

# TOWN OF PALM BEACH

Information for Town Council Meeting on:

January 9, 2024

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

*WB*

Re: Comprehensive Plan and Zoning Map and Text Amendment for a new Planned Unit Development at 239-255 South County Road

Date: December 28, 2023

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## **STAFF RECOMMENDATION**

Pursuant to Code Section 134-261, staff recommends that the Town Council consider the privately initiated text and map amendment of Josh Martin, AICP, CNU-A, on behalf of the Frisbee Group for review and feedback for the property located at 239-255 South County Road, commonly referred to as the Wells Fargo site.

## **GENERAL INFORMATION**

Attached please find a privately initiated text amendment to create a new Planned Unit Development (PUD) for the Wells Fargo site located at 239-255 South County Road. As stated in the December 14, 2023 Letter of Intent (see attached), the proposed PUD is now being referred to as the East Plaza Preservation Plan.

Presently, the subject site consists of two Future Land Use designations of Single Family Residential and Commercial and three zoning districts under single ownership. Those zoning districts being R-B Low Density Residential, C-TS Commercial Town-Serving and C-B Commercial. The current zoning allows four residential dwelling units per acre for the R-B, six residential dwelling units in the C-TS, and the C-B does not provide for a residential density. The 6.26 acre site currently would yield a maximum density of 20 dwelling units (Seven in R-B and 13 in C-TS).

The proposal is to amend the Future Land Use Map to consolidate the subject site under one Future Land Use category of Approved PUD and one Zoning District of a new PUD zoning district. Based upon a conflicting application (the Letter of Intent did not match the proposed draft ordinance), staff met with the applicant on December 27, 2023. It was agreed upon that a map amendment to a new PUD-D zoning district is necessary. The proposed text amendment will address the specific uses and land development regulations, which requires a Special Exception Approval for a new "PUD-5" for the entire site.

According to the submittal, the proposed uses are residential (both single-family and multi-family) and 35,000 square feet of commercial use, namely the Wells Fargo Bank. The proposed East Plaza Preservation Plan specifies a density of seven dwelling units per acre, up to three stories of building height by right, and calls for four distinct subareas that define the proposed uses, maximum density, number of stories, and bulk regulations. Common amenities are also proposed, such as a swimming pool and community building, green spaces and vias and an underground parking garage.

Additionally, the application proposes procedural changes to the Zoning Code related to PUDs. More specifically, the proposed language compresses the current two step approval process of the Tentative and Final plat into one step, amends the PUD approval process with regards to public hearings, addresses the granting or denial of applications, removes the ability to request variances, speaks to possible sunset provisions, specifies architectural and landscape design elements, and requests alternative parking and loading requirements.

It is worth noting that at the November 8, 2023, the Planning & Zoning Commission made a recommendation (on a vote of 4 to 3) to the Town Council to not allow new PUD's to be created. However, the subject application was already in the land use development review queue at that time.

As the Town is currently updating the Comprehensive Plan and the Zoning Code, staff is requesting attention to the timing of the proposed text and map amendments. In particular, staff is concerned with unintended consequences with simultaneous amendments by the private sector and the Town to the Comprehensive Plan and Zoning Code. Discussion is warranted as to whether the proposed zoning text amendment should be analyzed with the remainder of the zoning districts and associated regulations under review by ZoneCo.

Attachment: Applicant Letter of Intent

cc: James Murphy, Assistant Planning Director  
Jennifer Hofmeister-Drew, Planner III, AICP