

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: October 11, 2016

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: HPB0616-0039 a.k.a. HPB File No. 7263, **1900 Collins Avenue – Peter Miller Hotel**.

The applicant, Lennox Miami Corp., is requesting modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation and restoration of an existing 3-story building and two 2-story buildings, and the total demolition of an existing 2-story building, as well as the construction of a new 5-story structure and new 1-story rooftop addition, as part of a new hotel development. Specifically, the applicant is requesting approval for after-the-fact partial demolition and modifications to the existing 3-story building. Additionally, the application is requesting modifications to the previously approved rooftop mechanical plan.

#### **STAFF RECOMMENDATION**

Approval of modifications to a previously issued Certificate of Appropriateness with conditions

#### **BACKGROUND**

On September 13, 2011, the Historic Preservation Board reviewed and approved a Certificate of Appropriateness for the partial demolition, renovation and restoration of an existing 3-story building and two 2-story buildings, and the total demolition of an existing 2-story building, as well as the construction of a new 5-story structure, as part of a new hotel development.

On September 11, 2012, the Historic Preservation Board reviewed and approved a Certificate of Appropriateness for modifications to the previously issued Certificate of Appropriateness. At this meeting, the Board voted to continue the approval of the proposed rooftop penthouse addition.

On December 11, 2012, the applicant made a short presentation to the Historic Preservation Board and requested a continuance. At this meeting, the Board voted to continue the request for approval of the proposed rooftop penthouse addition.

On February 12, 2013, the Board reviewed plans for the proposed 10-unit penthouse addition and voted to continue the application to the April 9, 2013 meeting, in order for the applicant to address concerns expressed by the Board.

On April 9, 2013, the Board reviewed and approved the design for a 10-unit roof-top addition.

On March 11, 2014, the Board reviewed and approved modifications to the previously issued Certificate of Appropriateness granting more extensive demolition than was previously approved.

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### **EXISTING STRUCTURES**

Local Historic District: Museum

#### **Peter Miller Hotel – 1900 Collins Avenue**

Status: Contributing  
Original Construction Date: 1936  
Original Architect: Russel T. Pancoast

#### **1915 Liberty Avenue**

Status: Contributing  
Original Construction Date: 1934  
Original Architect: Russel T. Pancoast

#### **229 19<sup>th</sup> Street**

Status: Contributing  
Original Construction Date: 1935  
Original Architect: Russel T. Pancoast

### **ZONING / SITE DATA**

Legal Description: Lots 7-11 and the south 5 feet of Lots 1, 2, & 3, Block D, Ocean Front Property of the Miami Beach Improvement Company, according to the Plat thereof, as recorded in Plat Book 5, at page 7 of the Public Records of Miami-Dade County, Florida.

Zoning: CD-2, Commercial, medium intensity  
Future Land Use Designation: CD-2, Commercial, medium intensity

### **THE PROJECT**

The applicant has submitted plans entitled "Peter Miller Hotel" as prepared by Bellinson Gomez Architects PA, dated August 18, 2016.

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### **CONSISTENCY WITH 2025 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed **hotel use** appears to be **consistent** with the Future Land Use Map of the Comprehensive Plan.

### **COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code.

These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

### **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 118-564(a)(1) of the Miami Beach Code (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 Satisfied**  
**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**
  - b. 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 Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the Miami Beach Code (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.  
**Not Satisfied**  
**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**
  - c. Texture and material and color.  
**Satisfied**
  - d. The relationship of a, b, c, above, to other structures and features of the district.  
**Not Satisfied**



**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**

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

**Not Satisfied**

**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**

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

**Not Satisfied**

**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**

- 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 118-564(a)(3) of the Miami Beach Code 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 118-503.

**Satisfied**

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

**Not Satisfied**

**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**

- 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.

**Not Satisfied**

**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**

- 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.

**Not Applicable**

- 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.

**Not Applicable**



- 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).  
**Not Satisfied**  
**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**
- 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 Satisfied**  
**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**
- 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).  
**Not Satisfied**  
**The introduction of large mechanical equipment on the roof of the rooftop addition will have an adverse on the character of the 'Contributing' building.**
- 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.  
**Not Applicable**

**CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION EVALUATION CRITERIA:**

Section 118-564 (f)(4) of the Land Development Regulations of the Miami Beach Code 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 a part of an Historic Preservation District or as a Historic Architectural Landmark or Site, or is designated pursuant to Division 4, Article X, Chapter 118 of the Miami Beach Code 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 structure is designated as part of the Museum Local Historic District; the building is classified as a "Contributing" structure in the historic district.**

- b. The Building, Structure, Improvement, or Site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.

**Satisfied**

**The existing structure is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.**

- c. The Building, Structure, Improvement, or Site is one of the last remaining examples of its kind in the neighborhood, the country, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.

**Satisfied**

**The subject structure is one of the last remaining examples of its kind, 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 section 114-1, or is an architecturally significant feature of a public area of the interior of a historic or contributing building.

**Satisfied**

**The subject structure is classified as a contributing building 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 subject structure 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, and/or the design review guidelines for that particular district.

**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**

**The applicant is not proposing the total demolition of the existing structure.**

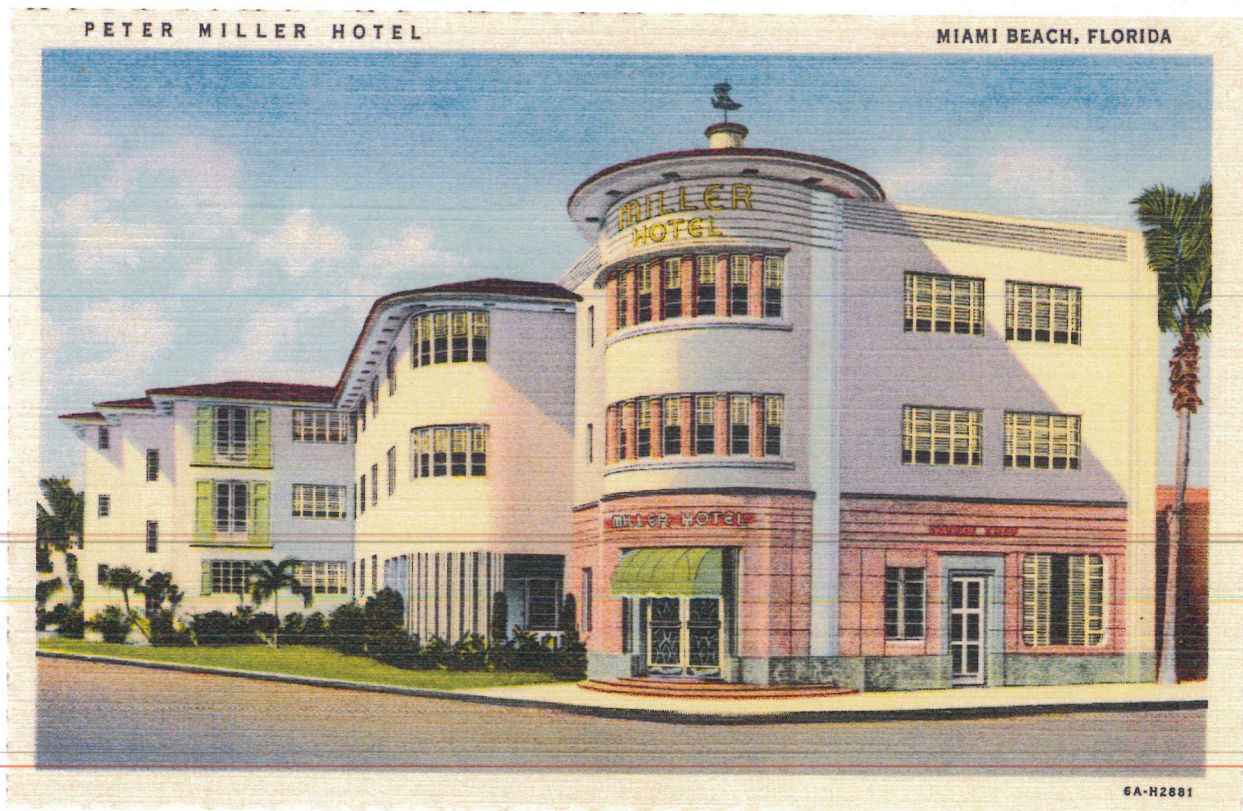
- h. The Dade County Unsafe Structures Board has ordered the demolition of a Structure without option.

**Not Applicable**

**The Dade County Unsafe Structures Board has not ordered the demolition of any part of the subject building.**

**ANALYSIS**

Construction for the previously approved project is well underway. The project includes the renovation of three 'Contributing' structures and the construction of a new 5-story ground level addition and a 1-story rooftop addition. During the course of construction, the applicant demolished portions of the original roof deck and upper façades of the Peter Miller Hotel, located at 1900 Collins Avenue, without obtaining the required building permits or approval from the Historic Preservation Board. Consequently, staff did not have the opportunity to review plans prior to the demolition and partial reconstruction.



**After-the-fact demolition and façade modifications**

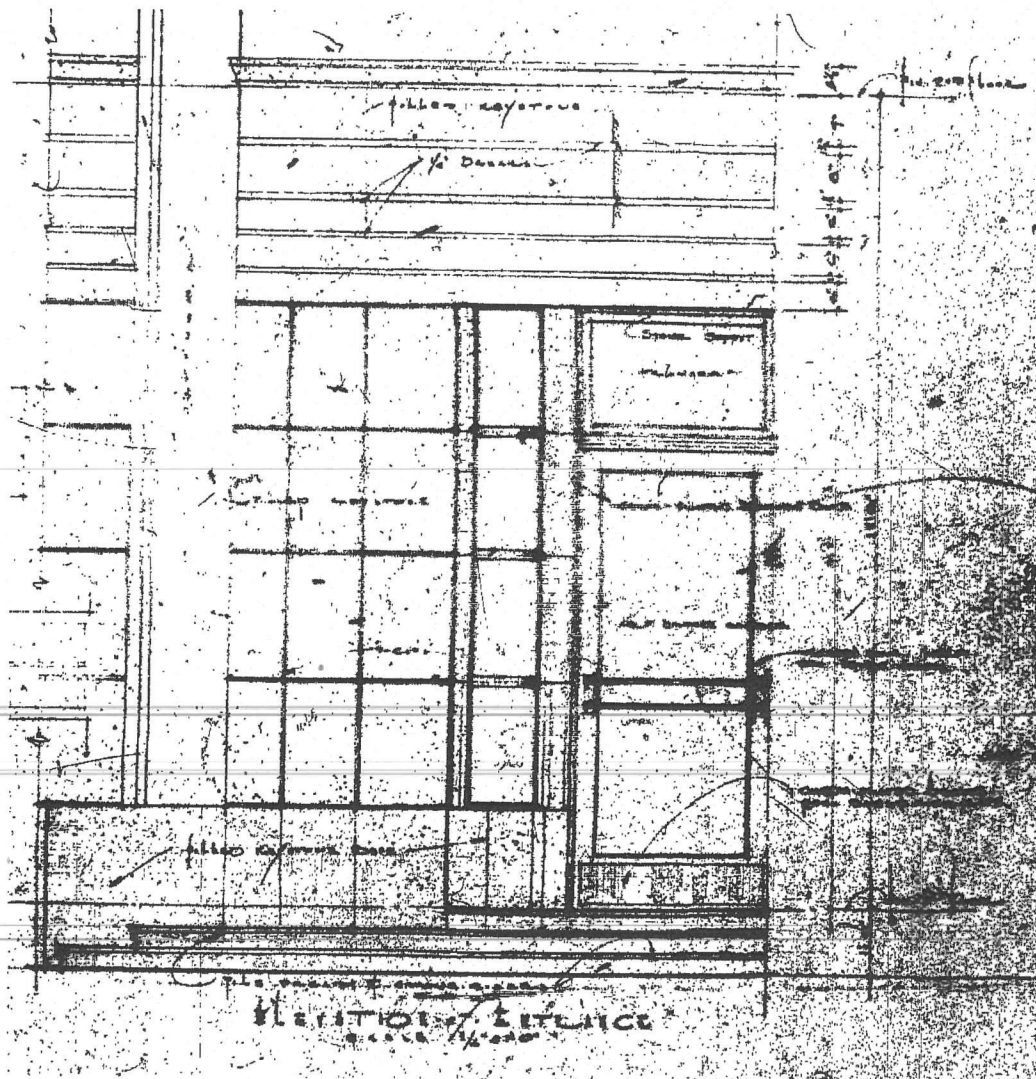
The applicant is currently requesting an after-the-fact approval for the demolition of the roof deck and portions of the original façades. Further, the upper façade walls and new concrete roof



deck were constructed approximately 4 7/8" higher than the original façade and wood frame roof structure. It is important to note that in 2014, the applicant received approval from the Board for an increased scope of demolition including the demolition of the original tile perimeter roofs. As a result of the increased height of the upper façade walls these roofs are now proposed to be reconstructed 4 7/8" higher than the original roof structures.

Although unfortunate, staff is confident that these elements can be recreated substantially consistent with the ample historical documentation available for this building. Further, staff believes that the minimal increase in height should have little to no adverse impact on the 'Contributing' structure.

It should be noted that as a part of this request for modifications, the applicant is also proposing to restore the pink and green color filled keystone cladding at the southeast corner of the building and the recreation of the cupola element and weathervane at the roof as seen in the colored postcard Ca. 1940 on the previous page and consistent with the original building elevation detail shown below.



Detail from Building Permit No. 8171

### **Modifications to the roof plan**

The 1-story rooftop addition on top of the Peter Miller Hotel was approved by the Board as a modification in 2013. At that time, staff and the Board expressed serious concerns with regard to the potential adverse impact any additional projections from the roof of the rooftop addition may have on the existing 'Contributing' building. As a result, the Board imposed the following condition:

Condition D(1)(a):

*The applicant shall explore relocating the proposed penthouse rooftop mechanical equipment, in a manner to be less visible, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. Any such equipment shall not exceed 4'-0" in height.*

The applicant is now requesting to modify this condition in order to introduce mechanical equipment that ranges in height from 4'-7" to 6'-10 ½".

Staff remains concerned that the mechanical equipment and associated screening will have an adverse impact on the 'Contributing' building. Staff would note that as a part of the original approval, the Board approved the total demolition of a 2-story 'Contributing' building and the construction of a new 5-story structure in its place. Staff believes that the mechanical equipment can be accommodated elsewhere on the site, including at the ground level, the roof of the 5-story building or on the roof of the Peter Miller Hotel through the elimination of one or more penthouse level hotel units. Further, the relocation of the mechanical equipment off of the roof of the rooftop addition will result in the substantial reduction in area of the mechanical screening. Consequently, staff recommends that the condition remain as previously imposed by the Board.

At this point the construction of this project is well underway and staff believes that expediting the property's return to active use will greatly benefit the quality of life and character of the surrounding historic district.

### **RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be **approved** subject to the following conditions, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria.



**HISTORIC PRESERVATION BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: October 11, 2016

FILE NO: HPB0616-0039 a.k.a. HPB File No. 7263

PROPERTY: 1900 Collins Avenue

APPLICANT: Lennox Miami Corp.

LEGAL: Lots 7-11 and the south 5 feet of Lots 1, 2, & 3, Block D, Ocean Front Property of the Miami Beach Improvement Company, according to the Plat thereof, as recorded in Plat Book 5, at page 7 of the Public Records of Miami-Dade County, Florida.

IN RE: The application for modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation and restoration of an existing 3-story building and two 2-story buildings, and the total demolition of an existing 2-story building, as well as the construction of a new 5-story structure and new 1-story rooftop addition, as part of a new hotel development. Specifically, the applicant is requesting approval for after-the-fact partial demolition and modifications to the existing 3-story building. Additionally, the application is requesting modifications to the previously approved rooftop mechanical plan.

**SUPPLEMENTAL 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 Museum 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 not consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
  2. Is not consistent with Certificate of Appropriateness Criteria 'b', 'd', 'e' & 'f' in Section 118-564(a)(2) of the Miami Beach Code.
  3. Is not consistent with Certificate of Appropriateness Criteria 'd', 'e', 'j', 'l' & 'm' in Section 118-564(a)(3) of the Miami Beach Code.
  4. Is consistent with Certificate of Appropriateness Criteria for Demolition in Section 118-564(f)(4) of the Miami Beach Code.

C. The project would remain consistent with the criteria and requirements of section 118-564 if the following conditions are met:

1. Revised elevation, site plan and floor plan drawings shall be submitted; at a minimum, such drawings shall incorporate the following:
  - a. ~~The surface of the roof deck on the proposed rooftop addition shall consist of pavers, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.~~
  - b. Final details of the recreation of the upper façade walls shall be provided and shall include dimensions of all recreated stucco banding and detailing, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - c. The colored keystone cladding at the south and east facades of the ground level shall be restored or recreated consistent with available historical documentation. Final details 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.
  - d. The cupola and weathervane at the southeast corner roof shall be recreated consistent with available historical documentation. Final details 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.

**In accordance with Section 118-537, the applicant, the owner(s) of the subject property, 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 master appointed by the City Commission.**

## **II. Variance(s)**

- A. No variances have been requested as part of the application.

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

- A. A copy of all pages of the recorded Final Orders shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- B. The Supplemental Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- C. 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.

- D. The Supplemental 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.
- E. The previous Orders dated September 13, 2011, September 11, 2012, April 9, 2013 and March 11, 2014 shall remain in full force and effect, except to the extent modified herein.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. 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.

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.

PROVIDED, the applicant shall build substantially in accordance with the previously approved plans and the plans entitled "Peter Miller Hotel" as prepared by Bellinson Gomez Architects PA, dated August 18, 2016, 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 Chapter 118 of the City Code; 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 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

HISTORIC PRESERVATION BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
DEBORAH TACKETT  
PRESERVATION AND DESIGN MANAGER  
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Deborah Tackett, Preservation and Design Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He 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 deleted language  
Underscore denotes new language