

411 and 419 Michigan Avenue and 944 5 Street, Miami Beach, Florida Vertical Accessibility – ADA Waiver Application

Grounds for Waiver

Historic Buildings on which compliance with the requirements for accessibility is not feasible while maintaining historically significant features.

In 1995, the City of Miami Beach created the Ocean Beach Historic District and designated the two historic buildings on the Property as “contributing structures,” ones that are primary examples of the small-scale character of the modest resort community by the sea at that time they were built, with architecture reflective of generally modest Art Deco and Mediterranean Revival Hotels, as well as small apartment homes. See Historic Designation Report included with the application materials. Notably the historic buildings consist of a 508 square-foot structure built in 1933 as a garage, and a 681 square-foot two-story structure built in 1934 as a residence. See Historic Resources Report included with the application materials.

The Applicant will relocate the two-story structure from the middle of the parcel to the more prominent position fronting Michigan Avenue, and bring the one-story structure near the two-story in order to integrate them into the project and allow the public to enjoy and appreciate them. Both will be restored and adaptively reused for commercial use, such as a café, that will provide a unique dining experience. Notably, the second floor of the two-story building will be removed to provide a higher quality interior for the patrons.

The exteriors and elevations of these diminutive historic Mediterranean Revival structures, as reflected in the City of Miami Beach’s Historic Designation Report for the local historic district, are unique attributes that an elevator, including the necessary bulkhead puncturing through the roof, as well as lifts and/or ramps, would irreparably harm. Further, the existing foundation to the north that will be adaptively reused for the office building confines the location of the historic structures and both the City and the Applicant strongly prefer that each be elevated to BFE + 1’ for flood protection, resiliency and longevity. As such there is a substantial change in grade from the street and sidewalk elevation to the required finished floor that means ramps would be extensive and impede access to the site for pedestrians and vehicles. Any adjustment to provide vertical accessibility to the ground-floor of the historic buildings jeopardizes the historic interior

and exterior character of each. Further, based on the approval from the Historic Preservation Board, the Applicant is responsible for the renovation and preservation of these historic elements, for the betterment of the property, the neighborhood and the City.

In summary, any elevator, lift and/or ramp system to access the ground floor retail of the historic buildings would completely destroy the historic integrity of the buildings by obscuring and requiring irreparable changes.

The technical infeasibility hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

As originally designed and constructed in 1934, the layout of the two-story Mediterranean Revival style historic building is very narrow with only 681 square-foot floor plates and low ceilings. Impede life-safety egress to the and due to the adaptive reuse of the existing foundation to the north block ingress and egress for pedestrian and vehicular traffic at the Property. Any interior lifts or elevators would negatively impact the integrity historic structures and compromise the public interior space. Ramps provide similar substantial constraints and are not feasible in the interior spaces due to the maximum allowed slope and very minimal inside square-footage.

In summary, the raising of the historic structures for protection from flooding and sea level rise to ensure their longevity means that they will be approximately 5.6' higher than the adjacent sidewalk and the confines of the Property, with the existing foundation to the north and required life-safety egress as well as access to the site, prevent the utilization of ramps and/or lifts to access the buildings. Any such structural components would further damage the integrity of the historic structures. Therefore it is technically infeasible to provide vertical access to these two small buildings. .

Notably, the Applicant will provide vertical accessibility to the entire office building, including all ground floor commercial spaces that will be open to and accessibly by the public.