

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: June 19, 2017

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB17-0114, **801 Lincoln Road.**

The applicant, PPF MBL Portfolio, LLC, is requesting modifications to a previously issued Certificate of Appropriateness for the partial demolition and renovation of the existing 1-story commercial building and the construction of a new 3-story ground level addition. Specifically, the applicant is requesting to modify the design of the ground level storefront windows.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions

BACKGROUND

On July 8, 2014, the Board reviewed and approved a Certificate of Appropriateness for the partial demolition and renovation of the existing 1-story commercial building including the construction of a new 3-story ground level addition (HPB File No. 7434).

On June 9, 2015 the Board reviewed and approved modifications to the previously approved Certificate of Appropriateness, including modifications to the signage plan and a variance to reduce the required rear setback.

EXISTING STRUCTURE

Local Historic District:	Flamingo Park
Status:	Contributing
Original Construction Date:	1929
Original Architect:	Russell Pancoast

ZONING / SITE DATA

Legal Description:	East ½ of Lot 1, Block 36 of Golf Course Subdivision, according to the plat thereof recorded in Plat Book 6, Page 26 of the public records of Dade County, Florida.
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Zoning:	CD-3, Commercial high intensity
Future Land Use Designation:	CD-3, Commercial high intensity
Lot Size:	22,500 S.F. / 2.25 Max FAR
Existing FAR:	21,115 S.F. / 0.94 FAR
Proposed FAR:	39,648 S.F. / 1.76 FAR

Existing Height:	1-story
Proposed Height:	50'-0"
Existing Use/Condition:	Commercial
Proposed Use:	Commercial

THE PROJECT

The applicant has submitted plans entitled “801 Lincoln Road” as prepared by Shulman + Associates, dated April 13, 2017.

The applicant is requesting approval for modifications to the ground level storefront design, including the introduction of a folding nanawall system.

CONSISTENCY WITH 2025 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed **commercial 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.
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.
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.
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.

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.

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.

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.

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 Satisfied

A mechanical equipment plan has not been submitted for the individual café spaces located on the ground level.

- 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 Satisfied

A trash room for the use of the ground level tenants has not been identified.

ANALYSIS

On July 8, 2014, the Board reviewed and approved a Certificate of Appropriateness for the partial demolition and renovation of the existing 1-story commercial building including the construction of a new 3-story ground level addition. The approved design of the 3-story addition incorporates traditional fixed storefront systems at the ground level along Meridian Avenue and Lincoln Lane North. Since the original approval, the applicant has further developed the ground floor plan and is currently proposing to introduce a nanawall system along Lincoln Lane North and the northern portion of the Meridian Avenue façade in order to create small café or retail spaces with an indoor/outdoor character. As proposed, staff does not believe the new storefront system will have any negative impact on the integrity of the original design or surrounding historic district. As part of this application, the applicant has submitted schematic floor plans for the retail spaces along Lincoln Lane North and a portion of Meridian Avenue. These plans include options for the interior configuration of furnishing and fixtures commonly associated with small café spaces. It is important to note that several of these options have the potential to be in conflict with the following condition imposed by the Board on July 8, 2014:

Condition C.1.d:

All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, shall be setback a minimum of ten (10') feet from the north and east walls of the building on the first and second levels, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes only.

Staff would note that the intent of the condition is to promote visual connectivity from the pedestrian vantage point into the active commercial space and to discourage inappropriate displays of merchandise and the storage of goods. Staff does not believe that the currently proposed interior plans will adversely impact the pedestrian experience and should serve to enhance the activation of Lincoln Lane North, provided that there is no storage of goods, placement of appliances or similar devices on any service or seating counters immediately adjacent to the storefronts along Meridian Avenue or Lincoln Lane North. Further, staff would recommend that all kitchen equipment, including but not limited to sinks, refrigeration devices, electrical conduit and plumbing connections be setback a minimum of 5'-0" from the storefront glazing along Meridian Avenue and Lincoln Lane North.

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: June 19, 2017

FILE NO: HPB17-0114

PROPERTY: 801 Lincoln Road

APPLICANT: PPF MBL Portfolio, LLC

LEGAL: East ½ of Lot 1, Block 36 of Golf Course Subdivision, according to the plat thereof recorded in Plat Book 6, Page 26 of the public records of Dade County, Florida.

IN RE: The Application for modifications to a previously issued Certificate of Appropriateness for the partial demolition and renovation of the existing 1-story commercial building and the construction of a new 3-story ground level addition. Specifically, the applicant is requesting to modify the design of the ground level storefront windows.

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 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 not consistent with Certificate of Appropriateness Criteria 'l' & 'o' 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 the nanawall storefront systems details shall be provided for all of the structures on the project site, 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. All kitchen venting and other venting shall be chased to the roof and venting systems shall be employed as necessary to minimize or dissipate smoke, fumes and odors, 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. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, shall be setback a minimum of ~~ten (10')~~ five (5'-0") feet from the north and east walls of the building on the first and second levels, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes only, movable or fixed tables and chairs, seating counters or service counters associated with a café use.
- d. There shall be no storage of goods, placement of appliances or similar devices on any service or seating counters immediately adjacent to the ground level storefronts along Meridian Avenue or Lincoln Lane North.
- e. All kitchen equipment, including but not limited to sinks, refrigeration devices, electrical conduit and plumbing connections associated with ground level cafes shall be setback a minimum of 5'-0" from the storefront glazing along Meridian Avenue and Lincoln Lane North, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- f. There shall be no storage of goods or placement of appliances or similar devices placed on top of the counters adjacent to the Drexel Avenue storefronts.
- g. Outdoor speakers, except those required for life safety purposes, shall not be permitted.

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 July 10, 2014 and June 9, 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 "801 Lincoln Road", as prepared by Shulman + Associates., dated May 22, 2014, April 27, 2015 and April 13, 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: _____

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HPB17-0114
Meeting Date: June 19, 2017

Approved As To Form:
City Attorney's Office: _____ ()

Filed with the Clerk of the Historic Preservation Board on _____ ()

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

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