

MIAMI BEACH

PLANNING DEPARTMENT

Staff Memorandum

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: May 8, 2018

FROM: Thomas R. Mooney, AICP
Planning Director

 *for TM*

SUBJECT: HPB17-0142, **1600 Washington Avenue, 425 16th Street & 1601 Drexel Avenue.**

The applicant, 420 Lincoln Road Development, LLC, is requesting a Certificate of Appropriateness for the total demolition of ~~two the 1-story Non-Contributing structures, the partial demolition, restoration and relocation of the existing 2-story Contributing structure~~ and the construction of a new 10-story mixed-use building, including variances to reduce the required pedestal and tower front, side and sum-of-the-side setbacks for residential uses, to reduce the required tower front, rear, interior side and street side setbacks for residential uses, to exceed the maximum building height, to reduce the required width for a two-way driveway and to reduce the required rear and side setbacks for a driveway. **[Request for the total demolition of 425 16th Street has been modified to partial demolition by the applicant]**

STAFF RECOMMENDATION

Approval of Certificate of Appropriateness and variances with conditions.

BACKGROUND

On January 9, 2018, the Board reviewed and continued the subject application to a date certain of March 12, 2018, in order to give the applicant additional time to address concerns expressed by the Board.

On March 12, 2018, the Board continued the subject application to a date certain of May 8, 2018.

EXISTING STRUCTURES

Local Historic District: Flamingo Park

1600 Washington Avenue

Status:	Non-Contributing
Original Construction Date:	1952
Original Architect:	Maurice Weintraub

425 16th Street

Status: Contributing
Original Construction Date: 1938
Original Architect: Henry Hohauser

1601 Drexel Avenue

Status: Non-Contributing
Original Construction Date: 2010
Original Architect: Ten Arquitectos

ZONING / SITE DATA

Legal Description: Lots 1, 5, 6, 7, 8, 9, and 10, together with the west 5.0 feet of Lots 2 and 3 and the east 54.42 feet of the west 59.42 feet of the north 20.00 feet of Lot 3, Block 53, Pine Ridge Subdivision, Plat Book 6, Page 34 of the Public Records of Miami-Dade County Florida.

Zoning: CD-3, Commercial, high intensity
Future Land Use Designation: CD-3, Commercial, high intensity
Lot Size: 66,708 S.F. / 2.75 Max FAR
Existing FAR: 40,969 S.F. / 0.61 FAR
Proposed FAR: 180,284 S.F. / 2.70 FAR
Existing Height: 5-stories
Proposed Height: 10-stories/108'-0"
Existing Use/Condition: Parking garage with accessory retail, commercial & multifamily
Proposed Use: Parking garage with accessory retail, commercial & multifamily

PROJECT

The applicant has submitted plans entitled "1600 Washington Ave. as prepared by Stantec, dated March 2, 2018.

The applicant is requesting a Certificate of Appropriateness for the total demolition of an existing 1-story Non-Contributing building, the partial demolition and relocation of a 2-story Contributing building and the construction of a new 10-story mixed-use building, including variances to reduce the required pedestal and tower front, side and sum-of-the-side setbacks for residential uses, to reduce the required tower front, rear, interior side and street side setbacks for residential uses, to exceed the maximum building height, to reduce the required width for a two-way driveway and to reduce the required rear and side setbacks for a driveway.

The applicant is requesting the following variances:

1. A variance to eliminate all required pedestal front setback of 20'-0" for residential uses in order to construct a new residential building addition at 0'-0" setback from the front property line, facing Washington Avenue.

2. A variance to eliminate all required pedestal interior side setback of 10'-0" for residential uses in order to construct a new residential building addition at 0'-0" setback from the northeast property line.
 3. A variance to eliminate all required pedestal and tower street side setback of 10'-0" for residential uses in order to construct a new residential building addition at 0'-0" setback from the south property line facing 16th Street.
 4. A variance to eliminate all required pedestal sum of the side setbacks of 20'-0" for residential uses in order to construct a new residential building addition.
 5. A variance to eliminate all required pedestal rear setback of 16'-9" for residential uses in order to construct a new residential building addition at 0'-0" from the rear property line.
- Variances requested from:

Sec. 142-338. - Setback requirements.

(a) The setback requirements for the CD-3 commercial, high intensity district are as follows:

Pedestal and tower (non-oceanfront), Front: 0'. Residential uses shall follow the RM setbacks. (See sections 142-156, 142-218 and 142-247.)

Pedestal and tower (non-oceanfront), Side Interior: 10 feet when abutting a residential district, otherwise none. Residential uses shall follow the RM setbacks. (See sections 142-156, 142-218 and 142-247.)

Pedestal and Tower (non-oceanfront), Side Facing a Street: 10 feet when abutting a residential district, unless separated by a street or waterway, otherwise none. Residential uses shall follow the RM-1, 2, 3 setbacks. (See sections 142-156, 142-218 and 142-247)

Pedestal and Tower (non-oceanfront), Rear: 5 feet, 10 feet when abutting a residential district, unless separated by a street or waterway in which case it shall be 0 feet. Residential uses shall follow the RM-1, 2, 3 setbacks. (See sections 142-156, 142-218 and 142-247)

Sec. 142-156, 142-218. - Setback requirements.

The setback requirements for the RM-1 and RM-2 residential multifamily districts are as follows:

Subterranean and Pedestal Front: 20'-0"

Subterranean and Pedestal, Side Interior: Single lots less than 65 feet in width: 7.5 feet. Lots equal or greater than 65 feet in width: Minimum 10 feet or 8% of lot width, whichever is greater, and sum of the side yards shall equal 16% of lot width.

Subterranean and Pedestal, Side Facing a Street: Lots equal or greater than 65 feet in width: Minimum 10 feet or 8% of lot width, whichever is greater, and sum of the side yards shall equal 16% of lot width.

Subterranean and Pedestal, Rear, Non-oceanfront lots — Minimum: 10% of lot depth

Tower, Side Facing a street: Sum of the side yards shall equal 16% of the lot width, minimum 10 feet or 8% of lot width, whichever is greater.

6. A variance to reduce all required tower front setback of 50'-0" for residential uses in order to construct a new residential building addition at 0'-0" from the front property line, facing Washington Avenue.
 7. A variance to reduce all required tower interior side setback of 15'-4" for residential uses in order to construct a new residential building at 0'-0" from the northeast property line.
 8. A variance to eliminate all required tower sum of the side setbacks of 25'-4" for residential uses in order to construct a new residential building.
 9. A variance to reduce by 11'-5" the required tower rear setback of 25'-0" for residential uses in order to construct a new residential building addition at 13'-7" from the rear property line.
- Variances requested from:

Sec. 142-338. - Setback requirements.

(a) The setback requirements for the CD-3 commercial, high intensity district are as follows:

Pedestal and tower (non-oceanfront), Front: 0', Residential uses shall follow the RM setbacks.(See sections 142-156, 142-218 and 142-247.)

Pedestal and tower (non-oceanfront), Side Interior: 10 feet when abutting a residential district, otherwise none, Residential uses shall follow the RM setbacks.(See sections 142-156, 142-218 and 142-247.)

Pedestal and Tower (non-oceanfront), Rear: 5 feet, 10 feet when abutting a residential district, unless separated by a street or waterway in which case it shall be 0 feet. Residential uses shall follow the RM-1, 2, 3 setbacks.(See sections 142-156, 142-218 and 142-247

Sec. 142-156, 142-218. - Setback requirements.

The setback requirements for the RM-1 and RM-2 residential multifamily districts are as follows:

Tower, Front: 20'-0" +1'-0" for every 1'-0" increase in height above 50'-0", to a maximum of 50'-0", then shall remain constant.

Tower, Side interior: Same as pedestal for structures with a total height of 60 feet or less. The required pedestal setback plus 0.10 of the height of the tower portion of the building.

Tower, Rear: 15% of lot depth.

10. A variance to exceed by 3'-0" the maximum building height allowed of 100'-0" for the construction of a new residential building up to 103'-0" in height measured from 13'-0" NGVD.

- Variance requested from:

Sec. 142-337. - Development regulations and area requirements.

(c) The lot area, lot width, unit size and building height requirements for the CD-3 commercial, high intensity district are as follows:

City Center Area (bounded by Drexel Avenue, 16th Street, Collins Avenue and the south property line of those lots fronting on the south side of Lincoln Road): 100 feet.

The setback variances requested for the residential building addition are triggered by the irregular shape of the site and the area constraints resulting from the retention of the multistory parking garage building and the retention and relocation of the existing contributing building. The CD-3 district allows commercial uses at zero setback from the front and side property lines up to 50' in height; however, any residential components within this height range are required to provide setbacks similar to the residential multifamily districts. The applicant is proposing the residential floors to be located at zero setback from all property lines and 13'-7" from the rear property line at the tower level. Although numerous variances are requested, the extent of the non-conformity proposed is mostly limited to some portions of the required yards, except for the front setback variance which pertains to the entire front on Washington Avenue.

As it pertains to the height, the project takes advantage of the maximum freeboard allowed and the variance for additional 3'-0" in height would accommodate the contributing building at a higher elevation for additional building resiliency. Staff finds that the retention of the contributing building and the construction of a new residential addition within the irregular shaped lot create the practical difficulties that necessitate the granting of the variances requested.

11. A variance to eliminate all required interior side setback of 5'-0" for a driveway in order to retain a two-way driveway at 0'-0" from the north side property line.
12. A variance to eliminate all required interior side setback of 5'-0" for a driveway in order to construct a one-way driveway at 0'-0" from the north and south side property line.
13. A variance to eliminate all required rear setback of 5'-0" for a driveway and parking in order to retain a driveway and construct one loading space at 0'-0" from the east side property line.

- Variances requested from:

Sec. 142-338. - Setback requirements.

(a) The setback requirements for the CD-3 commercial, high intensity district are as follows:

At-grade parking lot on the same lot, Interior Side: 5 feet

At-grade parking lot on the same lot, Rear: 5 feet, if abutting an alley - 0 feet.

14. A variance to reduce 2'-0" from the minimum required width of 22'-0" for a two-way driveway, in order to retain a driveway with a width of 20'-0".

- Variance requested from:

Sec. 130-64. Drives.

Drives shall have a minimum width of 22 feet for two-way traffic and 11 feet for one-way traffic.

Staff is supportive of variances #11 to #14 related to an existing two-way driveway, which was constructed as part of the existing parking garage and the addition of a new loading space as

this area was originally part of an alley that was closed decades ago, and the area is best utilized for servicing and loading. The existing driveway has been in use for many years to service the site, and the intensity of use should not be excessive based upon the proposed retail and residential uses. Staff finds that the existing driveway constructed previously without the required setback and the existing building setbacks create practical difficulties to readapt the driveway to comply with the required setbacks and width.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, staff has concluded that the plans and documents with the application satisfy the following hardship criteria, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

- That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- That the special conditions and circumstances do not result from the action of the applicant;
- That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;
- That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;
- That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and
- That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application, as proposed, with the exception of the variances requested herein, appears to be consistent with the City Code. Further, as the existing parking garage at 1601 Drexel Avenue was approved, permitted and built as a main-use parking structure, it will need to be converted to required parking, with all non-required parking areas counted in the FAR, in order for the development site to use the land of the garage for allowable FAR.

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 **residential with accessory 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:

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.
Satisfied
- 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 design proposed for the restored and reconstructed portions of the Contributing building is not consistent with the original design.
 - 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 design proposed for the restored and reconstructed portions of the Contributing building is not consistent with the original 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.

Not Satisfied

See 'The Project' section of this report

- 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.

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.

Satisfied

- 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 located at 425 16th Street is designated as part of the Flamingo Park Local Historic District; the building is designated 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 located at 425 16th Street would be difficult and inordinately expensive to reproduce.
- 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 located at 425 16th Street is one of the last remaining examples of its kind.
- 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 located at 425 16th Street 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 located at 425 16th Street 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.

Satisfied

The applicant is requesting approval for a new structure a part of this application.

- 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 provided.
- (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

- (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 and the new construction has been designed in manner which can be adapted in the event the streets in this area are elevated.

- (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.

Satisfied

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

Satisfied

- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

Satisfied

The ground floor of the existing/relocated building is proposed at the required Base Flood Elevation.

- (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

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

Satisfied

STAFF ANALYSIS

The subject development site contains three existing structures:

1. 1600 Washington Avenue: A 1-story Non-Contributing commercial building.
2. 425 16th Street: A 2-story Contributing multifamily residential building.
3. 1601 Drexel Avenue: A 5-story Non-Contributing parking garage with accessory commercial use.

As noted in the background section of this report, the subject application was reviewed and continued by the Board on January 9, 2018. The project presented in January included the total demolition of the existing 1-story Non-Contributing building located at 1600 Washington Avenue as well as the total demolition of the existing 2-story Contributing building located at 425 16th Street and the construction of a new 10-story ground level addition containing 134 residential units and approximately 12,994 SF of retail/restaurant space on the ground floor. While the currently proposed project is relatively consistent with the design presented in January, the applicant is no longer requesting approval for the total demolition of the Contributing building located at 425 16th Street.

1600 Washington Avenue – request for total demolition

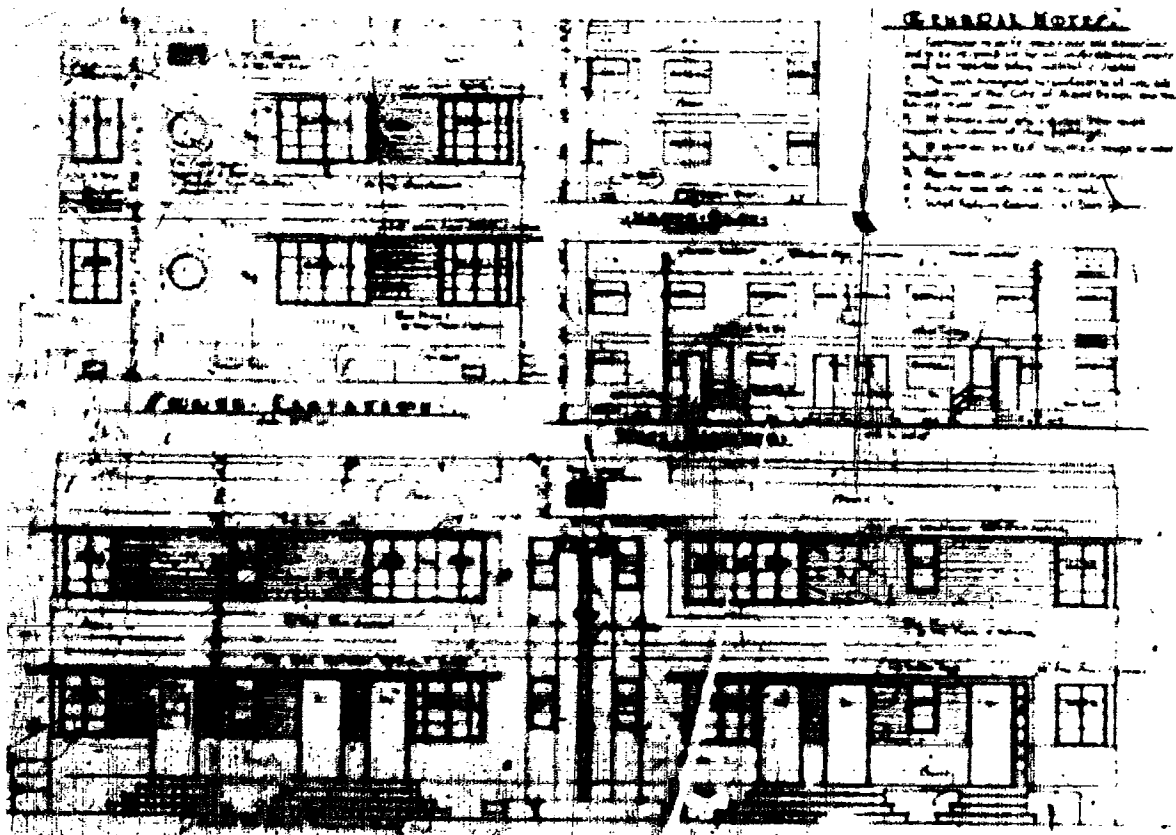
The 1-story building located at 1600 Washington Avenue was constructed in 1952 and designed by architect Maurice Weintraub. Due to significant alterations that have occurred over the years, the subject structure is classified as Non-Contributing. Since the existing building retains little to no original architectural elements, staff has no objection to the applicant's request for total demolition of this structure.

425 16th Street – request for partial demolition

The structure, originally known as the Laurel Apartments, was constructed in 1938 and designed by noted Miami Beach architect Henrey Hohauser in the Streamline Modern style of architecture. The subject structure is classified as Contributing in the Miami Beach Historic Properties Database. The 2-story structure is characterized by recessed porthole windows, rounded corner eyebrows, and horizontal fluting between windows.

Since the January meeting, the applicant has submitted revised plans which include the partial demolition, restoration and relocation of the existing Contributing building. Specifically, the applicant is proposing to retain and restore the entire front (south) façade, approximately 16'-0" of the west façade and approximately 30'-6" of the eastern façade. In order to accommodate the new 10-story addition, the retained portions are proposed to be relocated westward toward the existing parking garage and an approximately 47'-0" section of the east façade is proposed to be reconstructed in the new location.

While this structure is no longer a part of a cohesive grouping of buildings, it retains a high degree of historic and architectural integrity, with only limited modifications. Staff commends the applicant for proposing to partially retain and restore this Contributing building as part of the currently proposed redevelopment project. Staff has only one concern with regard to the restoration details presented. Specifically, staff would strongly recommend that all windows within the retained and reconstructed portions of the building be removed and replaced with casement windows including an applied muntin pattern that is as consistent as possible to the original design, as shown in the image below.



425 16th Street, microfilm elevations

New 10-story addition

The subject project is located within the City Center area, which the zoning code specifically and intentionally identified for larger scale development. The introduction of an approximately 20'-0" tall ground level commercial space, along the perimeter of the project helps to mitigate the impact of the tower portion of the structure on the lower scale character of the properties to the west of Drexel Avenue. In addition, the project is within the scale, and similar in height, to the LNR office building located immediately to the east at the northeast corner of Washington Avenue and 16th Street.

Since the January meeting, the design for the new addition has continued to evolve including the further development of the western façade, which will be highly visible from 16th Street above the adjacent parking garage. Further, additional details have been provided for the proposed decorative metal balcony railings and ground level pedestrian gates. Staff believes that the modifications made to the design successfully address concerns previously expressed by both staff and the Board.

Finally, it is important to note that the proposed project requires a Conditional Use Permit for a development project greater than 50,000 gross square feet to be reviewed and approved by the Planning Board. The application was reviewed by the Planning Board on December 19, 2017, with regard to important issues related to the operations of the project, including parking, traffic, noise, deliveries, sanitation and security and the revised plans are scheduled to be reviewed by the Planning Board on May 22, 2018.

VARIANCE ANALYSIS

The proposed development site contains three street frontages and 66,708 SF of lot area from the aggregation of 7 platted lots. This creates a property with two fronts, as well as two different

lot widths, and lot depth resulting in irregular setbacks. These site conditions present practical difficulties for the applicant to develop the mixed-use building proposed and multiple variances are requested. As presently designed and configured, the proposed new residential multistory building addition requires fourteen (14) variances.

Staff finds that the shape of the lot and its size, the retention of the garage building and relocation and retention of the contributing structure justify the variances requested in order to develop the site with an urbanly responsive, mixed-use building while satisfying the Certificate of Appropriateness Criteria. In summary, staff recommends approval of all variances as requested.

RECOMMENDATION

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

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: May 8, 2018

FILE NO: HPB17-0142

PROPERTY: 1600 Washington Avenue, 425 16th Street & 1601 Drexel Avenue

APPLICANT: 420 Lincoln Road Development, LLC

LEGAL: Lots 1, 5, 6, 7, 8, 9, and 10, together with the west 5.0 feet of Lots 2 and 3 and the east 54.42 feet of the west 59.42 feet of the north 20.00 feet of Lot 3, Block 53, Pine Ridge Subdivision, Plat Book 6, Page 34 of the Public Records of Miami-Dade County Florida.

IN RE: The application for a Certificate of Appropriateness for the total demolition of two the 1-story Non-Contributing structures, the partial demolition, restoration and relocation of the existing 2-story Contributing structure and the construction of a new 10-story mixed-use building, including variances to reduce the required pedestal and tower front, side and sum-of-the-side setbacks for residential uses, to reduce the required tower front, rear, interior side and street side setbacks for residential uses, to exceed the maximum building height, to reduce the required width for a two-way driveway and to reduce the required rear and side setbacks for a driveway.

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 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 'b' in Section 118-564(a)(3) of the Miami Beach Code.
 4. Is not consistent with Sea Level Rise and Resiliency Review Criteria (1) in Section 133-50(a) of the Miami Beach Code.

5. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(f)(4) 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. The exterior facades of the building located at 425 16th Street that are proposed to be retained, relocated and reconstructed shall be restored, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, this shall include the following:
 - i. The existing windows shall be removed; new casement windows shall be provided and shall incorporate a muntin configuration that is consistent with the with the original design, 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. All interior fixtures located within the ground floor commercial space, including, but not limited to, shelving, partitions, and checkout counters, shall be setback a minimum of ten (10') feet from glazed portion of an exterior wall fronting Washington Avenue and 16th Street, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. This shall not prohibit moveable tables and chairs or substantially transparent fixtures for display purposes only.
 - c. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding historic district. Intensive 'white' lighting shall not be permitted within the commercial space, 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 final design and details of all exterior lighting 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. All proposed interior lighting located within the retail area shall be recessed or small pendant lighting.
 - e. Final details of all exterior surface finishes and materials, including samples, 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.
 - f. All building signage shall require a separate permit. A uniform sign plan for the new ground level commercial spaces shall be required. Such sign plan shall be

consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by the Board.

- g. 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. The 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.
 - b. A Silva Cell Rooting system or approved equivalent shall be provided with the required canopy shade trees in the public ROW facing Washington Av and 16th St subject to the review and approval of the City's Urban Forester. In the event that existing underground utilities prevent the installation of any of the required trees, a contribution to the Tree Trust Fund should be submitted equivalent to cost of material and installation inclusive of irrigation, landscape uplighting (two fixtures per tree), silva cell or approved equivalent, planting soil, trees, and bound aggregate.

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. The applicant filed an application with the Planning Department for the following variance(s):
 - 1. A variance to eliminate all required pedestal front setback of 20'-0" for residential uses in order to construct a new residential building addition at 0'-0" setback from the front property line, facing Washington Avenue.
 - 2. A variance to eliminate all required pedestal interior side setback of 10'-0" for residential uses in order to construct a new residential building addition at 0'-0" setback from the northeast property line.
 - 3. A variance to eliminate all required pedestal and tower street side setback of 10'-0" for residential uses in order to construct a new residential building addition at 0'-0" setback from the south property line facing 16th Street.

4. A variance to eliminate all required pedestal sum of the side setbacks of 20'-0" for residential uses in order to construct a new residential building addition.
 5. A variance to eliminate all required pedestal rear setback of 16'-9" for residential uses in order to construct a new residential building addition at 0'-0" from the rear property line.
 6. A variance to reduce all required tower front setback of 50'-0" for residential uses in order to construct a new residential building addition at 0'-0" from the front property line, facing Washington Avenue.
 7. A variance to reduce all required tower interior side setback of 15'-4" for residential uses in order to construct a new residential building at 0'-0" from the northeast property line.
 8. A variance to eliminate all required tower sum of the side setbacks of 25'-4" for residential uses in order to construct a new residential building.
 9. A variance to reduce by 11'-5" the required tower rear setback of 25'-0" for residential uses in order to construct a new residential building addition at 13'-7" from the rear property line.
 10. A variance to exceed by 3'-0" the maximum building height allowed of 100'-0" for the construction of a new residential building up to 103'-0" in height measured from 13'-0" NGVD.
 11. A variance to eliminate all required interior side setback of 5'-0" for a driveway in order to retain a two-way driveway at 0'-0" from the north side property line.
 12. A variance to eliminate all required interior side setback of 5'-0" for a driveway in order to construct a one-way driveway at 0'-0" from the north and south side property line.
 13. A variance to eliminate all required rear setback of 5'-0" for a driveway and parking in order to retain a driveway and construct one loading space at 0'-0" from the east side property line.
 14. A variance to reduce 2'-0" from the minimum required width of 22'-0" for a two-way driveway, in order to retain a driveway with a width of 20'-0".
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, only as it relates to variance(s) allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

C. The Board hereby **Approves** the requested variance(s) and imposes the following condition based on its authority in Section 118-354 of the Miami Beach City Code:

1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.

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. 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. 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.
- J. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board, and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

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 "1600 Washington Ave. as prepared by Stantec, dated March 2, 2018, 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.

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HPB17-0142
Meeting Date: May 8, 2018

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 _____ ()

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