

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: May 9, 2017

FILE NO: HPB16-0068

PROPERTY: 1434 Washington Avenue

APPLICANT: Clay Hotel Partnership, LTD c/o Infinity Real Estate

LEGAL: All of Block 3-B, First Addition to Whitman's Subdivision of Espanola Villas, Plat Book 9, Page 147 of the Public Records of Miami-Dade County Florida.

IN RE: The application for a Certificate of Appropriateness for the partial demolition, renovation and restoration of all structures on the site, including an after-the-fact Certificate of Appropriateness for the demolition of interior floor plates and variances to reduce the required rear setback, to relocate a projecting sign and to reduce the minimum size required for hotel units.

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 Espanola Way Local Historic District.
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- 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 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 'b', 'c', 'e', 'h' & 'm' in Section 118-564(a)(3) of the Miami Beach Code.
 4. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(f)(4) 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:



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- a. The existing lobby of the 1434 Washington Avenue building shall be 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. The non-original ceramic tile located within the Espanola Way portion of the lobby, shall be removed and a new plaster wall finish introduced.
 - ii. The existing masonry staircase may be removed and a new staircase may be added adjoining the original Washington Avenue lobby space.
 - iii. The original pecky cypress ceiling shall be retained and restored to the greatest extent possible. If the ceiling is determined to be beyond restoration, a new, natural finish, pecky cypress ceiling shall be installed. The replacement pecky cypress shall be sourced and purchased before a building permit is issued for its demolition.
 - iv. The proposed projecting light shaft shall not be approved. The existing skylight shall be restored or a new skylight within the existing octagonal shaped opening may be provided.
 - v. Final design and details of the proposed historical display which includes the salvaged pecky cypress panels shall be provided.
- b. ~~The existing ground level storefront windows within the 1434 Washington Avenue building shall be removed and replaced with new storefront windows that are~~ consistent with historical documentation for all three primary buildings, 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. The storefront frames shall be medium bronze in color and the storefront glass shall be clear with the minimum tint required to meet energy codes, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- d. The ground level of the 1434 Washington Avenue building shall be restored as close as possible to its original design, including the reintroduction of the arched window openings with dividing columns, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- e. The balcony brackets shall be reintroduced at the corner balcony of the 1434 Washington Avenue building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

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- f. The roof top planters located shall not be permitted to be placed on top of the parapet walls of the courtyard buildings. The planters features shall be placed on the inside of the original parapet walls to be reconstructed, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - g. Final design and details of the proposed shutters shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. The shutters shall be designed in a manner substantially consistent with available historical documentation. The shutters shall be a neutral color. Black or dark grey color shutters shall not be permitted.
 - h. All items which have been installed on the exterior of the buildings without a Certificate of Appropriateness shall be removed prior to the issuance of a building permit, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - i. All building signage shall require a separate permit and shall consist of reverse channel, back-lit letters, in a manner to be approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - j. Final details of all exterior 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.
 - k. ~~The final location and details of all exterior ramp and railings systems, including materials, dimensions and finishes, shall be provided in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.~~
 - l. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, 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. In accordance with Section 118-395(b)(2) of the City Code, the requirement pertaining to an existing structure's setbacks and parking credits, is hereby waived, to allow for the reconstruction of the original floor slabs.
3. 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:
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- a. 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.

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. The applicant filed an application with the Planning Department for the following variance(s):
 1. A variance from the minimum 200 s.f. required hotel unit size within the "Contributing building to allow 42 hotel units ranging from 167 s.f. to 198 s.f.
 2. A variance to reduce by 5'-1" the minimum required pedestal rear setback of 7'-10" for residential uses in order to construct planters at the roof level at a minimum of 2'-9" from the rear property line.
 3. A variance to relocate a projecting sign which is allowed on the first floor of the building, to the third floor of the building facing Espanola Way.
- 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;

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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.

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 Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the ~~Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code~~, prior to the issuance of a Building Permit.
- B. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- C. 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.
- D. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- E. 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.
- F. 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

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approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

- 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 "Espanola Hotel" as prepared by DNB Design Group, signed and dated March 27, 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 12 day of May, 2017.



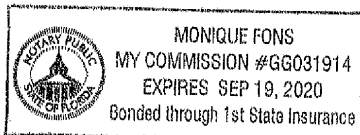
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HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
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 12th day of MAY 2017 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.



[Signature]
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: 9/19/20

Approved As To Form:
City Attorney's Office:

[Signature] 5/12/17)

Filed with the Clerk of the Historic Preservation Board on [Signature] (5/12/17)

[Signature]