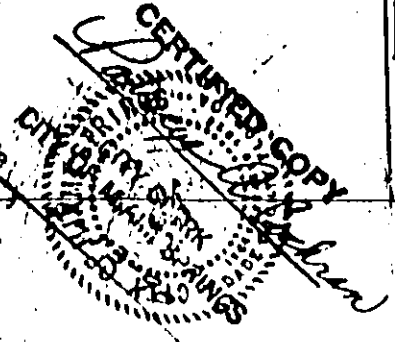


OFF. REC. 14441702340

201 CURTISS PARKWAY

RESOLUTION AMENDING THE PROPOSED SITE DESIGNATION REPORT OF FAIR HAVENS CENTER THE LOCATION OF WHICH IS ALL OF BLOCK 116, SECTION 2 OF COUNTRY CLUB ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 79 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.



WHEREAS, a proposed site designation report has been filed on the site known as the Fair Haven Center; and

WHEREAS, the Historical Preservation Board of the City of Miami Springs, has, after public hearing on February 23, 1984, considered the proposed designation of the above-referenced property; and,

WHEREAS, the Historical Preservation Board found that the Fair Havens Center is a significant structure, both architecturally and in the developmental history of the region and the City of Miami Springs; and that its significance is derived from its architectural style and because it was originally constructed as the Pueblo Hotel in 1926 by Glenn H. Curtiss and utilized by food researcher, Dr. John H. Kellogg; and,

WHEREAS, a site designation report has been filed with the Board designating the site location of 201 Curtiss Parkway, Miami Springs, Florida and which is legally described as:

All of Block 116, Section 2 of COUNTRY CLUB ESTATES, according to the Plat thereof, as recorded in Plat Book 10, at page 79 of the Public Records of Dade County, Florida.

and,

WHEREAS, the Board recognizes that Lutheran Services for the Elderly, Inc. the owner of Fair Havens Center, is a non-profit organization not entitled to tax incentives normally associated with historic preservation and that their status as a health care facility subjects them to governmental regulation; and,

WHEREAS, the Board desires to ease any adverse impact of designation and any undue economic hardships on Fair Havens Center by limiting its control as is hereinafter provided; and

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WHEREAS, Lutheran Services for the Elderly, Inc. has stipulated and agreed that the City of Miami Springs Historical Preservation Board shall have complete architectural control of the building exteriors on any future buildings constructed on the site so that future buildings will be compatible with those currently in existence; and,

WHEREAS, Lutheran Services for the Elderly has stipulated and agreed that all healthy Washingtonia Palm trees located on the property will not be destroyed and shall be relocated if they conflict with the location of future buildings.

NOW THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION BOARD OF THE CITY OF MIAMI SPRINGS, FLORIDA:

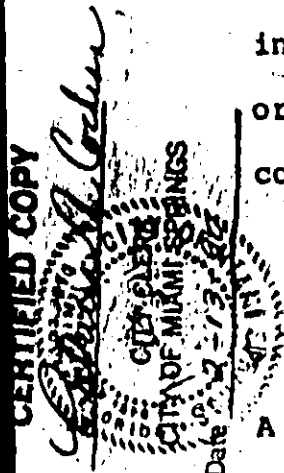
Section 1: That the designation report is hereby amended in accordance with the decisions of the Miami Springs Historic Preservation Board on February 23, 1984 to provide that the property described in the report is designated as an individual historic site pursuant to the Miami Springs Historic Preservation Ordinance, with the following limitations:

A. The Historic Preservation Board shall exercise its administrative powers pursuant to the Miami Springs Historical Preservation Ordinance, with regard to the exteriors of the existing Pueblo style buildings specifically including but not limited to the structure which was the original Pueblo Hotel and the exteriors of all future construction on the property which is legally described as:

All of Block 116, Section 2 of COUNTRY CLUB ESTATES, according to the Plat thereof, as recorded in Plat Book 10, at page 79 of the Public Records of Dade County, Florida.

A drawing delineating those Pueblo Style Structures, the architectural integrity of which shall remain under the control of the Historic Preservation Board, is attached hereto as Exhibit "A" and by this reference made a part of this resolution.

B. Only those interior spaces which are hereinafter



described shall be regulated by the Historic Preservation Board pursuant to this designation, to wit:

- (1) The first floor lobby of the original Pueblo Hotel structure, in its entirety.
- (2) The Pueblo Room (dining room) located in the original Pueblo Hotel structure, in its entirety, but not limited to the mosaic tile floor, pillars, wood beam vegas doors and hardware, ceiling fixtures, decorative wood work, bracing ceiling and windows.
- (3) The floor of the main entrance to the original Pueblo Hotel structure, specifically including, but not limited to the portion that has Indian symbols inlaid.

C. The Historic Preservation Board shall require that healthy Washintonia Palm trees located on the property shall not be destroyed and they shall be relocated by the property owner if their location conflicts with the location of future buildings.

PASSED AND ADOPTED by the Historic Preservation Board of the City of Miami Springs, Florida this 16th day of August, 19 84.

The motion to adopt the foregoing resolution was offered by:

Mary Ann Taylor

Seconded by:

Thelma Butler

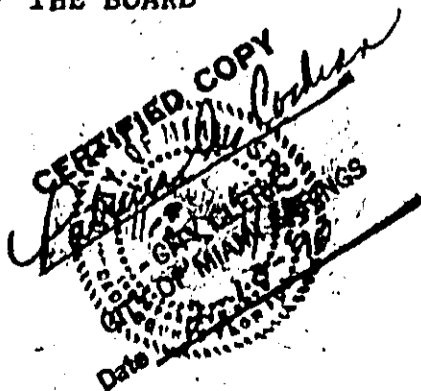
and on roll call the following vote ensued:

Thelma Butler	"aye"
Judy Gelina	Absent
Lynda Schwartz	Absent
Vice Chairman	
Mary Ann Taylor	"aye"
Chairman John Stadnik	"aye"

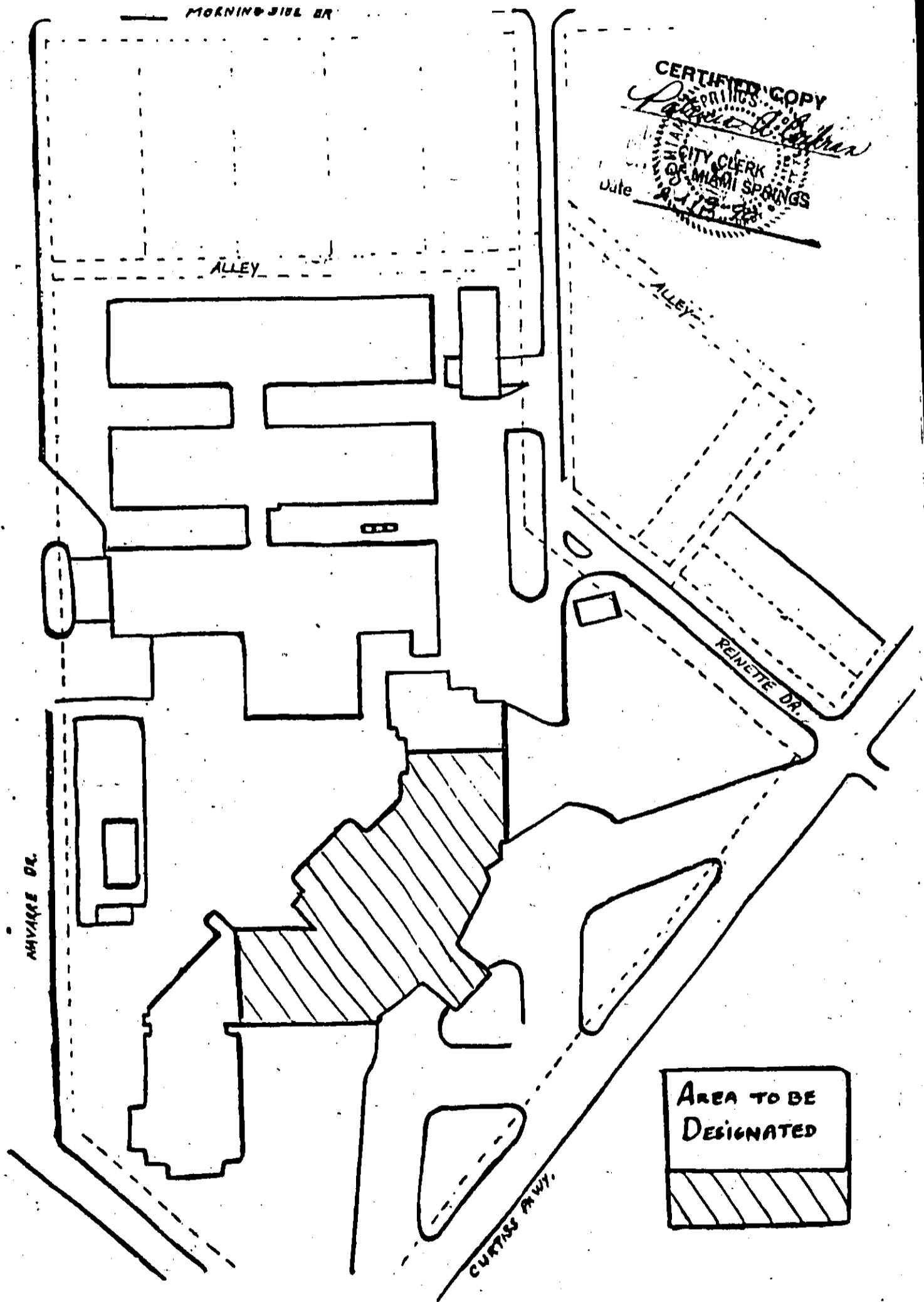
John Stadnik  
CHAIRMAN

ATTEST:

Patricia A. Cochran  
CLERK OF THE BOARD



CERTIFIED COPY  
Patricia A. Cochran  
CITY CLERK  
CITY OF MIAMI SPRINGS  
Date 5-16-86



CERTIFIED COPY  
 PATRICIA D. ...  
 CITY CLERK  
 OF MIAMI SPRINGS  
 Date 2-19-72

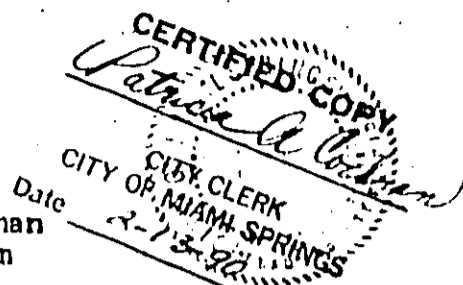
FAIR HAVEN CENTER  
 Exhibit "A"

The Miami Springs City Council met in special session at 7:30 p.m., Wednesday, 30 April 1986, in the Council chambers at City Hall. On ROLL CALL, the following were present:

Mayor John A. Cavalier, Jr.  
 Vice Mayor Richard S. Grinnell  
 Councilman Jim Borgmann  
 Councilwoman Jo Ellen Morgan  
 Councilman Thomas L. Webb

Also present:

City Manager J. Martin Gainer  
 Asst. City Attorney D. Robert Orshan  
 Deputy City Clerk Patricia Cochran



This meeting is a continuation of Fair Havens Center's appeal of the Historic Preservation Board's designation of Fair Havens as an historic site.

Mr. Stanley Price, attorney for Fair Havens, advised that the Board's original designation report recommended designation of the entire property upon which Fair Havens sits as an historic site.

However, in response to Fair Havens' plea for a reduction in the designation because of the impact it would have upon them as a health services provider and non-profit institution, the Historic Preservation Board (at a public hearing on February 23, 1984) reduced the designation to include only the exterior of the original Pueblo Hotel portion of the building, the exterior of any future buildings to be placed on the site, a limited space inside the original structure, and the Washingtonia palms planted during the buildings early years. (See designation resolution attached.)

Fair Havens appealed this limited designation to the City Council and at a public hearing on October 15, 1984, after hearing from all interested parties, Council agreed to Fair Havens' request to continue the hearing until such time as Fair Havens would have had an opportunity to present their future development plans and go through whatever variance or zoning hearings would be required.

In February, 1986, Fair Havens approached the City to continue the public hearing process and, in accordance with the City Attorney's advice, the matter of the historic designation has to be settled before any variance or zoning hearings can be held.

Mr. Price reminded Council that they and his client have stipulated that all testimony offered at the October 15, 1984 hearing is part of this evening's hearing. Additionally, he wishes to show Council what Fair Havens has in mind for future development. He produced a sketch showing the existing buildings, including the original Pueblo Hotel (building "K" on the drawing) which was designated by the Historic Preservation Board. The sketch also showed additional 2-story structures and Mr. Price indicated these are intended to recoup some of the square footage which would be lost to historic designation if that designation is upheld by this Council. Additionally, Fair Havens no longer wishes to close Requette Drive.

He objected individually to each of the items designated by the Historic Preservation Board except for architectural control over the exterior of the building. In response to the Mayor's inquiry, Attorney Orshan advised that the Historic Preservation Board does have jurisdiction over landscape features as well as structures.

Mayor Cavalier advised the audience that the meeting would be open to public hearing regarding only the historic designation of Fair Havens and that no comment regarding any future development plans of Fair Havens is in order this evening.

Mary Ann Taylor, 89 Ludlum Drive, Vice-Chairman of the Historic Preservation Board, was present to offer a personal statement about the value of Fair Havens as an historic structure, both for its design and for its relationship with Glenn H. Curtiss and other notably prominent Americans. She stated she feels the Historic Preservation Board has made major concessions to Fair Havens because of its status as a health care provider and non-profit organization, and she feels everything that could possibly be given has been given. She urged Council to uphold the Historic Preservation Board's designation as written.

Shirely Taylor Prakelt, 376 Linwood Drive, spoke of the need to retain the City's historical structures for posterity. She, too, spoke of the major concession by the Historic Preservation Board to Fair Havens, and felt Fair Havens is not presenting a complete picture of the impact of being a 5013C organization. While there are many restrictions on such organizations she advises there are also advantages such as rebates for new construction and other benefits which would favorably affect Fair Havens' financial picture. She further suggested Fair Havens consider improved space utilization planning by relocating patient rooms out of the older structure and administrative offices into it. Perhaps, she said, space is under-utilized or poorly utilized.

She also advised Council that the City's historic preservation ordinance is a very powerful one but that if Miami Springs fails to exercise its authority with regard to historic preservation, Dade County can and will rescind the City's authority. It is, in fact, in process of doing so with another municipality. Mayor Cavalier advised Mrs. Prakelt the City is not about to place itself in such a position.

Lastly, she urged Council to protect Miami Springs' heritage of Pueblo design architecture. Regardless of personal preference, she said, this design has already been deemed historically significant (by the National Register of Historic Places). It is this city's heritage and must be protected or it will be lost entirely.

Mayor Cavalier inquired if anyone else wished to speak and as no one did, the public hearing was closed.

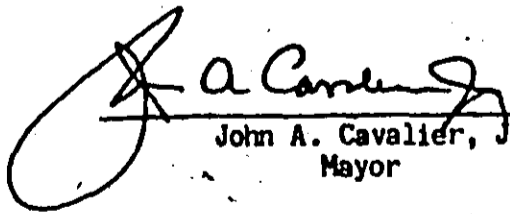
Mr. Price reminded Council of a CPA's financial report about the fiscal impact of historic designation upon Fair Havens which was furnished at the February 20, 1984 hearing by his client. He also reiterated that Fair Havens seeks only equity in this matter.

In further discussion and in response to Council's inquiry, Mr. Price advised that Fair Havens would file an appeal with the appropriate court if Council upholds the historic designation imposed by the Historic Preservation Board. It will also appeal if any portion of the designation is upheld. However, Fair Havens would stipulate to the court that the appeal be held in abeyance until after such time as Fair Havens has completed the variance and zoning hearings process with regard to its planned improvements.


He also indicated that the planned improvements would increase the facility by approximately 40-50 thousand square feet. The approximate area affected by the historic designation, he advised, is between 9-10 thousand square feet.

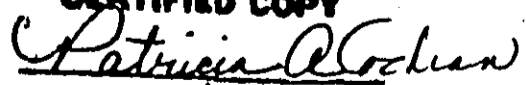
Mayor Cavalier called for a motion and Councilman Webb offered a motion to uphold the designation of Fair Havens Center as imposed by the Historic Preservation Board. The motion was seconded by Councilman Grinnell and on roll call all members voted "aye" except for Councilman Borgmann who voted "no".

Attorney Orshan noted that anyone aggrieved by the decision of the City Council may appeal to the Circuit Court and that the aggrieved party would be required to pay \$100 to the City to defray the City's cost of preparing for appeal. Certified copies of Council's actions will be forwarded to all required parties, in accordance with the City's Code of Ordinances. There was no additional business to be considered and the meeting was ADJOURNED at 8:40 p.m.

  
John A. Cavalier, Jr.  
Mayor

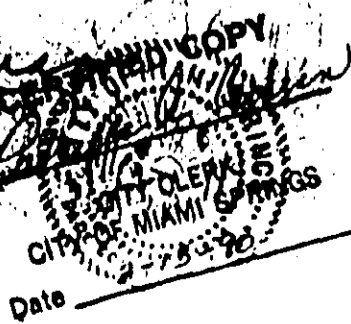
ATTEST:

  
Patricia A. Cochran,  
Deputy City Clerk

**CERTIFIED COPY**  


CITY CLERK  
CITY OF MIAMI SPRINGS

Date 6-16-86

  
CITY OF MIAMI SPRINGS  
Date \_\_\_\_\_