

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC# **420-2019**

## LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: July 24, 2019



SUBJECT: **6979 Collins Avenue - Unsafe Structures Board Order**

This is an update regarding the property located at 6979 Collins Avenue, which has been abandoned since 2013, and an agenda item on your July 31, 2019 City Commission agenda.

Records indicate that on October 30, 2006 the property received its first notice of required recertification for a 40 year old building. Under Section 8-11(f) of the Miami-Dade County Code, the owner of a building that has been in existence for forty (40) years or longer is required to have the building inspected for the purpose of determining the general structural condition of the building, as well as the condition of its electrical systems. In accordance with Section 8-11(f), a written recertification report, prepared by a Florida registered professional engineer or architect, must be submitted to the Building Official having jurisdiction, certifying that the building or structure is structurally and electrically safe for the specified use and for continued occupancy. Property owners have 90 days to comply with this requirement.

Our records indicate that on March 9, 2007 a violation was issued to the subject property for failure to comply with the required 40 year recertification of the building. On May 3, 2007 the case was referred to Special Master. Records also indicate that between 2007 and 2013, the owners of the subject building requested multiple extensions for compliance, which were approved by the Special Master. Notwithstanding these extensions, no action was taken by the property owner to comply with the 40-year recertification requirements, and the building has been abandoned and boarded up since 2013.

In light of this non-compliance with the 40 year recertification requirements, a case was taken to the Miami-Dade County Unsafe Structures Board (USB), which is standard protocol for issues of non-compliance. The USB held a hearing on June 20, 2018 and issued the following decision:

1. A 40 year Recertification Report be submitted within 90 days from the June 20<sup>th</sup>, 2018 hearing date; and
2. A permit must be obtained within 120 days from the June 20<sup>th</sup>, 2018 hearing date; and
3. The required repairs must be completed, inclusive of all final inspection approvals on the permit, within 180 days from the June 20<sup>th</sup>, 2018 hearing date; and
4. If any of the above conditions are not complied with, the subject structure shall be demolished by the enforcing municipality as soon as possible.

The board also ruled that the property owner shall allow staff of the City of Miami Beach access to the property for the purpose of performing compliance inspections while the case remains active. To date, none of these requirements have been met.

The existing building located at 6979 Collins Avenue is classified as a contributing building within



the North Beach Resort Local Historic District, designated on March 17, 2004 (Ord 2004-3438). Originally constructed as the Normandy Plaza Hotel in 1936, the building was designed by L. Murray Dixon in the Art Deco style of architecture. An historic photograph of the structure, as well as the current condition are on the following page.

An update was provided by staff at the July 9, 2019, the Historic Preservation Board (HPB). HPB discussed the USB order for demolition and issued the following recommendations:

- A request that the City's Building Official delay the demolition of the structure until after the September 9, 2019 meeting, if possible.
- If necessary, the City should explore the introduction of fencing the site in order to prevent further damage of the structure.
- A salvage plan for the retention of any significant architectural features on the exterior of the building or within the lobby should be required as part of any demolition permit issued.

Subsequent to the HPB discussion on July 9, 2019, Board member Rick Lopez who is a faculty member of the University of Miami School of Architecture reached out to the Administration and offered to perform a three dimensional laser scan of the existing building in conjunction with the University of Miami Department of Computational Science in order to accurately document the building prior to any possible demolition. The Administration is currently working with Mr. Lopez to secure the proper right-of-way permits for the use of the survey equipment within the right-of-way.

Pursuant to Section 118-503(b)(2) of the Land Development Regulations of the Miami Beach City Code, in the event an Emergency Demolition Order is issued, such demolition order requires that the property owner file an application for an "after-the-fact" Certificate of Appropriateness for Demolition to the Historic Preservation Board within fifteen (15) days of the issuance of an Emergency Demolition Order. The Historic Preservation Board shall review the demolition and determine whether and how the demolished building shall be replaced. In the event an "after-the-fact" application for a Certificate of Appropriateness for Demolition is not filed within fifteen (15) days of the issuance of the Emergency Demolition Order, the City may initiate enforcement proceedings as provided in section 114-8 of the City Code or by enforcement procedures as set forth in the Charter and penalties as provided in section 1-14 of the City Code.

On July 23, 2019 our Building Official, Ana Salgueiro was contacted by an architect and structural engineer that were hired by the owners of the property to prepare drawings for permit that would take care of deficiencies in the project. On behalf of the owner, they requested that the demolition order be stopped and allow them to make all the necessary repairs to remove all violations and put the building back in operation. A meeting with stakeholders is being coordinated.

Your July 31, 2019 City Commission agenda contains an item waiving, by 5/7th vote, the formal competitive bidding requirement, finding such waiver to be in the City's best interest, and authorizing me to execute a contractor service order with Camino Real Group, Inc., D.B.A. Alpha Wrecking Group, for the demolition of 6979 Collins Avenue, Miami Beach, FL 33141 in an amount not to exceed \$476,685.00, which includes a 10% contingency. The city currently does not have a contract for demolition services. The contract will only be utilized to follow through on the Unsafe Structures Board order if needed, if in fact owners do not follow through with their interests

LTC – 6979 Collins Avenue

Date: July 24, 2019

Page: 3 of 3

expressed on July 23.

We will keep the Commission apprised of any additional developments.

JLM/SMT/TRM/DJT/AMS/ND

C: Rafael Granado, City Clerk

F:\PLAN\5\ALL\CM\_RESP\2019\LTC - 6979 Collins Av - demolition order and HPB recommendation.ltc.docx

