

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: November 14, 2017

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB17-0143, **230 1st Street.**

The applicant, 81 Washington Associates, LTD, is requesting a Certificate of Appropriateness for partial the demolition and renovation of the existing 3-story building and site design modifications.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions

EXISTING STRUCTURE

Local Historic District:	Ocean Beach
Status:	Contributing
Original Construction Date:	1936
Original Architect:	Henry Hohauser
Addition/Renovation Date:	1993-1998

ZONING / SITE DATA

Legal Description:	Lots 20 & 21, Block 10, Ocean Beach Florida Subdivision, According to the Plat Thereof, as Recorded in Plat Book 2, Page 38, of the Public Records of Miami-Dade County, Florida.
--------------------	---

Zoning:	C-PS1, Limited Mixed-Use Commercial
Future Land Use Designation:	C-PS1, Limited Mixed-Use Commercial
Lot Size:	13,000 S.F. / 1.0 Max FAR
Existing FAR:	14,652 S.F. / 1.13 FAR
Proposed FAR:	14,280 S.F. / 1.10 FAR
Existing Height:	43'-5" /3-stories
Proposed Height:	No change
Existing Use/Condition:	Restaurant, 246 seats
Proposed Use:	Restaurant, 246 seats

THE PROJECT

The applicant has submitted plans entitled "81 Washington Restaurant" as prepared by TAI Architecture, Inc, dated July 21, 2017.

The applicant is requesting a Certificate of Appropriateness for the renovation of the existing building including the removal of the existing parking lot to be replaced with outdoor restaurant seating, the introduction of retractable canopy structures and the modification of existing window openings located on the west elevation of the Contributing building.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application, as proposed, with the exception of the variance and waiver requested herein, appears to be consistent with the City Code.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

CONSISTENCY WITH 2025 COMPREHENSIVE PLAN

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

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 window configuration along the primary façade of the Contributing portion of the building is not entirely consistent with original window design and the modifications to the window openings along the west façade are inconsistent with the character of the historic architecture.
 - 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.
Not Satisfied
The window configuration along the primary façade of the Contributing portion of the building is not entirely consistent with original window

design and the modifications to the window openings along the west façade are inconsistent with the character of the historic architecture.

- b. General design, scale, massing and arrangement.
Satisfied
- c. Texture and material and color.
Satisfied
- d. The relationship of a, b, c, above, to other structures and features of the district.
Satisfied
- e. The purpose for which the district was created.
Satisfied
- f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Satisfied
- 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.
Not Satisfied
The window configuration along the primary façade of the Contributing portion of the building is not entirely consistent with original window design.

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.
Satisfied
- 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.
Satisfied
- 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.
Satisfied
- 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.
Not Satisfied
Exterior lighting plan has not been submitted.
- 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 Satisfied
Exterior lighting plan has not been submitted.

- 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).
Satisfied
- 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.
Satisfied
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
- 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).
Satisfied
- 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.
Satisfied
- 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.
Satisfied

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 located within the Ocean Beach Local 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 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 structure is one of the last remaining examples of its kind and 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 structure is classified as 'Contributing' 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 structure is critical to developing an understanding of an important early 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 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 total demolition of the 'Contributing' structure.

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

Not Applicable

The Miami-Dade County Unsafe Structures Board has not ordered the demolition of the structure.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.
Not Satisfied
A recycling or salvage plan has not been submitted.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
The majority of the existing windows on the building are operable.
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
Satisfied
- (5) Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.
Satisfied
Sea Level Rise projections were taken into account. The site is not in an area that will be significantly impacted by Sea Level Rise within the adopted projection timeframes.
- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.
Not Applicable
New construction is not proposed.
- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
Satisfied
All critical mechanical and electrical systems will be located on the roof of the structure, including the air-conditioning units.
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
Satisfied
The ground floor is located above required base flood elevation of 8.0' NGVD.
- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.
Satisfied

Habitable space is not proposed below the base flood elevation.

(10) Where feasible and appropriate, water retention systems shall be provided.

Not Satisfied

STAFF ANALYSIS

Constructed in 1936 and designed by noted Miami Beach architect Henry Hohauser in the Art Deco style of architecture, the subject building was originally a 2-story apartment building with its front entrance facing 1st Street. Between 1993 and 1998 a new roof-top addition was constructed, along with a new 3-story ground level addition at the east side of the property and a new 3-story entry tower was constructed at the center of the west elevation.

On August 14, 2007 the Board reviewed and approved a Certificate of Appropriateness for the renovation of the property including the introduction of a new ground level restaurant and new entrance canopies along the west façade.

The applicant is currently requesting approval for the following modifications to the property:

Removal of the existing parking lot and a new landscape and hardscape plan

In order to create additional outdoor seating areas, the applicant is proposing to remove the five existing parking spaces and associated curb cut located on the southwest portion of the site and reconfigure the existing outdoor terrace area located on the northwest portion. The proposed site improvements include the introduction of additional Florida Native canopy trees, water feature, new accessible ramp, and paved seating areas. Staff would note that while the applicant is proposing to increase the number of outdoor seats, the total number of restaurant seating will not be increased. This is being accomplished by reducing the amount of indoor seating. Staff is supportive of this request which will significantly improve the pedestrian experience along Washington Avenue.

Introduction of a retractable canopy structure

The applicant is proposing to introduce a retractable canopy structure along the west façade of the building in order to provide overhead weather protection for the outdoor dining areas. It is important to note that this façade was altered in the mid 1990s when a tower addition was constructed in the center of the building. Staff has no objection to the request, as the canopy is located on a secondary street elevation, does not obscure any of the significant architectural elements of the original 1938 design and could be easily removed in the future.

Enlargement of existing window openings along the west façade

In order to increase connectivity between the indoor and outdoor portions of the restaurant, the applicant is proposing to increase the size of several existing window openings along the ground level to accommodate additional entry doors. While staff does not object to the introduction of entrances along the west façade of the building, staff would recommend that the width of the existing window openings be retained and that the design for any new doors contain divided lites, in a manner more consistent with the historic architectural vocabulary of the Contributing building.

Finally, staff would note that although the Contributing portion of the building appears generally well maintained and in good condition, the window configuration on the ground level of the primary elevation along 1st Street is not consistent throughout and several of the windows are missing horizontal muntins. Consequently, staff would recommend that all windows facing 1st Street be restored or replaced to match the original divided lite casement window configuration.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the application be **approved** as to the Certificate of Appropriateness and variance request, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness.

TRM:DJT:MB:JS
F:\PLAN\HHPB\17HPB\11-14-2017\HPB17-0143_230 1st St.Nov17.docx

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: November 14, 2017

FILE NO: HPB17-0143

PROPERTY: 230 1st Street

APPLICANT: 81 Washington Associates, LTD

LEGAL: Lots 20 & 21, Block 10, Ocean Beach Florida Subdivision, According to the Plat Thereof, as Recorded in Plat Book 2 Page 38, of the Public Records of Miami-Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for partial the demolition and renovation of the existing 3-story building and site design modifications.

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 Ocean Beach 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 'a' in Section 118-564(a)(1) of the Miami Beach Code.
 - 2. Is not consistent with Certificate of Appropriateness Criteria 'a' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.
 - 3. Is not consistent with Certificate of Appropriateness Criteria 'g' & 'i' in Section 118-564(a)(3) of the Miami Beach Code.
 - 4. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(f)(4) of the Miami Beach Code.
 - 5. Is not consistent with Sea Level Rise and Resiliency Review Criteria (1) & (10) in Section 133-50(a) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 and 133-50(a) 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. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
 - b. Final details of the canopy structure shall be submitted, 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. All windows located on the north and west facades of the Contributing building shall be repaired or replaced in a manner which matches as close as possible to the original divided lite casement window configuration, 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 new entrance doors shall proposed to be introduced on the ground level of the west façade shall not exceed the width of the existing window openings and the doors shall contain divided lites, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - e. The final location and details of all exterior ramp and railings systems, 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.
 - f. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
2. 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. 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.
3. The Applicant agrees to the following operational conditions for any and all permitted primary and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, guests, users, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations.

a. OUTDOOR CONDITIONS

- i. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced. Owner agrees to include the rules and regulations set forth in these conditions in any lease, contract or assignment.
- ii. Exterior speakers, except those required to address Building and Life Safety Codes, shall not be attached to the exterior of any building or structure on the property. A distributed sound system may be permitted for ambient, background music, which does not interfere with normal conversation. An acoustic plan certified by an acoustic engineer for the proposed distributed sound system shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- iii. All music played at the establishment, both inside and outside, shall be limited to ambient, background music.
- iv. Accessory outdoor bar counters are prohibited.
- v. No exterior television sets are permitted.
- vi. Entertainment on the premises, inclusive of live music and DJs, is prohibited.

b. NOISE CONDITIONS

- i. The Historic Preservation Board (HPB) and the Planning Director shall retain the right to call the owners and/or operators back before the HPB, at the expense of the owners and/or operators, to impose and/or modify any operating conditions, should there be a valid violation (as determined by Code Compliance) about loud, excessive, unnecessary or unusual noise or other conditions of this approval. An adverse adjudication of a violation against the owner or operator is not necessary for the board to have jurisdiction over the matter under this condition. This condition vests jurisdiction independent of any other condition hereof.
- ii. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as amended, shall be deemed a violation of this approval and subject the approval to modification in accordance with the procedures for modification of prior approvals as provided for in the Code, and subject the applicant to the review provided for in the first sentence of this subparagraph.

c. OPERATIONAL CONDITIONS

- i. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Doors shall remain closed and secured when not in active use.
- ii. The trash room shall be located so as to be operationally accessible from Collins Court.
- iii. Any kitchens and other venting shall be chased to the nearest roof and venting systems shall be employed as necessary to minimize or dissipate smoke, fumes and odors.
- iv. Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.

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 applied for as a part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

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

- A. All new construction over 7,000 square feet or ground floor additions (whether attached or detached) to existing structures that encompass over 10,000 square feet of additional floor area shall be required to be, at a minimum, certified as **LEED Gold by USGBC**. In lieu of achieving LEED Gold certification, properties can elect to pay a sustainability fee, pursuant to Chapter 133 of the City Code. This fee is set as a percentage of the cost of construction.
- B. 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.
- C. 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.

- D. 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.
- E. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- F. 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.
- G. 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.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. 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 "81 Washington Restaurant" as prepared by TAI Architecture, Inc, dated July 21, 2017, 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
CHIEF OF HISTORIC PRESERVATION
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, 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.

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 _____ () _____