



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR **LANDMARKS PRESERVATION COMMISSION** MEETING HELD ON WEDNESDAY, **OCTOBER 17, 2018.**

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.

I. CALL TO ORDER

Chairman Cooney called the meeting to order at 9:32 a.m.

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
Richard Rene Silvin, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	ABSENT (unexcused)
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT
Kim Coleman, Member	PRESENT (arrived at 9:36 a.m.)
Jacqueline Weld Drake, Alternate Member	ABSENT (unexcused)
Sue Patterson, Alternate Member	PRESENT
Anne Metzger, Alternate Member	PRESENT

Staff Members present were:

John Lindgren, Planning Administrator
Josh Martin, Director of Planning, Zoning and Building
Kelly Churney, Secretary to the Landmarks Preservation Commission
John Randolph, Town Attorney
Emily Stillings, Preservation Consultant for the Town of Palm Beach
Janet Murphy, Preservation Consultant for the Town of Palm Beach

Please note: Mr. Cooney stated that Ms. Patterson would be voting in the absence of Ms. Hufty.

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE SEPTEMBER 21, 2018 MEETING Motion made by Mr. Silvin and seconded by Mr. Gannon to approve the minutes of the September 21, 2018 meeting. Motion carried unanimously.



Address: 360 S. County Rd.

Owner/Applicant: Palm Beach Centennial Commission, Inc. on behalf of the Town of Palm Beach

Professional: Brian Vertesch/SMI Landscape Architecture

Project Description: Proposed addition of steps to south blank wall of existing Mizner Memorial Fountain. Addition of steps will require a 12' wide x 27" tall section of wall at the rear (south) side of the upper terrace to be removed in order to extend the terrace onto the proposed steps. The steps and wall repair will match the existing cast stone wall facade. One landscape down light is proposed to be added to an existing Tabebuia tree where 2 landscape down lights currently exist. Addition of 21 parking spaces and travel lane adjustments within the Town Hall Square Historic District and associated infrastructure adjustments. The parking on west side of S.R. A1A as well as add parking along the Memorial Fountain area will be adjusted. The parking modifications require travel lane modifications including: The dedicated right turn lane on northbound S.R. A 1A to eastbound Brazilian will be eliminated; however the ability to make a right turn at this intersection will be preserved. A traffic study is contained in the record file for this application that provides justification for removal of the dedicated right turn lane. The length of the lane shift on the northbound and southbound just south of Brazilian Avenue will be extended. However, the deflection angle of the lane shift will remain the same as the existing conditions in both cases. This will reduce the aggressiveness of the maneuver by lengthening the distance between the jogs in lanes. Signage to control traffic and parking will be implemented in accordance with FOOT and Town of Palm Beach Public Works requirements.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: A special exception with site plan review request to modify Town Hall public open space as identified below. Applicable Zoning sections - Section 134-1109, Section 134-229, Section 134-327, Section 134-329. 1. Construction of stairs onto the south side of the Memorial Park Fountain area as geographically described on the plans and specifications submitted with this application. 2. Repair of any existing landscaping disturbed by the construction process.

Call for disclosure of ex parte communication: Disclosure by several members.

Bill Bone, 322 Pendleton Lane, provided an overview of the renovation of Town Hall Square and Memorial Fountain and discussed the new modifications proposed for the fountain area.

Jorge Sanchez, SMI Landscape Architecture, presented the modifications proposed for the landscape and hardscape.

Mr. Silvin asked Mr. Bone to speak about the financing of the project. Mr. Bone responded. Mr. Silvin stated that he was in favor of the proposed stairs. He expressed concern for the proposed parking and inquired about the accessibility of the fountain. Mr. Sanchez responded and explained the design.

Mr. Coleman stated she thought the steps would enhance the beauty of the fountain. She thought the proposed parking would encourage use of the fountain as well as providing additional parking for the merchants in the Town.

Mr. Gannon was happy to see the proposal for the stairs and expressed his support.

Ms. Patterson agreed with Mr. Gannon and added that she in favor of the proposed parking as well.

Ms. Albarran was in support of the proposed stairs as well as the extra parking spaces.

Ms. Coleman thought the material in the existing planters around the fountain needed to be increased. Mr. Sanchez responded.

Ms. Metzger was in favor of the project and thought the proposal would increase the use of the park.

Mr. Segraves was in favor of the proposed stairs but was undecided on the parking spaces. He suggested adding a green island in between the spaces to soften the impact of the spaces.

Mr. Cooney expressed concern about the proposed stairs and parking spaces and stated he was not in favor of the proposal.

Mr. Cooney asked if there were any public comments on the project.

Jeff Smith, 241 Sanford Avenue, expressed concern about the proposed parking spaces.

John Eubanks, attorney representing some residences on Brazilian Avenue, provided his arguments in opposition to the proposed parking spaces.

Alexander Ives, 237 Jamaica Lane, expressed concern for the proposed parking spaces and fountain steps.

Patty Sans, President of the South County Road Business Association, spoke in favor of the proposed steps and parking spaces.

Ms. Murphy stated she was in favor of the proposed steps but did not support the additional parking. She reminded the Commission that the State would have the final approval in whether the Town would need to return the grant money they received if the project was approved. Mr. Cooney provided further explanation on the grant monies received for the restoration.

Mr. Bone further discussed the grant money received.

Ms. Coleman suggested restricting the parking spaces if they were approved.

Mr. Gannon stated he was undecided on the proposed parking spaces but was in favor of the proposed steps.

A discussion ensued among the Commissioners about the proposed parking spaces.

Mr. Sanchez pointed out to the Commission that the proposed parking spaces were not included in the zoning requests. Mr. Cooney responded.

Motion made by Mr. Gannon and seconded by Ms. Coleman that implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject landmarked property. Motion carried 5-2, with Messrs. Cooney and Segraves opposed.

Please note: A short break was taken at 11:17 a.m. The meeting resumed at 11:30 a.m.

2. Informal Review - Application for Certificate of Appropriateness #046-2018

LPC TO MAKE RECOMMENDATION RELATIVE TO SITE PLAN REVIEW WITH VARIANCE(S)

Address: 212 Seaspray Ave.

Owner/Applicant: 212 Seaspray LLC, C/O Guy Rabideau, Manager

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Selective demolition, renovation and reconstruction to existing 4,200 sq. ft. home. Home will consist of four bedrooms, four and one half bathrooms, kitchen, family room, living room, dining room, laundry room, loggia and balcony; new pool and patios; new porte cochère or awning on west front; garden patio on North side; new windows and doors throughout.

Landscape and hardscape to be included.

SITE PLAN REVIEW WITH VARIANCE(S) INFORMATION: Site Plan Review to allow the redevelopment of a landmarked house on a non-conforming lot which is 50 feet in width in lieu of the 100-foot depth required in the R-B Zoning District. Because the house is being redeveloped in excess of 50% of its current value, the following variance is being requested: 1) Section 50-114: Request to develop the property in excess of 50% of its current value, including the raising of the rear (south side) of the house, such that the entire house will have an elevation of 5.9 N.A.V.D. in lieu of the minimum 7.0 N.A.V.D. required by Code. In addition, the following variances are requested in connection with the redevelopment: 2) Section 134-893(7)b): Request to raise the rear (south side) of a landmarked house with a west second story side yard setback of 3.0 feet in lieu of the 15-foot minimum required. 3) Section 134-893(9)b): Request to raise the rear (south side) of a landmarked house with a second story rear yard setback of 4.7 feet in lieu of the 15-foot minimum required. 4) Section 134-893(13): Request to raise the rear (south side) of a landmarked house, thereby increasing the cubic content ratio from 6.89 to 7.11 in lieu of the 4.39 maximum allowed. 5) Section 134-893(7)b): Request to add an awning to the house with an east side yard setback of 0.0 feet in lieu of the 12.5-foot minimum required.



TOWN OF PALM BEACH

Planning, Zoning & Building Department

SUMMARY OF THE ACTIONS TAKEN AT THE **DEVELOPMENT REVIEW TOWN COUNCIL MEETING** HELD ON WEDNESDAY, **NOVEMBER 14, 2018**

- I. CALL TO ORDER AND ROLL CALL
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. COMMENTS OF MAYOR GAIL L. CONIGLIO
- IV. COMMENTS OF TOWN COUNCIL MEMBERS AND DIRECTOR OF PLANNING, ZONING AND BUILDING
- V. COMMUNICATIONS FROM CITIZENS
- VI. APPROVAL OF AGENDA

ACTION: THE FOLLOWING CHANGES WERE MADE TO THE AGENDA:

- ITEM VII.B.1.d., Z-18-00034 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES WAS DEFERRED TO DECEMBER 12, 2018

- ITEM VII.B.1.e., Z-18-00136 VARIANCES WAS DEFERRED TO DECEMBER 12, 2018

- ITEM VII.B.1.f., Z-18-00138 SPECIAL EXCEPTION WITH SITE PLAN REVIEW WAS DEFERRED TO DECEMBER 12, 2018

- ITEM VII.B.2.a., Z-18-00142 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES WAS DEFERRED TO DECEMBER 12, 2018

ADDITION TO ANY OTHER MATTERS:

RESOLUTION FOR OPT OUT OF ARTICLE III OF CHAPTER 15: HOUSING, PLACES OF PUBLIC ACCOMMODATION

VII. DEVELOPMENT REVIEWS

A. Time Extensions and Waivers

- 1. Extension of Time Schedule for Completion of Construction
Per Town Code Chapter 18, Section 18-237
1906 South Ocean Boulevard

raise the rear (south side) of a landmarked house with a west second story side yard setback of 3.0 feet in lieu of the 15-foot minimum required. 3) Section 134-893(9)b): Request to raise the rear (south side) of a landmarked house with a second story rear yard setback of 4.7 feet in lieu of the 15-foot minimum required. 4) Section 134-893(13): Request to raise the rear (south side) of a landmarked house, thereby increasing the cubic content ratio from 6.89 to 7.11 in lieu of the 4.39 maximum allowed. 5) Section 134-893(7)b): Request to add an awning to the house with an east side yard setback of 0.0 feet in lieu of the 12.5-foot minimum required. [Applicant's Representative: David E. Klein Esq.] [Landmarks Preservation Commission Recommendation: Implementation of the proposed site plan review with variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0. The proposed development will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. Carried 7-0.]

ACTION: APPROVED WITH CONDITION RELATING TO UTILITY EASEMENT

c. Z-18-00144 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: C-TS Town-Serving Commercial The application of Palm Beach Centennial Commission, Inc. on behalf of the Town of Palm Beach, Applicant, relative to property located at 360 S COUNTY RD, MEMORIAL FOUNTAIN, legal description on file, is described below. A special exception with site plan review request to modify Town Hall public open space as identified below. Applicable Zoning sections - Section 134-1109, Section 134-229, Section 134-327, Section 134-329. 1. Construction of stairs onto the south side of the Memorial Park Fountain area as geographically described on the plans and specifications submitted with this application. 2. Repair of any existing landscaping disturbed by the construction process. [Applicant's Representative: John C. Randolph, Esq.] [Landmarks Preservation Commission Recommendation: **Implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject landmarked property. Carried 5-2.**]

ACTION: APPROVED STAIRS ONLY WITH CONDITION THAT APPLICATION IS APPROVED BY THE STATE OF FLORIDA

d. Z-18-00145 SITE PLAN REVIEW WITH VARIANCE(S) Zoning District: C-TS Town-Serving Commercial The application of Bradley Park Owner, LLC, Applicant, relative to property located at 280 SUNSET AVE SUITE: SITE, legal description on file, is described below. The property owner is requesting Site Plan Review with Variances, including a variance to modify an existing, nonconforming Landmarked hotel. The renovations include relocating the hotel entrance and lobby east into the space currently occupied by C'est Si Bon Gourmet Grocery, adding a swimming pool and pool deck in the north courtyard area, renovation of all rooms, improvement of the parking lot by replacing asphalt with pavers, construction of a pergola connecting the new entrance to the street, and the modification of an existing rooftop utility structure by adding roof tiles and decorative elements. The new hotel lobby will include 18 accessory bar or dining seats based on the principle of equivalency from the former C'est Si Bon Gourmet Grocery retail space. The existing restaurant, Trevini, is not being changed at this time, and the number of hotel rooms will remain at 32. In addition to the modification of the variance for hotel use in the C-TS district, which is required by 134-387, other variances are requested, including: 1. A variance from Chapter 50, Flood Damage Prevention, requesting relief



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR **LANDMARKS PRESERVATION COMMISSION** MEETING HELD ON FRIDAY, **NOVEMBER 16, 2018.**

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I. CALL TO ORDER

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

II. ROLL CALL

Edward Austin Cooney, Chairman	PRESENT
Richard Rene Silvin, Vice Chairman	PRESENT
Jacqueline Albarran, Member	PRESENT
Page Lee Hufty, Member	PRESENT
Patrick Segraves, Member	PRESENT
John T. Gannon, Member	PRESENT
Kim Coleman, Member	PRESENT
Jacqueline Weld Drake, Alternate Member	PRESENT (left 11:52 a.m)
Sue Patterson, Alternate Member	PRESENT
Anne Metzger, Alternate Member	PRESENT

Staff Members present were:

John Lindgren, Planning Administrator
Kelly Churney, Secretary to the Landmarks Preservation Commission
Emily Stillings, Preservation Consultant for the Town of Palm Beach
Janet Murphy, Preservation Consultant for the Town of Palm Beach

III. PLEDGE OF ALLEGIANCE

Chairman Cooney led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE OCTOBER 17, 2018 MEETING

Motion made by Mr. Silvin and seconded by Ms. Albarran to approve the minutes of the October 17, 2018 meeting. Motion carried unanimously.

V. APPROVAL OF THE AGENDA

Mr. Cooney requested to defer the following projects to the December 19, 2018 meeting: COA-043-2018, 89 Middle Road, COA-041-2018, 241 Seaview Avenue and

or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried unanimously.

10. Application for Certificate of Appropriateness #041-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) - Done 9/21/18
Address: 241 Seaview Avenue
Owner/Applicant: Palm Beach Day Academy, Inc.
Professional: Nievera Williams Design
Project Description: Addition of paved parking lot, landscape improvements and drainage improvements.

A motion carried at the October meeting to defer the project for one month to the November 16, 2018 meeting at the request of the attorney.

Please note: This item was deferred at the approval of the agenda, Item V.

Please note: A short break was taken at 11:21 a.m. The meeting resumed at 11:27 a.m.

11. Application for Certificate of Appropriateness #045-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW - Done 10/17/18
Address: 360 S. County Rd.
Owner/Applicant: Palm Beach Centennial Commission, Inc. on behalf of the Town of Palm Beach
Professional: Brian Vertesch/SMI Landscape Architecture
Project Description: Proposed addition of steps to south blank wall of existing Mizner Memorial Fountain. Addition of steps will require a 12' wide x 27" tall section of wall at the rear (south) side of the upper terrace to be removed in order to extend the terrace onto the proposed steps. The steps and wall repair will match the existing cast stone wall facade. One landscape down light is proposed to be added to an existing Tabebuia tree where 2 landscape down lights currently exist. Addition of 21 parking spaces and travel lane adjustments within the Town Hall Square Historic District and associated infrastructure adjustments. The parking on west side of S.R. A1A as well as add parking along the Memorial Fountain area will be adjusted. The parking modifications require travel lane modifications including: The dedicated right turn lane on northbound S.R. A 1A to eastbound Brazilian will be eliminated: however the ability to make a right turn at this intersection will be preserved. A traffic study is contained in the record file for this application that provides justification for removal of the dedicated right turn lane. The length of the lane shift on the northbound and southbound just south of Brazilian Avenue will be extended. However, the deflection angle of the lane shift will remain the same as the existing conditions in both cases. This will reduce the aggressiveness of the maneuver by lengthening the distance between the jogs in lanes. Signage to

control traffic and parking will be implemented in accordance with FOOT and Town of Palm Beach Public Works requirements.

A motion carried at the October meeting that implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject landmarked property.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Vertesch stated that the previously proposed parking would not be included in the application. He showed the Commission a rendering of the fountain with the addition of the stairs.

Mr. Cooney stated he was not in favor of the proposed stairs and explained the reasons he could not support the project.

Mr. Segraves thought the stairs were a nice addition with the location of the park.

Ms. Hufty thought the addition of the stairs made the whole fountain work as a unit.

Addison Linck, 251 Esplanade Way, expressed his opposition to the proposed stairs and suggested beautifying the park in lieu of the stairs addition. He presented pictures of historic designs by Addison Mizner.

Mr. Silvin supported the design of the stairs.

Anita Seltzer, 44 Cocoanut Row, inquired about new tables and chairs for the park. She expressed her opposition to the proposed stairs.

Bill Metzger, 277 Esplanade Way and Director of the Palm Beach Centennial Commission, passed on regrets from Bill Bone for his absence. He added that he was thankful for the approval that the project received from the Town Council.

Ms. Hufty expressed her dismay for the tables and chairs that currently exist in the park. Mr. Sanchez responded.

Ms. Coleman suggested using color in the plantings around the fountain.

Mr. Silvin expressed frustration for the four basins around the fountain that never work. Mr. Sanchez responded.

Ms. Murphy stated that the newly proposed stairs were not as prominent as the ones proposed years ago. Ms. Murphy stated that the State would ultimately make a decision on the stairs.

Motion made by Mr. Silvin and seconded by Mr. Gannon to approve the project as presented with the understanding that the parking spaces are not part of the application, the acknowledgement that the Town Council approved the project and that special attention is given to the maintenance of the fountain as well as the furniture in the park. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area. Motion carried 6-1, with Mr. Cooney opposed.

A second motion made by Ms. Albarran and seconded by Mr. Silvin to request a follow up presentation from the Public Works department at the December 19, 2018 Landmarks meeting on the status of the four failing fountain basins. Motion carried unanimously.

X. OTHER BUSINESS

- I. Informal Review - Application for Certificate of Appropriateness #048-2018
LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW
Address: 1100 S. Ocean Blvd.
Owner/Applicant: Harvey E. Oyer, III on behalf of Mar-a-Lago Club, Inc.
Professional: Rich Gonzalez/REG Architects, Inc.
Project Description: The Applicant seeks approval to add an accessory dock. It is to be located at the northwest corner of the site and projects 25 feet from the existing seawall into the Lake Worth Lagoon. The proposed dock will not be visible from the historic home, does not violate the preservation easement granted to the National Trust for Historic Preservation, and is generally located where the property's prior historic dock was previously located.

A motion carried at the October meeting to defer the project for one month to the November 16, 2018 meeting.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW INFORMATION: 1. The Applicant seeks approval of a Special Exception with Site Plan Review to add an accessory dock to the property in the approximate location of the prior historic dock. The dock is to be located at the northwest corner of the site and projects 25 feet from the existing seawall into the Lake Worth Lagoon.

Please note: This item was deferred at the approval of the agenda, Item V.