

# TOWN OF PALM BEACH

Information for Town Council Meeting on: May 11, 2021

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Update and Request for Direction Regarding the Proposed Addition of Stairs on the South Side of Memorial Fountain

Date: May 3, 2021

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## **STAFF RECOMMENDATION**

Staff recommends Town Council review the information below and attached, and provide direction to staff, relative to the proposed addition of stairs on the south side of the Mizner Memorial Fountain in Memorial Park.

## **GENERAL INFORMATION**

At the June 11, 2019, Town Council Meeting, then Director of Planning, Zoning and Building, Josh Martin, advised that the Florida Division of Historical Resources had denied the Town's request to install stairs on the south side of the Memorial Fountain, as indicated in the attached letter dated, May 2, 2019, from Dr. Timothy Parsons. The initial request to the State for approval was after the design, COA, and site plan approvals were received from the Landmarks Preservation Commission and Town Council in the fall of 2018. (See attached minutes from the October 17, 2018, and November 16, 2018, LPC meetings, as well as the minutes from the November 14, 2018, Town Council Development Review meeting.) Approval from the State was a condition of the Town Council, as to not risk losing previously received grant funding that was linked to a restrictive covenant.

As reported by Josh Martin on June 11, 2019, the original concept of the stairs dated back to 2013 but the design concept evolved into a more simple design which was approved by the LPC and Town Council. At the time, staff believed the final design adhered to the Secretary of the Interior's Standards for the Treatment of Historic Properties and agreed that the addition of stairs to the Mizner Fountain respected and fulfilled the following Standard for Rehabilitation: "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment." As such, staff reported that Town Manager, Kirk Blouin, requested reconsideration from the State, as indicated in the attached letter, dated May 14, 2019. Further, Town Council approved the continuation of staff's pursuit to seek reconsideration from the State. See attached minutes from the June 11, 2019, meeting.

Subsequent to the June 11, 2019, meeting the pursuit of reconsideration slowed due to several reasons including staff turnover and then Covid-19. On April 5, 2021, a virtual meeting was held with Dr. Parson and members of his team at the State to present the Town's request for reconsideration. Representatives of the Town, Centennial Commission, and the design consultant participated in the meeting. The attached letter, dated April 16, 2021, from Dr. Timothy Parson, Director of Historical Resources and Preservation for the State of Florida approves the stairs.

Now that State approval has been received, a path forward must be agreed upon. Since much time has passed since LPC and Town Council approvals were received, the following will need to occur to move forward.

1. LPC must grant a new COA approval, as COA #045-2018 expired on November 13, 2019.
2. Town Council must grant an extension of Z-18-00144, Site Plan with Special Exception, which expires on November 13, 2021.
3. If Council agrees with moving forward with a new COA approval and extension of Z-18-00144, SMI Architecture would complete a biddable set of plans so the Town could secure proposals for the work, which would not occur until the summer of 2022. Staff will also facilitate the necessary approvals at LPC and future Town Council meetings.

### **FUNDING/FISCAL IMPACT**

The Centennial Commission previously committed to funding the design and construction of the new stairs and that commitment remains valid.

### **Attachments**

cc: Paul Brazil, Director of Public Works  
Wayne Bergman, Director of Planning, Zoning and Building  
Centennial Commission