

## Hearing Notice for Unsafe Structures at the Keys Energy Diesel Generating Plant

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Good afternoon, I am here today, as the Historic Preservation Planner of the City of Key West. According to State Statute 163.3177, the Comprehensive Plan “shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government’s programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner”. Florida State Statute, under 186.002 *finds and declares that (a) The issues of public safety, education, health care, community and economic development and redevelopment, protection and conservation of natural and historic resources, transportation, and public facilities transcend the boundaries and responsibilities of individual units of government, and often no single unit of government can plan or implement policies to deal with these issues without affecting other units of government.* We are today discussing two important issues; public safety and the preservation of significant buildings.

The City’s Comprehensive plan includes an entire Chapter dedicated to Historic Preservation. On it you can find the following policy under the goal to Identify and Protect Resources of Archeological and Architectural Significance;

***Policy 1A-1.1.1: Preservation Measures.*** *The identification, analysis, and preservation of the City's historical, architectural, and archaeological resources shall be continued. This shall include the determination of their significance and vulnerability, as well as the implementation of preservation management policies as such resources are identified. The above efforts are to be coordinated by HARC, the Historic Preservation Planner, and other non-profit preservation organizations.*

For years, I have been asked by several city staff members, and Keys Energy Services employees, how do I “feel” if the buildings known as The Diesel Plant been demolished? One and the last of many times occurred in the afternoon of January 25, 2018, exactly 19 calendar days ago. That afternoon I explained to a co-worker from the Engineering Department that it is my opinion that only the concrete structure added to the historic fabric and built over Fort Street will receive staff support for demolition, as it is not part of the period of significance. I finally felt this was the last time I was going to be asked about, what I opine, unnecessary and wrong desires for the demolition such important complex.

Not quite, as on Monday January 29, at 3:24 pm you, as the Chief Building Official, included me on an email sent to our City Manager. That email included as attachments, copy of the intent of today’s hearing, a sketch of the site with buildings enumerated, and the copy of the Structural Condition Assessment Key West Diesel Plant, Key West Florida, prepared by Atlantic Engineering Services of Jacksonville dated August 3, 2016. In November 2016, the majority of voters approved by referendum the transfer of the real property from Keys Energy Services to the City of Key West. I want to state for the record that neither the HARC members nor I have been involved in any efforts by the City to implement preservation management policies for these historic structures, as required by the City of Key West Comprehensive Plan. City’s staff knows about their significance and city staff knows my opposition to the demolition of the buildings that are part of the historic generation plant, as well as the public opinion of many HARC members of their serious concerns for possible demolition.

These are not opinions based on feelings and passion to preserve historic buildings; many times my job with the city is seen that way. These are professional opinions based on 27 years of experience in the field of historic preservation, and the knowledge of city’s regulations and ordinances, State and Federal Laws pertaining the protection of Historic Significant buildings. My opinions are also based on facts, observations, and analysis of the buildings, their history and morphology, their neglect for the nine and a half years I have been a citizen of this city, and by my role as the historic preservation planner which staffs the Historic Architectural Review Commission, one of the three boards created by the City of Key West Charter.



Building over Fort Street- The mural on this building was approved by HARC and City Commission in 2011. The mural was painted by artist Eric Anfinson and kids from the community under Just 4-Kids Art Center during the summer of 2011. The main portion of the mural can be removed as it was painted over wood panels.

Under the “Petition to declare building unsafe/ dwelling unfit for human habitation and Notice of administrative hearing before the Chief Building Official”, hand delivered to L.K Howell on January 29, 2018, it is said that “*buildings II, III, IV, and V are seriously and structurally unsound. (see attached).*” The petition also states; “*The buildings at Keys Energy Diesel Plant in Bahama Village, Key West, Florida is believed to be dangerous and/ or unfit...*” I read and reviewed the attached document, which is the 2016 structural report. I have not been inside of the buildings recently, but I walked the buildings twice in 2016, I have been able to see the buildings from Angela and Geraldine Streets and from the Truman Waterfront Park. I have also studied historic photos and aerial photographs.

I have the utmost respect to you as the Chief Building Official. Your final determination for these buildings will be followed, as you have the legal responsibility to assure buildings, and structures in our city are not hazardous to any citizen. I need to disagree with the intent to declare the buildings known as The Diesel Plant as seriously and structurally unsound. Although the petition is specific as to buildings II, III, IV, and V, it also includes “*the buildings at Keys Energy Diesel Plant*”. It is not clear which buildings are included in the intent whether there are 3, or 4 or 5 buildings on the site; therefore, my opinion includes all of them. I have to disagree with the intent because an engineering report, which it is been used to base an opinion, clearly concludes that the structures are stable. That engineering report clearly concludes that repairs, replacement of elements, rebuilt of isolated areas and reinforcement, some of them under immediate caution, are stated as recommendations for the buildings. These buildings can be repaired and their deterioration and neglect shall be stopped. If the reason for their demolition is due to economic feasibility, then that needs to be stated, as these buildings can be repaired and re adapted to a new use.

These buildings are not only significant to Key West but also, to the State and to our Nation. These structures are known to be one of the *first complexes that generated commercial electric power in the South*, built around 1883 as a gas plant and then converted to generate electric power in 1887. Please keep in mind that the first commercial central power plant was built in New York City on Pearl Street by Thomas Edison in 1882. Sadly, the Pearl Street Power plant building does not exist today as it burned in 1890. And we are here discussing the possibility to demolish unique and significant historic buildings that are still standing even though had endured years of neglect.

I want to state for the record the following policies that are found in the City’s Comprehensive Plan:

***Policy 1A-1.2.5: Innovative Measures for Historic Preservation. The City shall pursue land acquisition or alternative innovative mechanisms such as Transfer of Development Rights (TDRs), to protect historic and archaeologically significant resources.***

***Policy 1A-1.2.8: Performance Standards. Performance standards for protecting sites of historic or archaeological significance shall be incorporated in amended Land Development Regulations, upon plan adoption, that address development safeguards***

**to prevent the destruction or alteration of an historic site;** the isolation from or alteration of the surrounding environment; the introduction of visual, auditory, or atmospheric elements that are out of character or alter its setting; vegetation removal unless part of a scientific excavation or an approved development plan; **or other forms of neglect resulting in degradation of historic resources.**

As mentioned before, I read the report done in 2016 by Atlantic Engineering Services. In ALL pages, from Observations, to Evaluation and Recommendation and Conclusions the word demolition is mentioned twice:

1. Page 4 - Under Evaluation and Recommendations:

Lines 28-29 referring to existing concrete platforms, which are independently constructed from Building II in order to support machinery:

*“Due to the thickness of the platform walls, both will be expensive, [referring to their rehabilitation] therefore strong consideration should be taken for demolishing this platform.*

2. Page 4 - Under Evaluation and Recommendations:

Lines 33-34 referring to exterior pits and chutes for all buildings, except Building V:

*“The exterior pits and chutes are abandoned and should be cleaned of debris, the top of the deteriorated walls demolished to 8” below grade and filled with clean fill or stone”*

By reviewing Appendix A- Survey drawings from the 2016, the exterior pits and chutes, just three of them, are no more than concrete curbs- Refer to Appendix A Existing floor plan Sheet No. S1.1.

The report, describes the buildings under its conclusion as **“These buildings are stable but they need to be re-roofed and damaged sheathing and roofing members replaced”.** The conclusion also states that there are large portions of roof missing and missing and falling bricks; recommending on the later that the openings be shored or repair immediately. Since 2016, there is a written alert that the building’s roof and sheathing were damaged, with the exception of Building I, and that a severe wind event can be cause for losing the remainder. The conclusions also state the need of extensive repointing of bricks and in isolated areas rebuilt. For the existing steel columns bases reinforcement is required due to excessive corrosion. No conclusions pertaining the

structural integrity of the existing buildings reference the need for their demolition, but rather repairs, repointing, removal and replace, rebuilt, shore, cleaning, and reinforcement. All these practices are part of a maintenance program rather than a condemnation and demolition of historic buildings.

The Florida Building Code is definitely not my field of expertise, but I have read and studied Chapter 12- Historic Buildings of the 2017 Florida Building Code for Existing Buildings. This code adopts the Secretary of the Interior's Standards and Guidelines for Rehabilitation. Its intent is very clear:

**1201.1 Intent and purpose.**

It is the intent of this chapter to provide means for occupant safety, property conservation and use of designated historic buildings while protecting those elements, spaces and features that make these buildings historically or architecturally significant.

It is my understanding that the intent of the chapter is to provide safety while protecting elements, spaces, and features that make these buildings historically or architecturally significant. Demolition of portions of the historic brick fabric will not protect the integrity of these buildings, proper maintenance of the buildings will provide both safety and protection of the historic buildings.

The Code expressly states the following:

*Section 1203- Standards and Guidelines for Rehabilitating Historic Buildings*

*1203.1 Historic preservation goal.*

**The historic preservation goal of this code shall be to minimize damage to and loss of historic structures, their unique characteristics and their contents as follows:**

- 1. Maintain and preserve original space configurations of historic buildings.*
- 2. Minimize alteration, destruction or loss of historic fabric or design.*

*1203.2 Historic preservation objectives.*

- 1.Preservation of the original qualities or character of a building, structure, site or environment shall be encouraged.***
- 2.Removal or alteration of any historic material or distinctive architectural features shall be minimized.***
- 3.Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.***
- 4.A compatible use for a property that requires minimal alteration of the building, structure or site and its environment shall be encouraged.***
- 5.New additions or alterations shall be designed and constructed in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired to the greatest degree possible.***
- 6.Repairs, alterations, restorations, changes of occupancy, additions and relocations shall be guided by the recommended approaches in rehabilitation set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Appendix B).***

*Section 1206.1- Investigation and Evaluation.*

*An historic building undergoing alteration or change of occupancy shall be investigated and evaluated. If it is intended that the building meet the requirements of this chapter, a written report shall be prepared and filed with the building official by a Florida-registered architect or engineer. Such report shall be in accordance with the provisions of Sections 4.3.1.2 through 4.3.2 of NFPA 914, Code for Fire Protection of Historic Structures and shall identify each required safety feature that is in compliance with this chapter and where compliance with this or other chapters would be damaging to the contributing historic features. In addition, the report shall describe each feature that is not in compliance and demonstrate how the intent of the provisions of this or other chapters are complied with in providing an equivalent level of safety.*

It is the goal of the Florida Building Code for Existing Buildings to minimize damage to and loss of historic structures, their unique characteristics, and their contents. The buildings in question can be repaired, properly maintained and be re-adapted to a sensible new use.

Six months ago, emergency permits were issued for the repair and replace in-kind of architectural elements, fences, roofs, windows and doors, as property owners wanted to secure their properties after Hurricane Irma. Rather than considering the demolition of the historic fabric of the Diesel Plant ,why didn't the city takes steps to do the necessary repairs and protect these unique structures, as recommended in 2016? What is the example and leadership that we, the City, as owners of historic buildings are characterizing to our citizens by continuing the neglect of these buildings, condemning them, and destroying them?

As the City's Chief Building Official, I respect your judgement, your professional ethics, your knowledge, and your sensibility to historic buildings. I have visited historic sites with you, and I have seen you many times making determinations in favor of preserving historic buildings. I have also heard from you the determination to demolish a historic building, as it cannot be saved. The law gives you the authority to prevent loss or endanger of the lives of our citizens and visitors when buildings or structures become a safety hazard. The law also requires from you to fulfill the goal of minimizing damage to and loss of historic structures.

The current City's Comprehensive Plan has the following policy, which is similar to the goal set under the Florida Building Code for Existing Buildings for historic buildings:

***Policy 1A-1.2.10: Prevent Loss of Historic Structures. There shall be no loss of historic resources on City-owned properties. Sensitive adaptive re-use of historic structures shall be encouraged as an alternative to demolition.*** Amended Land Development Regulations shall encourage that historic resources on private property will be protected, preserved, or re-used in a manner sensitive to the historic properties of the site and/or structure.

The City of Key West must protect these structurally stable buildings from any further damage, decay, and neglect; each day we, the building department and HARC, ask the same from our own citizens. The City can repair missing of roof sheathing and roof coverings, reinforce existing metal columns, weatherize fenestrations with missing



windows and doors, replace missing bricks, and repoint existing mortar. As recommended by AES Report the City should stop the lack of maintenance and neglect. These historic buildings are under the ownership of the City of Key West; the demolition of stable and repairable historic buildings is contrary to the City's Comprehensive Plan and its Historic Preservation Element, contrary to the City of Key West Land Development Regulations – Chapter 102 Historic Preservation and contrary to the Charter of the City of Key West which creates the Historic Architectural Review Commission. These buildings can and should be rehabilitated and readapted to a sensible use. Are there any financial issues to stabilize what is decaying? If so, why don't we look at other alternatives and make a balance of the preservation and protection of these buildings with the safety of our citizens, both a priority, instead of taking a truly drastic measure to demolish them? We have very good examples in our City where both preservation and safety have been achieved. The demolition of these historic buildings should not be the exception, but rather an example of how to minimize damage and loss of historic structures, their unique characteristics, and their contents while ensuring the safety of our citizens.

This is my professional opinion. Knowing you, I know that you will be issuing your determination taking into account all your responsibilities as the Chief Building Official of the City of Key West.

Graphic Documentation follows this presentation.



1964 Aerial Photograph



1999 Aerial Photograph

Photographs Legend- All photographs are part of the Monroe County Library Collection.

1. The Key West Electric Plant- Formerly Key West Gas and Electrical Light Co. circa 1909. Picture was taken from Fort Street.

2. The Key West Electric Plant- Formerly Key West Gas and Electrical Light Co. years after the 1910 Hurricane. Picture was taken from Fort Street. Notice changes in the now buttressed wall.

3. The Key West Electric Plant- Formerly Key West Gas and Electrical Light Co. October 17, 1910 after the Cyclone of the Five Days. Picture was taken from Geraldine Street.

4. The Key West Electric Plant- Formerly Key West Gas and Electrical Light Co. October 17, 1910 after the Cyclone of the Five Days. Picture was taken from Fort Street. Notice the collapse of the brick wall, which was replaced with a brick wall reinforced by buttresses.

5. Photograph taken circa 1950's from the roof of a structure on Geraldine Street facing West.

6. Photograph taken circa 1950's depicting the complex East facades.

7. Photograph taken late 1950's depicting the removal of the brick wall of the Southwester most building, in preparation of the construction of the CMU building now standing over Fort Street.

8. Photograph circa 1965 facing south. At the rear Geraldine Street.

9. Photograph circa 1965 showing the central building and south building that faces Geraldine Street.

10. Photograph circa 1965 showing an accessory structure part of the complex. This building is still in use by Keys Energy Services and is not part of the site in question.

11. Photograph circa 1965 showing the central building and North building that faces Angela Street.







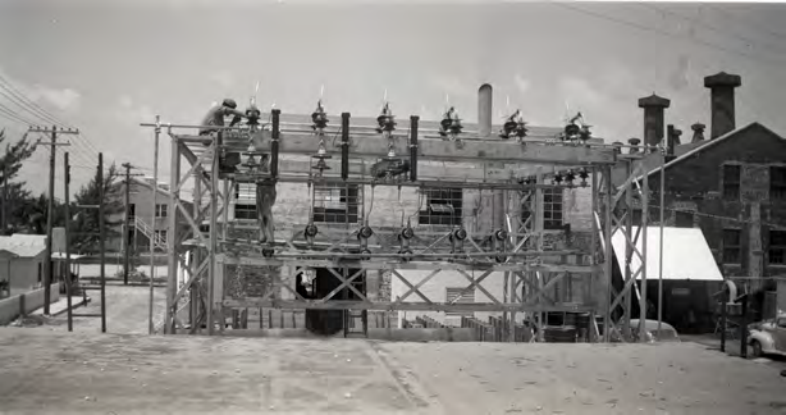


Electric Light Plant  
Oct. 17 '10



Electric Light Plant  
East 47th St.






















2004 Aerial Google

**Legend**

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Emma St

Geraldine St

Google Earth

Image © 2018 The Florida Department of Environmental Protection






100 ft



2006 Aerial Google

Legend

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Google Earth

Image U.S. Geological Survey






100 ft



2008 Aerial Google

### Legend

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Google Earth

Image U.S. Geological Survey






100 ft



2009 Aerial Google

Legend

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Google Earth






100 ft



2010 Aerial Google

### Legend

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Google Earth




100 ft





1/12/2017 Aerial Google

### Legend

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Google Earth

Image © 2013 DigitalGlobe

Geraldine St




N

100 ft



2013 Aerial Google

Legend

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Google Earth






100 ft



3/18/2017 Aerial Google

### Legend

-  Feature 1
-  Masjid al-Maalik
-  Santiago's Bodega

Google Earth



100 ft