TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, MARCH 16, 2016.

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 Towns website at www.townofpalmbeach.com.

I. CALL TO ORDER

The regular meeting of the Landmarks Preservation Commission was called to order on Wednesday, March 16, 2016 at 9:30 a.m. in the Town Council Chambers.

II. ROLL CALL:

Edward Austin Cooney, Chairman	PRESENT
John T. Gannon, Vice Chairman	ABSENT (unexcused)
Nikita Zukov, Member	PRESENT
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	PRESENT
William J. Strawbridge, Jr., Member	PRESENT
Richard Rene Silvin, Alternate Member	PRESENT
Carol N. Wyett, Alternate Member	PRESENT
Jacqueline Weld Drake, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	PRESENT

Chairman Cooney noted that Ms. Wyett would be voting in place of Mr. Gannon.

Staff Members present were:
John S. Page, Director of Planning, Zoning & Building
John Lindgren, Planning Administrator
Kelly Churney, Secretary to the Landmarks Preservation Commission
Nancy Roedel, Interim Secretary to the Landmarks Preservation Commission

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. ELECTION OF OFFICERS

Motion made by Ms. Albarran and seconded by Mr. Zukov to re-elect Mr. Cooney as Chairman. Mr. Cooney was elected as Chairman unanimously by consent.

Motion made by Ms. Wyett and seconded by Ms. Hufty to re-elect Mr. Gannon as Vice Chairman. Mr. Gannon was elected as Vice Chairman unanimously by consent.

V. APPROVAL OF THE MINUTES OF THE FEBRUARY 17, 2016 MEETING

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the minutes of the February 17, 2016 meeting. Motion carried with all in favor.

VI. APPROVAL OF THE AGENDA

Chairman Cooney stated there were a few changes to the agenda.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the deferral of COA-008-2016, 1300 S. Ocean Blvd to the May meeting. Motion carried with all in favor.

Designation Hearing Item 2: 200 El Brillo Way – Jamie Crowley for Kathleen Tropin requested a 1 month deferral as Ms. Tropin is out of town.
A motion was made by Mr. Zukov and seconded by Ms. Albarran to defer the designation to April. Motion carried with all in favor.

A motion was made by Mrs. Albarran and seconded by Mr. Zukov to approve the agenda as amended. Motion carried with all in favor.

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

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

VIII. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes)

Alexander Ives, Preservation Foundation of Palm Beach brought a Schuler Award book for the Commission members. He also asked that the Commission consider 480 S. Ocean Blvd for possible future landmarking.

Mr. Strawbridge discussed the importance of Mediterranean Revival architecture in the Town and the possibility of the Commission considering more homes of this style to preserve and landmark. Janet Murphy of Murphy Stillings, LLC, stated they will be asking for properties that will be considered for landmarking over the summer and would welcome recommendations. Ms. Hufty encouraged other members of the Commission to participate with Ms. Murphy and Ms. Stillings in their search for homes that meet landmarking criteria.

Chairman Cooney welcomed reappointed members, newest voting members as well as new member, Ms. Fairfax.

IX. PUBLIC HEARINGS

A. Application for Certificate of Appropriateness #049-2015

Address: 360 Seaspray Ave.
Owner/Applicant: Mary Frances Turner
Architect: Gene Pandula/The Pandula Architects, Inc.
Homeowner Representative – Doug Newhouse
Project Description: Structure - Remove and re-frame roof structure and structure at sleeping porch. Modify existing framing or provide new framing at portions of existing structure as required by current field conditions and building code requirements. Exterior - Remove existing composite shingle roof material and replace with new composite shingle roof material. Remove existing aluminum siding and replace with new Hardie Board siding, with white painted finish. Remove existing shutters and replace with new aluminum shutters, with black painted finish. Interior - Remove all finishes fixtures and trim damaged by fire and re-install. Site - Remove existing garden pavilion, remove north motor court and replace with new layout, remove west garage driveway and replace with new layout, remove existing pool and deck and replace with new layout. Provide new generator and new landscape plan. Note - All work is to be accomplished within the original (existing) building footprint and envelope of the building, no modifications are made to setback dimensions or building area, except for removal of garden pavilion. All horizontal and vertical dimensions of the existing structure are to be maintained while accomplishing reconstruction activities. All window and door units are to be replaced within their existing openings, unless otherwise specifically indicated.

At the December meeting, a motion carried to approve the project as presented with the addition of one vertical muntin on the 6 windows on the east elevation and on the 2 second floor windows on south elevation and that the site plan design, landscape and hardscape be deferred to the February meeting. Also, the sketch that was shown to the Commission, should be incorporated into the plan, correcting the two kitchen windows. At the February meeting, a motion carried to defer this project to March.

Call for disclosure of ex parte communication: None

Mr. Pandula presented the window modifications as well as the site plan design modifications. He also addressed some of the concerns that were voiced by a few neighbors.

Commissioners Comments: The Commission was curious about the current windows on the home and what type of product would be used as replacements. Mr. Newhouse stated this is an insurance repair and wants to use products that would comply with the Landmarks Preservation Commission.

Motion made by Mr. Zukov and seconded by Mr. Strawbridge to approve the project as presented. Motion carried with all in favor.

B. Application for Certificate of Appropriateness #003-2016
Address: 235 Banyan Rd.
Owner/Applicant: Mr. Richard Kurtz
Architect: Michael J. Johnson
Architect: Daniel Menard/Laberge and Menard
Project Description: New wood impact rated windows throughout existing structure. New addition (941 sq. ft.) at Northwest side of existing residence (one story). Existing living room windows at North elevation to become French doors. Interior modification to master bathroom and sitting room area. Project was discussed at the February meeting but no action taken due to lack of notice.

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

Mr. Menard made a presentation of the history of the home as well as the plans for the new proposed addition.

Commissioners Comments: Some of the elevations do not depict decorative metal work and tile details as well as cast stone medallions and they want to make sure those details remain on the home. The Commission was also concerned about the type of windows that would be put on the addition. Mr. Cooney suggested that Mr. Menard return to the Commission informally once he has a sample of the window product.

Mr. Menard presented a video of the proposed addition and the enlarged courtyard. He indicated how he shifted the addition 6'3" inches north. He also lowered the hip roof on the addition to blend in the roof lines more successfully.

Commissioners Comments: The Commission felt the width of the addition was too large. Several of the Commission members want to see the property before making their decision. Ms. Fairfax suggested moving the outside wall of the proposed addition back to align with the downspout that sits outside the sitting room.

Motion made by Mr. Strawbridge and seconded by Mr. Zukov to defer the project for one month so that all of the Commission can see the property. Motion carried with all in favor.

C. Application for Certificate of Appropriateness #004-2016
Address: 115 Via La Selva
Owner/Applicant: Jim and Selaine Niedel
Architect: John Moore/Smith and Moore Architects, Inc.

Project Description: Addition of 270 sq. ft. first floor closet and addition of 100 sq. ft. second floor closet. Project was discussed at the February meeting but no action taken due to lack of notice.

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

Mr. Moore presented the amended plans for the first and second floor addition. He also stated all the material that will be used in this project will match the existing products.

Commission Comments: Some of the Commission members asked for clarification on the second story addition and wanted to verify that no quoins were on the addition.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the project as presented with the caveat that the overhang on the second story is corrected. Motion carried with all in favor.

D. Application for Certificate of Appropriateness #005-2016

Address: 105 Clarendon Ave.
Owner/Applicant: 105 Clarendon Rd. Revocable Trust
Architect: Harold Smith/Smith and Moore Architects, Inc.
Landscape Architect: Keith Williams/Nievera Williams Design
Project Description: Replacement of vehicular gates, entry gate and window grilles. Replacement of exterior lighting fixtures. Removal of existing Northwest tennis courtyard wall that is in disrepair. Proposed removal of existing well in west courtyard that is in disrepair and replacement with new fountain. Updated pool design and finish. Other associated changes. Project was discussed at the February meeting but no action taken due to lack of notice.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran and Messrs. Zukov and Cooney.

Mr. Smith stated the two concerns from last month's meeting were the window grilles on the south elevation and the width of the applied planks on the garage door. He presented past photos of the residence as well as the revisions.

Mr. Williams presented the proposed landscape/hardscape designs.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the project as presented with the caveat that the drafting error on page A6.1 is corrected. Motion carried with all in favor.

E. Application for Certificate of Appropriateness COA-008-2016

Address: 1300 S. Ocean Blvd.
Owner/Applicant: Paul Tudor Jones II

Architect: Allan Shope
Project Description: General Building Improvements - All roofing will be replaced throughout to match existing, all exterior windows and doors will be replaced throughout to match existing but become hurricane impact-resistant, new elevator added between basement and third floor (work to be divided into 2 phases: phase 1 - 2016 & phase 2 - 2017.) Basement level - interior - various minor renovations in association with new elevator. First floor - interior - existing kitchen renovated, various other minor room renovations, existing living spaces converted to guest bedrooms and baths, existing enclosed connector between garage and house removed, replaced with more planter area, existing exterior doors relocated at guest bedroom, replacing small window at former power room, existing exterior glass doors enlarged at existing living, dining and breakfast rooms, arched area added at top-color, material and glazing pattern to match character of existing bronze & glass doors at sun room, new exterior glass doors added to existing arched openings at loggia-color, material and glazing pattern to match character of existing doors in adjacent area, new terrace added at screening room - color, material and detailing to match character of existing ocean terrace, new dining terrace added - color, material and detailing to match character of existing ocean terrace. Second floor - interior - bedroom and bath renovations, master bedroom balcony porch made deeper, existing window openings reconfigured and expanded - color, material and glazing pattern to retain character of existing windows, new hall added, bringing together disconnected areas of second floor - color, material and detailing of addition to match character of existing exterior walls, roofing and windows. Third floor - interior - bedroom and bath renovations.

Applicant has requested a deferral until May 18, 2016.

This item was granted a May deferral with the approval of the agenda at the beginning of the meeting.

X. OTHER BUSINESS

A. Informal Review: Application for Certificate of Appropriateness COA-009-2016
LPC TO MAKE RECOMMENDATIONS TO VARIANCE(S)
Address: 225 Seaspray Ave.
Owner/Applicant: Joseph and Susan Meyer
Architect: Patrick W. Segraves/SKA Architect + Planner
Project Description: Interior renovation with first and second floor additions at rear of structure, demolition of existing cabana and one-car garage, new landscape and hardscape including new pool.

Call for disclosure of ex parte communication: Disclosure by Ms. Albarran and Mr. Zukov.

Mr. Segraves stated the variances needed for the two setbacks for the new cabana addition. He presented the plans for demolition, additions and landscape/hardscape changes.

Commission Comments: Some of the Commission asked about the possibility of different roof on the proposed cabana while some liked the simpler proposed look. A few members did not like the proposed roof tiles. Mr. Segraves said he would be open to looking at different options for the roof tiles. There was also a question about the removal of the wall on the front porch.

Mr. Williams presented the landscape/hardscape plans for the home.

Commission Comments: The Commission felt the landscape/hardscape should be simplified.

Motion made by Ms. Albarran and seconded by Mr. Zukov that the implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property.

A discussion continued about the cabana having a flat roof versus a pitched roof.

Paul Castro, Zoning Administrator stated that if the Commission made a recommendation regarding the variances to the Town Council on a flat roof and if the roof subsequently changes to a pitched roof, the new roof would need to be presented to the Town Council so the neighbors will get noticed.

Motion passed 5-2 with Mr. Silvin and Ms. Hufty in opposition.

B. Informal Review - 340 Royal Poinciana Way, Suite 304
Owner/Applicant: Sant Ambroeus/Dimitri Pauli
Architect: Keith Spina and Danny Brown/GliddenSpina
Project Description: Addition of a door for Sant Ambroeus within the Royal Poinciana Plaza.

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

Mr. Cooney stated this is a new restaurant in the plaza taking over an old space. They have minor changes. Mr. Cooney also suggested the property owner present a menu of options that contains choices for future tenants for window layouts, awning designs, locations, colors and sign design basics to save smaller businesses from spending time and money bringing their projects to the Commission.

Mr. Brown presented the plans for the proposed door and signage as well as the plans for the restaurant space.

Mr. Lindgren stated that he would like better details and dimensions for the proposed signage for Sant Ambroeus. He would like signage approval as well as dimensions when their COA is submitted.

Alexandra Patterson, Up Markets/Royal Poinciana Plaza reminded the Commission that upon their Site Plan Review, was approved for the black exterior awnings and the signage was approved as well. The awnings that Sant Ambroeus presented are different and will need approval. Ms. Patterson also stated she is preparing a menu of options for interior storefronts that she will be bringing back to the Commission for their approval.

The Commission felt if the door stays the same width as the original, the door could be approved by staff. Mr. Lindgren stated he will coordinate with Ms. Albarran for a staff approval of the door. The Commission was fine with Mr. Lindgren administratively approving the signage as well.

A short break was taken at 12:22 p.m. The meeting resumed at 12:33 p.m.

C. Discussion of the name change for "Town Hall Square Historic District" by changing name to "Town Square Historic District." At the February meeting, the commission saw no need to discuss the name change at this time and agreed they would take action at the March meeting.

Bill Metzger – 277 Esplanade Way speaking to the Commission in his role as the Vice President for the Town Square Commission. Mr. Metzger thanked the Commission and Town for their support. Mr. Metzger also spoke in support of simplifying the Town Square's name.

Alexander Ives – Preservation Foundation of Palm Beach provided the Commission with the history of the square and said the Foundation has no strong feeling on the name change.

Mr. Page stated that no boundaries are changed with this proposal.

Motion made by Ms. Albarran and seconded by Mr. Zukov to approve the name change from Town Hall Square Historic District to Town Square Historic District. A motion carried with all in favor.

XI. DESIGNATION HEARINGS

Item 1: 215 Garden Rd
Owner: Larry B. and Susan M. Alexander

Mr. Cooney stated that our Town Attorney, John Randolph, was not available to attend so Mr. Tim Hanlon will be representing the Town today in this matter.

Louis Mrachek stated he will be representing Larry B. and Susan M. Alexander in this matter. Heidi Merrill – Us Legal Support, was the court reporter for the owners.

Emily Stillings – Murphy Stillings, LLC, testified to the architecture and history for this residence. Ms. Murphy stated this 1936 home is a good example of the Monterey style of architecture as interpreted by Maurice Fatio and is located what was known as the "Garden of Eden," which was built in the beginning of Palm Beach's history in the north end. Throughout the building's long history, the alterations made to the residence include a second story addition to the eastern wing and a rear addition including a screened porch and loggia but otherwise the changes have been minimal. Ms. Stillings testified that the building meets 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 of use of indigenous materials or craftsmanship; and
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.

A motion was made by Ms. Albarran and seconded by Mr. Zukov that the designation report be made part of the record. Motion carried with all in favor.

Mr. Mrachek asked Ms. Stillings about more of the details on the three criteria that she feels this property meets for designation. A lengthy discussion ensued.

Commission Comments: Some of the Commission questioned if the homeowners wanted their home landmarked. Mr. Mracheck stated that the owners were opposed to their home to being landmarked.

Mr. Mrachek entered into the record the current and historic pictures of the front and rear of the home, a chart he created that depicts landmark examples of Monterey style as well as a letter from the homeowners.

Call for ex parte communication: Disclosure by Messrs. Zukov and Cooney.

Commission Comments: Many of the Commission felt that even though the rear of the home had been altered, a large part of the home had only minimal changes and maintains its integrity. Some members disagreed. Mr. Cooney reminded the Commission that owner consent is not part of the ordinance to landmark a property.

Motion made by Ms. Hufty and seconded by Mr. Zukov that 215 Garden Rd. not be recommended to the Town Council for designation as a landmark of the Town of Palm Beach because it is contrary to the owners wishes and there are

many typical Monterey homes to be landmarked. Motion failed 3-4 with Mses. Wyett and Albarran and Messrs. Strawbridge and Cooney in opposition.

Motion made by Ms. Albarran and seconded by Mr. Strawbridge that 215 Garden Rd. be recommended to the Town Council for designation as a landmark of the Town of Palm Beach, and that the criteria, as presented, be made a part of the record. Motion passed 4-3 with Ms. Hufty and Messrs. Silvin and Zukov in opposition.

Item 2: 200 El Brillo Way
Owner: Kathleen Tropin, Revocable Trust

This item was granted a one month deferral to April with the approval of the agenda at the beginning of the meeting.

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

Mr. Cooney stated that the Town Council approved the addition of a few more tables to the park, which was discussed at the last meeting.

XIII. ADJOURNMENT

Motion made by Ms. Albarran and seconded by Mr. Zukov to adjourn the meeting at 1:47 p.m.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, April 20, 2016 at 9:30 a.m. in the Town council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,

Edward A. Cooney, Chairman
LANDMARKS PRESERVATION COMMISSION

Kmc