



## **TOWN OF PALM BEACH PLANNING, ZONING AND BUILDING DEPARTMENT**

### **MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, APRIL 17, 2024.**

Please be advised that in keeping with a directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting after the fact may access the audio of that item via the Town's website at [www.townofpalmbeach.com](http://www.townofpalmbeach.com).

#### **I. CALL TO ORDER**

Chair Patterson called the meeting to order at 9:30 a.m.

#### **II. ROLL CALL**

Sue Patterson, Chair	PRESENT
Brittain Damgard, Vice Chair	PRESENT
Jacqueline Albarran, Member	PRESENT
Anne Fairfax, Member	PRESENT (left at 12:00 p.m.)
Julie Herzig Desnick, Member	PRESENT
Alexander Hufty Griswold, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	ABSENT (Unexcused)
Alexander Ives, Alternate Member	PRESENT

Staff Members present were:  
Friederike Mittner, Design and Preservation Manager  
Abraham Fogel, Design and Preservation Planner  
Kelly Churney, Acting Town Clerk  
Janet Murphy, Preservation Consultant  
Emily Stillings, Preservation Consultant  
Town Attorney Brett Lashley

#### **III. PLEDGE OF ALLEGIANCE**

Chair Patterson led the Pledge of Allegiance.

#### **IV. APPROVAL OF MINUTES**

A. Minutes of the Landmarks Preservation Commission Meeting of March 20, 2024

**A motion was made by Ms. Albarran and seconded by Ms. Damgard to approve the minutes of the March 20, 2024, meeting as presented. The motion was carried unanimously, 7-0.**

**V. APPROVAL OF THE AGENDA**

Ms. Mittner requested the following modifications to the agenda: Item HSB-23-007, 124 Parc Monceau, moved to be heard prior to Item HSB-24-001, 311 Pendleton Lane.

**A motion was made by Ms. Damgard and was seconded by Ms. Albarran to approve the amended agenda. The motion was carried unanimously, 7-0.**

**VI. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS**

Mr. Ives stated he wanted to introduce an item for potential landmarking. Ms. Mittner suggested it be heard under XI. Designation Hearings.

**VII. COMMENTS OF THE PLANNING, ZONING AND BUILDING DEPARTMENT DIRECTOR**

**A. Zoning Map Update**

Assistant Director of Planning, Zoning, and Building James Murphy provided an update on a new map that was available to residents, showing ongoing projects on the island. He responded to questions from the Commissioners. Mr. Murphy stated that the department had gone live with a new online permitting system that allowed users to submit permits remotely.

**B. Legislative Update**

Ms. Mittner provided an update to the Commissioners regarding ongoing legislation related to historic preservation.

**VIII. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Ms. Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

**IX. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

No comments were heard at this time.

**X. PROJECT REVIEW**

**A. CERTIFICATES OF APPROPRIATENESS-OLD BUSINESS**

1. **COA-23-003 (ZON-23-020) 139 N COUNTY RD—THE PARAMOUNT THEATER (COMBO)** The applicant, WEG Paramount LLC, has filed an application requesting a Certificate of Appropriateness for the review and approval of the renovation and adaptive re-use of an existing Landmarked theater structure, and the construction of four connected residences with ground floor retail components with two levels of subterranean parking to replace an existing surface parking lot,

including multiple variances including setbacks, height, open space, mechanical equipment on roofs, to permit residential uses on the first level in the C-TS zoning district in lieu of the above the first floor requirement, among others. A Tax Abatement application has been filed as part of the project. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval. *[This project has been deferred to July 17, 2024, Landmarks Preservation Commission meeting, pending review by the Town Council.]*

***Clerk's note: This project was deferred to the meeting on July 17, 2024, under Item VII., Approval of the Agenda.***

## **B. CERTIFICATES OF APPROPRIATENESS-NEW BUSINESS**

1. **COA-24-014 (ZON-24-050) 218 PHIPPS PLAZA (COMBO)** The applicant, Bruce Leeds, Trustee of the Bruce Leeds Declaration of Trust, has filed an application requesting a Certificate of Appropriateness for the construction of a new covered parking structure, to modify the location of the pedestrian entryway with new piers and a gate, revisions to the landscape and hardscape to accommodate the new pedestrian entryway, and to install a decorative well. Town Council shall review the application as it pertains to zoning relief/approval.

Mr. Fogel provided staff comments for this project.

Ex-parte communications were disclosed by Mr. Ives and Ms. Metzger.

Patrick O'Connell with Patrick Ryan O'Connell Architects made the architectural presentation for the landmarked residence. Andres Paradelo with Paradelo Burgess Design Studio made the landscape and hardscape presentation for the site.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Ms. Metzger asked about the open space ground cover. Mr. Paradelo responded that the material was Jasmine, which could get as tall as 9 inches.

Ms. Hertzog Desnick asked how the carport columns were constructed and if they were square. Mr. O'Connell said they were basically "L" shaped and two-dimensional. She asked if they were structural, and the professional answered yes and explained the design.

Ms. Fairfax liked the whimsy and design direction. She asked if the piers could be reduced to the height of the wall. Mr. O'Connell stated they existed. Ms. Fairfax expressed concern that visually, the structure did not look like it would hold up the roof. She thought a lighter roof would be better. She asked about the width of the gates, which Mr. O'Connell did not have the dimensions. She thought the calculation was critical.

Ms. Damgard asked about the Travelers' palms and wondered why they did not continue to the street. Mr. Paradelo stated that they would screen the area.

Ms. Albarran was surprised that other Commissioners supported the proposal. She expressed concern about the existing columns and pointed out some inconsistencies.

Ms. Fairfax did not think the inconsistencies were an issue. She thought the north-facing gate needed to be narrower. A short discussion ensued about the north-facing gate.

Ms. Albarran asked about the front gate. Mr. O'Connell showed pictures of the neighborhood and the location of the proposed gate. He stated he could return to the Commission with more pictures.

Mr. Ives thanked the staff for providing designation reports with the applications. He thought some of the proposed changes were harmless but were not positive changes. He agreed that the proposed pedestrian gate could be more modest in its design.

**A motion was made by Ms. Albarran and seconded by Ms. Damgard to defer the project to the meeting on May 22, 2024, with the direction to restudy the carport and front gate in accordance with the Commissioners' comments. The motion was carried unanimously, 7-0.**

2. **COA-23-043 (ZON-23-117) 235 BANYAN RD (COMBO)** The applicant, Richard Kurtz, has filed an application requesting a Certificate of Appropriateness for the review and approval of a new two-story approximately 1,072 SF accessory structure with hardscape and landscape. This request also requires three (3) variances in accordance with Section 134-201 for; (1) front yard setback found in Section 134- 843(5), (2) building height plane requirement found in Section 134-843(7), and (3) side yard setback found in Section 134-843(8). This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments for this project.

Ex-parte communications were disclosed by several members.

Patrick O'Connell with Patrick Ryan O'Connell Architects made the architectural presentation for the landmarked residence. Adam Mills with Environment Design Group made the landscape and hardscape presentation for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, advocated support for the requested variances. She stated after her site visit, she understood the proposed location for the accessory structure. She discussed how she encouraged the design team to separate the structure from the main structure. She also thought they took many of her suggestions, such as window changes. She thought the connection of the pergola to the main home was a bit random.

Ms. Albarran stated that Ms. Sunny's concern was exactly her concern. She

provided a suggestion to resolve the issue, which was to move the pergola over the existing door to connect to the new structure.

Mr. Griswold saw the initial plans onsite and was glad to see the adjustment to the door's window and the separation of the accessory structure from the main structure.

Mr. Ives thought the project was attractive but expressed concern for the grand stairs and water feature next to the new accessory structure. He indicated that the designation report discussed the beautiful outdoor spaces, and now, with the new structure, some of those spaces were being eliminated. He thought the new structure could be more conservative.

Ms. Patterson thanked Mr. Ives and stated she agreed with him. She thought the front doors seemed a bit grandiose and that the structure should appear as a guest house.

Ms. Herzig-Desnick also thought it looked too vertical and thought the new structure was a bit awkward. She also agreed with Ms. Patterson that the front door of the accessory structure was too grandiose.

Ms. Albarran was in favor of the structure. She asked the architect to show a rendering that demonstrated the height compared to the main home. She thought once the pergola was moved, it would appear much nicer.

Ms. Fairfax agreed with Mr. Ives. She thought the structure was too tall and should be humbler and more subservient. She recommended returning with a simpler, different design. She wondered if an addition to the main home would be more successful.

**A motion was made by Ms. Fairfax and seconded by Ms. Metzger to defer the project to the meeting on May 22, 2024, with the direction to restudy the accessory structure in accordance with the Commissioners' comments. The motion was carried 6-1, with Ms. Albarran dissenting.**

3. **COA-24-013 (ZON-24-054)1 S COUNTY RD The Breakers (COMBO)** The applicant, Breakers Palm Beach Inc., has filed an application requesting a Certificate of Appropriateness review and approval for rehabilitation of the internal courtyard, a conservatory addition at the west end of the Breakers courtyard and adjacent to the hotel's lobby and occupying the location of the existing lobby's exterior terrace, two (2) covered pavilions, two (2) support structures, a service elevator, and partial window and door replacement, requiring Special Exception with Site Plan Review, as part of a Historic Preservation Ad Valorem Tax Exemption for the Landmarked property The Breakers. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Mittner provided staff comments for this project.

Ex-parte communications were disclosed by several members.

Attorney Jamie Crowley provided an overview of the project and discussed the approval of a special exception and site plan review by the Town Council. Paul Leone, CEO of the Breakers, provided an overview of the reason for the renovation and restoration. David Rau with Hart Howerton made the architectural presentation for the landmark site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, provided support for most of the project. She questioned the balustrades and fountains on the north and south sides and wondered if a re-creation would be possible if approved. She questioned the north and south of the pergola structures and thought that if they were attached to the main structure, they would obstruct the existing architecture. Ms. Sunny appreciated the ADA compliance.

Ms. Stillings asked if the applicant was seeking a tax abatement with the project. Mr. Crowley responded and stated they would like to see a tax abatement but sought the approval of the project, knowing that the project would not begin until next year. Ms. Mittner stated that the Certificate of Appropriateness could be approved, and the tax abatement could return for approval.

Ms. Fairfax expressed her excitement about the project and suggested raising the terrace for ADA compliance. She also asked about the original landmark designation, which Mr. Crowley stated was the main west façade that extended to the ocean. She advocated for the project and thought it could be approved under the Secretary of Interior Standards.

*Clerk's note: At this time, Ms. Fairfax left the meeting at 12:00 p.m. Mr. Ives voted in her absence.*

Mr. Ives wondered if the proposed conservatory was the right design style for the existing hotel and if it should be designed as if it had always existed. He thought it was worth debating.

Ms. Herzig-Desnick thought the project was beautiful. She wondered how the conservatory would be shaded, which Mr. Rau explained. She also asked if the plants would be in containers or in the ground, to which Mr. Rau responded.

Mr. Griswold thought the proposal was a massive improvement to the space. He liked the idea of shade trees and did not see an issue with the trellis blocking the archways. He asked to see a color sample and recommended that the glass not be tinted. Mr. Rau passed around color samples.

Ms. Damgard also applauded the proposal. She liked the combination of

modern and old styles, but she worried a bit about the pergolas.

Ms. Albarran was in favor of the proposal. She recommended low e-glass and no tint on the windows. She was sad about the pergolas next to the arches. Mr. Leone did not believe the view of the colonnades would be lost with the pergolas. He further explained the use of the proposed pergolas. Mr. Rau explained the connection of the pergolas to the main hotel.

Ms. Patterson thought it was a great project. She stated she was shocked at the condition of the wood doors. She stated that she hoped the doorknobs would be restored.

**A motion was made by Ms. Damgard and seconded by Mr. Ives to approve the project as presented. The motion was carried unanimously, 7-0.**

*Clerk's note: At this time, an update to the Royal Poinciana Plaza was provided at the request of the Town Council.*

Nelo Freijomel with Spina O'Rourke provided an update on the Royal Poinciana Plaza. He showed the Commission photographs of the site's ongoing construction and answered questions from the Commissioners.

*Clerk's note: A short break was taken at 12:37 p.m. The meeting resumed at 12:4X p.m.*

### **C. HISTORICALLY SIGNIFICANT BUILDINGS - OLD BUSINESS**

1. **HSB-23-007 124 PARC MONCEAU** The applicant, Parc Monceau Ltd (Peter Brooks, Representative), has filed an application requesting Landmarks Preservation Commission review and approval of a flood plain variance for improvements/rehabilitation of a designated historic building and approval for additions and renovations to an existing nonconforming historically significant building.

Mr. Fogel provided staff comments for this project.

Ex-parte communications were disclosed by Mr. Ives.

Michael Perry with MP Design & Architecture showed the Commission the proposed railings for the landmarked residence. Cory Meyer with Nievera Williams Design made the landscape and hardscape presentation for the site.

Ms. Patterson called for public comment.

Aimee Sunny, Preservation Foundation of Palm Beach, said the design still showed a lot of pickets. She said it was a large expanse on the rear. She thought the project was very successful in the center bay. However, she thought the columns needed something added above them. She thought it

was weird to have columns without some supporting elements on the second floor. Ms. Sunny also thought the stairs needed some more interest to break up the pickets.

Mr. Perry showed some photographs depicting more “X” designs, as discussed by Ms. Sunny. The commissioners were pleased with the changes.

**A motion was made by Ms. Albarran and seconded by Mr. Ives to approve the project as presented. The motion was carried unanimously, 7-0.**

2. **HSB-24-001 311 PENDLETON LN.** The applicant, Starr Haymes Kempin for Pendleton Lane Trust has filed an application requesting a Certificate of Appropriateness review and approval for a modified front entry, addition of shutters, relocation of a few windows in addition to hardscape modifications changing the driveway and reducing the paver pool deck to an existing two-story historically significant building.

Mr. Fogel provided staff comments for this project.

Ex-parte communications were disclosed by Mr. Ives.

The landscape/hardscape presentation for the site was made by Don Skowron with BGS Landscape Architecture & Engineering.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Ms. Damgard thought it looked like a presentable project. Mr. Ives agreed.

**A motion was made by Ms. Damgard and seconded by Mr. Ives to approve the project as presented. The motion was carried unanimously, 7-0.**

3. **HSB-24-002 255 EL PUEBLO WAY** The applicant, 225 El Pueblo LLC (Maura Ziska, Authorized Representative), has filed an application requesting review and approval of a garage addition, requiring one (1) variance to reduce the west side yard setback. This is a combination project that shall also be reviewed by the Town Council as it pertains to zoning relief/approval.

Mr. Fogel provided staff comments for this project.

Ex-parte communications were disclosed by several members.

Patrick Segraves with SKA Architect + Planner made the architectural presentation for the landmarked residence.

Ms. Patterson called for public comment.



Aimee Sunny, Preservation Foundation of Palm Beach, asked about the roof between the garage and the home. Mr. Segraves confirmed that it did. Ms. Sunny thought everything that had been asked of the architect had been done.

Ms. Damgard thought the change to the garage was successful.

Ms. Albarran said the garage door change was well done. She also noted that the recess aligned with the existing structure on the other side.

Ms. Metzger thought the changes were good. She asked about the lack of muntins on the windows. Mr. Segraves explained that the windows were already there, and when the house was remodeled previously, they were not changed.

**A motion was made by Ms. Damgard and seconded by Ms. Albarran to approve the project as presented. The motion was carried 6-1, with Mr. Ives dissenting.**

**B. HISTORICALLY SIGNIFICANT BUILDINGS - NEW BUSINESS**  
NONE

**XI. DESIGNATION HEARINGS**

**1. 201 WORTH AVENUE**  
Owner: LENDAN INC.

***Clerk's note: This project was deferred to the meeting on November 20, 2024, under Item VII., Approval of the Agenda.***

Ms. Mittner stated that the staff would present a list of properties for consideration at the May meeting and thanked Ms. Fairfax for providing some suggestions.

Mr. Ives talked about an opportunity for a pocket historic district. He also mentioned other areas, such as the area of Worth Avenue, Wells Fargo, and South County Road that could be considered for historic districts.

**XII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)**

Mr. Griswold raised an issue regarding the condition of the building at 184 Sunset and asked for a status update on the construction phase.

Aimee Sunny, Historic Preservation of Palm Beach, gave an update on the scheduling of training for the LPCOM. She thought the training would be best in September or October, off-season. She said there would be some virtual opportunities for training over the summer. She also mentioned the Historic Preservation Conference during the first week of August.

John David Corey, 426 Australian, thought that when A1A is discussed, he would like to discuss his concerns.

**XIII. NEXT MEETING DATE:** Wednesday, May 22, 2024

**XIV. ADJOURNMENT**

**A motion was made by Ms. Damgard and seconded by Mr. Ives to adjourn the meeting at 1:24 p.m. The motion was carried unanimously, 7-0.**

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, May 22, 2024, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

Sue Patterson, Chair  
LANDMARKS PRESERVATION COMMISSION

kmc