



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, AUGUST 17, 1994

AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

- I. Call to Order: The meeting was called to order at 9:03 a.m. by Chairman Lillian Jane Volk.

II. Roll Call:

PRESENT: Lillian Jane Volk, Chairman
Elise P. Mackintosh, Vice Chairman (arrived 9:09 a.m.)
Jacqueline Albarran de Mendoza, Member
Arthur Silverman, Member
Elizabeth Shields, Alternate Member
Anne Keresey, Alternate Member
John C. Randolph, Town Attorney
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator

ABSENT: Sally Gingras, Secretary
Anne G. Metzger, Member
William S. Gubelmann, Member
Jane R. Grace, Alternate Member

RECORDING SECRETARY: Cynthia M. Delp

Let the record show that the absences of Mrs. Gingras and Mrs. Metzger are unexcused. The absences of Mr. Gubelmann and Mrs. Grace are excused.

III. Approval of the Minutes of the July 20, 1994 Meeting:

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE THE MINUTES AS MAILED.

MOTION SECONDED BY MR. SILVERMAN.

MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

A. Application for Certificate of Appropriateness No. 25-94, Lighting

Owner/Applicant: Power-Love Associates

Address: 256 Worth Avenue

Architect: Robert Bell

Project Description: Removal of existing ceiling globe lighting; blank off with brass or wood plates; installation of 8 coach lights on wall brackets on side walls of via, two lights at courtyard wiring to be recessed in wall and

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stuccoed over, and other associated changes as presented
(This matter was deferred from the July meeting.)

Mr. Frank stated that the architect has requested deferral of this matter.

MOTION BY MR. SILVERMAN TO DEFER THIS ITEM TO THE SEPTEMBER MEETING.

MOTION SECONDED BY MRS. KERESSEY.

MOTION CARRIED UNANIMOUSLY.

- B. Application for Certificate of Appropriateness No. 27-94, Addition & miscellaneous changes
Owner/Applicant: Mr. and Mrs. Frank Wilkens
Address: 1565 N. Ocean Way
Architect: Michael J. Johnson

As the applicant's representatives were not yet present, this matter was moved to the end of the agenda.

- C. Application for Certificate of Appropriateness No. 29-94, Miscellaneous Changes
Owner/Applicant: Mr. Michael S. Fawcett
Address: 196 Banyan Road
Architect: J. Kenneth Brower
Project Description: Request approval of the following:
1. Exterior color change
2. Window replacement
3. Other associated changes as presented

(Please note that the above was approved at the July meeting with the exception of the front door gates, an item which was deferred to the August meeting.)

Mr. Frank stated that there has been a request by the architect to remove the front door gates item from the project at this time so that the Certificate of Appropriateness could be issued.

MOTION BY MS. SHIELDS TO REMOVE THE FRONT DOOR GATES ITEM FROM THIS REQUEST, ALLOWING THE ISSUANCE OF THE REMAINDER OF THE CERTIFICATE OF APPROPRIATENESS.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness No. 31-94,
Miscellaneous changes

Owner/Applicant: City of West Palm Beach

Address: 736 Slope Trail

Project Description: Request approval of the following:

1. Remove existing underground fuel oil tank and install new concrete pad and generator to power pumps. Hedge to be installed around generator.
2. Install (1) new parking space for service personnel
3. Re-roof pump building with tar & gravel flat roofing
4. Repaint building exterior
5. Repair spalled concrete steps with epoxy concrete
6. Other associated changes as presented

Mr. Albert J. Marinello, Civil Engineer with the City of West Palm Beach, stated that pursuant to DER mandates, the underground fuel oil tank with diesel pump will be removed. A new generator, (8' high) to serve emergency situations only, will be placed on a concrete pad (3.5'x 8') with proper hedging surrounding it. The generator will be located on top of the present tank location. This was felt to be the best location for same, aesthetically speaking. A hospital type muffler will be installed on the generator to muffle any sound generated in times of use. The equipment will be tested monthly, and will only operate during power outages. Mr. Marinello stated that the generator is essential, for if there was a situation where there was a power outage and a fire, the pump station would not operate to pump water without the power provided by the generator.

A single parking space (approximately 10' x 20') and a small retaining wall (20' long, 3-4' high, stucco painted the same as the building) located on the embankment are requested. The parking space will serve to remove a service vehicle from the street. The undersized parking space will be paved with open block paving with grass between. Re-roofing of the structure and repair of the concrete steps will occur as stated above. Mr. Marinello requested permission to repaint the building in any color that the LPC preferred. Mrs. Volk stated that the original color was a shade of white. Mr. Marinello asked for approval of a light sand color, but as "light sand" is rather ambiguous, Mr. Marinello will submit color samples to staff for final approval.

MOTION BY MRS. KERSEY TO APPROVE THE PROJECT AS PRESENTED, WITH THE PROVISIO THAT THE COLOR FOR THE BUILDING EXTERIOR BE APPROVED BY STAFF.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness No. 32-94,
Miscellaneous changes

Owner/Applicant: Paramount Partners

Address: 139 North County Road

Architect: David Miller

Project Description: Request approval of the following:

1. Reroof existing flat roofs at retail areas, and addition of cast stone walking surfaces.
2. Possible modifications to previously approved railings.
3. Possible modifications to previously approved cast stone and additional cast stone at the main entry.
4. New site furnishings
5. Roof deck planter replacement
6. Other associated changes as presented

Mrs. Albarran de Mendoza re-stated her continuing conflict with respect to this matter. (Voting Conflict form on file.)

1. Re-roof of flat roofs

Mr. David Miller, Architect, stated the existing two flat roof surfaces at the second level are tar and gravel built up roof. This proposal would cover these roofs with cast stone pavers to provide a walking surface. Mrs. Volk asked Mr. Miller whether the existing structure would support such a roof. Mr. Miller replied that they have examined it, and the structure will support the new roof with cast pavers, and an anticipated number of persons who may be up there. A decorative edge will be applied to the exposed edge of the roof where the railings occur. There will be approximately one-half inch of space between the bottom of the pavers and the top of the roof deck to allow for proper drainage. Mr. Moore again questioned Mr. Miller regarding the weight of the roof. Mr. Miller responded that his investigation indicates that the roof will support the pavers, and they will be able to achieve a 70-90 lb/sq. ft. live load which equates to office space, but not assembly. More discussion ensued regarding this subject, but Mr. Randolph interjected that determining the accuracy of the load factor is a function of the Building Department, and that the LPC should review the roof's appearance.

2. Railings

Originally, gothic style aluminum railings were approved. Mr. Miller presented two possible alternative design options for the Commission's review. The LPC preferred the original approval of the gothic style with a bronze cap and satin finish.

3. Cast Stone

Mr. Miller stated that there is already an approval for cast stone cladding at the entrance to the auditorium. Now, however, they are considering continuing the cladding up that entire facade. The LPC was not adverse to this idea, but asked Mr. Miller to return with a new design. He will do this if the owner agrees to make the change.

4. Site furnishings

Presently, there are eight pre-cast round concrete tables in the courtyard, each with three benches. These tables do not match the architecture. They propose to replace these with pre-cast coquina tables with umbrellas. The other alternative would be to use teak tables and benches. Trash receptacles and ash urns and additional benches will be done in keeping with the courtyard furnishings. This item will be brought to the LPC when exact materials have been chosen.

5. Roof deck planter replacement

The existing concrete planters are cracked and deteriorated and have no drains. They are not repairable. The proposal includes replacing these with cast coquina planters in a simple design. The new planters will be slightly raised up and will have drainage holes.

MOTION BY MR. SILVERMAN TO APPROVE CERTIFICATE OF APPROPRIATENESS NO. 32-94 FOR ITEMS 1, 2 AND 5, WITH THE UNDERSTANDING THAT ITEMS 3 AND 4 WILL BE BROUGHT BACK TO THE COMMISSION WHEN FINAL PLANS HAVE BEEN MADE.

MOTION SECONDED BY MRS. KERESSEY.

MOTION CARRIED UNANIMOUSLY.

F. Application for Certificate of Appropriateness No. 33-94, Identification signage

Owner: Via Mizner Associates Limited by Via Mizner of Worth Avenue

Applicant: The Cotton Club

Address: 64 Via Mizner

Project Description: Request approval of identification signage and other associated changes as presented

Ms. Carol Ruth from the Cotton Club explained that this business is a fabric studio. Signage requested is as follows:

1. 14"x18" sign, white lettering on a black background, hanging inside the window, to read: THE COTTON CLUB, FINE FABRICS FOR INTERIORS.

2. 12.5" X 32" WOODEN SIGN PLACED ON EXTERIOR WALL, SAME

MESSAGE AS #1, ABOVE.

3. 1.5"/1" WINDOW LETTERING IN WHITE.

Mr. Frank noted that this signage request was brought before the Commission as this particular request differs from the standard signage approved for Via Mizner- green lettering on white background or vice versa. Mr. Frank stated that this signage meets the provisions of the Town's sign code.

MOTION BY MS. SHIELDS TO APPROVE THE SIGNAGE AS PRESENTED.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

G. Application for Certificate of Appropriateness No. 34-94, Paving

Owner/Applicant: Mr. Donald Trump
Address: 1100 South Ocean Boulevard
Project Description: Request approval to replace existing pea gravel at porte cochere with interlocking pavers, and other associated changes as presented

Mr. Wes Blackman, Project Manager, distributed a small map of the porte cochere area delineating the area to be paved with interlocking pavers. The pavers, in three shades of light grey, will extend 13' to the west of the porte cochere and 18' to the east of same. The color of the pavers will blend with the Dorian stone at the entry. The pea gravel will be removed from the porte cochere area as it presents a safety concern when considering the future club use of Mar-a-Lago. The paved area will accommodate four vehicles and persons traveling to and from same vehicles. The remainder of the driveway will remain in pea gravel.

MOTION BY MR. SILVERMAN TO APPROVE THE PAVERS AS REQUESTED.
MOTION SECONDED BY MRS. KERESSEY.
MOTION CARRIED UNANIMOUSLY.

At this point, Mr. Blackman gave an progress report on matters previously heard by the LPC, as follows:

Statues The artist has taken the statues down to the bare metal and is repairing the corrosion and the structural integrity of the statues. Primer will be applied next and then the initial color coats. At that time, Mr. Frank and Mrs. Volk will be invited to approve the statue colors.

New entrance gates along South Ocean Boulevard This work is ongoing and should be completed within approximately three weeks.

Lights in the upper cloister area in the corners There are 95 of these lights found in the four corners of the veranda area along the second level. Mr. Blackman stated that each of these fixtures is being repaired on an individual basis.

Mr. Blackman stated that applications are being completed to go before the Building Board of Adjustments and Appeals relative to seeking exemption from the code regarding the railings at the main entrance and the parrot pool, some interior winding stairs and the existing tapestries in the living room.

- H. Application for Certificate of Appropriateness No. 35-94, Modifications to previous approval
Owner/Applicant: 38 East Corporation a Delaware Corporation
Address: 1300 South Ocean Boulevard
Architect: Ferguson, Murray & Shamamian
Project Description: Request approval of modifications to previously approved plans for general restoration and site improvements, and other associated changes as presented.

Mr. Mark Ferguson of Ferguson, Murray & Shamamian addressed the LPC. He stated that at last month's meeting, several elements of the proposed new construction were eliminated - namely the garages & guest wing. Today, they propose elimination of the south pergola. In its proposed location, a grassy planted area will be restored. At the north end of the house, a cloister and swim enclosure were planned. The owners, now however, desire that when persons exit the north end of the house, they be given more exposure to the sky. To accomplish this, the loggia will be rotated 90 degrees to the east to connect to the library wing. Mr. Ferguson stated that the new construction deletions, to date, have reduced the contemplated new construction by approximately 4,500 square feet. They have begun to develop color samples for the exterior: pale ocher for the stucco, dark green for the window trim, dusty grey green for the shutters, and medium red (variegated 3-4 colors) for the roof tiles. Final color selections will be brought back to the LPC for review. The target date for completion of the project is Fall of 1994.

Mrs. Mackintosh again expressed her opinion that the owners might consider the installation of an elevator in conjunction with these renovations.

MOTION BY MR. SILVERMAN TO APPROVE THE DELETION OF THE SOUTH PERGOLA, THE RESTORATION OF THE PLANTED GRASSY AREA, AND THE ROTATION OF THE LOGGIA TO THE EAST.

MOTION SECONDED BY MS. SHIELDS.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness No. 27-94,
Addition & miscellaneous changes

Owner/Applicant: Mr. and Mrs. Frank Wilkens

Address: 1565 N. Ocean Way

Architect: Ivan Bereznicki & Michael J. Johnson

Project Description: Request approval of the following:

1. Addition of small second story observation/viewing room;
2. Add new window at north elevation of cloister
3. Remove existing shed canvas awning and replace with hip-shaped awning at southwest corner of residence (N.W. corner of pool deck)
4. Remove glass garden room structure at south elevation and replace with (2) windows and (1) door with continuation of tile roof above (includes enclosing small porch at west end)
5. Replace existing bay windows with new at east elevation
6. Add wood trellis at west side of guest house.
7. Other associated changes as presented.
(Items 3,4,5 & 6 were approved at the July meeting, but
Items 1 & 2 were deferred to the August meeting.)

Mr. Ivan Bereznicki, Primary Architect, and Mr. Michael Johnson, Associate Architect, returned to the LPC in response to the July deferral. Mr. Bereznicki presented a new design for the fenestration of the second floor tower. Upon review of that, Mrs. Albarran de Mendoza commented that the design is moving in the right direction, but some of the proportions are off, particularly the small height of the Chippendale railing and the size of the posts. Mrs. Albarran de Mendoza suggested 8"x 8" posts or columns with a lowering of the chamfering of the columns. She also suggested that the architect lower the ceiling height of the structure. Mrs. Keresey stated that the tower, itself, is inappropriate on this house. Mrs. Volk agreed that the tower is inappropriate to this house, but stated that the LPC is making an attempt to honor the request of the owner in this case, since the building is only "under consideration" for landmarking and has not yet been fully studied.

Mr. Frank attempted to clarify the record. This property was scheduled for landmarking last season. The owner, however, sent a strong letter of objection relative to the landmarking which listed several reasons why this property should not be landmarked. Staff had read this letter into the record at a previous meeting. The LPC, at that time, chose to postpone consideration of this property to next designation season to allow for further study. Mr. Frank stated that it is his understanding that the owner is now in favor of landmarking. The architects confirmed that fact. Mr. Moore cautioned the LPC to pay close attention to any approval they might give for additions to this house, particularly the tower addition, while it is "under consideration" for landmarking. Mrs. Volk called for a review of the owner's letter of objection and a historical review of this property by Mrs. Day, in light of the many changes done to the property.

Mrs. Day reiterated her statement from last month that

perhaps the only section of this house that may prove worthy of designation is the west facade where the main entry occurs. She continued that even if the tower is not added, there have been many other changes to this property which must be studied when considering worthiness of landmark designation. On the other hand, she felt that the architect's drawings showed the tower as a much more prominent feature than the way it would actually be seen. She also felt that no matter how far the tower is set back, the tower, itself, takes away from the architectural integrity of the entire design.

It was mentioned that a house of this style does not usually have a second story. However, the owner wants this tower as he does not have a good view of the ocean due to the height of the dune. To eliminate any further confusion relative to approval of the tower, the action taken at last month's meeting was restated...the tower had been conceptually approved, with a deferral of the tower fenestration only.

Mr. Moore added that the owner's representatives "should understand that any perceived or actual benefits that you may derive or feel you are going to derive from the landmarking process is not afforded necessarily or in reality to a facade designation." Mr. Moore was referring to certain exemptions which are afforded to landmarked structures, that would not necessarily be afforded to that structure if only a facade was designated. In keeping with this, it was stated that the construction of the tower does not enhance the building's chances of being landmarked.

Ms. Shields asked Mr. Frank to describe the benefits that might be afforded to this structure if the entire building was landmarked. Mr. Frank responded that the owners might be entitled to an exemption with respect to the flood plain ordinance; and if more than 50% of the structure was destroyed by some natural act, the owners may be permitted to rebuild the structure in its original configuration; and certain tax exemptions might apply. These benefits would not necessarily apply in situations of facade designation only. The architects asked for a resolve of the tower fenestration matter today, with the understanding that they will confer with their clients to determine whether they want to proceed with the tower or not.

To sum up the LPC recommendations for the tower:

1. Lower the plate height of the tower by 6"
2. Increase the spacings of the double end columns.
3. Eliminate the center mullion on the window of the side elevation and replace with single windows on the north and south.

Moving on to another matter, on the north elevation of the cloister, the new window there will now match an existing

○ window with respect to sill height. This change was made in response to LPC comments at last month's meeting.

MOTION BY MRS. MACKINTOSH TO APPROVE ITEMS 1 & 2, WITH THE PROVISIO THAT THE SUGGESTIONS OF THE LPC BE IMPLEMENTED, AND THAT STAFF REVIEW THE RESULTING DESIGN.

MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.

MOTION CARRIED UNANIMOUSLY.

V. Other Business:

- C. Informal Review: 450 Worth Avenue
Request review of proposed continuation of site wall

Architect Ken Brower presented this request to extend the existing wall, maintaining the existing wall height, along Worth Avenue to the corner, turn the corner and run the wall back to the bulkhead. This would enclose the remainder of the property.

The LPC gave no negative feedback relative to this item. It will be heard formally next month, after legal advertisement.

- A. Informal Review: 800 South County Road
Request review of addition of parapet wall and partially enclosed second story structure on existing one story storage building to house emergency generator

Mr. Michael Johnson, Architect, stated that this house, owned by the Tigges, has experienced flooding problems in the past, with water stain evidence showing 6' of flooding in the past. To maintain power in cases of emergency, the owners would like to install a generator. Various locations were contemplated for the generator, with a final location chosen on the top of an existing storage room. In this location the generator will be high enough from the ground level to avoid flood waters. This location also coincides with the location of the electric utilities at the site. The generator, 4'wide x 7'tall x 8.5' long, will have proper sound encasing.

There are three air conditioning compressor units on top of the storage room now. One of these will be relocated elsewhere on site, so that there is sufficient space for the generator. The remaining two units would remain so that they, too, would be protected from flood waters, and could still be used in emergency situations.

○ Mr. Johnson reviewed the storage room plans. A double wall fuel storage tank would be placed inside the storage room. This would require the roof being lifted off, the tank being installed, and then the replacement of the roof. Above that, a barrel tile parapet would screen off the air conditioning units. A tower would be built over the generator to enclose

it, and hurricane shutters would be available to secure the tower in storm conditions. Mr. Johnson reviewed the various elevations of the storage room with tower enclosure.

Mr. Johnson acknowledged the fact that this project would require a variance relative to setback, but the owners wanted to hear feedback from the LPC before they proceeded with the application for variance. The LPC felt this was a good solution to the problem and offered no negative feedback. This matter will be brought back to the Commission in the next few months for final approval, after variance approval is secured.

- B. Informal Review: 720 South Ocean Boulevard
Request review of patio awning

Mr. Joe Mattei of American Awning stated that an awning approval was given by the LPC in 1990, but the owners never proceeded with same. Now, they would like approval of a stationary awning, beige with eggshell trim, at the upper terrace facing the pool. Presently, there is no covered exterior space.

MOTION BY MR. SILVERMAN TO APPROVE THIS ITEM SUBJECT TO PROPER LEGAL ADVERTISEMENT.

MOTION SECONDED BY MRS. MACKINTOSH.

MOTION CARRIED UNANIMOUSLY.

- D. Informal Review: Royal Park Bridge Scenic Vista
Request review of modifications to Bridge Tender's structure

The following persons appeared representing the Department of Transportation:

Mr. Jim Wolfe: Director of Production in Fort Lauderdale
Mr. Ken Campbell: Environmental Office (architectural and historical reviews)
Mr. Tom Andres: Structural engineer

This matter had been brought to the Town Council at its last meeting, had been given approval by the Council, and was subsequently referred to the LPC for its input. DOT is engaged in the rehabilitation of the Royal Park Bridge. One of the old spans of the bridge was constructed in the 1930's, and the bridge was doubled in width in 1958. The original construction of the bridge was cast concrete, an arched bridge. With the 1958 construction, it became a column and beam style bridge, with a false facade of arches to resemble the appearance of the original bridge. The bridge is about to undergo a substantial structural renovation along with renovation of the electrical and mechanical systems of the

bridge. This work should be the remedy for the frequent past bridge breakdowns. The bridge tender's structure will be upgraded with the installation of bulletproof glass and air conditioning. Right now, the structure is basically a white rectangular concrete box.

A few years ago, the Town hired Digby, Bridges to produce a new design for the bridge tender's structure on the Flagler Bridge. DOT's current plan is to use this design on the Royal Park Bridge and the Southern Boulevard Bridge as well. Referring to the Digby Bridges rendering, three colors would be used on the Royal Park bridge tender's structure along with a barrel tile roof. New aluminum light fixtures, to mimic 1927 type fixtures, are also contemplated. These will replace the aluminum 1950's style existing lights on the bridge. The poles will match the Royal Palm Way light poles in appearance, with the only difference being in height. To improve the appearance of the bridge arches themselves, they plan to use a textured paint (in the same colors used on the bridge tender's house - perhaps even a two tone color scheme on the arches) to cover imperfections. Mr. Wolfe stated, "None of this is at a cost to the Town. None of this is something that we want to force on the Town either. If we have objections to any element of this, we will voluntarily not proceed with any element of it." Mr. Wolfe stated that he was pleased that DOT is in the position to offer these improvements and absorb the cost of same.

Mrs. Volk asked for comments from Mrs. Jane Day, Staff Preservation Consultant. She stated that she had reviewed the Designation file on the Royal Park Bridge Historic District. The decision to designate the bridge was made in 1988 by the LPC, and was ratified in 1989 by the Town Council. It was built in 1911, then modified in 1920-1924, and again in 1958-1959. When the local designation report was written, the Preservation Foundation, in seeking a national register nomination for the bridge, had Mr. Fred Eckel, of their office, work on securing same. When the report was sent to the state, Mr. Bill Thurston with the Department of Historical Preservation, wrote back stating that there was not sufficient information. From the information provided, he saw the bridge as merely a 50's style bridge with apparently no historical significance. Mrs. Day questioned what body actually has jurisdiction over changes to the bridge, the LPC which has locally designated the property; or is it subject to a 106 Compliance Review process if federal funds are involved. She spoke to Tallahassee yesterday, and was advised to write to Mr. Leroy Irwin, in charge of all historical and archaeological projects within his body of the DOT, to seek his recommendation as to how to handle this. Mrs. Day recommended that this letter be written. Otherwise, if the bridges are under the LPC's jurisdiction, the changes can be handled via Certificates of Appropriateness. She

stated, "Theme is the appropriate word here. I don't want this to be Disneyworld with our historic structures. If a 1920's tender house was not appropriate for a 1950's bridge, you have to decide whether you want to put that there or not."

Mr. Wolfe stated that he basically agreed with Mrs. Day's statements. To clarify further, however, he stated that DOT had prepared a Cultural Resources Assessment Report regarding the Flagler Memorial Bridge, dated January 1994. (A copy was provided to Staff at the end of this presentation.) This report was part of the process required of the DOT as part of its project development. That report had been submitted to the State Historical Preservation Office (SHPO). They, SHPO, determined that there was not justification for a national register designation.

Mrs. Volk stated that the local designation carries the weight for review of the bridges.

Mr. Wolfe asked for comments from Mr. Ken Campbell. Mr. Campbell stated that when federal dollars are to be spent or permits are obtained on a federal level, the 106 process must be gone through. That was done for the Flagler Memorial Bridge. The local designation was a very important factor, and indeed, upon inquiry to SHPO, triggered that the a Cultural Resource Assessment be written to include the entire history of the bridge. The report was then sent to SHPO for their evaluation of significance of the structure. He stated that any time such a report is started from scratch, the local designating body is consulted first. That did not happen in this case, because DOT was informed that the Town's representation had already been made to SHPO, though Mr. Campbell was unable to name the source of that representation or in what form it was submitted to SHPO. Therefore, DOT proceeded with the preparation of the report. Mr. Campbell reiterated that the local designating body is a very important part of this process. He stated, "It is a lot easier to work with you, and that is our intent."

Mrs. Day stated that if it is or has been determined that the bridges are not national register material, the LPC will need to evaluate proposed changes to the structure. Further, the LPC may not wish to handle all three bridges in the same manner, as they are not of the same architecture.

Mr. Wolfe reiterated, "Regardless of the legal jurisdiction and circumstances, my statement stands. We are not going to add any of these enhancements that are not desired. And with a clear statement from the Town to that effect, we will not argue with it. The enhancements are being proposed because we believe they will be desired by local government. If that is not the case, then we don't need to propose them."

Mrs. Polly Earl addressed the Commission relative to the

bridges. The Preservation Foundation had begun work on the national register nomination of the bridges because in 1988, there was a DOT move afoot to possibly replace the existing bridges with high rise type bridges, which would have seriously affected the visual approaches to the island. While research was in progress for a national register designation, and the Town began its process to locally designate the bridges, that DOT plan to replace the bridges was abandoned, not because of any historical research that had been done, but because of DOT's budgetary constraints.

Mr. Wolfe stated this recollection was not entirely accurate. There was never a DOT decision to put in high rise bridges. They were studied, and that process included public hearings, but high rise bridges were just one of the options studied. They were never definitively selected as the option to pursue, however. The study of the high rise bridges was cancelled due to strong public objection.

Mrs. Earl stated there was much concern over the bridges at that time. She was pleased that the LPC elected to designate the bridges, and hopes that the Town pursues seeking a national register designation of all or some of the bridges as a further protection same. In support of DOT's current plans, she stated that the lighting proposal is "delightful", and the suggestions for the bridge tender's house are gratefully received, though specific design may be questionable. She stressed, however, that she is quite concerned over the breakdown in communications. She stated that she was informed that there was an exchange of reports between DOT and SHPO, having to do with the Flagler Bridge, and "research that was unfinished on the local level" and whether or not the bridge merited a national register nomination. She was astounded that the State would engage in this kind of exchange of information regarding a locally designated property without informing the locality. She felt that the Town was abundant in resources that were never tapped in the process of producing this report.

Mrs. Day agreed with Mrs. Earl in this regard, as neither she, nor Mr. Frank had been given the opportunity to supplement the information in the report, nor were they or anyone else in this municipality copied on this information. Mr. Frank agreed that there was a communication breakdown problem, as he saw it.

Mr. Moore stated that the Town was very happy that the DOT representatives made this proposal at the Town Council level, and again today before the LPC. He stated, "I would agree with your assessment of the bridge study that was undertaken. It triggered the Town's action in concert with the Preservation Foundation's concerns, and it produced the historic districts that are now vista districts that are triggering your appearance here in front of the Town of Palm Beach. I think your assessment is quite accurate."

He acknowledged, however, that DOT's mistake, if you will, was not coming to the LPC first to seek a Certificate of Appropriateness. The Town Council, of course, is the final authority. DOT, having been to the Town Council first, and having had their plans approved by Town Council, was asked to appear before the LPC for a courtesy review. He appreciated that DOT followed the Town Council direction to appear here, and urged them to come to the LPC first in the future.

Mrs. Volk stated that she appreciates the efforts of the DOT to do something for the bridges. The LPC's major concern is the attempt to place a 1920's type bridge tender's house on a 1950's bridge, the Royal Park Bridge. She felt it was misleading and academically incorrect, and suggested a simpler design for the house. Mr. Wolfe responded that the structure right now is very plain and utilitarian in nature, and could be left exactly the way it is.

Mr. Frank stated that some of those who look at Palm Beach believe there is a theme of architecture here, particularly the Mizner style. Actually, however, Palm Beach holds a great mix of architectural styles. The Royal Park Bridge, in fact, reflects the style of an era. The elliptical arches of the bridge do not reflect Mediterranean Revival architecture at all. He stated that the bridge tender's house should reflect the style of the bridge, and while this design may be appropriate for the Flagler Memorial Bridge, it is not appropriate for the Royal Park Bridge.

Again, Mr. Wolfe stated that DOT wants to give the Town exactly what and only what the Town wants for the bridges. His concern, however, was DOT's project time constraints. The timing of these bridge projects is always crucial because it involves closing the bridges and affects the public at large. The Flagler Memorial project is already out for bid as the work is to occur this fall, and they have only a few months grace before they must proceed with the plans for the Royal Park Bridge, or windows of opportunity will have passed by.

Mr. Frank attempted to clarify the LPC's position. He felt that the LPC asked for a simpler design proposal for the Royal Park Bridge than the design shown. Mr. Wolfe asked whether the design shown was suitable for the Flagler Memorial Bridge as the Town had approved same in the past. Mrs. Day stated that before final designs are approved, she would like to write to Mr. Irwin requesting to see compliance review documents and ask for his suggestions in this matter. Mr. Moore as staff authorized Mrs. Day to write the above letter so that information can be shared between the DOT, the SHPO, and the local body. Mr. Moore stated, however, in deference to DOT's time constraints, and considering the Town Council's established approval of the DOT's plans, the LPC should give a clear account of what they would like for the Flagler Memorial Bridge. As for the Royal Park Bridge, the

DOT will have their architect work with the Commission to arrive at an appropriate design.

Mrs. Volk and Mrs. Mackintosh felt that the design shown was too ornate even for the Flagler Memorial Bridge. Mr. Moore asked Mr. Wolfe if time constraints would allow them to return to the Commission next month for final approval of the bridge tender's house on the Flagler Bridge. This would allow the DOT architect, who also happens to be Digby Bridges, to meet with staff in the interim, and then staff will contact the members of the LPC. Mr. Wolfe stated that they could wait the additional 30 days.

Ms. Shields stated that she was "delighted to see the State paying this much attention to civic architecture." She commented that the bridges are so important to the Town as they are the gateways to the Town, and thus, the concern which has been generated.

To summarize, Mr. Wolfe stated, on behalf of his department, that there are no plans to erect high rise bridges leading into the Town of Palm Beach. This had been studied in the past and had been denied due to public opinion. So, for the foreseeable future, the bridges will remain in their present configuration.

This matter will be heard at the September meeting, subject to the filing of an application for Certificate of Appropriateness.

- E. Discussion relative to 1994/95 Designation Season:
Properties to be placed "under consideration" for landmark designation.

Mrs. Day addressed the LPC on this matter. At next month's meeting she will have a list of properties to be reviewed by the Commission for placement "under consideration" for landmark designation. The "Sea" streets have been suggested for study. In a cursory review of this area, Mrs. Day found that a number of properties are potentially eligible, but further study of them is required. While there are a total of 185 structures in the Poinciana Park subdivision (the "Sea" streets), the Preservation Foundation has forwarded a list of 42 structures in this area for possible study. Mrs. Day located early plats of this area dating back to 1916, and as such, this is one of the earliest areas of residential development in the Town which is still standing. With construction dates ranging from 1922 through 1937, the structures were designed by many of the major architects who worked in the Town at that time. Mrs. Day has likewise been directed to study the school on the corner of Cocoanut and Seaview, which is also in the area. She pointed out, however, that other areas like Middle Road, and Pendleton Avenue are also important areas which may merit study as a

district. Mrs. Day would like to go up and down these streets and evaluate which properties are contributing or non-contributing to a district. If the structures within one of these areas would support a district concept, the Town Council would have to be consulted for direction as to how to handle this, more specifically, how to staff such a project, for this would present too many properties for staff to handle in one season. She also suggested that perhaps the Town could apply for a state grant with matching funds to fund such a process. She cautioned the Commission, however, that she is hearing the Town Council say that the Commission should not landmark properties if their appropriateness or suitability for landmarking will be in question in the future. This philosophy would support landmarking individual properties rather than doing a district. Mrs. Day felt that there was no advantage to doing a district because each of the properties within the district needs to be researched individually anyway.

Mr. Moore felt that districting requires a great deal of staff work, and it is beyond the scope of this year's budget. Procuring a grant would be advisable, but the Town Council would have to be consulted on how to proceed here because this type of grant requires matching funds. He stated that there are pros and cons of districting, and very briefly said that the homeowners of non-contributing properties do not necessarily like being included in a district. Contributing properties would be worthy for individual designation. Further, he instructed the Commission that just because someone requests that a property be studied does not mean that the LPC must move forward with that study. Such action is at the discretion of the LPC.

Mrs. Albarran de Mendoza stated that she enjoyed being involved in the selection process in the past, when the LPC members were given a list of properties to review, and arrive at a short list of properties with top priority for designation.

Mrs. Polly Earl congratulated the LPC for being willing to move forward and for showing an increasing maturity in the way it looks at designations. She felt that Palm Beach has so many individual architectural masterpieces, which have been landmarked already. Districts, on the other hand, focus on an era so a different approach is required. She asked the LPC to look less at the individual masterpieces and look more at the broad canvas, where the whole canvas is important to the Town. She felt that non-contributing structures within a district would not be asked to do anything greatly different than what they would do before ARCOM.

Mr. Moore responded to this by saying that structures within a district, whether contributing or non-contributing, are treated as historic structures, and would be subject to review. He stated that there is nothing in the LPC Ordinance

which requires the LPC to review contributing and non-contributing buildings differently.

VI. Adjournment:

THE MEETING WAS ADJOURNED AT 12:15 P.M. UPON A MOTION BY MR. SILVERMAN.

The next meeting of the Landmarks Preservation Commission will be heard on WEDNESDAY, SEPTEMBER 21, 1994 at 9:00 a.m., in the TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH.

Respectfully submitted,


Lillian Jane Volk
Chairman

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN de MENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 104 PHIPPS PLAZA		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH, FL.	COUNTY PALM BEACH	☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY ☐ TOWN	
DATE ON WHICH VOTE OCCURRED 8/17/94		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

A copy of the form should be provided immediately to the other members of the agency.

- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JACQUELINE ALBARRAN, hereby disclose that on AUGUST 17, 1994:
de MENDOZA

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

MY HUSBAND, MARIO G. de MENDOZA III, is THE ATTORNEY
FOR THE APPLICANT OF CERT. OF APP. # 32-94.

Regarding hearing of Certificate of Appropriateness #32-94, for
139 North County Road. (PLEASE NOTE THAT MRS. ALBARRAN DE MENDOZA
PREVIOUSLY STATED HER CONFLICT WITH RESPECT TO THIS MATTER AT THE
AUGUST, SEPTEMBER, AND OCTOBER 1993 MEETINGS, AND THE APRIL 1994
MEETING. THIS IS A CONTINUING RENOVATION PROJECT.)

8/17/94

Date Filed

Signature J. Albarran

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.