

MIAMI BEACH

PLANNING DEPARTMENT

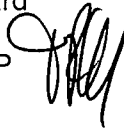
Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: November 9, 2018

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB18-0244, **1775 James Avenue.**

The applicant, Hotel 18 Group, LLC, is requesting to change the classification of the existing 2-story structure from Non-Contributing to Contributing in the City's Historic Properties Database and a waiver in accordance with Section 118-395(b)(2)(d)(2) of the City Code.

STAFF RECOMMENDATION

Approval of the change in classification from Non-Contributing to Contributing
Approval of the requested waiver

BACKGROUND

On September 9, 2014, the Historic Preservation Board reviewed an application to reclassify the existing structure from Non-Contributing, to Contributing status in the Miami Beach Historic Properties Database. At the meeting, the Board voted in favor of retaining the building's classification as Non-Contributing (HPB File No. 7465).

At the same meeting, the Board reviewed an application for the total demolition of the existing 2-story structure and the construction of a new 5-story hotel and continued the application to the November 14, 2014 meeting in order to address concerns expressed by the Board. Specifically, the Board requested that any new development proposal for the site incorporate portions of the existing building.

On February 10, 2015, the Board reviewed and approved a Certificate of Appropriateness for the partial demolition and renovation of the existing Non-Contributing structure, and the construction of 2-story and 5-story ground level additions as part of a new hotel development including variances to waive the required pedestal interior side and rear setbacks, to waive the required sum of the side yards, to exceed the maximum permitted projection into the front setback and to waive the required parking for off-street loading spaces (HPB File No. 7509).

EXISTING STRUCTURES

Local Historic District:	Museum
Current Classification:	Non-Contributing
Requested Classification:	Contributing

Original Construction Date: 1948
Original Architect: Norman Giller

ZONING / SITE DATA

Legal Description: Lots 11 and 12, Block 27, Fisher's First Subdivision of Alton Beach, According to the Plat Thereof, as Recorded in Plat Book 2, Page 77, of the Public Records of Miami-Dade County, Florida.

Zoning: RM-2, Residential multifamily, medium intensity
Future Land Use Designation: RM-2, Residential multifamily, medium intensity
Lot Size: 15,000 S.F. / 2.0 Max FAR
Existing FAR: not provided
Approved FAR: 30,000 S.F. / 2.0 FAR, as represented by the applicant
Existing Height: 2-stories/23'-3"
Approved Height: 5-stories/50'-0"
Existing Use/Condition: Hotel
Proposed Use: Hotel

THE PROJECT

The applicant has submitted plans entitled "Hotel 18", as prepared by Kobi Karp, Architecture, Interior Design & Planning, dated September 6, 2018.

COMPLIANCE WITH ZONING CODE

The application, as submitted, appears to be consistent with the applicable requirements of the City Code.

This 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 **hotel use** appears to be **consistent** with the Future Land Use Map of the Comprehensive Plan.

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 Applicable to the modifications requested
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable to the modifications requested
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

Not Applicable to the modifications requested

- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

Not Applicable to the modifications requested

- (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.

Not Applicable to the modifications requested

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.

Not Applicable to the modifications requested

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

Not Applicable to the modifications requested

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

Not Applicable to the modifications requested

- (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 to the modifications requested

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

Not Applicable to the modifications requested

ANALYSIS

The applicant is requesting modifications to the approval granted by the Board on February 10, 2015 for a Certificate of Appropriateness for the partial demolition and restoration of the existing building and a new 5-story addition. Specifically, the applicant is requesting that the Board change the classification of the existing building from Non-Contributing to Contributing and grant a waiver in accordance with Section 118-395(b)(2)(d)(2) of the City Code, which would allow the retention of the non-conforming parking credits for the portions of the building approved to be restored.

As noted in the Background section of this report, in 2014, the Planning Department submitted an application to the Board requesting to reclassify the existing 2-story building located at 1775 James Avenue from Non-Contributing to Contributing within the Miami Beach Historic Properties Database. On September 9, 2014, the Board reviewed and denied the request. Since the 2014 meeting, the applicant has obtained a Certificate of Appropriateness including variances for the redevelopment of the property and has submitted Building Permit plans for the approved project, which includes the restoration of the western (front) portion of the existing structure, approximately 43' of the north wing and approximately 55' of the south wing.

The definition of "Contributing Building, Structure, Improvement, Site, or Landscape Feature", Chapter 114-1 of the City Code reads as follows:

One which by location, scale, design, setting, materials, workmanship, feeling or association adds to a local historic district's sense of time and place and historical development. A Building, Structure, Improvement, Site or Landscape Feature may be Contributing even if it has been altered if the alterations are reversible and the most significant architectural elements are intact and repairable.

Pursuant to Subsection 118-534(b) of the Land Development Regulations of the City Code, the Historic Properties Database may be revised from time to time by the Historic Preservation Board.

The subject building at 1775 James Avenue has been minimally altered and is capable of having most, if not all of its significant architectural elements restored. The structure maintains most of its original window openings, albeit not the original windows. The windows could easily be replaced with windows in keeping with the original architecture. Further, the structure maintains many distinctive features, including decorative scored stucco, exterior catwalks, projecting eyebrows, raised planters, bean poles, projecting eaves and a courtyard plan. These are all characteristics that are representative of the Post War Modern Garden style of architecture in Miami Beach.

Staff believes that the retention or partial retention of the subject structure is important as it contributes to a clear understanding of the historical development pattern of Miami Beach, and contributes significantly to the character of the surrounding historic district. In light of the fact that the subject structure is well within the scale and context of the surrounding area, staff has determined that the structure at 1775 James Avenue satisfies the definition of a Contributing building in the Museum Local Historic District and recommends the Miami Beach Historic Properties Database be amended to reflect a Contributing classification for the subject building.

Finally, the applicant is requesting a waiver in order to retain the existing non-conforming parking credits for the restored portions of the building. Staff would note that in order to be eligible for such waiver, the building would be required to be classified as a Contributing structure. The thresholds for retaining non-conforming floor area, height, setbacks and parking credits are outlined in Section 118-395(b) of the City Code. In this case, the project approved by the Board in 2015 is not consistent with the required retention of at least 66% of the existing side facing facades.

If the Board finds that the approved project satisfies the criteria for the retention and restoration of a Contributing building, as outlined in Section 118-395 of the City Code below, a waiver can be granted.

Sec. 118-395. - Repair and/or rehabilitation of nonconforming buildings and uses.

- * * *
- (b) *Nonconforming buildings.* *
- * * *
- (2) Nonconforming buildings which are repaired or rehabilitated by more than 50 percent of the value of the building as determined by the building official shall be subject to the following conditions:

- * * *
- d. Development regulations for buildings located within a designated historic district or for an historic site:
1. The existing structure's floor area, height, setbacks and any existing parking credits may remain, if the following portions of the building remain substantially intact, and are retained, preserved and restored:
 - i. At least 75 percent of the front and street side facades;
 - iii. For structures that are set back two or more feet from interior side property lines, at least 66 percent of the remaining interior side walls; and
 - iv. All architecturally significant public interiors.
 2. For the replication or restoration of contributing buildings, but not for noncontributing buildings, the historic preservation board may, at their discretion, waive the requirements of subsection(b)(2)d.1. above, and allow for the retention of the existing structure's floor area, height, setbacks or parking credits, if at least one of the following criteria is satisfied, as determined by the historic preservation board:
 - i. The structure is architecturally significant in terms of design, scale, or massing;
 - ii. The structure embodies a distinctive style that is unique to Miami Beach or the historic district in which it is located;
 - iii. The structure is associated with the life or events of significant persons in the City;
 - iv. The structure represents the outstanding work of a master designer, architect or builder who contributed to our historical, aesthetic or architectural heritage;
 - v. The structure has yielded or is likely to yield information important in prehistory or history; or
 - vi. The structure is listed in the National Register of Historic Places.

Staff has found that Criteria i., ii. & v., above are satisfied.

RECOMMENDATION

In accordance with the information and reasons set forth the Analysis, staff recommends that the Historic Preservation Board change the classification of the structure located at 1775 James Avenue to Contributing in the City's Historic Properties Database and approve the requested waiver.

**HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida**

MEETING DATE: November 9, 2018

FILE NO: HPB18-0244

PROPERTY: 1775 James Avenue

APPLICANT: Hotel 18 Group, LLC

LEGAL: Lots 11 and 12, Block 27, Fisher's First Subdivision of Alton Beach, According to the Plat Thereof, as Recorded in Plat Book 2, Page 77, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application to change the classification of the existing 2-story structure from Non-Contributing to Contributing in the City's Historic Properties Database and a waiver in accordance with Section 118-395(b)(2)(d)(2) of the City Code.

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 Museum Local Historic District.
- B. Based on the plans and documents submitted with the application, the documentation in the file, the testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the existing structure, originally constructed in 1948, is consistent with the definition of Contributing in Section 114-1 of the City Code as shall be classified as Contributing within the Miami Beach Historic Properties Database.
- C. 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 is consistent with Criteria 'i', 'ii' & 'v' in Section 118-395(b)(2)(d)2. of the City Code therefore, the following waiver is granted:
 1. In accordance with Section 118-395(b)(2) of the City Code, the requirement pertaining to an existing structure's parking credits, is hereby waived, to allow for the restoration of approximately 36.2% of the side facing facades of the 2-story building constructed in 1948.

II. Variance(s)

- A. No variances have been requested as part of the subject application.

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

- A. 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.
- B. The Supplemental Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- C. 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.
- D. The previous Final Order (HPB File No. 7509) dated February 10, 2017 shall remain in full force and effect, except to the extent modified herein.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. 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.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "The Jade Hotel Miami Beach" as prepared by Kobi Karp, Architecture, Interior Design, Planning, dated December 18, 2014 and plans entitled "Hotel 18" as prepared by Kobi Karp, Architecture, Interior Design, Planning, dated September 6, 2018, and 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
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, 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: _____ (_____)

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HPB18-0244
Meeting Date: November 9, 2018

Filed with the Clerk of the Historic Preservation Board on _____ ()

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

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