

Transcription of Video: October 2nd, 2023, Town of
Lake Park Committee Meeting

In Re: TOWN OF LAKE PARK COMMITTEE

Date: 10/02/2023

Runtime: 02:26:28

1 (Beginning of Audio Recording.)

2 CHAIRPERSON BUECHELE: (Inaudible) live here.

3 BOARD MEMBER RODRIGUEZ: I think we are,
4 yeah.

5 CHAIRPERSON BUECHELE: You all set?

6 THE CLERK: Oh, yes.

7 BOARD MEMBER RODRIGUEZ: Ready?

8 CHAIRPERSON BUECHELE: Let's do it. Call to
9 order, town of Lake Park Historic Preservation Board
10 meeting. Let's have the pledge of allegiance, please?
11 Do you want to lead?

12 ALL: I pledge allegiance to the Flag of the
13 United States of America, and to the Republic for
14 which it stands, one Nation under God, indivisible,
15 with liberty and justice for all.

16 CHAIRPERSON BUECHELE: Roll call?

17 THE CLERK: Yes, John Buechele?

18 CHAIRPERSON BUECHELE: Here.

19 THE CLERK: Evelyn Harris-Clark?

20 BOARD MEMBER HARRIS-CLARK: Present.

21 THE CLERK: Gustavo Rodriguez?

22 BOARD MEMBER RODRIGUEZ: Here.

23 THE CLERK: And Patricia LeDuc?

24 BOARD MEMBER LEDUC: Present.

25 THE CLERK: Richard Ahrens has been excused

1 from this meeting this evening.

2 CHAIRPERSON BUECHELE: Oh, well, can I have
3 an approval for the agenda for this meeting tonight?

4 BOARD MEMBER HARRIS-CLARK: I make a motion
5 that we accept the agenda for Monday, October 2nd,
6 2023, as presented.

7 BOARD MEMBER RODRIGUEZ: I second that
8 motion.

9 CHAIRPERSON BUECHELE: Okay. And can I have
10 approval of the minutes from the July 10th, 2020--

11 TOWN ATTORNEY BAIRD: Woah, woah, woah,
12 woah, you got to vote.

13 THE CLERK: (Inaudible).

14 CHAIRPERSON BUECHELE: What?

15 TOWN ATTORNEY BAIRD: You got to vote on
16 that.

17 BOARD MEMBER RODRIGUEZ: You got to vote.

18 THE CLERK: We have to have a vote.

19 CHAIRPERSON BUECHELE: Okay. Let's have a
20 vote on the approval of the agenda.

21 BOARD MEMBER HARRIS-CLARK: All in favor,
22 aye?

23 TOWN ATTORNEY BAIRD: All in favor?

24 THE CLERK: All in --

25 CHAIRPERSON BUECHELE: All in favor say,

1 aye?

2 ALL: Aye.

3 CHAIRPERSON BUECHELE: Okay. Now, we will
4 go with an approval for the -- of the minutes of the
5 July 10th, 2023, special call Historic Preservation
6 Board meeting minutes.

7 BOARD MEMBER RODRIGUEZ: I motion to approve
8 the minutes of July 10th, 2023, special call Historic
9 Preservation Board meeting minutes.

10 BOARD MEMBER HARRIS-CLARK: I will second
11 that.

12 CHAIRPERSON BUECHELE: All in favor?

13 ALL: Aye.

14 THE CLERK: Public comment.

15 CHAIRPERSON BUECHELE: Okay.

16 BOARD MEMBER RODRIGUEZ: (Inaudible)
17 comments.

18 THE CLERK: One only.

19 CHAIRPERSON BUECHELE: Okay. Okay, and we
20 have public comments here.

21 TOWN ATTORNEY BAIRD: Well, wait, wait, is
22 it not an agenda item?

23 CHAIRPERSON BUECHELE: Public comments are -
24 - is on the agenda.

25 TOWN ATTORNEY BAIRD: Okay. What you -- the

1 --

2 BOARD MEMBER RODRIGUEZ: (Inaudible).

3 BOARD MEMBER LEDUC: Chair? Chair, may I
4 ask a question?

5 CHAIRPERSON BUECHELE: Sure.

6 BOARD MEMBER LEDUC: For public comments we
7 have the --

8 THE CLERK: Here comes another one.

9 BOARD MEMBER LEDUC: -- we have the staff
10 who is going to present, then we have the applicant
11 who is going to present. Can we have public comments
12 after we have done our questions and then public
13 comments? I want to make sure that the public who
14 submitted cards hear the entirety of the staff, the
15 applicant, any discussion questions by us, and then we
16 hear from public comments. Because maybe --

17 TOWN ATTORNEY BAIRD: So, --

18 BOARD MEMBER LEDUC: -- their questions --

19 TOWN ATTORNEY BAIRD: -- Mr. Chairman, --

20 BOARD MEMBER LEDUC: -- may be addressed.

21 TOWN ATTORNEY BAIRD: -- the code specifies
22 the order of presentations, and if you will allow me
23 to assist you, I will walk you through that. To the
24 commissioner's comments, the public goes after the
25 presentations of the two parties, but before you ask

1 any questions. So, to the extent that the public
2 makes some comment about the process, and you have a
3 question of the applicant or staff that relates to
4 that comment, you can do so.

5 But the first thing that we have to do is
6 have any of you that have had an ex parte disclosure,
7 that is a conversation with either of the two parties
8 that are here tonight, the staff or the applicant
9 outside of these chambers, you are required by law to
10 disclose that conversation and the subject matter of
11 the conversation. So, if you could just go down the
12 row and ask if there are any ex parte communications,
13 yes or no?

14 CHAIRPERSON BUECHELE: Okay. Do you have
15 any ex parte --

16 BOARD MEMBER LEDUC: No, I haven't --

17 CHAIRPERSON BUECHELE: -- communications?

18 BOARD MEMBER LEDUC: -- spoken with the
19 applicant or staff directly.

20 CHAIRPERSON BUECHELE: Gus?

21 BOARD MEMBER RODRIGUEZ: No, I have not
22 spoken with the applicant or staff.

23 BOARD MEMBER HARRIS-CLARK: No, I haven't
24 spoken with either party.

25 CHAIRPERSON BUECHELE: I have not spoken

1 with either party involved.

2 TOWN ATTORNEY BAIRD: Okay. Now, I will
3 swear in the participant's parties in this. If you
4 would stand? If you are speaking on this item, and
5 raise your right hand? Do you swear the testimony you
6 are about to give is the truth, the whole truth, and
7 nothing but the truth?

8 ALL: Yes, I do.

9 TOWN ATTORNEY BAIRD: Okay. Next up is a
10 staff presentation limited by code to 15 minutes, that
11 will be followed by the petitioner's presentation.
12 And following that, we will have the public comment,
13 and then you can ask questions of the petitioner and
14 of the staff. So, whoever from staff is presenting
15 the item should begin that presentation now.

16 KAREN: Okay. Thank you, Mr. Baird. Chair,
17 Vice Chair, and the Board, the request before you this
18 evening is a petition to rescind the inner -- the
19 local historic designation in accordance with Section
20 66-9 (d)7 of the town code. And this designation was
21 granted in 1998 for the Arnold Building. And it's a
22 request to remove that designation and remove the
23 building from the town's historic designation survey
24 and the Florida Master Plan.

25 The owner applicant is the Adler Lake Park,

1 LLC. The removal is being requested so the building
2 may then be demolished, and once the designation is
3 removed, the owner intends to replace -- to package
4 this parcel with a number of parcels for a mixed-use
5 high-rise building. The question before the board is
6 going to be fairly -- the question is simple, is this
7 -- is the 19-- is the 918 build no longer historical
8 significant, as it no longer meets the criteria set
9 out in the chapter, and therefore thus should be --
10 the designation should be rescinded? The answer is --
11 the answer is not going to be so simple, and hopefully
12 you have all done your homework and read the reports,
13 extensive reports, that come to two differing
14 conclusions.

15 Tonight, you will hear from, I presume the
16 applicant's architect, REG Architects, and as well as
17 the consulting architect hired by the town to review
18 that. I am going to call on Mr. Heisenbottle in a
19 second, and he will walk you through their
20 observations and recommendations, and then I will come
21 back and sort of summarize any further staff comments
22 on it. So, with that, I would turn the podium over to
23 Richard.

24 MR. HEISENBOTTLE: All right, thank you very
25 much, Karen. For the record, my name is Rich

1 Heisenbottle, I am president of R.J. Heisenbottle
2 Architects. And I am, like my friend over here, Rick
3 Gonzalez, an expert in historic preservation matters
4 (inaudible). And I want you to first, I think,
5 understand that the town of Lake Park has engaged RJ
6 Heisenbottle Architects to conduct a review of the
7 petition for a removal report for the -- for 918 Park
8 Avenue that was prepared by REG Architects dated March
9 1st, 2003.

10 It is our understanding that the Adler at
11 Lake Park, LLC, the applicant has submitted a historic
12 preservation de-designation application for the de-
13 designation of the Park Building at 918 Park Avenue,
14 and that the accompanying report dem-- is --
15 demonstrates that the building is no longer meets the
16 criteria under which it was initially designated. I
17 believe that there is nothing further from the truth
18 to that statement.

19 Our review focused on analyzing the
20 information presented in the report, assessing whether
21 the grounds for the deed designation are valid, and
22 making our recommendations as to how the town and
23 yourselves should proceed. Our analysis concludes
24 that the building has changed little since it was
25 designated in 1998, it maintains its architectural

1 integrity and qualities for which it was listed
2 locally, and therefore continues to meet the criteria
3 for designation.

4 Our conclusion is based on two critical
5 pieces of information, the photographic evidence from
6 1950, if we can put that one on the screen? This is -
7 - let's just --

8 KAREN: (Inaudible).

9 MR. HEISENBOTTLE: -- look at what's up here
10 right now, and we will backtrack.

11 KAREN: No, hold on.

12 MR. HEISENBOTTLE: No, no, wait, wait, wait.
13 Pause Karen? Karen, let's -- the photographs that
14 you're seeing here is from 1925, and there is a
15 similar photograph slightly thereafter, slightly after
16 the hurricane that you are going to see also. But the
17 point of this is that that photograph is not the
18 photograph that was used in the historic designation
19 report. That is not the building that was
20 historically designated. The building that was
21 historically designated is a photograph you're going
22 to see going forward. Go ahead, Karen.

23 KAREN: (Inaudible). I think that one
24 (inaudible). Okie dokey.

25 MR. HEISENBOTTLE: There we go, that is --

1 KAREN: That's (inaudible).

2 MR. HEISENBOTTLE: -- this is a little bit
3 later, this --

4 KAREN: Hold on, I am sorry.

5 MR. HEISENBOTTLE: You're at -- now you're -
6 -

7 KAREN: (Inaudible) okay.

8 MR. HEISENBOTTLE: -- now she's -- now she's
9 speeding.

10 KAREN: All right, do you want me to
11 (inaudible)?

12 MR. HEISENBOTTLE: Just pause for one sec.
13 Yes, this is also the build down on the end, the far
14 end of this is the building after the hurricane. You
15 can -- you can see this photo is -- appears to be
16 1928, 1929. And the building has sustained some
17 damage, and the other building right next to it have
18 sustained lots of damage, clearly. Go ahead.

19 But neither one of those -- neither one of
20 those buildings are the ones that are referenced in
21 the historic designation. It was not judged or
22 evaluated when it was originally designated against
23 that building, because the building had changed.
24 Because the building that had changed to a building
25 that begins to look like this in the 1950s, and you

1 will -- and Karen will go to the next photograph, and
2 this one in 2001. There is another two -- there is
3 another 1950 photograph here somewhere, but what you
4 are seeing is a very different building. You now see
5 twisted columns, you now see the three arches on
6 either side, you now see that the pediment at the top
7 of the building has been removed. This -- the
8 building was never evaluated based on the original
9 building, it was evaluated based on the building that
10 was in place in 1950 and later on in 1998. Go ahead
11 to the next photograph.

12 So, the -- and in that photograph, that --
13 these photographs that accompanied the National
14 Register nomination -- and it is not on the National
15 Register, you should be aware of that -- but they --
16 but that report along with the Florida Master Site
17 file were attached to the city's designation report.
18 And like I said before, in 1998 both of the -- of
19 about those photographs and the National Register
20 Designation report were part of the historic
21 designation.

22 Now, RJHA does not believe that the
23 justification for de-designation is valid. Although
24 changes were made to the original building, the
25 building was -- certainly the original building, the

1 building was locally designated for its current
2 architectural appearance, except for replacing some
3 second floor windows with paired six over six windows.

4 The reported referenced -- referencing the
5 1928 hurricane, historical images from 1928 bear no
6 relationship to this discussion and they should not be
7 items being discussed because it was never judged on
8 that -- on that design. The Florida Master Site file
9 was attached, the National Register nomination for
10 historic places was attached, and the reg-- the -- to
11 the registration form for the Park Building appeared
12 in May 31st, 1998, which is in your packet.

13 Further, the narrative and description of
14 the site section in the Florida Master's Site file
15 describes the building as it appears in the
16 photographs. Quote, built in 1925, the two story
17 masonry structural system rests on a concrete slab
18 foundation, the exterior walls are surfaced with
19 stucco, and the first floor features a corner coins,
20 the flat portion of the roof appears shaped -- no,
21 features shaped parapets and barrel tile trim. The
22 shed portion of the roof is covered in barrel tile,
23 and features Pecky Cypress brackets, period.
24 Fenestration includes metal awnings and wood-fixed
25 store front windows. The north facade features in set

1 entrances with our arched openings and cast stone
2 twisted -- it says turned columns, I threw in twisted,
3 I apologize -- turned columns -- because we are
4 quoting here. The west elevation features a second
5 story rectangular cut out that exhibits a balcony and
6 a railing.

7 Now, the REG report states the property has
8 ceased to meet the criteria for listing as a
9 designated historic landmark because the qualities
10 which caused it to be originally listed have been lost
11 and destroyed, or such qualities were lost subsequent
12 to nomination. Additionally, information shows that
13 the property does not meet the historic landmark
14 designation criteria evaluation. I submit to you that
15 the criteria listed above, specifically for removing a
16 property from the National Register, according to the
17 division the Park Building is not listed on the
18 National Registers, so any reference here to the
19 National Register is something that we should simply
20 dismiss.

21 Once again, our analysis concludes the
22 building has changed little since it was designated in
23 1998, it may -- it continues to maintain its
24 architectural integrity and the qualities for which it
25 was listed locally, and therefore continues to meet

1 the criteria for designation. Our conclusion again,
2 is based on the photographs that we just spoke about
3 and the accompanying August 3rd, 1998, designation by
4 the town.

5 I think we should all pull that out right
6 now, and I think we should read it out loud, including
7 the National Register nomination form and the Florida
8 Master's Site File. Because once again, showing that
9 the building -- showing the building pretty much as it
10 looks today. So, this is that designation report.
11 And in this report, there is a nice section that lists
12 the reasons for its designation. It's attachment
13 three, a whole series of whereas's.

14 Whereas 918 Park Avenue, Lake Park, Florida
15 is significant in the early history of Kelsey City,
16 and whereas 918 Park Avenue is in excellent condition
17 and is the last remaining commercial building of the
18 old Kelsey City downtown, and whereas 918 Park Avenue
19 possesses the Mediterranean revival architectural
20 features of the boom time in Florida, in the early
21 1920s, and was built for the Kelsey City development,
22 and whereas 918 Park Avenue meets the requirements for
23 designation as described in Lake Park Historic
24 Preservation ordinance Chapter 34, whereas the people
25 of Lake Park desire to protect and preserve in

1 perpetuity those sites of outstanding historic and
2 architecturally significant now therefore be it
3 resolved that the Historic Preservation Board on
4 Monday, August 1998 has designated 918 Park Avenue a
5 locally significant site pursuant to Lake Park
6 Historic Preservation Ordinance Chapter 34.

7 I would submit to you, ladies and gentlemen,
8 that nothing has changed since that day, since your
9 predecessors sat there. This building looks virtually
10 the same as it did when it was historical designation.
11 Any comparison to the very, very early building that
12 we -- that we see on the cover of this report is
13 unjustified and reasonable for consideration. Thank
14 you.

15 CHAIRPERSON BUCHELE: Thank you. So, --

16 KAREN: Thanks. I am not sure what time --
17 how the time keeping is going, but I would like to
18 reserve our remaining time for any closing arguments
19 and rebuttal. And at this time, I would turn it over
20 to the petitioner for their presentation.

21 DR. SPIRITIS: Honorable members of the
22 board, thank you for coming tonight and giving us the
23 opportunity to make our presentation. I myself, my
24 name is Glen Spiritis, Dr. Glen Spiritis, I have a PhD
25 in urban and environmental science from Rensselaer

1 Polytechnic Institute. I am the former director of
2 planning and development and community development for
3 the city of Long Beach in New York for eight years, I
4 am the former director of community development and
5 planning for the village of Hempstead, which is the
6 largest village in the United States for 15 years.

7 I have a private consultant company, I have
8 done numerous historic preservation projects. The
9 Merchants Refrigerator Company building in New York
10 City is one that I had listed on the National
11 Register, that is where the Highline begins if -- for
12 those of you who know New York City and the Highline,
13 that is that project. I also did a Mediterranean
14 revival building in the city of Long Beach, a six-
15 story building, brick outside, green tile roof. The
16 difference in that building and this building is that
17 we know who the builder was, we knew who the architect
18 was, the building had not been changed we had the
19 original construction plans, and the building was able
20 to be restored to its original architectural state,
21 and it was listed on the National Register.

22 I am a partner in this project, and a
23 partner in the development project, so I can speak to
24 the future development if you have any questions
25 concerning that. Our project does depend, of course,

1 on getting this site. We spent almost two years
2 assembling this site, the city has tried to assemble
3 the site with other developers unsuccessfully. We
4 took it upon ourselves to assist the city in
5 revitalizing this end of Park Avenue. And we own
6 everything including the Barbie's restaurant,
7 everything on 10th Street, right up to the post
8 office, and we are negotiating on the post office
9 building. So, we hope to have one full block for our
10 development, which will be a mixed use development
11 project, residential, rental residential, and
12 commercial on the ground floor.

13 To start, I just want you to know that I met
14 with the town, I would like to thank the town for all
15 of their support and assistance in our project, and in
16 helping us with this petition to de-designate 918 Park
17 Avenue. We requested and FOI'd many documents, so
18 the statements I am making tonight are based upon
19 information that was given to us from the town, and
20 information that the town said did not exist.

21 The file shows that 918 Park Avenue's
22 historic designation was initiated by the town, not
23 the owner, on August 1998. You designated the board
24 September 1998, your previous board. The property was
25 designated as an individual site, not a district. It

1 should be noted that the historical structure forms
2 submitted by the town for the Florida Master's Site,
3 file 8PB9607 states architect and builder are unknown.
4 Lake Park Code Of Ordinances Chapter 66, Historic
5 Preservation Section 66-9 Designation and Process
6 Procedure. Procedure D, one petition of the owner,
7 nothing in this subsection shall be deemed to restrict
8 the Historic Preservation Board to initiate the
9 designation process pursuant to this section.
10 However, written permission of the property owner
11 shall be obtained prior to the submission of the
12 application of a designation, and such written
13 permission shall be part of the application package.
14 This was never done.

15 Three, notification of owner. For each
16 proposed designation of an individual site, the
17 historic preservation board shall obtain the
18 permission of the property owner. For each proposed
19 district, or archaeological district, or archeological
20 zone, the Historic Preservation Board is encouraged to
21 obtain the permission of the property owner within the
22 designated area, and is responsible for mailing a copy
23 of the designation report to the owner as notification
24 of the intent of the Historic Preservation Board to
25 consider the property at least 15 days prior to the

1 public hearing held pursuant to this section.

2 Town and board wrongly used procedure for
3 district, not individual site, which 918 Park Avenue
4 is. They sent notice on August 7th, 1998, to the
5 owner that a hearing was being held, no proof of
6 report was sent. It should be noted in an email dated
7 June 17th, 2004, the town's planning and zoning
8 consultants Calvin (Inaudible) and Associates believed
9 the town should approve all historic preservation
10 designations along with the Town Council Resolution
11 since this designation can take properties off the tax
12 roll. There was no response to that email, I didn't
13 see anything other than that email in the file.

14 Section 66-5, before entering upon the
15 duties of office, each member of the Historic
16 Preservation Board shall file written acceptance of
17 appointment, and take and subscribe to the oath of
18 office prescribed by law, which shall be filed in the
19 office of the town clerk. Town staff checked, looked
20 for these documents, and said they did not exist.

21 Based on these sections of the Historic Preservation,
22 918 Park Avenue was wrongly designated a historic
23 site. The 1998 board did not have the authority to
24 issue this designation without meeting ordinance
25 requirements. The board has the authority to rescind

1 this designation, which should have never been issued
2 as per 66-8, Powers And Duties, D, number seven, the
3 ordinance. Therefore, the town in 1998 failed to get
4 the owner's written consent to designate 918 Park
5 Avenue as an historic property. In 1998 the board was
6 not legally constituted, since they did not submit
7 written acceptance and sign oath of office. In
8 addition, 918 Park Avenue has gone through substantial
9 physical and structural changes since 1998.

10 I disagree with the previous speaker because
11 everything in the report refers to the significant
12 error for this building being 1925 to 1929. At that
13 time, I would like to introduce Rick Gonzalez, who is
14 our architect, who many of you know, he does some work
15 for the town. And he is very familiar with the
16 building. After Rick, we are going to introduce our
17 structural engineer, who will tell you more about the
18 existing condition of the building.

19 TOWN ATTORNEY BAIRD: Just a heads up, the
20 structural integrity of the building is not what is at
21 issue here, what's at issue is de-designation. So, if
22 that is your plan, --

23 DR. SPIRITIS: (Inaudible) says that the
24 board (inaudible) --

25 TOWN ATTORNEY BAIRD: Sir, --

1 DR. SPIRITIS: -- has the authority to --

2 TOWN ATTORNEY BAIRD: -- don't --

3 DR. SPIRITIS: -- to authorize (inaudible) -

4 -

5 TOWN ATTORNEY BAIRD: I am going to instruct
6 the board not to consider any evidence regarding the
7 structural integrity of the building as it --

8 DR. SPIRITIS: (Inaudible).

9 MR. GONZALEZ: Good evening, Mr. Chairman
10 and board members. My name is Rick Gonzalez, I am the
11 president of REG Architects founded in West Palm Beach
12 in 1988. I am also your consultant on this beautiful
13 building, we are repairing the balconies and the roof,
14 and we have done the windows and so forth in the past.
15 I just completed a term on the Advisory Council for
16 Historic Preservation, I was appointed by President
17 Trump for a three-year term. I am also on the state
18 Florida Historical Commission, I am the architect that
19 reviews every application that goes up to Washington
20 and -- as part of the National Review Board. And I
21 also assist with the grant process, and this is all
22 very important to speak to you why I think there are
23 some flaws with the 1998 report.

24 I am on two boards at the University of
25 Florida, one for the Historic Preservation Program of

1 the School Of Architecture, and one for Historic St.
2 Augustine which is a UF board that is in charge of
3 preserving and protecting 50 historic buildings,
4 including some that were built in the 60s as replicas,
5 but are now considered to be historically important.

6 And besides my job at REG, I serve as an
7 expert witness across the state of Florida. In fact,
8 as I told Glen when he first came to me -- and I do
9 this in Palm Beach, I have done this in St. Augustine,
10 West Palm Beach, South Florida -- the first thing I
11 ask a client is to please send me the address of a
12 property. Because what I like to do is go on Google
13 Maps and take a look at the property. And I have --
14 on many occasions, I have told clients thank you, but
15 no thank you, because I still deem that the historic
16 building has enough of the historic character that
17 it's not worth fighting a designation or demolition
18 request. I take this very seriously, this is my
19 business, this is what I am known for is for historic
20 preservation, and mixed-use, and urban planning too.
21 And I have two degrees from the Catholic University of
22 America in architecture and planning in Washington
23 D.C.

24 The master -- just to start first before I
25 go through a quick PowerPoint, the Master Site file is

1 not the Bible. The historic consultant hired by the
2 town has mentioned several times this evening that you
3 must follow that report. Besides the fact that it
4 wasn't even done correctly, because imagine an owner
5 not even being told that, hey, we are going to
6 designate your building. That goes against some
7 property rights in the state, but that is another case
8 because we are not allowed to talk about that.

9 But these reports are usually changed over
10 time. In fact, I am surprised that it has not been
11 updated in almost -- in over 40 years, 45 years.
12 Usually, sometimes cities will redo their districts,
13 or their individual designations every five, to 10, to
14 20 years. And that is something that has not happened
15 here. The big flaw in this report, and I have --
16 believe me, I have reviewed hundreds of these reports,
17 I have been on that board at the state level for 15
18 years -- is that these reports are sometimes not done
19 by architects who know buildings very well. This
20 report was flawed from the beginning, because it did
21 not -- it could not tell the difference between this
22 beautiful structure that you see here, this building
23 that was built in 1925 and what happened afterwards.

24 Which by the way, we don't even have a
25 record of when that happened. Did it happen after the

1 hur-- you saw some pictures after the hurricane, did
2 it happen after the hurricane? Did it happen in the
3 40s? You have a very grainy -- staff found a very
4 grainy -- or the -- or the consultant found a very
5 grainy picture of the building in the 1950s, and that
6 is the only clue. And so, whoever repaired-- prepared
7 the report in 1998, prepared the report looking at
8 that grainy photo, or something like it. And looking
9 at the photo of what it kind of like looks like today,
10 it's obviously -- in 40 years it has deteriorated even
11 more than when they did the report.

12 And in fact, he is correct, every
13 description in the report is about that facade that
14 you're seeing there, not this beautiful, historic
15 facade. I am going to show you now some pictures
16 here. We know where it's located, I want to show you
17 the zoning map because it is sad that it is true, this
18 is the last building of your district. But if you
19 look at that district -- and I drove it again tonight
20 just to feel it again -- it's a very -- on one side
21 the street, on the north side street is very urban,
22 it's very nice, three story buildings. On the south -
23 - and it -- and it's all new development over the last
24 ten years. On the south side it looks older, like
25 maybe development from 30, 40, or 50 years ago, but it

1 is very suburban in nature, right? It has got the
2 parking lots in front, all of the buildings are set
3 back, and our building pops out, right? Our building
4 sits out in the front. So, if some of the other
5 buildings were around you would have a district,
6 obviously you don't have a district anymore because
7 this is the last one that is there.

8 And then, if you look at the facade
9 treatments, the beauty of the original with the
10 parapet, the parapets were usually done in historic
11 buildings. If you go to Clematis Street, and many
12 other areas around town to identify the entry to the
13 second floor. That archway entry was to go up the
14 steps to the apartments, most likely apartments that
15 were there in the 1920s, and then the two storefronts
16 on the left and on the right side.

17 Notice, on the left and the right side, both
18 storefronts are set back, they have angled glass, wide
19 so you can see the merchandise, you can come into the
20 building. Notice though, on the right side are these
21 flush -- it's plywood now, but there was a storefront
22 there. These little rope columns, if you have ever
23 walked by -- and I encourage you to go walk by and
24 touch them -- they almost feel like 1970s columns they
25 are so fake. You know, they are just -- the detailing

1 is not there.

2 The parapet is gone, the -- all the stone
3 treatment of the front of the facade is completely
4 gone, they added some coins on the lower level. There
5 is this very odd bump out on the -- on the current
6 condition of the building, that doesn't reflect
7 anymore the strong, horizontal poorness, and the same
8 thing up with the roof line.

9 The roof tile today is an inexpensive,
10 cement tile roof. The original was like this
11 building, beau-- and like this building we are
12 renovating right now, which was a mission style roof,
13 a clay colored roof that that this building doesn't
14 have, and this building does have. And you can see
15 the additional details of the building, the signage
16 and so forth, and none of that is in this building to
17 the right that was changed significantly.

18 Here is another view, another close up view
19 of the existing conditions. There has been some -- we
20 think -- un-permanent work on the rear of the
21 building. In fact, before Glenn and his partners
22 bought the building, the town prior staff -- before
23 Karen and Anders, but prior staff -- had engaged our
24 office to go do a study of the building to see if it
25 was salvageable. And we told them we didn't think so,

1 we thought it needed a lot -- especially in the
2 interiors, which I know we can't talk about the
3 interiors, but it's pretty messed up inside the
4 building. It would take quite a substantial amount of
5 money to stabilize the building and bring it back.
6 It's not all about the facade only, we need -- we
7 really need to think about the entire building
8 envelope at some point.

9 And so, in closing, I am here to answer any
10 questions that you might have. I appreciate the
11 opportunity, I don't do this lightly, I don't do this
12 very -- every day in my business. But when I find a
13 building that is in this condition, and a report that
14 wasn't very well written the first time around, I do
15 get involved in projects. This happens all the time,
16 changing reports is very, very common, it's not set in
17 stone. You are more than likely [sic], if you wish,
18 to contact the state Bureau of Historic Preservation
19 and ask them about these things, these things happen
20 all the time. And I am here, again, like I said
21 before to answer any questions.

22 Our structural engineer is going to say a
23 few words. For the record, we also have two termite
24 inspections, and both of them say that the building
25 isn't in danger right now. Thank you.

1 DR. SPIRITIS: I would just like to refer
2 you to Chapter 66(f) Demolition, in your ordinance.
3 One of the things, in addition -- in addition to all
4 of the provisions of this chapter, the Historic
5 Preservation Board shall consider the following
6 criteria in evaluate-- in evaluating applications for
7 a special certificate of appropriateness for
8 demolition of designated properties. Is the structure
9 of such design, craftsmanship, or material that it
10 could be reproduced only with great difficulty and/or
11 expense? Please keep in mind, I just want to let you
12 know that our development team has invested \$8 million
13 into your city so far, and we expect to be investing
14 over \$200 million into your city.

15 But at this time, would like to introduce
16 Aida Baez PE, Accord Engineering who did a structural
17 study -- a structural report, which you have, of the
18 building.

19 MS. BAEZ: Good evening. Thank you for
20 allowing me to speak. Members of the board, I am
21 going to speak strictly about the structural integrity
22 of the building as it stands today, based on the
23 thorough structural assessment that was conducted a
24 few months ago as per the report that was handed to
25 you.

1 But first, allow me to read a portion of the
2 existing building code, the historic portion of it.
3 Strict compliance, historic structures or portions of
4 such structures that do not strictly comply with this
5 code shall be considered to be in compliance if it can
6 be shown to the satisfaction of the building code
7 officials that equivalent protection has been
8 provided, or that no hazard will be created or
9 continued through noncompliance. A definition for a
10 dangerous building on the existing Florida Building
11 Code is any building, structure, or portion thereof
12 that meets any of the conditions described below shall
13 be deemed dangerous.

14 The second statement on that is, there
15 exists a significant risk of collapse, detachment, or
16 dislodgement of any portion, member, appurtenance, or
17 ornamentation of the building or structure under
18 service loads. Definition of unsafe, building,
19 structures, or equipment that are unsanitary, or that
20 are deficient due to inadequate means of egress
21 facilities, inadequate light and ventilation, or that
22 constitutes a fire hazard, or in which the structure
23 or individual structural members meet the definition
24 of dangerous, as I just read previously the definition
25 of members.

1 You guys have the building code, I will let
2 you guys read it, I don't want to write -- read the
3 whole statement, but I wanted to point those things
4 out before I go through the pictures that were found
5 on the -- on the -- during my assessment. Do we have
6 my presentation?

7 TOWN ATTORNEY BAIRD: (Inaudible). The
8 computer has the applicant presentation and --

9 MR. HEISENBOTTLE: (Inaudible).

10 TOWN ATTORNEY BAIRD: -- 918 Park Avenue.
11 But I mean --

12 MR. HEISENBOTTLE: (Inaudible) presentation
13 (inaudible).

14 KAREN: I'm not aware of it.

15 TOWN ATTORNEY BAIRD: (Inaudible).

16 MS. BAEZ: There is the report, --

17 KAREN: (Inaudible).

18 MS. BAEZ: -- but there is a presentation.

19 KAREN: The structural report we have
20 (inaudible). It's in the packet. They have it.
21 (inaudible).

22 MS. BAEZ: All right. So, --

23 MALE SPEAKER: (Inaudible).

24 KAREN: (Inaudible). If you can refer to a
25 particular page in the report, the board (inaudible).

1 MS. BAEZ: Well, no I have pictures to show-
2 - showcase the actual damage, and inappropriate
3 findings, and considered -- deemed unsafe per the
4 structural building code and per my assessment. This
5 -- (inaudible). Yeah, and up a little?

6 Just quickly, the exterior of the building
7 is covered in stucco. Now, the main reason for us
8 covering buildings in stucco is to provide the first
9 shield of protection for the integrity of the
10 building. It's not structural, technically, but it
11 protects the interior of the building from weather and
12 from impacts. Now, if you had provided the pictures I
13 submitted, there is a -- on the west side of the
14 building, there is a vehicle impact on the structure
15 that dented and impacted the building, causing damage
16 to the stucco finish.

17 But what's worse is that there is no lateral
18 integrity within the building. If we look at the
19 building, the only structural, lateral stability
20 provided at this moment is on the east side of the
21 building, on the first floor only. There is no sheer
22 conditions bracing the building from collapsing any
23 given storm, let alone a high-wind velocity hurricane.

24 When you look at the addition that was
25 built, we don't know, we have no record of when this

1 addition was built on the rear of the building. The
2 entire framing, there is no -- there is no continuity
3 of the load path, therefore it has been so unstable
4 that water infiltration has come through and is
5 completely damaged. There is existing -- substantial
6 existing mold on all the structural members, and
7 extreme show -- it shows extreme decay of the wood
8 members on that -- in -- on that addition.

9 The rear -- the original rear wall on the
10 first floor, there are no headers over those doors.
11 So, any -- the second floor is coming down on that
12 wall, and there is nothing supporting it. So, I tell
13 you right now, think of -- I understand your position,
14 but think of your grandchildren living in this
15 building, or your grandparents living on the -- in
16 this building. Would you really want them living
17 there when right now, as a professional engineer, I am
18 telling you that has no structural integrity?

19 The load path on this building is not
20 transferred all the way to the foundation. To be
21 honest, I don't know how it is standing to this day.
22 The front facade, the arches that are in the interior
23 portion of the -- of the wall, there is no headers on
24 the arches whatsoever. There is no load path
25 whatsoever. The joists for the floors and the roof do

1 not have the proper blocking, therefore they could
2 rotate and come undone.

3 There is no lateral continuity on the floor
4 diaphragm, there is different portions -- so different
5 types of woods and things like that, God knows how
6 they are attached. There is -- to say unacceptable
7 reframing is taking it lightly, but there is actual
8 girders picking up other girder framing -- other
9 girders that are completely unsupported on the -- on
10 the bearing wall, with -- and they are just supported
11 by like one stud that sits on top of a -- of a
12 (inaudible), and it's not transferred to the floor,
13 let alone the floor below.

14 I wish somebody had posted the presentation,
15 I had -- the pictures I had -- I do have a thumb drive
16 if you guys are interested in looking at this. I urge
17 you to look at my report and understand that there is
18 -- at this moment, this project -- this building is
19 completely open to a homeless person, they could walk
20 in there. The boards on the front, it's -- you know,
21 they are not completely sealed, so it's open to
22 weathering, it's open to mice, and rodents, and things
23 like that. And if a person in the street goes in
24 there, and that building collapses, I am stating it
25 here on the record, it is being said, this building is

1 not safe.

2 So, I appreciate your time, I appreciate you
3 listening to me. If you have any questions, I am
4 available. Thank you.

5 DR. SPIRITIS: Just for the record, I want
6 you to know that we spoke to the architect, to REG,
7 and we spoke to our engineer to try and figure out
8 what it would take to rehabilitate this building. And
9 the only way you could legally, under code,
10 rehabilitate this building is to take the building
11 down and rebuild it.

12 There isn't a stud in that building that
13 isn't structurally deficient. There -- you have studs
14 that actually are cut in half, you have spaces, one-
15 foot spaces between the studs that are holding the
16 building up. I wouldn't recommend you go in there,
17 but you might want to look through the window,
18 (inaudible) you probably shouldn't even do that. But
19 look at the report is what you should do.

20 This is an unsafe building, it would cost us
21 probably \$400 a square foot to rehabilitate this
22 building, it would cost us close to \$3,000,000 to
23 rehabilitate the building. We would have to get about
24 250, \$300 a square foot to make this project work.
25 And as we know, that doesn't work in Lake Park, we

1 have numerous empty spaces in Lake Park that have been
2 for rent for \$25 a square foot, and they have been
3 sitting there vacant for years and years. 801 Park
4 Avenue is a perfect example. But that is about the
5 price range is \$25 square foot. It is not -- it is an
6 economic hardship, it's just not feasible from an
7 economic standpoint to rehabilitate this building.

8 Once again, thank you for your patience
9 tonight. I know it was a long night, and thank you.
10 And hopefully, we can all work together to improve the
11 town of Lake Park. Thank you.

12 CHAIRPERSON BUCHELE: Thank you.

13 DR. SPIRITIS: Could I just add --

14 TOWN ATTORNEY BAIRD: So, is there --

15 DR. SPIRITIS: If I could just add one
16 thing? We are willing, of course, to put up a -- an
17 historic marker on the sidewalk where the building is.
18 And we are also willing to do a little history of the
19 building in the lobby of our building with photos and
20 a history. Make a little historic presentation for
21 eternity. Thank you.

22 TOWN ATTORNEY BAIRD: Mr. Chairman, I would
23 like to get back to the subject of the hearing, which
24 is the designation process and procedure. And I am
25 hearing from staff that they have reserved time for

1 rebuttal, so it would be appropriate for them to make
2 whatever final remarks they have.

3 After that, I misspoke earlier, you get to
4 ask questions of either the applicant or the staff,
5 and then the public speaks.

6 CHAIRPERSON BUCHELE: Okay.

7 KAREN: Okay, thank you. As the petitioner
8 was allowed 30 minutes for their presentation, and
9 ours was just about 15, less than 20, I do think we
10 are entitled to the rebuttal time we asked for.

11 I am going to point out that what is before
12 you this evening is -- as I said at the beginning is a
13 question whether what you have heard have evening, or
14 will hear when you ask your questions, is convincing
15 evidence that the building no longer deserves to keep
16 its historic designation.

17 You look at the criteria, the criteria is
18 very clear cut. It talks about does it still have --
19 does the building represent architecture of a time?
20 Does it represent the history of the time? Is it
21 important as to its location, sense of place? That
22 list does not include it's -- does not include what's
23 the condition of the building? What is the structure
24 of the building?

25 And I -- you know, I don't know what the --

1 you know, what the applicant had to present, and it
2 may -- the confusion may come from the email -- if
3 it's an email that I received that said, provide the
4 structural information to the board. We had -- we had
5 done that, and that was -- that was what I assumed
6 that it was. But if it went to the clerk, as it was
7 represented, I don't know.

8 So, 19-- 918 Park was historically
9 designated in 1998. The town held meetings at the
10 time, considered the information brought before them,
11 and as a dually appointed Historic Preservation Board
12 entered into a resolution. It was never appealed or
13 contested up until now. The fact that there may not
14 be all of the records from 1998 doesn't mean they
15 weren't there originally. Quite a bit of time has
16 gone by and it -- and frankly, those records, they may
17 be somewhere, or they may no longer exist. But there
18 is no reason to think that there was anything
19 improper, or any action that violated the code back
20 then. The resolution is very, very clear.

21 In fact, the code provided that should
22 anyone have not been aware their building was being
23 designated, they had 180 days to appeal. Mr. Watkins
24 didn't appeal. It appears that Mr. Watkins was very
25 interested in having this designation, from what we

1 see in the application for the historic register.

2 Mr. Gonzalez stated that he was shocked
3 that, you know, there hadn't been an update to the --
4 to this -- to report in the last 40 years. In 2017,
5 Mr. Gonzalez, his firm REG, was hired by the town to
6 review a certificate of appropriateness and site plan.
7 The owner at that time was going to -- was going to
8 have the building renovated, it was going to tear down
9 the back that is not historic and replace it. At that
10 time, Mr. Gonzalez reviewed the application, and made
11 comments as to what would be done -- what should be
12 done to make it more historically consistent with the
13 structure.

14 BOARD MEMBER HARRIS-CLARK: (Inaudible) --

15 KAREN: At that time, --

16 BOARD MEMBER HARRIS-CLARK: -- one moment,
17 please.

18 KAREN: Uh-huh.

19 BOARD MEMBER HARRIS-CLARK: Could you
20 elaborate on that? You were saying that the architect
21 at that time stated that there had -- there was some
22 merit to the -- or (inaudible) --

23 KAREN: Yes, let me go --

24 BOARD MEMBER HARRIS-CLARK: -- (inaudible)
25 and made those recommendations. And that is the same

1 company that is here tonight, is that correct?

2 KAREN: Yeah -- yes, that's correct. And
3 that was our report to you, and I do want to highlight
4 it. At that time, REG was -- stated that in 2017
5 several minor changes had occurred to the exterior, et
6 cetera. Overall, the existing building retains a
7 moderate degree of historic integrity of location,
8 setting, materials, design, proportion, massing,
9 feeling and association.

10 BOARD MEMBER HARRIS-CLARK: At what point in
11 time, 1950 or 1998?

12 KAREN: I'm sorry.

13 TOWN ATTORNEY BAIRD: (Inaudible) we are --
14 we are doing presentations.

15 BOARD MEMBER HARRIS-CLARK: Okay.

16 TOWN ATTORNEY BAIRD: Write your question
17 down, and then you get to ask either one of them. Let
18 --

19 BOARD MEMBER HARRIS-CLARK: Okay.

20 TOWN ATTORNEY BAIRD: -- them finish up
21 their presentation, and then you can ask questions of
22 either party.

23 BOARD MEMBER HARRIS-CLARK: All right, thank
24 you.

25 KAREN: Okay. So, again, this was the

1 comments in 2017, the last time there was an
2 application for a site plan on this. In 2023, REG
3 reported many significant changes have occurred, and
4 went on to list the same changes that they had
5 reported in 2017. Now, REG says, the property has
6 ceased to meet the criteria for being listed as a
7 landmark in the downtown. This is due to alterations
8 and additions that have destroyed the historic
9 integrity and significance.

10 Between 2017, when that first comment was
11 made, and 2023 -- now -- there have been no changes to
12 the building. Anything that was stated in 2017 would
13 be true today, except the building may have
14 deteriorated from lack of maintenance by the property
15 owners, including the current owner. We heard that
16 that homeless could get in right now because it's not
17 properly boarded up, there was a broken window.

18 Regarding the structural engineer's report
19 which, again, I had asked -- we had stated that you
20 should just look at it as it relates to the historic
21 designation, and not the structure itself. That
22 structural report concluded that the building could be
23 rehabbed at a cost, or it could be torn down. That
24 structural report assessed it in terms of the current
25 building code, and certainly the interior is basically

1 a shell, that is not what the original designation was
2 based on.

3 So, I would just like to conclude -- and
4 then if our consultant has anything to add -- that
5 because of the report -- because of our consultant's
6 report, we do -- we do not support the petitioner's
7 (inaudible) -- petitioner's petition to de-designate
8 the building. We believe that our consultant's made a
9 compelling case that the building was designated in
10 1998 for the Mediterranean revival architecture that
11 we see today. Can you go to -- can you switch it to
12 the first presentation? I just want to put that up
13 one more time. The preservation of the structure, or
14 not allowing it to be de-designated and demolished
15 would be consistent with the town's comprehensive plan
16 that encourages protection of historic resources. And
17 again, this is the last building of that boom era, it
18 maintains many characteristics of Mediterranean
19 architecture revival.

20 If some of the building appears, as Mr.
21 Gonzalez stated, that you know some of it looks like
22 it was done in 1970, that is not the case. Right
23 there you see a picture that we have -- that has been
24 referenced from the 1950s. And in fact, that is
25 probably -- it's probably being used as the U.S. Post

1 Office, the flag is there, it was used as a post
2 office. It was a grocery store, it was originally a
3 building -- the original office for the Arnold
4 Building Company that built many of the first homes in
5 the 20s in the town. So, there is -- so it's not just
6 architecture, but it's historic context, and its life
7 over time. Do you -- would you like to add anything,
8 Richard?

9 MR. HEISENBOTTLE: Thank you, Karen. Ladies
10 and gentlemen, I want to make some suggestions to you,
11 and suggest that perhaps you ask some questions here.
12 First of all, this designation report was done 25
13 years ago. Now, designation ports -- reports 25 years
14 ago, --

15 TOWN ATTORNEY BAIRD: Sir, is this part of -
16 - is this part of the rebuttal, or is this another
17 presentation? Because --

18 (Overlapping voices.)

19 MR. HEISENBOTTLE: This is part of the
20 rebuttal.

21 (Overlapping voices.)

22 TOWN ATTORNEY BAIRD: Okay.

23 MR. HEISENBOTTLE: I didn't get one sentence
24 into it before I am being interrupted. Please. This
25 designation report was done 25 years ago, and

1 designation reports 25 years ago were not at the
2 quality level of designation reports today. Mr.
3 Gonzalez will tell you that. Designation reports
4 today are usually scholarly works, this is not a
5 scholarly work, no. But it is certainly an adequate
6 work, it is certainly a clear indication of the
7 intent, and a clear understanding of why this building
8 is being designated.

9 Now, the applicant has told you that it was
10 wrongly designated on -- and that it should have been
11 a district. There is nothing wrong with the
12 designation just the way it is written. They told you
13 that the owner wasn't notified, but he doesn't -- the
14 applicant doesn't provide any competent and
15 substantial evidence to prove that the city did not
16 notify the owner, they just say it.

17 DR. SPIRITIS: I didn't say that. I didn't
18 say that. Don't put words in my mouth.

19 MR. HEISENBOTTLE: And then, we get into a
20 series of scare tactics here. Scare tactics on the
21 structural condition of the building, that it is going
22 to fall down immediately, and you should immediately
23 de-designate it so we can tear it down.

24 MS. BAEZ: That wasn't (inaudible).

25 MR. HEISENBOTTLE: I think the -- it wasn't

1 a scare tactic?

2 DR. SPIRITIS: No, it was not.

3 MS. BAEZ: (Inaudible).

4 MR. HEISENBOTTLE: Let -- oh, well --
5 (Overlapping voices.)

6 TOWN ATTORNEY BAIRD: Woah, woah, woah,
7 woah. Let's --

8 MR. HEISENBOTTLE: -- all of the conditions
9 discussed about the safety are really the
10 responsibility of the owner. He is sitting here.

11 DR. SPIRITIS: Yes, and we want to demolish
12 the building.

13 MR. HEISENBOTTLE: The question that you
14 should ask is, can this building be restored? Can
15 this building be incorporated into the broader and
16 larger development? I would submit to you that it
17 most certainly can. I would submit to you that while
18 it is certainly not in good structural condition, I am
19 sure, and that it certainly doesn't even come close to
20 meeting current code, it is restorable. My firm
21 restores buildings in worse shape than that, all day
22 long, every day, and has for the last 35 years. In
23 fact, we actually restored this building that that Mr.
24 Gonzalez seems so proud of.

25 DR. SPIRITIS: (Inaudible).

1 MR. HEISENBOTTLE: That is the question of
2 the night, ladies and gentlemen. We have heard
3 conflicting comments from Mr. Gonzalez, we look in
4 2017 in his report to the city, and he maintains -- he
5 says that this -- the building maintains its
6 historical integrity in 2017, and then in 2023, the
7 same firm turns around and tells you that it lost that
8 integrity, yet there has been no work done on the
9 building since.

10 There is a lot of confusing and
11 misrepresentations going on here, there is no question
12 this building can be structurally repaired, none
13 whatsoever. There is no question that this building
14 could be incorporated into a bigger, larger
15 development that would help defer some of the cost of
16 it. Yet, I would suggest to you that it's not your
17 responsibility to go thinking about the cost of
18 construction projects. You should ask these questions
19 yourself, and get your own answers this evening before
20 ruling on this matter. Thank you very much for your
21 patience.

22 DR. SPIRITIS: Mr. Chairman, do I get to
23 respond?

24 CHAIRPERSON BUECHELE: No.

25 TOWN ATTORNEY BAIRD: You had your 30

1 minutes, they have had their 25, or whatever it is.

2 DR. SPIRITIS: Oh, but they came back --

3 MR. GONZALEZ: They came back.

4 DR. SPIRITIS: -- and responded. They got a
5 chance to come back and respond --

6 KAREN: Let's wait for (inaudible).

7 DR. SPIRITIS: -- to (inaudible).

8 MR. GONZALEZ: Let's wait until after
9 closing comments.

10 TOWN ATTORNEY BAIRD: Oh, I will tell you
11 what, --

12 MR. GONZALEZ: (Inaudible) public comments.

13 TOWN ATTORNEY BAIRD: -- let's give them --

14 MR. GONZALEZ: No, public comments.

15 TOWN ATTORNEY BAIRD: -- three minutes to --

16 MR. GONZALEZ: (Inaudible) --

17 TOWN ATTORNEY BAIRD: -- three minutes to --

18 DR. SPIRITIS: (Inaudible).

19 TOWN ATTORNEY BAIRD: -- have your rebuttal
20 of the rebuttal, if you think that is important.

21 KAREN: We would almost (inaudible) --

22 TOWN ATTORNEY BAIRD: Well, look --

23 KAREN: (Inaudible).

24 MR. GONZALEZ: Just very quickly, not even
25 one minute. 2017--

1 TOWN ATTORNEY BAIRD: One minute.

2 MR. GONZALEZ: -- 2017 --

3 TOWN ATTORNEY BAIRD: One minute.

4 MR. GONZALEZ: -- 2017, 2023, Karen wasn't
5 staff, it was a different staff. The owner of the
6 building did not want to do the study, I was paid by
7 the town of Lake Park because you wanted to save the
8 building. It was the last of the buildings on that
9 site. I was not given a copy of the 1998 report, I
10 didn't even know there was a 1998 report available. I
11 met the staff person at the site, and they said, hey,
12 we really want to try to save this building, the owner
13 wants to demolish it, let's do a walk around.

14 That is what we did, we walked around, and
15 based on that we wrote the report. But we did not
16 have a copy of the 1998 report. If we did, everything
17 I shared with you this evening, I would have done in
18 that report in 2017. That is why there is a
19 discrepancy between then and now. Thank you.

20 TOWN ATTORNEY BAIRD: All right. Mr.
21 Chairman, now is the opportunity for the board to ask
22 either the applicant or the town staff your questions.
23 Please direct your question to a particular person, so
24 that three or four people are not jumping up to try to
25 answer the question. If you do not have questions,

1 you do not have to ask questions, but if you do have
2 questions, now is the time. And then, we will go to
3 the public.

4 CHAIRPERSON BUCHELE: Fellow board members,
5 do we have questions?

6 BOARD MEMBER HARRIS-CLARK: Sure, may I have
7 staff first? And the architect for the town, please?

8 KAREN: I can't -- I'm sorry, I can't year
9 too well?

10 BOARD MEMBER HARRIS-CLARK: May I have staff
11 and the architect for the --

12 KAREN: Okay.

13 BOARD MEMBER HARRIS-CLARK: -- please?

14 KAREN: All right.

15 BOARD MEMBER HARRIS-CLARK: Okay.

16 MR. HEISENBOTTLE: Okay.

17 TOWN ATTORNEY BAIRD: No, --

18 BOARD MEMBER HARRIS-CLARK: Okay.

19 TOWN ATTORNEY BAIRD: -- she said staff.

20 BOARD MEMBER HARRIS-CLARK: To --

21 KAREN: Staff and the architect.

22 BOARD MEMBER HARRIS-CLARK: Okay. And you
23 can decide who wants to answer the question. First of
24 all, we are not looking at the structural integrity of
25 the building, we are discussing if it has -- If it

1 meets the historic designation in its current picture
2 of 1950, 1998, and as it stands today. Surely this is
3 not unique to the town of Lake Park, this happens all
4 over the world. And my question is, the previous
5 owner prior to this applicant, if I am reading in the
6 document, wanted to have this designated as a
7 historical site, is that correct? The previous owner,
8 they were going to submit an application but didn't
9 quite get there from the documentation that --

10 KAREN: Okay.

11 BOARD MEMBER HARRIS-CLARK: -- the staff --

12 KAREN: All right.

13 BOARD MEMBER HARRIS-CLARK: -- (inaudible)?

14 KAREN: It was designated in 1998, and
15 subsequent owners owned it with that historic
16 designation. The referenced owner that in 2017
17 desired to -- applied for site plan approval to
18 renovate the building under the historic designation.
19 And they were granted a certif-- it was called a
20 certificate of appropriateness -- that they could make
21 changes so long as those changes were deemed to be
22 consistent with the historic form of that structure.
23 And that was -- that was what REG had reviewed in
24 2017.

25 After 2017, the building was sold in 2021 to

1 a group that was very interested in renovating it and
2 making it a commercial building for use, and they had
3 spoken with us. Then in 2022, they sold it to the
4 present owner. So, all the previous owners, either
5 they just owned it, or they want -- or they applied
6 for improvements under that historic designation.

7 BOARD MEMBER HARRIS-CLARK: Sure, thank you.
8 That was what I was asking. Next question to -- next
9 question to staff, when any applicant buys property of
10 this nature, would it be expected by staff that they
11 have done their due diligence in this type of scenario
12 to determine if they are going to acquire their
13 property, the pros and cons? And I am using myself as
14 an example, is that when I bought a home in a historic
15 district, it was a mess, but before I would make that
16 purchase I talked to the town to determine what the
17 town considered -- what they would do to this property
18 before I put this financial investment. And in
19 working with that team, the town, gave me the decision
20 to say, okay, go ahead and move forward and I did.
21 But I did my due diligence before I put my money
22 there. Does that work that way with these types of
23 structures?

24 KAREN: It could. Yes, I can't speak for
25 what the applicant did or did not do. But yes, I

1 mean, that's typically how you --

2 BOARD MEMBER HARRIS-CLARK: Okay. And I
3 would like to ask the architect, you talked about this
4 building, of course it's not going to look the way
5 that it did in 1920, number one the hurricane came
6 through, number two, we got different codes for
7 hurricane windows and doors, any property has to meet
8 that sort of code. But here we are looking at the
9 configuration of 1998 -- 1950, 1998, and today.

10 Sometimes there are only remnants, and maybe pictures
11 of an old structure. Maybe the back of the building
12 has been totally renovated, looks nothing like it did
13 in that time period, but the facade. The facade --
14 because sometimes a percentage of a facade could
15 qualify it to be rebuilt the way that it should look,
16 and then whatever goes on behind at the interior is
17 something else, but it does have some percentage of
18 integrity of the style or the historic value. Could
19 that be a possibility versus redoing the entire
20 building? Just the aspect of the facade to have been
21 done either in the revival style or even back in the
22 1920s and it still meets the historic designation?

23 MR. HEISENBOTTLE: Certainly. I don't think
24 there is any circumstance here where the rather of the
25 building has really much significance to the overall

1 integrity of its design. We should also recognize
2 that the secretary of interior standards, number four,
3 supports the notion that changes to a property that
4 have accrued historic significance in their own right
5 over time should be retained and preserved,
6 recognizing that the properties do change. And this
7 property changed, we know that. But it -- but when it
8 was designated to today, the property has maintained -
9 - has maintained its historic integrity. Compare this
10 photograph from 1950 all the way to the current
11 photographs that we all have in our book wheel. And
12 you know, and we see that this is very much just the
13 same building.

14 BOARD MEMBER HARRIS-CLARK: Those are the
15 questions I have for now, Chair.

16 CHAIRPERSON BUCHELE: Thank you, Evelyn.
17 Gus?

18 BOARD MEMBER RODRIGUEZ: Well, since I have
19 staff up there, I will ask my questions from staff.
20 And going on the board members of question right now,
21 since it's designation, this property has gone through
22 a few hands, in looking at it. Owners that came
23 subsequent to the designation, was -- is there
24 anything in place where the town, or where an owner,
25 has to preserve, or maintain, or secure the property

1 so that it doesn't continue to deteriorate in the
2 manner that it has?

3 MR. HEISENBOTTLE: That is very much the
4 norm for an owner's responsibility in the building.
5 There are provisions, I'm not entirely familiar with
6 your law. But demolition by neglect is one that might
7 well apply to any number of the various owners before
8 and including the current one. You are not allowed to
9 allow a building of this significance in the community
10 to be neglected.

11 BOARD MEMBER RODRIGUEZ: And so, by that,
12 does the community have a means or a mechanism by
13 which they kind of enforce that kind of a -- of
14 overseeing the integrity of the building?

15 KAREN: In this case, it would be the basic
16 nuisance and building code. You know, things such as,
17 you know, you can't have -- allow a structure with a
18 broken window, it needs to be fixed. If a board -- a
19 door has been broken in, such that people can get in,
20 you need to fix it. If part of the facade has been
21 ripped off so that people can crawl under, you need to
22 fix that. There is not -- in the historic designation
23 section, there is not one that specifically calls out
24 the responsibility of an owner of historic designation
25 properties. It's a -- you know, but what would apply

1 is what would apply to any -- to any structure. And
2 by keeping --

3 MR. HEISENBOTTLE: (Inaudible) building.

4 KAREN: -- you are keeping the building as
5 it is, you know, you are -- the building is historic,
6 it looks a certain way, you are required to maintain
7 that, just as you would be required to maintain your
8 house. Again, like the examples that I went through.
9 Yeah. But there is no -- you know, no specific -- I
10 don't think in 66 there is -- there is anything really
11 specific as there are in some community's codes that
12 are very specific.

13 MR. HEISENBOTTLE: The Florida building code
14 does address unsafe structures, and it is without --
15 it's probably a matter of law, counselor, that that
16 unsafe structures are the responsibility of the owner.
17 And to repair those unsafe structures, and the way
18 this sounds, it certainly seems to have been a
19 responsibility of this owner and prior owners.

20 BOARD MEMBER RODRIGUEZ: Well, a question of
21 staff again, how many violations have been issued
22 against this property in the last -- since it's
23 designation?

24 KAREN: Oh, I don't -- I don't know.

25 TOWN ATTORNEY BAIRD: Well, let --

1 KAREN: I'm sorry, I do not know.

2 BOARD MEMBER RODRIGUEZ: Or does that go to
3 structure?

4 TOWN ATTORNEY BAIRD: No, the code
5 violations are really not relevant to this proceeding.

6 BOARD MEMBER RODRIGUEZ: Okay.

7 TOWN ATTORNEY BAIRD: The short answer to
8 your question is, the building has to be maintained in
9 accordance to all codes of the town. If it's not,
10 then it is subject to a code violation.

11 BOARD MEMBER RODRIGUEZ: Okay. Okay, thank
12 you. Glen?

13 DR. SPIRITIS: Yes.

14 BOARD MEMBER RODRIGUEZ: Was it the
15 intention at any point when you came into possession,
16 when you guys purchased the property that you were
17 going to try to preserve the property?

18 DR. SPIRITIS: Okay. Now, since everyone is
19 saying what they want to say here tonight, I am going
20 to tell you exactly what happened. We were in
21 encouraged by the town staff to purchase this building
22 and make it part of our project. We were even told
23 that they would work with us to get the deed
24 designation, and how easy it would be. How do you
25 think I found Rick? I don't know Rick, he was

1 recommended to us by the town to hire Rick to do the
2 deed designation report. The town also requested that
3 we hire a structural engineer, because they said that
4 that would make it easier. So, we have done
5 everything the town has asked us to do, including
6 spending \$960,000 on this building when it was sold a
7 year before for 400,000 less. We are trying to help
8 your community.

9 But I want to go back for one second, the
10 report by the previous architect includes this photo
11 of the interior of the building. It wasn't just the
12 exterior of the building that was included in the
13 report. The previous owner -- I assume it was the
14 previous owner -- totally gutted this building out.
15 And when they found what they found, they figured it
16 would be a good time to get out, because the building
17 is structurally unsound. And by the way, we can prove
18 that there were changes to the building since 1998.

19 As a matter of fact, they cut into the
20 garage, we have a photo of the sticker on the garage
21 that was done 2021. So, there was work being done on
22 this building, I don't know how the building
23 department didn't see what was going on, I mean, the
24 building is right in the middle -- right in the heart
25 of your town. But clearly, substantial work was being

1 done on this building, and no violations were given,
2 and no permits were given.

3 TOWN ATTORNEY BAIRD: Does that answer your
4 question?

5 BOARD MEMBER RODRIGUEZ: Yes, it does. Yes.

6 TOWN ATTORNEY BAIRD: All right, next
7 question.

8 CHAIRPERSON BUECHELE: Patti?

9 BOARD MEMBER LEDUC: Well, I am still
10 following along with some of the previous questions.
11 And sir, Greg or Glen?

12 CHAIRPERSON BUECHELE: Glen.

13 BOARD MEMBER LEDUC: Glen, I'm so sorry.

14 DR. SPIRITIS: It's okay.

15 BOARD MEMBER LEDUC: I guess, I would like
16 to go back to your initial purchase of the property,
17 and your due diligence, and what you were told about
18 the historical value, and the historic designation of
19 the property. And how that worked into your plans and
20 your consideration to go ahead and make the purchase
21 of the property. And if the designation is in place,
22 what your plans to incorporate that into your plan
23 moving forward.

24 DR. SPIRITIS: Okay. We were led to believe
25 by the town that de-designation would be an easy

1 process if we did what we -- what we have been doing.
2 But I can tell you that after -- and at one point, we
3 actually thought that maybe we would do the building
4 separately, depending upon what the potential of the
5 future project was going to be, which you will get
6 sooner or later. Hopefully sooner, because we did
7 submit plans a year ago, we revised those plans based
8 on comments by the staff, they are going to be
9 resubmitted on Wednesday morning. But I can tell you
10 that afternoon our engineer went in there -- and I --
11 and I resent anyone stating that our engineer is
12 making false comments or making statements based on
13 what she is being told to say. I mean, that's a
14 terrible thing to say to a professional engineer. You
15 know, --

16 TOWN ATTORNEY BAIRD: Let (inaudible) --

17 DR. SPIRITIS: -- I resent that that
18 happened tonight. Well, I just resent the fact that
19 that happened tonight. She is a qualified engineer,
20 she did her engineering study, and she deemed this
21 building to be unsafe --

22 BOARD MEMBER LEDUC: My question was really
23 --

24 DR. SPIRITIS: -- and unsound.

25 BOARD MEMBER LEDUC: -- just though about

1 what your plans were, and if you were told with
2 nothing in writing about the designation of the
3 building being de-designated. You continued forward
4 with the purchase knowing that it was a designated
5 historical property, --

6 DR. SPIRITIS: Yes, we --

7 BOARD MEMBER LEDUC: -- so what would your
8 plans be with -- regardless of hearsay, because I
9 wasn't present with staff or what --

10 DR. SPIRITIS: Okay, well --

11 BOARD MEMBER LEDUC: -- you were told.

12 DR. SPIRITIS: -- I was present with staff,
13 --

14 BOARD MEMBER LEDUC: I just wanted to know
15 what you --

16 DR. SPIRITIS: -- and not by myself, there
17 were other people at the meeting when I was with staff
18 having these discussions. Once again, we are
19 sophisticated developers, we spend a lot of money. As
20 I said to you, we already have \$8 million into your
21 community, and (inaudible) 200 million more coming
22 hopefully. And we don't make decisions lightly, we
23 trusted the people that we were talking to, and
24 hopefully we will do that. We don't want to have to
25 take this to another step, obviously we will. It's an

1 unsafe building, we are responsible owners of our
2 building, our building is boarded up. I think what
3 the engineer was referring to was that someone can
4 come with a crowbar and pull a board off, the same way
5 they could break a window to any vacant building and
6 get in. And then, she feared that someone could get
7 hurt in the building. But as responsible owners, we
8 believe this building has to come down, and we -- and
9 -- for the safety of the -- and the welfare of the
10 entire community. Because anyone could be walking
11 past that building. And that building, if you read
12 the report, or if you are an engineer, or if you are
13 in construction --

14 TOWN ATTORNEY BAIRD: I'm sorry.

15 DR. SPIRITIS: -- you will know -- well
16 (inaudible), I am answering her question.

17 TOWN ATTORNEY BAIRD: No, you are not
18 answering --

19 DR. SPIRITIS: Yes, I am answering her
20 question.

21 TOWN ATTORNEY BAIRD: You are (inaudible).

22 DR. SPIRITIS: I'm -- she is asking what I -
23 - we were going to do with the meeting, and I am
24 telling her that because of the condition of the
25 building, we don't have an option.

1 BOARD MEMBER LEDUC: Really, --

2 CHAIRPERSON BUECHELE: Okay.

3 BOARD MEMBER LEDUC: -- I was just more
4 focused on the purchase when you initially purchased
5 it.

6 DR. SPIRITIS: Right.

7 BOARD MEMBER LEDUC: Realizing that it was a
8 designated historical building that was --

9 DR. SPIRITIS: Yes.

10 BOARD MEMBER LEDUC: -- to be preserved, and
11 that it hasn't structurally, from all the pictures and
12 everything that we have seen going back to the
13 original designation application and designation --

14 DR. SPIRITIS: Uh-huh.

15 BOARD MEMBER LEDUC: -- that was approved
16 and submitted back in 1998, the building has not gone
17 through significant changes. Yes, we can all agree it
18 has been not well maintained by the previous owners
19 and you haven't done anything but --

20 DR. SPIRITIS: We have owned it less than a
21 year.

22 BOARD MEMBER LEDUC: -- boarded it -- it's
23 boarded up. So, you haven't made any improvements or
24 changes to it. And my concern is that, you know, we
25 are going off a designation, and all of the

1 information provided from the reports from 1998 are
2 still true today. And I was just curious, when you
3 went into the purchase, were you made aware of the
4 designation? And were you provided with any
5 additional information that was supported in the --

6 DR. SPIRITIS: Yes, I --

7 BOARD MEMBER LEDUC: -- 1998 decision?

8 DR. SPIRITIS: Yes, as I said, we were --

9 BOARD MEMBER LEDUC: Okay.

10 DR. SPIRITIS: -- told to hire the architect
11 that we did to do a report. By the way, we are paying
12 for the town's consultant tonight, that comes out of
13 our --

14 BOARD MEMBER LEDUC: Okay.

15 DR. SPIRITIS: -- money, we paid for that
16 report as well. So, we --

17 CHAIRPERSON BUECHELE: That wasn't a
18 question though, --

19 BOARD MEMBER LEDUC: (Inaudible).

20 CHAIRPERSON BUECHELE: -- who is paying for
21 it.

22 DR. SPIRITIS: No, I under-- I understand.
23 But you asked did --

24 BOARD MEMBER LEDUC: You didn't answer the
25 question.

1 DR. SPIRITIS: -- we believe --

2 BOARD MEMBER LEDUC: You were fully --

3 DR. SPIRITIS: -- we believe --

4 BOARD MEMBER LEDUC: -- aware of this --

5 DR. SPIRITIS: Yes, we were fully --

6 BOARD MEMBER LEDUC: -- report from --

7 DR. SPIRITIS: -- aware, and --

8 BOARD MEMBER LEDUC: -- 1998?

9 DR. SPIRITIS: -- we were told that it was
10 not a problem, because it wasn't on the historical
11 register, and that it was -- and it was only on a
12 local property list with the state, and that it would
13 be not a difficult thing to un-list the building based
14 on the condition of the building.

15 BOARD MEMBER LEDUC: Oh, thank you.

16 TOWN ATTORNEY BAIRD: Okay. If -- are there
17 any more questions? If not, it's time to go to the
18 public.

19 BOARD MEMBER HARRIS-CLARK: But Chair?

20 CHAIRPERSON BUECHELE: I have a question,
21 Tom.

22 BOARD MEMBER HARRIS-CLARK: Thank you.

23 CHAIRPERSON BUECHELE: You had mentioned
24 that you spent \$8 million over there right now, right?

25 DR. SPIRITIS: That's correct.

1 CHAIRPERSON BUECHELE: Am I allowed to ask -
2 - and you suggested you got 200 more million you are
3 going to invest.

4 BOARD MEMBER HARRIS-CLARK: Uh-uh.

5 CHAIRPERSON BUECHELE: I know we are
6 probably not privy to look at plans and see that
7 (inaudible). That's not we are voting --

8 DR. SPIRITIS: Right.

9 CHAIRPERSON BUECHELE: -- on tonight?

10 TOWN ATTORNEY BAIRD: (Inaudible) I mean, --

11 DR. SPIRITIS: Correct.

12 TOWN ATTORNEY BAIRD: -- this is -- that
13 discussion is really not relevant, what's relevant is
14 if you look at page three of the staff report, Section
15 66-9, the designation process and procedures, and the
16 criteria, that's your focus. Do they -- does -- is
17 the criteria still met or not?

18 BOARD MEMBER HARRIS-CLARK: Uh-huh.

19 TOWN ATTORNEY BAIRD: If it's still met,
20 then it's still designated, if you find that it's not
21 then you can de-designate. But structural stuff, how
22 much they paid for the building, --

23 CHAIRPERSON BUECHELE: Right.

24 TOWN ATTORNEY BAIRD: -- what the future
25 plans are, that's not relevant to this hearing of

1 whether or not the property should be de-designated.

2 DR. SPIRITIS: Mr. Chairman, --

3 TOWN ATTORNEY BAIRD: Very narrow question.

4 DR. SPIRITIS: Mr. Chairman?

5 TOWN ATTORNEY BAIRD: And I don't want to be
6 interrupted --

7 DR. SPIRITIS: But Mr. Chairman?

8 TOWN ATTORNEY BAIRD: -- by parties, I am
9 the town attorney, I am giving my client some
10 instructions about how to proceed. And at this point,
11 if there is no more questions, --

12 BOARD MEMBER HARRIS-CLARK: I have a --

13 TOWN ATTORNEY BAIRD: -- I am instructing --

14 BOARD MEMBER HARRIS-CLARK: -- question.

15 TOWN ATTORNEY BAIRD: -- that you go to the
16 public.

17 CHAIRPERSON BUECHELE: Let's go to the
18 public.

19 BOARD MEMBER HARRIS-CLARK: Chair, I do have
20 another --

21 DR. SPIRITIS: Mr. Chairman, you know --

22 BOARD MEMBER HARRIS-CLARK: -- question.

23 CHAIRPERSON BUECHELE: Yes.

24 BOARD MEMBER RODRIGUEZ: Mr. Chair, she has
25 another --

1 BOARD MEMBER HARRIS-CLARK: Chair?

2 BOARD MEMBER RODRIGUEZ: -- question.

3 BOARD MEMBER HARRIS-CLARK: I have another
4 question to the applicant. When I look at being on a
5 board, no matter what board, and it involves
6 applicants, and certainly the goal here is to do
7 business with the applicant. And I'm sure the town --
8 we appreciate the potential projects that you are
9 bringing. And the goal is to work with staff, work
10 with the board, work with the applicant, and we try to
11 find common ground.

12 So, I would like to ask the applicant that
13 you were aware during acquisition of the designation,
14 and you made comments about what you were told. But I
15 want to back up a bit.

16 DR. SPIRITIS: Uh-huh.

17 BOARD MEMBER HARRIS-CLARK: And I want to go
18 back to the idea of, forget the back of the building,
19 I don't care about the back of the building. What I
20 care about is the front of the building, the way it
21 looked in 1920, the way it looks like 1950, the way it
22 looks 1998, and the way that it looks now. Were there
23 any discussions you, as a developer, with the staff,
24 with your architect to say, it is designated, it
25 didn't quite get there be-- with previous owners, it

1 didn't quite get there, but we in our expertise can
2 use a percentage of the facade and maintain the facade
3 Mediterranean revival style look? And give the city -
4 - give the town what we are looking for and then you
5 do what you do in the back? Because the interior has
6 been gutted, the back is gone, the -- I'm concerned
7 about the facade. Because number one, if it gets torn
8 down, there is zero. There is no point in taking a
9 tour bus and touring the town of Lake Park and we see
10 a plaque and it said this is what it used to be. We
11 all go on architectural tours, or historical tours,
12 and sadly those buildings are gone, and there is a
13 plaque. I just did that in South Carolina of a
14 community -- I'm just going to say community of color.

15 DR. SPIRITIS: Uh-huh.

16 BOARD MEMBER HARRIS-CLARK: All the homes
17 were torn down, and I looked at the plaque, and for
18 me, it was more like a grave site. And I had wished
19 that some aspect of those building were maintained
20 even if it was the front facade so that we had some
21 historical preference. Because we already know in
22 this day and time, there are many entities that are
23 trying to erase our history. And it's up to maybe
24 documents, maybe the orators of the -- the keepers of
25 history to kind of remind us what was there. Did you

1 consider that of helping the town out? And your goal
2 get accomplished, and our goal get accomplished?

3 DR. SPIRITIS: Okay. So, you are asking me,
4 will we consider it? What I -- what I will tell you
5 is that the facade of this building cannot be saved.
6 Structurally, it just can't be saved. I mean, you
7 have to take that facade down. What I can tell you,
8 what we would consider is going back to the original
9 block construction. Rick, do you want to speak?

10 BOARD MEMBER LEDUC: No.

11 MR. GONZALEZ: He -- that's an excellent
12 question. And I like to use examples, the Lake Worth
13 Beach Casino that we restored, actually it was a
14 replica. We got into the building, the city hired us
15 to restore it, and it started to crumble. They used
16 saltwater sand from the beach in the concrete mix.
17 So, we had to do a complete -- what's it called? The
18 reconstruction. And it -- I'm sure you have been to
19 Lake Worth Beach Casino? I hope, yes? It looks like
20 the original, but it's not the original. So, I think
21 what Glen was going to say that the facade-- in fact,
22 if you look at it, that's the saddest thing about the
23 building is it's the last of the Mohicans, right? All
24 the -- there used to be a beautiful historic
25 streetscape along that front side of Lake Avenue, and

1 there is only one left, and it's a really bad cousin
2 of what was really there. But a reconstruction of
3 that facade and other facades might be something that
4 can be explored in the design -- in combination with
5 the design of the new building.

6 The structural engineer has already spent a
7 lot of time, we didn't spend time when we did the Lake
8 Worth Beach because we didn't know, it just happened.
9 I'm afraid that getting into that building, it would
10 start crumbling down, but you could --

11 CHAIRPERSON BUCHELE: All right.

12 MR. GONZALEZ: -- rebuild it (inaudible) --

13 BOARD MEMBER HARRIS-CLARK: All right, I'm
14 not talking about --

15 CHAIRPERSON BUCHELE: That wasn't the
16 question, though.

17 BOARD MEMBER HARRIS-CLARK: -- the entire --

18 BOARD MEMBER LEDUC: No.

19 TOWN ATTORNEY BAIRD: Okay.

20 BOARD MEMBER HARRIS-CLARK: I'm not talking
21 about the --

22 TOWN ATTORNEY BAIRD: So, --

23 BOARD MEMBER HARRIS-CLARK: -- in-structural
24 --

25 TOWN ATTORNEY BAIRD: Let me --

1 BOARD MEMBER HARRIS-CLARK: -- integrity --

2 TOWN ATTORNEY BAIRD: You're --

3 BOARD MEMBER HARRIS-CLARK: -- of the
4 building.

5 TOWN ATTORNEY BAIRD: -- you're getting with
6 these questions, which are really more your
7 deliberation than they are questions. And now you are
8 getting testimony from both sides back and forth
9 again.

10 CHAIRPERSON BUECHELE: So, let's go public
11 comment.

12 BOARD MEMBER RODRIGUEZ: Let's go to public
13 comment.

14 TOWN ATTORNEY BAIRD: It's really time --

15 BOARD MEMBER RODRIGUEZ: Let's go to public
16 comment.

17 TOWN ATTORNEY BAIRD: -- to go to the
18 public.

19 CHAIRPERSON BUECHELE: (Inaudible).

20 TOWN ATTORNEY BAIRD: And then, you can come
21 back and discuss --

22 BOARD MEMBER RODRIGUEZ: We can come back
23 (inaudible).

24 TOWN ATTORNEY BAIRD: -- amongst yourselves
25 --

1 BOARD MEMBER HARRIS-CLARK: Okay.

2 TOWN ATTORNEY BAIRD: -- what you have heard
3 and decide what to do, whether to de-designate or not.
4 That's the question.

5 BOARD MEMBER LEDUC: Thank you.

6 MR. GONZALEZ: So, now we will go to public
7 comments.

8 BOARD MEMBER RODRIGUEZ: Okay.

9 CHAIRPERSON BUECHELE: First card I have
10 here is from Dianne Sophinos?

11 BOARD MEMBER LEDUC: Sophinos.

12 CHAIRPERSON BUECHELE: Sophinos? You knew I
13 would mangle that.

14 BOARD MEMBER LEDUC: Uh-huh.

15 CHAIRPERSON BUECHELE: Set the timer.

16 BOARD MEMBER HARRIS-CLARK: Good evening,
17 everyone. Good evening.

18 MALE SPEAKER: Good evening.

19 DIANNE SOPHINOS: Good evening, Historic
20 Preservation Board.

21 CHAIRPERSON BUECHELE: Sophinos.

22 DIANNE SOPHINOS: I am an assistant
23 historian with the Lake Park Historical Society. My
24 name is Dianne Sophinos, I live at 338 Bayberry Drive,
25 I have been living here over 40 years. And I have

1 been since day one with the Lake Park Historical
2 Society, which is a separate entity from the town
3 Historic Preservation Board.

4 Our mission is to promote the restoration,
5 preservation, and maintenance of the town's historical
6 artifacts, building, sites, and places. And to
7 educate, inform, and foster interest, and an
8 appreciate of the history, culture, and inhabitation of
9 the town of Lake Park, formally Kelsey City. This
10 year, we are celebrating the centennial, 100 years.
11 This building is almost 100 years old. It's withstood
12 many hurricanes, from September 1928, the big storm,
13 the hurricanes of the early 1930s, 40, and so on. So,
14 this building has withstood many weather conditions,
15 it's a shame to have it demoed, it really is. It sits
16 in our Park Avenue downtown district, and as Kelsey
17 City, currently Lake Park, it retains the original --
18 the town retains the original lay out planned by the
19 Olmsted brothers and Dr. John Noland from the early
20 1920s. It is a series of rectangular blocks, most are
21 oriented north and south. The building located at
22 1918 Park Avenue is the only original building,
23 historic building remaining in the commercial area,
24 today Park Avenue downtown district. All new
25 development around this building is commercial and

1 newer, significantly.

2 The Mediterranean revival style shares many
3 of the mission characteristics. Although it tends to
4 be somewhat ornamental. 918 Park Avenue housed many
5 shops, including the United States Post Office, and
6 Sunday Sundry, S-U-N-D-R-Y, shop, occupied this Park
7 Avenue building. This two story frame building on the
8 south side of the street. The post office was
9 neighborly gathering place with promise of a friendly
10 chat with Mr. And Mrs. Hester, the postmaster and
11 postmistress, whose home was on Prosperity Farms Road.

12 One always planned a stop at the Sundry Shop
13 next door, run by Mr. Frank Hair. So, this building
14 has been through many property owners and it's still
15 standing today in our beautiful historic town of Lake
16 Park. And I feel that it should retain as much as
17 possible to the original photo that was shown tonight.
18 But we do want to preserve this building. And it
19 housed also the library, and many other shops during
20 the years. When I moved here 1981, there was a
21 typewriter repair store on the first floor.

22 CHAIRPERSON BUCHELE: 15 Seconds please?

23 DIANNE SOPHINOS: And also a -- I do want to
24 say that one of the first libraries started in this
25 building where people would donate books. Thank you

1 very much.

2 BOARD MEMBER RODRIGUEZ: Thank you.

3 CHAIRPERSON BUECHELE: Thank you.

4 BOARD MEMBER LEDUC: Thank you.

5 CHAIRPERSON BUECHELE: Our next public
6 comment card is from Terence Davis?

7 TERENCE DAVIS: (Inaudible). Good evening.
8 To the members of the public and the members of the
9 board, and all the staff I would like to say thank you
10 for your time and your service that you do. My name
11 is Terence Davis, and I grew up in Lake Park and
12 Riviera Beach. My aunt and my grandmother had a house
13 here, and my cousins. And when I was a little boy, my
14 grandmother and my mom, every Saturday night, they
15 would bring us over to get pizza. Then we would walk
16 next door and do our laundry, play the little video
17 games, they had a little Pac Man machine. And later
18 on, we would go over to Rosita's and buy the meat, I
19 would shoot pool and ride bicycles, every summer,
20 every spring break I would go to Lake Park Camp. I
21 say that to say this, that I am no stranger to Lake
22 Park, and I am not going anywhere. I graduated from
23 Florida A&M University, after that I came back home
24 and became a schoolteacher for ten years. Later
25 became a Councilman in Riviera Beach, Planning and

1 Zoning board member, became a board of director just
2 recently of the central Palm Beach Chamber Chairman of
3 the Government Affairs Committee, the port
4 representative for the city of Riviera Beach, sat on
5 the Economic Development Group Committee with the Palm
6 -- Northern Chamber, and also the Florida League of
7 Cities Housing and Economic Development. So, that
8 comes with some expertise.

9 And I am going to be brief, because I can
10 talk about the rest later. When we -- when this
11 developer and organization approached the city, they
12 went through the due diligence period. And yes, they
13 did. To answer your questions, they did everything
14 that you asked them. Dr. Spritis asked that question,
15 and I said, well what I would do is, as a working
16 member for you guys, I would take about reserving as
17 much as we can, and it could be a great opportunity to
18 team up with the local schools to work with teaching
19 and giving some creativity with the kids. Staff said,
20 hire Rick Gonzalez and do a study. Staff said that.
21 So, we did it. So, we thought we was going to have to
22 preserve some columns and stuff, and we was all on
23 board with that based upon what we didn't have in the
24 facts. And another staff member stated that that
25 building is trash, it needed to be torn down. Then, I

1 was like, listen, whatever the study said, we are
2 going to focus on the law. Not our opinion, not our
3 emotions, because this is a lot of money that you're
4 asking for this town. I'm excited about the education
5 piece and making sure local folks work, and have
6 somewhere to live. If you look at recently, in
7 Mexico, yesterday, 130 people died from a building
8 like this. You saw what happened in Miami. When you
9 have these artifacts coming here, someone should be
10 collecting all this information to make sure that when
11 staff comes and has investors coming to town, they
12 know who built it, who was the architect, who was the
13 -- none of this information (inaudible) was presented
14 to these lovely men and women, nothing was presented
15 by staff. That's not their responsibility to keep
16 records, they have to make a decision based upon the
17 documentation, the law, not their opinion. And the
18 documentation that they did research on stated that
19 the process was never completed. Can you imagine
20 coming home one day and someone tells you your
21 building is on some listing? And no one contacted
22 you, pick up the phone, say I need to meet with you to
23 discuss the listing of this building? I know what my
24 wife would do to me. She would go, did you talk to me
25 first? And I would say, well baby, you got to protect

1 yourself. We just want to do business, all right?
2 And we want to follow along and follow the code. And
3 I'm going to walk away. The building safety and the
4 integrity of this building is only -- is important
5 because the architect that they paid for out of all
6 three consultants stated in the very beginning that
7 this purpose of this application was for
8 redevelopment. No it wasn't, it was for the emergency
9 demolition permit, because everyone on staff read the
10 two reports. I stand corrected, thank you.

11 CHAIRPERSON BUCHELE: Thank you, Mr. Davis.

12 KAREN: Don't be pointing at me, I'm --
13 don't do that.

14 TERENCE DAVIS: I pointed this way.

15 KAREN: And then you (inaudible).

16 TERENCE DAVIS: She's intimidating me.

17 CHAIRPERSON BUCHELE: Thank you, Mr. Davis.

18 KAREN: (Inaudible) pointed this way
19 (inaudible).

20 TERENCE DAVIS: No, I am pointing this way.

21 KAREN: All right, thank you.

22 TERENCE DAVIS: (Inaudible).

23 CHAIRPERSON BUCHELE: Thank you, Mr. Davis.

24 TERENCE DAVIS: (Inaudible) I have
25 protection here. I don't want a hostile environment,

1 my momma raised me better.

2 KAREN: Uh-huh.

3 MALE SPEAKER: (Inaudible).

4 TERENCE DAVIS: I see (inaudible) over here,
5 and he don't (inaudible).

6 TOWN ATTORNEY BAIRD: Is there -- are there
7 any more public comment cards?

8 CHAIRPERSON BUECHELE: There are --

9 BOARD MEMBER RODRIGUEZ: No, no.

10 CHAIRPERSON BUECHELE: -- no more public
11 cards.

12 TOWN ATTORNEY BAIRD: So, let me explain
13 this part of the meeting for you. This is your time
14 to discuss amongst yourselves the competing
15 presentations that you have heard so that you can
16 reach a conclusion. Once you have exhausted
17 yourselves with your internal discussion, then a
18 motion would be put on the floor, a second, and a
19 vote. It's not an opportunity, and it's not the time
20 to go back and start asking more questions, and asking
21 for more presentations. That time has closed. You
22 have heard about 35-- 35, 45 minutes of presentations
23 from people, now it's time to decide the facts and
24 make a decision.

25 CHAIRPERSON BUECHELE: All right, let's

1 talk.

2 BOARD MEMBER LEDUC: Let's settle this.

3 BOARD MEMBER HARRIS-CLARK: How does this
4 work?

5 BOARD MEMBER LEDUC: Put your (inaudible).

6 BOARD MEMBER HARRIS-CLARK: We just do it
7 like this?

8 BOARD MEMBER RODRIGUEZ: Yeah, (inaudible).

9 TOWN ATTORNEY BAIRD: No, no, no, no, no,
10 no, no.

11 BOARD MEMBER HARRIS-CLARK: (Inaudible)?

12 TOWN ATTORNEY BAIRD: You make your remarks
13 on the record, --

14 BOARD MEMBER LEDUC: Oh, on the record?

15 TOWN ATTORNEY BAIRD: -- into the
16 microphones.

17 BOARD MEMBER LEDUC: Oh, okay. Okay.

18 BOARD MEMBER HARRIS-CLARK: Yeah, that's --

19 BOARD MEMBER RODRIGUEZ: Okay.

20 BOARD MEMBER HARRIS-CLARK: -- we make it in
21 the microphone.

22 BOARD MEMBER LEDUC: Oh, okay.

23 BOARD MEMBER HARRIS-CLARK: Right? That's -

24 -

25 BOARD MEMBER LEDUC: Yes.

1 CHAIRPERSON BUECHELE: Yeah, sure.

2 BOARD MEMBER HARRIS-CLARK: Yeah, that's
3 what I thought.

4 BOARD MEMBER RODRIGUEZ: So, okay. Well,
5 let's go real quick and start --

6 BOARD MEMBER HARRIS-CLARK: But let's back
7 up --

8 TOWN ATTORNEY BAIRD: Look, --

9 BOARD MEMBER HARRIS-CLARK: -- a little bit
10 --

11 TOWN ATTORNEY BAIRD: -- everybody --

12 BOARD MEMBER RODRIGUEZ: Yeah.

13 TOWN ATTORNEY BAIRD: -- has to --

14 BOARD MEMBER RODRIGUEZ: Yeah.

15 TOWN ATTORNEY BAIRD: -- hear this, this is
16 a --

17 BOARD MEMBER RODRIGUEZ: Yeah.

18 TOWN ATTORNEY BAIRD: -- recorded
19 proceeding.

20 BOARD MEMBER RODRIGUEZ: Exactly.

21 BOARD MEMBER HARRIS-CLARK: Right, okay.

22 TOWN ATTORNEY BAIRD: And so, Mr. Chairman,
23 my suggestion is that you call on member by member,
24 and ask them to state what their position on this is.

25 CHAIRPERSON BUECHELE: Thank you, Tom.

1 Evelyn?

2 BOARD MEMBER HARRIS-CLARK: My comment is,
3 listening to both of --

4 TOWN ATTORNEY BAIRD: Speak into the mic,
5 please.

6 BOARD MEMBER HARRIS-CLARK: Oh, I'm sorry.
7 My comment is, listening to both of --

8 TOWN ATTORNEY BAIRD: We can't (inaudible) -
9 -

10 BOARD MEMBER HARRIS-CLARK: -- the
11 architects and their area of expertise and projects
12 that they worked on, and our goal as a town, and I
13 don't feel that there has been enough due diligence of
14 the possibility of salvaging a portion of the frontage
15 of the building to give us the -- to -- for the
16 designation. It hasn't been enough of the
17 possibilities. I think the possibilities are there,
18 but no one has gone down the path. I don't care about
19 the structural integrity, I don't care about the
20 incompetence of what happened prior to staff being
21 here new, oh, I don't care about that. What I want to
22 look at it our town, what do we want the downtown to
23 look like? We just came out of the arts and music
24 festival, and it was just lovely with people
25 meandering. And even looking at that building, asking

1 me personal questions, what's going to be done with
2 that building? I did not know at the time, but that
3 building, that front of the building had some
4 historical aesthetic boutique-ness, quaintness,
5 personality period of our town. And I just don't
6 think that we -- not we, but the applicant and the
7 staff have done enough do see where they could come
8 together to meet everybody's goal and objective.
9 Let's face it, when you are in a mist of war, the
10 party of wars destroy everybody's architect, so there
11 is no history there, nothing to remind them of what
12 used to be there. But there is somebody somewhere
13 that says, I got a little piece. A little piece,
14 let's rebuild this so the history is still there. And
15 that's the way that I see this building. We have some
16 pictures, we have more pieces, but we -- but the teams
17 have not come together to make it a win-win scenario.
18 And that's where I am struggling with, because I don't
19 see that win-win. Is there a possibility? I think
20 there is with both of the experts, of projects that
21 they work on. I don't think that aspect has been
22 delved into, that's where I am right now.

23 CHAIRPERSON BUCHELE: Thank you, Evelyn.

24 Gus?

25 BOARD MEMBER RODRIGUEZ: As I read the

1 criteria, basically, there is -- and just in me going
2 and researching the building as well, when the
3 application was put in, basically, the base -- the
4 building was designated a historical -- for historical
5 preservation based on the information that they saw
6 the structure, the architecture of the building. I
7 would think that had I been sitting on the board at
8 that time, I might have wanted to been a little bit
9 more inclusive of the -- of the significance of people
10 who were -- who were part of the building. You know,
11 the Arnold Construction Company was a -- was a
12 significant part of the Palm Beach area development.
13 So, based on just the criteria of what they brought in
14 front at this point, you know, we are talking about --
15 we are talking about, again, as you say, you are
16 talking about history. And at what point is it that
17 progress and history kind of can meet up together?
18 And at what point is it that we just kind of throw
19 history out the door and say, well the walls aren't
20 holding up and I understand the structural part, and I
21 understand the danger. I don't want the engineer to
22 believe that in any way we are -- we are belittling
23 the importance of structural integrity because we are
24 not. The question though at hand is, as it was
25 designated at the time, is it still as it stands to

1 today what those people looked at for that
2 designation? And as one of the whereas, was as,
3 whereas the historical significance of the -- of the
4 actual structure not only in architect, but in the
5 people and the lives of those who lived here? I could
6 argue that that definitely still exists. Not only in
7 the people that came from the Arnold Company, but why
8 they came, who Arnold was, who brought Arnold here.
9 All these things still hold true to the value of the
10 history of this building. I wouldn't have thought it,
11 I understand, you know, it is one of the -- it's the
12 last one. There is this building and there is that
13 building, and then there isn't any other building
14 right now that is really standing there preserving the
15 history of this town, preserving the history of what
16 came of the town. And yes, to the argument that it
17 was the post office, that it was the Sundry. There
18 were -- there were people who came to Kelsey to be
19 part of the development of Kelsey. And in my opinion,
20 that has not really changed. We are still holding
21 consistent to that criteria right now, and I find it a
22 little bit -- I just find it difficult to say, you
23 know, that the building hold no historic reason to be
24 preserved at this time.

25 CHAIRPERSON BUECHELE: Thank you, Gus.

1 Patricia?

2 BOARD MEMBER LEDUC: Well, I think the
3 question at hand is has the building since 1998, when
4 the designation was approved, and you know, it was
5 awarded the designation for the historical value, has
6 it ceased in the criteria for the designation up to 25
7 years later. And if we go back to the original 1928,
8 some of the facade has changed, there was -- you know,
9 a hurricane had come through, but this building
10 remains standing to this day. And I think that the
11 residents, and the people of the town of Lake Park can
12 appreciate the historical value, and I think that it's
13 -- that the sign leading into Park Avenue says the
14 historical downtown area. This is the only remaining
15 building for the original builders, the Kelsey family,
16 and all of those that had come following them in their
17 footsteps to build here. There are numerous
18 historical other single family residential, and other
19 historical buildings designated in the town. I am not
20 sure if they all are on the historical documentation
21 in the national level, but they are here in our town,
22 I believe that this building still fits within the
23 criteria from 1998 until today. I believe it has been
24 allowed to deteriorate, it should be the
25 responsibility of the current owner, and that would be

1 something that would have to be brought up with any
2 kind of a code violation. But I don't feel that the
3 building itself has lost the criteria from 1998 till
4 today to be declassified as a historical designated
5 building.

6 CHAIRPERSON BUECHELE: Is that it?

7 BOARD MEMBER LEDUC: That's it. Thank you.

8 CHAIRPERSON BUECHELE: Thank you, Patricia.

9 I don't have any comments for deliberation, and I
10 would like to move for a motion for the board to
11 approve the staff's recommendation to keep it as a
12 his-- locally historical preservation site. And I --

13 TOWN ATTORNEY BAIRD: So, you are asking for
14 that motion?

15 CHAIRPERSON BUECHELE: I am asking for a
16 motion to approve the staff's recommendation.

17 BOARD MEMBER HARRIS-CLARK: Second.

18 BOARD MEMBER RODRIGUEZ: (Inaudible).

19 TOWN ATTORNEY BAIRD: No.

20 BOARD MEMBER LEDUC: I would like to --

21 TOWN ATTORNEY BAIRD: No.

22 BOARD MEMBER LEDUC: -- make a motion to --

23 BOARD MEMBER HARRIS-CLARK: Oh, make a
24 motion.

25 BOARD MEMBER LEDUC: -- approve the staff's

1 recommendation to keep the historical designation for
2 the 918 Park Avenue Building.

3 BOARD MEMBER HARRIS-CLARK: Second.
4 (Inaudible) call for a vote?

5 CHAIRPERSON BUECHELE: So, we will call for
6 a vote. All in favor?

7 ALL: Aye.

8 CHAIRPERSON BUECHELE: Okay.

9 BOARD MEMBER HARRIS-CLARK: All right.

10 TOWN ATTORNEY BAIRD: That did take long.

11 CHAIRPERSON BUECHELE: I --

12 BOARD MEMBER LEDUC: Sounds good.

13 CHAIRPERSON BUECHELE: That will close the
14 meeting for the Historical Preservation Society?

15 BOARD MEMBER RODRIGUEZ: That was a tough
16 one.

17 TOWN ATTORNEY BAIRD: Is there a second
18 agenda on (inaudible). So, --

19 CHAIRPERSON BUECHELE: Do you guys -- anyone
20 need a --

21 TOWN ATTORNEY BAIRD: He adjourned the --

22 CHAIRPERSON BUECHELE: -- potty break or
23 anything?

24 BOARD MEMBER LEDUC: Uh-huh.

25 TOWN ATTORNEY BAIRD: Is there only one --

1 BOARD MEMBER LEDUC: Yes.

2 TOWN ATTORNEY BAIRD: -- agenda? I thought
3 there was two agendas.

4 BOARD MEMBER LEDUC: Yeah, I'm going --

5 TOWN ATTORNEY BAIRD: Mr. --

6 BOARD MEMBER LEDUC: -- to go to the little
7 girl's room.

8 BOARD MEMBER HARRIS-CLARK: Is there
9 anything else on the agenda?

10 BOARD MEMBER RODRIGUEZ: Uh-huh. Yeah,
11 (inaudible).

12 BOARD MEMBER HARRIS-CLARK: New business?

13 BOARD MEMBER RODRIGUEZ: With --

14 BOARD MEMBER HARRIS-CLARK: More comments?

15 BOARD MEMBER RODRIGUEZ: -- with historic?
16 (Overlapping voices.)

17 BOARD MEMBER RODRIGUEZ: Yeah, I don't think
18 we even went to --

19 BOARD MEMBER HARRIS-CLARK: No, we are not
20 finished.

21 BOARD MEMBER RODRIGUEZ: -- we didn't even
22 go to board comments, we adjourned.

23 BOARD MEMBER HARRIS-CLARK: Oh, we are
24 adjourned?

25 CHAIRPERSON BUECHELE: Yeah, we are

1 adjourned, we are adjourned.

2 BOARD MEMBER HARRIS-CLARK: Oh, I didn't
3 hear a second on that.

4 CHAIRPERSON BUECHELE: Yeah, yeah, you
5 seconded (inaudible).

6 TOWN ATTORNEY BAIRD: Mr. Chairman, you have
7 --

8 BOARD MEMBER RODRIGUEZ: That's the
9 (inaudible).

10 CHAIRPERSON BUECHELE: The motioned, you
11 seconded it, --

12 BOARD MEMBER HARRIS-CLARK: Oh, she --

13 CHAIRPERSON BUECHELE: -- and we voted.

14 BOARD MEMBER RODRIGUEZ: Yeah.

15 BOARD MEMBER HARRIS-CLARK: But on the --
16 no, on the vote, --

17 BOARD MEMBER RODRIGUEZ: On adjournment.

18 BOARD MEMBER HARRIS-CLARK: -- on the
19 adjournment.

20 CHAIRPERSON BUECHELE: We are not --

21 BOARD MEMBER HARRIS-CLARK: On the --

22 CHAIRPERSON BUECHELE: -- allowed to talk.

23 BOARD MEMBER HARRIS-CLARK: On --

24 TOWN ATTORNEY BAIRD: So, you have another
25 meeting, you are in recess, then you are going to

1 convene --

2 BOARD MEMBER HARRIS-CLARK: Oh, we are in
3 recess?

4 TOWN ATTORNEY BAIRD: -- in meeting of the
5 Planning And Zoning Commission when --

6 BOARD MEMBER HARRIS-CLARK: In recess?

7 TOWN ATTORNEY BAIRD: -- Patricia comes
8 back, okay?

9 BOARD MEMBER HARRIS-CLARK: Okay.

10 TOWN ATTORNEY BAIRD: So, we can get this --
11 I'm going to be very frank with you, I'm not running
12 the meeting.

13 CHAIRPERSON BUECHELE: It felt like we were
14 in the middle of a fight.

15 TOWN ATTORNEY BAIRD: And I'm never coming
16 to one of these meetings again. I have been doing
17 this much too long to put up with this kind of
18 bullshit.

19 (Overlapping voices.)

20 TOWN ATTORNEY BAIRD: (Inaudible).

21 CHAIRPERSON BUECHELE: Have a good night,
22 thank you.

23 TOWN ATTORNEY BAIRD: Member (inaudible)
24 Mayor Kim.

25 BOARD MEMBER LEDUC: Hi.

1 BOARD MEMBER RODRIGUEZ: Oh,, you are back.

2 CHAIRPERSON BUECHELE: I think we need a
3 pledge of allegiance again.

4 BOARD MEMBER RODRIGUEZ: And we are back.

5 CHAIRPERSON BUECHELE: All right. Are we
6 ready to go? I think we need a pledge of allegiance
7 again.

8 BOARD MEMBER HARRIS-CLARK: Oh, do we?
9 Okay.

10 BOARD MEMBER RODRIGUEZ: Yeah, it's a new --

11 BOARD MEMBER HARRIS-CLARK: Oh, oh, okay.

12 CHAIRPERSON BUECHELE: New meeting.

13 BOARD MEMBER RODRIGUEZ: -- PZB.

14 BOARD MEMBER HARRIS-CLARK: Yeah.

15 ALL: I pledge allegiance to the Flag of the
16 United States of America, and to the Republic for
17 which it stands, one Nation under God, indivisible,
18 with liberty and justice for all.

19 CHAIRPERSON BUECHELE: Okay. Roll call?

20 THE CLERK: Evelyn Harris Clark?

21 BOARD MEMBER HARRIS-CLARK: Present.

22 THE CLERK: Gustavo Rodriguez?

23 BOARD MEMBER RODRIGUEZ: Here.

24 THE CLERK: And Patricia -- Patricia, excuse
25 me, LeDuc?

1 BOARD MEMBER LEDUC: Present.

2 THE CLERK: John Buechele?

3 CHAIRPERSON BUECHELE: Here.

4 THE CLERK: Okay. Richard Aarons --

5 BOARD MEMBER HARRIS-CLARK: (Inaudible).

6 THE CLERK: -- has been excused this
7 evening.

8 BOARD MEMBER LEDUC: Thank you.

9 CHAIRPERSON BUECHELE: Yeah.

10 BOARD MEMBER HARRIS-CLARK: Am I looking at
11 the right ones?

12 CHAIRPERSON BUECHELE: Can I have an
13 approval for the agenda?

14 BOARD MEMBER LEDUC: Where is the --

15 BOARD MEMBER RODRIGUEZ: That's historic.

16 BOARD MEMBER LEDUC: -- where is it? Okay.

17 BOARD MEMBER RODRIGUEZ: That's historic,
18 that was the last one, here we go.

19 BOARD MEMBER HARRIS-CLARK: Oh, okay.

20 BOARD MEMBER RODRIGUEZ: Yeah.

21 BOARD MEMBER LEDUC: I move to approve the
22 agenda for Monday, October the 2nd, Planning and
23 Zoning Board meeting agenda.

24 BOARD MEMBER RODRIGUEZ: I second.

25 CHAIRPERSON BUECHELE: All in favor?

1 ALL: Aye.

2 CHAIRPERSON BUECHELE: Can I have approval
3 for the minutes of the September 11th, 2023, Planning
4 and Zoning Board meeting minutes?

5 BOARD MEMBER RODRIGUEZ: I move to approve
6 the special call of Planning and Zoning Board meeting
7 minutes for September 11th.

8 CHAIRPERSON BUECHELE: Can I have a second?

9 BOARD MEMBER HARRIS-CLARK: Second.

10 CHAIRPERSON BUECHELE: All in favor?

11 ALL: Aye.

12 CHAIRPERSON BUECHELE: Okay.

13 MR. VIANE: All right, good evening Planning
14 and Zoning Board. I am Anders Viane, I am your town
15 planner. And tonight, I am going to briefly take you
16 through a proposed code change we have for our parking
17 code. So, for a while, kind of all of the time, we
18 received feedback from building permit applicants'
19 kind of complaining about this code section. And
20 while that in itself is not a good reason to change
21 it, in doing a little reach on this, we did find that
22 other municipalities have more lenient parking codes
23 that we do. So, the town of Lake Park standard 90
24 degree angle space is a 10 by 18 and 1/2 parking
25 space. What we are proposing to do tonight is to

1 reduce that by one foot to 9 by 18 and 1/2 standard.
2 In addition to that, this proposal will also create a
3 new code for compact car parking, which would have its
4 own unique dimensional standard which would be 8 and
5 1/2 by 17. In deriving both of these numbers, we
6 looked at adjacent municipalities' codes including
7 Gardens, West Palm Beach, Tequesta, and Palm Beach
8 County to get a feel for how they treated compact and
9 standard parking spaces. And what we really did is
10 sort of took an average of those, so in the case of
11 the compact space, ours isn't exactly the smallest
12 compact, but it's also not the largest. We think it
13 strikes a good balance. And this would be available
14 for applicants to use on their sites for up to 25% of
15 their required parking. We believe the net effect of
16 this change would be to allow for sites to have more
17 parking or restripe to code.

18 Oftentimes, what we find when building
19 permits come in, there are non-standard conditions on
20 the site that were existing, and we have to ask that
21 the applicants remedy this as best as they can. Often
22 times, they are not able to, so our hope would be that
23 would be that this gives them a little bit more
24 flexibility in meeting the code, and restoring parking
25 to a code compliant dimension. And it also provides

1 now the ability to have these compact car parking
2 spaces.

3 One thing to note with this is that these
4 are minimums, these are not required. So, if an
5 applicant wanted to, they could have larger stalls,
6 this is just the code minimum, and they don't have to
7 use the compact parking if they don't want to. But we
8 feel as the town redevelops, and sites are -- go
9 through renovation, this will help facilitate those
10 redevelopments and those renovations.

11 This is sort of very much a feature of a lot
12 of more urban planning codes, where they will have a
13 compact parking provision, they will have different
14 standards on spaces. And that is what we're bringing
15 forward for you tonight for your consideration. So,
16 please let me know if you have any questions on this
17 proposal, I would be happy to address them.

18 CHAIRPERSON BUECHELE: Evelyn?

19 BOARD MEMBER HARRIS-CLARK: You didn't have
20 any pictures or anything of what it's going to look
21 like? I just kind of got to imagine what the
22 configuration to fit compact cars, et cetera?

23 MR. VIANE: Well, it's really an abstract
24 standard. I mean, it's width and length, so we do
25 have a rubric that identifies what those widths and

1 lengths would be. There is not really a -- I'm sorry,
2 I don't have anything to help -- to help visualize the
3 change.

4 BOARD MEMBER HARRIS-CLARK: Then, that's a
5 challenge. I think we discussed something very
6 similar at the last meeting of having everything here,
7 and diagrams so that we could -- at least a
8 presentation or diagrams that we could look and make a
9 decision on. So, I just have to envision what it's
10 going to look like?

11 MR. VIANE: I would -- I would --

12 BOARD MEMBER HARRIS-CLARK: I could use it
13 on a chalkboard. I am --

14 MR. VIANE: yeah, I would -- I would try to
15 encourage you to conceptualize those abstractly. So,
16 the space that we have currently is 10 by 18 and 1/2,
17 and so it's basically shrinking. So, all the
18 standards regarding the width of the striping, sort of
19 how that's treated, all of that is remaining the same.
20 We are just changing -- and it's even in this little
21 rubric here, there is a certain letter that
22 corresponds to each of these columns. And so, that
23 letter is for the stall width, it's measured from the
24 inside of that striping. So, it's being reduced by
25 one foot in the case of the standard space.

1 And then kind of to give you a little
2 context, like I said, we did review other codes. So,
3 here are some of the other dimensional standards that
4 you would find for general 90 degree parking spaces.
5 In Gardens they would be 9 by 18 and 1/2, which is
6 what we are proposing, in Tequesta they are 9 by 18
7 and 1/2, in West Palm they are 18 and 1/2 by 18, and
8 in Palm Beach County they are 9 by 18. So, we are --
9 in keeping with that average of the 9-foot width, and
10 that's what we are proposing to kind of give projects
11 a little bit more flexibility when they are putting in
12 the spaces. They will get, you know, 10 feet back
13 every 10 spaces. So, that's what we are -- that's the
14 thrust of that concept, does that help?

15 BOARD MEMBER HARRIS-CLARK: No. Where is
16 this supposed to take place? We are talking about --

17 MR. VIANE: This is the general parking
18 code, this applies throughout the town.

19 BOARD MEMBER HARRIS-CLARK: Okay. So, let's
20 say for example we are talking Park Avenue, and we
21 have had charettes or how it's going to look
22 specifically parking, and those charettes gave us
23 residence a particular look and size of what the
24 parking spots were going to be. So, I'm trying to ask
25 is what you are just giving us in this change, is that

1 also coinciding or complimenting what we saw in the
2 charettes about Park Avenue and the parking?

3 MR. VIANE: I would say it most certainly
4 is. From an urban design perspective, the trend
5 certainly is reduced parking spaces, that's also why
6 we are introducing the compact parking code. A lot of
7 times, when you have downtowns, urban cores, the
8 parking dimensions are reduced in expectance of
9 smaller vehicles, more compact vehicles. You know,
10 these things, they kind of go along with these urban
11 zones. So, I would say it's very much in keeping with
12 that vision for the downtown. The net effect, as I
13 believe I stated in the report would be more parking.
14 However, vehicles are not going away, and vehicles are
15 going to remained a vital mode of transit in Florida
16 for a very long time given the way that this state has
17 evolved over the last 50 years. It has all been built
18 on the highway grid, and while the downtown provisions
19 for walkability and multi-mobility, there will still
20 be vehicle parking. And so, that's kind of what we
21 are aiming to re-tweak tonight to provide a little
22 more flex ability in how that's done for urban
23 redevelopment projects.

24 BOARD MEMBER HARRIS-CLARK: Right. When you
25 say all over the city, and once again, I am going to

1 use Park Avenue in an example, we are talking from the
2 railroad tracks all the way passed the clock and the
3 charettes showed us how the parking is going to look.
4 Then you have those homes, people have homes, and they
5 have more than two cars, and we are --

6 MR. VIANE: (Inaudible).

7 BOARD MEMBER HARRIS-CLARK: Go ahead.

8 MR. VIANE: I should also mention, this is
9 just specific to commercial cites, so this is not
10 going to apply on residential driveways, that code
11 remains the same, and the director also wanted me to
12 clarify that parking on Park Avenue is angled, so we
13 are not changing angled. This is just the 90 degree
14 spaces. So, that's any space where you are turning in
15 at a 90 degree angle. On street parking, parallel
16 parking would remain the same. So, we are not
17 modifying either of those.

18 BOARD MEMBER HARRIS-CLARK: Okay.

19 (Inaudible).

20 CHAIRPERSON BUECHELE: Gus?

21 BOARD MEMBER RODRIGUEZ: No, I have no
22 comment on this. Basically (inaudible) more space.

23 CHAIRPERSON BUECHELE: Yeah. Well, and
24 there is -- all we are doing is taking 10 feet down --
25 we are talking --

1 BOARD MEMBER RODRIGUEZ: Right.

2 CHAIRPERSON BUECHELE: -- about a foot.

3 MR. VIANE: Yes.

4 CHAIRPERSON BUECHELE: Taking 10 feet down
5 to 8 feet on the width, and the length is going to
6 remain --

7 MR. VIANE: 18 and 1/2.

8 CHAIRPERSON BUECHELE: 18 and 1/2. So, we
9 are just talking about just tightening up the space by
10 one foot.

11 BOARD MEMBER HARRIS-CLARK: Uh-huh.

12 MR. VIANE: Yes, for the standard spaces.

13 CHAIRPERSON BUECHELE: And that's for
14 commercial, and anything pretty much moving forward.
15 I mean, I can't speak for the staff, but I don't think
16 they are going to go out here and restripe out Park
17 Avenue for a foot, right?

18 BOARD MEMBER LEDUC: Right.

19 MR. VIANE: No. So, the --

20 CHAIRPERSON BUECHELE: Right.

21 MR. VIANE: -- way this would be implemented
22 over time would be that anyone that would come in for
23 a building permit to restripe --

24 CHAIRPERSON BUECHELE: Right.

25 MR. VIANE: -- their site would comply with

1 this code.

2 CHAIRPERSON BUECHELE: Correct. Understood.
3 Patricia?

4 BOARD MEMBER LEDUC: No, I was just --
5 (inaudible) obviously, you know, parking has changed,
6 you know, vehicles have changed, but the 25%, where
7 did you come up with the 25% --

8 MR. VIANE: Uh-huh.

9 BOARD MEMBER LEDUC: -- for the compact
10 cars? Because I believe I had read that there is more
11 compact cars? And was there -- I just see a lot of
12 SUVs.

13 MR. VIANE: Uh-huh.

14 BOARD MEMBER LEDUC: And for instance, you
15 know, a lot of pickup trucks, and they have those
16 extended mirrors. So, I was just wondering where you
17 are -- you came up with the numbers? And I understand
18 the other municipalities, you know, are surrounding
19 towns have those 9-foot, which sounds pretty
20 significant, you know, in order to park a vehicle,
21 10-foot is pretty wide for the standard compact car
22 for sure. But I'm just curious where you came up with
23 the 25%, that's all.

24 MR. VIANE: Yeah.

25 BOARD MEMBER LEDUC: But other -- I am -- I

1 have no problem with additional parking.

2 MR. VIANE: So, the 25%, I believe, was kind
3 of again based on the other codes. I want to say I
4 saw about as high as 35% --

5 BOARD MEMBER LEDUC: Okay.

6 MR. VIANE: -- could be allocated, and then
7 some would do less than that. So, again, we tried to
8 strike that balance. You know, I'm not sure where
9 vehicle trends are heading, I know there are obviously
10 a lot of larger vehicles still, --

11 BOARD MEMBER LEDUC: Uh-huh.

12 MR. VIANE: -- so that's why, you know, I
13 think we strike a good balance here where, you know, a
14 portion can be compact but not everything.

15 CHAIRPERSON BUECHELE: Any other questions?

16 BOARD MEMBER LEDUC: No.

17 CHAIRPERSON BUECHELE: Can I have a motion
18 to approve staff's recommendation on PZ Item 2308?

19 BOARD MEMBER RODRIGUEZ: I motion to approve
20 PZ Item 2308, parking code text amendment.

21 BOARD MEMBER HARRIS-CLARK: Second.

22 BOARD MEMBER LEDUC: I second.

23 CHAIRPERSON BUECHELE: All in favor?

24 ALL: Aye.

25 MR. VIANE: Thank you.

1 CHAIRPERSON BUECHELE: I think we are done.

2 Meeting adjourned?

3 TOWN ATTORNEY BAIRD: No.

4 CHAIRPERSON BUECHELE: Tom?

5 TOWN ATTORNEY BAIRD: I just want to let you
6 know on that first item, I will be preparing a written
7 development order reflecting the board's decision.

8 CHAIRPERSON BUECHELE: Okay, thank you.

9 KAREN: No comments (inaudible).

10 BOARD MEMBER RODRIGUEZ: Oh. No comments --
11 she had comments to make.

12 KAREN: Uh-oh.

13 CHAIRPERSON BUECHELE: Uh-oh, We can't take
14 a (inaudible) on that?

15 (End of Video Recording.)

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF TRANSCRIPTIONIST

I, ALEXANDRIA BROBST, hereby certify that I was authorized to and did transcribe the provided recording and that the foregoing transcript is a true transcript of said electronic recording to the best of my ability.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED this 1st day of November 2023.

Alexandria Brobst

ALEXANDRIA BROBST