




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

FROM: Wayne Bergman, MCP, LEED-AP Director PZ&B 
SUBJECT: ZON-24-058 (ARC-24-073) 400 ROYAL PALM WAY (COMBO)
MEETING: JULY 10, 2024 TOWN COUNCIL

REVISED MEMO 07/09/24

ZON-24-058 (ARC-24-073) 400 ROYAL PALM WAY (COMBO)– VARIANCE(S). The applicant, Citizens Bank (James Meany), has filed an application requesting Town Council review and approval for eight (8) variances as they relate to the installation of commercial signage, including (1) a variance to install signage on an exterior electronic banking machine, (2-4) variances to exceed maximum sign area permitted, exceed maximum logo size permitted, and exceed maximum sign and logo height above grade permitted on the north elevation, (5) a variance to exceed height of logo above grade on east elevation, and (6 – 8) variances to exceed maximum height and logo size and to permit signage facing a parking area in lieu of a right of way. The Architectural Commission shall perform design review of the application.

Applicant: Citizens Bank (James Meany)
Professional: AGI & Spina O'Rourke (Nelo Freijomel)
Representative: Maura Ziska

HISTORY:

Application ZON-23-122 was approved for (1) a special exception for a new bank (Citizens Bank) and (2) a special exception for a drive-through facility with site plan review for space over 2000 sq ft in the C-OPI zoning district at the December 13, 2023 Town Council development review meeting. Application ZON-24-030 for (1) special exception for bank and site plan review for use of greater than 2000 sq ft in the C-OPI zoning district with a parking variance required due to change of use from office to bank, was approved at the February 14, 2024 Town Council development review hearing, to allow further expansion of the previously approved Citizens Bank. At the May 15, 2024 Town Council meeting, the Council deferred the matter to June 12, 2024, with the direction to proceed to the Architectural Commission for approval prior to the Town Council review (5-0). At the May 29, 2024 ARCOM meeting, the Commission approved (6-1) the design of the project. Additionally, the Commission approved (7-0) that the implementation of the proposed variances would not negatively affect the architecture. At the June 06, 2024 Town Council meeting, the applicant presented the ARCOM approved plans. Town Council reviewed and provided comments to reduce or eliminate the need for variances and deferred the matter for one month.

THE PROJECT:

The applicant has submitted plans, entitled "Citizens", as prepared by AGI, date stamped by the Town, June 24, 2024.

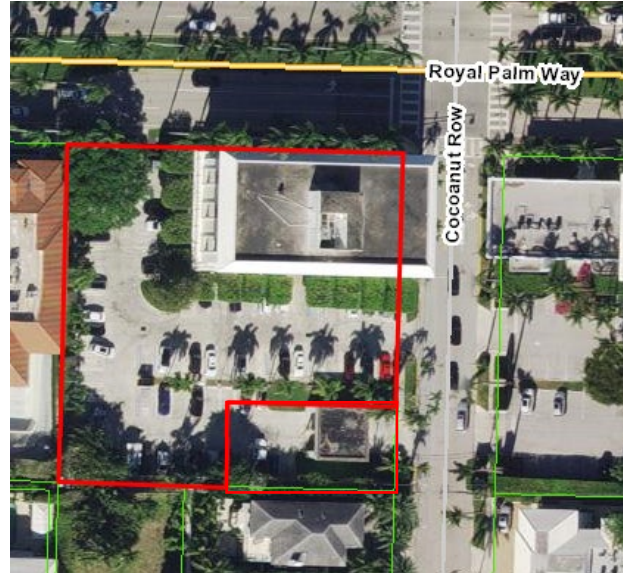
The following Special Exceptions, Site Plan review and/or Variances required to complete the project, and shall be reviewed by Town Council:

- VARIANCE 1: Sec. 134-1997: A variance to permit exterior signage on an exterior electronic banking machine, where signage is prohibited.
 - *No change from June presentation.*
- VARIANCE 2: Sec. 134-2437(2): A variance to permit a sign at 28' above grade, in lieu of the 15' above grade maximum permitted, on the north elevation.
 - *No change from June presentation.*
- VARIANCE 3: Sec. 134-2438: A variance to permit an overall sign area of 25.25 square feet, in lieu of the 20 square feet maximum permitted, on the north elevation.
 - ~~*Variance request reduced by 6.75 square feet.*~~
 - *No change from June presentation.*
- VARIANCE 4: Sec. 134-2439: A variance to permit a logo area of 2.25 square feet, in lieu of the 1 square foot maximum permitted, on the north elevation.
 - *No change from June presentation.*
- VARIANCE 5: Sec. 134-2437(2): A variance to permit a sign on the (west) side of the building (fronting parking lot), where signs are only permitted to be mounted on street frontage.
 - *No change from June presentation.*
- VARIANCE 6: Sec. 134-2439: A variance to permit a logo area of 2.5 square feet, in lieu of the one square foot logo permitted, on the west elevation.
 - ~~*Variance request reduced by 2.3 square feet.*~~
 - *No change from June presentation.*
- VARIANCE 7: Sec. 2437(2): A variance to permit a sign at 28' above grade, in lieu of the 15' maximum height above grade permitted, on the west elevation.
 - *No change from June presentation.*
- VARIANCE 8: Sec. 134-2437(2): A variance to permit a sign at 28' in height above grade in lieu of the 15 ft in height above grade maximum permitted, on the east elevation.
 - *Variance was previously withdrawn by applicant at June presentation, but is now reintroduced.*

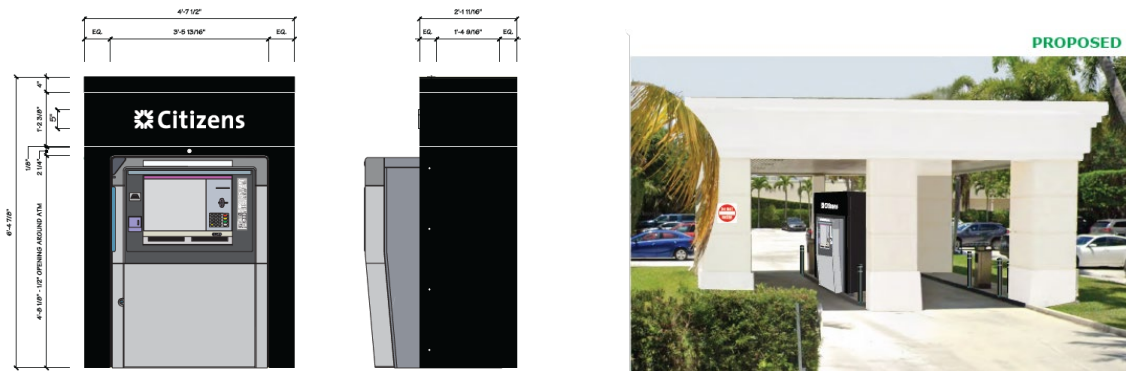
| Site Data | | | |
|---------------------------------|--|-----------------|------------|
| Zoning District | C-OPI | Future Land Use | COMMERCIAL |
| Surrounding Properties / Zoning | | | |
| North | 444 Seaview Ave (Society of the Four Arts) / R-B Zoning | | |
| South | 411 Brazilian Ave & 308 Cocoanut Row (Residences) / R-C Zoning | | |
| East | 396 Royal Palm Way (Chilton Trust Building) / C-OPI Zoning | | |
| West | 420 Royal Palm Way (Offices) / C-OPI Zoning | | |

STAFF ANALYSIS

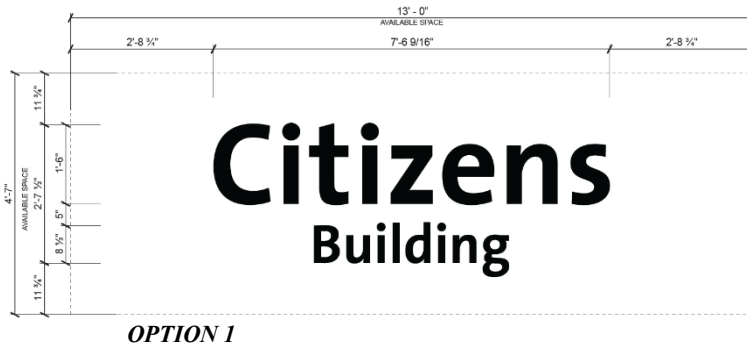
The application is proposing the installation of several signs as they pertain to Citizens Bank, a new tenant approved to occupy several portions (third floor, and portion of first floor) of the existing four-story office building located at the southwest corner of Royal Palm Way and Coconut Row. The size, locations and features of several of the signs are not complaint to the sign regulations within the zoning code. Staff must preface this analysis by stating a signage plan can be achieved which would eliminate the need for any of the variance requests and still provide for some branding or basic signage for Citizens Bank. This application was previously heard at the June Town Council meeting with direction from the Council to reduce or eliminate the variances being requested. The applicant has resubmitted plans in response to the council's comments which reduce the number of variances to two required, in lieu of the six previously required. However, the applicant is also showing and proposing an "alternate" plan for each elevation which would bring the variance count up to nine (9). The variance that has not been advertised and should not be considered.



As it pertains to **Variance #1**, a variance is being requested to permit signage on an ATM surround shroud where signs are not permitted. The applicant is requesting a small brand name upon the vehicle-facing side of the device, "internal" to the site, not directly facing the roadway.



The applicant has proposed 2 options for the north façade. Option 1 is a 19.81 SF sign, 28' above grade, without a company logo in which the word "building" has been added. Building Identification Signage (i.e., Text which includes the word "building" and does not contain company logos) does not have a maximum height above grade and is not counted towards existing sign area.



If this sign was approved, no variances would be required for proposed signage on the north elevation. However, the applicant has provided option 2 which pertains to variances 2-4.

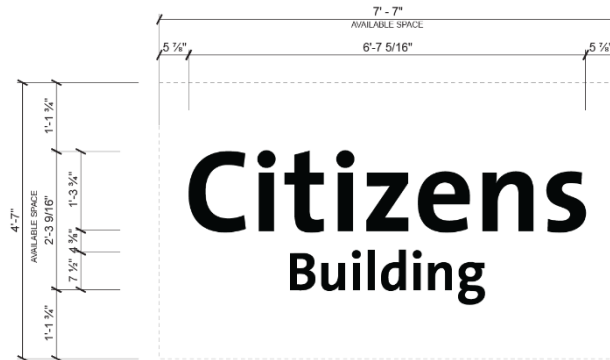


OPTION 2

This plan features a 13.09 square foot sign with company logo. WITH NO CHANGE FROM LAST MONTHS PROPOSAL, this proposal requires a variance for a sign 28' above grade (in lieu of 15' maximum permitted), a variance for a total sign area of 25.25 square feet (in lieu of the 20 sq ft maximum permitted, and a variance for a logo area of 2.25 square feet (in lieu of the 1 square foot maximum permitted, no change from last month). A total of three variances are required to achieve this proposed sign plan. Staff would suggest the option which does not require any variance relief.

West Façade

The applicant has also provided 2 sign plan options on the west façade. The first option is a 15.18 square foot sign with the word “building” on it. One variance is required due to the sign fronting a parking lot in lieu of a roadway. This proposal requires 2 less variances than the previous proposal.



Option 1

As it pertains to variances 5-7, the “West Elevation Alternate” plan features a 9.09 square foot sign with company logo. Variances are required for a sign fronting a parking lot (in lieu of a roadway, no change from previously presented), for a sign 28’ above grade (no changes from previously presented), and for a logo size of 1.29 square feet (in lieu of the 1 square foot maximum permitted, NO CHANGE from the previous proposal). **Staff would not suggest approval of any variances for the west elevation where signs are prohibited all together.** However, should the council find merit in allowing a signage to signify the main entrance of the bank, staff would recommend a modification lowering the sign to the height of a more traditional sign band. Visible to pedestrians navigating to the entrance in the parking lot, not as a means to capture the attention of motorists traveling east bound on Royal Palm Way.

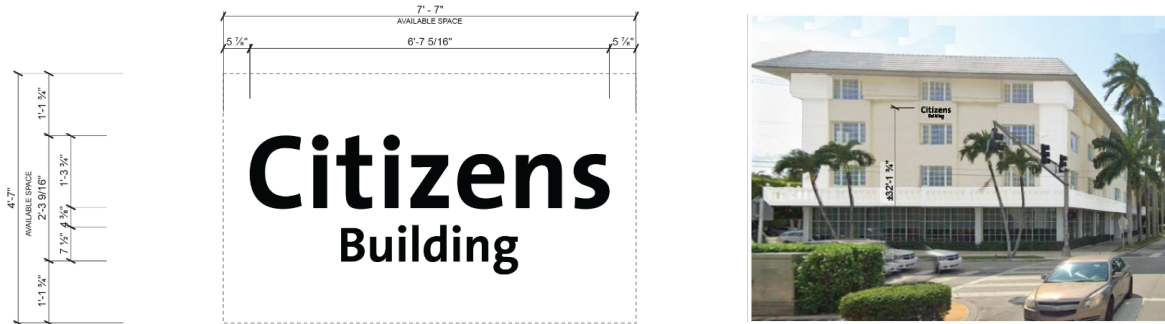


Option 2

East Façade

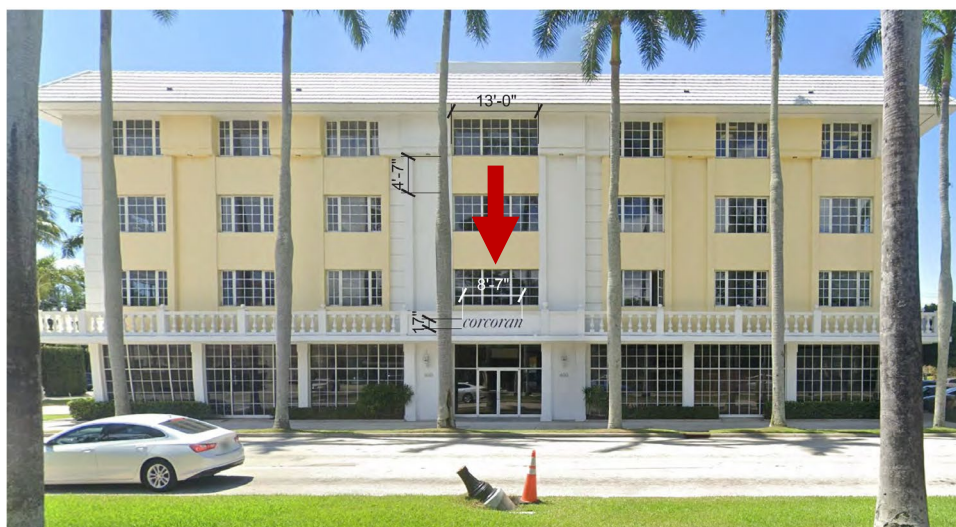
No signage was proposed on the east elevation at last month's meeting, however, a variance was advertised for a sign exceeding 15' above grade. The applicant revised plans after the project was noticed to eliminate signage on this elevation.

The applicant has proposed 2 sign plan options for the east façade of the building. The first option is a 15.18 square foot sign, 28 ft above grade, without a company logo and the word "building" added. Building Identification Signage (i.e., Text which includes the word "building" and does not contain company logos) does not have a maximum height above grade. If this sign was approved, no variances would be required for proposed signage on the east elevation. The applicant previously did not present signage on this elevation to Town Council.



As it pertains to variance 8, the "East Elevation Alternate" plan features a 9.09 square foot sign with company logo. The applicant eliminated signage from this elevation and this signage is newly proposed. Variances are required for a sign 28 feet above grade (in lieu of the 15' permitted). As previously mentioned, the revised plans indicate a new variance that was not advertised and will not be analyzed.

To recall notes from the June meeting, a member of the council suggested that the variances be reduced. Recommendations included lowering the signage to above the 2nd floor, which would reduce the height variance request by 7' – 10'. Additionally, a more compatibly scaled sign akin to the 17" high existing Corcoran sign should be explored.



From chapter 134-2371, “The town council has found that Palm Beach is internationally known and has become a worldwide synonym for beauty, quality and value and that a proliferation of signs without regulations as to size, location and material detracts from such beauty, can become a visual blight. Signs, particularly if placed in rights-of-way, can create distractions for drivers impacting the safety and welfare of pedestrians and drivers and further create an aesthetically unpleasant atmosphere.” Finally, it must be noted that of the many variances applied for and granted throughout the last five years dating back to 2019, zero have been granted pertaining to the approval of a variance from the signage regulations.

CONCLUSION:

Approval of the project will require one motion to be made by the Town Council:

1. for final determination of approval or denial of the (1) variance by the Town Council, and that the variances **shall** or **shall not** be granted that all the criteria applicable to this application as set forth in [Sec. 134-201\(a\)](#), items 1 through 7 have been met, and

WRB:JGM:BMF