

# 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: HPB16-0089 a.k.a. HPB File No. 7420, **4833 Collins Avenue – The Miami Beach Resort.**

The applicant, Miami Beach Resort Owner, LLC, is requesting modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 18-story hotel building, including but not limited to, the introduction of new balconies along the north, south and east elevations, the redevelopment of the eastern ground level pool deck, and introduction of a new rooftop pool and deck at the southwest portion of the building. Specifically, the applicant is requesting approval for modifications to the public interior portion of the 18<sup>th</sup> floor.

### **STAFF RECOMMENDATION**

Approval of the requested modifications to previously issued Certificate of Appropriateness

### **BACKGROUND**

On April 8, 2014, the Board reviewed and approved a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 18-story hotel building including the reconstruction of the 17th level balconies, the introduction of new balconies on the 5th to 16th floors of the east elevation, the introduction of balconies at the 5th and 6th level of the north and south elevations, the redevelopment of the eastern ground level pool deck, and introduction of a new rooftop pool and deck at the roof of the south wing on the structure.

On April 14, 2015, the Board reviewed and approved modifications to the previously approved project.

### **EXISTING STRUCTURE**

Local Historic District:	Morris Lapidus/Mid 20th Century
Status:	Contributing
Original Construction Date:	1963
Original Architect:	Melvin Grossman

### **SITE DATA**

Legal Description:	Lots 20, 21 and 22, Parcel 1, Indian Beach Corporation's Subdivision, according to the plat thereof, as recorded in
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Plat Book 8 at page 61 of the public records of Miami-Dade County, Florida.

Zoning:	RM-3, Residential Multifamily, High Intensity
Future Land Use Designation:	RM-3, Residential Multifamily, High Intensity
Lot Size:	143,635 S.F. / 3.0 Max FAR
Existing FAR:	414,360 S.F. / 2.88 FAR
Proposed FAR:	416,948 S.F. / 2.90 FAR, as represented by the applicant
Existing Height:	193'-6" / 18 stories
Proposed Height:	203'-0" / 19 stories
Existing Use/Condition:	Hotel with accessory uses
Proposed Use:	No change

### **THE PROJECT**

The applicant has submitted plans entitled "Miami Beach Resort", as prepared by Kobi Karp Architecture and Interior Design, Inc., dated February 16, 2017.

The applicant is requesting approval for modifications to the public interior portion of the 18<sup>th</sup> floor.

### **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 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.

### **COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA**

A decision on an application for a Certificate of Appropriateness shall be based upon the following:

- I. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to Section 118-564(a)(1) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
  - a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.  
**Satisfied**
  - b. Other guidelines/policies/plans adopted or approved by Resolution or Ordinance by the City Commission.  
**Satisfied**

- II. In determining whether a particular application is compatible with surrounding properties, the Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
- a. Exterior architectural features.  
**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.  
**Not Applicable**
  - 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.  
**Satisfied**
- III. The examination of architectural drawings for consistency with the criteria pursuant to Section 118-564(a)(3) of the Miami Beach Code and stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.  
**Satisfied**
  - b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.  
**Not Applicable**

- 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**  
**A reflected ceiling plan has not been submitted.**
- d. The proposed structure, and/or additions to an existing structure is appropriate to and compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties, or the purposes for which the district was created.  
**Not Applicable**
- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.  
**Satisfied**
- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.  
**Not Applicable**
- 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.  
**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 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.  
**Not Applicable**
- 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**

#### **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. he 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 part of the Morris Lapidus/Mid 20th Century Local Historic District; the building is designated as a 'Contributing' structure in the 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.  
**Satisfied**  
**The existing structure would be difficult and inordinately expensive to reproduce.**
- 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.  
**Satisfied**  
**The subject structure is one of the last remaining examples of its kind and is 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.  
**Satisfied**  
**The subject structure is designated as a '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.  
**Satisfied**  
**The retention of the structure is 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.  
**Not Applicable**  
**The applicant is not proposing total demolition of the existing 'Contributing' building.**
- h. The Dade County Unsafe Structures Board has ordered the demolition of a Structure without option.



**Not Applicable**

**The Dade County Unsafe Structures Board has not ordered the demolition of any part of the subject building.**

**ANALYSIS**

Built in 1962, the Doral Beach Hotel was designed by Melvin Grossman in the Post War Modern style of architecture. The 18-story building originally contained 429 hotel rooms and offered amenities including a cocktail lounge, dining room, coffee shop, beauty salon, barbershop, retail shops, card room, convention hall, meeting rooms, rooftop solarium, swimming pool, pool deck bar, and cabanas. One of its most popular attractions was the Starlight Roof Supper Club located on the top floor of the hotel overlooking Indian Creek. The ceiling of the supper club featured thousands of miniature twinkling light bulbs (see image on next page).

On April 8, 2014, the Board reviewed and approved a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 18-story hotel building including the reconstruction of the 17th level balconies, the introduction of new balconies on the 5th to 16th floors of the east elevation, the introduction of balconies at the 5th and 6th level of the north and south elevations, the redevelopment of the eastern ground level pool deck, and introduction of a new rooftop pool and deck at the roof of the south wing on the structure. The approved project also included plans for the restoration of the starlight ceiling located at the 18<sup>th</sup> floor.



*Postcard of Starlight Roof Supper Club ca. 1960's*

Currently, the Starlight lounge occupies the western half of the 18<sup>th</sup> floor with the remainder of the floor consisting of pre-function space, a food preparation kitchen and two guest suites. Since the original HPB approval, the applicant has been working with the Fire Department regarding the 536 person occupant load of the 18<sup>th</sup> floor. As noted on the provided occupancy load calculations, the existing emergency egress stairs can only support a maximum occupant load of 287 people exiting from the 18<sup>th</sup> floor. Consequently, the applicant is proposing to reduce the area of the lounge from approximately 6,845 sq. ft. to approximately 2,667 sq. ft. The remaining

portion of the Starlight lounge will be located along the south façade of the 18<sup>th</sup> floor below the recreated 'Starlight Roof' sign and new hotel rooms will be introduced along the north façade.



*Photograph ca. 1960's*

While staff would prefer that the entire Starlight room and ceiling be retained and restored in its original configuration, the City cannot ignore the potentially unsafe life safety conditions the existing undersized stairs pose to guests of the hotel. As such, staff has no objection to the modifications proposed which include the reinstallation of the starlight ceiling within the proposed lounge space.

#### **RECOMMENDATION**

In view of the foregoing analysis, staff recommends the application be **approved** subject to the following conditions, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria.



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

MEETING DATE: April 10, 2017

FILE NO: HPB16-0089

PROPERTY: 4833 Collins Avenue

APPLICANT: Miami Beach Resort Owner, LLC

LEGAL: Lots 20, 21 and 22, Parcel 1, Indian Beach Corporation's Subdivision, according to the plat thereof, as recorded in Plat Book 8 at page 61 of the public records of Miami-Dade County, Florida.

IN RE: The Application for modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing 18-story hotel building, including but not limited to, the introduction of new balconies along the north, south and east elevations, the redevelopment of the eastern ground level pool deck, and introduction of a new rooftop pool and deck at the southwest portion of the building. Specifically, the applicant is requesting approval for modifications to the public interior portion of the 18<sup>th</sup> floor.

**SUPPLEMENTAL 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 Morris Lapidus/Mid 20<sup>th</sup> Century Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
  1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
  2. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code.
  3. Is not consistent with Certificate of Appropriateness Criteria 'c' in Section 118-564(a)(3) of the Miami Beach Code.

C. The project would be 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. Final details of all ceiling lighting and 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.
  - b. The ceiling of the starlight lounge shall be composed of acoustical tile or plaster and shall be midnight blue in color, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or directions from the Board.

**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 request for variances has been filed with 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. A copy of all pages of the recorded Supplemental 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.
- B. The Supplemental Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- C. 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.
- 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 Supplemental 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 previous Final Orders dated April 8, 2014 and April 14, 2015 shall remain in full force and effect, except to the extent modified herein.
- G. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- H. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "Miami Beach Resort", as prepared by Kobi Karp Architecture and Interior Design, Inc., dated February 2014, February 19, 2015 and February 16, 2017 as amended and 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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Meeting Date: April 10, 2017

~~Strike-Thru~~ denotes deleted language  
Underscore denotes new language

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