



TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

9:00 a.m., WEDNESDAY, JUNE 16, 1999

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

I Call to Order: The meeting was called to order at 9:00 a.m. by Chairman Jeffery W. Smith.

II Roll Call:

PRESENT: Jeffery W. Smith, Chairman
Eugene Pandula, Vice Chairman
Elizabeth Shields, Secretary
Sari M. Wilkey, Member
Jacqueline Albarran de Mendoza, Member
Ann Lilja, Member
Ann Blades, Member (arrived at 9:15 a.m.)
Nikita Zukov, Alternate Member
Judy Wells Hoffman, Alternate Member
Jack Pyms, Alternate Member
Paul Castro, Zoning Administrator
Timothy M. Frank, Planner, Projects Coordinator

ABSENT: None

RECORDING SECRETARY: Cynthia M. Delp
Dianne Breznen

III Approval of the Minutes of the May 19, 1999 Meeting:
MOTION BY MR. PANDULA FOR APPROVAL OF THE MINUTES AS MAILED.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

IV Administration of the Oath to all persons who wish to testify:
Mrs. Breznen administered the oath to all those present who wished to testify today.

V Public Hearings:

- ① A. Application for Certificate of Appropriateness #10-99, (deferred from the April and May, 1999 meetings) Gate, Fountain, tile
Owner/Applicant: Mr. Robert Fessler
Address: 920 South Ocean Boulevard
Architect: Smith and Moore Architects Inc.
Project Description: Request approval for the following:
1. New driveway privacy gates
 2. New cast stone fountain at east lawn
 3. New pool tile
 4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared.

There was a motion at the April meeting to defer the privacy gates for re-study, looking at the option to place them further apart. At the May meeting, there was a deferral to the June meeting. Please note that the architect now requests removal of the request for the privacy gates, and a motion is required for this removal. (The remainder of this CoA has already been approved)

MOTION BY MS. SHIELDS TO REMOVE THE PRIVACY GATES FROM THE REQUEST.
MOTION SECONDED BY MR. PANDULA.
MOTION CARRIED UNANIMOUSLY.

- ① B. Application for Certificate of Appropriateness #12-99, deferred from May, 1999 Addition and modifications
Owner/Applicant: Palm Beach Day School
Address: 241 Seaview Avenue
Architect: Fanning Howey Associates Inc.
Project Description: Request approval of the following:
1. Addition of new gymnasium building on south parcel
 2. Fenestration changes to existing auditorium building
 3. Enclosure of current exterior staircase
 4. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

At the May meeting, there was a motion to defer the matter of the fenestration changes to the existing auditorium and the enclosure of the current exterior staircase to the June meeting, with the instruction that the applicant is to return with a study of the fenestration at the stair, the fenestration at the entrance and the skylight.

There was also a motion at the May meeting to defer the gymnasium design to the June meeting, with the instruction that the applicant should return with a study of the possibility of at least two design alternatives, with the LPC's comments being considered.

① **PLEASE NOTE THAT THE ARCHITECT HAS REQUESTED A DEFERRAL OF THIS PROJECT TO THE JULY MEETING.**

MOTION BY MRS. ALBARRAN DE MENDOZA FOR DEFERRAL TO THE JULY MEETING.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

- C. Application for Certificate of Appropriateness #13-99, deferred from May, 1999
Facade modifications
Owner/Applicant: Chanel, Inc.
Address: 301 Worth Avenue
Architect: Smith Architectural Group
Project Description: Request approval of the following:
1. Exterior modifications to facades as indicated on elevations
 2. New openings on first floor
 3. Replacement of existing windows on second floor
 4. Replace outriggers with cast stone cornice.
 5. Signs
 6. Other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

Mrs. Albarran de Mendoza met with the architects at their offices
Mr. Pandula met with the architect, Mr. Kino

At the May meeting, there was a motion by Ms. Lilja to defer this project to the June meeting with the suggestion to lower the capitals of the pilasters, to have cast stone on the bottom of the water table, and especially adding shadow boxes on the Hibiscus Avenue facade, together with the other LPC comments in mind when re-designing.

Mr. Smith re-stated his Conflict of Interest as he is the architect for the project, and passed the gavel to Mr. Pandula. Mr. Don Kino, Vice President of Smith Architectural Group, compared last month's design to today's presentation, a design which resulted from the comments made at last month's meeting. On the Hibiscus facade, the new design lowers the proposed pilasters as was suggested. Also, four stone niches infilled with ficus vine were added to the facade to break up the mass. The formerly proposed "warehouse" plain door has been replaced with a paneled exit door. On the Worth Avenue facade, a stone infill will occur below the entablature. Mr. Kino stated that although the drawings show medallions in the entablature, Chanel prefers no medallions at those locations. On the rear facade, stone has been wrapped around the bottom portion and more "green niches" have been created. Christmas palms matching those on Worth Avenue are planned to be wrapped around the corner onto Hibiscus Avenue, but this will be reviewed at a later date. Mr. Kino noted that Chanel plans a garden area in the rear of the building, but will return to the LPC with those plans under a new Certificate of Appropriateness application.

There was some discussion relative to the necessity and number of the green niches.

MOTION BY MRS. ALBARRAN DE MENDOZA TO APPROVE THE REVISED DESIGN AS PRESENTED WITH THE RECOMMENDATION TO KEEP THE MEDALLIONS (ROSETTES) ABOVE THE COLUMNS, BUT ALLOWING THE APPLICANT THE LATITUDE TO MAKE THAT DETERMINATION.

MOTION SECONDED BY MS. LILJA.
MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness #16-99, deferred from May, 1999

Driveway change

Owner/Applicant: The Mar-a-Lago Club

Address: 1100 South Ocean Boulevard

Architect: REG Architects Inc.

Project Description: Request approval to replace pebble driveway with decorative stone pavers, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

There was a motion at the May meeting for deferral to the June meeting with the study of cast stone at the circle and the main motorcourt, and to leave the approaches in pebbles, or some alternative solution.

Mr. Wes Blackman, Director of Projects at the Mar-a-Lago Club, commented that as the applicant, they too agree that the material presented last month was inappropriate for this site. Today, Mr. Blackman passed some pictures of a new material, an exposed aggregate which uses pebbles suspended in a concrete mix. This material would give the texture and appeal of pebbles, but lacks the maintenance problems of a loose pebble driveway.

Mr. Smith commented that this material is likewise not appropriate for a landmark. It is chatahoochee without the epoxy on top, which does not represent an improvement to this landmark.

(Let the record show that Ann Blades arrived at this point, 9:16 a.m.)

Other members of the LPC agreed with Mr. Smith and asked the applicant to re-study this matter.

MOTION BY MRS. ALBARRAN DE MENDOZA FOR DEFERRAL TO THE JULY MEETING.

MOTION SECONDED BY MR. PANDULA.

MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness #18-99,

Roofing

Owner/Applicant: Bethesda by the Sea Church

Address: 141 South County Road

Architect: Lewis & Associates

Project Description: Request approval to re-roof the tea house and gazebo in the garden area with a different roof material, and other associated changes as presented

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Harris Lewis of Lewis & Associates Architects presented this request. The tea house and gazebo, in the Cluett Gardens, currently have asbestos roofing which is deteriorated and cannot be replaced in kind. On the tea house, the existing roof will be replaced with concrete tile. On the gazebo, the roof material of choice will be pressure treated hand split shake shingles.

Mr. Smith suggested that the applicant look into Ludowici clay tiles as they are very similar to wood shake material. Mr. Lewis stated they will look into that if budget permits.

MOTION BY MR. PANDULA FOR APPROVAL OF THE PROJECT AS PRESENTED.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

VI Designation Hearings:

Item 1: 120 Casa Bendita

Owner: Mr. Leonard and Ms. Sophie Davis

Please note that this matter was deferred from the April and May meetings.

PLEASE NOTE THAT MR. JAMES BRINDELL, ATTORNEY FOR THE PROPERTY OWNER, HAS REQUESTED DEFERRAL OF THIS MATTER TO THE NOVEMBER MEETING.

MOTION BY MR. PANDULA FOR DEFERRAL TO THE NOVEMBER 1999 MEETING.
MOTION SECONDED BY MS. LILJA.
MOTION CARRIED UNANIMOUSLY.

VII Other Business:

A. Discussion relative to a Preservation Celebration

Staff and Mr. Smith encouraged the members to bring any ideas forward relative to holding a Preservation Celebration. Typically, in the past, the event would include a tour of one or more landmarked sites, transporting guests from a staging area to the tour site. One of the difficulties has remained with property owners being reluctant to open their homes for such an event. Likewise, in the past, the event has met with some criticism, either for too many or too few in attendance, a number which typically corresponds to the tour location.

VIII Adjournment:

MOTION BY MS. SHIELDS TO ADJOURN THE MEETING AT 9:25 A.M.
MOTION SECONDED BY MRS. ALBARRAN DE MENDOZA.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on **Wednesday, July 21, 1999**, in the Town Council Chambers, 2nd Floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Elizabeth Shields, Secretary
LANDMARKS PRESERVATION COMMISSISON

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TOWN OF PALM BEACH

ATTENDANCE RECORD (1999)

MEMBERS	1/ 99	2/ 99	3/ 99	4/ 99	5/ 99	6/ 99	7/ 99	8/ 99	9/ 99	10/ 99	11/ 99	12/ 99
Jeffery W. Smith	P	P	P	P	P	P						
Eugene Pandula	P	P	P	P	P	P						
Elizabeth Shields	P	E	P	P	U	P						
Sari M. Wilkey	P	P	P	P	P	P						
Jacqueline Albarran de Mendoza	P	P	P	P	P	P						
Ann Blades	P	P	P	P	P	P						
Ann Lilja	P	P	P	P	P	P						

ALTERNATES	1/ 99	2/ 99	3/ 99	4/ 99	5/ 99	6/ 99	7/ 99	8/ 99	9/ 99	10/ 99	11/ 99	12/ 99
Nikita Zukov	P	P	P	P	P	P						
Judy Hoffman	n/a	n/a	P	E	P	P						
Jack Pym	n/a	n/a	E	P	P	P						

LEGEND: P = Present
 E = Excused Absence
 U = Unexcused Absence
 A = Absence Pending Classification as "Excused" or "Unexcused"

TOWN OF PALM BEACH

RECORD OF VOTING CONFLICTS (1999)

MEMBERS	1/99	2/ 99	3/ 99	4/ 99	5/ 99	6/ 99	7/ 99	8/99	9/ 99	10/99	11/99	12/99
Jeffery W. Smith			VPD1		V1	VPD1						
Eugene Pandula		VPD1	VPD1									
Elizabeth Shields												
Sari M. Wilkey												
Jacqueline Albarran	VPD1	VPD1										
de Mendoza		V1										
Ann Blades												
Ann Lilja												

ALTERNATES	1/99	2/ 99	3/ 99	4/99	5/ 99	6/99	7/99	8/99	9/99	10/99	11/99	12/99
Nikita Zukov												
Judy Hoffman												
Jack Pym												

LEGEND: V = One Voting Conflict during a meeting
V2 = Two Voting Conflicts during a meeting
V3 = Three Voting Conflicts during a meeting
And so on...

VPD = Voting Conflict Previously Declared
(This category to be used when a conflict has been declared at a previous meeting, and the changes being reviewed are part of an ongoing renovation project. ONLY COUNT ORIGINAL DECLARED CONFLICT FOR ONGOING PROJECTS PER JOHN C. RANDOLPH, TOWN ATTORNEY)

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

LAST NAME—FIRST NAME—MIDDLE NAME <u>SMITH, JEFFERY W.</u>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>L.P.C.</u>	
HOME ADDRESS <u>241 Sanford Ave</u>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY <u>Palm Beach</u>	COUNTY	NAME OF POLITICAL SUBDIVISION: <u>TAPB</u>	
DATE ON WHICH VOTE OCCURRED <u>5-19-99 + 6/14/99</u>		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

Minutes Member

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 present 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:

- ☒ 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.

Re: 301 Worth Ave.

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, Jerry W. Smith, hereby disclose that on May 19, 19 99:

(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 CHANEL, INC, by whom I am retained.

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

COA #13-99, 301 Worth Ave.
(heard 5/19/99)
(heard 6/16/99)

5-19-99

Date Filed

Signature [Signature]

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.