



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

WEDNESDAY, JULY 17, 2013, 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: (9:32:02 a.m.)

Chairman Cooney called the meeting to order at 9:32 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	PRESENT
William J. Strawbridge Jr., Member	PRESENT
Elizabeth S. Murphy, Member	PRESENT
Penelope D. Townsend, Member	PRESENT
Elizabeth "Libby" Marshall, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	ABSENT (unexcused)
Patrick Killian, Alternate Member	PRESENT

Staff members present: John C. Randolph, Town Attorney, Veronica Close, Assistant Director of Planning, Zoning and Building, John Lindgren, Planning Administrator, Paul Castro, Zoning Administrator (for part of meeting), Janet Murphy and Emily Stillings, Staff Historic Preservation Consultants, and Cynthia Delp, Secretary to the Landmarks Preservation Commission.

III. APPROVAL OF THE MINUTES OF THE JUNE 19, 2013 MEETING: (9:32:25 a.m.)
MOTION BY MR. FELDKAMP FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MS. MURPHY AND MR. MOORE SIMULTANEOUSLY.
MOTION CARRIED UNANIMOUSLY.

IV. APPROVAL OF THE AGENDA:

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE AGENDA.

MOTION SECONDED BY MR. MOORE.

MOTION CARRIED UNANIMOUSLY.

V. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:

Mrs. Delp administered the oath to all those who wanted to testify today.

VI. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes): (9:33:03 a.m.)

Ms. Murphy introduced Julio and Leslie Gonzalez, who were present in the audience, and who recently purchased a 1920's building at 253 Oleander Avenue and are interested in having the structure studied for possible landmarking. Mr. Gonzalez stated that their goal is to restore the home to its historic charm and to bring back historic charm to the street. He testified to some historic associations relative to the property. The Town's consultants will look into the matter and report back to the commission next month.

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

A. Application for Certificate of Appropriateness #034-2013

LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Restoration, Demolition, Addition, Landscape/Hardscape

Owner/Applicant: 550 South Ocean Blvd., LLC

Address: 550 South Ocean Boulevard

Architect: Smith and Moore Architects, Inc.

Project Description: LLC Request approval for restoration, addition to historic structure, interior and exterior demolition, and landscape/hardscape which is further described as: The project consists of a two-story garage/guest suite addition to the west side of the existing residence; the demolition of a one-story garage, and two one-story shed structures; hardscape and landscape final changes; a pergola addition; the change of one existing casement window to a pair of French doors; addition of muntin bars to previously approved clear glass French door units on the west elevation. Other associated changes as presented.

Please note that this was reviewed informally at the May meeting and the LPC gave a recommendation relative to the variance as such: MOTION BY MRS. ALBARRAN THAT IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT LANDMARKED PROPERTY, AND ADDING THAT WE WOULD LOVE TO HAVE THOSE CHANGES PRESENTED NEXT MONTH SETTING THE ADDITION BACK AND DOING THE EXISTING METAL TRELLIS OR PERGOLA UP ON THE SECOND FLOOR, IF YOU COULD DRAW THAT IN, AND MAYBE HAVE PICTURES OF IT, AND TIE IN THE HIP, JUST AS THE DRAWING SHOWS WHEN IT'S RECESSED, YOU SHOWED THE TIE IN EXACTLY AS WE WOULD LIKE IT, AND APPROVAL OF THE VARIANCE WITH THE PROVISIO THAT IT BE REDUCED BY 3 FEET, WHICH MEANS IT WOULD BE SETTING BACK A FOOT FROM THE EXISTING CORNER OF THE HOUSE.

Call for disclosure of ex parte communication: There was no call for ex parte communication at this time. Later in the meeting, Mr. Randolph called for disclosure of ex parte communication

relative to this project. Mr. Cooney and Mrs. Albarran indicated that they had no additional ex parte communication beyond that which had been previously declared.

ARCHITECTURAL PRESENTATION BY: Harold Smith, Smith and Moore Architects
LANDSCAPE PRESENTATION BY: Keith Williams, Nievera Williams Design

Mr. Smith noted that after the informal review at the LPC last month, the project was reviewed by the Town Council and the variance for street side yard setback was granted. The LPC's recommendation to push the north wall of the addition back 3 feet, so it is recessed 1 ft. from the existing structure, was incorporated into the revised plans. Other changes since the last meeting include: change to roofline; place rear yard pergola at the second floor master terrace; insert pair of French doors back in the kitchen to allow for more light; and, associated landscape/hardscape changes. Mr. Williams reviewed the landscape/hardscape changes: still request two curb cuts on north side of property; still opt for combination cast stone and grass paving; adjustment to color of plants to maintain "hot" color palette; pool finish and fountain in a darker color; change concrete slab to coral outside the office; new low front yard fountain with coral coping; benches pushed back into garden area; and, screening the addition with site walls and landscaping.

MOTION BY MRS. ALBARRAN FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #030 - 2013

Fountain

Owner/Applicant: Palm Beach Biltmore Condominium Association Inc.

Address: 150 Bradley Place

Architect: Lawless and Mangione

Project Description: Request approval for fountain replacement which is further described as: The currently approved (and in progress) garage and plaza renovations have made necessary the removal of the existing fountain (circa 1977) constructed during the Biltmore conversion to condominiums. The fountain consists of a large circular concrete vessel with cascading (Hall Fountain) jets. The fountain is not memorable (in an architectural sense) and is simply a receptacle for moving water. The owners have seized this opportunity to design and fabricate a low profile cast stone fountain, respectful of views and context, with somewhat more architectural significance while providing more interest and presence to the plaza experience. Other associated changes as presented.

Call for disclosure of ex parte communication: No disclosures

LANDSCAPE/HARDSCAPE PRESENTATION BY: Jeff Blakely, Landscape Architect, and Rick Herpel, Herpel Inc.(Fountain Designer)

OTHERS WHO TESTIFIED: Sally Morris, General Manager, Palm Beach Biltmore

Ms. Morris introduced Mr. Blakely and Mr. Herpel who provided the presentation pursuant to the submitted plans and as described above. Mr. Blakely showed the original 1977 fountain plans and an aerial photo of the existing fountain. Mr. Herpel presented the new fountain design which honors the original five-spoke design. He clarified the flow of water through the fountain, and indicated that the proposal includes planters to be designed by Mr. Blakely.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF
APPROPRIATENESS #030-2013 AS PRESENTED.
MOTION SECONDED BY MRS. ALBARRAN.
MOTION CARRIED UNANIMOUSLY.**

C. Application for Certificate of Appropriateness #035-2013

Landscape/Hardscape

Owner/Applicant: Penny & Marion Antonini

Address: 920 South Ocean Boulevard

Architect: Nievera Williams Design

Project Description: Request approval for landscape/hardscape which is further described as: Landscape improvements. Replace brick driveway paving. New swimming pool and fountains in central courtyard. Reduce height of garden wall along South Ocean Boulevard and Via Bellaria. Re-grade lawn and revisions to landscaping. Fire pit at the ocean beach house. 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 provided the presentation in accordance with the submitted plans and as described above. Design elements include: Remove coral and brick driveway in favor of salvaged St. Louis brick and coral bands and borders; remove existing pool in favor of new 12 ft. x 40 ft. smaller pool in the courtyard area; remove existing large courtyard fountain; new smaller fountain off west loggia; rill outside family room; clean up overgrown conditions in east lawn to allow for views; remove/relocate landscape material and add new; two curb cuts on south side; brick service court; lower site walls along North Ocean Boulevard and on south side of property; east lawn: coral terrace at living room, re-grade lawn; design intent of courtyard and east lawn is to open up grassy areas for children and grandchildren; and, new fire pit and Coconuts added at ocean beach house.

Under commission comments: Love that site wall along the ocean is lower; concern regarding insertion of anchors for Bougainvillea being inserted into historic facade; like it a lot...courtyard unfolds gracefully; connector to east terrace is so stiff...perhaps stepping stones would be better; it's an absolute travesty...all of the historic referencing for courtyard and patio gardens always has a central unifying element from which all other elements spring, but your firm has chosen again to redefine the patio and courtyard and slap history in the face...it does not service the heart and soul of the house; try to separate the pool from the courtyard; too busy...too geometric...re-study and simplify.

Mr. Williams responded that the design responds to the design intent and direction from the client and how they want the family to be able to use the property.

**MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF
APPROPRIATENESS #035-2013 AS PRESENTED WITH 3 PROVISOS: 1) THAT THE
STONE PATHWAY TO THE RECTANGULAR PATIO ON THE EAST SIDE BE
REPLACED BY STEPPING STONES; 2) THAT THE POOL BE SEPARATED
SOMEWHAT FROM THE LAWN BY LANDSCAPING; AND, 3) THAT THE**

**LANDSCAPE ARCHITECT LOOK AT SIMPLIFYING THE PATIO WALKWAYS
WITHIN THE COURTYARD.**

MOTION FAILED FOR LACK OF A SECOND.

**SUBSTITUTE MOTION BY MR. STRAWBRIDGE TO RECOMMEND DEFERRAL
WITH THE REQUEST THAT YOU GO BACK AND LOOK AT THIS ISSUE OF
PATTERNING AND SPACE ON THE GROUND (THE HARDSCAPE).**

MOTION SECONDED BY MS. MURPHY.

MOTION CARRIED 5-2, WITH MR. COONEY AND MR. FELDKAMP OPPOSED.

VIII. OTHER BUSINESS: (10:34:12 a.m.)

A. Discussion: Town zoning regulations governing gates:

Paul Castro, Zoning Administrator, explained the regulations governing gates. He noted that gates are required to be 18 feet off the street pavement. Special exceptions may be requested for cul de sacs or dead end streets to allow gates to be closer than 18 feet to the street pavement. Variances would have to be requested for through streets or arterial streets to allow a gate to be closer than 18 feet to the street pavement. Gates are allowed by right as long as the 18 ft. measurement is satisfied.

The commission explained that this topic came to light during review of a driveway gate on Pendleton Avenue. The gate variance was approved by the Town Council without any input from the LPC because it was not a "combo" project. The commission asked that such matters routinely come to the LPC prior to being heard by the Town Council. Mr. Castro assured the LPC that since that Pendleton gate issue, all variances involving landmarked properties are being sent to the LPC first prior to Town Council review.

The LPC noted an even broader concern for the appropriateness of gates, especially in certain "tighter" zoning districts, but Mr. Castro stated that each gate request requiring a variance or special exception is reviewed individually by the Town Council according to its particular circumstances.

B. Discussion: Policies pertaining to review of variances:

Mr. Castro provided a history of the evolution of the development review projects over the years. Over the course of time, the body which reviews the project first has changed. The last change happened in 1999, when the current "combo" process was established, i.e., projects heard by ARCOM or LPC first to provide an opinion to the Town Council relative to the variance, followed by Town Council review. Again, Mr. Castro explained that all variances involving landmarked properties are being sent to the LPC first prior to Town Council review.

Let the record show that there was a short recess from 10:58 a.m. to 11:08 a.m.

C. Discussion: 2013/2014 Designation Season:

Mr. Strawbridge distributed a list, his own research, of some properties which are not currently landmarked.

Janet Murphy and Emily Stillings, Town Historic Preservation Consultants, presented photos of approximately 40 properties which are eligible to be placed "under consideration" for landmark designation, i.e., primarily the houses which remain on the original list of 90 structures. The

presentation of properties was done from north to south, beginning with 1545 N. Ocean Way and ending with 1950 South Ocean Boulevard. The consultants provided the architect, year of construction, the architectural style, and other brief pieces of information relative to the properties. The consultants also developed a listing of the same properties which had been prioritized by straw vote numbers last year. This prompted a re-review of the properties and a new straw vote. The commission elected to give priority to those properties which received 5 or more votes in that new straw vote (conducted at this meeting). They are as follows:

177 Clarendon Avenue -	5 votes
315 Tangier Avenue -	7 votes
124 Brazilian Avenue -	7 votes
337 Brazilian Avenue -	5 votes
324 Barton Avenue -	7 votes
120 Clarke Avenue -	7 votes
267 Dunbar Road -	8 votes
1545 N. Ocean Way -	8 votes
209 Banyan Road -	7 votes
261 Sanford Avenue -	6 votes

During this discussion, Chairman Cooney made reference to the new map which was developed by staff indicating the locations of landmark properties within the Town. Staff was asked to have copies of that map for each of the members for use at future meetings.

The commission discussed differing philosophical approaches to capturing the architectural inventory in the Town for landmarking: Take the feel and character of neighborhood into consideration rather than just the building itself; stressed the importance of variety, contrast and fabric in evaluating structures for possible landmark designation; downplaying the importance of center hallway or formulaic houses; a rebuttal that even today's new construction can be formulaic; and, the effect of known alterations on a prospective designation.

During discussion of this matter, Mr. Lindgren reported that there are two properties, 284 Monterey Road and 170 Seagate Road, which have been "under consideration" since 1998. At that time an R-B study was ongoing which delayed any action toward designation of these properties. Mr. Randolph opined that it is not fair to those property owners to have their properties "under consideration" for all that time.

**MOTION BY MR. MOORE TO REMOVE THESE PROPERTIES FROM "UNDER CONSIDERATION" STATUS, BASED UPON COUNSEL'S RECOMMENDATION.
MOTION SECONDED BY MR. FELDKAMP.**

Under discussion, Ms. Townsend stated that she sees the character of the north end changing with the demolition of houses such as these two. This was supported by other members. Mr. Randolph cautioned that if these properties are removed from the list, an argument could be made against a future attempt to place them "under consideration" again. On the other hand, if the properties remain "under consideration", they should be prioritized for hearing in the next designation season. This prompted further discussion relative to this matter.

MOTION FAILED, 3-4, WITH MRS. ALBARRAN, MS. MURPHY, MS. TOWNSEND AND MR. COONEY OPPOSED.

There was some misunderstanding about the intent of the motion. As such:

MOTION BY MRS. ALBARRAN THAT WE RECONSIDER SO WE CAN SEPARATE BOTH PROPERTIES.

MOTION SECONDED BY MS. TOWNSEND.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. MOORE TO REMOVE 170 SEAGATE ROAD FROM THE LIST (OF PROPERTIES "UNDER CONSIDERATION".)

MOTION SECONDED BY MR. STRAWBRIDGE.

MOTION CARRIED 5-2, WITH MS. TOWNSEND AND MR. COONEY OPPOSED.

MOTION BY MRS. ALBARRAN THAT 284 MONTEREY ROAD REMAIN "UNDER CONSIDERATION", AND STAFF IS TO MOVE FORWARD TOWARD A DESIGNATION REPORT PER COUNSEL'S RECOMMENDATION.

MOTION SECONDED BY MR. MOORE.

MOTION CARRIED 5-2, WITH MR. FELDKAMP AND MR. STRAWBRIDGE OPPOSED.

After these motions, the straw vote continued. (Straw vote prioritized results on Page 6 of these minutes.) Mr. Cooney noted that although he may not have voted for a property in today's straw vote, that does not mean that the house is not worthy of consideration in the future. He also noted that the list of properties discussed today is by no means a comprehensive list, and encouraged members to contact the consultants with other properties which they might feel are appropriate for consideration. Mr. Cooney asked the consultants to forward a listing of those properties, together with photos, if the properties received 5 or more votes today.

Let the record show that Mrs. Albarran left the meeting at 12:20 p.m.

Mr. Strawbridge distributed a one-page document entitled *Commercial Historic Districts* to the LPC members and Mr. Cooney read it into the record. It suggests that Worth Avenue and S. County Road might be considered as historic districts.

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

Ms. Close stated that staff has prepared a revised letter to advise property owners that their property has been placed "under consideration" for landmark designation. Mr. Cooney asked Mr. Lindgren to e-mail that letter to the members.

Ms. Marshall announced that she will be moving out of Palm Beach. She indicated that either this meeting or the August meeting will be her last on the commission. She stated it has been her privilege to serve the Town in this capacity.

Ms. Close reported that the number of allowable conflicts of interest has been changed in the Code from 3 to 5.

Ms. Close reported that the Ordinance Rules and Standards Commission has considered allowing non-Florida registered architects to serve on the LPC and ARCOM. Their recommendation to the Town

Council will be that if there are no Florida registered architect applicants for the commission, and a position needs to be filled, it could be filled by a non-Florida registered architect.

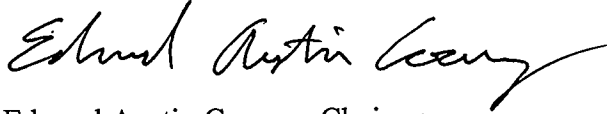
X.

ADJOURNMENT:

On a motion sponsored by Ms. Murphy, the meeting was adjourned at 12:26 p.m. There was no second or vote on this motion, but all were unanimous to adjourn.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, August 21, 2013 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted, affect



Edward Austin Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

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