

# EXHIBIT 3

IN THE JURISDICTION  
OF THE TOWN OF LAKE PARK  
PRESERVATION BOARD

IN RE: PETITION TO RESCIND  
THE LOCAL HISTORIC  
DESIGNATION OF THE  
ARNOLD BUILDING, 918 PARK  
AVENUE

## ORDER

A quasi-judicial hearing was conducted on October 2, 2023 to consider the application of the Adler at Lake Park LLC to rescind the local historic designation granted in 1998, for the Arnold Building. Based upon the evidence and arguments presented at the hearing, the Historic Preservation Board (HPB) makes the following findings:

### FINDING OF FACT

1. The owner of the property which was the subject of the quasi-judicial hearing concerning the property located at 918 Park Avenue (the Property or the Arnold Building) is the Adler at Lake Park LLC (the Owner).
2. The Owner submitted a Petition to rescind or de-designate the local historic designation of the Arnold Building and to remove it from the Town's historic designation survey and the Florida Master Site File (the Petition).
3. The Arnold Building was originally constructed in 1925 by the Arnold Construction Company in the Mediterranean Revival Architecture style popular at the time of Florida's "Land-boom" era.
4. The building served as the headquarters of the Arnold Construction Company, which was instrumental in the growth and development of early Lake Park (Kelsey City). The company built many homes in the Town, as well as the Town Hall building.
5. The Arnold Building is the last of the commercial buildings existing in the Kelsey City downtown. The Plat of Kelsey City, including its downtown was created by the Olmstead Brothers and John Nolan, the town most renowned planning and architectural firms in the 1920s.
6. The historic downtown along Park Avenue was developed before automobiles began to dominate the development of land. The building abuts Park Avenue without a "sea of parking" in front. The commercial buildings that replaced the other commercial buildings on Park Avenue have been developed with parking in front of them.

7. The Arnold Building was damaged by the 1928 hurricane. Sometime thereafter it was repaired and the facade modified; nevertheless, it retained its Mediterranean Revival style, similar to the historic Lake Park Town Hall Building.
8. The Arnold Building housed the Arnold Construction Company, Arnold grocery, Dr. Pearson, and rental rooms. It also housed Atlantic Lumber, and later Lake Park Sundries and a United States Post Office.
9. The Arnold Building is listed in the Florida Master Site File. The Florida Master Site File, Historic Structure form captures the essence of the building's continuing historic significance:

“This is the last remaining commercial building from the Boom-Times era. It retains most of its historic physical integrity and modifications are limited to the replacement of some original windows. Based on architectural significance and associations with the early history of Kelsey City, this resource is considered to the potentially eligible for listing on the National Register of Historic Places.”

10. The HPB historically designated the building on September 9, 1998. This designation was based upon the findings of Janus Research, who was engaged by the Town to survey all possible historic structures in the Town.
11. In 2017, REG was retained by the Town to review a development application for the property, and the historic integrity of the locally designated structure. REG found that:

“Several **minor changes** have occurred to the exterior [of the building]. Items such as windows replacement, stucco repair and recoat, storefront alteration, enclosure / infill of rear sleeping and eating porches, inappropriate and insensitive rear (South) alterations, infills and additions. **Overall, the** existing building retains a moderate degree of historic integrity of location, setting, materials, design, proportion, massing, feeling, and association.”

12. The Town engaged RJ Heisenbottle Architects (RJHA) to conduct a review of the Petition to de-designate the Arnold Building as a historic structure. RJHA concluded that the building has changed little since it was designated in 1998. It maintains its architectural integrity and qualities for which it was listed locally and therefore, continues to meet the criteria for designation. RJHA does **not** believe the justifications for de-designation are valid.

13. The Arnold Building is associated with persons who were significant to the Town's development, including, but not limited to, Harry Kelsey, the Olmstead brothers, John Nolan, and Herman and J.Y. Arnold, the principals involved in the Arnold Construction Company.
14. The Property has a Future Land Use designation pursuant to the Town's Comprehensive Plan of "Downtown" and its zoning designation is "Park Avenue Downtown District (PADD).
15. In 1998 when the Arnold Building received its local historic designation it was also determined that the building would qualify to be listed on the National Historic Register. An application was prepared, but the process was never completed.

### **CONCLUSIONS OF LAW**

The application must be evaluated pursuant to Chapter 26, § 66-9(d)(7) of the Town Code.

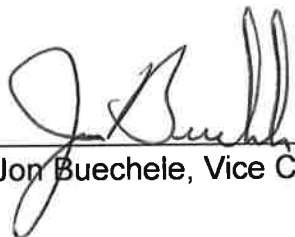
- A. The Code requires the HPB to evaluate whether the Arnold Building still meets the criteria of § 66-9(a). Based upon the evidence, the HPB concludes as a matter of law that it does, and makes these findings:
  - (1) The Arnold Building remains associated with distinctive elements of the cultural, social, political, economic, scientific, religious, and architectural history that contributed to the pattern of history in the Town, Palm Beach County, South Florida, the State of Florida and the United States.
  - (2) The Arnold Building remains associated with the lives of persons significant to the Town's history and the development of the historical downtown of the Town.
  - (3) The Arnold Building embodies the distinctive characteristics of the type, period and style or method of construction and architecture and represents a distinguishable building. It is the last remaining commercial building constructed during the Land-boom era in conformance with Mediterranean Revival architecture, the then prevailing architecture of this era.
  - (4) The Arnold Building has yielded and will, or is likely to continue to yield information regarding the Town's history.
  - (5) Although the process for listing in the National Register of Historic Places was not completed, the Property would have likely qualified for this listing.

B. The approval of de-designation must comply with Fla. Stat. § 163.3194(1)(a), which requires that all actions taken in regards to development permits shall be consistent with the Town's Comprehensive Plan. The de-designation and demolition of the Arnold Building would not be consistent with the Town's Comprehensive Plan as follows:

(1) The Property is located within the Future Land Use category of the Town's Comprehensive Plan, entitled, "Downtown". Objective 12 of the Future Land Use Element of the Town's Comprehensive Plan, entitled "Redevelopment of the Historical Downtown Area" is intended to facilitate the redevelopment of the historical Park Avenue downtown, and includes policies to protect and preserve existing historical resources in the Downtown.

(2) The demolition of the last commercial downtown building on Park Avenue would not be consistent with this objective and its implementing policies.

**DONE AND ORDERED** in Lake Park, Florida this 9<sup>th</sup> day of October, 2023.

  
Jon Buechele, Vice Chair

Copies furnished to:

Nadia Di Tommaso, Community Development Director, Town of Lake Park

Glen Spiritis, PHD, The Adler at Lake Park, LLC

Vivian Mendez, Town Clerk