

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: July 12, 2022

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: HPB22-0523 a.k.a. HPB20-0379, **2901-2911 Indian Creek Drive.**

An application has been filed requesting a one-year extension of time for a previously issued Certificate of Appropriateness for the total demolition of two existing buildings, the renovation, restoration and relocation of one existing building, the construction of a detached residential addition and multiple variances from the required pedestal and tower setbacks and to exceed the maximum projection allowed in required yards.

RECOMMENDATION

Approval of the Extension of Time with conditions.

BACKGROUND

On January 12, 2021, the Board reviewed and approved a Certificate of Appropriateness (HPB20-0379) for the redevelopment of the site. Since that time, the applicant has not yet obtained the required building permit for the reasons set forth in the submitted letter of intent.

Original Approval date: January 12, 2021
Order expiration date: July 12, 2022
New expiration date: July 12, 2023

EXISTING SITE

Local Historic District: Collins Waterfront

ZONING / SITE DATA

Legal Description:

Parcel 1 (2901 Indian Creek Drive): Lot 17 and tract opposite same facing Indian Creek, Block 12, Miami Beach Improvement Company Subdivision, According to the Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.

Parcel 2 (2911 Indian Creek Drive): Lot 16 and tract opposite same facing Indian Creek, Block 12, Miami Beach Improvement Company Subdivision, According to the Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.

Zoning:	RM-2, Residential multi-family, medium intensity
Future Land Use Designation:	RM-2, Residential multi-family, medium intensity
Lot Size:	15,000 S.F. / 2.0 Max FAR
Existing FAR:	Not provided
Proposed FAR:	29,998 S.F. / 1.99 FAR
Existing Height:	22'-9", 2-stories
Proposed Height:	71'-4", 6-stories
Existing Use/Condition:	Multi-family residential
Proposed Use:	No change

PROJECT

The approved project consisted of the total demolition of two buildings, the relocation and renovation of one building and the construction of a new 7-story 20-unit multi-family residential building with 21 parking spaces and rooftop amenity deck.

ANALYSIS

Since the original approval of the application, no changes to the Land Development Regulations of the City 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, staff has no objection to the granting of the requested extension of time.



Rendering of approved project (HPB20-0379)

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 expiration date, which will expire on July 12, 2022, subject to the conditions enumerated in the attached draft Order.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: July 12, 2022

PROPERTY/FOLIO: 2901 Indian Creek Drive / 02-3226-001-1180
2911 Indian Creek Drive / 02-3226-001-1170

FILE NO: HPB22-0523 a.k.a. HPB20-0379

APPLICANT: 29 ICD LLC

IN RE: An application has been filed requesting a one-year extension of time for a previously issued Certificate of Appropriateness for the total demolition of two existing buildings, the renovation, restoration and relocation of one existing building, the construction of a detached residential addition and multiple variances from the required pedestal and tower setbacks and to exceed the maximum projection allowed in required yards.

LEGAL: Parcel 1 (2901 Indian Creek Drive)
Lot 17 and tract opposite same facing Indian Creek, Block 12, Miami Beach Improvement Company Subdivision, according to the Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.

Parcel 2 (2911 Indian Creek Drive)
Lot 16 and tract opposite same facing Indian Creek, Block 12, Miami Beach Improvement Company Subdivision, according to the Plat Thereof, as Recorded in Plat Book 5, Page 7, 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:

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 was July 12, 2022) 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 12, 2023.

2. Construction shall commence and continue in accordance with applicable Building Codes.
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 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.

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 Order for the January 12, 2021 (HPB20-0379) approval 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 Order for the January 12, 2021 (HPB20-0379) approval. If the Full Building Permit is not issued by July 12, 2023, 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
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.

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 _____ ())

