MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation — Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: May 14, 2024

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: HPB23-0595, **The Lincoln Road right-of-way generally bounded by Lincoln Lane North to the north, Washington Avenue to the east, Lincoln Lane South to the south and Lenox Avenue to the west, Lincoln Road Master Plan.**

An application has been filed requesting a Certificate of Appropriateness for the design of the Lincoln Road Master Plan.

STAFF RECOMMENDATION
Approval of the Certificate of Appropriateness with conditions.

BACKGROUND
On November 10, 2015, the Historic Preservation Board reviewed and approved a Certificate of Appropriateness for the design of the Lincoln Road Master Plan (HPB 7585).

On June 19, 2017 and October 10, 2017, the Board reviewed and approved modifications to the previously issued Certificate of Appropriateness including design and lighting modifications (HPB17-0117).

On May 9, 2023, the Board reviewed and approved right-of-way improvements for portions of Meridian and Drexel Avenues as part of the Lincoln Road Master Plan.

On February 13, 2024, the Board reviewed and approved the subject application with the exception of the design of the Euclid Oval, wayfinding signage, furniture plans, and “Lincoln Road” sign within the 400 Block, which were continued to the May 14, 2024 meeting.

EXISTING SITE
Local Historic District: Flamingo Park

ZONING / SITE DATA
Legal Description: A portion of the public-right-of-ways generally bounded by Lincoln Lane North to the north, Washington Avenue to the east, Lincoln Lane South to the south and Lenox Avenue to the west.

THE PROJECT
The applicant has submitted plans entitled "Lincoln Road District", as prepared by James Corner Field Operations, dated October 9, 2023.

COMPLIANCE WITH ZONING CODE
A preliminary review of the project indicates that the application appears to be consistent with the Land Development Regulations. This shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

CONSISTENCY WITH 2040 COMPREHENSIVE PLAN
A preliminary review of the project indicates that the project is **consistent** with the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA
Section 7.1.2.4(a)(i) of the Land Development Regulations establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

(1) A recycling or salvage plan for partial or total demolition shall be provided.
Not Applicable

(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable

(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not Applicable

(4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.
Satisfied

(5) The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.
Not Applicable

(6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.
Not Applicable

(7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever

practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.
Not Applicable

(8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.
Not Applicable

(9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 in General Ordinances.
Not Applicable

(10) In all new projects, water retention systems shall be provided.
Not Applicable

(11) Cool pavement materials or porous pavement materials shall be utilized.
Satisfied

(12) The project design shall minimize the potential for a project causing a heat island effect on site.
Satisfied

COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA

A decision on an application for a certificate of appropriateness shall be based upon the following:

I. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to section 2.13.7(d)(ii)(1) of the Land Development Regulations (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.
Not Applicable

b. The Secretary of Interior’s Standards for Reconstruction as may be amended from time to time.
Not Applicable

c. Other guidelines/policies/plans adopted or approved by resolution or ordinance by the city commission.
Satisfied

II. In determining whether a particular application is compatible with surrounding properties the historic preservation board shall consider the following criteria pursuant to section 2.13.7(d)(ii)(2) of the Land Development Regulations (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

a. Exterior architectural features.

Satisfied

b. General design, scale, massing and arrangement.
Satisfied

c. Texture and material and color.
Satisfied

d. The relationship of subsections a., b., c., above, to other structures and features of the district.
Satisfied

e. The purpose for which the district was created.
Satisfied

f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Satisfied

g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.
Satisfied

h. The original architectural design or any subsequent modifications that have acquired significance.
Satisfied

III. The examination of architectural drawings for consistency with the criteria pursuant to section 2.13.7(d)(ii)(3) of the Land Development Regulations and stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
Satisfied

b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Satisfied

c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary

public interior areas for developments requiring a building permit in areas of the city identified in section 2.13.1(c).
Satisfied

d. The proposed structure, or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance the appearance of the surrounding properties, or the purposes for which the district was created.
Satisfied

e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.
Satisfied

f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.
Satisfied

g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a city master plan, where applicable.
Satisfied

h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Satisfied

i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Satisfied

j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied

k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
Not Applicable

l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Not Applicable

m. Any addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Satisfied

n. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.
Not Applicable

o. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Satisfied

p. In addition to the foregoing criteria, the requirements of chapter 104, of the General Ordinances, shall apply to the historic preservation board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.
Not Applicable

q. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.
Satisfied
See Compliance with Sea Level Rise and Resiliency Review Criteria section of this report.

CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION EVALUATION CRITERIA

Section 2.13.7(d)(vi)(4) of the Land Development Regulations provides criteria by which the Historic Preservation Board evaluates requests for a Certificate of Appropriateness for Demolition. The following is an analysis of the request based upon these criteria:

a. The building, structure, improvement, or site is designated on either a national or state level, as part of a historic preservation district or as a historic architectural landmark or site, or is designated pursuant to section 2.13.9 as a historic building, historic structure or historic site, historic improvement, historic landscape feature, historic interior or the

structure is of such historic/architectural interest or quality that it would reasonably meet national, state or local criteria for such designation.
Satisfied
The existing site is located within the Flamingo Park Local Historic District and is individually listed as an historic site on the National Register of Historic Places.

b. The building, structure, improvement, or site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or expense.
Satisfied
The existing Contributing structures would be difficult and inordinately expensive to reproduce.

c. The building, structure, improvement, or site is one of the last remaining examples of its kind in the neighborhood, the county, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.
Satisfied
The existing Contributing structures are several of the last remaining examples of their kind and are distinctive examples of an architectural or design style which contributes to the character of the district.

d. The building, structure, improvement, or site is a contributing building, structure, improvement, site or landscape feature rather than a noncontributing building, structure, improvement, site or landscape feature in a historic district as defined in chapter 1 of these land development regulations, or is an architecturally significant feature of a public area of the interior of a historic or contributing building.
Satisfied
The majority of the structures are designated as Contributing in the Miami Beach Historic Properties Database.

e. Retention of the building, structure, improvement, landscape feature or site promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage.
Satisfied
The retention of the Contributing structures is critical to developing an understanding of an important Miami Beach architectural style.

f. If the proposed demolition is for the purpose of constructing a parking garage, the board shall consider it if the parking garage is designed in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, U.S. Department of the Interior (1983), as amended, or the design review guidelines for that particular district. If the district in which the property is located lists retail uses as an allowable use, then the ground floor shall contain such uses. At-grade parking lots shall not be considered under this regulation. Parking lots or garages as main permitted uses shall not be permitted on lots which have a lot line on Ocean Drive or Espanola Way.
Not Applicable
The demolition proposed in the subject application is not for the purpose of constructing a parking garage.

g. In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.
Not Applicable
Total demolition of a Contributing structure is not proposed as part of this application.

h. The county unsafe structures board has ordered the demolition of a structure without option.
Not Applicable
The Miami-Dade County Unsafe Structures Board has not ordered the demolition of the structure.

STAFF ANALYSIS

Since its inception, Lincoln Road has served as a retail and social center for the City of Miami Beach. In 1960, eight blocks of the road were closed to vehicular traffic and converted to a pedestrian mall. Designed by architect Morris Lapidus, key elements of the 1960 plan included:

- A central spine marked by the distinctive 'piano key' paving
- A series of geometrically distinctive planted gardens, water features and seat-walls
- Sculptural follies situated on the central spine
- Wide pedestrian promenades along the storefronts
- Lush vegetation composed of low understory and high canopy trees

Through the 1980s, the original Lapidus plan fell into disrepair, plantings and hardscape slowly deteriorated. In the mid-1990s, the pedestrian mall was renovated and modified including additional landscaping, the introduction of bollards and lighting, and a new paving pattern.

In 2015, the Historic Preservation Board reviewed and approved a Certificate of Appropriateness for the Lincoln Road Master Plan. The approved plan served as the basis for future improvements to Lincoln Road and included lighting, pedestrian surfaces, street furnishings, and landscaping as well as the restoration of the folly structures. Further, the Board approved modifications to the master plan in 2017. Subsequently, the design continued to be developed to incorporate feedback from regulatory agencies and the final design was delivered to the City in early 2020; however, due to the COVID-19 pandemic, the City postponed the project. In 2022, the scope of work was refined by the City including modifications to minimize impacts to Lincoln Road businesses. To begin work as expeditiously as possible, in 2023, the Board reviewed and approved modified designs for the Meridian and Drexel Avenue portions of the plan.

UPDATE

On February 13, 2024, the Board reviewed and approved the subject application with the exception of the design of the Euclid Oval, wayfinding signage, furniture plans, and "Lincoln Road" sign within the 400 Block which were continued to the May 14, 2024 meeting to give the applicant additional time to address the Board's concerns. Since the February meeting, the applicant has submitted revised plans that include the following modifications:

- Within the 400 block plaza, the previously proposed movable seating has been replaced with cast concrete seats incorporated into new circular planters along the perimeter of the plaza. The design of these seats as well as the proposed bench to the west of the plaza were inspired by the original Morris Lapidus seat design.
- The Lincoln Road monument sign has been further refined including the removal of the piano key iconography, the slight increase in height of the sign pedestal and the revision of the font to be consistent with the wayfinding signage.
- Within the Euclid Oval, the area of the western planter has been reduced and the design simplified allowing for a larger more flexible space to the east. Additionally, the applicant has studied a number of readily available alternative paving materials within the flex space including concrete pavers and ½" ceramic tile. While staff has no objection to the alternate materials, staff remains supportive option 1, as shown in the previously approved master plan.
- The wayfinding signage design has been further developed in a manner which clarifies the intention destinations.

Collectively, the modifications proposed represent an improvement over the previously proposed design and staff recommends approval of the remainder of the application.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for a Certificate of Appropriateness be **approved**, subject to the conditions enumerated in the attached draft Order.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: February 13, 2024

PROPERTY/FOLIO: The Lincoln Road right-of-way generally bounded by Lincoln Lane North to the north, Washington Avenue to the east, Lincoln Lane South to the south and Lenox Avenue to the west.

FILE NO: HPB23-0595

APPLICANT: City of Miami Beach

IN RE: An application has been filed requesting a Certificate of Appropriateness for the design of the Lincoln Road Master Plan.

LEGAL: A portion of the Lincoln Road public right-of-way bounded by Lincoln Lane North to the north, Washington Avenue to the east, Lincoln Lane South to the south and Lenox Avenue to the west, all lying and being in the City of Miami Beach, Florida.

CONSOLIDATED ORDER

The City of Miami Beach Historic Preservation Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Certificate of Appropriateness

A. The subject site is located within the Flamingo Park Local Historic District.

B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:

1. Is consistent with Sea Level Rise and Resiliency Review Criteria in Section 7.1.2.4(a)(i) of the Land Development Regulations.

2. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(1) of the Land Development Regulations.

3. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(2) of the Land Development Regulations.

4. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(3) of the Land Development Regulations.

5. Is consistent with Certificate of Appropriateness Criteria in 2.13.7(d)(vi)(4) of the Land Development Regulations.

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C. The project would remain consistent with the criteria and requirements of sections 2.13.7(d) and 7.1.2.4(a) of Land Development Regulations if the following conditions are met:

1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:

   a. The final design and details of the Euclid Oval portion of the project shall be provided and shall be consistent with the plans presented to the Board at the May 14, 2024 meeting, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. ~~The design for the Euclid Oval portion of the project shall be further developed in a manner to be reviewed and approved by the Board.~~

   b. The final design and details of the "Lincoln Road" sign within the 400 block portion of the project shall be provided and shall be consistent with the plans presented to the Board at the May 14, 2024 meeting, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. ~~The design for the "Lincoln Road" sign and the furniture plan within the 400 block shall be further developed in a manner to be reviewed and approved by the Board.~~

   c. The final design and details of the wayfinding signage shall be provided and shall be consistent with the plans presented to the Board at the May 14, 2024 meeting, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. ~~The design for the wayfinding signage shall be further developed in a manner to be reviewed and approved by the Board.~~

   d. The final design and details of all exterior paving, including material, dimensions and finishes shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. ~~The designer shall explore fading the pink concrete pavers to green to better transition to the existing green concrete sidewalks along the western edge of the plaza.~~

2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:

   a. All existing, healthy canopy trees shall be retained to the greatest extent possible, subject to the review and approval of the Urban Forester.

   b. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.

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c. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

d. The project design shall minimize the potential for a project causing a heat island effect on site.

e. Cool pavement materials or porous pavement materials shall be utilized, if applicable.

In accordance with section 2.2.4.8(c) of the Land Development Regulations the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special magistrate appointed by the City Commission.

II. Variance(s)

A. No Variances have been requested as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. *Certificate of Appropriateness'* and 'II. *Variances'* noted above.

A. This Final Order consolidates all conditions and requirements for Certificate of Appropriateness approval as same as are contained herein, in the Order dated February 13, 2024. Accordingly, this Order shall serve as the Final Order for the proposed project. In the event of a conflict between the provisions hereof and those of the previous Orders, the provisions hereof shall control.

B. ~~A.~~ The applicant agrees and shall be required to provide access to areas subject to this approval (not including private residences or hotel rooms) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.

C. ~~B.~~ The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.

D. ~~C.~~ The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.

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E. ~~D.~~ The applicant shall comply with the electric vehicle parking requirements, pursuant to section 5.2.12 of the land development regulations, as applicable.

F. ~~E.~~ Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.

G. ~~F.~~ All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.

H. ~~G.~~ A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.

I. ~~H.~~ The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

J. ~~I.~~ Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.

K. ~~J.~~ The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

L. ~~K.~~ The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

M. ~~L.~~ Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

N. ~~M.~~ Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II,III of the Findings of Fact, to which the applicant has agreed.

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PROVIDED, the applicant shall build substantially in accordance with the plans entitled **"Lincoln Road District", as prepared by James Corner Field Operations, dated October 9, 2023 and May 14, 2024**, as approved by the Historic Preservation Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of section 2.13.7 of the Land Development Regulations; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with chapter 2 of the Land Development Regulations, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations. Failure to comply with this Order shall subject the application to chapter 2 of the Land Development Regulations, for revocation or modification of the application.

Dated this _____ day of _____, 20___.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY:_____
DEBORAH TACKETT
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
FOR THE CHAIR

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

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The foregoing instrument was acknowledged before me this _____ day of _____ 20___ by Deborah Tackett, Historic Preservation & Architecture Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.

_____
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires:_____

Approved As To Form:
City Attorney's Office: _____ ( )

Filed with the Clerk of the Historic Preservation Board on _____ ( )

~~Strike-Thru~~ denotes language deleted by the Board on May 14, 2024
Underscore denotes language added by the Board on May 14, 2024

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