

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: August 9, 2016

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB0616-0035 a.k.a. HPB 7497, **818 Lincoln Road.**

The applicant, 818 Lincoln Investments, LLC, is requesting a one (1) year Extension of Time for a previously approved Certificate of Appropriateness Time for the total demolition of the existing building, classified as 'Non-Contributing', and the construction of a new 3-story commercial building, including a variance to waive all of the required off-street loading spaces.

STAFF RECOMMENDATION

Approval of the Extension of Time with conditions

BACKGROUND

The application was approved by the Board on January 13, 2015 subject to conditions set forth in the Final Order. On March 10, 2015, the Board reviewed and approved a modification requesting a variance for the rear yard setback. Since that time, the applicant has not yet obtained the required building permit for the reasons set forth in the submitted letter of request.

Original Approval date: January 13, 2015
Order expiration date: July 13, 2016
New expiration date: July 13, 2017

PROJECT

The approved project consists of the total demolition of the 'Non-Contributing' structure on the site and the construction of a new 3-story retail structure.

The design of the new structure incorporates significant architectural elements of the original 1937 design in the proposed Lincoln Road façade at the ground level. The architect has reinterpreted these original architectural features including the original three bay storefront system with curved glass vitrines and a highly polished cladding material. The second and third levels of the structure step back from the Lincoln Road façade approximately 32'-0" and 70'-0" respectively and will be minimally visible, if at all, from the Lincoln Road right-of-way, maintaining the scale of the original design.

ANALYSIS

Since the original approval of the application, no changes to the Land Development Regulations

of the Miami Beach Code have been recommended or approved which would preclude the construction of this project if it were proposed today. In light of the fact that the applicant has encountered delays in the permitting of the project, it is suggested that the request for an extension of time, to ensure that the permitting process consummates, would be appropriate.

RECOMMENDATION

In view of the foregoing, staff recommends the request for an extension of time be **approved** for a period not to exceed one (1) year from the original approval, which will expire on July 13, 2016, 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: August 9, 2016

FILE NO: HPB0616-0035

PROPERTY: 818 Lincoln Road

APPLICANT: 818 Lincoln Investments, LLC

LEGAL: Lot 9, Block 49, Lincoln Subdivision, According to the Plat Thereof, as Recorded in Plat Book 9, Page 69, of the Public Records of Miami-Dade County, Florida.

IN RE: The applicant is requesting a one (1) year Extension of Time for a previously approved Certificate of Appropriateness Time for the total demolition of the existing building, classified as 'Non-Contributing', and the construction of a new 3-story commercial building, including a variance to waive all of the required off-street loading spaces.

ORDER

The City of Miami Beach's Historic Preservation Board makes the following FINDING 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:

The applicant stated, among other things, that there were delays encountered in the permitting process. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Certificate of Appropriateness.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one year period shall run from the expiration date of the original approval, which is July 13, 2016) is GRANTED for the above-referenced project conditioned upon the following, to which the applicant has agreed:

1. A full building permit, not a foundation, shell permit or phased building permit, for the project shall be obtained by July 13, 2017.
2. Construction shall commence and continue in accordance with the applicable Building Code.
3. This extension of time shall run concurrent with any other extensions of time that may be provided to the property owner as a result of actions of non-City authorities with jurisdiction over such matters.
4. The subject site and existing site shall be maintained in good, clean, and secure conditions at all times.

5. 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.
6. 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.
7. 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.

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 and the Orders for the January 13, 2015 and March 10, 2015 approvals 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 and the Final Orders for the January 13, 2015 and the March 10, 2015 meetings. If the Full Building Permit is not issued by July 13, 2017, the Certificate of Appropriateness will expire and become null and void. If the Full Building Permit 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.

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: _____ ()

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

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