



TOWN OF PALM BEACH

TENTATIVE AGENDA:
SUBJECT TO REVISION

LANDMARK PRESERVATION COMMISSION
AT EMERGENCY OPERATIONS CENTER
3RD FLOOR, 355 S. COUNTY ROAD

APRIL 21, 2010

9:30 A.M.

WELCOME!

The progress of this meeting maybe monitored by visiting the Town's web site. (www.townofpalmbeach.com) and selecting "Live Meeting Audio" under the "Your Government" tab. If you have any questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 12 hours after the conclusion of the meeting under "Agendas, Minutes, and Audio."

- I. **CALL TO ORDER:**
- II. **ROLL CALL:**
- III. **ADMINISTRATION OF OATH OF SERVICE TO JOANNA GOLINO:**
- IV. **APPROVAL OF THE MINUTES OF THE MARCH 17, 2010 MEETING:**
- V. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:**
- VI. **COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS:** (Please limit comments to 3 minutes)
- VII. **APPROVAL OF THE AGENDA:**
- VIII. **PRESENTATION FROM TOWN ATTORNEY JOHN RANDOLPH RELATIVE TO SUNSHINE LAW, PUBLIC RECORDS, QUASI-JUDICIAL REQUIREMENTS, AND COMMISSION PROCEDURES**

IX. PUBLIC HEARINGS:

A. Application for Certificate of Appropriateness #1-10 (SEE NOTE BELOW)

Owner/Applicant: Sterling Palm Beach, LLC (Lessee) and Sidney Spiegel TR #31520371 and Island Properties of Palm Beach, Inc.

Address: 340 Royal Poinciana Way, The Royal Poinciana Plaza

Architect: Ann Beha Architects

Project Description: Request approval for restoration, rehabilitation, landscape/hardscape, construction of new buildings, interior demolition, and exterior demolition which is further described as: Demolition: Based upon the existing site plan, we intend to demolish: (i) all but the eastern decorative façade of the Theatre; (ii) the Celebrity Room; (iii) the Hibel building; (iv) the Slat House* and (v) the Gucci building. *The Cupola on the Slat House will be saved and used on a gazebo elsewhere on the property. Construction: We intend to build in the location of the Theatre, Celebrity Room and Hibel buildings the following: (i) a waterfront park that will be accessible via the Volk Playhouse Gateway which utilizes the eastern façade of the existing theatre; (ii) two-five story crescent-shaped residential buildings (one of which will contain a ground level waterfront restaurant and (iii) a Banyan residential building overlooking the new Banyan Park designed around the historic Banyan tree (Mysore Fig). In the location of the Slat House, we intend to build (i) a new 350 seat performing arts venue with office space above, (ii) a multi-level parking garage with underground parking and (iii) the mixed-use Golf View building (also with underground parking). The Gucci building will be replaced with a fountain in connection with upgrading the landscape area between the two parallel buildings. The two parallel buildings will remain intact and be restored and revitalized. Applicant requests a Certificate of Appropriateness for the above-described project with conditions as referenced in the Town Attorney's memoranda to the Mayor and Town Council dated April 9, 2009 and May 7, 2009.

Please note that at the January 20, 2010 meeting, this project was deferred to the February meeting, and it was moved that the LPC approach the Town Council and ask for funds to hire an attorney, or that the LPC be allowed, under the provisions of the LPC ordinance, to raise money to hire the attorney. At the February meeting, although the applicant requested deferral to the March meeting, there was a motion for deferral to the April meeting to give any new commissioners an additional month and a week to meet with people, and review, and basically come up to speed on this. On March 5, 2010, the applicants' attorney submitted a letter to formally request the withdrawal of the application.

PLEASE NOTE THAT THIS ITEM IS ONLY BEING CARRIED ON THIS AGENDA BECAUSE IT HAD BEEN DEFERRED TO THE APRIL MEETING BY THE LANDMARKS PRESERVATION COMMISSION. THE ITEM HAS FORMALLY BEEN WITHDRAWN PER THE APPLICANTS' REPRESENTATIVE, AS NOTED ABOVE, AND WILL NOT BE HEARD.

B. Application for Certificate of Appropriateness #4-10

Owner/Applicant: 640 So. Ocean Blvd., LLC

Address: 640 S. Ocean Blvd.

Architect: Smith Architectural Group Inc.

Project Description: Request approval for addition to historic structure, landscape/hardscape, and demolition (exterior) which is further described as: New 132 sq. ft., one-story addition. Delete one-story pool cabana that was previously approved. Add a new via and one-story pool cabana attached to previously approved loggia addition. Proposed hardscape and planting plans. Other associated changes as presented.

At the January 20, 2010 meeting, there was a motion for approval of the architecture. There was also a motion for approval of the landscape/hardscape, conditioned upon seeing any gates, fountains, and paving, along with samples of same (which was treated as a deferral to the February meeting.) At the February meeting, the project was deferred to the March meeting at the request of the landscape architect. At the March meeting, there was a motion for deferral at the request of the landscape architect.

PLEASE NOTE THAT THE LANDSCAPE ARCHITECT REQUESTS REMOVAL OF THE GATES, FOUNTAINS, PAVING, AND SAMPLE APPROVAL FROM THIS CERTIFICATE OF APPROPRIATENESS APPLICATION. THOSE ITEMS WILL BE SUBMITTED FOR APPROVAL AT A LATER DATE UNDER A NEW CERTIFICATE OF APPROPRIATENESS APPLICATION.

Call for disclosure of ex parte communication.

C. Application for Certificate of Appropriateness #7-10

Owner/Applicant: Terry Taylor

Address: 780 South Ocean Boulevard

Architect: Brasseur & Drobot Architects, P.A.

Project Description: Request approval for addition to historic structure which is further described as: The project consists of a proposed 1,038 sq. ft., one story addition to the northeast corner of the existing historic, two-story residence. The addition shall consist of a summer kitchen, patio, fireplace, and wine room accessed from the existing kitchen vestibule via covered loggia. Existing fabric awnings located at the northeast corner of the existing residence will be replaced with the new covered loggia with detailing similar to the existing loggia on the north side of the existing residence. The plate height of a small structure housing an exterior stair shall be raised to match the new loggia. Existing landscaping and hardscaping shall be removed to accommodate. The project will require a dimensional waiver for the side yard setback of the landmarked property located at 780 South Ocean Boulevard. Code Section 134-237(2)a allows for a reduced setback for expansion of a landmark building. The side yard setback reduction can be up to 65% of the underlying zoning district requirement; provided, however, that the side yard setback shall not be less than 5 feet; and, in our case, we are encroaching 4 ft. 9 in. into the 30 ft.-0 in. side yard setback as specified in Code Section 134-843 (a) (8) for the R-A Estate Residential District. This equates to reducing the 30 ft.-0 in. side yard setback to 25 ft-3 in., a 15% decrease.

Please note that this project was deferred from the March meeting so it could be re-advertised including the request for dimensional waiver.

Call for disclosure of ex parte communication

X. DESIGNATION HEARINGS:

Item 1: 290 South County Road
Owner: Thomas Campaniello

Item 2: 105 Banyan Road
Owner: Barbara Dooley

Please note that there is a request for deferral of this hearing to the November 17, 2010 meeting of the Landmarks Preservation Commission.

Item 3: 977 North Ocean Boulevard
Owner: Genevieve Du Pont

XI. OTHER BUSINESS:

Informal Review for Opinion on Variance(s): 417 Peruvian Avenue, (a/k/a 2 Major Alley)
(In association with Site Plan Review #2-2010 with Variances)
Request approval for addition to historic structure/New Accessory Structure: Free-standing Open Air/Metal Conservatory Structure within interior courtyard

Informal Review for Opinion on Variance(s): 1-2 Four Arts Plaza
(In association with Special Exception #5-2010 with Site Plan Review and Variance)
Request approval for addition to historic structure and exterior demolition which is further described as: Addition of new supporting services spaces to The Garden House at The Philip Hultar Sculpture Garden (1st phase completed in 2007) further described as: The project consists of a proposed 1,561 sq. ft. addition which includes restrooms (including handicap), catering preparation area, storage area and unloading dock. Since this is an addition to the Service area of the complex (behind the Service Gate), the architectural language is a combination from the attached Garden House and the Slat House which is across the existing walk from parking. Also, there is a proposed demolition to an existing storage building (1,262 sq. ft.), built in parts in 1988 and 1996, which has a not conforming finish elevation and it does not carry architectural or historical assets.

XII. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR:

XIII. ADJOURNMENT:

Note 1: If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Note 2: A disabled persons who need an accommodation in order to participate in this Commission Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least five (5) working days before this meeting.