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

WEDNESDAY, SEPTEMBER 19, 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.

I. CALL TO ORDER:

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

II. ROLL CALL: (9:32:06 a.m.)

Edward Austin Cooney, Chairman	PRESENT
William P. Feldkamp, Vice Chairman	PRESENT
Dudley L. Moore, Jr., Member	PRESENT
Jacqueline Albarran, Member	ABSENT (unexcused)
William J. Strawbridge Jr., Member	PRESENT
Leslie Diver, Member	PRESENT
Elizabeth S. Murphy, Member	PRESENT
Jorge Sanchez, Alternate Member	PRESENT
Elizabeth Marshall, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	ABSENT (unexcused)

Let the record show that Mr. Sanchez was a voting member today.

Staff members present: John S. Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, Jane S. Day, Ph.D., Staff Historic Preservation Consultant, and Cynthia Delp, Secretary to the Landmarks Preservation Commission. Town Attorney John C. Randolph was not present.

III. APPROVAL OF THE MINUTES OF THE AUGUST 16, 2012 MEETING:

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.

IV. APPROVAL OF THE AGENDA: (9:32:49 a.m.)

Chairman Cooney noted that a deferral has been requested for Item A, 201 El Bravo Way. Secondly, relative to Item F, 319 El Vedado Road, Chairman Cooney noted that this is a tax abatement project. Lastly, on the last page of the agenda, the chairman elected to switch Other Business with the commission's discussion of potentially eligible properties. Mr. Lindgren reported that relative to the Informal Review item on the last page of the agenda, the applicant did not meet the submittal requirements, therefore, a deferral is in order.

MOTION BY MR. MOORE 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: (9:33:54 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): (9:34:16 a.m.) None

VII. PUBLIC HEARINGS:

A. 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.

PROJECT DEFERRED TO OCTOBER PER MOTION MADE UNDER "APPROVAL OF THE AGENDA."

B. Application for Certificate of Appropriateness #022 - 2012
Sculpture
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE
Owner/Applicant: The Society of the Four Arts Inc.
Address: 1,2,3,and 4 Four Arts Plaza and 240 Cocoanut Row
Architect: Glidden Spina and Partners
Project Description: Install a 14 foot sculpture in the Sculpture Garden

At the August meeting, there was a motion that implementation of the proposed variance for a sculpture, not to exceed an overall height of 16 ft., including the base, will not cause negative architectural impacts to the subject landmarked property.

Call for disclosure of ex parte communication: Disclosure by Ms. Marshall

ARCHITECTURAL PRESENTATION BY: Keith Spina, Glidden Spina & Partners

Chairman Cooney reported that the Town Council approved the requested variance at their meeting last week.

Mr. Spina clarified the height dimensions of the statue and base as a 12 ft. tall statue set on top of a 2 ft. tall base. The statue and base are made of stainless steel. The statue is a combination of brushed and polished stainless, while the base will be painted black.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE DESIGN AS PROPOSED.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #028 - 2012
Addition
Owner/Applicant: Mr. Timothy Rooney
Address: 160 Wells Road
Architect: Smith Architectural Group
Project Description: Request approval for changes to previously approved project, including a new 155 sq. ft. second floor office and minor fenestration changes. Other associated changes as presented. ***Please be advised that this is a tax abatement project.***

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: Jeffery W. Smith, Smith Architectural Group

Mr. Smith presented the revisions to the previously approval project in accordance with the submitted plans and as described above. The major change proposed is the enclosure of a second floor porch to accommodate an office, together with assorted fenestration changes, a change to the size of the chimney, and a change to the rear balcony.

MOTION BY MR. FELDKAMP FOR APPROVAL OF COA-028-2012 AS SUBMITTED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness #029 - 2012
Restoration, Rehabilitation, Addition, etc.
Owner/Applicant: Alan and Patricia Menkes
Address: 153 Clarke Avenue
Architect: Michael J. Johnson, Architect
Design Architect: LaBerge and Menard
Project Description: Request approval for restoration, rehabilitation, addition to historic structure, interior demolition, exterior color change, and, landscape/hardscape which is further described as: Restoration of existing main house, pool cabana and garage apartment; removal of existing arches and sloped roof at main house rear loggia; new exterior columns; new windows and doors at all three buildings; roof replacement (reconfiguration at pool cabana); new exterior terrace at

second floor of rear loggia; preliminary landscape plan, and other associated changes as presented.

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

ARCHITECTURAL PRESENTATION BY: Michael J. Johnson, Architect, and Daniel Menard, La Berge and Menard, Design Architects
LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design

Mr. Johnson introduced the project and handed the presentation over to Mr. Menard who presented the project in accordance with the submitted plans and as described above. The project concerns the 1927 main house, a two-story garage with apartment above, and a Volk designed pool cabana. He indicated that while this is not a tax abatement project, the intent is to retain all of the main rooms, and all of the 20's elements which are worthy of preservation. The existing three bedroom home will be changed to a five bedroom home. At the garage/guest house, an exercise room will be added and the second floor will be reconfigured. The intent is to enclose the pool cabana to allow it to be air conditioned; change the roof; add a fireplace; and, rework the interior. Mr. Menard clarified that the existing roof will not be removed, but the finish will be changed from tile to metal, adding that roof on top of the existing roof. The roof proposal is for a copper roof painted in stripes with a scalloped edge to appear like the original canvas. Mr. Menard provided a three phase presentation showing the original drawings, the existing condition, and the proposed.

Dr. Day offered her support of the project, as proposed. Under commission comments, most comments centered on the pool cabana, more specifically, the roof material choice, the chimney proportion, and, whether it is appropriate to enclose the pool house at all. There was also concern regarding the scale of the west chimney on the main house.

MOTION BY MR. SANCHEZ TO ACCEPT AS PRESENTED APPLICATION #029-2012 AND THE CHIMNEY CHANGE ON THE WEST SIDE TO BE SLIGHTLY LOWER, AND TO LOOK INTO THE CHIMNEY OF THE POOL FOLLY.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

Keith Williams reviewed the proposed changes to the landscape and hardscape in accordance with the submitted plans. He indicated that all of the hardscape will be removed, except for the pool. The landscaping on the east and west perimeters will remain, as well as the front hedge. Norfolk Pines will be removed to open up views. Mr. Williams outlined the various paving treatments, terraces, gardens, fountain and spa, new pool coping, and landscape changes. It was noted that this is a preliminary landscape/hardscape presentation only, per the advertisement. The applicant will return with formal landscape/hardscape at some point in the future under a new application for Certificate of Appropriateness.

Under commission comments, there were concerns/comments regarding: the front walkway paving is too contemporary; encourage removal of Coconut Palms behind pool folly and sink the overhead lines; recommend a little less forced symmetry in the design; need detail of pedestrian gate; and, support for the contemporary landscape plan as presented. There was no motion relative to the landscape/hardscape since it will come back to the LPC in the future for final landscape/hardscape.

Let the record show that there was a short recess from 10:40 a.m. to 10:48 a.m.

E. Application for Certificate of Appropriateness #030 - 2012
Reconstruction, Landscape/Hardscape, Demolition
Owner/Applicant: 230 S. County Road, LLC, Michael McCloskey
Address: 230 S. County Road, 234 S. County Road and 213 Seaview Avenue
Architect: David Miller & Associates, P.A.
Project Description: Request approval of reconstruction, exterior demolition, and landscape/hardscape which is further described as: Removal of the existing textured concrete and tile in the via and courtyard and replacement with a new deck and cast coquina pavers. Removal of existing overhead and exterior mounted power and telephone lines. Relocation of existing mechanical equipment. Repairs and reconstruction of the existing courtyard screen wall, and other associated changes as presented

Call for disclosure of ex parte communication: No disclosures

ARCHITECTURAL PRESENTATION BY: David Miller, David Miller & Associates, P.A.

Mr. Miller presented the project in accordance with the submitted plans and as described above. He noted that the landscape is only conceptual at this time.

Under commission comments: concern regarding glare of lighting at night; courtyard is bleak with no shade and no attraction; lighting should return with the landscaping; would like to see incredible detailing to make this a wonderful space; and, concept fine, but details needed.

MOTION BY MS. DIVER TO APPROVE COA #030-2012 FOR REMOVAL OF THE EXISTING TEXTURED CONCRETE AND TILE IN THE VIA AND COURTYARD AND REPLACEMENT WITH A NEW DECK AND CAST COQUINA PAVERS; REMOVAL OF EXISTING OVERHEAD AND EXTERIOR MOUNTED POWER AND TELEPHONE LINES; RELOCATION OF MECHANICAL EQUIPMENT; REPAIRS AND RECONSTRUCTION OF THE EXISTING COURTYARD SCREEN WALL; REMOVAL OF THE STEEP RAMP AND THE ADDITION OF THREE STEPS, AND THE ADDITION OF THE SLOPING WALKWAY ON THE BACK SIDE.
MOTION REVISED BY MS. DIVER TO DELETE "REPLACEMENT WITH A NEW DECK AND CAST COQUINA PAVERS" FROM THE APPROVAL.
MOTION SECONDED BY MR. SANCHEZ.

The commission offered a deferral of the remaining items, but that was declined by Mr. Miller. The applicant was advised that when he returns for the remaining items, he will have to file a new application for Certificate of Appropriateness, and at that time, he should be prepared with material samples, details relative to the lighting and railing, and the paving pattern.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness #032 - 2012

Vehicular Gates

Owner/Applicant: Virginia L. Mortara

Address: 319 El Vedado Road

Architect: Smith and Moore Architects Inc.

Project Description: Request approval for vehicular gates which are further described as: Two aluminum vehicular gates, one at each driveway entrance, to be framed by existing masonry/stucco gateposts, and other associated changes as presented

Chairman Cooney noted that **this is part of a tax abatement project**.

Call for disclosure of ex parte communication: Disclosure by Ms. Marshall

ARCHITECTURAL PRESENTATION BY: Harold Smith, Smith and Moore Architects Inc.
LANDSCAPE PRESENTATION BY: Don Skowron

Mr. Smith reported that the Town Council had granted a special exception for the location of the requested gates earlier this month. He turned the presentation over to Mr. Skowron. Mr. Skowron presented two sliding gates, each divided into two sections. Gate dimensions are 17 ft. wide x 6 ft. tall. The gates will have a simple design in anodized aluminum painted black.

Under commission comments, there was disagreement as to whether gates are appropriate at all in this case specifically, and in the Town at large.

MOTION BY MR. FELDKAMP FOR APPROVAL OF COA-032-2012 AS PRESENTED.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED 6-1, WITH MR. SANCHEZ OPPOSED.

G. 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

Call for disclosure of ex parte communication: Disclosures by Mr. Cooney and Mr. Feldkamp

ARCHITECTURAL PRESENTATION BY: Mark Marsh, Bridges, Marsh & Associates

Mr. Marsh presented the project in accordance with the submitted plans and as described above. He explained that the balustrade was originally approved as a solid; then to fish scale; and now proposed as thin spindle balustrade. Mr. Lindgren noted that the submitted elevations show that the cabana height is to be raised by 1.5 ft., but Mr. Marsh verbally stated they would be raised by 3.5 ft.

Under commission comments: Prefer the fish scale railing; the balusters emphasize the length of the railing; and, fix the rhythm.

Dr. Day stated that when the changes to this residence were originally approved, the LPC did everything they could to save a small Mizner. That small Mizner has now really grown, and has become more formal. She recommended deferral of this project so the commission can review changes to the rhythm on this long element; the commission needs to be sure of how much the cabanas are being raised, 1.5 or 3.5 feet; and, the commission needs to look at the difference between the very formal staircase and the newly approved guest cottage to review scale and transition.

MOTION BY MR. STRAWBRIDGE FOR DEFERRAL (TO THE OCTOBER MEETING) INCORPORATING ALL THE THINGS JANE DAY SUGGESTED WE SHOULD LOOK AT, PLUS THE HEIGHT ISSUE.
MOTION SECONDED BY MR. MOORE.
THE APPLICANT WAS ADVISED TO BRING THE EAST/WEST CROSS SECTION WITH THE GUESTHOUSE NEXT MONTH.
MOTION CARRIED UNANIMOUSLY.

IX. OTHER BUSINESS:

A. Informal Review (Combo Project): 301 Australian Avenue
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE
Request approval for 1050 sq. ft. of artificial turf in north courtyard. Variance requested for landscaped open space.

MOTION BY MR. FELDKAMP TO RECONSIDER THIS INFORMAL REVIEW WHICH WAS PREVIOUSLY DEFERRED.
MOTION SECONDED BY MS. DIVER.
MOTION CARRIED UNANIMOUSLY.

Architect Gregory Bonner stated that over 1000 square feet of artificial turf has already been installed at the Brazilian Court's north courtyard. The property owner chose to install the turf because of difficulty growing grass in this area, and because they have had to replace the natural turf several times. Since the turf is already installed, without LPC approval, the matter had been reviewed by the Code Enforcement Board. The property owners have chosen to seek a variance from the Town Council for the artificial turf. Mr. Bonner presented a sample of the artificial turf.

Under commission comments: Cannot support artificial turf at all; it cheapens and takes away authenticity; we're being too restrictive as a commission…the courtyard is for guests only…it's not a change to a landmarked building; artificial turf is for playfields and hospitals only…this is a matter of inconvenience for the property owner…this is a very public area and it's not appropriate; permeability is a big issue and flooding is a concern; try Diamond Soysia grass; and, until the code is changed, the answer is "no".

MOTION BY MR. STRAWBRIDGE TO RECOMMEND DENIAL ON THE VARIANCE REQUEST; THAT IMPLEMENTATION OF THE PROPOSED VARIANCE WILL CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT LANDMARKED PROPERTY.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED 6-1, WITH MR. FELDKAMP OPPOSED.

Let the record show that there was a break from 12:15 p.m. to 12:25 p.m. Ms. Diver left the meeting at this time.

VIII. <u>REVIEW OF PROPERTIES CATEGORIZED AS "POTENTIALLY ELIGIBLE FOR THE LOCAL REGISTER" [Edward Austin Cooney and Jane S. Day, Ph.D.]</u> (12:08:01 a.m.)

Chairman Cooney stated that our wonderful consultant, Dr. Day, has served the Town for 20 years, and is retiring. The Town has searched, through an RFP process, for her replacement. A selection committee had been established to review the three responses to the RFP. The contract was awarded to Janet Murphy and Emily Stillings beginning October 1, 2012. Ms. Murphy and Ms. Stillings were present in the audience and were welcomed.

Dr. Day reviewed how the LPC arrived to this point of reviewing properties categorized as "potentially eligible for the local register". Most recently, the commission members reviewed a list of 48 properties, ranked those properties, and submitted individual rankings to Mr. Lindgren for collation. Staff did not receive a ranking from each of the commissioners, but 92 votes were cast for various properties. Mr. Lindgren distributed those results to the members. Dr. Day's goal was to narrow the results down to five properties to be placed "under consideration" for the new designation season. The two properties which received the most votes were the Colony Hotel and 125 Root Trail. She noted that the Colony Hotel has had many alterations and as of 2011, the owners of the hotel did not want the property to be landmarked. Dr. Day continued with a brief review of the other properties on the prioritized list. Members thought that, long-term, a map of the properties might be helpful, or, perhaps the properties could be organized by street to facilitate review on a particular street. After a lengthy discussion, the commission members elected to take another month to fine-tune their choices for discussion at the October meeting.

X. <u>COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR:</u> (1:03:12 a.m.)

Mr. Strawbridge mentioned an idea for an ordinance dealing with further tax incentives for landmarked property owners.

Ms. Murphy requested a brief summary related to the history of owner consent as it relates to landmark designations. Dr. Day responded that currently, the LPC ordinance does not require owner consent for landmarking. She acknowledged that discussion relative to owner consent has occurred from time to time with various Town Councils, but pursuant to the last discussion of that type, the Town Council has stated that owner consent is not required for landmark designation.

There was another suggestion to notify those who have properties on the prioritized list to encourage them to come forward to volunteer their properties. Currently, a property owner is notified when the commission makes a motion to place his property "under consideration" for landmark designation.

XI. **ADJOURNMENT**:

Chairman Cooney adjourned the meeting at 1:30 p.m. without benefit of a motion.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, October 17, 2012 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach.

Respectfully submitted,

Edward Austin Cooney

Edward Austin Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

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