

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: July 12, 2016

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: HPB0516-0022, a.k.a. HPB File No. 7336 – **1020-1050 Washington Avenue.**

The applicant, CRP/TWG Washington Avenue LLC, is requesting modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation, and restoration of the existing 1, 2 and 4-story buildings on the subject site, including the construction of roof-top additions, a new 1-story meeting room and a new 4-story ground level addition, as part of an existing hotel redevelopment. Specifically, the applicant is requesting a modification to allow for the installation of through-the-wall air conditioning units and additional landscape.

#### **STAFF RECOMMENDATION**

Approval of the Certificate of Appropriateness with conditions.

#### **BACKGROUND**

On December 11, 2012, the Board reviewed the proposed project and approved the application with the exception of the proposed new 4-story structure, roof-top addition located on the Bel-Aire Apartments building, landscape plan and construction phasing plan.

On January 15, 2013, the Board reviewed and approved the plans for the new 4-story structure behind the Coral Rock house and the roof-top addition located on the Bel-Aire Apartments building.

On April 9, 2013, the Board reviewed and approved the landscape plans.

#### **EXISTING STRUCTURES**

Local Historic District: Flamingo Park

##### **1020 Washington Avenue (Davis Hotel)**

Status: Contributing  
Original Architect: Henry Hohausen  
Construction Date: 1941

##### **1030 Washington Avenue (Coral Rock House)**

Status: Contributing  
Original Architect: Unknown  
Construction Date: 1924

**1036 Washington Avenue (Bel-Aire Apartments)**

Status: Contributing  
Original Architect: Gerard Pitt  
Construction Date: 1953

**1044 Washington Avenue (Hotel Taft)**

Status: Contributing  
Original Architect: Henry Hohausen  
Construction Date: 1936

**1050 Washington Avenue (Kenmore Hotel)**

Status: Contributing  
Original Architect: Anton Skislewicz  
Construction Date: 1936

**ZONING / SITE DATA**

Legal Description: Parcel 1: Lots 1 through 6, Inclusive, Block 36, OCEAN BEACH, FLA. ADDITION No. 3, According to the Plat thereof, as recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County, Florida.

Parcel 2: That portion of Drexel Avenue Conveyed by the City of Miami Beach by Quitclaim Deed Recorded in O.R. Book 15688, Page 557

Zoning: CD-2, Commercial, medium intensity  
Future Land Use Designation: CD-2, Commercial, medium intensity

**THE PROJECT**

The applicant has submitted plans entitled "Wyndham Gardens Hotels" as prepared by Kobi Karp Architecture, Interior Design & Planning, dated May 19, 2016.

**The applicant is requesting modifications to a previously issued Certificate of Appropriateness in order to allow for the installation of through-the-wall air conditioning units and additional landscape.**

**CONSISTENCY WITH 2025 COMPREHENSIVE PLAN**

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

**COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application, as proposed, is consistent with City Code, with the exception of the variances requested herein.

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.

**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.  
**Satisfied**
  - b. General design, scale, massing and arrangement.  
**Not Satisfied**  
**The projecting through-the-wall air-conditioning units have an adverse impact on the character of the original design.**
  - 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.  
**Not Applicable**
  - g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.  
**Not Applicable**
  - h. The original architectural design or any subsequent modifications that have acquired significance.  
**Not Satisfied**

**The projecting through-the-wall air-conditioning units have an adverse impact on the character of 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.  
**Not Applicable**
  - 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 Applicable**
  - 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.  
**Not Satisfied**  
**The projecting through-the-wall air-conditioning units have an adverse impact on the character of the original design.**
  - 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 Applicable**
  - 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.

**Not Applicable**

- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a City master plan, where applicable.

**Not Applicable**

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.

**Satisfied**

- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from Structures are adequately shielded from public view, adjacent properties and pedestrian areas.

**Not Applicable**

- 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 Applicable**

- 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.

**Not Applicable**

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

**Not Applicable**

- 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 Applicable**

- 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.

**Not Applicable**

- 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.

**Not Applicable**

### **ANALYSIS**

On December 11, 2012, January 15, 2013 and April 9, 2013, the Board reviewed and approved a Certificate of Appropriateness for the partial demolition, renovation, and restoration of the existing 1, 2 and 4-story buildings on the subject site, including the construction of roof-top additions, a new 1-story meeting room and a new 4-story ground level addition, as part of hotel redevelopment project.

At that time, the Board and staff were concerned with regard to the adverse impact the projecting through-the-wall air conditioning units have on the five 'Contributing' buildings on the site. As a result, the Board imposed the following condition.

Condition C.1.f. of the December 11, 2012 Order and Condition C.1.b. of the January 15, 2013 Orders states:

*The existing through-the-wall units [shall] be removed from all primary and street facing facades and flush mounted units shall replace the existing through the wall units on secondary facades not visible from the public-right-of-way, in a manner to be reviewed and approved by staff.*

Subsequently, the applicant received a full building permit for the renovation of each of the five 'Contributing' structures. The permit plans for each building had notations indicating that the existing flush mounted a/c units along the secondary facades were to remain. Additionally, the plans noted that the a/c units located on the primary facades and along 11<sup>th</sup> Street were to be removed and replaced with central air conditioning. As such, the permit plans complied with the above noted condition and were approved.

It should be noted however, that the existing units to remain were in fact not flush mounted. Regardless, the applicant replaced the existing units with new projecting units in contravention of the condition imposed by the Board.

The applicant is currently requesting to retain nearly all of the new non-flush mounted a/c units and is proposing to replace four of the most visible units with flush mounted units and install additional landscaping to conceal the remaining units from the public right-of-way.

The applicant has advised that this error occurred during the initial construction phase and was not brought to staff's attention until the project was near completion, during the inspection process. Additionally, that the introduction of additional landscape material proposed in this application helps to mitigate the adverse impact these projecting units have on the 'Contributing' buildings.

At this point the construction of this project has been completed and in staff's opinion, expediting the property's return to active use will greatly benefit the quality of life and character of the surrounding historic district. Consequently, staff is recommending approval as noted below.

**RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be **approved** 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: July 12, 2016

FILE NO: HPB0616-0022

PROPERTY: 1020-1050 Washington Avenue

APPLICANT: CRP/TWG Washington Avenue LLC

LEGAL: Parcel 1: Lots 1 through 6, Inclusive, Block 36, OCEAN BEACH, FLA. ADDITION No. 3, According to the Plat thereof, as recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County, Florida.

Parcel 2: That portion of Drexel Avenue Conveyed by the City of Miami Beach by Quitclaim Deed Recorded in O.R. Book 15688, Page 557

IN RE: The application for modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation, and restoration of the existing 1, 2 and 4-story buildings on the subject site, including the construction of roof-top additions, a new 1-story meeting room and a new 4-story ground level addition, as part of an existing hotel redevelopment. Specifically, the applicant is requesting a modification to allow for the installation of through-the-wall air conditioning units and additional landscape.

**SUPPLEMENTAL 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 'b' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.
3. Is not consistent with Certificate of Appropriateness Criteria 'd' in Section 118-564(a)(3) of the Miami Beach Code.



- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:
1. Revised elevations, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
    - a. The existing through-the-wall units shall be removed from all primary and street facing facades and flush mounted units shall replace the existing through-the-wall units on secondary facades not visible from the public right-of-way, in a manner to be reviewed and approved by staff.
  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. All projecting through-the-wall air conditioning units visible from the public-right-of-way shall be screened from view with landscape material, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.

## **II. Variance(s)**

- A. No variances are requested as a part of this application.

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

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

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer

specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- C. A copy of all pages of the recorded Supplemental 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.
- D. The Supplemental Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- E. 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.
- F. The Supplemental 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.
- G. The previous Orders dated December, 11, 2012, January 15, 2013 and April 9, 2013 shall remain in full force and effect, except to the extent modified herein.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were 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 and the 1-story rear structure originally constructed as a garage, shall be classified as 'Non-Contributing' in the City's Historic Properties Database.

PROVIDED, the applicant shall build substantially in accordance with the previously approved plans on December, 11, 2012, January 15, 2013 and April 9, 2013 and the plans entitled "Wyndham Gardens Hotels" as prepared by Kobi Karp Architecture, Interior Design & Planning, dated May 19, 2016, and as approved by the Historic Preservation Board, as determined by staff.

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.

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 11 day of July, 2011

BY: \_\_\_\_\_  
DEBORAH TACKETT  
PRESERVATION AND DESIGN MANAGER  
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, Preservation and Design Manager,

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HPB0516-0022  
Meeting Date: July 12, 2016

Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He 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 \_\_\_\_\_ ( )

~~Strike-Thru~~ denotes deleted language  
Underscore denotes new language

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