

# 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: HPB0516-0028, **1620 Drexel Avenue.**

The applicant, Miami Beach Community Church Inc, is requesting a Certificate of Appropriateness for the restoration and renovation of the Sanctuary building.

### **STAFF RECOMMENDATION**

Approval of Certificate of Appropriateness with conditions

### **BACKGROUND**

On May 13, 2014, the Board reviewed and approved the subject Certificate of Appropriateness for the following:

- Demolition of the 1955 site wall and elevated front terrace and the 1998 covered loggia.
- Demolition of a non-original bathroom addition located along the north elevation of the 1949 Russell Pancoast designed building.
- Restoration of the front (north) façade of the 1920 Walter De Garmo designed church building.
- Construction of a new 2-story detached ground level addition for retail use and active landscaped rooftop garden with accessory rooftop structures, located at the northeastern corner of the site.

At the May 21, 2014 City Commission meeting, the Mayor and City Commission passed a resolution to direct the City Manager to seek a re-hearing of the Historic Preservation Board decision to approve the subject Certificate of Appropriateness. Following the May 21, 2014 City Commission Meeting, the applicant agreed to the following additional conditions, to be imposed at the time of building permit for the new construction:

1. South Beach Tristar, LLC shall submit a structural report prior to or part of its building

permit application regarding the structural integrity of the historic sanctuary. If it is determined by the City's Building Department that it is necessary based upon the findings set forth in the foregoing report or other structural investigation by the City, the City shall include a requirement as part of its building permit that South Beach Tristar, LLC shall shore and stabilize the historic sanctuary from the beginning of construction to CO, or such other time frame as determined by the City, and in any event shall continue restoration planning subject to Historic Preservation Board and/or staff approval.

2. South Beach Tristar, LLC shall utilize auger piles, or a similar method of construction, that will have the least impact on the historic sanctuary. South Beach Tristar, LLC shall utilize seismic meters during the course of construction, and take such steps to ensure that no adverse impacts will result from the new construction on the church structures.
3. South Beach Tristar, LLC shall modify the area on the second story of the new construction, as depicted on the floor plan presented, to further offset the second floor to the immediate east of the sanctuary by approximately one window bay, subject to review and approval of Planning Department staff.
4. Once the HPB order becomes final and nonappealable, and escrow prepaid base rent under the ground lease with South Beach Tristar, LLC is released to Miami Beach Community Church, the Church shall immediately set aside \$2.5 Million in an escrow account. Such escrowed funds shall be used exclusively for the structural protection, repair and restoration of the historic sanctuary, and shall be subject to the escrow agreement to be negotiated and executed between the City and the Church (which will include audit, reporting and/or monitoring requirements), prior to the issuance of any certificate of occupancy for the new construction.

At the May 28, 2014 City Commission meeting, the Mayor and City Commission approved a resolution to rescind the Commission's direction to the City Manager regarding the re-hearing of the HPB decision.

On June 5, 2014, a 'Petition for Rehearing' pursuant to Section 118-537 was filed by Miami Design Preservation League Inc (MDPL).

On August 12, 2014, the Historic Preservation Board denied the request for rehearing.

Subsequently, MDPL appealed the Order denying the rehearing to the Special Master pursuant to Section 118-537(b) of the City Code. The Special Master entered a Decision and Order reversing the Order denying the rehearing on October 31, 2014.

The Miami Beach Community Church (MBCC) and Tristar subsequently filed a formal request for relief pursuant to Section 70.51, Fla. Stat. (the "Florida Land Use and Environmental Dispute Resolution Act" or "FLUEDRA").

MBCC, Tristar and the City agreed to fully, completely, and amicably settle and resolve all potential claims and issues between them with respect to the Special Master Decision and Order and those claims against the City for relief by MBCC and Tristar pursuant to FLUEDRA,

the Religious Land Use and Institutionalized Persons Act of 2000, and the Florida Religious Freedom and Restoration Act of 1998, as set forth in a Escrow Agreement executed on September 9, 2015, which was approved by the City Commission (Resolution No. 2015-28960).

Condition 1.3.(a) of the Escrow Agreement requires that MBCC “file an application for a Certificate of Appropriateness pursuant to Divisions 2 and 3 of Article X, of Chapter 118 of the Land Development Regulations, with the HPB setting forth plans to restore, preserve, renovate and maintain the Sanctuary” within eight (8) months of the execution of the Escrow Agreement.

On May 5, 2016, MBCC submitted an application to the Historic Preservation Board for a Certificate of Appropriateness for the restoration of the Sanctuary building.

### **EXISTING STRUCTURES**

Local Historic District:	Flamingo Park
Status:	Contributing
Original Construction Date:	1920 / 1949
Original Architect:	Walter De Garmo / Russell T. Pancoast

See the attached Historic Resources Report for more detailed information on this structure.

### **ZONING / SITE DATA**

Legal Description:	Lots 1, Block 52 of the Alton Beach Realty Company 2nd Commercial Subdivision, according to the plat thereof, as recorded in Plat Book 6 at page 33 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:	38,352 S.F.

### **THE PROJECT**

The applicant has submitted plans entitled “Certificate of Appropriateness for the Miami Beach Community Church Sanctuary”, as prepared by Jorge L. Hernandez, Architect, dated May 23, 2016.

The applicant is requesting a Certificate of Appropriateness the restoration of the Sanctuary building.

### **CONSISTENCY WITH 2025 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed **religious institutional 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, appears to be consistent with the applicable sections of the City Code. The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

### **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.  
**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.  
**Not Applicable**
  - 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.

**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.

**Satisfied**

- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 118-503.

**Satisfied**

- d. The proposed structure, and/or additions to an existing structure is appropriate to and compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties, or the purposes for which the district was created.

**Not Applicable**

- 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.

**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**

As noted in the 'Background' section of this report, the applicant has filed an application for Certificate of Appropriateness for the restoration of the Sanctuary building pursuant to a requirement of a Settlement Agreement between the Miami Beach Community Church, Tristar and the City.

The restoration plan includes the following:

- Removal of non-original raised concrete terrace and the reintroduction of the front lawn, paths, and front stoops.
- Replacement of all non-original windows with new impact resistant windows that will match the historic configuration to the greatest extent possible.
- Replacement of all non-original doors with new impact resistant doors that will match the original door design to the greatest extent possible.
- Restoration of exterior finishes on all surfaces of the Sanctuary. The Sanctuary will be painted its original color as determined through laboratory paint analysis.
- Repair and restoration of the cast stone frontispiece and all exterior cast stone moldings and ornamentation.
- The ground level scuppers at the side aisles will be exposed.
- The roof will be evaluated and replaced where needed.
- Restoration of the chancel to its original design, consistent with historical documentation.
- Restoration of the opening between the side aisles and nave to the approximate original opening configurations.
- Reopening of the ocular windows on the north elevation of the side aisles.

Staff would like to commend the applicant for proposing a highly desirable and exceptionally well detailed restoration and renovation plan for the Sanctuary building. Both the exterior and significant interior portions of the building are proposed to be fully restored as close as possible to the original 1920 Walter DeGarmo design. Staff is extremely supportive of the application as proposed, and recommends 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.

TRM:DJT:JS  
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**HISTORIC PRESERVATION BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: July 12, 2016

FILE NO: HP0516-0028

PROPERTY: 1620 Drexel Avenue

APPLICANT: Miami Beach Community Church Inc.

LEGAL: Lots 1, Block 52 of the Alton Beach Realty Company 2nd Commercial Subdivision, according to the plat thereof, as recorded in Plat Book 6 at page 33 of the public records of Miami-Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the restoration and renovation of the Sanctuary building.

**ORDER**

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

**I. Certificate of Appropriateness**

- A. The subject site is located within the Flamingo Park Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
  1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
  2. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code.
  3. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code.
- C. The project would remain consistent with the criteria and requirements of section 118-564 if the following conditions are met:
  1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
    - a. Final details of all exterior surface finishes and materials and all interior surface finishes and materials within the public interior portion of the Sanctuary, 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.

- b. Final details for all new windows and doors shall be provided and shall incorporate muntin configurations that are as consistent as possible with available historical documentation, 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. Any portions of the exterior cast stone frontispiece, cast stone moldings or cast stone ornamentation that requires full or partial reconstruction shall be reconstructed of cast stone, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. Coated foam or other similar material shall not be permitted.

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

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

- A. No variances have been requested as part of 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. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- 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. 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.
- D. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- E. 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.

- F. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- G. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the Certificate of Appropriateness 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 approved by the Historic Preservation Board, as determined by staff, entitled "Certificate of Appropriateness for the Miami Beach Community Church Sanctuary", as prepared by Jorge L. Hernandez, Architect, dated May 23, 2016.

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 a Certificate of Appropriateness 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 Certificate of Appropriateness was granted, the Certificate of Appropriateness will expire and become null and void. 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 Certificate of Appropriateness will expire and become null and void.

In accordance with Section 118-561 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 Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

HISTORIC PRESERVATION BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
DEBORAH TACKETT  
PRESERVATION AND DESIGN MANAGER  
FOR THE CHAIR

STATE OF FLORIDA                 )  
COUNTY OF MIAMI-DADE       )SS

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Deborah Tackett, Preservation and Design Manager, 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 \_\_\_\_\_ ( )