

MIAMI BEACH

PLANNING DEPARTMENT

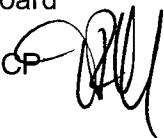
Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: February 12, 2019

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB18-0240, **2000 Park Avenue, 2030 Park Avenue, 425 20th Street, 435 20th Street, 430 21st Street, 450 21st Street & 2035 Washington Avenue – Collins Park Hotel.**

The applicants CG Sunny Isles, LLC, CG Sunny Isles I, LLC and CG Sunny Isles II, LLC are requesting modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation, and restoration of the existing 2 and 3-story buildings on the subject site, including the construction of roof-top additions and a new 5-story ground level addition, as part of a new hotel development. Specifically, the applicants are requesting after-the-fact approval for an increased scope of demolition and a waiver in accordance with Section 118-395(b)(2)(d)(2) of the City Code.

STAFF RECOMMENDATION

Approval of the after-the-fact modifications to the previously issued Certificate of Appropriateness with conditions

BACKGROUND

On September 11, 2012, the Board reviewed and approved a Certificate of Appropriateness (HPB 7320) for the partial demolition, renovation, and restoration of the existing 2 and 3-story buildings on the subject site, including the construction of roof-top additions and a new 5-story ground level addition, as part of a new hotel development.

On November 9, 2018, the Board approved the subject application with the exception of the final details of the public interior spaces of the Collins Park, Adams and Tyler Hotels which were continued to a date certain of February 12, 2019.

EXISTING STRUCTURES

Local Historic District: Museum

2000 Park Avenue – Collins Park Hotel

Classification:	Contributing
Original Construction Date:	1936
Original Architect:	Henry Hohausser

2030 Park Avenue – Adams Hotel

Classification: Contributing
Original Construction Date: 1938
Original Architect: L. Murray Dixon

435 20st Street – Sunking Apartments #1

Classification: Contributing
Original Construction Date: 1938
Original Architect: L. Murray Dixon

430 21st Street – Tyler Hotel

Classification: Contributing
Original Construction Date: 1940
Original Architect: Albert Anis

450 21st Street – Lord Charles Apartments

Classification: Contributing
Original Construction Date: 1953
Original Architect: Albert Anis

2035 Washington Avenue – Gamshire Apartments

Classification: Contributing
Original Construction Date: 1953
Original Architect: Albert Anis

PREVIOUSLY EXISTING STRUCTURE

Local Historic District: Museum

425 20st Street – Sunking Apartments #2

Classification: Contributing
Original Construction Date: 1947
Original Architect: Milton Sherman

ZONING / SITE DATA

Legal Description: That Part of the North 124.91 Feet of Block G Lying West of the East 225 Feet of Block G (2035 Washington Avenue & 450 21st Street), the North 125 Feet of the West 100 Feet of the East 225 Feet of Block G (430 21st Street), the North 125 Feet of the East 125 Feet of Block G (2030 Park Avenue), the South 125 Feet of the East 125 Feet of Block G (2000 Park Avenue), the South 125 Feet of the West 50 Feet of the East 175 Feet of Block G (425 20th Street), the South 125 Feet of the West 50 Feet of the East 225 Feet of Block G (435 20th Street), of the Miami Beach Improvement Company, Ocean Front Property Resubdivision, Plat Book 6, Page 102, as Recorded in 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:	72,125 S.F. / 2.0 Max FAR
Existing FAR:	85,625 S.F. / 1.19 FAR
Proposed FAR:	144,204 S. F. / 1.99 FAR, as represented by the applicant
Existing Height:	2 and 3-stories
Approved Height:	5-stories/50'-0"
Existing Use/Condition:	Apartments and Hotels
Proposed Use:	Hotel

THE PROJECT

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

COMPLIANCE WITH ZONING CODE

The application, as submitted, with the exception of the variances requested herein, 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 Satisfied
A recycling or salvage plan has not been provided.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
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 Satisfied

A study of elevating the existing buildings has not been provided.

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

Satisfied

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

Satisfied

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

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.

Satisfied

To be addressed at building permit.

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

Not Applicable to the modifications requested

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 Applicable
 - b. General design, scale, massing and arrangement.
Satisfied
 - c. Texture and material and color.
Satisfied
 - d. The relationship of a, b, c, above, to other structures and features of the district.
Satisfied
 - e. The purpose for which the district was created.
Satisfied
 - f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Satisfied
 - g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.
Satisfied
 - h. The original architectural design or any subsequent modifications that have acquired significance.
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.

Satisfied

- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.

Satisfied

- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.

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.

Not Applicable

- 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.

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.

Not Applicable

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 six existing structures are located within the Museum 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.

Satisfied

The six existing structures are 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.

Satisfied

The six existing structures are one of the last remaining examples of their kind and contribute to the defining character of the district.

- 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 six existing structures are designated as Contributing buildings in the Miami Beach Historic Properties Database.

- e. Retention of the Building, Structure, Improvement, Landscape Feature or Site promotes the general welfare of the City by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage.

Satisfied

The retention of the six existing structures is critical to developing an understanding of an important early Miami Beach architectural style.

- f. If the proposed demolition is for the purpose of constructing a parking garage, the Board shall consider it if the parking garage is designed in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, U.S. Department of the Interior (1983), as amended, and/or the design review guidelines for that particular district.

Not Applicable

The demolition proposed is not for the purpose of constructing a parking garage.

- g. In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.

Satisfied

The applicant is proposing to partially reconstruct the totally demolished building located at 425 20th Street.

- h. The Miami-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 any part of the subject building.

ANALYSIS

On November 9, 2018, the Board reviewed and approved the application with the exception of the reconstruction details for the public interior spaces within the Collins Park Hotel, Adams Hotel and Tyler Apartment Hotel buildings. At the same meeting, the Board approved a waiver allowing for the reconstruction of the Sun King #2 building with the original non-conforming setbacks and continued a request for a waiver to retain all previously existing parking credits for the reconstructed portion.

Since the November meeting, the applicant has met with staff several times and has submitted revised plans in response to the Board's concerns. The plans include further developed floor plans, reflected ceiling plans and interior elevations, as well as detail drawings for the reconstruction of interior architectural features.

Staff is pleased with the progress the architect has made and is confident that with a few additional refinements, the historic lobbies can be successfully reconstructed to the greatest extent possible consistent with available historical documentation. Staff would note however, that the approved building permit includes structural changes to the Tyler Hotel building. These modifications will require certain adjustments to the terrazzo pattern and reflected ceiling plan of the lobby.

As mentioned above, at the November meeting, the Board reviewed and approved a waiver in order to facilitate the reconstruction of the Sunking #2 building within its original non-conforming setbacks and continued a request to retain the parking credits for the reconstructed portion of this building. The thresholds for retaining non-conforming floor area, height, setbacks and parking credits are outlined in Section 118-395(b) of the City Code. If the Board finds that the criteria for the replication of the Contributing building, as outlined in Section 118-395 of the City Code below are satisfied, 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., iv., v. & vi., above are satisfied.

At this point the construction of this project is well underway and staff believes that expediting the property's return to active use will greatly benefit the quality of life and character of the surrounding historic district.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the application be **approved** subject to the following conditions, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria.

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

MEETING DATE: February 12, 2019

FILE NO: HPB18-0240

PROPERTY: 2000 Park Avenue, 2030 Park Avenue, 425 20th Street, 435 20th Street, 430 21st Street, 450 21st Street & 2035 Washington Avenue

APPLICANTS: CG Sunny Isles, LLC, CG Sunny Isles I, LLC and CG Sunny Isles II, LLC

LEGAL: That Part of the North 124.91 Feet of Block G Lying West of the East 225 Feet of Block G (2035 Washington Avenue & 450 21st Street), the North 125 Feet of the West 100 Feet of the East 225 Feet of Block G (430 21st Street), the North 125 Feet of the East 125 Feet of Block G (2030 Park Avenue), the South 125 Feet of the East 125 Feet of Block G (2000 Park Avenue), the South 125 Feet of the West 50 Feet of the East 175 Feet of Block G (425 20th Street), the South 125 Feet of the West 50 Feet of the East 225 Feet of Block G (435 20th Street), of the Miami Beach Improvement Company, Ocean Front Property Resubdivision, Plat Book 6, Page 102, as Recorded in the Public Records of Miami-Dade County, Florida.

IN RE: The application for modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation, and restoration of the existing 2 and 3-story buildings on the subject site, including the construction of roof-top additions and a new 5-story ground level addition, as part of a new hotel development. Specifically, the applicants are requesting after-the-fact approval for an increased scope of demolition 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, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
 1. Is not consistent with Sea Level Rise and Resiliency Review Criteria (1) & (5) in Section 133-50(a) of the Miami Beach Code.
 2. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.

3. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code.
 4. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code.
 5. Is consistent with Certificate of Appropriateness Criteria for Demolition 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 if the following conditions are met:
1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. The final details, including measured drawings, with cross-sections, finishes and material samples, for all significant architectural features within the public interior spaces of the Collins Park Hotel (2000 Park Avenue), the Adams Hotel (2030 Park Avenue) and the Tyler Hotel (430 21st Street), 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, subject to the review and approval by the Historic Preservation Board at a future, supplemental hearing date.
 - b. The applicant shall submit qualifications and quality of work examples (samples of workmanship, background on subcontractors to do historic restoration, drawings, and details, if possible) for the contractor and/or subcontractor responsible for the restoration/reconstruction work for the public interior spaces of the Collins Park, Adams and Tyler hotels, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board, subject to the review and approval by the Historic Preservation Board.
 - c. The lobby of the Collins Park Hotel shall be recreated 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; at a minimum, detailed drawings shall be provided for the recreation of the following elements:
 - i. The recreation of the patterned terrazzo floor and baseboard, marble clad reception desk, marble wainscoting and chair rail, marble door surround, wooden key rack, wall niches and decorative tray ceilings.
 - d. The exterior architectural features of the Collins Park Hotel shall be recreated 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; at a minimum, detailed drawings shall be provided for the recreation of the following elements:

- i. The recreation of the main entry doors including the 'radio wave' metal work, the transom with the '2000' metalwork address and the cast stone surround.
 - ii. The recreation of the central upper façade, including the vertical stucco bands, the cast stone chevron panels, the glass block at the roof level, the decorative fluting along the parapet, the railings of the faux balconies and the original 'Collins Park' sign.
 - iii. The restoration or recreation of the ground level planters.
 - iv. The recreation of the horizontal banding between windows and the copper shields on the sides of the building facing Park Avenue and 20th Street.
- e. The lobby of the Adams Hotel shall be recreated 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; at a minimum, detailed drawings shall be provided for the recreation of the following elements:
- i. The recreation of the patterned terrazzo floor, filled and polished natural coral stone clad reception desk, fluted engaged columns, recessed lighting cove, niches and wooden key rack.
- f. The exterior architectural features of the Adams Hotel shall be recreated 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; at a minimum, detailed drawings shall be provided for the recreation of the following elements:
- i. The restoration of the tower element including the recreation of the weathervane.
 - ii. The recreation of the terrazzo rose compass in the courtyard.
 - iii. The recreation of the original 'Adams Hotel' sign.
 - iv. The restoration and/or recreation of raised square medallions
 - v. The recreation of the ground level planters.
- g. The lobby of the Tyler Hotel shall be recreated 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; at a minimum, detailed drawings shall be provided for the recreation of the following elements:

- i. The recreation of the patterned terrazzo floor, filled and polished natural coral stone clad reception desk, natural coral stone fireplace, natural coral stone baseboard, decorative columns and tray ceiling.
 - h. The exterior architectural features of the Tyler Hotel shall be recreated 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; at a minimum, detailed drawings shall be provided for the recreation of the following elements:
 - i. The restoration or recreation of the natural coral stone front terrace.
 - ii. The restoration or recreation of the natural coral stone front door surround.
 - iii. The restoration or recreation of the filled and honed coral stone cladding.
 - i. The lobbies and primary facades of the Lord Charles and Gamshire apartment building shall be restored / recreated 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.
 - j. The exterior architectural features of the Sun King #1 building shall be recreated to the greatest extent possible consistent with available historic documentation and the plans previously approved by the Board, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board; at a minimum, detailed drawings shall be provided for the recreation of the following elements:
 - i. The recreation of the porch structures with fluted wooden columns.
 - ii. The restoration of the window openings along 20th Street.
 - iii. The restoration / recreation of the stucco details including the fluted vertical stucco bands, window surrounds some with stucco keystone, quoining, cornice moldings and cartouche.
 - k. The exterior front approximately 46'-0" of the Sun King #2 building shall be reconstructed consistent with available historical documentation and the plans previously approved by the Board, 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 progress report shall be given to the Board within 120 days of the date of this November 9, 2018 order, at which time the Board has requested a statement from the general contractor regarding the approved after-the-fact demolition and a construction update for the project.

3. In accordance with Section 118-395(b)(2) of the City Code, the requirement pertaining to an existing reconstructed structure's setbacks and parking credits, is hereby waived.
4. The Board shall consider a waiver in accordance with Section 118-395(b)(2) of the City Code, to retain the existing structure's parking credits, at a future meeting, provided however, all other conditions relating to complete restoration of the public interiors of the Collins Park site, the Adams site, and Tyler site are approved to the satisfaction of 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 request for variances has been filed as a part of the 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 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 Orders dated September 11, 2012, and November 20, 2012 and November 9, 2018 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 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.

- F. 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. The proposed backflow preventer facing Michigan Avenue shall be relocated.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. 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.
- I. 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.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. 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.
- L. There shall be no issuance of a Temporary Certificate of Occupancy, final Certificate of Occupancy or Certificate of Completion by the City until the completion of the restoration/reconstruction of the public interior spaces, including all significant architectural elements of the public interior of the Collins Park Hotel, Adams Hotel and Tyler Hotel in accordance with the approved plans.
- M. 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 "Collins Park Hotel", as prepared by Kobi Karp, Architecture, Interior Design & Planning, dated September 7, 2018 and January 18, 2019, 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 _____ ()

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