

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: HPB16-0090, **900 Ocean Drive – Mango's Tropical Café.**

The applicant, David Wallack Real Estate, LLC, is requesting a Certificate of Appropriateness for the installation of a retractable umbrella system located in the public right-of-way.

STAFF RECOMMENDATION

Denial of the Certificate of Appropriateness

BACKGROUND

On March 13, 2017, the Historic Preservation Board continued the subject application to a date certain of April 10, 2017.

EXISTING STRUCTURE

Local Historic District:	Ocean Drive/Collins Avenue
Status:	Contributing
Original Architect:	Gilbert M. Fein
Construction Date:	1952

ZONING / SITE DATA

Legal Description:	Lots 7 and 8, Block 14, Ocean Beach Addition No. 2, According to the Plat Thereof, as Recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County, Florida.
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Zoning:	MXE, Mixed use entertainment
Future Land Use Designation:	MXE, Mixed use entertainment

THE PROJECT

The applicant has submitted plans entitled "Mangos Tropical Cafe" as prepared by G&S Infrastructure, Inc., dated January 12, 2017.

The applicant is requesting a Certificate of Appropriateness for the installation of a retractable umbrella system located in the public right-of-way.

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 **commercial 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.
Not Satisfied
The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.
 - 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 Satisfied
The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

- b. General design, scale, massing and arrangement.
Not Satisfied
The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.
- c. Texture and material and color.
Satisfied
- d. The relationship of a, b, c, above, to other structures and features of the district.
Not Satisfied
The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.
- e. The purpose for which the district was created.
Not Satisfied
The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.
- f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Not Satisfied
The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.
- 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 Satisfied

The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

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.

Not Satisfied

The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.

- 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 Satisfied

The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.

- 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.

Not Satisfied

The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.

- 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.

Not Satisfied

The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.

- 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.

Not Applicable

- 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 Satisfied
The magnitude of the existing retractable awnings attached to the building and the proposed freestanding retractable umbrellas located within the public sidewalk have an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.
The proposed freestanding retractable umbrellas are out of character with the Ocean Drive/Collins Avenue Local Historic District.
- 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

Staff would preface this analysis by indicating that on October 19, 2016, the City Commission reviewed and approved the Ocean Drive Sidewalk Café Design Guidelines. The approved

design guidelines allow for retractable umbrellas to be proposed in lieu of traditional umbrellas, on a case-by case basis, subject to the review and approval of the Historic Preservation Board.

The subject structures, originally known as the “Park Sea” and “Surf Sea” Apartments were constructed in 1952 and designed by Gilbert M. Fein in the Post War Modern style of architecture. In the early 1990’s, the structures were converted to commercial use and the courtyard was substantially enclosed.

The applicant is currently requesting approval for the installation of a freestanding retractable umbrella system within public sidewalk area along Ocean Drive. The retractable umbrella system measures approximately 95’-0” in length and is divided into seven sections. Each section has its own independently retracting canopy and each section shares a vertical support with the adjacent section, resulting in a continuous umbrella system.



Postcard ca. 1950's, <https://www.floridamemory.com/items/show/153087>



2015 Photograph

Staff believes it is important to maintain the openness of the public sidewalk. The applicant's proposal will extend the permanent architecture of the building with the proposed retractable umbrella system from the primary façade nearly all the way to the street curb. Together with the existing retractable awnings, this creates an imbalance between the public and private realms, which is inconsistent with the longstanding, established historic pattern of Ocean Drive.

Further, the magnitude of the existing retractable awnings attached to the building in combination with the freestanding retractable umbrellas has an adverse impact on the building's architecture, the surrounding Historic District and the quality of the pedestrian experience on Ocean Drive.

Consequently, staff cannot support the introduction of a continuous freestanding retractable umbrella system. As an alternative to the proposed retractable awnings, staff would recommend the applicant provide traditional table umbrellas within the sidewalk café area consistent with the Ocean Drive Sidewalk Café Design Guidelines. Such application could easily be approved at the administrative level. If the Board find that the applicant's request satisfies the Certificate of Appropriateness criteria, staff would recommend at a minimum that the center segment of the umbrella system be eliminated, which will help to demarcate the entrance and break up the continuous expanse of umbrella. Additionally, staff recommends that all fixtures attached to the umbrellas system be removed including but not limited to, speakers, fans, misters, lighting etc.

Finally, staff would note that it appears as though a number of items have been installed on the primary facade of the building without a Certificate of Appropriateness. These elements include but are not limited to speakers, lighting, conduit, exposed wiring, etc. Staff recommends that all unapproved elements be removed.

In summary, staff is seriously concerned that the proposed retractable umbrella structure will have an adverse impact on the character of the existing 'Contributing' building and surrounding historic district and that approval of this application would likely result in a proliferation of similar requests throughout the Ocean Drive. Consequently, staff recommends that the application be denied.

RECOMMENDATION

In view of the foregoing analysis, and the inconsistencies with the aforementioned Certificate of Appropriateness criteria, staff recommends the application be **DENIED**.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: April 10, 2017

FILE NO: HPB16-0090

PROPERTY: 900 Ocean Drive

APPLICANT: David Wallack Real Estate, LLC

LEGAL: Lots 7 and 8, Block 14, Ocean Beach Addition No. 2, According to the Plat Thereof, as Recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the installation of a retractable umbrella system located in the public right-of-way.

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.
- 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 the Certificate of Appropriateness Criteria 'a' in Section 118-564(a)(1) of the Miami Beach Code.
 - 2. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'd', 'e', 'f' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.
 - 3. Is not consistent with Certificate of Appropriateness Criteria 'c', 'd', 'e', 'f' & 'j' in Section 118-564(a)(3) of the Miami Beach Code.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

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 recommendation, that the application is DENIED for the above-referenced project.

Dated this _____ day of _____, 20____.

Meeting Date: April 10, 2017

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH TACKETT
CHIEF OF HISTORIC PRESERVATION
FOR THE CHAIR

[illegible]

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 _____ ()