

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: April 10, 2017

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB16-0071, **801, 807 & 815 Alton Road.**

The applicant, 2012 New Age LLC, Matteo Soldatini, is requesting a Certificate of Appropriateness for the retention of 5 existing parking spaces and an associated driveway within the front yard including a variance from the required width for a one-way drive.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions
Approval of the variance with conditions.

BACKGROUND

On February 14, 2017, the Board reviewed and continued the subject application to a date certain of April 10, 2017.

EXISTING STRUCTURES

Local Historic District: Flamingo Park

801 & 807 Alton Road

Status: Contributing
Original Construction Date: 1947
Original Architect: A. Herbert Mathes

815 Alton Road

Status: Contributing
Original Construction Date: 1945
Original Architect: A. Herbert Mathes

ZONING / SITE DATA

Legal Description: The western 109.89 feet of Lots 6 & 7, Block 122 of the Lenox Manor Re-Subdivision, according to the plat thereof recorded in Plat Book 7, Page 15 of the public records of Miami Dade County, Florida.

Zoning: CD-2, Commercial medium intensity
Future Land Use Designation: CD-2, Commercial medium intensity

Lot Size:	15,019 S.F. / 2.0 Max FAR
Existing FAR:	~14,157 S.F. / 1.06 FAR
Existing Height:	2-story
Existing Use/Condition:	Multi-Family Residential
Proposed Use:	Suites Hotel

THE PROJECT

The applicant has submitted plans entitled "801/807/815 Alton Road" as prepared by Castellanos Design Studio, dated March 9, 2017.

The applicant is proposing the retention of 5 existing parking spaces and an associated driveway within the front yard including a variance from the required width for a one-way drive.

The applicant is requesting the following variance:

1. A variance to reduce 2'-0" from the minimum required width of 11'-0" for a one-way driveway, in order to reduce the existing driveway to a width of 9'-0".
 - Variance requested from:

Sec. 130-64. Drives.

Drives shall have a minimum width of 22 feet for two-way traffic and 11 feet for one-way traffic.

The property has an existing driveway associated with 5 parallel parking spaces located on the front yard of the property. The driveway and parking area was approved in 1993 under building permit BS930393. As part of the proposed improvements to the site, the parking spaces and asphalt driveway extending up to the front building walls will be replaced with pavers and the width of the driveway will also be reduced in width in order to incorporate landscape material adjacent to the buildings to enhance the front of the property and buffer the buildings from the vehicular traffic, as previously recommended by the Board. This variance request is associated with the existing contributing buildings which will be retained and restored. The granting of this variance would mitigate the negative impact of the parking area along the front yard and the lack of landscaping on the site.

In addition, the existing asphalt driveway between the northern buildings and parking spaces at the rear is proposed to be retained. Staff would recommend the removal of the asphalt driveway and parking spaces #6 and #7 which, in their current configuration, do not conform to the 1993 permit regarding location and approved rear setback of 5'-0". The parking area was approved years ago prior to the inclusion of the property in the Flamingo Park local historic district. However, with the historic designation and traffic increase, it may negatively impact the quality of life of the guests due to noise, light spillage, etc. and may potentially affect the contributing structures and character of the historic district. Based on the scope of the improvements to the site and change of use, the replacement of the parking area with landscape is appropriate in order to enhance the property appearance. With these modifications, staff is supportive of the variance request for the driveway width on the west side of the site.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that staff has concluded satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, staff has concluded that the plans and documents with the application satisfy the following hardship criteria, 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.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code.

1. Sec. 114-1 Definitions

Historic district suites hotel means any contributing structure within a local historic district or any designated historic site, which existed as an apartment building as of March 13, 1999, and is subsequently rehabilitated to operate as a suites hotel pursuant to section 142-1105 in a district where suites are a main permitted use.

2. Sec. 142-1105 Suites hotel

When a hotel unit contains cooking facilities it shall be considered as a suite hotel unit and shall conform to the following:

- (1) The units shall only be permitted in new construction, in historic district suites hotels that have been rehabilitated in general accordance with the U.S. Secretary of the Interior's standards for rehabilitation of historic buildings as determined by the planning and zoning director, or in buildings which have been substantially rehabilitated or where the suites hotel units are part of a request for a building permit that will result in the building being substantially rehabilitated.

3. **Sec. 142-307.- Setback requirements.**

Parking spaces located at the rear of the property do not comply with the required 5'-0" setback from the rear property line.

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 proposed **hotel 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
The applicant is proposing a reduction of hardscaping and an increase in landscaping within the front yard.
 - 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.
Not Applicable
 - 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.
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.

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 Applicable

- 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).

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

STAFF ANALYSIS

The subject site contains three structures each classified as 'Contributing' in the Miami Beach Historic Properties Database. The southern two buildings, 801 and 807 Alton Road, were constructed in 1947 and the northern building, 815 Alton Road, was constructed in 1945. All three apartment buildings were designed by A. Herbert Mathes in the Post War Modern style of architecture.

On February 14, 2017 the Board reviewed and continued the subject application to a date certain of April 10, 2017. Since the February 14 meeting, the applicant has met with staff and has submitted revised plans in response to concerns expressed by the Board and staff. The currently proposed plans include the following modifications:

- The applicant has applied for a variance to reduce the width of the one-way driveway within the front yard allowing for the introduction of landscaping between the driving surface and the buildings.
- Decorative paver parking spaces and driveway are proposed.
- Revised landscape and hardscape plans have been submitted which correspond to the reduction of paving.
- The rooftop mechanical equipment for the 801 and 807 buildings have been located to the northeast portion of the roof.

Staff believes that the proposed modifications outlined above address the concerns of the Board and staff and should significantly reduce potential adverse impacts on the character of the historic district.

VARIANCE ANALYSIS

As a response to concerns and recommendations discussed in the February 14 meeting, the applicant is requesting a variance to reduce the existing width of the driveway located at the front of the property in order to provide landscape area adjacent to the buildings and replace the existing asphalt parking area with pavers. Although the new landscape area would reduce the adverse impacts on the character of the historic facades and the surrounding historic district, the conditions of the properties allows for additional improvements.

The retention of the asphalt driveway and parking spaces at the rear should be also removed. Due to the restriction in area, staff is very concerned regarding the safety of pedestrians along

the asphalt driveway and drivers due to the proximity of the existing buildings. Staff recommends that the variance request be approved conditioned to the removal of the asphalt driveway and two parking spaces at the rear, which currently do not conform with the required rear setback and the approved 1993 permit for the parking, as noted in the project section of this report.

RECOMMENDATION

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

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: April 10, 2017

FILE NO: HPB16-0071

PROPERTY: 801, 807 & 815 Alton Road

APPLICANT: 2012 New Age LLC

LEGAL: The western 109.89 feet of Lots 6 & 7, Block 122 of the Lenox Manor Re-Subdivision, according to the plat thereof recorded in Plat Book 7, Page 15 of the public records of Miami Dade County, Florida.

IN RE: The applicant, 2012 New Age LLC, Matteo Soldatini, is requesting a Certificate of Appropriateness for the retention of 5 existing parking spaces and an associated driveway within the front yard including a variance from the required width for a one-way drive.

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 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 consistent with Certificate of Appropriateness Criteria 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 structures on site shall be fully renovated and restored, 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, this shall include the following:

- i. All through-the-wall air conditioning units shall be removed and replaced with a central air conditioning system, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - ii. The existing windows shall be removed. New impact casement windows shall be provided and shall incorporate a muntin configuration consistent with available 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. The existing driving and parking surfaces within the front yard shall be replaced with decorative pavers, in a manner to be approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - c. Fencing proposed within the front yard of the property shall have a maximum height of 5'-0" and shall be limited to vertical or horizontal metal picket type or horizontal cable type, 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 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 existing hedge material within the front yard shall be removed.
 - b. Any proposed plant material within the front yard shall not exceed 36" in height at maturity, with the exception of trees, 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 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 relocate a building identification sign allowed on the south side fronting an alley to be placed on the east side of the building.

- 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.
 2. The asphalt driveway between the northern buildings and parking spaces #6 and #7 shall be removed. A revised landscape plan shall be submitted, in a manner to be reviewed and approved by staff.

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. 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.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. 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.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. 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 "801/807/815 Alton Road" as prepared by Castellanos Design Studio, dated March 9, 2017, 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 _____ ()

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