

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: October 9, 2018

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB18-0195, **7925-7935 Crespi Boulevard.**

The applicant, Rebond, LLC., is requesting a Certificate of Appropriateness for the total demolition of two existing buildings and the construction of a new multifamily building, including variances to reduce the landscape requirements at the ground level, to exceed the maximum height for a fence and to reduce the required rear and both side setbacks.

STAFF RECOMMENDATION

Continuance of the Certificate of Appropriateness and variances to a future date

EXISTING STRUCTURES

Local Historic District:	North Shore
Status:	Contributing
Construction Date:	1947
Architect:	Donald Smith

ZONING / SITE DATA

Legal Description:	Lots 20 and 21, Block 10, of the Biscayne Beach Subdivision, According to the Plat Thereof, as Recorded in Plat Book 44, Page 67, of the Public Records of Miami-Dade County, Florida.
--------------------	--

Zoning:	RM-1, Residential Multifamily, low intensity
Future Land Use Designation:	RM-1, Residential Multifamily, low intensity
Lot Size:	11,500 S.F. / 1.25 Max FAR
Existing FAR:	5,035 S.F. / 0.44 FAR, as represented by the architect
Proposed FAR:	14,335 S.F. / 1.25 FAR, as represented by the architect
Existing Height:	11'-1" / 1-story
Proposed Height:	42'-6" / 4-stories
Existing Use/Condition:	Multi-family residential
Proposed Use:	Multi-family residential

THE PROJECT

The applicant has submitted plans entitled "Nobe Island" as prepared by Contemporary Design Studio, Architecture and Planning, dated August 3, 2018.

The applicant is requesting a Certificate of Appropriateness for the total demolition of two existing buildings and the construction of a new multifamily building including a waiver from the line of sight requirements for the stair of elevator bulkheads and variances.

The applicant is requesting the following variances:

1. A variance to exceed by 1'-2" the maximum height of 7'-0" for a fence within the front yard in order to construct railings with a height of 8'-2" as measured from grade (3.54' NGVD) facing Crespi Boulevard.

- Variance requested from:

Sec. 142-1132: - Allowable encroachments within required yards.

(h) Fences, walls, and gates. Regulations pertaining to materials and heights for fences, walls and gates are as follows:

(1) All districts except I-1:

- a. Within the required front yard, fences, walls and gates shall not exceed 5'-0". The height may be increased up to a maximum total height of 7'-0" if the fence, wall or gate is setback from the front property line. Height may be increased 1'-0" for every 2'-0" of setback.*

A 7-foot high fence, as measured from grade, is permitted within the front yard when setback 4' from the front property line. The existing grade for this property is 3.54' NGVD and the finish floor of the lobby and stairs is 8.25' NGVD with a difference of approximately 5'-0" in height. The railings, which are treated as an element similar to a fence regarding the maximum height, are allowed to extend up to 7'-0" in height from grade. Due to the existing low grade elevation, a variance is required for the construction of the stair railings. Staff is supportive of this variance request as the existing low grade elevation creates the practical difficulties that result in the need for the variance.

2. A variance to reduce by 355 sf the additional landscaped area required of 575 sf in order to construct a new multifamily building with a landscape area of 220 sf at the ground level.

- Variance requested from:

Sec. 142-870.17. – Design and resiliency.

(d) New construction shall be designed to incorporate naturally landscaped areas at the ground level, in addition to the minimum setback requirements, which is equal to or greater than five percent of the total lot area.

As part of the recently approved North Beach National Register Overlay District, all new construction projects shall provide additional landscaped areas at the ground level to help break up the mass in typically 'boxed' buildings, which could otherwise be developed up to the required setbacks along all property lines. Based on the lot size of 11,500 sf, 575 sf of landscape area is required. The proposed area is 220 sf, which does not even meet the required landscape for one of the single lots of 5,750 sf. In addition, the overall landscape/pervious area in the required yards will be substantially reduced with walkways along

both sides and rear of the property. The project has also been designed up to the maximum setbacks required. Although planters with an area of 516 sf are proposed at the second floor, staff could not find a substantial hardship to support this variance request, based on the 11,500 sf area of the property and the lack of other alternate landscape areas at the ground level. Reducing the number of parking spaces, which may or may not include reducing the number of units, and eliminating the second driveway along one of the sides of the building, would allow compliance with this requirement.

3. A variance to eliminate the required interior side setback of 10'-0" to construct an elevated ramp, railings and retaining wall up to the north side property line.
4. A variance to eliminate the required interior side setback of 10'-0" to construct an elevated ramp, railings and retaining wall up to the south side property line.
5. A variance to reduce by 5'-0" the required rear setback of 11'-6" to construct an elevated ramp, railings and retaining wall at 6'-6" from the rear property line.

- Variances requested from:

Sec. 142-870.15. – Development regulations and area requirements.

(e) The setback requirements for all buildings located in the RM-1 district within the North Beach National Register Overlay district are as follows:

North Shore, Interior Side, Waterfront: 7.5 feet, or eight percent of lot width, whichever is greater. Additionally, regardless of lot width, at least one interior side shall be 10 feet or 10 percent of lot width, whichever is greater.

North Shore, Rear, Waterfront lots: 10 percent of lot depth.

Properties located within the North Beach National Register Overlay District are exempt from the height limitations in required yards which are applicable to the RM-1 and RM-2 districts. However, allowable projections up to 25% in required yards are limited to 30" above adjusted grade. Adjusted grade is defined by the average between the elevation at the sidewalk (3.54' NGVD) and base flood elevation (8.0' NGVD). For this property, adjusted grade is 5.77' NGVD and the maximum height allowed for encroachments is 8.27' NGVD. The highest point of the proposed ramp is 10.8' NGVD along the sides, and 13.0' NGVD at the rear. In addition, railings could reach up to 3'-6" in height, which also exceeds the maximum height of 7'-0" from grade allowed for a fence on the side yards and the maximum 5'-0" for a fence within the rear yard facing the waterway. Because variances for additional increases in height can be approved up to 3'-0" only and these elements exceed more than 3 feet the maximum height for allowable encroachments and for fences, three (3) variances for principal structure are required.

Although the grade elevation for this property at 3.54' NGVD is among the lowest in the City, and the need to construct up to base flood elevation plus freeboard in many projects contribute to additional height for walkways and ramps, in this case, other alternatives can be sought to reduce the impact of the proposed structures in the sides and rear yards. As the Board can waive all or part of the required parking when the owner substantiates the reduction in parking, one option is to explore the possibility of eliminating at least one parking space and provide access to the parking and residential units in the rear from inside the building. Another option is reducing the parking and providing only a single driveway. It should also be noted that in order to comply with the requirements of the Florida Accessibility Code all Federal ADA requirements, accessible access to the elevator from the shall be required. Based on this analysis, staff finds

the variances requested are design driven and lack any practical difficulties or hardship. Therefore, staff is not supportive of the variance requests and recommends modifications to the project.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that staff has concluded satisfy Article 1, Section 2 of the Related Special Acts, with the exception of variances #2, #3, #4 and #5, as noted above, 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 with the exception of variances #2, #3, #4 and #5, as noted above:

- 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, appears to be inconsistent with the following sections of the City Code, in addition to the requested variances:

1. Section 142-155. Covered corridor at the 4th floor counts in the FAR calculations. As proposed, the project exceeds the maximum FAR permitted.

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 **multi-family residential 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.
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 design of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.
 - b. General design, scale, massing and arrangement.
Not Satisfied
The design, scale and massing of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.
 - c. Texture and material and color.
Not Satisfied
The wood finish material cladding the box frames located to either side of the front entry feature is not compatible with surrounding properties. The wood-like aluminum finish proposed for the window frames will likely appear to be a lesser quality material when compared to the natural teak wood material proposed for several other architectural elements.
 - d. The relationship of a, b, c, above, to other structures and features of the district.
Not Satisfied

The design, scale and massing of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.

- e. The purpose for which the district was created.

Partially Satisfied

While the district was created to allow for flexibility in redeveloping properties to ensure resilient development, the proposed project could be more compatible with surrounding properties if certain architectural features were modified or eliminated, as noted in the Staff Analysis section of this report.

- f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.

Not Satisfied

The design, scale and massing of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.

- 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.

Satisfied

- 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 Compliance with Zoning Code;

The applicant has requested variances to reduce the landscape requirements at the ground level, to exceed the maximum height for a fence and to reduce the required rear and both side setbacks.

- 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.
Not Satisfied
The wood finish material cladding the box frames located to either side of the front entry feature is not compatible with surrounding properties. The wood-like aluminum finish proposed for the window frames will likely appear to be a lesser quality material when compared to the natural teak wood material proposed for several other architectural elements.
- 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.
Not Satisfied
The design of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.
- 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.
Not Satisfied
The design of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.
- 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).

Not Satisfied

The massing of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.

- 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).

Not Satisfied

The design of the building is incompatible with surrounding properties; certain architectural features need to be modified or eliminated, as noted in the Staff Analysis section of this report.

- 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 structures are located within the North Shore 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.
Not Satisfied
The structures are not of such design, craftsmanship, or material that they 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.
Not Satisfied
The subject structures are not one of the last remaining examples of their kind and are not distinguished examples of the Post War Modern style of architecture.
- 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 structures are 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.
Not Satisfied
The retention of the structures is not 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 residential 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. It will be required at the time of building permit.
- (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.

- (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
The ground floor is proposed to be constructed as Base Flood Elevation + 5.
- (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 proposed building will be built above 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.
Not Applicable
- (10) Where feasible and appropriate, water retention systems shall be provided.
Satisfied

STAFF ANALYSIS

The applicant is proposing to construct a new 4-story, multi-family residential structure on the site. In order to construct the new building, the applicant is proposing the total demolition of two existing 1-story Contributing buildings.

Request for total demolition

Located on Crespi Boulevard adjacent to the Tatum Waterway, the existing buildings constructed in 1947, are representative of the low scale garden style apartment buildings built in Miami Beach during the Post WWII period. Particularly notable, is the courtyard plan created through the mirroring of the two nearly identical narrow bar-shaped buildings on two separate platted lots.

Staff has carefully evaluated the request for total demolition of these buildings and has no major objection due to the following reasons. First, the existing structures, located in one of the lowest lying areas within the City adjacent to a waterway, were built with a very low finished floor elevation, rendering the buildings particularly vulnerable to the impacts of flooding as evidenced by the information contained in the "Structural Condition Assessment" report prepared by Youssef Hachem Consulting Engineering, dated August 2, 2018. The report details the existing structural conditions including significant damage that has occurred over time to the shallow concrete stem wall foundations, likely due to water intrusion. The report concludes that "based on the site observations of the conditions of the structural members of the buildings, the structural members of this building need to be replaced rather than repaired, that is evident by the collapse of the joist system and missed alignment of the stem walls due to settlement". Based on this information, staff believes that due to the unique as-built structural conditions, it is unlikely the existing buildings could be renovated and brought into compliance with the current Florida Building Code and the FEMA required finish floor elevation without total or near total demolition and new construction.

Second, while the existing buildings are classified as Contributing within the North Shore Local Historic District, staff would note that these very modest 1-story structures do not possess the same level of architectural detail present in more noteworthy examples of the Post War Modern style of architecture within the North Shore Local Historic District.

Further, staff would note that on March 12, 2018, at the time the Historic Preservation Board reviewed the Historic Designation Report for the Tatum Waterway Expansion of the North Shore Historic District, it was noted that much of the property surrounding the Tatum Waterway was prone to serious site flooding due to its low elevation. During this discussion, the Board concluded that a suitable level of flexibility will be necessary in reviewing applications for Certificates of Appropriateness for alterations, demolition, and additions to existing buildings and new construction in order to ensure the revitalization and resiliency of this unique and low-lying area of the City.

Although a possible course of action could be the reconstruction of the buildings, staff would not recommend this as an option for several reasons. First, an accurate reconstruction of the buildings would not be possible, as the finish floor elevation would be required to be raised approximately four feet which would compromise the historic and design integrity of the buildings. Secondly, Miami Beach has a rich history of evolving architectural styles and staff believes that the replacement of a structure that has exhausted its ability to function as a useful and habitable building should be with a structure of its time, while respecting the established scale, context and setting in which it is located. In general the replication of structures is not encouraged; the reconstruction of demolished structures should only be considered when there are very extenuating circumstances. The current structural condition of the buildings appears to indicate that they have reached the end of their life cycle. Staff believes it would be most appropriate to replace the demolished historic structures with a new structure reflecting its time and place in Miami Beach.

New 4-story multi-family residential structure

The applicant has submitted plans for the construction of a new 4-story, 14-unit multi-family residential building. The proposed design has been inspired by the garden style courtyard plan of the existing buildings, which was prevalent during the Post War Modern period in Miami Beach. The two residential wings are connected at the ground level by a central entry feature, 14 space parking deck and water facing residential units. At the upper levels, the wings are connected by a common elevator structure and elevated pedestrian bridges. The design successfully captures the spirit of the Post War Modern style of architecture through the incorporation of exterior catwalks, open air stairways, projecting overhangs and cross-ventilated units taking full advantage of the sub-tropical climate. Additionally, staff is supportive of the contemporary design which incorporates variations in surface materials, changes in plane and facade features oriented toward both the street and waterway.

It is important to note that the proposed building has been designed with a first finish floor elevation of 13'-0" NGVD (Base Flood elevation + 5) in an effort to achieve a high level of resiliency in the face of future flooding and projected sea level rise. Staff commends the applicant for this effort which creates a unique challenge with regard to compatibility within the context of buildings with much lower yard and first floor elevations.

Notwithstanding the above, staff has the following design concerns that should be addressed in order to ensure a successful integration of the structure within the established context:

- Staff has concluded that, as currently designed, the “signature art piece” attached to the exterior catwalk structures at the center of the front façade undermines the unique courtyard design by obscuring views through the property. Staff recommends that an artistic screen element be introduced in a manner that does not extend past the floor or roof slabs which would preserve the greatest possible transparency through the site and also serve to reinforce the successful horizontal emphasis of the building. This should also serve to reduce the perceived height the building.
- In order to reduce the perceived mass of the building, staff would recommend that the projecting planter features along the front façade either be removed or significantly reduced and that the balcony structures along the front façade be designed in a manner consistent with the rear facing balconies, which establish a more appropriate relationship to the scale of the historic district.
- Staff would strongly recommend the applicant explore invert the direction of the stairs from the first to fourth levels of the residential wings along the front of the building in order to minimize their impact on the front and to reduce the size and projection of the fourth level balcony structures. Staff believes this will help to achieve a more compatible scale with the surrounding buildings.
- Staff would strongly recommend that the solid walls enclosing the stairwells facing toward the courtyard be substantially further developed in order to become more signature elements of the building. This should include greater transparency and openings within the walls.
- Staff would note that the walls enclosing the front stairwells are shown as sloping in the renderings and sections. However, the floor plans do not reflect this angled design. Staff would recommend these walls be consistent with the straight wall design shown in plan.
- At the ground level along Crespi Boulevard, staff would recommend replacing the teak wood finish material for the box frames to either side of the front entrance with a smooth stucco finish, more compatible with the Post War Modern style of architecture. This is a simple and elegant entry feature which staff does not believe requires the contrasting wood material.
- Staff would recommend that the garage doors be reduced in height in order to achieve a more compatible scale with the pedestrian environment and surrounding built context.
- Staff recommends that an accessible route from the sidewalk to the elevator level at the front of the property be provided.
- Staff would recommend that the proposed exterior ramping structures accessing the first floor of the rear facing units be further studied. The extent of ramping could be further minimized and potentially replaced with stairs if there is an accessible route within the parking area. Staff believes that the modifications and reductions to these two exterior ramps will afford the opportunity for better transitioning of the elevated yards resulting in a design that is more compatible with the neighborhood.
- Finally, staff is concerned that the proposed wood-like aluminum material for the window frames will likely appear to be a lesser quality material when compared to the natural teak

wood proposed for the decorative louver features, railings and garage doors. As such, staff recommends that the window frames be a light bronze color finish.

As part of the project, the applicant is requesting a waiver from Section 142-882(c)(4) of the City Code which requires that elevator and stairwell bulkheads extending above the main roofline of a building to meet the line-of-site requirements. In this case, the design has been developed in a manner which references the Post War Modern garden style typology that celebrates open air exterior vertical circulation and associated catwalk structures. Consequently, staff has no objection to the requested waiver.

In summary, the applicant's architect has done a very good job of developing a successful architectural language, which has the potential to appropriately respond to the established context of the immediate area. Staff is confident that the above noted recommendations will address all of the aforementioned Certificate of Appropriateness inconsistencies and will result in a successful new residential development. In order to assure that all issues delineated herein are fully addressed, staff would suggest that the application be continued to a future meeting to allow sufficient time for the applicant to further develop the design of the new building. In the event that the Board approves the project, staff has included a draft order enumerating conditions staff would recommend be included in any approval.

VARIANCE ANALYSIS

Staff is supportive of variance #1, as it is the minimum variance required in order to construct a more resilient building within the existing public infrastructure where the elevation of the sidewalk is significantly lower than the average elevation of the future crown of the road. The additional variances requested are design related and do not meet the hardship or practical difficulties criteria. Furthermore, this is a vacant lot and there is nothing attributable to the land that would justify the variance requests. As noted in the 'project portion of this report, design modifications to the parking and/or finish floor elevation could eliminate the need for variances #2, #3, #4 and #5. For this reason, staff is unable to recommend in favor of approving these variances.

RECOMMENDATION

In view of the foregoing analysis and the inconsistencies with the aforementioned Certificate of Appropriateness criteria and Practical Difficulty and Hardship criteria, as applicable, staff recommends the application be continued to a date certain of December 11, 2018.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: October 9, 2018

FILE NO: HPB18-0195

PROPERTY: 7925-7935 Crespi Boulevard

APPLICANT: GFI Investments, Inc.

LEGAL: Lots 20 and 21, Block 10, of the Biscayne Beach Subdivision, According to the Plat Thereof, as Recorded in Plat Book 44, Page 67, of the Public Records of Miami-Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for the total demolition of two existing buildings and the construction of a new multifamily building, including variances to reduce the landscape requirements at the ground level, to exceed the maximum height for a fence and to reduce the required rear and both sides setbacks.

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 North Shore 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-d' & 'f' in Section 118-564(a)(2) of the Miami Beach Code.
 3. Is not consistent with Certificate of Appropriateness Criteria 'b-e', 'j' & 'm' 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 not consistent with Certificate of Appropriateness Criteria 'b', 'c' & 'e' 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. Revised FAR drawings shall be submitted. The proposed covered corridor at the 4th level, as currently designed, shall be included in the FAR drawings, 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. The signature art piece attached to the exterior catwalk structures along the front façade shall be removed and any proposed art piece or decorative screen element shall be introduced in a manner that does not extend past the floor or roof slabs, in a manner to be reviewed and approved by the Board.
 - c. The projecting planter features along the front façade shall either be removed or significantly reduced and the balcony structures along the front façade shall be designed in a manner consistent with the rear facing balconies, 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 direction of the stairs leading from the first to fourth levels of the residential wings along the front of the building shall be inverted in order to reduce the size and projection of the fourth level balcony structures, 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 solid walls enclosing the stairs and facing toward the courtyard shall be further developed to include openings within the walls, 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. The solid walls enclosing the stairwells shall be consistent with the design as shown on the floor plans and shall not be constructed at an angle, to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - g. The teak wood proposed for the finish material around the box frames to either side of the front entrance shall be replaced with a painted smooth stucco finish, to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - h. The garage doors shall be reduced in height, to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- i. An accessible route from the sidewalk to the elevator level at the front of the property 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.
 - j. The exterior ramping structures accessing the first floor of the rear facing units shall be further studied and shall be minimized to the greatest extent possible, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - k. The window frames shall consist of light bronze color aluminum and any architectural detail proposed to be finished in wood-like aluminum shall be of the same light bronze aluminum material to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - l. A plaque describing the history and evolution of the original buildings shall be placed on the site and shall be located in a manner visible from the right of way along Crespi Boulevard, prior to the issuance of a Certificate of Occupancy for the building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - m. Prior to the issuance of a demolition permit for the buildings, the applicant shall submit detailed measured drawings of the existing buildings, in a quality consistent with the Historic American Buildings Survey (HABS), in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - n. 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.
 - o. 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.
 - p. 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 landscape area within the front yard shall be increased by removing the north and south paved walkways and the hardscape plan shall include a single pedestrian walkway from the sidewalk to the entrance and to be located on the center axis of the site with access to the north and south units from the interior of the entry 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.
- b. The area of greenspace within the second level courtyard shall be doubled at a minimum and shall include additional small size shade canopy trees, to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- c. All exterior vehicular and pedestrian surface hardscape inclusive of steps shall consist of a permeable decorative paving system, to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- d. Civil and structural plans shall be coordinated and designed around the proposed location of trees and large shrubs in or to prevent underground conflicts with the installation of the landscape material, to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- e. The spacing of the shade canopy trees shall be increased in order to enhance width for the natural spread of canopy upon maturity, to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- f. 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.

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) which were either approved by the Board with modifications, or denied:

The following variance was **approved** by the Board:

1. A variance to exceed by 1'-2" the maximum height of 7'-0" for a fence within the front yard in order to construct railings with a height of 8'-2" as measured from grade (3.54' NGVD) facing Crespi Boulevard.

The following variances were **denied** by the Board:

2. A variance to reduce by 355 s.f. the additional landscaped area required of 575 s.f. in order to construct a new multifamily building with 220 s.f. of landscape area at the ground level.
 3. A variance to eliminate the required interior side setback of 10'-0" to construct an elevated ramp, railings and retaining wall up to the north side property line.
 4. A variance to eliminate the required interior side setback of 10'-0" to construct an elevated ramp, railings and retaining wall up to the south side property line.
 5. A variance to reduce by 5'-0" the required rear setback of 11'-6" to construct an elevated ramp, railings and retaining wall at 6'-6" from the rear property line.
- 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) # 1 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, only as it relates to variance(s) # 1, 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) no. 1 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 "Nobe Island" as prepared by Contemporary Design Studio, Architecture and Planning, dated August 3, 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.

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 _____ ()