



**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, MARCH 22, 2023.**

Please be advised that in keeping with a 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.

I. CALL TO ORDER

Chair Patterson called the meeting to order at 9:30 a.m.

II. ROLL CALL

Sue Patterson, Chair	PRESENT
Jacqueline Albarran, Member	PRESENT
Anne Fairfax, Member	PRESENT (Left at 2:07 p.m.)
Brittain Damgard, Member	PRESENT
Bridget Moran, Member	PRESENT
Julie Herzig Desnick, Member	PRESENT
Alexander Hufty Griswold, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	PRESENT (Left at 2:07 p.m.)
Alexander Ives, Alternate Member	PRESENT

Staff Members present were:
Sarah C. Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Acting Town Clerk
John C. Randolph, Town Attorney
Janet Murphy, Preservation Consultant
Emily Stillings, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. SELECTION OF CHAIR & VICE CHAIR

Ms. Albarran nominated Sue Patterson for Chair. Ms. Moran seconded the nomination. There were no other nominations at this time.

Motion made by Ms. Albarran and seconded by Ms. Moran to accept the nomination of Sue Patterson as Chair of the Landmarks Preservation Commission. Motion carried unanimously, 7-0.

Ms. Albarran nominated Brittain Damgard for Vice Chair. Ms. Moran seconded the

nomination. There were no other nominations at this time.

Motion made by Ms. Albarran and seconded by Ms. Moran to accept the nomination of Brittain Damgard as Vice Chair of the Landmarks Preservation Commission. Motion carried unanimously, 7-0.

V. APPROVAL OF MINUTES

A. Approval of the Minutes of the Landmarks Preservation Commission Meeting of February 17, 2023

Motion made by Ms. Moran and seconded by Ms. Damgard to approve the minutes of the February 17, 2023, meeting. Motion carried unanimously, 7-0.

VI. APPROVAL OF THE AGENDA

Ms. Pardue announced the following modifications to the agenda:

COA-23-055 (ZON-23-025) 210 Via Del Mar (Combo) deferred to April 19, 2023
HSB-22-003 (ZON-22-032) 594 N. County Road (Combo) deferred to May 17, 2023

Motion made by Ms. Albarran and seconded by Ms. Damgard to approve the agenda as amended. Motion carried unanimously, 7-0.

VII. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

Ms. Churney swore in all those intending to speak and continued to do so throughout the meeting as necessary.

VIII. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3-MINUTE LIMIT PLEASE)

No one from the public indicated a desire to speak.

IX. PROJECT REVIEW

A. PRESENTATION

1. Sunshine Law Presentation

Town Attorney Randolph provided an overview of the sunshine law, public records, and ex parte communications for the Landmarks Preservation Commission. Mr. Randolph answered questions from the Commissioners.

B. CERTIFICATES OF APPROPRIATENESS - OLD BUSINESS

- 1. COA-22-055 (ZON-23-025) 210 VIA DEL MAR (COMBO)** The applicant, BEACHBOYZ DEVELOPMENT LLC., has filed an application requesting a Certificate of Appropriateness for roof replacement, window and door replacement, exterior paint, and site alterations including new landscape, hardscape, a free-standing trellis, and vehicular gates with reduced setbacks, requiring Special Exception with Site Plan Review, for the Landmarked property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the April 19, 2023, meeting at the Approval of the Agenda, Item V.

2. **COA-23-005 1095 N OCEAN BLVD.** The applicants, Carl & Mary Jane Panattoni, have filed an application requesting Certificate of Appropriateness review and approval for architectural features including an updated balcony railing design, a new added gable roof section on the south end of the main house, and a revision to roof material. Landscape and hardscape updates include an updated driveway gate design, new entry step handrails, and revised pool terrace pavilion/pergola structure for the Landmarked property.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members.

Patrick Segraves, SKA Architect + Planner, presented the proposed vehicular gates and railings for the landmarked residence. Mr. Segraves showed line drawings of the gate on the overhead projector.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thought option number 1 for the railings was based on a Mizner railing from the Everglades Club and was appropriate for the era. She felt a vehicular gate in this design would also be appropriate for the home. She recommended that the professional show the precedent image for the design.

Mr. Segraves showed the precedent image.

Ms. Albarran thought the gates needed some restudy to match the precedent image; she thought that would be appropriate for the home.

Ms. Herzig was in favor of the precedent image. She thought it would be more in keeping with the home.

Ms. Moran was in favor of the Mizner image. She thought the gates and railings should complement each other. She recommended bringing both the gates and the railings back for approval.

Mr. Ives indicated that the precedent image was a pedestrian gate, not a vehicular gate. He thought modestly leaning into the design would be fine. He also thought the railings should not be overdesigned.

Ms. Damgard asked for clarification. Mr. Segraves responded.

Ms. Metzger asked if handrails were being proposed. Mr. Segraves responded.

Jane Panattoni, the owner, asked for the Commission to consider landmarking the seawall on her home.

Motion made by Ms. Damgard and seconded by Ms. Moran to defer the vehicular gate, the railings, and the handrails to the April 19, 2023, meeting. Motion carried unanimously, 7-0.

3. **COA-23-009 235 BANYAN RD.** The applicant, Richard Kurtz, has filed an application requesting a Certificate of Appropriateness for review and approval for the construction of an approximately 245 SF second floor addition in the rear of the structure of an existing three-story landmarked residence.

Ms. Pardue provided staff comments for this project.

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

Nicole Santos Silva, and Patrick Ryan O'Connell, Architect LLC, presented the architectural modifications proposed for the existing landmarked residence.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, complimented the professional for the new proposal and felt it was more appropriate.

Ms. Albarran thought the changes were perfect and was responsive to the Commissioners' comments.

Ms. Fairfax was in favor of the changes.

Mr. Griswold thought the changes were appropriate.

Motion made by Ms. Albarran and seconded by Ms. Fairfax to approve the project as presented. Motion carried unanimously, 7-0.

C. CERTIFICATES OF APPROPRIATENESS - NEW BUSINESS

1. **COA-22-037 (ZON-22-107) 2185 S OCEAN BLVD—PHIPPS PARK (COMBO)** The applicant, the Town of Palm Beach, has filed an application requesting a Certificate of Appropriateness review and approval for modifications to a previously approved plan and improvements to an existing town-owned park (Phipps Ocean Park) specifically to include the addition of two pickleball courts and the renovation and alteration of an existing lifeguard station into the approved site plan, including variances to reduce setback requirements, to exceed height limitations in the R-B zoning district and to reduce minimum required Ocean Bulkhead Line setbacks for new structures. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members.
Please note: Anne Fairfax declared a conflict of interest and left the dais during the discussion.

Scott Collison, Fairfax & Sammons, presented the architectural plans for the lifeguard stations proposed for the existing landmarked site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thanked the commission for supporting this project so far. She indicated that many of the changes were a result of neighborhood concerns about noise and placement. The Preservation Foundation also felt it was appropriate for the lifeguard station to be architecturally compatible with other structures on the site.

Ms. Metzger inquired about the material being used. Mr. Collison responded it would be a mix to match the other buildings on the site.

Mr. Ives was supportive of the wood cladding and roof pitch for the station. He questioned the dormer proposed for the one-story building. He supported the variances for the lifeguard station. He was surprised by the variance needed for the pickleball courts and thought they could be redesigned.

Ms. Damgard thought the station was nice looking.

Ms. Moran liked the original location for the pickleball courts but understood the proposed location.

Ms. Herzig agreed with Mr. Ives on the dormer for the station. She thought it was a bit top-heavy and wondered about the function of the dormer. Mr. Collison responded and showed photographs of the existing dormer on the station. Ms. Herzig wondered if it could be reduced. Mr. Collison responded. Ms. Herzig asked about the fencing proposed around the pickleball courts.

Philip Byrnes, Associate with Raymond Jungles Inc., described the reason for the pickleball court design and screening.

Ms. Albarran wondered if the screening corners could be chamfered, similar to the tennis courts. Mr. Byrnes responded to the request for chamfer corners. He indicated that the variance request would have to be modified and increased.

Mr. Wong inquired about losing one of the tennis courts. He indicated that team tennis could not be played without six courts.

Carolyn Stone, Deputy Town Manager, provided an explanation for the number of tennis courts proposed.

Ms. Moran discussed why variance setbacks would increase if the corners were chamfered.

Motion made by Ms. Moran and seconded by Ms. Damgard to approve the project as presented. Motion carried unanimously, 7-0.

Motion made by Ms. Moran and seconded by Ms. Damgard that implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. Motion carried unanimously, 7-0.

D. HISTORICALLY SIGNIFICANT BUILDINGS - OLD BUSINESS

1. **HSB-22-011 (ZON-22-122) 141 AUSTRALIAN AVE (COMBO)** The applicant, Gregory James Pamel, has filed an application requesting Landmarks Preservation Commission review and approval for proposed exterior alterations to a Historically Significant primary structure, and for the demolition and reconstruction of an existing two-story nonconforming accessory structure in the rear yard, including variances for setback, height, number of stories, and Cubic Content Ratio (CCR). This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the April 19, 2023, meeting at the Approval of the Agenda, Item V.

2. **HSB-22-003 (ZON-22-032) 594 N COUNTY RD (COMBO)** The applicant, George Marucci, has filed an application requesting Landmarks Preservation Commission review and approval for two, one-story additions to a historically significant one-story building totaling approximately 300 SF, including variances from side setback requirements and including a variance from Chapter 50 for the required floor elevation for the new ground floor additions on a historically significant building to construct a ground floor addition with a finished floor of 6.69' NAVD in lieu of the required 7' NAVD. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the May 17, 2023, meeting at the Approval of the Agenda, Item V.

3. **HSB-22-017 (ZON-23-005) 128 SEABREEZE AVE (COMBO)** The applicants, Jennifer Palumbo and Keith Palumbo, as Trustees of the Keith R. Palumbo 2007 Trust u/a/d August 10, 2007, have filed an application requesting a Landmarks Preservation Commission approval for the demolition and reconstruction of a porte cochere and rear two-story accessory structure, fenestration alterations, roof alterations, and landscape and hardscape alterations for the Historically Significant property, requiring nine (9) variances for Cubic Content Ratio, increased lot coverage, decreased landscaped open space, the construction of a two-story accessory structure, and decreased building setbacks, requiring Special Exception with Site Plan Review due to the demolition of more than 50% of the two Historically Significant structures. This is a combination project that shall also be reviewed by Town Council as it pertains to the zoning relief/approval.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members.

Daniel Menard, LaBerge & Menard, presented the architectural modifications proposed for the existing residence.

Todd Maclean, Todd Maclean Outdoors, presented the landscape and

hardscape modifications for the site.

Mr. Menard showed an example of material being proposed for the outside of the structure.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, complimented the professional for the proposal and felt it was more appropriate. She asked the Commission and professionals to consider a modified front entrance that showed the scored stucco. She recommended the consideration of eight (8) light-divided casement windows on the sun porch. She also recommended saving some of the fenestration on the west elevation.

Mr. Menard agreed to the scored front entrance and the 8 light-divided casement windows.

Ms. Fairfax favored the changes and agreed with the changes recommended by Ms. Sunny.

Ms. Metzger asked about the historic stucco on the home. She found it interesting that the entire home was scored, but the entryway was not the same. Mr. Menard responded.

Mr. Ives complemented the landscape plan. Mr. Ives asked about the demolition of the cabana. Mr. Menard explained.

Ms. Moran thanked the professional for all the requested changes. She asked if the owner would consider landmarking the home. Mr. Menard responded.

Ms. Damgard asked about the stucco finish proposed for the home. Mr. Menard responded.

Motion made by Ms. Fairfax and seconded by Ms. Damgard to approve the project as presented, with the following conditions: the front arched entrance shall be scored as presented, the windows on the west elevation shall be aligned, and the niche shall remain in the chimney. Motion carried unanimously, 7-0.

Motion made by Ms. Damgard and seconded by Ms. Moran that implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Motion carried unanimously, 7-0.

E. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS

- I. HSB-22-016 (ZON-22-154) 353 PERUVIAN AVE (COMBO)** The applicant, Lifestyle Holdings LLC, has filed an application requesting Landmarks Preservation Commission review and approval for proposed exterior alterations

and additions to a one-story and a two-story Historically Significant Building, requiring variances from the Floodplain requirements from Chapter 50, Floods, for the required floor elevation of the existing structures, for the renovation and alteration of an existing Historically Significant two-story building and one-story building, and the addition of operable folding glass storefront systems along the interior façades of the courtyard of the front retail liner building, including demolition of more than 50% of portions of the existing Historically Significant buildings necessitating variance relief from parking and loading space requirements, setback requirements to retain a nonconforming structure, and open space requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by several members.

Jerome Baumoehl, Jerome Baumoehl Architect, presented the architectural modifications proposed for the existing buildings.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site. Mr. Mizell showed the Commissioners material samples for the hardscape.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, stated they had worked with the professional on the design for the last 6 months. She thought the one-story building changes had resulted in many improvements and thought the changes were compatible. She added that the two-story building changes as proposed were not compatible. She provided recommendations for the second story, particularly for the roof massing.

Ms. Fairfax asked about Ms. Sunny's recommendation on the south elevation. Ms. Sunny explained her suggestions to reduce the addition, with a step down from the main roof. Ms. Fairfax asked Ms. Sunny about her opinion on the bay window. Ms. Sunny responded.

Patrick Segraves, 2500 S. Ocean Blvd., stated he was working on trying to narrow Peruvian Avenue and provide wider sidewalks. He thought that would help in allowing more landscaping in the area.

Ms. Stillings agreed with Ms. Sunny's recommendations. She thought the one-story building was consistent with the Secretary of Interior Standards. She expressed her concerns about the second story massing.

Ms. Albarran asked about the muntins on the proposed two-story building. Mr. Baumoehl responded. Ms. Albarran thought the muntins should relate to the one-story building. Mr. Baumoehl agreed.

Mr. Ives thought seeing a proposed project in this location was wonderful. He

cautioned that when making changes to the alley, and thought the professionals should allow the site's history to guide changes. He expressed his concerns about the second-story addition to the interior building.

Mr. Griswold applauded the creation of a via to the back of the house. He appreciated that the building was being renovated and kept the corner a one-story building. He agreed with the comments on the two-story massing. He suggested removing the shutters on the long window on the west elevation.

Ms. Fairfax agreed with the comments from Ms. Sunny. She thought the second-floor addition could appear as a historic sleeping porch. She appreciated the owners for the renovations.

Ms. Moran supported the one-story building. She expressed concern about the changes to the two-story building, particularly since the old and new buildings were not differentiated. She also asked about the location of the air conditioning units.

James Murphy, Assistant Director of Planning, Zoning and Building, asked about the location of the mechanical equipment. He stated that the ownership has been extremely communicative with staff concerning the proposed changes. He pointed out that this was the first commercial building to request the historically significant building designation.

Mr. Baumoehl pointed out the location of the mechanical equipment.

Ms. Moran inquired how the mechanical equipment would be screened. Mr. Mizell explained.

Ms. Herzig supported the project. She thought the light fixtures were too contemporary. She recommended awnings on the rear elevation of the building. She thought the second floor overpowered the first floor.

Ms. Damgard agreed that the proposed lighting was too modern. She thought the massing on the second story needed to be reduced.

Mr. Wong asked to see the landscape plan that included the mechanical equipment.

Mr. Baumoehl showed alternate floor plans for the two-story building.

Mr. Mizell showed the mechanical equipment proposed on the colored site plan.

Maura Ziska, attorney for the applicant, asked for some approvals on the one-story building if appropriate.

Ms. Fairfax thought the second-floor differentiation could be achieved with some restudy. Ms. Fairfax thought that all angles of the interior of the site

should be studied and possibly shown to the Commission. Mr. Baumoehl agreed. Ms. Fairfax was not in favor of the accordion gate; she did not believe a gate was necessary.

Ms. Patterson thought the project was lovely. She wanted to assist the owners with the one-story request but thought the two-story building needed to be restudied.

Ms. Damgard asked why the windows on the second floor with shutters were so narrow.

Motion made by Ms. Moran and seconded by Mr. Griswold to defer the two-story structure in the rear of the property to the April 19, 2023, meeting. Motion carried unanimously, 7-0.

Motion made by Ms. Moran and seconded by Ms. Albarran to approve the one-story building, with the elimination of the east gate and lights, and the condition that the proposed lighting would return to the Commission for approval. Motion carried unanimously, 7-0.

Motion made by Ms. Moran and seconded by Ms. Albarran to approve variances 1-6 and that implementation of the proposed variances will not cause negative architectural impact to the subject historically significant building. Motion carried unanimously, 7-0.

Please note: A short break was taken at 12:23 p.m. The meeting resumed at 12:45 p.m.

2. **HSB-23-002 (ZON-23-039) 261 SANFORD AVE (COMBO)** The applicants, Mr. & Mrs. Delaney, have filed an application requesting Landmarks Preservation Commission review and approval for proposed additions and alterations to a two-story Historically Significant Buildings involving demolition of more than 50% of a portion of the building as part of an alteration requiring variances from the Floodplain requirements from Chapter 50, Floods, for the required floor elevation of the existing structure and addition, and variances from setbacks and lot coverage,. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran, Metzger, and Mr. Ives.

Patrick Segraves, SKA + Architect, presented the architectural modifications proposed for the existing residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the changes were a very compatible proposal. The products being proposed were compatible with wood or wood-clad products. She thanked the professional for the changes made to the garage door and the door above the front door.

Ms. Damgard asked about the windows on the second floor, specifically the east elevation with one shutter. Mr. Segraves responded. Ms. Damgard asked how the pesticides and dirt would be kept out of the pool without coping. Mr. Mizell responded. Ms. Patterson thought the chlorine or salt would ruin the grass next to the pool.

Ms. Albarran asked about the structure of the pool. Mr. Mizell responded. Ms. Albarran was in favor of changes made to the main house.

Mr. Ives complimented the landscape architect on the changes. Mr. Ives expressed concern about the balconies proposed on the second floor, north elevation. Mr. Segraves described the functionality of the windows. Mr. Ives thought the balconies were in keeping with the structure.

Ms. Moran asked about the trim around the window. Mr. Segraves thought the photograph shown was an error. He stated the trim would be wood siding. Ms. Moran asked about the height of the roof in the rear of the home. Mr. Segraves further explained the design.

Mr. Wong liked the pool but thought it could be problematic. Mr. Mizell explained how a gravel surround had been placed around pools in previous projects to mitigate the issues.

Ms. Herzig asked about the master bedroom. Mr. Segraves responded.

Motion made by Ms. Albarran and seconded by Ms. Moran to approve the project as presented. Motion carried unanimously, 7-0.

Motion made by Ms. Damgard and seconded by Ms. Albarran that implementation of the proposed variances will not cause negative architectural impact to the subject historically significant building. Motion carried unanimously, 7-0.

3. **HSB-23-003 311 PENDELTON LANE** The applicants, Mr. & Mrs. Kempin, have filed an application requesting Landmarks Preservation Commission review and approval of renovation to an existing two-story Historically Significant Building and exterior modifications to the existing driveway and pool deck.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran, Metzger, and Mr. Ives.

Patrick Segraves, SKA + Architect, presented the architectural modifications proposed for the existing residence.

Don Skowron, BGS Landscape Architecture & Engineering, presented the landscape and hardscape modifications proposed for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, noted that in order to be in keeping with the Secretary of Interior Standards, it was best to use similar materials. She recommended the use of wood or a wood-clad product rather than aluminum for the windows. She was also pleased to see the transom being retained over the front door.

Ms. Metzger asked about the proposed windows. Mr. Segraves responded.

Mr. Ives thought the landscape proposal was nice. Mr. Ives supported the architectural portion of the project as well.

Motion made by Ms. Albarran and seconded by Mr. Damgard to approve the project as presented, with the recommendation to use CGI Estate Series windows and with the condition that the gate shall be staff approved. Motion carried unanimously, 7-0.

X. DESIGNATIONS

1. ITEM 1: 101 N. County Road Owner: Shavell Wade M Trust

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger and Mr. Ives.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history of this Art Moderne-style commercial structure. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship.

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Ms. Stillings thanked Cathy Shavell for her support of the landmark designation.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Motion made by Ms. Moran and seconded by Ms. Albarran to make the designation report for 101 N County Road part of the record. Motion carried unanimously, 7-0

Ms. Patterson called for any public comment on the designation.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the building was an outstanding representation of Palm Beach and indicative of the Art Moderne movement. She supported the designation.

Ms. Damgard asked about the building on the NW corner. Ms. Stillings stated that the building was a landmark.

Motion made by Ms. Moran and seconded by Mr. Griswold to recommend 101 N. County Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161, and with the acknowledgment of owner's support. Motion carried unanimously, 7-0.

2. **ITEM 2: 316 S County Rd (310-316 S County Rd)**
Owner: Thirty Sixty South Ocean Inc.

Call for disclosure of ex parte communication: Disclosure by Mr. Ives.

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history of this Art Moderne-style commercial structure. Ms. Stillings pointed out the design features of this building. Ms. Stillings testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Motion made by Ms. Damgard and seconded by Ms. Albarran to make the designation report for 310-316 S. County Road part of the record. Motion carried unanimously, 7-0

Ms. Patterson called for public comment on the designation.

Aimee Sunny, Preservation Foundation of Palm Beach, thought the building was a wonderful representation of Palm Beach and supported the designation.

Mr. Ives stated he was reticent to recommend these buildings for landmark designation. He questioned whether the buildings were worthy of the

designation and whether the history was important.

Ms. Fairfax agreed with Mr. Ives and questioned whether the buildings were worth the designation.

A short discussion ensued.

Ms. Herzig had mixed feelings about the recommendation. She liked the end buildings but was not in favor of the 310 and 312 buildings.

Ms. Moran agreed and thought the end building could be landmarked but was not in favor of the other buildings. She warned against landmarking the buildings just to preserve Palm Beach.

Mr. Wong saw that landmarking would help to protect against any further development of the property.

Ms. Damgard agreed with Ms. Sunny that landmarking would preserve the walkability of the Town. She thought history was essential to preserve.

Mr. Griswold wondered if the Town had rights on air rights. Mr. Hodges responded. Mr. Griswold asked about the owner's thoughts on the designation. Ms. Stillings responded. Ms. Pardue stated that the staff did not have a letter of objection on file. Mr. Griswold saw both viewpoints and wondered if only a portion could be landmarked. Ms. Stillings confirmed that was an option.

Ms. Patterson expressed her concerns about losing a portion of the building.

A discussion ensued about the prospect of landmarking the buildings.

Ms. Albarran stated she was in favor of landmarking all the buildings.

Motion made by Ms. Damgard and seconded by Ms. Albarran to recommend 310-316 S. County Road to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161, and with the acknowledgment that staff did not receive any indication from the owner regarding the designation. Motion failed 3-4, with Mses. Fairfax, Moran, Herzig, and Mr. Griswold dissenting.

Motion made by Mr. Griswold and seconded by Ms. Moran to defer the designation to the April 19, 2023, meeting to allow further consideration by the Commissioners. Motion carried 6-1, with Ms. Fairfax dissenting.

Please note: Ms. Fairfax and Mr. Wong left the meeting at 2:07 p.m. It was noted that Ms. Metzger would be voting in the absence of Ms. Fairfax.

3. **ITEM 3: 163 SEMINOLE AVENUE**

(Palm Beach County Lists the Property As 165 Seminole Avenue)

Owner: Dale Coudert, 2012 Steven H. Rose Trust

Call for disclosure of ex parte communication: Disclosure by Mses. Moran, Metzger, and Mr. Ives.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this Mediterranean Revival Style residence. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:

Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic, or social history of the nation, state, county, or town; and,

Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction or use of indigenous materials or craftsmanship.

Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Ms. Patterson asked for confirmation on proof of publication. Ms. Churney provided confirmation.

Motion made by Ms. Moran and seconded by Ms. Metzger to make the designation report for 163 Seminole Avenue part of the record. Motion carried unanimously, 7-0

Ms. Patterson called for any public comment on the designation.

Aimee Sunny, Preservation Foundation of Palm Beach, indicated support for the designation.

Motion made by Ms. Moran and seconded by Ms. Albarran to recommend 163 Seminole Avenue to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3, and 4 in Section 54-161, and with staff's acknowledgment and belief that the owner is supportive of the designation. Motion carried unanimously, 7-0.

XI. **COMMENTS OF THE LANDMARK COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

There were no comments from the Commission or staff at this time.

Ms. Sunny stated that the Preservation Foundation would be happy to support the Commission in an advocacy format. She urged the members of the Commission to reach

out to her with any questions or requests for additional information. She welcomed the two new commissioners.

Ms. Sunny indicated that The Preservation Foundation had an exhibit about Moderne Architecture in Palm Beach. She invited everyone to attend and offered private tours of the exhibit.

XII. NEXT MEETING DATE: Wednesday, April 19, 2023

XIII. ADJOURNMENT

Motion made by Ms. Damgard and seconded by Ms. Albarran to adjourn the meeting at 2:20 p.m. Motion carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, April 19, 2023, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sue Patterson", with a stylized flourish at the end.

Sue Patterson, Chair

LANDMARKS PRESERVATION COMMISSION

kmc