



MINUTES
LANDMARKS PRESERVATION COMMISSION
IN THE
TOWN COUNCIL CHAMBERS
2ND FLOOR, TOWN HALL
360 S. COUNTY ROAD, PALM BEACH, FL

WEDNESDAY, OCTOBER 17, 2012, 9:30 a.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

CALL TO ORDER:

Chairman Cooney called the meeting to order at 9:30 a.m.

II. ROLL CALL: (9:30:26 a.m.)

Edward Austin Cooney, Chairman	PRESENT
William P. Feldkamp, Vice Chairman	PRESENT
Dudley L. Moore, Jr., Member	PRESENT (arrived at 9:33 a.m.)
Jacqueline Albarran, Member	PRESENT
William J. Strawbridge Jr., Member	PRESENT
Leslie Diver, Member	PRESENT
Elizabeth S. Murphy, Member	PRESENT
Jorge Sanchez, Alternate Member	PRESENT (voted until Mr. Moore's arrival)
Elizabeth Marshall, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	PRESENT

Staff members present: John S. Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, Jane S. Day, Ph.D., Emily Stillings, and Janet Murphy, Staff Preservation Consultants, and Cynthia Delp, Secretary to the Landmarks Preservation Commission. Town Attorney John Randolph was absent.

III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 19, 2012 MEETING: (9:31:07 a.m.)

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE MINUTES.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

IV. APPROVAL OF THE AGENDA: (9:31:09 a.m.)

Mr. Cooney handled several agenda items at this time.

Item A: Request for deferral to the December meeting.

MOTION BY MR. FELDKAMP FOR DEFERRAL OF CERTIFICATE OF APPROPRIATENESS #023-2012 TO THE DECEMBER MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Item C: Applicant has requested the project be withdrawn.

MOTION BY MS. DIVER FOR REMOVAL OF CERTIFICATE OF APPROPRIATENESS #033-2012 FROM THE AGENDA.

MOTION SECONDED BY MR. FELDKAMP.

MOTION CARRIED UNANIMOUSLY.

Item D: The Town Council denied the variance, so the project is to be withdrawn.

MOTION BY MR. FELDKAMP TO WITHDRAW CERTIFICATE OF APPROPRIATENESS #031-2012.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

Let the record show that Mr. Moore arrived at this time.

Item E: Staff reported that this project requires a variance, so deferral is in order.

MOTION BY MR. FELDKAMP FOR DEFERRAL OF CERTIFICATE OF APPROPRIATENESS #034-2012 TO THE NOVEMBER MEETING.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE AGENDA AS AMENDED.

MOTION SECONDED BY MS. DIVER.

MOTION CARRIED UNANIMOUSLY.

V. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY: (9:34:57 a.m.)

Mrs. Delp administered the oath at this time and throughout the meeting as necessary.

VI. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes): (9:34:59 a.m.)

None

VII. PUBLIC HEARINGS: (9:35:01 a.m.)

A. Application for Certificate of Appropriateness #023-2012

Restoration/Rehabilitation/Sign/Awning

Owner/Applicant: Sterling Palm Beach, LLC

Address: 340 Royal Poinciana Way, Suites 300-308

Architect: Glidden Spina & Partners

Project Description: Request approval for restoration, rehabilitation, interior demolition, sign and awning which is further described as: New restaurant of approximately 8,400 square footage going into the northeast end of Royal Poinciana Plaza. The majority of the existing windows and doors will remain as they are now, except for the curved wall at the southeast end of the building. We would like to remove the existing windows and wall and replace with a new operable Nana Wall system. New awnings and signage will be put in as allowed by Code. On the interior, some portions of the 2nd floor space will be converted to one story space to restore the high ceilings that existed previously. The 2nd floor space will remain as existing at the east end. Other associated changes as presented.

Please be advised that this project was heard only informally at the August meeting though it had been advertised as a Certificate of Appropriateness at that time. After review, the matter was deferred to the October meeting. *Since the matter was deferred by the Town Council to the November Town Council meeting, the applicant has requested deferral of LPC review to the December meeting.*

PROJECT DEFERRED TO DECEMBER MEETING. SEE MOTION AT "APPROVAL OF AGENDA".

B. Application for Certificate of Appropriateness #026 -2012

Landscape/Hardscape

Owner/Applicant: Peter T. Grauer

Address: 201 El Bravo Way

Architect: Nievera Williams Design

Project Description: Request approval for landscape/hardscape which is further described as: Hardscape changes: rear terrace (existing swimming pool to remain); proposed site walls; and, main driveway changes

At the August meeting, there was a motion for approval as presented, together with a deferral of the front fountain to the September meeting. At the September meeting, the project was deferred to October at the request of the applicant.

Call for disclosure of ex parte communication: Disclosures by several members

LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design

Mr. Williams presented a revised design for the motor court fountain which is on axis with the front door. It is a simple quatrefoil fountain with a coral basin and bubbler. On the dolphin fountain, hand painted tiles were changed to coral.

**MOTION BY MR. FELDKAMP FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

C. Application for Certificate of Appropriateness #033 - 2012

Addition

Owner/Applicant: Jeffrey and Mei Sze Greene

Address: 1200 South Ocean Boulevard

Architect: Bridges, Marsh & Associates

Project Description: Request approval for addition to historic structure which is further described as: Revisions to Landmark approved addition as follows: revise fish scale railing at pool terrace to balusters; revise stairway from pool to guesthouse including balusters; raise height of cabanas, and other associated changes as presented

Please be advised that the applicant has requested that this project be withdrawn and they will proceed with previous approvals.

PROJECT WITHDRAWN. SEE MOTION AT "APPROVAL OF AGENDA".

D. Application for Certificate of Appropriateness #031-2012

Landscape

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE

Owner/Applicant: CSC Brazilian LP

Address: 301 Australian Avenue

Architect: B1 Architects, Gregory Bonner

Project Description: Request approval for landscape open space which is further described as: Approval for 1050 sq. ft. of artificial turf in north courtyard, and other associated changes as presented

Please note that this matter was reviewed informally at the September meeting. At that time, there was a motion to recommend denial of the variance request; that implementation of the proposed variance will cause negative architectural impacts to the subject landmarked property. **Since the Town Council denied the variance request at their October meeting, the applicant has requested that this project be withdrawn.**

PROJECT WITHDRAWN. SEE MOTION AT "APPROVAL OF AGENDA".

E. Application for Certificate of Appropriateness #034-2012

Landscape/Hardscape

Owner/Applicant: Thomas A. N. Miller and Catherine Marie Desser Miller

Address: 270 Queens Lane

Architect: Dustin Mizell Landscape Architecture

Project Description: Request approval for landscape/hardscape which is further described as: Applicant proposes to remove a portion of existing brick drive on southwest corner of property and to add (1) new brick drive on southeast corner of property, and (2) additional landscaping to screen and beautify new driveway. All work to be landscape/hardscape along Colonial Lane, and no changes to the existing residence are proposed, and other associated changes as presented

PROJECT DEFERRED TO NOVEMBER MEETING. SEE MOTION AT "APPROVAL OF AGENDA."

F. Application for Certificate of Appropriateness #035-2012
Window Replacement

Owner/Applicant: Vladislav and Marina Kasarda

Address: 1498 N. Ocean Way

Architect: The Pandula Architects, Eugene Pandula

Project Description: Request approval for window replacement which is further described as: The proposed project is to replace the existing windows of the house with impact resistant windows. No changes will be made to the scale, location, or color of the windows. The new windows are proposed to be aluminum clad in lieu of the original solely wood frames, but this is stylistically consistent with the International/Art Moderne style of the home which is generally known as featuring metal frame windows, and other associated changes as presented.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Eugene Pandula, The Pandula Architects
ATTORNEY PRESENT FOR APPLICANT: Ronald K. Kolins

Mr. Kolins introduced the project. He explained that while only the front facade of the home is landmarked, the LPC takes jurisdiction over changes to this property. This is a window replacement project all the way around the house. None of the existing windows are original, but the new windows will match the existing windows in appearance and will be aluminum clad, painted white. Mr. Pandula discussed the history of windows at this residence.

Under commission comments, it was recommended that applicants be strongly encouraged to submit original elevations in their submission materials, though it is not a requirement.

MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #035-2012 AS PRESENTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

G. Application for Certificate of Appropriateness #036-2012
Landscape/hardscape

Owner/Applicant: 230 S. County Rd., LLC

Address: 230 S. County Road, 234 S. County Road, and 213 Seaview Avenue

Architect: Nievera Williams Design

Project Description: Request approval for landscape/hardscape which is further described as: Proposed new planting plans for courtyard and entry walk from South County Road; proposed new hardscape layout and material selections for new entry walk and courtyard; proposed new landscape lighting, and other associated changes as presented.

Call for disclosure of ex parte communication: Disclosures by several members

LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design

Mr. Williams presented the project pursuant to the submitted plans and as described above. He explained that the existing paving will be removed, except for the brick pad. New paving will be done in cast stone with a brick border. He reviewed the associated landscape changes, and path lighting at various locations.

**MOTION BY MR. MOORE FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.**

Let the record show that there was a short recess from 10:00 a.m. to 10:06 a.m.

VIII. REVIEW OF PROPERTIES CATEGORIZED AS "POTENTIALLY ELIGIBLE FOR THE LOCAL REGISTER" [Edward Austin Cooney and Jane S. Day, Ph.D.] (9:57:34 a.m.)

Prior to the slated discussion for this agenda item, Dr. Day noted that the property owner of 159 Australian Avenue has requested that the property be given consideration as a landmark. She stated that this structure is part of the Town's architectural fabric from the 1920's, and recommended that it be placed "under consideration" for landmark designation. Tom Kirchhoff, architect for the property owners, stated that the property owners want to restore the property, rather than demolish it. He felt the house was in very good condition and its interior is very similar to the original. The owners intend to request some variances and proceed with the restoration.

**MOTION BY MS. MURPHY TO PLACE 159 AUSTRALIAN AVENUE ON THE LIST FOR POTENTIAL DESIGNATION.
MOTION FAILED FOR LACK OF A SECOND AT THIS TIME.**

Mr. Moore objected to the motion at this time because he felt that the commission should know more about this house prior to placing it "under consideration". Dr. Day discussed the importance of preserving bungalows in the Town of Palm Beach. In this particular case, the owner is in full support of the landmarking which is advantageous and good for the Town's landmark program in general. Ms. Diver expressed reservations about proceeding, at this moment, to place 159 Australian Ave. "under consideration", prior to any discussion relative to the much larger list of properties, the subject of this agenda item. It had been made known at a previous meeting that staff can only process a finite number, (5), of designations in the next designation season, so there was some reluctance to place this property "under consideration" prior to considering the longer list. Other members expressed their opinions that the property should be placed "under consideration" respecting the owner's desire to have the property landmarked, and in furtherance of the promoting landmarking in the Town. After discussion, the Town's consultants agreed to undertaking (6) designations during the upcoming season.

Ms. Murphy suggested that the Town have a bifurcated process in order to encourage voluntary designations: Review of properties on the consultant's list of potentially eligible structures, and review of properties volunteered for landmarking by property owners. She recommended that the volunteered properties be processed more quickly.

**MOTION BY MR. STRAWBRIDGE TO PLACE 159 AUSTRALIAN AVENUE "UNDER CONSIDERATION" FOR LANDMARK DESIGNATION.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED 6-1, WITH MR. MOORE OPPOSED.**

At this point, the discussion turned to the list of 48 structures to be considered as potentially eligible for landmark designation. Dr. Day had organized the properties by street, as a different approach to reviewing the structures within the context of a neighborhood.

It should be noted that the property owners of 126 Root Trail had submitted a letter, which was read into the record by Dr. Day, objecting to their home being considered for designation. The Colony Hotel also sent a similar letter (which was read into the record later) objecting to the hotel being considered for designation.

Dr. Day reviewed each of the properties on the list, by street. After her presentation, the commission deliberated, at length, to determine which properties were to be placed "under consideration" today. Ultimately, the commission agreed on the following five (5) additional properties to be placed "under consideration":

- 1) 320 El Vedado Road
- 2) 726 Hi-Mount Road
- 3) 125 Root Trail
- 4) 1047 South Ocean Boulevard
- 5) 130 El Brillo Way

Let the record show that Mr. Moore left the meeting at 11:30 a.m.

**MOTION BY MR. STRAWBRIDGE TO PLACE THE FIVE PROPERTIES (listed above)
"UNDER CONSIDERATION" FOR LANDMARK DESIGNATION.**

**MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.**

It was suggested that more time be spent notifying the property owners, person to person, when their properties are being considered for designation in an effort to educate them regarding landmarking. It was also recommended, perhaps for next year, that letters be sent to the owners of properties which might be given "under consideration" status (this year's 48 property owners, for example), explaining the advantages of landmarking. Such an effort might prompt property owners to volunteer their properties for landmarking. Staff will look into revising the typical "under consideration" letter and consider the possibility of creating a "pre-under consideration" letter.

The Shiny Sheet was encouraged to interview Dr. Day, Mr. Cooney, and perhaps, others for the composition of an article to educate the public about landmarking.

IX. OTHER BUSINESS: (11:41:20 a.m.)

- A. Discussion relative to LPC jurisdiction over properties where only a portion of the property is landmarked [John C. Randolph, Town Attorney]

Since Mr. Randolph was not present, Dr. Day provided this information. She explained that when only a portion of a property is landmarked, changes to other portions of the property have come under LPC jurisdiction, to avoid dual jurisdiction of the LPC and ARCOM on a given property. There are several properties in the Town which have only partial designations. She cited 158 South Ocean Boulevard, reviewed in 2004 for Certificate of Appropriateness, with determinations

made by Town Attorney Randolph, as a successful example of how new construction was incorporated into a building where only part of the structure was landmarked.

COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: (11:44:20 a.m.)

Mr. Page reminded the members that the November meeting, which had been rescheduled, will be held on November 14, 2012, and the December meeting will be held on December 19, 2012.

There was a brief discussion relative to code requirements for railing height, residential and commercial, as this relates to the Paramount property specifically.

Let the record show that Ms. Diver left the meeting at 11:52 a.m.

There was a call for consistency with regard to the requirement that applicants come prepared with sample materials when giving their presentations.

There was a brief discussion relative to the flexibility from code requirements for landmarked structures, along with inflexibility when safety is compromised.

XI. ADJOURNMENT:

The meeting was adjourned at 12:02 p.m. without benefit of a motion.

Respectfully submitted,



Edward Austin Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

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The next meeting of the Landmarks Preservation Commission will be held on Wednesday, November 14, 2012 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach.