

**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION
360 South County Road, Palm Beach, FL 33480**

(561) 227-6414 for Tim Frank, Planner/Projects Coordinator
(561) 227-6408 for Cindy Delp, Secretary for the Landmarks Preservation Commission

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

ADDRESS OF PROPERTY: 340 Royal Poinciana Way, Palm Beach, FL 33480

OWNER OF PROPERTY: Sterling Palm Beach, LLC (Lessee) and Sidney Spiegel TR #31520371 and
Island Properties of Palm Beach, Inc.
(Address) 340 Royal Poinciana Way, Suite 316
(Address) Palm Beach, FL 33480
(Phone) (561) 835-1810

APPLICANT'S NAME: Sterling Palm Beach, LLC (Lessee) and Sidney Spiegel, TR #31520371 and
Island Properties of Palm Beach, Inc.
(Address) 340 Royal Poinciana Way, Suite 316
(Address) Palm Beach, FL 33480
(Phone) (561) 835-1810

ARCHITECT FOR PROJECT:
(Firm name) Ann Beha Architects
(Architect's name) _____
(Architectural firm's address) 33 Kingston Street
(Architectural firm's address) Boston, MA 02111
(Phone Number) (617) 338-3000 (Fax Number) (617) 482-9097

TYPE OF PROJECT:

<input checked="" type="checkbox"/>	Restoration	<input checked="" type="checkbox"/>	Demolition (Interior)
<input checked="" type="checkbox"/>	Rehabilitation	<input checked="" type="checkbox"/>	Demolition (Exterior)
<input type="checkbox"/>	Reconstruction	<input type="checkbox"/>	Sign
<input type="checkbox"/>	Addition to historic structure	<input type="checkbox"/>	Awning
<input type="checkbox"/>	New Accessory Structure	<input type="checkbox"/>	Exterior Color Change
<input checked="" type="checkbox"/>	Landscape/hardscape		
<input checked="" type="checkbox"/>	Other Construction of New Buildings		

Is this a tax abatement project? (Must check one) Yes _____ Or No X

****TAX EXEMPTION PROJECTS: PART 1-PRECONSTRUCTION APPLICATION MUST BE FILED AS PART OF THIS APPLICATION (SEE ATTACHED)****

Does this project require a Town Council approval? (Must check one) Yes X _____ Or No _____

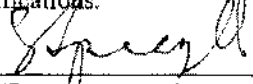
DESCRIPTION OF PROJECT: (Please give a **comprehensive** description of the project which **fully describes** the changes to the landmarked building and/or landmarked property. Attach additional sheet if necessary.)

See attached project description.

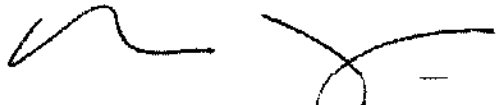
SUBMISSION CHECKLIST: (Submit all of the following, as required for your project)

- Site Calculations (to be printed on Site Plan)
- Site Plan (must show any and all adjacent right-of-way)
- Materials Removal Plan** (must delineate any and all materials that are to be removed or relocated in the construction process). This drawing shall be titled "Materials Removal Plan." If no original materials are scheduled to be removed or relocated, it shall be so noted on the floor plans.
- Survey (for new construction)
- Existing Elevations
- Proposed Elevations
- Details such as columns, railings, awnings, signs, etc. drawn to scale
- Floor plans
- Photographs, Original and/or Existing
- Color Samples and/or Fabric Samples
- Other
- NOTE: 14 Sets of Reduced Plans** are to be brought to the meeting by the applicant and are to be distributed to each LPC member, staff, and the clerk.

The undersigned hereby certifies that the project described in this application, and as detailed by plans and other materials submitted, will be constructed in exact accordance with the aforesaid plans and specifications.

Signed by: 
(Property owner)

Printed name: S. SPIEGEL

OR 

Printed Name: Brian Kobay
Sterling Palm Beach, LLC (Lessee)

*If signed by a Legally Authorized Agent, must be accompanied by a Power of Attorney or statement from property owner authorizing the signer to sign on owner's behalf.
Sidney Spiegel TR #31520371 and
Island Properties of Palm Beach, Inc.
Revised 7/30/09-cmd

**NOTIFICATION TO SURROUNDING PROPERTIES OF APPLICATION FOR
CERTIFICATE OF APPROPRIATENESS**

LANDMARKS PRESERVATION PROGRAM

Notice is hereby provided to all property owners within 250' of the subject property listed below that a public hearing will be held by the Landmarks Preservation Commission on January 20 _____, 20 10, on or after 9:30 a.m. to consider an application for a Certificate of Appropriateness for the following described real property. The meeting will be held **AT THE TOWN'S EMERGENCY OPERATIONS CENTER WHICH IS LOCATED ON THE 3RD FLOOR OF THE CENTRAL FIRE STATION AT 355 S. COUNTY ROAD, PALM BEACH.**

Subject property address: 340 Royal Poinciana Way, Palm Beach, FL 33480
Owner/Applicant: Sterling Palm Beach, LLC (Lessee) and Sidney Spiegel, TR #31520371 and Island Properties of Palm Beach, Inc.
Request approval of: See attached project description

All interested persons may appear and be heard at said public hearing and may likewise submit written statements prior to and at said public hearing. The application for Certificate of Appropriateness and exhibits, such as plans and other supporting documentation, are available for inspection at the Town's Planning, Zoning & Building Department, 360 S. County Road, weekdays between the hours of 8:30 a.m. and 4:30 p.m.

If any person decides to appeal any decision made by the Landmarks Preservation Commission related to this matter, he/she will need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

If we can be of further assistance relative to this matter, please contact John Lindgren, Planning Administrator at 227-6414 or Cindy Delp, Office Manager at 227-6408.

Sincerely,

John S. Page
Director of Planning, Zoning and Building

JSP/cmd

NO !!!

Description of Project:

Demolition: Based upon the existing site plan, we intend to demolish: (i) all but the eastern decorative façade of the Theatre; (ii) the Celebrity Room; (iii) the Hibel building; (iv) the Slat House* and (v) the Gucci building.

Construction: We intend to build in the location of the Theatre, Celebrity Room and Hibel buildings the following: (i) a waterfront park that will be accessible via the Volk Playhouse Gateway which utilizes the eastern façade of the existing theatre; (ii) two-five story crescent-shaped residential buildings (one of which will contain a ground level waterfront restaurant and (iii) a Banyan residential building overlooking the new Banyan Park designed around the historic Banyan tree (Mysore Fig). In the location of the Slat House, we intend to build (i) a new 350 seat performing arts venue with office space above, (ii) a multi-level parking garage with underground parking and (iii) the mixed-use Golf View building (also with underground parking). The Gucci building will be replaced with a fountain in connection with upgrading the landscape area between the two parallel buildings. The two parallel buildings will remain intact and be restored and revitalized.

*the Cupola on the Slat House will be saved and used on a gazebo elsewhere on the property.

Applicant requests a Certificate of Appropriateness for the above-described project with conditions as referenced in the Town Attorney's memoranda to the Mayor and Town Council dated April 9, 2009 and May 7, 2009.

NOTICE AFFIDAVIT

STATE OF FLORIDA
COUNTY OF PALM BEACH, TOWN OF PALM BEACH

BEFORE ME THIS DAY PERSONALLY APPEARED Sidney Spiegel WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

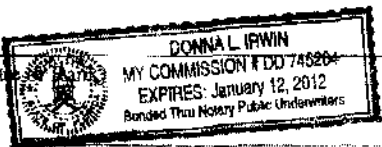
1. He/she is the owner, or the owner's authorized agent, of the real property legally described in the Application for Certificate of Appropriateness; and
2. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners' mailing addresses and property control numbers dated no more than 90 days prior to the Landmarks Preservation Commission hearing at which the subject application will be heard, and as recorded in the latest official tax rolls for the subject property and all other property within two hundred fifty (250) feet of the real property described in the Application for Certificate of Appropriateness, or all property within two hundred fifty (250) feet of all contiguous property owned wholly or in part by the owner of the real property described in the Application for Certificate of Appropriateness, if applicable; and
3. A copy of each page of the application plus supporting documentation is included in each envelope submitted for mailing, using the label provided by the Property Appraiser.

FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this 17th day of December, 2009 by Sidney Spiegel who is personally known to me or who has produced None as identification and who did (did not) take an oath.
(type of identification)

[Signature]
(Signature of Person Taking Acknowledgment)

Donna L. Irwin
(Printed Name of Acknowledger)

(Title)

(Serial Number, if any)

[Signature]
Applicant's Signature

Sidney Spiegel
Applicant's Printed Name

340 Royal Poinciana Way Suite 326

Street Address

Palm Beach, FL 33480

City, State, Zip Code

561-832-8502

Telephone number

NOTICE AFFIDAVIT

**STATE OF FLORIDA
COUNTY OF PALM BEACH, TOWN OF PALM BEACH**

BEFORE ME THIS DAY PERSONALLY APPEARED Brian Kosoy WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:


1. He/she is the owner, or the owner's authorized agent, of the real property legally described in the Application for Certificate of Appropriateness; and
2. The accompanying Property Owners List is, to the best of his/her knowledge, a complete and accurate list of all property owners' mailing addresses and property control numbers dated no more than 90 days prior to the Landmarks Preservation Commission hearing at which the subject application will be heard, and as recorded in the latest official tax rolls for the subject property and all other property within two hundred fifty (250) feet of the real property described in the Application for Certificate of Appropriateness, or all property within two hundred fifty (250) feet of all contiguous property owned wholly or in part by the owner of the real property described in the Application for Certificate of Appropriateness, if applicable; and
3. A copy of each page of the application plus supporting documentation is included in each envelope submitted for mailing, using the label provided by the Property Appraiser.


FURTHER AFFIANT SAYETH NOT.

The foregoing instrument was acknowledged before me this 21st day of December, 2009 by Brian Kosoy who is personally known to me or who has produced _____ as identification and who (did (did not) take an oath.
(type of identification)

Karen L Lynch
(Signature of Person Taking Acknowledgment)

Karen L Lynch
(Printed Name of Acknowledger)

(Title) 
(Serial Number, if any)

Starling Palm Beach, LLC
By: Starling Palm Beach Holdings LLC
By: Starling Palm Beach Holdings MM, LLC
Applicant's Signature By: 

Brian Kosoy
Applicant's Printed Name

340 Royal Poinciana Way, Suite 316
Street Address

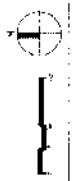
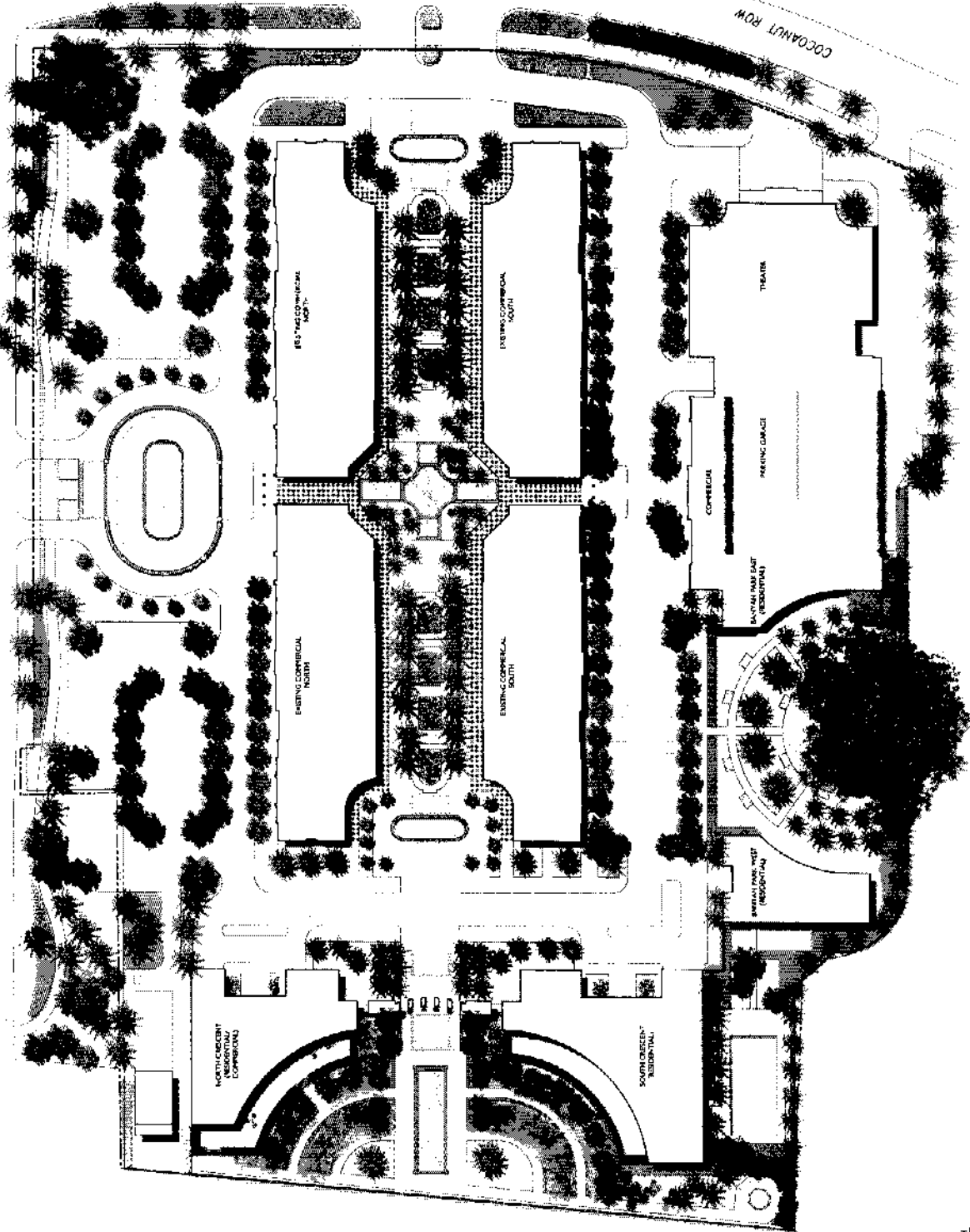
Palm Beach, FL 33480
City, State, Zip Code

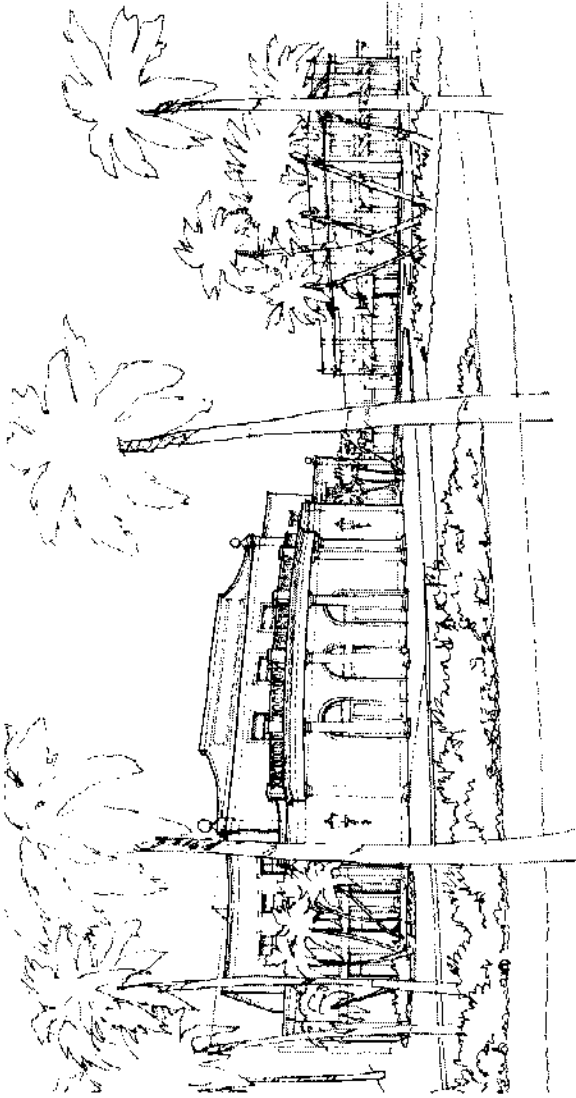
561-835-1810
Telephone number

ROYAL POINCIANA WAY

COCONUT ROW

COCONUT ROW





ROYAL POINCIANA PLAZA

LANDMARKS PRESERVATION COMMISSION SUBMISSION
DECEMBER 18, 2009

PROJECT TEAM

ARCHITECT ANN BEHA ARCHITECTS
50 KINGSTON STREET, BOSTON MA 02111

LANDSCAPE ARCHITECT MORGAN WHEELER INC.
44 WEST BUNYEA ROAD, WEST PALM BEACH, FL

ASSOCIATE ARCHITECT GUIDY SPINA & PARTNERS
1001 FORUM WAY #109 WEST PALM BEACH, FL 33409

STRUCTURAL ENGINEER O'DONNELL, MACCARATO, MCGROOK & JACKSON
331 LA KIRKSEY SUITE 209 WEST PALM BEACH, FL 33409

MEP/JEP JOHNSON, EVINSON FAGAN, DAVID, INC
1450 CENTER PARK BLVD SUITE 380, WEST PALM BEACH, FL 33401

GEOTECHNICAL ENGINEER ARDANIAN & ASSOCIATES
2201 NORTH FLORIDA MANGO DAIRY SUITE 101, WEST PALM BEACH FL 33409

CIVIL ENGINEERS KIMLEY-HORN AND ASSOCIATES
4431 EMERALD COBB CIRCLE, WEST PALM BEACH FL 33407

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