

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation Historic Preservation Board

TO: Chairperson and Members
 Historic Preservation Board

DATE: March 8, 2022

FROM: Thomas R. Mooney, AICP
 Planning Director



SUBJECT: HPB21-0483, **833 6th Street.**

An application has been filed requesting a Certificate of Appropriateness for the design of a new fire station building to replace the existing building proposed to be demolished and site improvements.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions.

BACKGROUND

In 2018, the residents of the City of Miami Beach approved a \$439 million-dollar General Obligation Bond (GOB) Program for the improvement of City parks, recreational and cultural facilities, infrastructure and public safety and security. Included in the GOB was the introduction of a new fire station facility within South Beach.

On October 8, 2019, the Historic Preservation Board discussed the possibility of the construction of a new fire station to replace the existing South Shore Community Center located at 833 6th Street. At the conclusion of the discussion, the Board continued the discussion to their December 9, 2019, meeting and requested that staff provide additional information regarding the existing building.

On December 9, 2019, the Planning Department gave a presentation to the Historic Preservation Board on the historical development of the site including an analysis of the building's architecture. During this discussion, the Board expressed general support for the construction of a new Fire Station on the site. The Board also recommended the following:

- That the City continue to work to find an alternate location for any community services that may be displaced by the demolition of the existing South Shore Community Center.
- That the City continue to explore options to repurpose the existing Fire Station No. 1 located 1051 Jefferson Avenue.
- That the City explore incorporating the existing concrete canopy structures of the South Shore Community Center building into the design for the new fire station.

On June 15, 2021, the Historic Preservation Board requested that the Planning Department evaluate the current classification for the South Shore Community Center building located at 833 6th Street for the purpose of possibly modifying its classification from Non-Contributing to Contributing in the City's Historic Properties Database. On September 13, 2021, the Historic Preservation Board evaluated the classification of the building and found that the structure does not meet the definition of Contributing and no change was made to the Non-Contributing classification.

On December 13, 2021, the Board reviewed and continued the subject application to a date certain of January 11, 2022. On January 11, 2022, the Board reviewed and continued the subject application to a date certain of March 8, 2022.

EXISTING STRUCTURE

Local Historic District:	Flamingo Park
Classification:	Non-Contributing
Construction Date:	1970-1975
Architect:	Morris Lapidus & Associates

ZONING / SITE DATA

Legal Description:	Lots 6-11, Block 73, of the Ocean Beach Addition No. 3, According to the Plat Thereof, as Recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County, Florida.
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Zoning:	GU, Government use
Future Land Use Designation:	PF, Public facility, governmental uses

Lot Size (including alley):	45,000 S.F. / 1.4 Max FAR
Existing FAR:	13,580 S.F. / 0.30 FAR
Proposed FAR:	19,120 S.F. / 0.42 FAR
Existing Height:	~28'-0"
Proposed Height:	35'-0"
Existing Use/Condition:	Public Facilities
Proposed Use:	Fire Station

THE PROJECT

The applicant has submitted plans entitled "City of Miami Beach, Office of Capital Improvement Project-Fire Station #1", as prepared by Wannemacher Jensen Architects, Inc., dated December 13, 2021 and revised plans dated February 4, 2022.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application appears to be consistent with the City Code with the exception of waivers requested pursuant to Section 142-425 of the City Code, pending City Commission review.

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 2040 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed **fire station** use is **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 submitted.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable
No windows are proposed to be replaced.
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.
Satisfied
- (5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.
Satisfied
The first finished floor of the fire station is proposed to be located at 16.25' NGVD, 8'-3" above the minimum base flood elevation.
- (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 and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.
Satisfied
- (7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.
Satisfied
- (8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.
Not Applicable

- (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
- (10) In all new projects, water retention systems shall be provided.
Satisfied
Additional information shall be provided at the time of building permit review.
- (11) Cool pavement materials or porous pavement materials shall be utilized.
Satisfied
Additional information shall be provided at the time of building permit review.
- (12) The project design shall minimize the potential for a project causing a heat island effect on site.
Satisfied

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.
Not Applicable
- 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.
Not Applicable
- 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.
Not Satisfied
See Compliance with Zoning Code
 - 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.
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.
Satisfied
- 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.
Satisfied
- 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).
Satisfied
- 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.
Satisfied
- 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).
Satisfied
- 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.
Satisfied

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 existing structure is designated as Non-Contributing within the Flamingo Park 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.
Not Satisfied
The building is not of such design, craftsmanship, or material that it 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.
Not Satisfied
The existing building is not a distinctive example of an architectural or design style which contributes to the 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.

Not Satisfied

The subject building is classified as a Non-Contributing building 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.

Not Satisfied

The retention of the building is not critical to developing an understanding of an important 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 in the subject application 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 construct a fire station facility on the site.

- 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 the structure.

STAFF ANALYSIS

As noted in the Background section of this report, in 2018, the residents of the City of Miami Beach approved a General Obligation Bond Program that included the introduction of a new fire station facility within South Beach. The City has prioritized the construction of a new fire station because the current Fire Station No.1, located at 1051 Jefferson Avenue, has exceeded its useful life as a fire station and is obsolete in terms of current and future needs of the Miami Beach Fire Department. The site of the current Fire Station 1 building has several significant drawbacks that negatively impact the critical life-safety services and quick response times needed to serve the South Beach district. A new fire station is required to:

- Accommodate Miami Beach Fire Department vehicle and equipment needs.
- Keep up with the growing demand for emergency services in South Beach.
- Speed up emergency response times for the South Beach district (including for the high-rise developments South of Fifth Street, single-family homes on the islands, locations throughout the MXE/ADCD District, and vulnerable buildings within South Beach historic districts).
- House Miami Beach Fire Department equipment in a resilient, structurally-sound, flood-resistant and hurricane-hardened building
- Protect the health and wellness of Miami Beach Fire Department personnel.

In 2019, the Historic Preservation Board discussed the possible location of the new fire station facility in place of the existing South Shore Community Center building located at 833 6th Street and provided several recommendations. Since that time, the City has been working on addressing the Board's recommendations. Additionally, on September 13, 2021, the Historic Preservation Board evaluated the classification of the South Shore Community Center building and made no change to its Non-Contributing classification.

The applicant is currently requesting approval for the design of a new fire station to replace the existing South Shore Community Center facility. In order to construct the new fire station, the applicant is proposing the total demolition of the existing building. As outlined in Section 118-563(i) of the City Code, the Board's review of a Certificate of Appropriateness for the total demolition of city-owned property is advisory with approval or denial determined by vote of the City Commission.

South Shore Community Center total demolition

The South Shore Community Center was constructed in two phases between 1970 and 1975 and designed by Morris Lapidus & Associates in the Brutalist style of architecture. The building has distinctive architectural features and finishes including rough board form concrete finish, smooth concrete finish, exposed concrete blocks in a stacked bond with raked joints and exposed precast concrete beams. While these elements are all characteristic of the Brutalist style of architecture, unfortunately, in this particular instance, they have been severely comprised over the decades with multiple coats of paint and other surface finishes. Additionally, significant and distinct features of the Brutalist design of this building, including the exposed concrete and related finishes, have been compromised and may be beyond repair and restoration. The alterations that have occurred over time, including the introduction of security apparatus and the enclosure of open-air areas, as well as the extremely low finish floor elevation, indicate that the subject structure cannot be effectively adapted to function as a secure municipal facility without severely compromising the original design. Further, as noted in the Background section of this report, in September 2021, the Board determined that the existing structure did not contribute to the sense of time and place significant in the development of the Flamingo Park Historic District. Consequently, staff recommends that the Board issue a favorable recommendation to the City Commission for the demolition of the building.

New fire station facility

The applicant is proposing to construct a 3-story fire station building on the site. The main level of the building is proposed to be located at approximately 16.25' NGVD and will contain four apparatus bays for emergency vehicle parking and maintenance. In order to access the elevated apparatus bay level, extensive ramping is proposed to be introduced on the east (entrance) and west (exit) sides of the building to negotiate the over 12'-0" level change from grade (3.38' NGVD).

The upper level is proposed to contain sleeping quarters for 20 employees, a kitchen/lounge and a fitness area. The lower level will contain 27 covered parking spaces. An entrance terrace along 6th Street will provide public access to the building. Within the northern portion of the site, access to Meridian Court via a proposed 14 space public surface parking lot will be maintained and a new 7 space employee surface parking area will be introduced.

UPDATE

On January 11, 2022, the Board reviewed and continued the subject application to a date certain of March 8, 2022, to give the applicant additional time to address concerns expressed by the Board. The applicant has submitted revised plans including the following modifications:

- The demolition site plan has been revised and clearly indicates the site elements that are to be retained. Specifically, several areas of cast in place concrete planters along 6th Street are proposed to be preserved. Additionally, a portion of one of the concrete entrance canopies as well as both sets of concrete columns are proposed to be retained, relocated, and integrated into the raised terrace at the southwest portion of the site. This area will also include a plaque describing the historical evolution of the site.
- Currently proposed modifications to the 6th Street façade include the extension of the concrete block in a stacked bond pattern to the exterior stair, the introduction of solid masonry railings on the exterior stair, the extension of the stair framing element to the west and modifications to the storefront window system including the elimination of the vertical projecting fins and the reorientation of the window mullions in a horizontal pattern.

Staff is extremely supportive of the modifications proposed including the retention of portions of the existing cast in place concrete planters as well as the repurposing of one of the entry canopies. These elements allow for better engagement of the site along 6th Street and should significantly improve the quality of the pedestrian experience effectively mitigating the impact of the ramping systems. Additionally, staff is supportive of the modifications to the façade design which represents an improvement over the previous design. In summary, staff recommends approval as noted below.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the request for a Certificate of Appropriateness be **approved**, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: March 8, 2022

PROPERTY/FOLIO: 833 6th Street / 02-4203-009-4820

FILE NO: HPB21-0483

IN RE: An application has been filed by the City of Miami Beach requesting a Certificate of Appropriateness for the design of a new fire station building to replace the existing building proposed to be demolished and site improvements.

LEGAL: Lots 6-11, Block 73, of the Ocean Beach Addition No. 3, According to the Plat Thereof, as Recorded in Plat Book 2, Page 81, of the Public Records of Miami-Dade County, Florida.

ORDER

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

I. Certificate of Appropriateness

- A. The subject site is located within the Flamingo Park Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
 - 1. Is not consistent with Sea Level Rise and Resiliency Review Criteria (1) 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 not consistent with Certificate of Appropriateness Criteria 'b' in Section 118-564(a)(3) of the Miami Beach Code.
 - 5. Is not consistent with Certificate of Appropriateness Criteria 'b', 'c', 'd' & 'e' 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 and 133-50(a) 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 height of the lower level parking area shall be reduced to the greatest extent possible so that the apparatus bay level can be lowered, 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. A plaque or historic display describing the history and evolution of the site shall be placed within the raised terrace at the southwest portion of the site along 6th Street and shall be located in a manner visible from the right of way, prior to the issuance of a Certificate of Occupancy for the building, 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. The applicant shall provide detailed measured drawings and photographic documentation of the significant architectural features of the existing building including at a minimum, the concrete canopy features, concrete planters and concrete block detail prior to the issuance of a demolition permit for the building, 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. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - e. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, 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. The Board recommends that the City Commission approve a Certificate of Appropriateness for the total demolition of the existing South Shore Community Center.
3. 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. All hedge and ground cover plantings within the street facing yards shall not exceed 36" in height at maturity.
 - b. Prior to issuance of a Building Permit, the applicant shall provide a Tree Report prepared by a Certified Arborist for any existing canopy shade trees with a DBH of 3" or greater located in public or private property, which may be scheduled for

removal or relocation for the review and approval of the City of Miami Beach Urban Forester.

- c. 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.
- d. The project design shall minimize the potential for a project causing a heat island effect on site.
- e. Cool pavement materials or porous pavement materials shall be utilized.

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

II. Variance(s)

- A. No variances have been applied for as part of this application.

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

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

- A. The applicant agrees and shall be required to provide access to areas subject to this approval (not including private residences or hotel rooms) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.
- B. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- C. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- D. 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.

- E. 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.
- F. 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.
- 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. 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 entitled "**City of Miami Beach, Office of Capital Improvement Project-Fire Station #1**", as prepared by **Wannemacher Jensen Architects, Inc., dated December 13, 2021 and revised plans dated February 4, 2022**, 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
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
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, Historic Preservation & Architecture Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.

Page 6 of 6
HPB21-0483
Meeting Date: March 8, 2022

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