

Proposed Amendments to Land Development Code City of Miami Beach

Faena District Overlay



Prepared For:
3315 Tower Condominium Association, Inc.
3315 Collins Avenue
Miami Beach, FL 33140

October 1, 2020

Compiled By:
Heritage Architectural Associates
4770 Alton Road
Miami Beach, Florida 33140

**Proposed Amendments to Land Development Code
City of Miami Beach**

Faena District Overlay

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Submitted To:

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INTRODUCTION

The Miami Beach City Commission is being asked to codify zoning amendments for the Faena District Overlay, located generally along Collins Avenue between 32nd and 36th Streets. The item was referred to the Mayor and City Commission with a favorable recommendation by the Miami Beach Planning Board at its meeting on August 25, 2020.

The City is considering a zoning change in the Faena District Overlay (created 12/17/2014) to allow building heights up to 250' on RM-3 zoned oceanfront lots with an area greater than 70,000 square feet that also contain a contributing historic structure. The Versailles Hotel property (Tax Parcel 02-3226-001-1440) is located within the Faena District Overlay on the east side of Collins Avenue just south of 35th Street. Designed by Roy France and constructed in 1940, the Versailles is a contributing building in the locally-designated Collins Waterfront Historic District and the National Register-listed Collins Waterfront Architectural District. Therefore, proposed construction work will be subject to review by the Miami Beach Historic Preservation Board.

On April 22, 2020, the item was referred by the City Commission to the Land Use and Sustainability Committee and the Planning Board. On August 25, 2020, the item was referred back to the City Commission with a favorable recommendation by the Planning Board.

On November 14, 2014, the Miami Beach Historic Preservation Board (HPB) approved a Certificate of Appropriateness for the property that included the partial demolition, renovation and restoration of the Versailles Hotel, the total demolition of a 1955 south addition, and the construction of a new 16-story, detached ground level addition (200' in height), as part of a new residential development. Shortly thereafter, a number of variances related to the new construction were approved. On March 8, 2016, the HPB approved modifications to the design and site plan, including additional variances and a 3' height increase. Other than the demolition of the 1955 addition, little activity has taken place on the site, and the current approvals remain active.

The Faena House Condominium is located south of the subject property at 3315 Collins Avenue. The 3315 Tower Condominium Association, Inc. is in opposition to the legislation in its current form and has commissioned Heritage Architectural Associates (HAA) to provide an analysis of how a project based on the proposed amendments would relate to the Miami Beach Historic Preservation Ordinance and the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties. HAA has reviewed the documents that were included in a presentation by legal counsel arguing in favor of the proposed amendments to the Miami Beach Planning Board at its August 25, 2020 meeting. In addition, HAA has reviewed the limited information available regarding the previous plans for the site. This report only addresses items that relate to the Historic Preservation Ordinance and the Secretary of the Interior's Standards. All other items are outside the scope of this document.

HAA conducted a thorough review of the text of the proposed ordinance amending the Faena District Overlay, the Miami Beach Historic Preservation Ordinance, and the Secretary of the Interior's Standards. Due to the significant adverse impact that would occur upon the Versailles

Hotel and the historic architectural character of the surrounding Collins Waterfront Historic District, any allowable construction with the proposed height increase to 250' would fail to comply with the Secretary of the Interior's Standard Number 9. Therefore, the amendments allowing an increase in the height allowance to 250' for the Faena District Overlay should not be enacted, in accordance with the requirements of the Historic Preservation Ordinance as set forth in the Miami Beach Code.

OVERVIEW OF THE VERSAILLES HOTEL AND THE FAENA DISTRICT OVERLAY

Roy F. France

Roy F. France (1888-1972) was an architect of hotels and apartment buildings who began his career in Chicago. He relocated to Miami Beach in 1931 and designed dozens of prominent hotels in the Art Deco, Streamline and Modern styles that were adapted to the local sub-tropical environment. Significant examples of his work in South Beach include the National (1939) and St. Moritz (1939) on Collins Avenue, and the Edgewater Beach (1935) on Ocean Drive.

The greatest concentration of France's buildings anywhere is located within the Collins Waterfront Historic District. He is credited with virtually creating the mid-beach skyline. (City of Miami Beach Planning Department, 2000, p. 37) His pre-war Art Deco and Streamline buildings located on Collins Avenue between 30th and 40th streets include the Sea Isle (1941), Lord Baltimore (1941), Atlantic Beach (1938), Versailles (1940), Whitman (1935-demolished), Shoremede (1936-demolished), Patrician (1937), Wilshire (1939), and Cadillac (1940).

Other France buildings on or near Collins Avenue are the Ocean Grande (1939) and Sovereign (1941). After World War II, he designed the Saxony (1948), Sans Souci (1949), San Marino (1950) and Casablanca (1948) in the Modern style.

Versailles Hotel (1940)

The 13-story Art Deco Versailles Hotel (Fig. 1) was designed by France and was constructed in 1940. It is located at 3425 Collins Avenue and is bordered by Collins Avenue to the west, 35th Street to the north, 34th Street to the south, and the beach to the east.

The stucco-clad building features a floorplate that is generally rectangular with a curvilinear central projection consisting of 3 bays that extends the full height of the front (western) façade of the building. In this projection, the central windows are flanked by curved window openings at the rounded corners. The northern and southern ends of the façade feature 2 returns that step back from the central projection and are reduced to 12 stories in height. The first setback is 1 bay in width and features square corners and wraparound corner window openings. The second setback returns to the main block of the tower, which also features rounded corners with curved window openings. Originally, the windows were paired awning style. Atop the central projection is a square campanile with rounded slightly projecting corners. The campanile sits on a larger base of the same footprint, and rounded piers



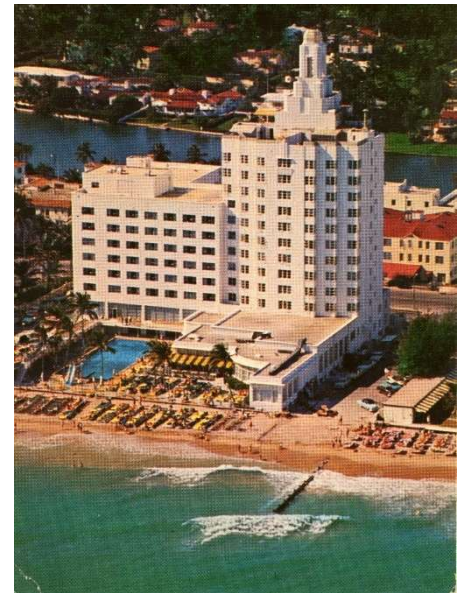
*Fig. 1. Versailles Hotel, 1946.
(Florida Memory)*

are located at the corners of the campanile. The tower features slightly arched openings and is topped by an octagonal metal dome roof.

The main entrance at the western facade features a 2-story base with a projecting portico and square columns. The original window openings that flanked the portico at the 1st and 2nd stories have been infilled with breeze block. The window and door openings under the portico have been partially enclosed.

France designed a 9-story ell-shaped addition to the south elevation that was constructed c.1955. There was also a 2-story addition that wrapped around the ell at the front and a 1-story addition at the north end of the east elevation. A swimming pool was located at the rear. (Fig. 2)

All of the additions and the swimming pool have been demolished. The area to the south and east of the building is currently paved.



*Fig. 2. Versailles Hotel showing south and east additions, c.1956.
(Florida Memory)*

Faena District Overlay

The Faena District Overlay was created on December 17, 2014 by the City Commission with the adoption of Ordinance 2014-3913. (See Appendix for text of ordinance) The district is generally located along Collins Avenue between 32nd and 36th Streets. (Fig. 3) At the time of the creation of the district, all of the properties were owned by the Faena Group.

In addition to the Versailles, the other properties in the Faena District Overlay include:

East side of Collins:

Faena House (2015), 3315 Collins, 16 stories

Faena Hotel Miami Beach (1948), 3201 Collins, 14 stories, formerly the Saxony Hotel

West side of Collins:

Casa Faena (1930), 3500 Collins, 3 stories, formerly the Claridge Hotel

Faena Park (2017), 3430 Collins (parking garage)

Faena Bazaar (1938), 3400 Collins, 3 stories, formerly the Atlantic Beach Hotel

Faena Forum (2016), 3300 Collins, 4 stories

The stated purpose of the District Overlay was to allow limited flexibility of uses and limited increases in heights because of the common ownership and operation of the properties within the District Overlay. (Appendix) The underlying zoning in the District Overlay is RM-3 on the east side of Collins Avenue and RM-2 on the west side of Collins. The language of the ordinance modified some provisions related to use for the RM-2 zoned properties.

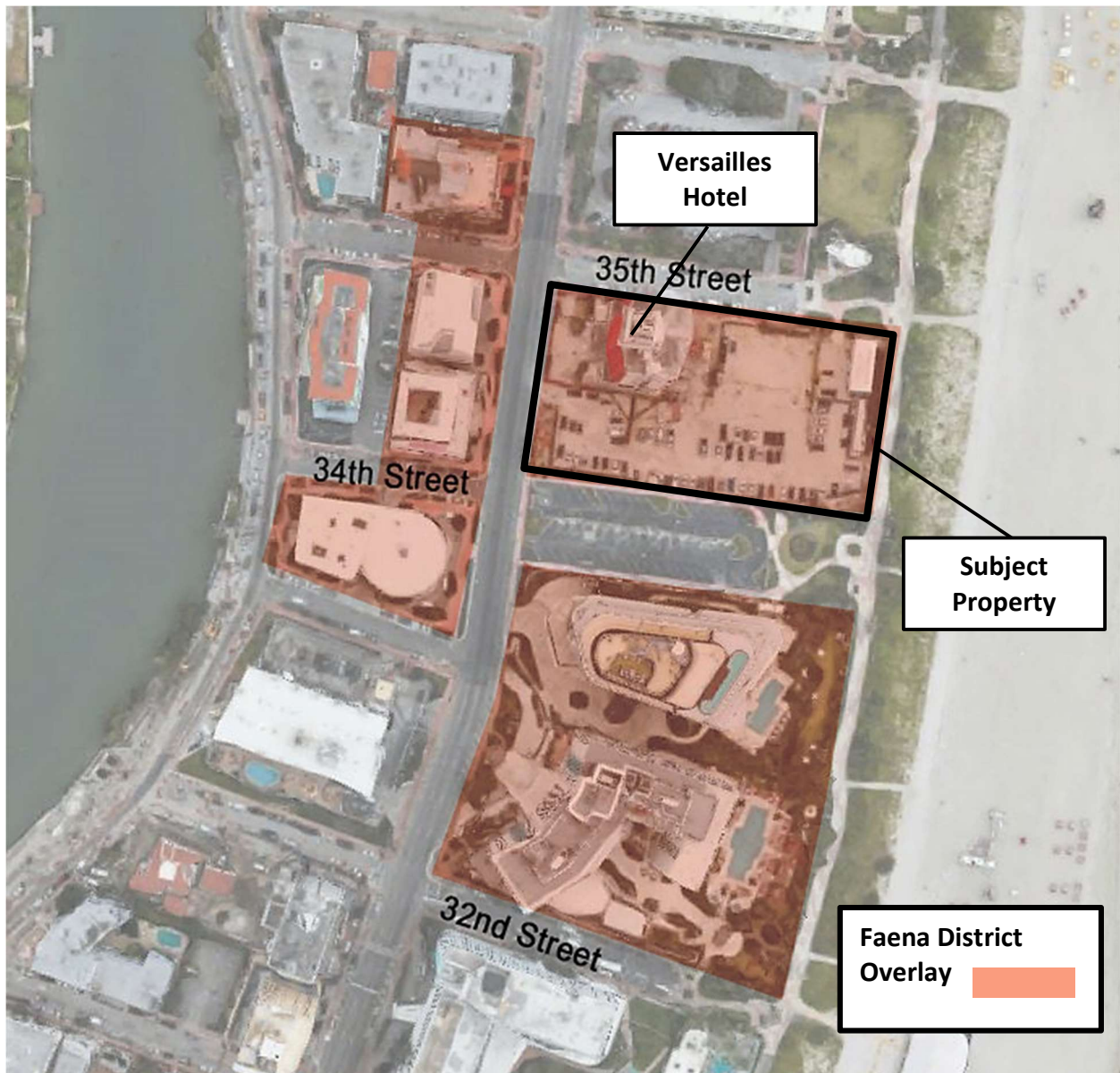
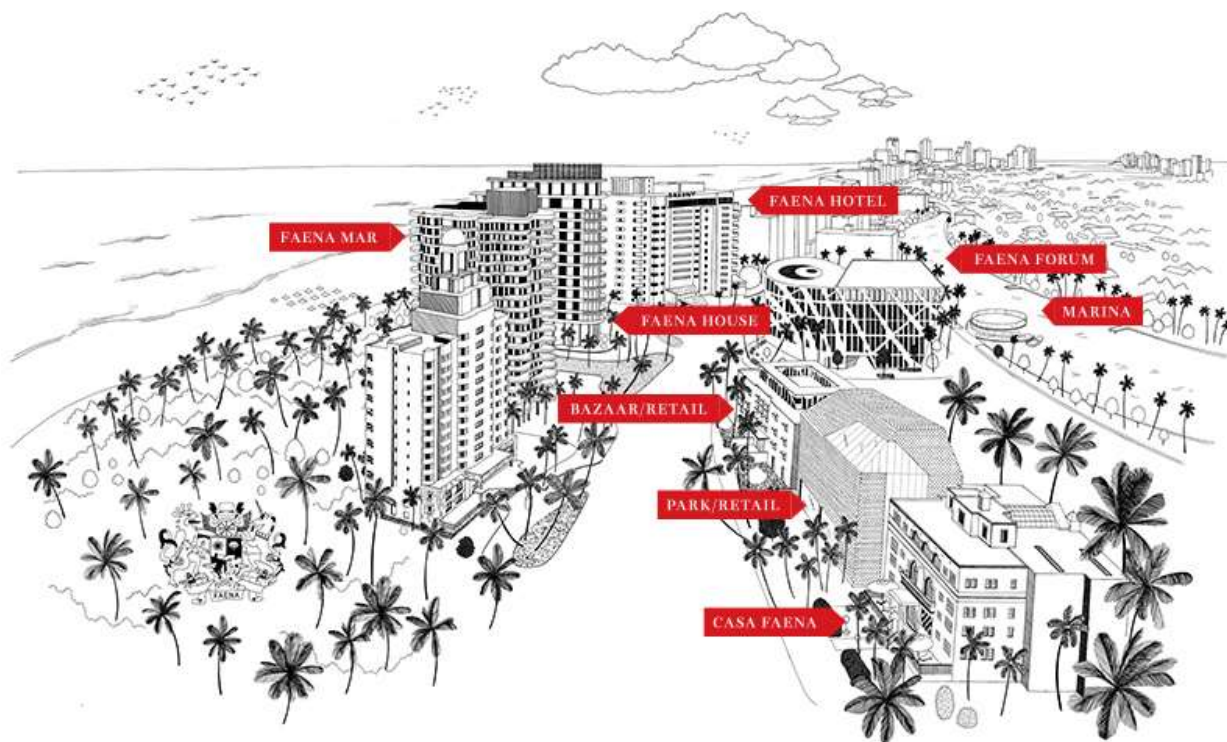


Fig. 3. Aerial photo depicting location of Faena District Overlay and subject property.
(Imagery ©2020 Google, Imagery ©2020 CNES/Airbus, Maxar Technologies, Sanborn, U.S. Geological Survey, Map data ©2020.



*Fig. 4. Rendering of planned Faena District, date unknown.
(The Penthouse Residences at Faena Hotel Miami Beach)*

Previous proposals for the Versailles site

On September 13, 2011, Versailles on the Ocean, LLC, received a Certificate of Appropriateness (COA) from the City of Miami Beach Historic Preservation Board (HPB) (HPB File# 7266) for work at the Versailles Hotel site. The scope of work for which the COA was granted included the partial demolition, renovation and restoration of an existing 9-story building and an existing 13-story building (the Versailles Hotel), including the installation of new balconies on the east and south elevations, and the construction of a new 10-story multifamily building with a roof-top pool deck at the rear of the site, along with a new landscape and hardscape plan for the entire site. (Fig. 5) This project was not completed.



*Fig. 5. Rendering of previously proposed new construction,
2011.
(Costa Miami Realty)*

The new **10-story building** was slated to be **117' in height**. (HPB File# 7490 - Versailles Hotel and Tower, 2014)

On November 14, 2014, a Certificate of Appropriateness (HPB File# 7490) was approved by the HPB. On December 5, 2014, the Board of Adjustment approved a total of 11 variances related to the proposed new construction at the site. The project involved the partial demolition, renovation and restoration of the existing Versailles Hotel, the complete demolition of the 1955 south addition, and the construction of a new 16-story detached ground level addition. (Fig. 6) The Versailles Hotel was to be known as Faena Versailles Classic, and the new building was to be known as Faena Versailles Contemporary (later Faena Mar).

The HPB approved modifications to the design and the site plan, including additional variances, (HPB File# 7603) on March 8, 2016.



Fig. 6. Rendering of proposed new construction, 2014.

(The Next Miami)

As of 2014, the new **16-story building** was slated to be **200' in height**. (HPB File# 7490 - Versailles Hotel and Tower, 2014) The 2016 approved design modifications **raised the height to 203'**. (HPB File# 7603)

The south addition of the Versailles Hotel was demolished in June 2015. In October 2016, it was announced that the project was put on hold due to market conditions. No new construction work was completed.

OVERVIEW OF THE PROPOSED AMENDMENTS TO THE FAENA DISTRICT OVERLAY

The proposed amendments to the Faena District Overlay include an updated purpose as follows (deletions indicated by strikethrough; additions underlined):

The purpose of this overlay district is to allow limited flexibility of uses, ~~and limited~~ increases in heights, and limited flexibility in setbacks because of the common ownership and operation of the properties within the overlay district and the value of preserving historic buildings within the overlay district. (Miami City Commission, 2020)

There are a number of provisions regarding use and setbacks. However, of paramount significance from an historic preservation perspective is the following provision which has been included in the proposed amendment:

(g) Within areas that have an underlying zoning designation of RM-3. lots which are oceanfront lots with a lot area greater than 70,000 sq. ft. that also contain a contributing historic structure shall have a maximum height of 250 feet.

i. Any building with a height exceeding 203 feet shall have a front setback of 75 feet as measured to the closest face of a balcony

Please refer to Appendices for original ordinance that created the Faena District Overlay and the proposed amendments.

COLLINS WATERFRONT HISTORIC DISTRICT

The Faena District Overlay is located within the Collins Waterfront Historic District (CWHD), which was locally designated in 2001. (Fig. 7). The Faena District Overlay is also located within the Collins Waterfront Architectural District (CWAD), which was listed in the National Register of Historic Places in 2011. This National Register district encompasses most of the area of the CWHD but has slightly different boundaries.

The following are general characteristics of an Historic District:

- A district is important as a unified entity, even if composed of a wide variety of resources.
- The district's identity is derived from interrelationship of resources, which convey a visual sense of the overall historic environment.
- The district must be significant for historical, architectural, archeological, engineering, or cultural values.
- The majority of the components that add to the district's historic character, must possess integrity, as must the district as a whole.
- A district must be a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects, or by documented differences in patterns of historic development or associations. (How to Apply the National Register Criteria for Evaluation, 1995)

The subject property, including the Versailles Hotel, is located within the boundaries of both the CWHD and the CWAD. All proposed rehabilitation projects and new construction in the CWHD are subject to review in accordance with the Miami Beach Historic Preservation Ordinance. The following excerpt defines the significance of the Collins Waterfront Historic District:

"This two-mile-long isthmus is a clearly-delineated geographic entity with an extremely cohesive encapsulation of highly significant post-World War I architecture dating from 1922 through 1968. Historically, its northern and southern borders coincide with John Collins' original Oceanfront Subdivision, filed in 1916, situated between Collins Park at 22nd Street and the mansions of "Millionaires' Row" north of 44th Street. Since its inception this subdivision has been developed almost exclusively as an area of multi-unit buildings (hotels and apartment houses) for upper-middle class tourists and residents. At its center runs Collins Avenue, the very spinal cord of the City, named for this neighborhood's earliest and most illustrious pioneer. Geographically, it is also important to note that this is a "Waterfront" district on three sides, with the Atlantic Ocean to the east, Indian Creek to the west, and Lake Pancoast and the Collins Canal at its southern end. No property in this district is more than two blocks away from a body of water, and the vast majority are within one block." (City of Miami Beach Planning Department, 2000, p. 16)

The Collins Waterfront Historic District:

- Includes a variety of resources and styles that evolved organically over time and create a visual sense of the historic environment
- Is significant for its architecture – Art Deco, Streamline Modern, Mediterranean Revival and Miami Modern (MIMO)
- Represents the work of many prominent architects, including Martin L. Hampton, Russell Pancoast, Roy France, Albert Anis, Henry Hohauser, L. Murray Dixon, Carlos B. Schoeppl, Melvin Grossman, Morris Lapidus and Norman Giller
- Contains the highest concentration anywhere of the work of Roy France, including the Versailles Hotel
- Retains historic integrity



Fig. 7. Location of the subject property within the boundary of the Collins Waterfront Historic District (Local).
(Miami Beach Historic Districts)

EVOLUTION OF PROPOSED NEW CONSTRUCTION



2011

117 feet in height



2014

200 feet in height

2016

203 feet in height



2020

250 feet in height

ANALYSIS OF PROPOSED WORK

The subject parcel, which contains the historic Versailles Hotel, is an oceanfront lot with an area of 73,812 square feet and is zoned RM-3. Therefore, the site meets the criteria of the proposed amendment to the Faena District Overlay for an increased height allowance to 250’.

Based upon the information that was presented to the Miami Beach Planning Board on August 25, 2020, the effects of the proposed height increase to 250’ on the site have been analyzed. Renderings of a proposed conceptual design for the site were generated based upon the documentation that was presented. New construction up to a height of 250’ would be allowable if the Faena District Overlay Amendments are enacted. If the proposed design became an actual project, an application for a Certificate of Appropriateness would be subject to review by the Miami Beach Historic Preservation Board (HPB).

The design as presented may not be the final design that is presented to the HPB. The adoption of the Faena District Overlay Amendments does not convey approval of a specific design. The amendments merely provide modifications to the height, setback and use parameters of the Faena District Overlay. A completely different design, that still falls within the parameters of the amendments, could be the final design that is presented to the HPB.

The proposed 250’ height limitation excludes certain items that may be placed on a building roof. The height limit for these additional items is 25’, which would result in a total height of 275’. (Sec. 142-1161)

Some examples are:

- Mechanical equipment and equipment rooms
- Chimneys and air vents
- Decorative structures used only for ornamental or aesthetic purposes
- Elevator bulkheads or elevator mechanical rooms
- Radio, television, and cellular telephone towers or antennas, and rooftop wind turbines
- Stairwell bulkheads
- Swimming pools, whirlpools or similar structures, which shall have a four-foot wide walkway surrounding such structures, not to exceed five feet above the main roofline
- Wind turbines on oceanfront properties

Placement upon Site

Based upon the information that was presented to the Miami Beach Planning Board on August 25, 2020, the proposed placement of the design of the new construction that was depicted will have an adverse effect upon the Versailles and its historic relationship with its site. According to the proposed amendment to the Faena District Overlay ordinance: “Any building with a height exceeding 203 feet shall have a front setback of 75 feet as measured to the closest face of a balcony.” (See Appendix for language of proposed ordinance)

However, the proposed possible new construction is shifted in plan 14' to the east of this setback. This shift to the east of the possible design has simultaneously allowed for the extension of the design to the north closer to the southeastern corner of the Versailles and behind the Versailles to a location that appears to align with the southern edge of the Versailles or possibly extend further to the north (Fig. 8). The resultant impact of this proposed placement of the possible design upon the site is the elimination of the visual separation of the Versailles from adjacent construction (Fig. 10, 12-13). Additionally, the placement of the possible design in this manner will exacerbate the shading of the Versailles from the east in addition to that from the south. (Fig 18-22)

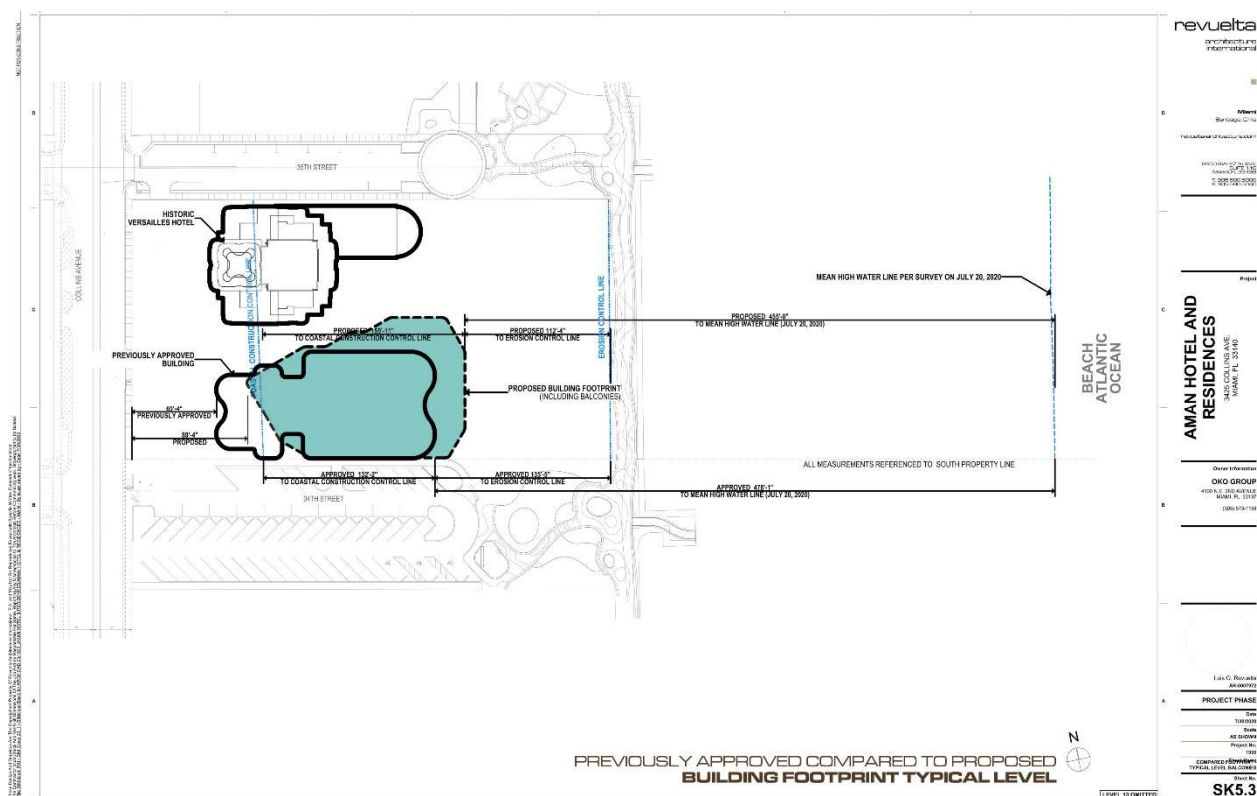


Fig. 8. Plan showing footprint of proposed new construction with balconies (color-enhanced to better show proposed new construction), 7/30/2020.
(Revuelta, Drawing SK5.3)

Scale and Height

The frontage of the subject property is approximately 205', and the new construction would be located on the south half of the lot. (Fig. 8-13)

- Allowable new construction with proposed height increase to 250' would be out of scale with its surroundings and would dwarf the historic Versailles Hotel
- Placement of new construction with larger setback from Collins and closer to the Versailles would have an adverse effect on the historic building
- Allowable height increase would create shade that would adversely impact adjacent contributing buildings that were designed to be seen and function in natural light



Fig. 9. Rendering of view from the west showing the Versailles, proposed new construction, and the Faena House, 10/1/2020.
(Heritage Architectural Associates with K4 Architecture)



Fig. 10. Rendering of view from Collins Avenue showing the Versailles and proposed new construction, 10/1/2020.
(Heritage Architectural Associates with K4 Architecture)



Fig. 11. Rendering of view from Collins Avenue showing the Versailles, proposed new construction and Faena House, 10/1/2020.
 (Heritage Architectural Associates with K4 Architecture)



Fig. 12. Rendering of view from east showing the Faena House, proposed new construction and Versailles, 10/1/2020.
 (Heritage Architectural Associates with K4 Architecture)



*Fig. 13. View of rear of proposed new construction and Versailles from ground level, 10/1/2020.
(Heritage Architectural Associates with K4 Architecture)*

Effect of Shadowing on the Versailles Hotel

The design response to the brilliant sub-tropical light of South Florida has historically been an essential component of the architecture of Miami Beach, Miami, and the surrounding region – and continues to be to this day. Buildings have been designed to play upon, and “come to life”, through the response to light. The historic architecture of Miami Beach exemplifies this and celebrates it. Building orientations, shapes, design features, and windows are strategically placed to take advantage of the sun, the light, and the views. Light draws attention to textures and building nuances, features, and forms. Colorful and lighter palettes are utilized in response to this light. However, the construction of a building with a height of 250’ will adversely impact adjacent contributing historic buildings – including those on the project site – by the introduction of shade upon buildings, building components, and sites that have been designed in response to this light.

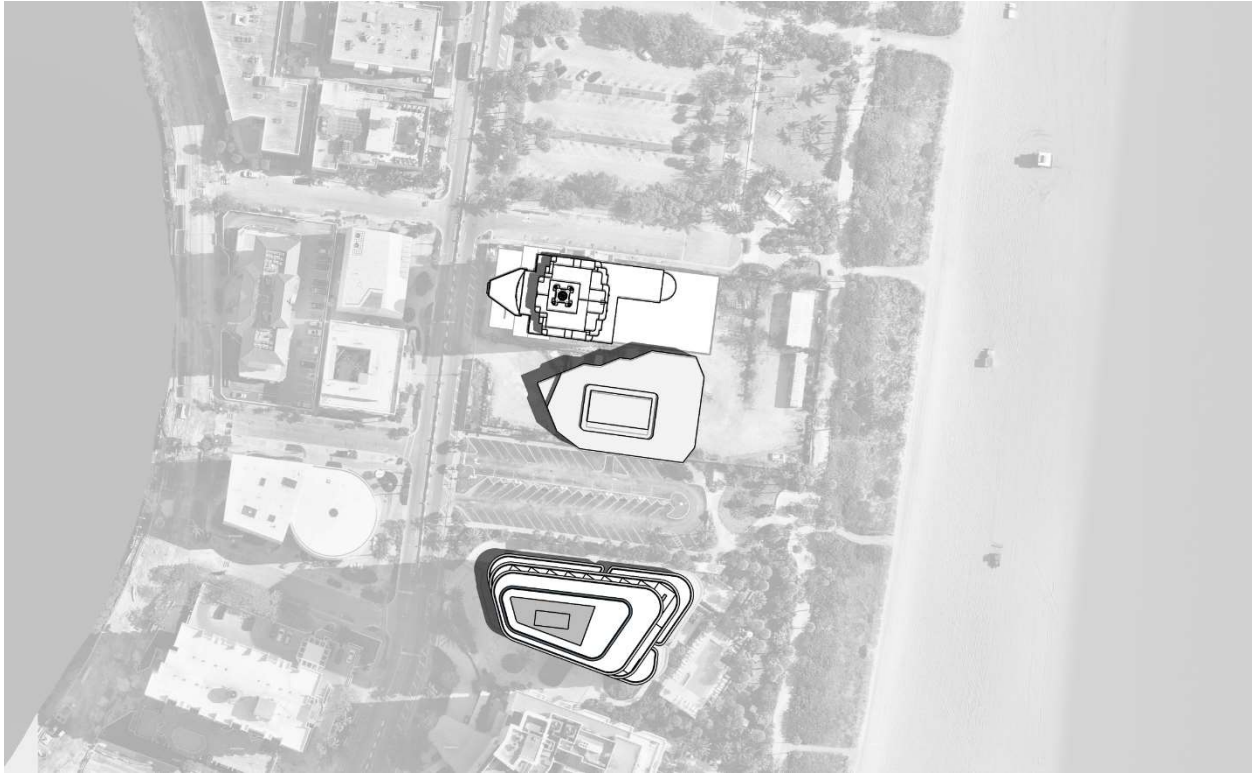
The Versailles Hotel, a contributing building in the Collins Waterfront Historic District (local) and the National Register-listed Collins Waterfront Architectural District, was designed in response to South Florida’s sub-tropical light. The building, with its windows, stepped, windowed corners and the oceanfront site, is light dependent. According to the shadowing studies shown, the addition of a 250’ building on the south portion of the lot will have a significant impact on the Versailles and will cast shadows on the building from the morning to early afternoon during the Equinoxes. Significantly, the Versailles will be enveloped in shadows cast by a 250’ building during most of the day at the Winter Solstice, a time of year when occupants will be expecting sun in these light-inspired areas. (Fig. 14-22)

In a district in which the design response to light is an essential component of historic architectural fabric, the adverse impact of giant shadows upon contributing buildings is significant. This impact strikes at one of the essential characteristics of the historic architecture of Miami Beach.

Regarding architectural design, Roy France stated, "Let in the air and sun. That's what people come to Florida for." (Roy France, 83, Designer of Hotels (Obituary), 1972)



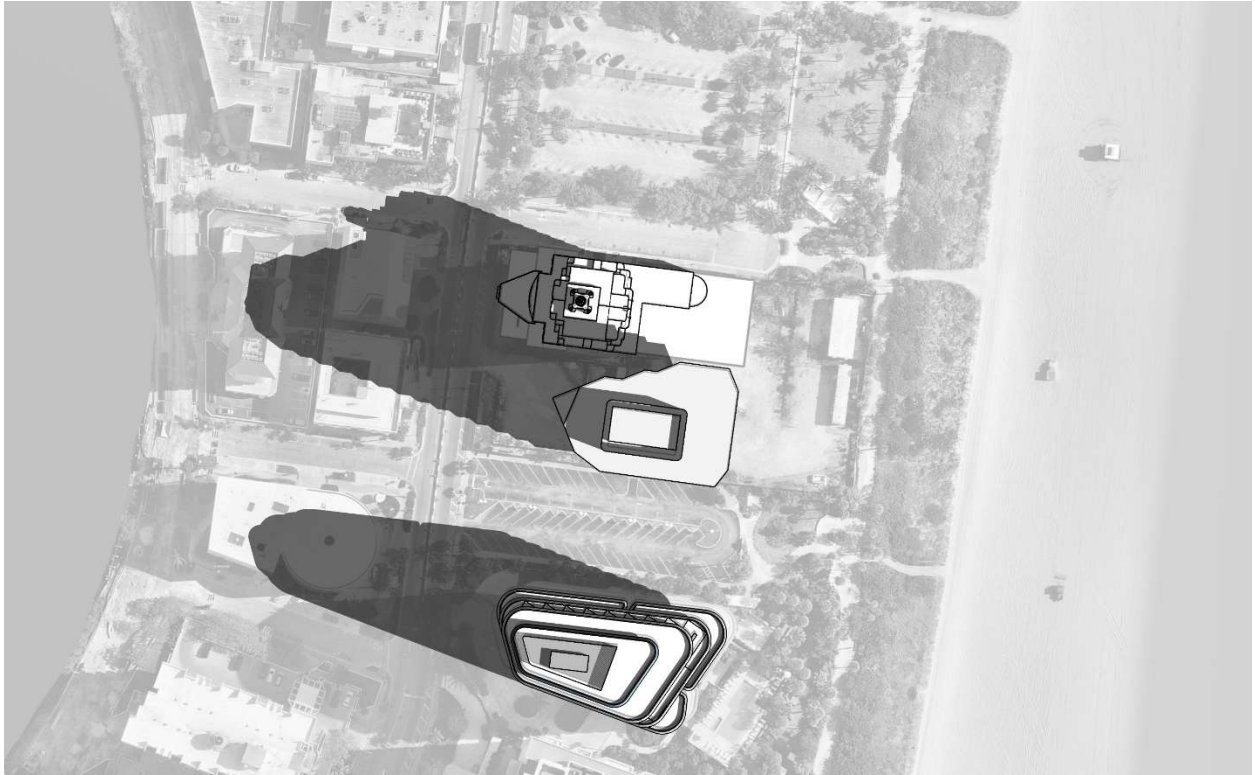
*Fig. 14. Summer Solstice showing shadowing at 9 a.m., 9/14/2020
(Heritage Architectural Associates with K4 Architecture)*



*Fig. 15. Summer Solstice showing shadowing at 12 noon., 9/14/2020
(Heritage Architectural Associates with K4 Architecture)*



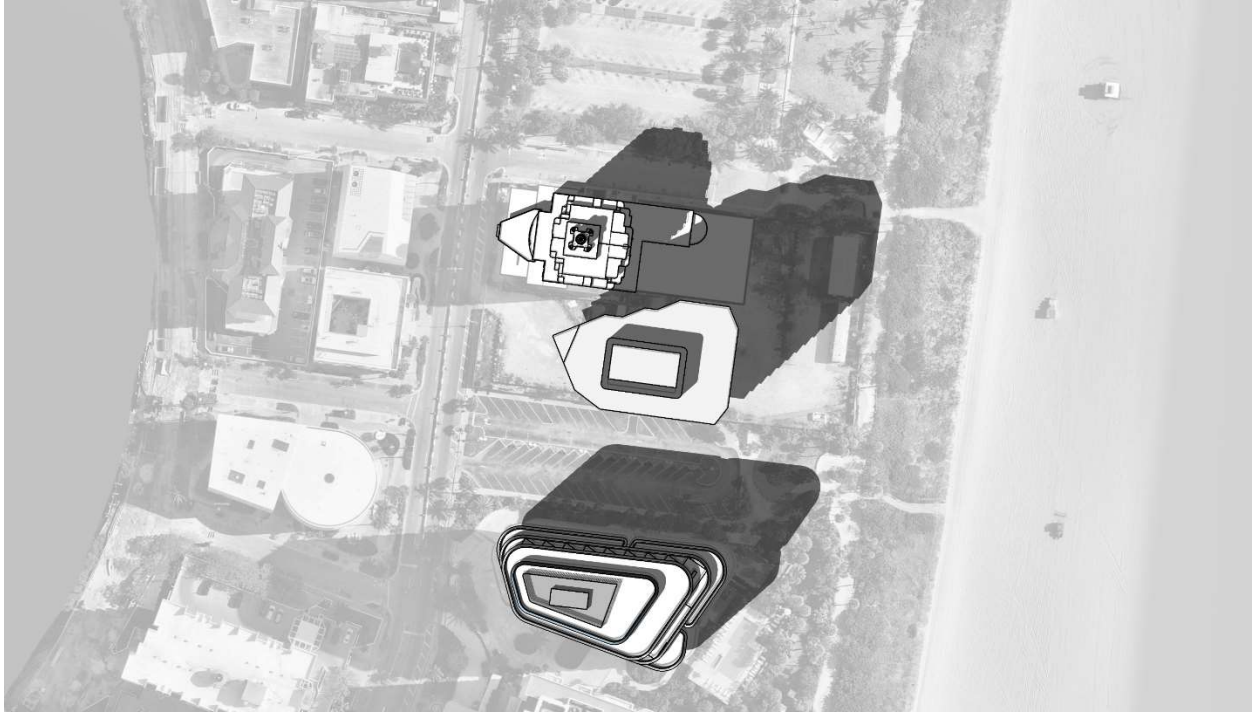
*Fig. 16. Summer Solstice showing shadowing a 2 p.m., 9/14/2020
(Heritage Architectural Associates with K4 Architecture)*



*Fig. 17. Equinox showing shadowing at 9 a.m., 9/14/2020.
(Heritage Architectural Associates with K4 Architecture)*



*Fig. 18. Equinox showing shadowing at 12 noon., 9/14/2020
(Heritage Architectural Associates with K4 Architecture)*



*Fig. 19. Equinox showing shadowing at 2 p.m., 9/14/2020
(Heritage Architectural Associates with K4 Architecture)*



*Fig. 20. Winter Solstice showing shadowing at 9 a.m., 9/14/2020.
(Heritage Architectural Associates with K4 Architecture)*

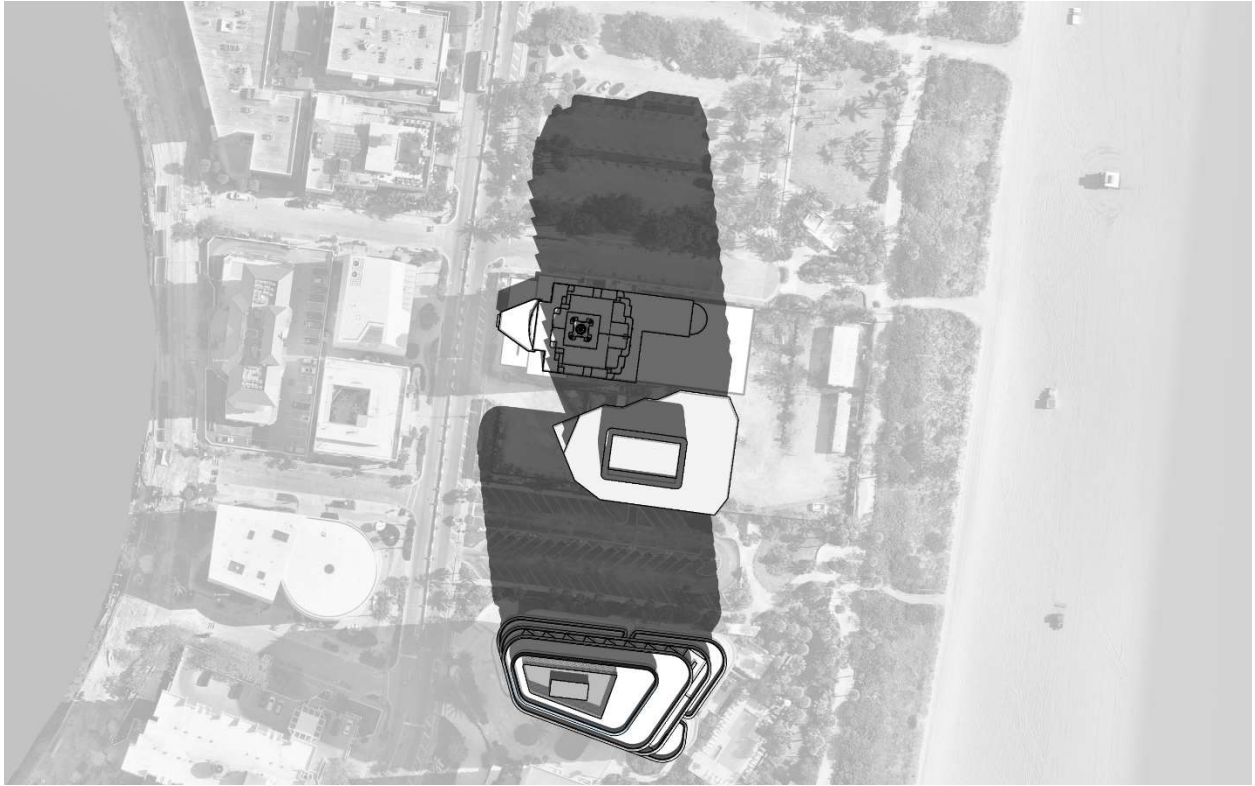


Fig. 21. Winter Solstice showing shadowing at 12 noon, 9/14/2020.
(Heritage Architectural Associates with K4 Architecture)

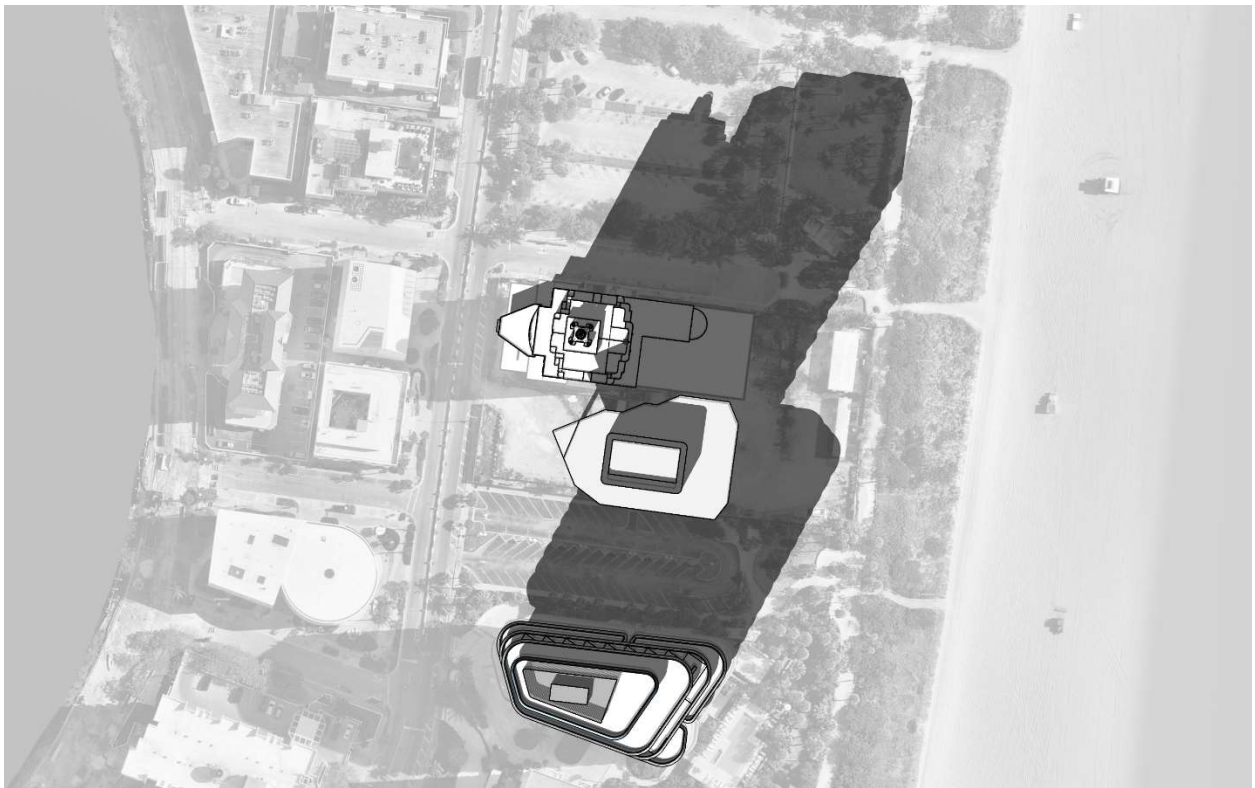


Fig. 22. Winter Solstice showing shadowing at 2 p.m., 9/14/2020.
(Heritage Architectural Associates with K4 Architecture)

Impact Upon the Integrity of Adjacent Historic Architecture

The proposed increase in allowable height to 250' within the Faena District Overlay will have an adverse impact upon the integrity of the historic architectural integrity of the Collins Waterfront Historic District (CWHHD) Though there are seven buildings which have been identified which are approximately 200' in height located within the CWHHD, there are no buildings 250' in height from 27th Street to 42nd Street.

According to the Staff Report prepared for the Planning Board hearing on 8/25/20:

“The proposed height increase from 200 to 250 feet may be out of scale with the surrounding historic neighborhood and ocean front properties, as the maximum height of existing buildings along the ocean front corridor does not exceed 200 feet for several blocks to the north and south of the Faena District. The closest property with a building over 200 feet is located at 42nd street to the north and approximately 27th street to the south. However, additional height, if properly located on the site, may allow more open views to the historic Versailles Tower as viewed from Collins Avenue.”

Additionally, the greatest concentration of Roy France's buildings is located within the Collins Waterfront Historic District. He is credited with virtually creating the mid-beach skyline. (City of Miami Beach Planning Department, 2000, p. 37) His pre-war Art Deco and Streamline buildings located between 30th and 40th streets include the Sea Isle (1941), Lord Baltimore (1941), Atlantic Beach (1938), (Versailles (1940), Whitman (1935-demolished), Shoremede (1936-demolished), Patrician (1937), Wilshire (1939), and Cadillac (1940).

The buildings nearest to the Versailles that are over 203' in height are the Atlantis (2555 Collins) at 274', 7 blocks south, and the La Tour (4201 Collins) at 285', 7 blocks to the north. A 250' tall building will certainly impact the historic skyline in this area.

Therefore, the proposed increase in allowable height to 250' in the Faena District Overlay would adversely impact the integrity of this area of the historic district, as there are no buildings of this scale for 15 blocks. Specifically, the assemblage of France buildings that contain significant architectural integrity as a cohesive body of work by this significant Miami Beach architect will be adversely affected.

ANALYSIS OF PROPOSED AMENDMENTS IN CONSIDERATION OF THE MIAMI BEACH CODE AND THE SECRETARY OF INTERIOR'S STANDARDS AND GUIDELINES

Applicability

- The proposed Faena District Overlay Amendments involve the Versailles Hotel, 3425 Collins Avenue, Miami Beach, Florida.
- The Versailles Hotel is a contributing building in the Collins Waterfront Historic District, which was established in 2001.
- As such, all work is subject to review by the Miami Beach Historic Preservation Board and must be authorized by a Certificate of Appropriateness (COA).

Purpose of the review

MBC Sec. 118-502. – Purpose

- (2) The protection of such historic sites and districts to combat urban blight, promote tourism, foster civic pride, and ***maintain physical evidence of the city's heritage***; (emphasis added)
- (4) The promotion of excellence in urban design by ***assuring the compatibility*** of restored, rehabilitated or replaced structures within designated historic districts; (emphasis added)

Decision process

MBC Sec. 118-564. - Decisions on certificates of appropriateness.

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

- (1) Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable compliance with the following:

- a. **The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings** as revised from time to time; and
- b. Other guidelines/policies/plans adopted or approved by resolution or ordinance by the city commission.

In determining whether a particular application is compatible with surrounding properties, the Historic Preservation Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the MBC.

- b. General design scale massing and arrangement
Not satisfied due to size and scale of allowable new construction.
- d. Relationship of B above to other structures and features of the District
Not satisfied due to size and scale of allowable new construction.

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

Not satisfied due to size and scale of allowable new construction.

Project Review

- Heritage Architectural Associates reviewed the documentation presented during the meeting of the Miami Beach Planning Board held on August 25, 2020 in support of the zoning change to increase the height allowance in the Faena District Overlay. This District Overlay is completely located within the Collins Waterfront Historic District.
- The documentation was compared with the requirements of the Miami Beach Historic Preservation Ordinance and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
- **Based upon the review of the above referenced documentation with the criteria set forth in the Historic Preservation Ordinance as noted above, in our expert opinion, the amendments regarding the increase in height allowance for the Faena District Overlay should be not be enacted.**
- **Any proposed project that takes advantage of the proposed height increase will not be in compliance with the Secretary of the Interior's Standards for Rehabilitation based upon the following items of non-compliance:**

The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings

Standard 9

New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

- Allowable new construction with proposed height increase to 250' would be out of scale with its surroundings and would dwarf the historic Versailles Hotel
- Placement of new construction with a larger setback from Collins and closer to the Versailles would visually overpower and have an adverse effect on the historic building
- Allowable height increase would create shade that would adversely impact adjacent contributing buildings that were designed to be seen and function in natural light

Guidelines

Site

NOT RECOMMENDED

- Introducing new construction on the building site which is visually incompatible in terms of size, scale, design, material, or color, which destroys historic relationships on the site, or which damages or destroys important landscape features.

Setting

NOT RECOMMENDED

- Introducing new construction into historic districts which is visually incompatible or that destroys historic relationships within the setting, or which damages or destroys important landscape features.

CONCLUSION

As the Faena District Overlay is located entirely within the Collins Waterfront Historic District, the Miami Beach Code requires proposed work to comply with the Secretary of the Interior's Standards for Rehabilitation. (Sec. 118-564(a)(1)a)

Due to the significant adverse impact that would occur upon the Versailles Hotel and the historic architectural character of the surrounding Collins Waterfront Historic District, any allowable construction with the proposed height increase of 250' would fail to comply with the Secretary of the Interior's Standard Number 9.

Therefore, the amendments allowing an increase in the height allowance to 250' for the Faena District Overlay should not be enacted, in accordance with the requirements of the Historic Preservation Ordinance as set forth in the Miami Beach Code.

Bibliography

- (n.d.). Retrieved from Emporis: <https://www.emporis.com/>
- (n.d.). Retrieved from Google Maps: <https://www.google.com/maps>
- (2020). Retrieved from Google Earth.
- Aerial view of the new Versailles Hotel in Miami Beach.* (c. 1956). Retrieved from Florida Memory: <https://www.floridamemory.com/items/show/334390>
- Argentine developers to revive stalled Miami Beach condo.* (2011, Oct 4). Retrieved from The Real Deal: <https://therealdeal.com/miami/2011/10/04/alan-faena-and-sergio-jalife-of-argentina-will-revive-collins-avenue-development-near-saxony-hotel-that-was-formerly-slated-for-cipriani-tower/>
- Article X Historic Preservation.* (2020, June 12). Retrieved from Code of the City of Miami Beach, Florida :
https://library.municode.com/fl/miami_beach/codes/code_of_ordinances?nodeId=SPB_LADERE_CH118ADREPR_ARTXHPR
- Bandell, B. (2015, Apr 2). *Faena announces two condo towers at Miami Beach's Versailles Hotel.* Retrieved from South Florida Business Journal:
<https://www.bizjournals.com/southflorida/news/2015/04/02/faena-announces-two-condo-towers-at-miami-beach-s.html>
- Bojnansky, E. (2017, May 10). *Miami Beach preservation board expresses concerns over stalled Faena Versailles tower.* Retrieved from The Real Deal:
<https://therealdeal.com/miami/2017/05/10/miami-beach-preservation-board-expresses-concerns-over-stalled-faena-versailles-tower/>
- City of Miami Beach Planning Department. (2000). *Collins Waterfront Historic District Designation Report.*
- Cordle, I. (2016, Oct 17). *Faena puts Versailles condo project on hold, may develop another hotel on site.* Retrieved from The Real Deal:
<https://therealdeal.com/miami/2016/10/17/faena-puts-versailles-condo-project-on-hold-may-develop-another-hotel-on-site/>
- Faena Versailles Condos.* (n.d.). Retrieved from Costa Miami Realty:
<https://www.costamiamihomes.com/miami-condos/faena-versailles-miami-beach>
- Grimmer, A. E. (2017). *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings.* Washington, D. C.: U.S. Dept. of the Interior, National Park Service.
- Heritage Architectural Associates with K4 Architecture & Design. (10/1/2020). *Rendering of view from Collins Avenue showing the Versailles and the proposed tower.*
- Heritage Architectural Associates with K4 Architecture & Design. (10/1/2020). *Rendering of view from Collins Avenue showing the Versailles, proposed tower, and Faena House.*

Heritage Architectural Associates with K4 Architecture & Design. (10/1/2020). *Rendering of view from east showing the Faena House, proposed tower, and Versailles.*

Heritage Architectural Associates with K4 Architecture & Design. (10/1/2020). *Rendering of view from the west showing the Versailles, proposed tower, and the Faena House.*

Heritage Architectural Associates with K4 Architecture & Design. (10/1/2020). *View of rear of proposed tower and Versailles from ground level.*

Heritage Architectural Associates with K4 Architecture & Design. (9/9/2020). *Equinox showing shadowing at 12 noon.*

Heritage Architectural Associates with K4 Architecture & Design. (9/9/2020). *Equinox showing shadowing at 2 p.m.*

Heritage Architectural Associates with K4 Architecture & Design. (9/9/2020). *Equinox showing shadowing at 9 a.m.*

Heritage Architectural Associates with K4 Architecture & Design. (9/9/2020). *Summer Solstice showing shadowing throughout the day.*

Heritage Architectural Associates with K4 Architecture & Design. (9/9/2020). *Winter Solstice showing shadowing at 12 noon.*

Heritage Architectural Associates with K4 Architecture & Design. (9/9/2020). *Winter Solstice showing shadowing at 2 p.m.*

Heritage Architectural Associates with K4 Architecture & Design. (9/9/2020). *Winter Solstice showing shadowing at 9 a.m.*

How to Apply the National Register Criteria for Evaluation. (1995). Washington, D. C.: U.S. Dept. of the Interior, National Park Service.

HPB File# 7490 - Versailles Hotel and Tower. (2014, Nov 14). *Presentation before the Miami Beach HP Board.*

Implosion at Faena's Versailles in Miami Beach. (2015, Jun 15). Retrieved from The Next Miami: <https://www.thenextmiami.com/implosion-at-faenas-versailles-in-miami-beach/>

Map - Collins Waterfront District. (n.d.). Retrieved from Miami Beach Historic Districts: <https://www.ruskinarc.com/mdpl/mb/map>

Miami Beach. (n.d.). *Code of Ordinances, Subpart B, Chapter 142, Article III, Division 10 - Faena District Overlay.*

Miami Beach Historic Preservation Board. (2011). *After Action Report for meeting held on Tuesday, Sept. 13, 2011, HPB File# 7266.*

Miami Beach Historic Preservation Board. (2014). *After Action Report for meeting held on Friday, Nov. 14, 2014, HPB File# 7490.*

Miami Beach Historic Preservation Board. (3/8/2016). *Consolidated Order, 3425 Collins Avenue.*

Miami Beach Planning Department. (8/25/2020). *Staff Report & Recommendations - PB20-0370. Faena District Overlay Amendments.*

Miami City Commission. (2020). *Proposed Ordinance, Faena District Overlay Amendment*.

Miami-Dade Property Appraiser. (2020). *Folio: 02-3226-001-1440*. Retrieved from Miami-Dade Property Appraiser.

Morales, J. L. (9/16/2020). *Commission Memorandum - Faena District Overlay*.

(2011). *National Register Nomination - Collins Waterfront Architectural District*.

PB20-0370. Faena District Overlay Amendments. (2020, Aug 25). *Presentation before the Miami Beach Planning Board*.

Revuelta Architecture International. (7/30/2020). *Drawing SK-5.3 Compared Footprint Typical Level Balconies*.

Rodriguez, R. (2019, Dec 4). *The famed Aman luxury brand is bringing a hotel and condos to South Beach*. Retrieved from Miami Herald:
<https://www.miamiherald.com/news/business/real-estate-news/article237996114.html>

Roy France, 83, Designer of Hotels (Obituary). (1972, Feb 17). *Miami Herald*, p. 157.

The Penthouse Residences at Faena Hotel Miami Beach. (n.d.). Retrieved from Faena Hotel-The Residences Miami Beach: <https://www.faena.com/residences-at-faena-hotel-miami-beach/>

Versailles Hotel, Miami Beach, Florida. (1946). Retrieved from Florida Memory:
<https://www.floridamemory.com/items/show/64925>

APPENDICES

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

DIVISION 10. - FAENA DISTRICT OVERLAY^[14]

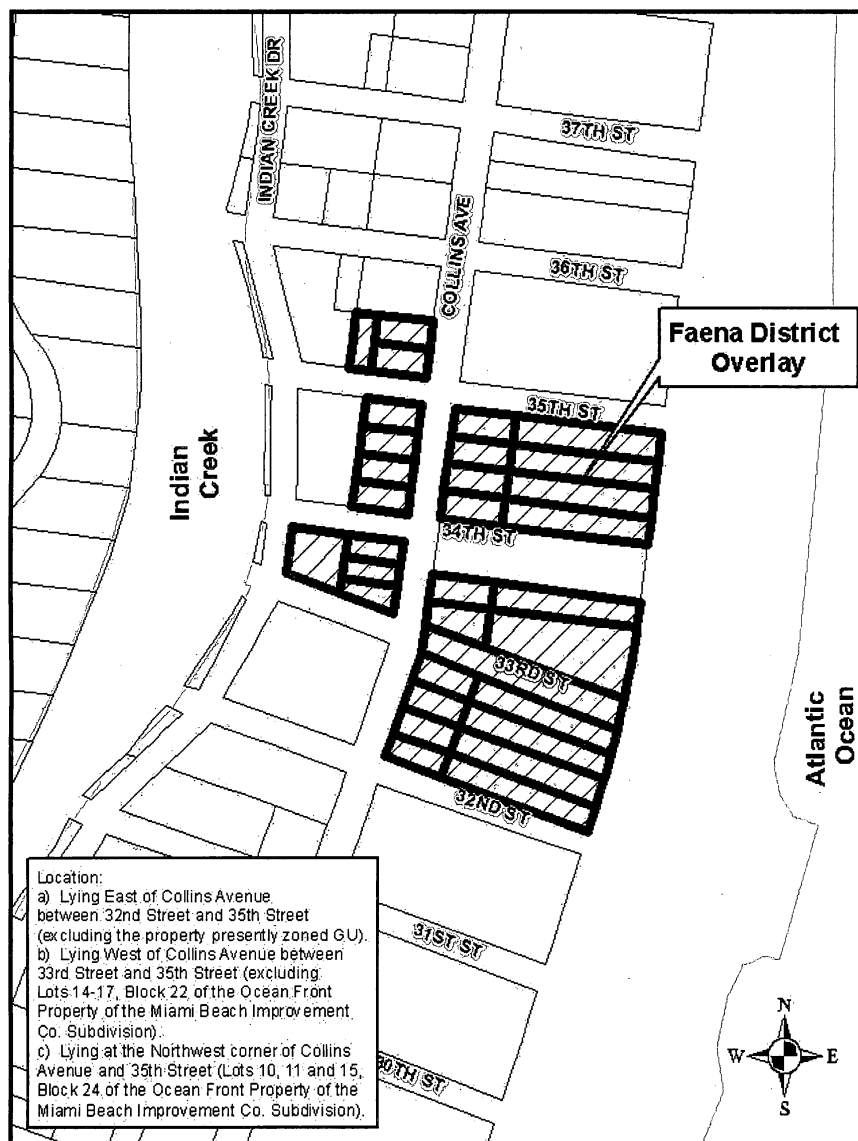
Footnotes:

--- (14) ---

Editor's note— Ord. No. 2014-3913, adopted Dec. 17, 2014, enacted provisions to be designated as Division 9, §§ 142-871—142-873. Inasmuch as there already exist provisions designated as §§ 142-871—142-173, and in order to maintain the categorical standards of the Code, said new provisions have been redesignated as Division 10, §§ 142-867—142-869. Original ordinance designations have been maintained in the history notes following each section.

Sec. 142-867. - Location and purpose.

The overlay regulations of this division shall apply to the properties identified in the Overlay Map below:



The purpose of this overlay district is to allow limited flexibility of uses and limited increases in heights because of the common ownership and operation of the properties within the overlay district.

(Ord. No. 2014-3913, § 1(142-871), 12-17-14)

Sec. 142-868. - Definitions.

For this division, the following definitions shall apply:

- (1) *Place of assembly* shall mean an establishment that may have fixed seating, that is not used for retail sales and service, restaurant, office or hotel, and may include a "hall for hire" use whether for a private event or a public event.

Hall for hire shall mean an establishment which rents space and may provide tables, chairs, catering, decor, or sound systems in order to hold or host a private event.

- (2) A place of assembly may provide dancing and serve alcoholic beverages and food associated with an event, but shall not operate or be licensed as a "stand alone" alcoholic beverage establishment, entertainment establishment, bar, dance hall, or restaurant. A single entity may not lease the place of assembly for more than 20 days, per calendar year.
- (3) Works of art means the application of skill and taste to the production of tangible objects, according to aesthetic principles, including, but not limited to, paintings, sculptures, engravings, carvings, frescos, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs and drawings, or combinations thereof.

(Ord. No. 2014-3913, § 1(142-872), 12-17-14; Ord. No. 2017-4120, § 1, 7-26-17)

Sec. 142-869. - Compliance with regulations.

The following overlay regulations shall apply to the Faena District Overlay. All development regulations in the underlying regulations shall apply, except as follows:

- (a) One place of assembly may be permitted as a main permitted use, within the areas that have an underlying zoning designation of RM-2, in accordance with the following minimum requirements:
 - i. There shall be no outdoor live or outdoor amplified music.
 - ii. Except as may be required for fire or Florida Building Code/Fire Safety Code purposes, no speakers of any kind shall be affixed to, installed, or otherwise located on the exterior of the place of assembly.
 - iii. The interior sound system shall be installed in such a manner as to contain sound levels completely within the facility at all times. The equipment and installation plan for the sound system, including the location of all speakers and sound level controls, shall be submitted for review and approval by the planning department pursuant to the conditional use review guidelines of section 118-192. Ninety days after obtaining the certificate of occupancy, the sound system(s) in the facility shall be tested by a qualified acoustic professional, and a report shall be submitted to the planning department for review and approval.
 - iv. A vestibule, consisting of at least two sets of doors, shall be installed at every exterior access point into the place of assembly.
 - v. Normal operating hours are from 7:30 a.m. to 12:00 a.m., Sundays through Wednesdays; and 7:30 a.m. to 2:00 a.m., Thursdays through Saturdays, unless otherwise approved by the planning board, in accordance with chapter 118, article IV of the City Code. After normal operating hours, the place of assembly shall remain closed and no patrons or other persons, other than those employed by the establishment, shall remain therein.

- vi. The place of assembly shall have security staff posted outside of the place of assembly building, on the private property, at least one hour prior to the start time, during, and one hour after the ending time, of any event in excess of 250 persons, which occur prior to 9:00 p.m.; and for all events which occur on or after 9:00 p.m., regardless of the number of persons in attendance;
- vii. After 9:00 p.m., no patrons shall be allowed to queue on any public rights-of-way, or anywhere on the exterior premises of a place of assembly, with the exception of exterior premises fronting Collins Avenue. Security staff shall monitor the crowds to ensure that they do not interfere with the free-flow of pedestrians on the public sidewalk.
- viii. Security staff shall monitor patron circulation and occupancy levels during; and one hour after, the hours of operation for events in excess of 250 persons, which occur prior to 9:00 p.m.; and for all events which occur on or after 9:00 p.m., regardless of the number of persons in attendance.
- ix. Prior to the issuance of a certificate of occupancy, the owner/operator shall submit an operational plan and narrative for the place of assembly, subject to the review and approval of the planning department pursuant to the conditional use review guidelines of section 118-192. Such plan shall include, but not be limited to: full details of the operation, deliveries, sanitation, security and crowd control.
- x. Street flyers and handbills shall not be permitted including, but not limited to, those from third-party promotions.
- xi. Deliveries shall only be permitted between 8:00 a.m. and 5:00 p.m. on weekdays (Monday through Friday), and 9:00 a.m. and 5:00 p.m. on weekends (Saturday and Sunday), unless otherwise approved by the planning board, in accordance with chapter 118, article IV of the City Code.
- xii. Trash pick-up shall only be permitted between 8:00 a.m. and 5:00 p.m. on weekdays (Monday through Friday) and 9:00 a.m. and 5:00 p.m. on weekends (Saturday and Sunday), unless otherwise approved by the planning board, in accordance with chapter 118, article IV of the City Code. Trash pick-up shall take place on a daily basis while the place of assembly is in operation. All trash containers shall utilize rubber wheels, as well as a path consisting of a surface finish that reduces noise, and all trash dumpsters shall be closed at all times except when in use.
- xiii. The owner/operator shall be responsible for maintaining the areas adjacent to the facility including, but not limited to, the sidewalk, and public rights-of-way. At a minimum, these areas shall be kept free of trash, debris and odor, and shall be swept and hosed down at the end of each business day.
- xiv. All valet parking ramps, vehicles for hire, including, but not limited to, taxis, drop-off and pick-up shall occur within the confines of the private property. Valet parking ramps, vehicles for hire, including, but not limited to, taxis, drop-off and pick-up shall be prohibited on city streets, sidewalks and public rights-of-way, unless otherwise approved by, respectively, the planning and parking departments, with notice to adjacent and across the street property owners, in accordance with the review standards of chapter 118, article IV of the City Code. A contract with a valet operator shall be submitted to the parking department for review and approval prior to the city's issuance of a certificate of occupancy.
- xv. If the owner or operator of the place of assembly is issued six or more valid code enforcement violations within a 12-month consecutive period, or fails to comply with the requirements of these regulations, the place of assembly shall fall under the purview of the planning board and may be reviewed, modified, or terminated for noncompliance after planning board review, in accordance with section 118-194, of the City's Code. The 12-month consecutive period would start upon the date of the issuance of the first valid

violation and would renew every 12 months thereafter. A citation that is dismissed, withdrawn or successfully appealed to the special master shall not be considered valid.

- xvi. The planning director shall conduct periodic six-month reviews of operations of the place of assembly use, commencing at the issuance of the certificate of occupancy. Should the planning director find a material or substantial violation of these regulations or impact to the community not in compliance with the above regulations, the place of assembly shall be reviewed by the planning board, in accordance with the review standards of section 118-194 of the City Code.
- (b) Within the areas that have an underlying zoning designation of RM-2, the main permitted use within an existing "Contributing" structure or replication of a "contributing" structure are:
 - i. Retail.
 - ii. Office.
 - iii. Restaurants with an aggregate interior square footage not to exceed 1,750 square footage.
- (c) Within the areas that have an underlying zoning designation of RM-2, restaurants exceeding an aggregate interior square footage of 1,750 square feet, and located within an existing "contributing" structure or replication of a "contributing" structure, shall require conditional use approval, in accordance with chapter 118, article IV of the City Code.
- (d) Within the areas that have an underlying zoning designation of RM-2, offices are a permitted accessory use to a place of assembly and a parking garage, whether a main use parking garage (commercial or non-commercial) or an accessory parking garage.
- (e) Within the areas that have an underlying zoning designation of RM-2, there shall not be any open air entertainment establishments or outdoor entertainment establishments.
- (f) Installation of a work of art, whether temporary or permanent, may be placed within required yard of a property located within the Faena District overlay subject to the following:
 - i. It shall not be placed in or overhang above the public right-of-way unless a revocable permit is obtained pursuant to chapter 82, article III, division 2.
 - ii. It shall not encroach into the safe sight triangles as depicted in the city public works manual. The 15-foot sides of the safe sight triangle shall be measured from the edges of the pavement of the two intersecting roadways.
 - iii. It shall not diminish the clear width of a sidewalk to less than five feet.
 - iv. It shall not diminish landscaping to a level that would make the landscaping nonconforming.
 - v. It shall be subject to review and approval of a certificate of appropriateness by the historic preservation board.

(Ord. No. 2014-3913, § 1(142-873), 12-17-14; Ord. No. 2017-4120, § 1, 7-26-17)

FAENA DISTRICT OVERLAY

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," AMENDING DIVISION 10, ENTITLED "FAENA DISTRICT OVERLAY," TO AMEND THE PARKING REQUIREMENT FOR PLACE OF ASSEMBLY USE; AMEND THE ALLOWABLE HEIGHT FOR RM-3 OCEANFRONT LOTS GREATER THAN 70,000 SQUARE FEET IN SIZE, WHICH ALSO CONTAIN A CONTRIBUTING HISTORIC STRUCTURE; AND AMEND THE ALLOWABLE SETBACKS AND REQUIRED YARDS FOR RM-3 OCEANFRONT LOTS GREATER THAN 70,000 SQUARE FEET IN SIZE, WHICH ALSO CONTAIN A CONTRIBUTING HISTORIC STRUCTURE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, on December 17, 2014, the City Commission adopted Ordinance No. 2014-3913, establishing the Faena Overlay District, which consists of properties owned, operated, developed, or intended to be developed by the Faena Group, and is generally located along Collins Avenue between 32nd and 36th Streets; and

WHEREAS, the City seeks to encourage and incentivize new development and the preservation and restoration of structures located within the Faena Overlay District; and

WHEREAS, contributing historic structures located within the Collins Avenue corridor pre-date the City's land development regulations and therefore do not meet the zoning standards and are frequently permitted as legal nonconforming structures; and

WHEREAS, the preservation and restoration of the City's historic buildings and character furthers the general welfare and is especially important to the citizens of Miami Beach; and

WHEREAS, the preservation and restoration of historic structures is often possible through the construction of additions and/or new buildings on the same property; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 142, Article III entitled "Overlay Districts," Division 10, "Faena District Overlay," is hereby amended as follows:

CHAPTER 142

ZONING DISTRICTS AND REGULATIONS

* * *

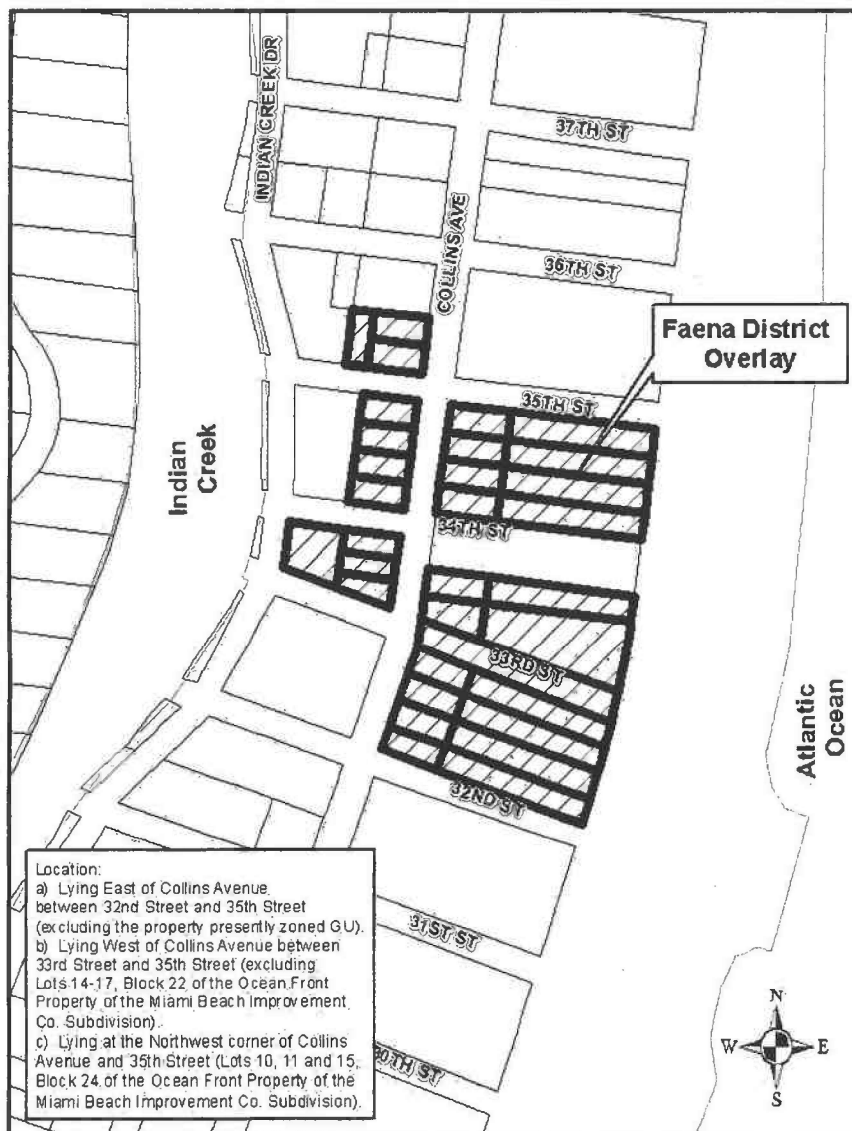
ARTICLE III. OVERLAY DISTRICTS

* * *

DIVISION 10. FAENA DISTRICT OVERLAY

Sec. 142-867. Location and purpose.

The overlay regulations of this division shall apply to the properties identified in the Overlay Map below:



The purpose of this overlay district is to allow limited flexibility of uses, and limited increases in heights, and limited flexibility in setbacks because of the common ownership and operation of the properties within the overlay district and the value of preserving historic buildings within the overlay district.

* * *

Sec. 142-869. Compliance with regulations.

The following overlay regulations shall apply to the Faena District Overlay. All development regulations in the underlying regulations shall apply, except as follows:

* * *

(a) One place of assembly may be permitted as a main permitted use, within the areas that have an underlying zoning designation of RM-2, in accordance with the following minimum requirements:

* * *

xvii. The required parking for a place of assembly is one space per eighty (80) square feet of floor area available for seating.

* * *

(g) Within areas that have an underlying zoning designation of RM-3, lots which are oceanfront lots with a lot area greater than 70,000 sq. ft. that also contain a contributing historic structure shall have a maximum height of 250 feet.

i. Any building with a height exceeding 203 feet shall have a front setback of 75 feet as measured to the closest face of a balcony.

(h) Within areas that have an underlying zoning designation of RM-3, lots which are oceanfront lots with a lot area greater than 70,000 sq. ft. that also contain a contributing historic structure:

i. The required pedestal and tower side street setback for alterations to and extensions of a contributing historic structure shall be equal to the existing setback of the contributing historic structure.

ii. The required pedestal side street setback for attached or detached additions to a contributing historic structure that are located on the ground is 0'.

iii. The subterranean, pedestal, and tower interior side setbacks shall be zero (0') feet for properties abutting a GU zoned parcel, and which also provide a view corridor between an existing contributing building and the construction of a detached ground level addition, subject to the review and approval of the historic

preservation board, in accordance with the certificate of appropriateness review criteria.

- vi. There are no required sum of the side yard setbacks for pedestal or tower side setbacks.
- viii. The required subterranean rear setback is 46' from the bulkhead line.
- ix. The required subterranean front setback is 15'.
- x. The required front setback for at-grade parking and driveways is 8'-6".
- xiv. The maximum permitted width of a porte-cochere for a contributing building may exceed the requirements of allowable encroachments as outlined in city code section 142-1132, not to exceed the width of an original porte-cochere. The maximum permitted height of such porte-cochere shall be 19'.
- xvi. The term "grade, average existing" which means the average grade elevation calculated by averaging spot elevations of the existing topography taken at ten-foot intervals along the property lines, shall be substituted for the term "grade" for purposes of fence and wall heights and setbacks. However, a fence or wall which faces Collins Avenue shall be measured from grade (the city sidewalk elevation at the centerline of the front of the property).

SECTION 2. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and, the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2020.

ATTEST:

Rafael E. Granado
City Clerk

Dan Gelber
Mayor

First Reading: September 16, 2020
Second Reading: October 14, 2020

Verified by: _____
Thomas Mooney, AICP
Planning Director

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

 for
City Attorney NK Date 9-8-20

STEVEN AVDAKOV, R.A., NCARB

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EDUCATION:

1994: Master of Science in Historic Preservation, Columbia University, New York, NY

1989: Bachelor of Architecture, University of Miami, Coral Gables, FL

PROFESSIONAL REGISTRATION:

Florida, AR0015613

Ohio, A-03-13277

West Virginia, 3056

Michigan, 1301049985

Pennsylvania, RA403346

National Council of Architectural Registration Board, (NCARB), certificate number 48641

PROFESSIONAL EXPERIENCE:

Meets federal professional qualifications for Historic Architecture consultants.

1998 to present: Principal, Heritage Architectural Associates, Wheeling, WV / Miami Beach FL

1993, 1994-1997 Associate Vice President, RJ Heisenbottle Architects, Coral Gables, FL

1991-1992 Intern Architect, DRS/Hundley Kling Gmitter, Pittsburgh, PA

1990-1991 Intern Architect, Robert D. Graham, Architect, Sewickley, PA

1989-1990 Senior Designer, CYP of Florida Architects, Ft. Lauderdale, FL

1987, 1988, 1989 Designer, Cuhaci and Peterson Architects, Orlando, FL

1986 Designer, Shaeffer and Madama Architects, Wheeling, WV

AFFILIATIONS:

Association for Preservation Technology

Columbia Preservation Alumni, Inc.

Preservation Alliance of West Virginia

Heritage Ohio, Inc.

National Trust for Historic Preservation, Forum Member

Partners for Sacred Places

Florida Trust for Historic Preservation

ACADEMIC AWARDS:

Columbia University: Oquesters Scholarship

University of Miami: Henry King Stanford Scholarship

SELECTED AWARDS:

One Bistro Restaurant / Xenia, OH

2016 Ohio Conference of Community Development *President's Award for Innovative Practices*

Historic Hampton House Restoration and Adaptive Reuse / Miami, FL

2017 Florida Trust for Historic Preservation *Outstanding Achievement Award, Adaptive Use*

2016 AIA Florida Chapter *Merit Award of Excellence for Historic Preservation/Restoration*

2016 AIA Miami Chapter *Merit Award of Excellence for Historic Preservation/Restoration*

2016 Dade Heritage Trust *Preservation Award*

Villa Providence / Hallandale Beach, FL

2011 Florida Trust for Historic Preservation *Outstanding Achievement Award, Adaptive Use*

2011 Broward County Historical Commission *Stuart McIver Award*

Henrietta Baum Building / Wheeling, WV,
2006 Friends of Wheeling *Outstanding Restoration Award*

Egerter Building / Wheeling, WV
1999 Friends of Wheeling *Outstanding Restoration Award*

Wheeling Coffee and Spice / Wheeling, WV
1999 Friends of Wheeling *Outstanding Restoration Award*

SELECTED LECTURES / PRESENTATIONS:

Removing the Rust: Preservation Opportunities and Challenges in Post-Industrial South Wheeling
Preservation Alliance of West Virginia, Webinar / May 2020

Master Architects of Wheeling
Preservation Forum, Wheeling, West Virginia / January 2020

Revitalization Opportunities in Barnesville, Ohio
Barnesville Rotary Club, Barnesville, Ohio / October 2019

South Wheeling Historic District
South Wheeling Preservation Alliance, Wheeling, West Virginia / February 2019

Historic Structures Reports
Heritage Ohio Annual Conference, Cincinnati, Ohio / October 2016

Downtown Revitalization: Making it Happen
London, Ohio / September 2014

Preservation Analysis of the Ward L. Lambert Field House and Gymnasium
Purdue University / November 2012

Epworth Park: An Overview of a Historic Chautauqua Community
The Ohio Questers 2012 State Convention, Bethesda, Ohio / October 2012

Archimedes and the Farmstead: Leveraging Resources and Historic Preservation, Panel Discussion
Preservation Alliance of West Virginia Conference, Charles Town, West Virginia / September 2012

Downtown Redevelopment Strategies Workshop
Xenia Downtown Revitalization Committee, Xenia, Ohio / June 2012

Ohio Modern: Preserving the Recent Past
Miami Valley Planning Conference, Dayton, Ohio / December 2015
Webinar, Heritage Ohio, Columbus, Ohio / December 2011
National Preservation Conference, Buffalo, New York / October 2011
The Ohio Historical Society, Dayton, Ohio / February 2011
The Ohio Historical Society, Columbus, Ohio / September 2010

The Impact of Hurricane Katrina upon the Historic Architecture of New Orleans
Mount Pleasant Historical Society, Mount Pleasant, Ohio / October 2008
Bethany College, Bethany, West Virginia / January 2008
Olney Friends School, Barnesville, Ohio / May 2006

The Historic National Road in Belmont County, Ohio

The Ohio Questers 2005 State Convention, St. Clairsville, Ohio / October 2005

Main Street 101: Design

Building Connections: Ohio's Conference on History, Preservation, and Revitalization,
Columbus, Ohio / November 2003

Revitalization Opportunities in Downtown Barnesville

Barnesville Rotary, Barnesville, Ohio / October 2003

Main Street Basic Training: Design

Downtown Ohio, Inc., Columbus, Ohio / February 2002

Main Street Design Workshop

Downtown Ohio, Inc., Cambridge, Ohio / November 2001

The Economic Impact of Historic Theatres,

Uptown Merchants Association, Moundsville, West Virginia / September 2001

Revitalization Opportunities in Downtown Cadiz

Cadiz Business Association, Cadiz, Ohio / August 2001

SELECTED PROFESSIONAL SERVICE:

Hurricane Assessment Team, National Trust For Historic Preservation

New Orleans, LA / December 2005

SELECTED ACADEMIC SERVICE:

Design Juror – 1996, 1997, 2000, 2001, 2002, University of Miami School of Architecture

EXPERT WITNESS SERVICE:

Raleigh Master Plan, Application for Certificate of Appropriateness, Ocean Drive / Collins Avenue

Historic District, Miami Beach Historic Preservation Board / September 2020

Midtown Delray, Application for Certificate of Appropriateness, Relocations/Demolitions, Old School

Square Historic District, Delray Beach Historic Preservation Board / December 2017

Harbour Bay Condominium, Appeal of Designation as a Local Historic Site Miami-Dade County

Commission, Miami, Florida / June 2017

Coconut Grove Playhouse, Revision of Existing Designation of a Local Historic Site

Miami Historic and Environmental Preservation Board, Miami, Florida / April 2017

St. Jude Melkite Catholic Church, Designation as a Local Historic Site

Miami City Commission, Miami, Florida / February 2016

Miami Herald Building, Designation as a Local Historic Site

Miami Historic and Environmental Preservation Board, Miami, Florida / December 2012

GRANTS:

Provided grant writing assistance for the following:

2016 Ohio Facilities Construction Commission

Renovation of Interior Annex Space, New Lexington Opera House, New Lexington, OH

- 2016 Ohio Facilities Construction Commission
Phase I Roof Replacement and Portico Rehabilitation, Unionville Tavern, Madison, OH
- 2015 HUD Hope VI Main Street Grant
Upper Level Housing, Xenia Shoe & Leather Repair, Xenia, OH
- 2015 Jeffris Heartland Fund, Jeffries Family Foundation
Historic Structures Report / Master Plan, Unionville Tavern, Unionville, OH
- 2015 Johanna Favrot Fund, National Trust for Historic Preservation
Historic Structures Report / Master Plan, Unionville Tavern, Unionville, OH
- 2009 Certified Local Government Grant, Ohio Historic Preservation Office
Box Gutter / Drainage Improvement, Elizabeth House Mansion Museum, Mount Pleasant, OH
- 2008 Transportation Enhancement Grant, West Virginia Department of Highways
Cockayne Residence Exterior Restoration - Completion, Marshall County Historical Society, Glen Dale, WV
- 2006 Scenic Byways Grant, Ohio Department of Transportation
Exterior Restoration of Brick Tavern, Ohio University, Eastern Campus, St. Clairsville, OH
- 2006 Transportation Enhancement Grant, West Virginia Department of Highways
Cockayne Residence Exterior Restoration – Part I, Marshall County Historical Society, Glen Dale, WV
- 2004 Survey and Planning Grant, West Virginia Division of Culture and History
National Register Listing, Morrow Hall, Fairmont State University, Fairmont, WV
- 2003 Johanna Favrot Fund, National Trust for Historic Preservation
Building Evaluation Report, The “Main”, Olney Friends School, Barnesville, OH
- 2003 Johanna Favrot Fund, National Trust for Historic Preservation
Architectural Conditions Assessment, First Congregational Church, Manistee, MI
- 2003 Cultural Facilities and Capital Resources Grant, West Virginia Commission on the Arts
Strand Theatre Exterior Restoration, Strand Theatre Preservation Society, Moundsville, WV
- 2003 General Development Grant, West Virginia Division of Culture and History
Cockayne Residence Roof Replacement, Marshall County Historical Society, Glen Dale, WV
- 2001 Johanna Favrot Fund, National Trust for Historic Preservation
Preservation Master Plan, Brick Tavern – Ohio University, Eastern Campus, St. Clairsville, OH