

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

WEDNESDAY, FEBRUARY 20, 2008 AT 9:00 A.M.

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

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 (tape or CD) of the meeting by contacting Cindy 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:** Chairman Pandula called the meeting to order at 9:00 a.m.

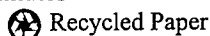
II **ROLL CALL:**

PRESENT: Eugene Pandula, Chairman
William Lee Hanley, Vice Chairman
Patrick Segraves, Secretary
Robert Eigelberger, Member
Eileen Bresnan, Member
Hazel Rubin, Member
Charles S. Roberts, Member
D. Imogene Willis, Alternate Member
Dudley L. Moore, Jr., Alternate Member (arrived at 9:05 a.m.)
Wallace Rogers, Alternate Member
John C. Randolph, Town Attorney
John S. Page, Director of Planning Zoning & Building
Timothy M. Frank, Planning Administrator
Jane S. Day, Staff Preservation Consultant
Cynthia M. Delp, Recording Secretary

ABSENT: None

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Telephone: (561) 838-5430 • Facsimile (561) 835-4621

Landmarks Preservation Commission 2/20/2008 Minutes 1 • Website: www.townofpalmbeach.com



III **APPROVAL OF THE MINUTES OF THE JANUARY 16, 2008 MEETING:**
MOTION BY MR. EIGELBERGER FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. SEGRAVES.
MOTION CARRIED UNANIMOUSLY.

IV **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY:**
By Mrs. Delp

V **APPROVAL OF THE AGENDA:**
MOTION FOR APPROVAL OF THE AGENDA BY MR. EIGELBERGER.
MOTION SECONDED BY MRS. BRESNAN.
MOTION CARRIED UNANIMOUSLY.

VI **COMMENTS FROM THE PUBLIC:** (1:27.5)

Mr. Patrick Flynn, President of the Palm Beach Theater Guild, addressed the LPC regarding the upcoming designation ratification of the Royal Poinciana Plaza. He noted that a list of names of 400 persons who support the landmarking was submitted to the Town Manager. Mr. Flynn stated that the designation ratification for the Plaza will be held at the April Town Council meeting, however, the Treasure Coast Regional Planning Council will also present their "visioning" study on that date. He feared that the Treasure Coast presentation might overshadow the designation ratification. As such, he stated that his group would request a postponement of the Treasure Coast report. The Theater Guild will be making some recommendations for re-design of the Plaza. He announced an event at Bradley Park to be held to save the playhouse.

VII **PUBLIC HEARINGS:**

- A. **Application for Certificate of Appropriateness # 33-2007, (deferred from Dec. & Jan.)**
Parking area (6:44.3)
Owner/Applicant: Palm Beach Day Academy
Address: 241 Seaview Avenue
Architect: Tercilla Courtemanche Architects, Inc.
Project Description: Request approval for west field parking lot which is further described as: Addition of west field parking lot consisting of 24 parking spaces, and other associated changes as presented

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION

Please note that at the December meeting, the project was deferred to the January meeting at the applicant's request. Pursuant to the request of the attorney for the applicant, a second deferral was granted to the February meeting.

Architect Rene Tercilla was present to request another deferral of this matter. At the last Town Council meeting, the matter was deferred with instruction to the applicant to return to the Town Council with multiple alternatives. Mr. Tercilla stated that more than a one month deferral would be necessary. As such, Mr. Randolph recommended that this item be removed from the agenda, and re-advertised at such time as a new application for Certificate of Appropriateness is filed.

MOTION BY MR. ROBERTS TO REMOVE THIS ITEM FROM THE AGENDA UNTIL IT IS DECIDED AT TOWN COUNCIL, AND THEN THE APPLICANT WILL RE-APPLY FOR CERTIFICATE OF APPROPRIATENESS AND THE MATTER WILL BE RE-ADVERTISED.

**MOTION SECONDED BY MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.**

- B. Application for Certificate of Appropriateness # 2-2008. (8:44.4)
 Restoration/Landscape/Hardscape
 Owner/Applicant: Mitchell and Hilarie Morgan
 Address: 343 El Bravo Way
 Architect: Mario Nievera Design, Inc. (Landscape Architect)
 Project Description: Request approval for restoration and landscape/hardscape which is further described as:
1. Main Motor Court:
 - * Remove & replace concrete motor court with Dominican Coral paving and grass joints.
 - * Raise and add Dominican Coral steps up to existing well fountain in motor court
 - * Add a new decorative wall fountain on east property centered on front door in motor court
 - * Add a proposed service drive to east property
 2. Main Entrance:
 - * Add two radius wing walls and piers to front entry
 - * Remove and repave front entry apron with salvaged stone; remove and replace paving under portico with decorative paving
 3. South Property Gardens:
 - * Add a proposed fountain to the south property
 - * Add a new breakfast terrace and walk at south property
 4. West Garden:
 - * Remove and replace existing west terraces with Dominican Coral and add Coral steps down to the existing pool
 - * Add a low retaining wall with decorative railing between pool and lower pool terrace
 - * Add brick (salvaged) lawn steps down to existing fountain on west lawn and to existing pool
 5. Major Tree Re-locations:
 - * Relocate 2 existing Banyan trees from west lawn to north property and main entrance
 - * Relocate existing Royal Palms in motor court to east property line

CALL FOR DISCLOSURE OF EX PARTE COMMUNICATION

Mrs. Bresnan met with Keith Williams of Mario Nievera Landscape at the property.

Mr. Roberts met with the Keith Williams of Mario Nievera Landscape and with the property owner across the street.

Mrs. Rubin met with Keith Williams at the site.

Mr. Mario Nievera, Landscape Architect, was sworn by Mrs. Delp.

Just prior to the presentation, Mr. Roberts stated that he had been concerned about the service drive, but had spoken with neighbors. He testified that "all of the adjacents (neighbors) and across the street are happy with the service drive."

Mr. Nievera gave a full presentation per the project description listed above. He also noted the following:

- An existing site wall will be removed to accommodate the service drive.
- The generator building, shown on the plans, is not part of this application.
- The new wing walls, at the front entrance, are 6 ft. in height with a plain stucco cap, and they curve to piers with stucco caps. Most of the walls will be covered by landscaping.
- The detail of the wing walls will return to the LPC when the architect submits for approval of the generator building. The driveway gates and East wall fountain details will be presented at this time as well.

MOTION BY MR. ROBERTS APPROVING THE PROJECT AS AN EXCEPTIONAL JOB WITH MINIMAL CHANGES, AND A TOTAL ENHANCEMENT TO THIS VOLK HOUSE.

**MOTION SECONDED BY MRS. BRESNAN.
MOTION CARRIED UNANIMOUSLY.**

VIII DESIGNATION HEARING(S):

ITEM 1: Palm Beach Hotel (39:45)
 235 Sunrise Avenue

Mr. Frank testified that the property at 235 Sunrise Avenue meets the following criteria for designation as a landmark of the Town of Palm Beach:

- (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.
- (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship; and,
- (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.

Mr. Frank noted, for the record, that the architect of the Palm Beach Hotel was Mortimer Dickinson Metcalfe, who also designed St. Edward's Church.

Wallace Rogers, Alternate Member, stated that he is a unit owner at the Palm Beach Hotel, and wondered if he should declare a conflict of interest. Mr. Randolph replied that since Mr. Rogers is seated as an Alternate Member, he will not be voting on this issue, and the fact that Mr. Rogers is a unit owner does not necessarily create a conflict of interest in this matter.

Mr. Frank stated that proper legal service and proof of publication had been achieved with regard to this item. He added, however, that of the 171 notices sent to property owners at the Palm Beach Hotel, a small number of the return receipt mailing cards had not yet been returned to the Town.

Mrs. Day presented a power point presentation to compliment the Designation Report which she authored. She called the Palm Beach Hotel an "important building and monumental in scale." The property had been proposed for designation at the request of the Palm Beach Hotel

Association and the Preservation Foundation, and staff supports the designation. Mrs. Day testified to the architecture, the history, and the architect of the Palm Beach Hotel, as reflected in the Designation Report. It was her expert opinion that despite some changes to the building, the building still retains its architectural integrity. Architectural details noted were: the 5 bay design with central entrance to the Hotel, the symmetrical design with twin bell towers, stucco exterior, multi-leveled barrel tile roof, applied ornamentation, and long east/west colonnades (with an alternating pattern of smooth and twisted columns) at the street level. There is an annex on the west side of the hotel, and the architectural details of the main building are mimicked in the annex. The Palm Beach Hotel is an important and integral piece on this block which includes the Biltmore (150 Bradley Place), the Palm Beach Hotel, and St. Edward's Church (142 North County Road). Mrs. Day noted that this building, constructed in 1925, incorporated handicap access into the design. This was unusual for the time, but was done as an accommodation for a friend of the architect. The Palm Beach Hotel was condominiumized in 1981, and it was the first condominium hotel project approved by the Town of Palm Beach. (Mrs. Day testified that the staff building that was behind the Palm Beach Hotel is no longer part of the hotel, and is not part of the property being landmarked.) Mrs. Day testified directly to each of the designation criteria included in the Designation Report.

MOTION BY MR. HANLEY THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.

**MOTION SECONDED BY MR. EIGELBERGER.
MOTION CARRIED UNANIMOUSLY.**

Mrs. Delp administered the oath to persons who wished to testify regarding this matter. Witnesses who offered testimony were as follows:

Randolph Inman, Manager of the Palm Beach Hotel, who noted the overwhelming support by the property owners and Board of Directors for designation of the property.

John Mashek, for the Preservation Foundation, spoke in support of the designation.

Robert Moore, former Director of the Planning, Zoning & Building Department, offered some additional information and/or a correction to the history of the Palm Beach Hotel, as listed in the Designation Report. Mrs. Day stated that she would amend the report to reflect the corrected information.

Wallace Rogers, Alternate Member and unit owner at the Palm Beach Hotel, testified that there is enormous interest among the property owners in having it landmarked.

MOTION BY MR. EIGELBERGER THAT THE PALM BEACH HOTEL, LOCATED AT 235 SUNRISE AVENUE, 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 SECONDED BY MR. HANLEY.
MOTION CARRIED UNANIMOUSLY.**

IX OTHER BUSINESS:

A. Staff report regarding 1102 North Ocean Boulevard (1:02:35.5)

Mrs. Day reported that she had researched the written record of the LPC meeting when this project was reviewed, and had listened to the audio recording of that meeting with regard to the use of pickets at 1102 North Ocean Boulevard. Her research revealed that when the motion had been made, the motion included that the pickets be used "wherever possible" in combination with a wall along North Ocean Boulevard. The wall was to be "landscaped out." The architect for the project, Jeffery W. Smith, has assured Mrs. Day that he will use the pickets all along the front of the property. As such, the project is in compliance with LPC approvals with regard to the pickets.

X COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING AND BUILDING DEPARTMENT DIRECTOR:
(1:05:22:0)

POST OFFICE AT NORTH COUNTY ROAD AND ROYAL POINCIANA WAY

Mr. Hanley remarked that the Post Office at the end of Royal Poinciana Way is on the National Register, but is not a Town of Palm Beach landmark. He regards this Post Office as a key building, and proposed that the LPC study the building for local landmark designation. Mr. Eigelberger noted that local landmarking was discussed in the 1980's, but since it is a Federal building, it is not under the Town's jurisdiction. He commented that the building is in need of attention with rotted windows and hurricane shutters which remain in place. Mrs. Day stated that she would like to investigate this issue again, since she was aware of other Federal buildings which have been locally designated in other communities, and because she regards it as a very important building with beautiful interior murals. Mrs. Day will report back to the LPC next month.

WELLS ROAD SCENIC VISTA - AUSTRALIAN PINES

Mr. Eigelberger re-visited the subject of the Australian Pines, and whether they can be replaced with new Australian Pines. Mrs. Day reported, subsequent to her inquiries to the State of Florida, it is clear that the State will not allow replacement of the Australian Pines with new Australian Pines.

COMMENT FROM JOHN PAGE, DIRECTOR OF PLANNING, ZONING & BUILDING:

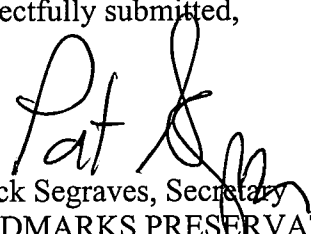
Mr. Page reported that once per year the Chairmen of the various boards and commissions are asked to provide an annual report relative to the work and history related to the particular board/commission. Mr. Pandula gave such a report at the last Town Council meeting, and Mr. Page complimented him and thanked him for his efforts.

XI ADJOURNMENT:

MOTION BY MR. HANLEY TO ADJOURN AT 10:10 A.M.
MOTION SECONDED BY MR. EIGELBERGER.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, March 19, 2008 at 9:00 a.m. in the Town Council Chambers, Town Hall, 2nd floor, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,



Patrick Segraves, Secretary
LANDMARKS PRESERVATION COMMISSION

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**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

ATTENDANCE RECORD 2008

MEMBERS	1/08	2/08	3/08	4/08	5/08	6/08	7/08	8/08	9/08	10/08	11//08	12/08
Eugene Pandula	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
William Lee Hanley Jr.	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Patrick Segraves	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Robert Eigelberger	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Eileen Bresnan	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Hazel Rubin	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Charles S. Roberts	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

ALTERNATE MEMBERS	1/08	2/08	3/08	4/08	5/08	6/08	7/08	8/08	9/08	10/08	11//08	12/08
D. Imogene Willis	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Dudley L. Moore	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
Wallace Rogers	<u> P </u>	<u> P </u>	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

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



**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

RECORD OF VOTING CONFLICTS 2008

MEMBERS	1/08	2/08	3/08	4/08	5/08	6/08	7/08	8/08	9/08	10/08	11/08	12/08
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Eugene Pandula

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William Lee Hanley Jr.

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Patrick Segraves

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Robert Eigelberger

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Eileen Bresnan

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Hazel Rubin

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Charles S. Roberts

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ALTERNATE MEMBERS

<u>1/08</u>	<u>2/08</u>	<u>3/08</u>	<u>4/08</u>	<u>5/08</u>	<u>6/08</u>	<u>7/08</u>	<u>8/08</u>	<u>9/08</u>	<u>10/08</u>	<u>11/08</u>	<u>12/08</u>
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D. Imogene Willis

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Dudley L. Moore

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Wallace Rogers

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LEGEND: V = One Voting Conflict during a meeting
 V2 = Two Voting Conflicts during a meeting
 V3 = Three Voting Conflicts during a meeting

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
project. ONLY COUNT ORIGINALDECLARED
CONFLICT PER JCR, TOWN ATTORNEY)