LANDMARKS PRESERVATION COMMISSION
AT THE EMERGENCY OPERATIONS CENTER
3RD FLOOR
355 SOUTH COUNTY ROAD, PALM BEACH

WEDNESDAY, MAY 19, 2010, 9:30 a.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (CD) of the meeting by contacting Cynthia Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER: (9:30:00 a.m.)

Chairman Pandula called the meeting to order at 9:31 a.m.

II. ROLL CALL: (9:30:00 a.m.)

The following members of the Landmarks Preservation Commission were present: Eugene Pandula, Chairman, William Lee Hanley Jr., Vice Chairman, William O. Cooley, Secretary, Charles S. Roberts, Member, Dudley L. Moore Jr., Member, Edward Austin Cooney, Member, D. Imogene Willis, Alternate Member, and William P. Feldkamp, Alternate Member. The following members were absent: Joanna Golino, Member (unexcused) and Wallace Rogers (unexcused). Let the record show that Ms. Willis was voting today in Mrs. Golino's stead. Mr. Feldkamp also voted today for the Royal Poinciana Chapel project since Mr. Moore declared a Conflict of Interest related to that project.

Staff members present were John C. Randolph, Town Attorney, John Page, Director of Planning, Zoning & Building, John Lindgren, Planning Administrator, Jane S. Day, Ph.D., Staff Preservation Consultant, and Cynthia Delp, Secretary to the Landmarks Preservation Commission.

III. APPROVAL OF THE MINUTES OF THE APRIL 21, 2010 MEETING:(9:30:18 a.m.)

MOTION BY MR. COOLEY FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.

IV. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:(9:30:45 a.m.)

By Mrs. Delp

V. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes)(9:30:47 a.m.)

Mrs. Anita Seltzer, 44 Cocoanut Row, commented that the Florida Trust had listed the Royal Poinciana Plaza as an endangered property last week which validates the LPC's efforts to preserve it.

VI. APPROVAL OF THE AGENDA:(9:31:55 a.m.)

MOTION BY MR. HANLEY FOR APPROVAL OF THE AGENDA.
MOTION SECONDED BY MR. COONEY.
MOTION CARRIED UNANIMOUSLY.

VII. PUBLIC HEARINGS:(9:32:08 a.m.)

A. Reconsideration of Application for Certificate of Appropriateness #7-10 (per Town Council action 5/12/10)
Owner/Applicant: Terry Taylor
Address: 780 South Ocean Boulevard
Architect: Brasseur & Drobot Architects, P.A.
Project Description: Request approval for addition to historic structure which is further described as: The project consists of a proposed 1,038 sq. ft., one story addition to the northeast corner of the existing historic, two-story residence. The addition shall consist of a summer kitchen, patio, fireplace, and wine room accessed from the existing kitchen vestibule via covered loggia. Existing fabric awnings located at the northeast corner of the existing residence will be replaced with the new covered loggia with detailing similar to the existing loggia on the north side of the existing residence. The plate height of a small structure housing an exterior stair shall be raised to match the new loggia. Existing landscaping and hardscaping shall be removed to accommodate. The project will require a dimensional waiver for the side yard setback of the landmarked property located at 780 South Ocean Boulevard. Code Section 134-237(2)a allows for a reduced setback for expansion of a landmark building. The side yard setback reduction can be up to 65% of the underlying zoning district requirement; provided, however, that the side yard setback shall not be less than 5 feet; and, in our case, we are encroaching 4 ft. 9 in. into the 30 ft.-0 in. side yard setback as specified in Code Section 134-843 (a) (8) for the R-A Estate Residential District. This equates to reducing the 30 ft.-0 in. side yard setback to 25 ft-3 in., a 15% decrease.

Please note that this project had been deferred from the March LPC meeting to the April LPC meeting so it could be readvertised including the request for dimensional waiver. At the April meeting, the LPC approved the dimensional waiver noting that the implementation of the proposed variance will not cause negative architectural or historical impacts to the subject property; and, approved the architecture as submitted. The LPC decision was appealed: sent to the Town Council's May 12, 2010 meeting; and, at the May 12, 2010 meeting, the Town Council remanded the matter back to the LPC for reconsideration.

Call for disclosure of ex parte communication: All members present made ex parte declarations. Mr. Randolph complimented the members on the level of detail in their ex parte declarations.

Attorney Peter Broberg, on behalf of the Taylors, introduced the project and summarized what has happened relative to this project thus far. He explained that as a result of the appeal filed by the neighbor, the applicant has addressed the Town Council's comments and the neighbor's concerns, and has removed the wine room, eliminated the request for dimensional waiver, and has reduced the size of the addition by 30% (from the original design). The square footage has been reduced from 1251 sq. ft. to 899 sq. ft. Architect Jason Drobot presented the revised plans for the reduced 20'x38' covered patio with bar, grill area, and fireplace off the existing kitchen vestibule with an outdoor, uncovered patio space and walkway around the covered patio. The existing tower structure, which had been proposed to be raised, will remain as it exists. The N/S loggia has been removed from the design, leaving just the E/W loggia of the kitchen vestibule, and that has been slightly reduced by 20", moving it slightly to the west. Materials removal will be limited to an existing pathway and the existing awning. The addition will now be 32'3" from the north property line. The walk around patio is only 18" above grade. The addition's ceiling height has been reduced from 12'6" to 12'. With the reduction in size, the addition is now 99'10" away from the ballroom of the Curtis home at 720 South Ocean Boulevard. On the North elevation, the entire wall has been blocked up and some cast stone decorative features have been added. Along the North property line, Short Leaf Clusia will be installed to block the view of the addition from the Curtis property. Mr. Drobot was able to show models of both properties simultaneously demonstrating the distance between the structures and the blocking affect of the clusia hedge.

Christine Curtis, neighbor residing at 720 South Ocean Boulevard, offered her comments relative to the revised design of the project: The clusia hedge should not be planted as far East as it is shown; our Mizner second floor ballroom (the only second floor ballroom in Palm Beach) was purposely sited by Mizner to view the Taylor's property to the South; no longer asking for the building height to be reduced; request that the patio on the North side be eliminated from the design as it will promote a staging area, general storage and trash storage; request that the architect flip the bar and the BBQ areas and vent to the West or South; request that the E/W length be reduced by 5 feet (124 sq. ft.); and, ethat these are reasonable and prudent requests which protect the quality of life at both landmarked properties.

Mr. Broberg re-stated the measures taken by the Taylors and their architects to accommodate the concerns of Mr. and Mrs. Curtis, and stressed the point that the Taylors also have rights as property owners.

Dr. Day complimented both parties on their efforts to arrive at a good solution for the project; stated that this solution is even better with less impact to the landmark; that the plan, as redesigned, is fine meeting the needs of the property owner and taking away some of the concerns of the neighbor; and, that the LPC could request further changes if they feel further changes are necessary.

During commission comments, there was some discussion relative to Mrs. Curtis' suggestions to eliminate the North patio deck, and to further reduce the size of the structure, but the commission appeared to agree that additional reductions would negatively impact the symmetry of the design. There was also some commentary relative to possibly honoring Mrs. Curtis' request relative to the clusia hedge, which led to the deferral portion of the following motion.

MOTION BY MR. HANLEY TO ACCEPT THE PROJECT AS SUBMITTED, TOGETHER WITH A DEFERRAL OF THE LANDSCAPE PLAN TO THE JUNE MEETING, ESPECIALLY TO SEE HOW FAR THE EAST HEDGES WILL GO.

MOTION SECONDED BY MS. WILLIS.
MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #9-10
Owner/Applicant: Royal Poinciana Chapel
Address: 60 Cocoanut Row
Architect: Mario Nievera Design Inc.
Project Description: Request approval for landscape/hardscape which is further described as: Proposed new hardscape and planting plans consisting of new terraces, decorative central fountain and gardens. Other associated changes as presented.

Call for disclosure of ex parte communications: Several members made ex parte declarations. Mr. Moore declared a Conflict of Interest as he is on the Church Board. (Conflict of Interest form on file)

Landscape Architect Mario Nievera presented this request to create outdoor usable space on the Chapel's grounds. Aspects of the project include: moving existing Date Palms to provide better views of the Kapok tree and the lake; create pathways along the North and South sides of the proposed terraces, fountain, and lawn areas; the fountain will be 12"-14"deep, will be raised off grade, will have plants around it, and is designed to incorporate the cross and circle symbol of the Chapel; themed gardens at the south perimeter; concrete Chippendale benches throughout the gardens; coral for the steps; includes a 20'-24' terrace stepped down to the fountain level and stepped down again to the lawn; low fences for safety and security; lanterns along a wall; downlights and uplights on palms, path lights, fountain lights, and uplights on the Kapok tree; paving with Tabby, tumbled stone, and pebble inlays; and, a complex and formal landscape plan using as many native materials as possible.

MOTION BY MR. ROBERTS FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MS. WILLIS.

Dr. Day commented that this is a beautiful plan which is before the LPC because the Seagull Cottage is landmarked (Chapel is not landmarked), and since the LPC reviewed the building and landscape changes for Seagull Cottage, there was more consistency to have this plan reviewed by the LPC rather than ARCOM.

MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #10-10
Owner/Applicant: Bath & Tennis Club Inc.
Address: 1170 South Ocean Boulevard
Architect: Glidden Spina & Partners, Keith Spina
Project Description: Request approval for restoration, reconstruction, landscape/hardscape, demolition interior, demolition exterior, and exterior color change which is further described as: The revised drawings represent minor design modifications to the drawings previously submitted and approved in October 2009 (Certificate of Appropriateness #18-09) for the Phase III renovations as the Bath & Tennis Club. The changes are as follows: Lobby Entry (SK-1) Eliminate ceiling arch; Gallery (SK-2) Revise corridor floor finish; South Bar (SK-3) Revise ceiling to eliminate slope and change back bar; North Bar (SK-6) Revise ceiling pattern, back bar, and bar shape; Ballroom (SL-7) Revise balcony and fireplace to closer match existing balcony; Salon/7up Exterior (SK-15) Change exterior finish to match existing adjacent wall finish. Other associated changes as presented.

Call for disclosure of ex parte communication: There were no ex parte declarations.

Architect Keith Spina reiterated that this is part of a much larger tax abatement project. Mr. Spina provided a presentation illustrating the existing approved changes (previously approved by the LPC as part of this project) versus new proposed changes. The items affected are several ceiling treatments, floor and wall finishes, the fireplace in the ballroom, doors/windows at the courtyard and several other locations, and privacy screening at the dining room. During commission comments, most attention was given to the ceiling changes and the proposed change to the fireplace in the ballroom. In the ballroom, the existing fireplace at the South end does not go all the way up to the ceiling, but the recently approved fireplace at the north end does. The architect proposed that both fireplaces match, and that neither extends up to the ceiling.

Dr. Day noted that in a tax abatement situation, it is always best to restore as close to the original as possible. She stated the ballroom originally had one fireplace, and the LPC recently approved a second one. She felt it would be better if they did not match to abide by the Secretary of the Interior's Standards since this is a tax abatement project.

MOTION BY MR. COONEY FOR APPROVAL AS PRESENTED, WITH THE PROVISO THAT THE CEILINGS AND THE FIREPLACE REMAIN AS PREVIOUSLY APPROVED.

MOTION SECONDED BY MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.

D. Application for Certificate of Appropriateness #11-10
Owner/Applicant: Cathedral Estates LTD (Mr. and Mrs. Pearman)
Address: 417 Peruvian Avenue (a/k/a 2 Major Alley)
Architect: Bridges Marsh & Associates Inc.
Project Description: Request approval for addition to historic structure and new accessory structure which is further described as: Free-standing open air/metal conservatory structure within interior courtyard at 2 Major Alley. Other associated changes as presented.

Please note that this project was reviewed informally at the April meeting with regard to the requested variance.

Call for disclosure of ex parte communication: Ms. Willis made an ex parte declaration.

Maura Ziska, attorney for the applicant, stated that the variance requested was unanimously approved by the Town Council. Mark Marsh, Architect, reported that the design has been changed to shorten the former 18'x11' conservatory structure by 2 feet, leaving a 16'x11' structure. It will have a white finish with insulated clear glass. There will be no uplighting within the structure.

MOTION BY MR. COONEY FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. ROBERTS.
MOTION CARRIED UNANIMOUSLY.

E. Application for Certificate of Appropriateness #12-10
Owner/Applicant: The Society of the Four Arts
Address: 1-2 Four Arts Plaza
Architect: Giacomelli Architecture, Inc.
Project Description: Request approval for addition to historic structure, and demolition (exterior) which is further described as: Request approval for addition to historic structure and exterior demolition which is further described as: Addition of new supporting services spaces to The Garden House at The Philip Hulitar Sculpture Garden (1st phase completed in 2007) further described as: The project consists of a proposed 1,561 sq. ft. addition which includes restrooms (including handicap), catering preparation area, storage area and unloading dock. Since this is an addition to the Service area of the complex (behind the Service Gate), the architectural language is a combination from the attached Garden House and the Slat House which is across the existing walk from parking. Also, there is a proposed demolition to an existing storage building (1,262 sq. ft.), built in parts in 1988 and 1996, which has a not conforming finish elevation and it does not carry architectural or historical assets.

Please note that this project was reviewed informally at the April meeting with regard to the requested variance.

Call for disclosure of ex parte communication: Mr. Cooney made an ex parte declaration.

Attorney Maura Ziska reported that the requested variance was approved by the

Town Council, and noted that there were no changes to the project since the informal review last month. Dario Giacomelli, Architect, was also present, but since there were no changes since last month, the following motion was made without any further presentation.

MOTION BY MR. ROBERTS FOR APPROVAL AS SUBMITTED.
MOTION SECONDED BY MS. WILLIS.
MOTION CARRIED UNANIMOUSLY.

VIII. <u>OTHER BUSINESS</u>:

IX. <u>COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR:</u>(11:23:58 a.m.)

Mr. Page reported that the June meeting of the LPC will be the last held in the Emergency Operations Center. The July meeting will be held in the Town Council Chambers. Immediately after the June meeting, LPC members will be taken over to the Council Chambers to become familiarized with the new setting and equipment.

Mr. Roberts commented regarding e-mail received from Attorney Michael Morell which was sent to Mr. Randolph, Mr. Lindgren, and Dr. Day.

Mr. Roberts reported that he has received calls from 20-30 people, since the LPC voted for the temporary placement of the Flagler Statue in the median on Royal Poinciana Way, objecting to the placement as approved. After going to the site, Mr. Roberts found that it would be rather crowded with the Flagler Statue, the Flag, and the Eagle Statue. As such, he feels that the matter needs to be reconsidered.

MOTION BY MR. ROBERTS TO RECONSIDER THE PLACEMENT OF THE FLAGLER STATUE. THERE WAS NO SECOND, AND MR. ROBERTS WITHDREW HIS MOTION OPTING INSTEAD FOR AN INFORMAL DISCUSSION RELATIVE TO THE SUBJECT AT A FUTURE MEETING.

After discussion, it was determined that this matter will be placed on the June agenda for further discussion. Staff will inform the necessary interested parties, and will research the direction that was given by the Town Council relative to the Flagler Statue placement.

X. <u>ADJOURNMENT:</u>(11:43:44 a.m.)

MOTION BY MR. HANLEY TO ADJOURN AT 11:45 A.M.
MOTION SECONDED BY MR. MOORE.
MOTION CARRIED UNANIMOUSLY.

THE NEXT MEETING OF THE LANDMARKS PRESERVATION COMMISSION WILL BE HELD ON WEDNESDAY, JUNE 16, 2010 AT 9:30 A.M. IN THE EMERGENCY OPERATIONS CENTER, 3RD FLOOR, 355 SOUTH COUNTY ROAD.

Respectfully submitted,

William O. Cooley, Secretary
LANDMARKS PRESERVATION COMMISSION

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