

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

MEETING DATE: October 10, 2017

FILE NO: HPB17-0117

PROPERTY: 400-1099 Lincoln Road

APPLICANT: City of Miami Beach

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

IN RE: The application for modifications to a previously issued Certificate of Appropriateness for the design of the Lincoln Road Master plan. The area for the proposed master plan is located within the public right-of-way generally bounded by Lincoln Lane North to the north, Lincoln Lane South to the south, Collins Avenue to the east, and West Avenue to the west. Specifically, the applicant is requesting approval for design modifications and lighting modifications.

CONSOLIDATED ORDER

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

I. Certificate of Appropriateness

- A. The subject site is located within the Flamingo Park Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
 - 1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 - 2. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code.
 - 3. Is consistent with Certificate of Appropriateness Criteria 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.

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- 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 and, at a minimum, such drawings shall incorporate the following:
 - a. The gateway structure located at the 400 block of Lincoln Road shall be further developed and the final design and details, including materials, dimensions and finishes shall be provided, in a manner to be reviewed and approved by the Board, prior to the issuance of a building permit for this structure.
 - b. The new street and directory signage shall be of a design, material and color(s) more consistent with the character and quality of the 'Contributing' structures within historic district, 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 digital directory sign structure shall be significantly reduced in size, 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. There shall be no general advertising permitted to be displayed on the digital directory signage.
 - e. ~~The design for the Euclid Oval shall be further developed, and the applicant shall explore a larger area for the active portion. The introduction of a softer paving material shall be explore for the active surface of the Euclid Oval shall and the~~ The final design and details of the Euclid Oval, including materials, dimensions and finishes shall be provided, in a manner to be reviewed and approved by the Board, staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board, prior to the issuance of a building permit for this structure.
 - f. The final design and details of all exterior paving, including materials, dimensions and finishes shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - g. The final design and details of the folly lighting, including materials and finishes shall be provided, in a manner to be reviewed and approved by the Board staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board, prior to the issuance of a building permit for the lighting elements.
 2. The phased development schedule shall be approved in accordance with the timeframe set forth for Phase 1 through Phase 3, as submitted by the applicant.

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3. The Board recommends that the applicant explore placing utilities underground within the Master Plan area to the greatest extent possible, subject to the review and approval of the Public Works Department.
4. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. All existing, healthy canopy trees shall be retained to the greatest extent possible, subject to the review and approval of the City's Greenspace Management Department.
 - b. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
 - c. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
 - d. A canopy tree shall be introduced within the planter located west of the Euclid Oval seating feature, 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. This Final Order consolidates all conditions and requirements for Certificate of Appropriateness and Variance approval as same as are contained herein, in the original Order dated November 10, 2015 and the Order dated June 19, 2017. Accordingly, this Order shall serve as the Final Order for the proposed project and, in the event of conflict between the provisions hereof and those of the September 12, 2017 Order, the provisions hereof shall control.

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- B. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- C. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- D. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- E. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- F. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- G. 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.
- H. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- I. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- J. 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 plans entitled "Lincoln Road District Master Plan", as prepared by James Corner Field Operations, dated August 28,



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2015 and entitled "Lincoln Road District Improvements", as prepared by James Corner Field Operations, dated April 24, 2017 and dated August 7, 2017, as amended and 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 16 day of October, 2017.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

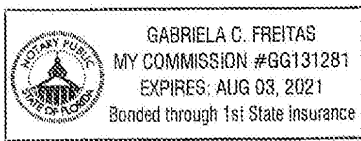
BY: 
DEBORAH TACKETT
CHIEF OF HISTORIC PRESERVATION
FOR THE CHAIR

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



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The foregoing instrument was acknowledged before me this 16 day of October 2017 by Deborah Tackett, Chief of Historic Preservation, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.



[Handwritten Signature]
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: 8-3-21

Approved As To Form:
City Attorney's Office: *[Handwritten Signature]* (10/16/17)

Filed with the Clerk of the Historic Preservation Board on *[Handwritten Signature]* (10/16/17)

Strike-Thru denotes deleted language
Underscore denotes new language

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