposed conditions, and (2) that the implementation of the proposed variances will or will not cause negative architectural impact to the subject property.

WRB:JGM:BMF