



HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 23-00100043: Consideration of a Certificate of Appropriateness (COA) for the demolition of the existing structure at 509 Lake Avenue. The subject property is located in the Downtown (DT) zoning district and has a future land use designation of Downtown Mixed Use (DMU). The property is a contributing resource in the Old Town National and Local Historic District.

Meeting Date: April 12, 2023

Property Owner: Lake Worth Beach CRA

Address: 509 Lake Avenue

PCN: 38-43-44-21-15-023-0170

Size: ±0.186 acres / 8,130 sf

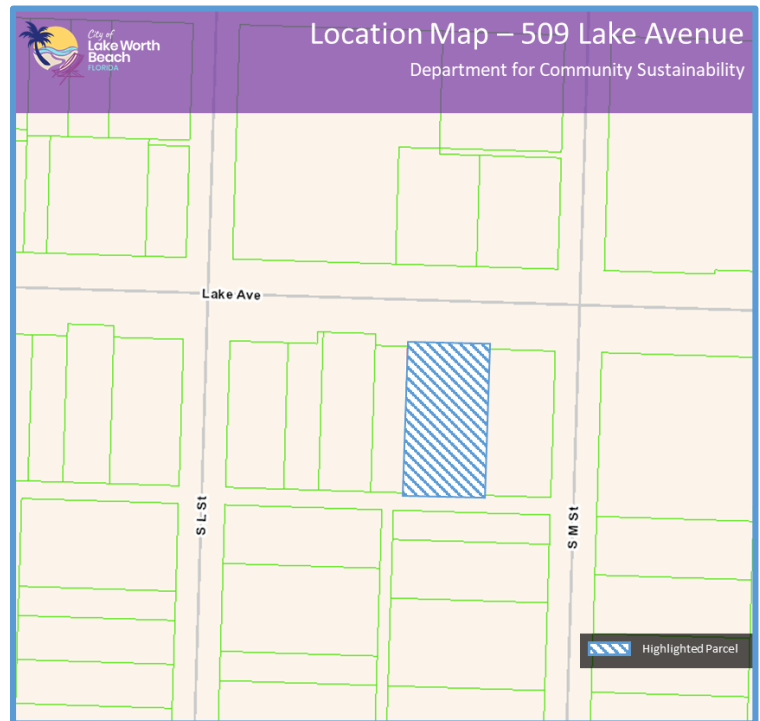
General Location: South side of Lake Avenue
between South L Street and South M Street

Existing Land Use: Vacant

Current Future Land Use Designation: Downtown
Mixed Use (DMU)

Zoning District: Downtown (DT)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs), the Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan and Strategic Plan. Staff recommends that the HRPB discuss the applicant's request of the proposed demolition to determine if the request is consistent with the Decision Criteria for Demolition.

PROJECT DESCRIPTION

The property owner, the Lake Worth Beach Community Redevelopment Agency (CRA), is requesting approval for the demolition of the existing structure at 509 Lake Avenue. A survey of the property and current photos of the site are included in **Attachments A and B**. The subject property is located in the Downtown (DT) zoning district and has a future land use designation of Downtown Mixed Use (DMU).

PUBLIC COMMENT

At the time of publication, staff has not received any letters of support or opposition for this application.

PROPERTY DEVELOPMENT HISTORY

The building at 509 Lake Avenue is a concrete-block structure with stucco exterior finish and a gable roof. In the 1998 historic resources survey and the National Register of Historic Places Designation Report for the district, 509 Lake Avenue is surveyed as a commercial Craftsman-influenced building constructed c. 1930, with the historic site name "Schulz & Company." The 1998 surveyor's evaluation notes that the building may have been used as a residence at one time. In the recent survey update (October 2020), the surveyors described the building as a vernacular style, built c. 1935, with the structure's original use as commercial.

Based on documentation in the property file, 509 Lake Avenue was built in 1939 as an office. While one property card from the 1940s describes the building as a residence, all other documentation refers to the building solely as a commercial property. The building was owned by a dentist until 1993, when the property was converted to the Junie Moon consignment shop. The property changed uses multiple times in the 1990s: after the consignment shop, the structure was used as the One of a Kind gift shop, then the Lake Avenue Café, and then the Roundin' 3rd restaurant in 1999. Most recently, the property was used as portion of the Havana Hideout.

The property file documents a variety of repairs and alterations to the property, including several roofing replacements; door and window replacements; various sign permits; plumbing, electric, sewer, and gas permits to convert the property from office uses to retail and food service; accessibility improvements; landscaping and fencing; and installation and replacement of awnings.

The Lake Worth Beach Community Redevelopment Agency (CRA) purchased the subject property in January 2020, as part of their efforts to encourage redevelopment in the downtown area.

After visiting the site on June 26, 2020, the City's Building Official provided a Declaration of Unsafe Conditions for the property. The Building Official noted unsecured roof equipment; conditions constituting a public nuisance including improper boarding of the structure, overgrowth, trash, and debris; health and safety hazards including lack of egress, lack of electric service, plumbing in disrepair. He also noted that vandals had stolen most of the copper in the building prior to his inspection. This report is included as **Attachment E**.

As this structure is designated as contributing in a National Register historic district, demolition approval requires a Certificate of Appropriateness from the HRPB, even in cases of condemnation by the Building Official.

ANALYSIS

Consistency with the Comprehensive Plan

The subject site has a Future Land Use (FLU) designation of Downtown Mixed Use (DMU). Per policy 1.1.1.7, the Downtown Mixed Use land use category is “intended to provide for the establishment and expansion of a broad range of office, retail and commercial uses, and some residential within the traditional downtown core of the City. Diversity of retail uses is encouraged; however, certain commercial uses are not permitted in the Downtown Mixed-Use category because they would be detrimental to the shopping or office functions of the area. The maximum density of permitted residential development is 40 dwelling units per acre. The preferred mix of uses area-wide is 75% residential and 25% non-residential. The implementing zoning districts are DT, MU-E, MF-20 and MF-30.”

Analysis: The demolition of 509 Lake Avenue is part of the redevelopment proposed Downtown Master Plan, which was presented to the City Commission on January 24, 2023. This proposal is consistent with Goal 1.6, which seeks to support and coordinate with the City’s CRA infill and redevelopment initiatives and programs and to provide incentives for the continued redevelopment of the historic downtown commercial core of the City. The subsequent redevelopment of the site also supports Objective 1.2.1, to promote the location of high-quality retail, office and mixed-use projects in the Downtown Mixed Use (DMU) and Mixed Use East (MU-E) designations as the prime retail and commercial areas of the City. However, as a request for demolition of a structure within a historic district, the proposal is not consistent with Objectives 1.4.2 and 3.4.1, which seek to provide for the protection, preservation, or sensitive reuse of historic resources.

Consistency with the Land Development Regulations – Historic Preservation

All requests for demolition of contributing structures within National Register historic districts require a certificate of appropriateness from the HRPB. The decision-making criteria for demolition are located in Section 23.5-4(k)(4) of the LDRs. Staff has reviewed the criteria and provided an analysis in the section below. The applicant has also submitted a Justification Statement, provided in this report in **Attachment D**.

Section 23.5-4(k)4. – Additional Requirements for Demolitions:

A. *Decision-making criteria. All requests for demolition shall require a certificate of appropriateness. No certificate of appropriateness for demolition of a landmark or contributing property shall be issued by the HRPB unless the applicant has demonstrated that no other feasible alternative to demolition can be found. In making its decision to issue or deny a certificate of appropriateness to demolish, in whole or in part, a landmark building or structure, the HRPB shall, at a minimum, consider the following additional decision-making criteria and guidelines:*

(1) *Is the structure of such interest or quality that it would reasonably fulfill criteria for designation as a landmark on the National Register of Historic Places?*

Analysis: The existing structure is a contributing structure in the Old Town Historic District (also called the Lake-Lucerne Downtown Commercial Historic District). Based on the information currently available about the structure, staff contends that the structure is unlikely to qualify as an individual landmark on the National Register of Historic Places.

(2) *Is the structure of such design, texture, craftsmanship, size, scale, detail, unique location or material that it could be reproduced only with great difficulty or economically unreasonable expense?*

Analysis: It is the analysis of Staff that a historically accurate version of the building could be reconstructed using materials available today.

(3) *Is the structure one of the few remaining examples of its kind in the city?*

Analysis: No, there are other remaining examples of Craftsman architecture in the city, many of which better exemplify the style.

- (4) *Would retaining the structure promote the general welfare of the city by providing an opportunity to study local history, architecture and design or by developing an understanding of the importance and value of a particular culture or heritage?*

Analysis: The design of the structure is not notable and would not necessarily provide an exemplary opportunity to study local history or design.

- (5) *Does the permit application propose simultaneous demolition and new construction? If new construction is proposed, will it be compatible with its surroundings (as defined above) and, if so, what effect will those plans have on the character of the surrounding sites or district?*

Analysis: The application does not propose simultaneous demolition and new construction.

- (6) *Would granting the certificate of appropriateness for demolition result in an irreparable loss to the city of a significant historic resource?*

Analysis: While granting the COA for demolition would be a loss to the city of a historic resource, it is staff's analysis that the building in its current state does not contribute to the historic character of the district and therefore would not constitute an irreparable loss of a significant historic resource.

- (7) *Are there definite plans for the immediate reuse of the property if the proposed demolition is carried out, and what effect will those plans have on the architectural, historic, archeological or environmental character of the surrounding area or district?*

Analysis: There are not definite plans for immediate reuse of the property if the proposed demolition is carried out; however, the Downtown Master Plan establishes clear options for reuse and redevelopment of the property as part of a larger downtown redevelopment project. The HRPB, along with the City Commission, will determine if the proposed new construction is visually compatible with the neighboring structures, and the Old Town Historic District as a whole.

- (8) *Is the building or structure capable of earning reasonable economic return on its value?*

Analysis: Staff defers to the Applicant.

- (9) *Would denial of demolition result in an unreasonable economic hardship for the property owner?*

Analysis: Staff defers to the Applicant.

- (10) *Does the building or structure contribute significantly to the historic character of a designated historic district and to the overall ensemble of buildings within the designated historic district?*

Analysis: The existing structure is designated as a contributing resource within Old Town Historic District. As previously stated, it is staff's analysis that the building in its current state does not contribute to the historic character of the district.

- (11) *Has demolition of the designated building or structure been ordered by an appropriate public agency because of unsafe conditions?*

Analysis: The structure was given a Declaration of Unsafe Conditions by the City's Building Official, Peter Ringle, on July 27, 2020.

(12) Have reasonable measures been taken to save the building from further deterioration, collapse, arson, vandalism or neglect?

Analysis: It appears that reasonable measures have been taken to secure the property since the CRA purchased it in 2020.

G. *Issuance of certificate if site has lost historic character; redevelopment areas.* The HRPB may grant a certificate of appropriateness for demolition even though the designated landmark, or property within the designated historic district has reasonable beneficial use, if the HRPB determines that the property no longer has significance as a historic, architectural or archaeological landmark or that the demolition of the designated property is required by a community redevelopment plan approved by the city commission and the community redevelopment agency.

Analysis: The demolition of the property is part of the redevelopment plans established in the Downtown Master Plan. While the site retains elements of its historic character, including the exterior wall finishes, roof shape, and overall configuration, staff contends that the property retains little significance as a historic or architectural landmark in the City. Furthermore, a renovation of this structure would be classified under the Florida Building Code as a substantial improvement due to the extent of the necessary improvements. A substantial improvement means any repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before improvement or repair is started. The Florida Building Code specifies that a substantial improvement requires a structure to be brought into compliance with the requirements for new construction, including the fire code. Fire requirements would likely necessitate the removal of wooden character defining features due to the zero-lot line location of the structure, as well as a change in the roofing material.

CONCLUSION AND CONDITIONS

Staff recommends that the Board carefully review the demolition request to determine if the Applicant has demonstrated that the existing structure meets the criteria for demolition established in the Historic Preservation Ordinance. Should the HRPB move to approve the project, staff has also drafted conditions of approval, including a condition to document the structure before it is demolished.

Conditions of Approval:

- 1) The applicant shall document both interior and exterior of the existing structure prior to demolition with a walk-through video, and photographs of the structures' interior, exterior and architectural details. The photographs shall be keyed to floor plans of the structure.
- 2) The applicant shall submit an updated site file form with the State of Florida Division of Historic Resources Florida Master Site File.
- 3) The vacant property shall be maintained to ensure it meets the minimum requirements of Section 23.6-1, Landscape Regulations.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 23-00100043 with staff recommended conditions for the demolition of the existing structure at **509 Lake Avenue**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DISAPPROVE** HRPB Project Number 23-00100043 for a Certificate of Appropriateness (COA) for the demolition of the existing structure at **509 Lake Avenue**, because the Applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

Consequent Action: *The Historic Resources Preservation Board's decision will be final decision for the demolition. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Survey
- B. Photos
- C. Historic Preservation Design Guidelines – Craftsman/Bungalow
- D. Application and Justification Statement
- E. Unsafe Declaration Letter