

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: February 9, 2016

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: HPB File No. 7595, **1700 Alton Road.**

The applicant, AC 1700 Alton Owner LLC, is requesting a Certificate of Appropriateness for the partial demolition, restoration and renovation of the existing structure as part of a new hotel development.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions

EXISTING STRUCTURES

Local Historic District:	N/A
Status:	Pending designation as an individual Local Historic Site
Original Construction Date:	1922
Original Architect:	Martin L. Hampton

BACKGROUND

On January 12, 2016, at the request of the applicant, the Historic Preservation Board reviewed a Preliminary Evaluation and Recommendation Report relative to the possible historic designation of the existing structure as an individual local historic site. At this meeting, the Board directed staff and the applicant to prepare a formal historic designation report which is scheduled to be reviewed by the Board at the February 9, 2016 meeting.

ZONING / SITE DATA

Legal Description:	Lots 1 & 2, Block 17, of Commercial Subdivision 1 st Addition, According to the Plat Thereof, as Recorded in Plat Book 6, Page 30, of the Public Records of Miami-Dade County, Florida.
Zoning:	CD-2, Commercial, medium intensity
Future Land Use Designation:	CD-2, Commercial, medium intensity
Lot Size:	15,000 S.F. / 1.5 Max FAR
Existing FAR:	35,199 S.F. / 2.35 FAR
Proposed FAR:	No change
Existing Height:	68'-6" / 5-stories

Proposed Height: No change
Existing Use/Condition: Multifamily / Hotel
Proposed Use: Hotel

THE PROJECT

The applicant has submitted plans entitled “AC 1700 Alton Owner LLC” as prepared by Beilinson Gomez Architects, PA, dated December 21, 2015.

The applicant is requesting a Certificate of Appropriateness for the partial demolition, restoration and renovation of the existing 5-story structure as part of a new hotel development. The applicant is proposing the following:

- **Restoration of the corner feature including the reconstruction of the hip roof and ground level entry surround.**
- **Total window replacement for the upper four floors along the south and east elevations and the southern portion of the west elevation.**
- **Reconfiguration of the ground floor storefronts along 17th Street and Alton Road, including the reintroduction of the arch details.**
- **Replacement of the existing through-the-wall and through-the-window air-conditioning units located on the south and east elevations with new flush mounted through-the-wall units.**
- **Reconfiguration of the non-original lobby located along 17th Street.**
- **Renovation of all units within the upper floors, including the removal of all kitchens.**
- **Introduction of a new hotel amenity area within the ground level courtyard located at the northwest portion of the site.**

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, is inconsistent with the following requirements of the City Code:

1. **Sec. 138-10(d)**; the requested change of copy for the proposed reconstructed roof sign shall not be permitted.
2. **Sec. 142-306**; the project as proposed does not meet the minimum required unit size for hotel units. An amendment to this section of the Code is required to allow the undersize units to remain, or a variance must be obtained, subject to the review and approval of the Historic Preservation Board. The applicant has submitted a ‘Hold Harmless’ agreement acknowledging this requirement.

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.
Not Satisfied
The existing and proposed storefront design for the ground floor commercial units is inconsistent with the character of the 1920s Mediterranean Revival style of architecture.
 - b. Other guidelines/policies/plans adopted or approved by Resolution or Ordinance by the City Commission.
Not Satisfied
The proposed roof sign is not consistent with the City's Signage Ordinance.
- 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 existing and proposed storefront design for the ground floor commercial units is inconsistent with the character of the 1920s Mediterranean Revival style of architecture.
The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1920s design.
 - b. General design, scale, massing and arrangement.
Not Satisfied
The existing and proposed storefront design for the ground floor commercial units is inconsistent with the character of the 1920s Mediterranean Revival style of architecture.
The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1920s design.
 - 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.
Not Satisfied
The existing and proposed storefront design for the ground floor commercial units is inconsistent with the character of the 1920s Mediterranean Revival style of architecture.
The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1920s design.
- 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 Satisfied
See compliance with zoning code.
 - 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 existing and proposed storefront design for the ground floor commercial units is inconsistent with the character of the 1920s Mediterranean Revival style of architecture.

The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1920s design.

- 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.
Satisfied
- 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.
Satisfied
- 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.

Satisfied

- 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.

Satisfied

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. The 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.

Partially Satisfied

After reviewing a Preliminary Evaluation and Recommendation for the possible designation of the structure located at 1700 Alton Road as an individual local Historic Site on January 12, 2016, the Historic Preservation Board directed staff and the applicant to prepare a formal Historic Designation Report.

- 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 structures 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 their its kind.
- 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.
Partially Satisfied
After reviewing a Preliminary Evaluation and Recommendation for the possible designation of the structure located at 1700 Alton Road as an individual local Historic Site on January 12, 2016, the Historic Preservation Board directed staff and the applicant to prepare a formal Historic Designation Report.
- 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 this 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 building.
- h. The Dade County Unsafe Structures Board has ordered the demolition of a Structure without option.

Not Applicable

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

STAFF ANALYSIS

Staff would preface this analysis by noting that on January 12, 2016, at the request of the applicant, the Historic Preservation Board reviewed a Preliminary Evaluation and Recommendation Report relative to the possible historic designation of the existing structure as an individual local historic site. At this meeting, the Board directed staff and the applicant to prepare a formal historic designation report which is scheduled to be reviewed by the Board at the February 9, 2016 meeting.

Although, the Historic Site designation has not been formally adopted by the City Commission at the time of this report, the provisions set forth in City Code Sec. 118-591 (c)(3) allow the Historic Preservation Board to review and approve a Certificate of Appropriateness for the proposed project.

As part of the redevelopment of the property the applicant is proposing the following:

Restoration of the corner feature

The applicant is proposing to restore the highly significant corner element back to its original configuration, including the decorative door and window surrounds, the balconette located at the fourth level, and hip roof with flag pole. The applicant is to be commended for voluntarily requesting historic designation of the existing building and for the level of attention given to the restoration of this character defining feature.

Window replacement

The applicant is proposing to replace the existing single-hung windows on the upper four floors along the south and east elevations and the southern portion of the west elevation, with new impact resistant windows that match the historic configuration. Although staff would prefer to have all windows replaced including those on the north elevation, staff would note that the new windows are proposed to be located on the primary facades facing both Alton Road and 17th Street, and will be a significant improvement over the current window design. Staff would however, recommend that new windows be introduced on the entirety of the west elevation.

Reconfiguration of the ground floor storefronts

The applicant is proposing to replace all existing storefront windows and doors along 17th Street and Alton Road and reintroduce the original recessed arch details, with the exception of the northern 1-story addition located along Alton Road. According to City Building Department records the ground floor elevations were significantly modified in the mid-1950s when the ground floor was converted to commercial space. Alterations included the lowering of sill heights, expansion of openings to accommodate large storefronts, the removal of the arch details and the introduction of a projecting stucco band above the storefronts. While staff is supportive of the continued commercial use and recognizes the need for larger storefront windows within these spaces, staff has a few minor concerns with the applicant's proposal. In order to be more consistent with Hampton's original 1920s design intent, staff would recommend that the ground floor windows be redesigned to incorporate solid masonry piers between the arches and that transoms with divided lites be introduced. Further, staff would recommend that the non-original projecting horizontal banding located above the storefronts be

removed and that any awnings proposed be more reflective of the individual awnings shown in the historical images. Collectively, staff believes that these changes will result in a design which is more appropriate to and consistent with the character of the Mediterranean Revival style of architecture.

Through-the-wall/window air-conditioning unit replacement

The applicant is proposing to replace the existing through-the-wall and through-the-window (5th level) air-conditioning units with new flush mounted through-the-wall units. According to City Building Department records the existing units were introduced in 1963, prior to the adoption of the City's Design Guidelines. Staff believes that the through-the-wall air-conditioning system has an adverse impact on the 1920s Mediterranean Revival style architecture and cannot support this request. Consequently, staff would recommend that these units be eliminated on the street facing facades (south and east) and replaced with a central air-conditioning system.

Reconfiguration of the non-original lobby located along 17th Street

In order to improve the guest check-in experience and address accessibility, the applicant is proposing to reconfigure the existing lobby which is currently located approximately 5'-0" above sidewalk level. The lobby floor is proposed to be lowered to sidewalk level and two new entrances accessing the lobby and adjacent coffee shop are proposed to be introduced along the 17th Street elevation. This will require the demolition of the lobby floor slab and portions of the exterior masonry wall. Staff would note that the existing lobby is not original to the 1920s design and contains no historically significant materials or architectural features. Further, the new recessed entry doors will help better identify the main hotel lobby entrance and have been designed in a manner that will have no adverse impact on any significant architectural features. Consequently, staff has no objection to this request.

Introduction of a ground level hotel amenity deck

The applicant is proposing to demolish the existing paved parking area located at the northwest portion of the site adjacent to Alton Court in order to construct a new swimming pool, deck and landscape areas. Staff has no objection to this request, as City Building Records indicate the existing parking spaces are not required for any of the existing uses located on the property.

Finally, staff was able obtain an original c.1940 promotional brochure for the hotel (see image on page 10). This is the only historical documentation located with regard to the 1920s design of the original lobby located at the corner of Alton Road and 17th Street. Although, no work is proposed for this space which is currently occupied by a commercial tenant, staff would recommend this significant public interior be restored to the greatest extent possible when the current tenant lease expires.

Staff is confident that the concerns noted above can be addressed administratively, as indicated in the recommendation for approval below.

RECOMMENDATION

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



HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: February 9, 2016

FILE NO: 7595

PROPERTY: 1700 Alton Road

APPLICANT: AC 1700 Alton Owner LLC

LEGAL: Lots 1 & 2, Block 17, of Commercial Subdivision 1st Addition, According to the Plat Thereof, as Recorded in Plat Book 6, Page 30, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the partial demolition, restoration and renovation of the existing structure as part of a new hotel development.

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 Historic Preservation Board recommends the Mayor and City Commission adopt the proposed historic designation of the existing structure as an individual local historic site.
- B. The provisions set forth in City Code Sec. 118-591 (c)(3) allow the Historic Preservation Board to review and approve a Certificate of Appropriateness for the proposed new addition.
- C. 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' & 'b' in Section 118-564(a)(1) of the Miami Beach Code.

2. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.
 3. Is not consistent with Certificate of Appropriateness Criteria 'b' & 'c' 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.
- D. 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. The proposed roof sign is not consistent with the requirements of Sec. 138-10(d) of the City Code and shall not be permitted. This sign shall be removed from all revised plans submitted for building permit.
 - b. All windows located on the south, east and west elevations at the upper four floors shall be replaced with new impact resistant windows with a muntin configuration that is consistent with historical documentation, 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 existing through-the-wall or through-the window air conditioning units shall be removed along the south (17th Street) and east (Alton Road) elevations; a new central air-conditioning system 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.
 - d. The ground floor storefront windows located on the 5-story building shall be reconfigured to incorporate solid masonry piers between the arches and transoms with divided lites be introduced, 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 non-original projecting horizontal banding located above the storefronts shall be removed, 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. Any awnings proposed to be placed on the building shall be more reflective of the individual awnings shown in the historical images, 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. The interior of the original public lobby located at the corner of Alton Road and 17th Street shall be restored as close as possible to its original design based on historical documentation when the existing lease for the commercial tenant

occupying this area has expired, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- h. 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.
 - i. 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. The project as proposed does not meet the current minimum required unit size for hotel units. An amendment to Sec. 142-306 of the City Code has been proposed and shall be adopted by the City Commission to allow the undersize units to remain. If said amendment is not adopted, the applicant shall comply with the minimum required unit size or obtain a Variance to be reviewed and approved by the Historic Preservation Board, prior to the expiration of this order.
 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:
 - a. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow prevention devices. Backflow prevention devices shall not be permitted within any required yard or any area fronting a street or sidewalk, unless otherwise permitted by the Land Development Regulations. The location of all backflow prevention devices, and how they are screened from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all post-indicator valves (PIV), fire department connections (FDC) and all other related devices and fixtures, which shall be clearly indicated on the site and landscape plans.
 - b. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
 - c. 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. Right-of-way areas shall also be incorporated as part of the irrigation system.

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 variances have been applied for as part of this application.

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. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- F. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, 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. 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.
- H. 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 approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

- I. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- J. 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 "AC 1700 Alton Owner LLC" as prepared by Beilinson Gomez Architects, PA, dated December 21, 2015, and as 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
PRESERVATION AND DESIGN MANAGER
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, Preservation and Design Manager, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He 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 _____ ()

