

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: September 13, 2016

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: HPB0516-0030, 1669 Collins Avenue – Tatel Restaurant.

The applicant, Tatel Miami, LLC, is requesting a Certificate of Appropriateness for modifications to original public lobby space, and a variance from the required front setback for a monument sign.

#### **STAFF RECOMMENDATION**

Approval of the Certificate of Appropriateness and variance with conditions.

#### **EXISTING STRUCTURE**

##### **DiLido Hotel**

Local Historic District:	Ocean Drive/Collins Avenue
Status:	Contributing
Original Construction Date:	1953
Original Architects:	Melvin Grossman and Morris Lapidus

#### **ZONING / SITE DATA**

Legal Description:	Lots 1 thru 4, Lot 17 & South ½ of Lots 5 & 16, Block 29 and a strip of land described in DB 3781-543 and Lots 18-19 & 20, Block 29 and a portion of land being a being a part of the platted Lincoln Road right-of-way, according to the plat thereof recorded in Plat Book 2, Page 77 of the public records of Miami Dade County, Florida.
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Zoning:	RM-3, Residential multifamily, high intensity
Future Land Use Designation:	RM-3, Residential multifamily, high intensity

#### **THE PROJECT**

The applicant has submitted plans entitled "Tatel Restaurant" as prepared by Telesco Associates, Inc., dated July 25, 2016.

**The applicant is requesting a Certificate of Appropriateness for modifications to original public lobby space, and a variance from the required front setback for a monument sign.**

The applicant is requesting the following variance:

1. A variance to reduce 7'-6" from the minimum required front setback of 10'-0" for a detached sign in order to construct a monument sign at a minimum of 2'-6" from the front property line facing Collins Avenue.

- Variance requested from:

**Sec. 138-9. Yard requirements.**

*(c) Detached signs shall have the following setback requirements:*

*(1) Front yard: 10 feet.*

A new detached sign is proposed to be located on the west side facing Collins Avenue. The sign is associated with a restaurant space located at the first floor of the hotel on the north side of the property, originally known as the 'DiLido Hotel'. The restaurant, as an accessory use, is allowed to display a business sign up to 20 s.f. attached to the building walls. The front yard of this building features a circular driveway and a small planter with slim columns supporting a roof slab of the porte-cochere. The building façade and entry steps are considerably set back from the front property line. The applicant is proposing a 14 s.f. monument sign, closer to the street in the existing planter adjacent to the driveway. This type of sign is required to be setback 10 feet from the front property line. However, the required location would conflict with the original driveway, which would not be a practical solution and would not comply with the Certificate of Appropriateness Criteria. Because the building walls are well set back from the front property line and the front façade does not have full visibility along the street, a flat sign would not serve as a successful marketing tool for a business. In addition, the adjacent building at the corner of 16<sup>th</sup> Street and Collins is abutting the front property line and reduces considerably the visibility of any sign attached to the building. Staff is supportive of the variance requested and finds that the retention of the planter, driveway and location of the front façade of the contributing building create the practical difficulties that result in the variance requested.

**COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with 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.

**CONSISTENCY WITH 2025 COMPREHENSIVE PLAN**

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

**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.  
**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.  
**Satisfied**
- 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.  
**Satisfied**
- 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 Satisfied**  
**An exterior lighting plan has not been submitted.**

- 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.  
**Satisfied**
- 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**

#### **STAFF ANALYSIS**

The subject structure originally known as the 'DiLido Hotel' was constructed in 1953 and designed by Melvin Grossman and Morris Lapidus in the Post War Modern style of architecture. The original 9-story hotel structure had a T-shaped plan with a unique double lobby fronting on both Collins Avenue and Lincoln Road. On October 13, 1998, the Joint Design Review/Historic Preservation Board reviewed and approved a Certificate of Appropriateness and Design Review approval (DRB 10514J) for the partial demolition, renovation, alteration and expansion of the

existing 9-story hotel inclusive of a 3-story roof-top addition, as well as the construction of two, 3-story cabana structures on top of a new 2-level parking deck. As a part of this application, the Board approved a new restaurant within the original Collins Avenue lobby which was previously utilized as a nightclub.

Staff has met with the applicant and designers on several occasions to develop an appropriate renovation strategy for the existing restaurant. Staff would note that at some point prior to 1998, the majority of significant architectural features within the original Collins Avenue lobby were removed, with the exception of portions of the terrazzo floor which were discovered after the applicant began removing the non-original carpet. Staff was notified of this and was invited to inspect the space. After inspecting the remaining portions of the original terrazzo, staff believes that the floor will need to be reconstructed due to significant damage that has occurred over the years.

The proposed renovation project includes the removal all of the existing inappropriate materials and finishes and the introduction of a new material and finishes pallet that is more consistent with the Post War Modern style of architecture. Further, the applicant has agreed to reconstruct the terrazzo flooring consistent with the original design in accordance with available historical documentation.

Additionally, the applicant is proposing to introduce a circular bar counter and free standing chandelier within the original lobby rotunda space, located at the southwest corner of the restaurant. While this portion of the original lobby is substantially intact, staff would note that the original shallow domed ceiling no longer exists. At some point, the ceiling as well as the space located above, was significantly altered in order to accommodate extensive mechanical systems. Although the loss of the original ceiling design is unfortunate, staff recognizes the engineering challenges that would be involved in the reconstruction of this element. Staff has no objection to the introduction of the new bar counter and chandelier which will have no adverse impact on the original lobby space and could be easily removed in the future.

In summary, staff believes the proposed project is respectful of the original design and the Post War Modern period of architecture and recommends approval, as noted below.

#### **VARIANCE ANALYSIS**

The proposed sign for the new restaurant complies with the maximum area for detached signs. However, its location requires a variance from the minimum setback requirements. The sign is simple and compatible with the surrounding context and does not impact the contributing building. The existing building with its architectural features and location restrict the area where a flat sign can be placed, as it would be practically unnoticed. The proposed sign is the more appropriate solution to allow a business sign, visible at pedestrian eye level, without affecting the original elements of the building. Staff is supportive of the variance request and finds that the variance request satisfies the practical difficulties for the granting of a variance.

#### **RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be **approved** subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Practical Difficulty and Hardship criteria, as applicable.

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

MEETING DATE: September 13, 2016

FILE NO: HPB0516-0030

PROPERTY: 1669 Collins Avenue

APPLICANT: Tatel Miami, LLC

LEGAL: Lots 1 thru 4, Lot 17 & South ½ of Lots 5 & 16, Block 29 and a strip of land described in DB 3781-543 and Lots 18-19 & 20, Block 29 and a portion of land being a being a part of the platted Lincoln Road right-of-way, according to the plat thereof recorded in Plat Book 2, Page 77 of the public records of Miami Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for modifications to original public lobby space, and a variance from the required front setback for a monument sign.

**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 Ocean Drive/Collins Avenue 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 not consistent with Certificate of Appropriateness Criteria 'g' 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. The existing portions of the original black terrazzo floor shall be removed and replaced with new black terrazzo floor in a design consistent with 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.

- b. Final design and details of the chandelier/bar structure located within the rotunda shall be provided, 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. Final details of all surface finishes and materials, including samples, shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - d. The final location and details of all interior and exterior ramp and railings systems, including materials, dimensions and finishes, shall be provided in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
  - e. The final design and details of all exterior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. Lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding historic district.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
  - b. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

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

- A. The applicant filed an application with the Planning Department for the following variance(s):
  - 1. A variance to reduce 7'-6" from the minimum required front setback of 10'-0" for a detached sign in order to construct a monument sign at a minimum of 2'-6" from the front property line facing Collins Avenue.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board



finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

C. The Board hereby grants the requested variance(s) and imposes the following condition based on its authority in Section 118-354 of the Miami Beach City Code:

1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.

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

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

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- C. A copy of all pages of the recorded 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. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- F. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- G. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- H. 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 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 "Tatel Restaurant" as prepared by Telesco Associates, Inc., dated July 25, 2016, 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: \_\_\_\_\_ ( )

Filed with the Clerk of the Historic Preservation Board on \_\_\_\_\_ ( )

DRAFT