

ZON: 24-035

**LETTER OF INTENT
EAST PLAZA PRESERVATION PLAN
February 4, 2024**

PROJECT NARRATIVE

The Development Review Application for East Plaza Preservation Plan requests the proposed revitalization of nearly Palm Beach acres, known as the Wells Fargo property, bounded by Royal Palm Way to the south, South County Road to the west, Seaview Avenue to the north, and South Ocean Boulevard to the east. The proposed East Plaza Preservation Plan (see reference plat in Exhibit J) plans to reimagine the site via a redevelopment plan comprised of residential uses located along the Royal Palm Way frontage and in the interior of the site, in addition to the existing office use (Wells Fargo) being reformatted and downsized along South County Road. This plan will be accomplished with a proposed rezoning of the entire site to a Planned Unit Development (PUD). Wells Fargo will return to the site as the only commercial user and will occupy \pm 35,000 SF of office space along South County Road. A new office building is proposed at the corner of South County Road and Royal Palm Way. Wells Fargo will occupy the ground floor and some of the second floors of the existing, landmarked buildings along South County, which will be left intact, but revitalized to modern standards as described herein. Wells Fargo customers and employees will access the site along Royal Palm Way and will park in a below grade garage on the northern portion of the site. The remaining portions of the second and third stories of the landmarked buildings will be residential in nature. All remaining uses on the site will be residential.

The guiding principles of the East Preservation Plan include the following:

- **Predictable Redevelopment Program**

The East Plaza Preservation Plan will limit the redevelopment of the site to the overall square footage of buildings that could be built today under the existing zoning without a variance. (We like to use the analogy that we are utilizing the same amount of clay but molded in a more town-serving and thoughtful presentation). Moreover, the proposed buildable square footage on the site will be limited in its use to be predominantly residential (83% of the site) coupled with one non-residential use (Wells Fargo bank in a reduced footprint) which will occupy just over 17% of the site. This town-serving program results in a de-intensification of the existing zoning and uses on the site today.

- **De-intensifying the Commercial Uses on the Site.**

To maintain consistency with the Town of Palm Beach's Comprehensive Plan, the East Plaza Preservation Plan will eliminate regional-serving, commercial development (businesses like hotels, restaurants, bars, and clubs). The existing zoning on the site overwhelmingly promotes regionally attractive uses as 70% of the site is zoned for commercial use only. To maintain the charm and tranquility of Palm Beach, the East Plaza Preservation Plan will reduce the existing commercial square footage along South County Road and prohibit any future commercial use anywhere else on the site. This effort will further the residential fabric of Palm Beach with a series of buildings, green spaces, and vias, inspired by Palm Beach's famed architects and most beloved spaces.

- **Contextualized Height, Scale, and Mass + Building Typology**

Frisbie Group has designed all building heights to be contextual with adjacent neighbors to ensure massing and scale are in keeping with the surroundings. The northern portion of the site adjacent to the existing Seaview Avenue neighborhood will be single-family detached residences limited to two stories in height with building footprints reminiscent of Sea Street cottages. The buildings south of these single-family detached residences will transition from two stories in height to two and a half stories in height located in the center of the site, framing the central open spaces, and finally, to three stories in height along Royal Palm Way, whose broad right-of-way width can appropriately accommodate the proposed height. Alongside this height, scale, and mass transition, the building typologies will shift from single-family detached residences to single-family attached (town house) residences and then residences in the “flat” typology along Royal Palm Way.

- **Increased Green Open Space**

In place of the existing impervious, surface parking lot, the East Plaza Preservation Plan will create charming green open spaces. For relative comparison, the proposed plan will create more green open space than exists in Phipps Plaza today. These shaded, interconnected gardens will be accessible to Palm Beach residents and reflective in their design of the beloved vias and courtyards off Worth Avenue and in Via Flagler, as well as those central green spaces of Phipps Plaza, the Society of the Four Arts, Town Hall Square, and Earl Smith Park.

- **Reduced Traffic**

By converting the property from primarily dense commercial zoning to mainly residential zoning, the proposed East Plaza Preservation Plan limits permitted uses on the site to only residential and Wells Fargo bank uses. As a result, the proposed plan will reduce, by 40%, the Average Daily Trips (ADT) of vehicles traveling to and from the site. The proposed plan represents an even greater reduction in traffic when compared to what could be developed on the site under the existing zoning. This overall reduction in traffic is one of the many goals of our de-intensification program.

- **Planned Unit Development (PUD) Zoning**

The Town of Palm Beach Zoning Code contains a zoning designation that is named “Planned Unit Development” (PUD), which is a land use regulation that involves more restrictive and site-specific regulations versus other standard zoning districts. Simply put, a PUD is a development project a municipality considers comprehensively at one time, usually in the zoning process employed to approve a site plan. The proposed PUD-D Zoning District will contain a site plan and site-specific regulations under which the property will be redeveloped. The proposed PUD-D will downzone the Wells Fargo site that is limited to residential and one non-residential use - the Wells Fargo bank in a reduced footprint. No other commercial uses will be permitted on the site. The proposed PUD-D will provide residents with certainty of where buildings will be specifically located on the site and will address the buildings’ height, scale, and mass alongside the rezoning of the property, creating a significantly more restrictive zoning designation than exists today.

- **Alternative Redevelopment Proposals**

Instead of the proposed East Plaza Preservation Plan, the Town of Palm Beach could be faced with alternative redevelopment plans that utilize the existing zoning (70% commercial) to intensify the commercial uses on the site, thereby promoting regionally-attractive commercial entities that will generate high traffic and congestion. The commercial uses allowed by zoning on the site today include hotels, condo-hotels, timeshares, marijuana shops, and restaurants, all of which could be approved and built under an alternative development strategy.

- **Proactive Preservation of Non-Landmarked Buildings**

The East Plaza Preservation Plan will exceed town landmarking requirements by preserving facades and buildings that are not currently landmarked. In addition to preserving all of the landmarked facades along South County Road, the East Plaza revitalization will preserve even more: the northern façade and the original building form of the Mizner building at the corner of Seaview Avenue and South County Road (which is not landmarked), and in addition it will restore the Volk building at the corner of South County Road and Royal Palm Way, also a building that is not landmarked in any capacity.

This preservation mentality applies also to the new residential portion of the revitalization, as our team drew design inspiration from the architectural founding fathers of Palm Beach: the “Big Five” architects including Addison Mizner, Howard Major, Marion Sims Wyeth, Maurice Fatio, and John Volk. Their work and individual styles will be echoed throughout the site. This approach allows the entire site to not only exist in harmony with its surroundings, but to appear as if it evolved slowly over time, seamlessly integrating into the historic fabric of Palm Beach, thus making Palm Beach more Palm Beach.

Existing Site Conditions

The subject property contains 251,469 square feet of land or 5.77 acres (6.28 Palm Beach acres), more or less (see Exhibit A for a survey and legal description of the subject property).

Town of Comprehensive Plan Future Land Use Map

The Town of Palm Beach Comprehensive Plan designates a portion of the property as a Commercial Future Land Use Designation (70% of the subject property) and a portion of property as a Single Family Future Land Use Designation (30% of the subject property). Exhibit C, illustrates the existing and proposed Future Land Use Designation for the subject property. The Town of Palm Beach Comprehensive Plan details the aforementioned future land use designations as follows:

- *Single Family Uses:* This is the most predominant land use in the Town. The Future Land Use Plan Map designates 1,103 acres of land for this use. The preferred locations are those with good visual qualities, buffered from annoying traffic influences with easy access to shopping and recreation. Appropriate uses include estates, single-family homes, residential PUDs, and cluster development up to a maximum density of four dwelling units per gross Palm Beach acre (40,000 square feet). Public uses and facilities, public and private schools, group homes and foster care facilities, essential services, and private group uses, and cultural uses are also permitted within this category on a limited basis; and
- *Commercial Uses:* While only one commercial category is specifically identified on the Future Land Use Plan Map, the Town provides for commercial uses at varying intensities under different zoning categories. The Plan designates about 93 acres for commercial uses, Appropriate uses include a wide range of commercial retail, service, professional and business uses largely intended to serve Town persons; hotels, motels, and time-sharing uses; public uses and facilities; public and private schools; private group uses; and residential uses located above the ground floor. Nonconforming buildings or structures unintentionally damaged or destroyed, such as by fire or other casualty, act of terrorism, war or act of God or nature may exceed what is permitted in this land use category and the land development regulations if rebuilt at the same density and/or intensity, on the same footprint and to the same size and configuration as those nonconforming buildings or structures being replaced. Actual construction to replace, restore or reconstruct the nonconforming building or structure shall commence within the time frame outlined in the land development regulations.

Town of Palm Beach Zoning Map + Code

The subject property is currently governed by three (3) distinct zoning designations in the Town of Palm Beach, each one allowing for varied density and intensity levels, as follows:

- *R-B Low Density Residential District:* The purpose of the R-B low density residential district is to provide for low density single-family residential use, as that term is defined in section 134-2, of moderately spacious character together with publicly operated recreational facilities and accessory uses as may be necessary or are normally compatible with residential surroundings. This district is located to protect and preserve existing development of this character and contains vacant land considered appropriate for such development in the future;
- *C-B Commercial District:* The purpose of the C-B commercial district is to create an environment especially suited to a group of professional and administrative offices compatible in appearance with single-family housing; and
- *C-TS Town-Serving Commercial District:* The purposes of the C-TS town-serving commercial district are to:
 - Create, preserve, and enhance areas of attractive, small-scale, retail, personal and professional/business services to be developed either as a unit or in individual parcels, providing for the frequently recurring needs of townpersons; and
 - Enhance the general character of the district and its compatibility with its residential surroundings, and, therefore, signs are limited to those accessory to businesses conducted on the premises, including the number, area and types; retail drive-in facilities are not permitted, and, in order to maintain the town-serving nature of the district, limitations on gross leasable floor (GLA) area are imposed.

Exhibit E contains the existing and proposed Zoning Map Diagrams.

Landmarked Facades

The Wells Fargo Site also includes a series of Landmarked Buildings fronting South County Road which places the entire site under architectural review by the Town of Palm Beach Landmarks Preservation Commission. After repeated attempts to landmark the buildings in the early 1980s (including an attempt to create a Phipps Plaza Historic District), in 1991 the Town of Palm Beach landmarked those buildings north of the corner building at South County Road and Royal Palm Way. The landmark resolution stated “Only the facade fronting South County Road is designated. The designation to a depth of a maximum of 15 feet is for purposes only of ensuring that the facade is adequately supported from an engineering point of view. There is no designation on the interior of the buildings.” It is important to note that the western facade of the building at the corner of South County Road and Seaview Avenue is landmarked. The northern facade fronting Seaview Avenue is not landmarked, but our team believes the building maintains the highest architectural significance of all of the buildings on this block and as a result the northern facade as well as the building as a whole should be preserved as part of the overall preservation approach to the site. This three-story building was designed by Addison Mizner in the 1920s. With stucco as the main exterior finish material, cut coral stone is used at the first level and as decorative architectural elements while clay barrel tile is used on the roof. The building’s facade is strongly defined horizontally at each floor level by cut coral stone bands and the fenestration at each floor is articulated differently. At the South County Road level, three full story arches relate this building to the surrounding public realm. At the second level are four casement windows and at the third level are three casement windows in arched openings flanked by a rectangular window opening at each side. Finally, because of the height and general

proportions of this structure it acts as a strong anchor, an ending if you will, to the block of buildings it is incorporated into.

All the buildings on this side of the block, even though several were built by different architects at different times, are now bank property. Having been painted uniformly in yellow and white, they now present one combined facade, and the individual buildings now represent “facade units”. It must be emphasized that their original separateness, where it may have existed, can no longer be distinguished.

The East Plaza Preservation Plan will comply with The Secretary of the Interior's Standards for the Treatment of Historic Properties. The purpose of The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (2017) is to provide guidance to historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers prior to beginning work. It is always recommended that preservation professionals be consulted early in any project. Specifically, our team will comply with the Guidelines for Preserving Historic Buildings. The Standards for the Treatment of Historic Properties address four treatments: preservation, rehabilitation, restoration, and reconstruction. As stated in the regulations promulgating the Standards, “one set of standards ...will apply to a property undergoing treatment, depending upon the property's significance, existing physical condition, the extent of documentation available, and interpretive goals, when applicable. The Standards will be applied taking into consideration the economic and technical feasibility of each project.”

The Volk corner building located at the intersection of South County Road and Royal Palm Way is not landmarked in any fashion, but the Applicant intends to honor its existence in the overall composition of buildings along South County Road from Seaview Avenue to Royal Palm Way by preserving that building through a renovation process that will allow it to adapt to Wells Fargo's current needs to better support the community.

The First National Bank/Wells Fargo buildings, an artistic architectural composition defining an entire block at the east side of South County Road just north of the corner building at Royal Palm Way, represents a combination of single structures linked to form one major building element. Although created by several architects over a period of years, all the buildings relate remarkably well to one another. Within the group no single structure stands out as a dominant feature, but each does offer a visual stimulus that prevents the composition from being pedestrian and banal. The use of materials, stylistic details, and similar massing strengthens the unity between the individual units. At the scale of the Town of Palm Beach, this is an extremely important streetscape. Defining an entire block at the most prominent intersection in town the composition is highly visible and should be considered as a focal element. The block-long structure is located at the transitions between residential and commercial areas of the town. The overall composition will retain its unity only if each element is allowed to remain, filling its part of the tout ensemble. The buildings are united at the interior to form the functional spaces necessary to conduct the business of the bank. It should be noted that the interior decoration and spatial sequences are not significant architectural components. In all probability, an architectural composition such as this would be impossible to replace, thus giving added incentives to respect and retain the facades as they exist today. Over time, the bank has succeeded in aiding the appearance of Palm Beach by creating an inimitable streetscape whilst asserting its own identity. This is a praiseworthy effort and in fact in unifying so many structures in what New

Orleans terms “the tout ensemble,” the varied rooflines and the bespoke lexicon of architectural details, the pediments and towers, all form unparalleled public realm that is truly a gift to the street.

Existing Buildings

There is currently ± 60,000 leasable square feet of commercial space (office and retail space) on the subject property, with the majority being office space leased by Wells Fargo.

Town of Palm Beach Comprehensive Plan (map and text) Zoning Code (map and text) Requested Amendments In General

To facilitate the East Plaza Preservation Plan, in general, the Applicant requests the following as part of this application:

- Amend the Town of Palm Beach Comprehensive Plan Future Land Use Map to revise the Future Land Use Designation of the subject property from “Commercial” and “Single Family” to “Approved PUD” (map amendment—Exhibit C);
- Amend the Town of Palm Beach Comprehensive Plan Future Land Use Element Policy 2.2.1 to cite “mixed-use PUDs as set forth in Policy 11.1.5” as an appropriate use in the Single Family Future Land Use Designation (text amendment—Exhibit D);
- Amend the Town of Palm Beach Comprehensive Plan Future Land Use Element Policy 2.3.3 a. to cite “mixed-use PUDs as set forth in Policy 11.1.5” as an appropriate use in the Commercial Future Land Use Designation (text amendment—Exhibit D);
- Amend the Town of Palm Beach Comprehensive Plan Future Land Use Element to create a new Policy (11.1.5) that establishes a type of Planned Unit Development in the Town of Palm Beach for mixed-use development within the Single Family and Commercial Land Use Categories allowing for a mix of residential uses not exceeding the maximum allowable density within the Land Use Category (text amendment—Exhibit D);
- Amend the Town of Palm Beach Official Zoning Map to revise the existing zoning of the subject property from “C-TS Town-Serving Commercial District”, “C-B Commercial District”, and “R-B Low Density Residential District” to “Planned Unit Development-D (PUD-D)” (map amendment—Exhibit E);
- Amend the Town of Palm Beach Zoning Code Article V, Planned Unit Development Procedure as follows:
 - Amend Section 134-616, Districts where permitted, to create a PUD-D district as a district where Planned Unit Developments are permitted (text amendment—Exhibit F);
 - Amend Section 134-617, Compliance, to create a PUD-D district as a district that when developed as a permitted use must conform to the regulations in this subdivision (text amendment—Exhibit F);
 - Amend Section 134-618, Minimum Area, to create a PUD-D district as a district whose minimum area requirement shall be at least six (6) contiguous acres (text amendment—Exhibit F);
 - Amend Section 134-620, Residential Density, to create a PUD-D district that when developed as a permitted use must conform to the following residential densities: four units per acres for the portion of the property with a Single Family Future Land Use Designation and six units per acre for the portion of the property with a Commercial Future Land Use Designation (text amendment—Exhibit F);

- Create Section 134-625, Permitted land uses in the PUD-D district, that outlines the uses that shall be permitted in the PUD-D district (text amendment—Exhibit F);
- Amend Reserved Sections to “Secs. 134-626 – 134-650” (text amendment—Exhibit F);
- Amend Section 134-651, Establishment of special exception planned unit developments, to create a PUD-5 Mixed use development special exception planned unit development district (text amendment—Exhibit F);
- Amend Section 134-652, Districts where permitted, to create a PUD-5 mixed use development planned unit development district that may be permitted by special exception only in the six (6) Palm Beach acres in the C-TS, R-B, and C-B zoning districts between Royal Palm Way and South County Road and Seaview Avenue and South Ocean Boulevard (text amendment—Exhibit F);
- Amend Section 134-653, Minimum Area, to create a PUD-5 mixed use district as a district whose minimum area requirement shall be at least six (6) contiguous acres (text amendment—Exhibit F);
- Amend Section 134-654, Residential density, to create a PUD-5 mixed use district that when developed as a permitted use must conform to the following residential densities: four units per acres for the portion of the property zoned R-B and six units per acre for the portion of the property zoned C-TS and C-B (text amendment—Exhibit F); a
- Amend Section 134-656, Permitted land use, to create a PUD-5 district and outlines the permitted uses in the PUD-5 district (text amendment—Exhibit F);
- Amend the Town of Palm Beach Zoning Code Article VI, Divisions 4, Section 134-890, Special exception uses to establish PUD-5 as a special exception use in the R-B Low Density Residential Zoning District (text amendment—Exhibit G);
- Amend the Town of Palm Beach Zoning Code Article VI, Divisions 8, Section 134-1109, Special exception uses to establish PUD-5 as a special exception use in the C-TS Town Serving Commercial Zoning District (text amendment—Exhibit H); and
- Amend the Town of Palm Beach Zoning Code Article VI, Divisions 12, Section 134-1304, Special exception uses to establish PUD-5 as a special exception use in the C-B Commercial Zoning District (text amendment—Exhibit I).

Per Section 134-261, b. which states, “Any proposed amendment, supplement, change, modification, or repeal shall first be submitted as an initial review to the director of planning, zoning, and building or his designee, who shall submit it to the town council for its review and feedback”, the Applicant received review and feedback from the Town Council during their January 9th (2024) Regular Town Council Meeting.

Applicable Comprehensive Plan, Zoning Code, and Municipal Code Sections

Comprehensive Plan Sections

- Future Land Use Element
- Transportation Element
- Historic Preservation Element

Municipal Code Sections

- Chapter 54, Historical Preservation

Zoning Code Sections

- Article II, Administration
- Article III, Site Plan
- Article V, Planned Unit Development Procedure
- Article VI, District Regulations
 - Division 4. R-B Low Density Residential District
 - Division 8. C-TS Town-Serving Commercial District
 - Division 12. C-B Commercial District
 - Division 14. PUD Planned Unit Development District

Town of Palm Beach Development Review Application Form

- Comprehensive Plan Supplemental Application Form (Exhibit B)