MIAMIBEACH

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. 7602, **3120 Collins Avenue.**

The applicant, Atlantic Princess Condominium Association, Inc., is requesting a Certificate of Appropriateness for the partial demolition, restoration and renovation of the existing 8-story and two 2-story 'Contributing' structures, and the construction of two 1-story attached ground level additions, a 1-story detached ground level addition and a new stair enclosure, including variances to reduce the required south side yard pedestal and south tower setbacks for a stair enclosure, stairwell bulkhead and exhaust enclosure, to reduce the required side yard facing a street setback for a trash room enclosure, to reduce the required front yard setback on Indian Creek Drive for a driveway, to reduce the required side setbacks for a pool and pool deck, and a variance from the minimum required hotel unit size.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness and variances with conditions.

EXISTING STRUCTURES

Local Historic District: North Beach Resort

Schmidheiser Residence & Garage, 3127 Indian Creek Drive

Status: Contributing
Original Construction Date: 1926
Original Architect: E. L. Robertson

Rendale Hotel, 3120 Collins Avenue

Status: Contributing
Original Construction Date: 1940
Original Architect: E. L. Robertson

ZONING / SITE DATA

Legal Description: Lots 4, 5, 6, 9, 11, 12 and the North ½ of Lot 3, Block 16, of the Amended Plat of the Ocean Front Property of the Miami Beach Improvement Company, According to the

	Plat Thereof, as Recorded in Plat Book 5, Page 7, of the Public Records of Miami-Dade County, Florida.
Zoning:	RM-2, Residential multi-family, high intensity
Future Land Use Designation:	RM-2, Residential multi-family, high intensity
Lot Size:	28,500 S.F. / 2.0 Max FAR
Existing FAR:	48,085 S.F. / 1.68 FAR
Proposed FAR:	50,592 S.F. / 1.77 FAR
Existing Height:	8-stories
Proposed Height:	No change
Existing Use/Condition:	Multifamily residential
Proposed Use:	Hotel and accessory restaurant

THE PROJECT

The applicant has submitted plans entitled "3120 Collins Ave. – Miami Beach" as prepared by STA Architectural Group, dated December 17, 2015.

The applicant is requesting a Certificate of Appropriateness for the partial demolition, restoration and renovation of the existing 8-story and two 2-story 'Contributing' structures, and the construction of two 1-story attached ground level additions, a 1-story detached ground level addition and a new stair enclosure, including variances to reduce the required south side yard pedestal and south tower setbacks for a stair enclosure, stairwell bulkhead and exhaust enclosure, to reduce the required side yard facing a street setback for a trash room enclosure, to reduce the required front yard setback on Indian Creek Drive for a driveway, to reduce the required side setbacks for a pool and pool deck, and a variance from the minimum required hotel unit size.

The applicant is requesting the following variance(s):

1. A variance to reduce all required pedestal interior side setback of 8'-0" in order to construct walls enclosing an existing stair and to construct a new kitchen exhaust duct up to the south property line and up to 50'-0" in height.

    - Variance requested from:

    Sec. 142-218. Setback requirements.
    The setback requirements in the RM-2 residential multifamily, medium intensity district are as follows:
    Pedestal, side interior —Minimum: 7.5 feet or 8% of lot width, whichever is greater.

This variance request is related to the renovation of the existing building fronting Collins Ave. Eight floors are connected thru stairs located on the north and south side of the building. The landings of the south stair are currently open on all floors. New walls are proposed to enclose the stair that encroaches up to the property line, therefore a variance is required. In addition, walls following the stair setback are proposed for a new exhaust shaft accessory to a kitchen's restaurant. Because the building already has non-conforming side and sum of the side setbacks and the stair landing is curently up to the property line, the increase of non-conformity on this side has a minor impact on the required side yard. The applicant states that the new walls on

the stairs are associated with a Fire Department requirement to comply with life-safety regulations as expressed in the letter of intent.

Staff finds that the need to comply with current life safety regulations for the new hotel development and the fact that the historic building is proposed to be completely retained with its non-conforming setbacks are practical dificulties that create the need for the variance requested.

2. A variance to reduce all required tower interior side setback of 11'-6" in order to construct walls enclosing an existing stair including the bulkhead and to construct a new kitchen exhaust duct up to the south property line and up to 84'-10" in height.

   - Variance requested from:

   Sec. 142-218. Setback requirements.
   The setback requirements in the RM-2 residential multifamily, medium intensity district are as follows:
   Tower, Side interior: Same as pedestal for structures with a total height of 60 feet or less. The required pedestal setback plus 0.10 of the height of the tower portion of the building.

This request is associated to variance number 1. It includes the tower portion of the stair enclosure and kitchen exhaust shaft above 50 feet in height which has a larger setback requirement than the pedestal setback. Staff finds that the life-safety requirements for the hotel operation and the existing non-conforming building side setbacks create the request for this variance.

3. A variance to reduce all required pedestal sum of the side setbacks of 16'-0" in order to construct a trash room on the north side up to the property line and a sum of the side setbacks of zero.

   - Variance requested from:

   Sec. 142-218. Setback requirements.
   The setback requirements in the RM-2 residential multifamily, medium intensity district are as follows:
   Pedestal, Side Facing a Street — Sum of the side yards shall equal 16% of lot width. Minimum — 7.5 feet or 8% of lot width, whichever is greater.

A new detached building is proposed on the north side to replace the existing area for waste dumspters. The exterior walls have zero setback to the street side property line and the doors are at the edge of the sidewalk. This condition would have a larger negative impact on the neighborhood, because the trash collection would be mostly performed on the sidewalk. Staff does not support this variance request and recommends that the trash operation be more internal to the site and not directly on the sidewalk. There is sufficient open area on the site that could be shifted southward to align with the existing building. Staff is supportive of a reduction of the side setback, conditioned upon this modification.

4. A variance to reduce by a range from 15'-0" to 4'-10" the required front setback of 20'-0" for parking in order to construct a driveway at a setback ranging from 5'-0" to 15'-2" from the front property line facing Indian Creek Drive.

- Variance requested from:

Sec. 142-218. Setback requirements.
The setback requirements in the RM-2 residential multifamily, medium intensity district are as follows:
At-grade parking lot on the same lot except where (c) below is applicable, Front: 20 feet

This variance request is for a new driveway and parking area located at the front of the property facing Indian Creek Drive. Two curb cuts are proposed and a driveway with variable front setback. The existing building fronting the street was constructed in 1927 and has a setback of more than 31 feet at the closest point from the front property line. Additional three (3) parking spaces are proposed in the front with a substantial amount of paving within the front of the building. The existing parking spaces are non-conforming as they do not comply with the required front and side setback. Although the proposed driveway and landscape on the street side are an improvement considering the current conditions, staff recommends that both curb cuts be no larger than 12 feet in width in order to increase the landscaped area. Indian Creek Drive vehicle traffic is only southbound and it is entirely appropriate to also have only a one-way drive. With this modification, staff is supportive of the reduction of the front setback for parking. Staff finds that the retention of the historic buldings and the reconfiguration of the existing parking on site to provide for additional landscape creates the practical difficulties for the variance requested to accommodate a new drop-off area.

5. A variance to reduce by 1'-6" the minimum required side setback of 7'-6" from the interior side property line to the pool deck, in order to reconstruct the existing pool deck at a minimum of 3'-3" from the North property line.

- Variance requested from:

Sec. 142-1133. Swimming pools.
This section applies to swimming pools in all districts, except where specified. Accessory swimming pools, open and enclosed, or covered by a screen enclosure, or screen enclosure not covering a swimming pool, may only occupy a required rear or side yard, provided:
(2)Side yard setback. A seven and one-half-foot minimum required setback from the side property line to a swimming pool deck, or platform, the exterior face of an infinity edge pool catch basin, or screen enclosures associated or not associated with a swimming pool.

The pool deck, constructed in 1967 was originally constructed with a side setback that does not conform with today's setback requirements. The applicant is proposing the retention of the pool and pool deck in the existing location. This request would allow the reconstruction of the pool deck with its configuration as it has been for many years including a path of 4 feet approximately in its narrowest portion. Staff finds that the existing pool with non-conforming side setback creates the practical difficulties that result in the request of this variance.

6. A variance to reduce by 1'-6" the minimum required side setback of 9'-0" from the interior side property line to the water's edge of a pool, in order to retain the existing pool's retaining walls at 7'-3" from the South property line.

- Variance requested from:

Sec. 142-1133. Swimming pools.
This section applies to swimming pools in all districts, except where specified. Accessory swimming pools, open and enclosed, or covered by a screen enclosure, or screen enclosure not covering a swimming pool, may only occupy a required rear or side yard, provided:
(2)Side yard setback. A seven and one-half-foot minimum required setback from the side property line to a swimming pool deck, or platform, the exterior face of an infinity edge pool catch basin, or screen enclosures associated or not associated with a swimming pool. Nine-foot minimum required setback from side property line to the water's edge of the swimming pool or to the waterline of the catch basin of an infinity edge pool.

This variance is associated with the retention of the existing pool. The pool's water's edge is located at 7'-3" from its closest point to the south property line as originally constructed. The configuration of the pool is irregular and this reduction on the required setback is only for a small portion. Staff finds that the existing pool constructed in 1967 with the reduced setback satisfies the practical difficulties criteria for the granting of this variance. The main buildings on site are preserved and the pool in its location is another structure part of the hotel development with historic character.

7. A variance to reduce the required minimum hotel unit size for reconfigured units within a Historic structure: 15% of the hotel units shall be between 300-335 s.f. and 85% of units shall be 335 s.f. of larger, in order to reconstruct 5 hotel units at less than 300 s.f (the smallest at 200 s.f., 45.4% of units), 3 hotel units between 300 s.f. and 335 s.f. (the smallest at 324 s.f., 27.3% of the units) and 3 hotel units exceeding 335 s.f. (the smallest at 360 s.f., 27.3%) all within the building at 3127 Indian Creek Drive.

- Variance requested from:

Sec. 142-217. Area requirements.
The area requirements in the RM-2 residential multifamily, medium intensity district are as follows:
Hotel units: 15%: 300 — 335, 85%: 335+

As part of the renovations, the building fronting Indian Creek Drive, constructed in 1926 includes hotel units ranging from 200 s.f. to 550 s.f. The existing building configuration creates space limitations in order to design room sizes that do not interfere with windows and provide for more standard room sizes. Staff concluded that the retention of the existing historic building creates the practical difficulties for this variance request. The proposed room sizes are compatible with the typical room sizes existing in many buildings constructed in the same time period. Furthermore, hotel units within the main building, fronting Collins Ave also have non-conforming size, but because the original room configuration is maintained, a variance is not required for these units.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that staff has concluded satisfy Article 1, Section 2 of the Related Special Acts. **In this case the requested variances are necessary in order to satisfy the Certificate of Appropriateness criteria and to not adversely impact the existing contributing buildings.**

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;

- 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.

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 inconsistent with the following sections of the City Code, in addition to the requested variance(s):

1. Paved area for seating in the north side appears to exceed the maximum 25% of the required yard.

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 applicant is not proposing to restore the garage structure.

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 Satisfied
The applicant is not proposing any restoration work the garage structure.

The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1940s design.

b. General design, scale, massing and arrangement.
Not Satisfied
The applicant is not proposing any restoration work the garage structure.

The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1940s design.

c. Texture and material and color.
Not Satisfied
Material samples have not been provided.

d. The relationship of a, b, c, above, to other structures and features of the district.
Not Satisfied

The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

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 Satisfied
The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

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 applicant is not proposing any restoration work the garage structure.

The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1940s 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.
Not Satisfied
The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

The amount of paving proposed for the front yard of the house is excessive and will have an adverse impact on the 'Contributing' structure.

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 applicant is not proposing any restoration work the garage structure.

The existing and proposed through-the-wall air-conditioning units have an adverse impact on the character of the original 1940s 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 Satisfied
The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

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.
Not Satisfied
The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

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.
Not Satisfied
A lighting plan has not been submitted.

h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
Not Satisfied

The amount of paving proposed for the front yard of the house is excessive and will have an adverse impact on the 'Contributing' structure.

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 Satisfied
The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

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).
Satisfied

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
The location of the proposed trash room at the north property line along 32nd Street has an adverse impact on the surrounding historic district.

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.
Satisfied
The existing structures are designated as part of the Collins Waterfront Local Historic District; the buildings are designated as 'Contributing' structures 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 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 structures are one of the last remaining examples of their kind and are distinctive examples 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 structures are designated as 'Contributing' buildings 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 these structures 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 Miami-Dade County Unsafe Structures Board has not ordered the demolition of any part of the subject building.

STAFF ANALYSIS
The applicant is proposing a comprehensive renovation of the subject property which contains three 'Contributing' structures. Additionally, the applicant is proposing to construct three new 1-story additions, a stair enclosure and general site improvements.

Rendale Hotel – 3120 Collins Avenue
The 8-story Rendale Hotel was constructed in 1940 and designed by E. L. Robertson in the Art Deco style of architecture. In 1996 the structure was converted to residential use. At that time, portions of the original public lobby and ancillary ground level public spaces were converted into residential units. Staff would note that the Collins Waterfront Historic District was not designated until January 31, 2001. Staff is pleased with the overall concept of the proposed project which will remove the existing residential apartments and restore the property back to its original hotel use.

Historic lobby
Within the original public lobby space, the applicant is proposing to restore all significant architectural features that remain, including the circular columns, terrazzo flooring and cove ceiling details. Additionally, the applicant is proposing to replace the existing ground level windows and doors with windows and doors which substantially match the original configuration. Further, the applicant is proposing to recreate the decorative moldings around the perimeter of the ceiling, the decorative column capitals and partially reintroduce the square wall paneling. Staff's only concern with the renovation of the lobby is with regard to the proposed lighting fixtures and wall coverings as shown in the renderings on pages A8.5 and A8.6. Staff believes that these new fixtures and finishes are out of character with a hotel of this time period. As such, staff would recommend that any lighting fixtures and permanent wall coverings be consistent with the Art Deco style of architecture.

Removal and replacement of the through-the-wall air-conditioning units

The applicant is proposing to replace all of the existing through-the-wall air-conditioning units with new flush mounted through-the-wall units. According to City Building Department records the existing units were introduced in 1961, prior to the adoption of the City's Design Guidelines. Staff believes that these units have an adverse impact on the 1940s Art Deco style architecture and cannot support this request. Consequently, staff would recommend, at a minimum, that all units on the street facing facades (north and east) be replaced with a central air-conditioning system.

1-story additions

- Viewing Lounge – The applicant is proposing to construct a 1-story attached addition located directly west of the original lobby. In order to provide greater connectivity to the new addition, the windows located on the west wall of the lobby are proposed to be removed. Staff would note however, that the original window openings are proposed to be retained demarcating the extent of the original lobby. The addition has been designed in a simple architectural vocabulary which will have no adverse impact on the original structure.

- Restrooms – The applicant is proposing to expand the existing 1-story addition attached to the rear of the 'Contributing' structure in order to accommodate restrooms for the proposed lobby restaurant. Again, this addition has been designed in a simple architectural vocabulary and will have no adverse impact on the original structure.

Introduction of a new trash room

The applicant is proposing to reconfigure the existing pool equipment and storage enclosures located at the north property line, in order to accommodate a new trash room. Staff believes this proposed location, immediately adjacent to the sidewalk, will have an adverse impact on the pedestrian experience and surrounding historic district. Consequently, staff would recommend that the existing structures along the property line be removed and that any new trash room structure be setback southward to be consistent with the setback of the existing 'Contributing' building.

Schmidheiser House and Garage – 3127 Indian Creek Drive

2-Story Single Family House

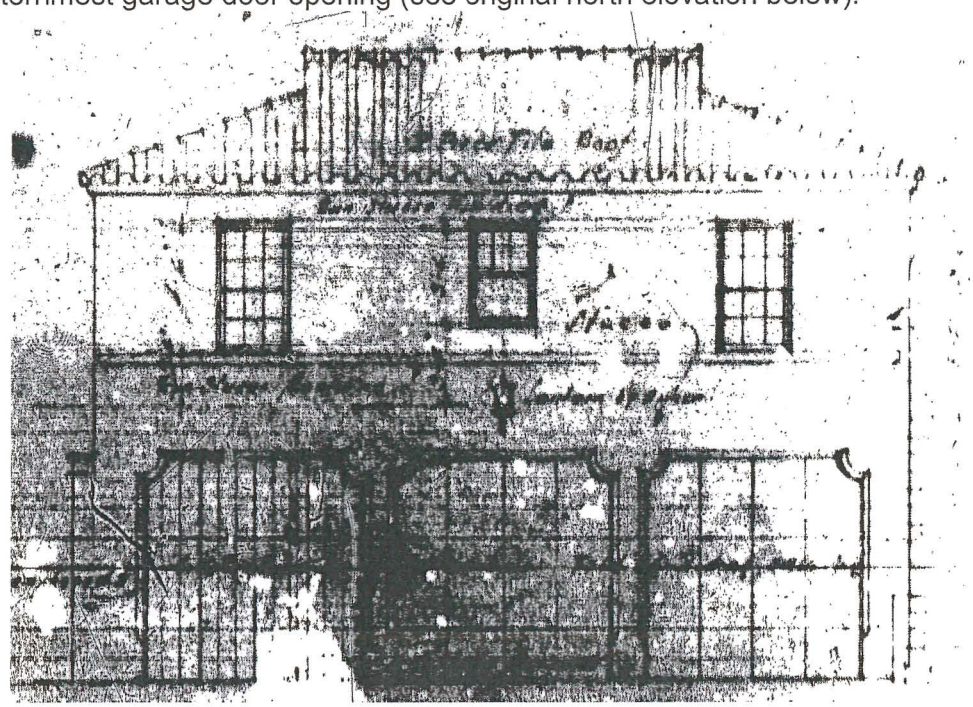
The Schmidheiser House, constructed in 1926 and designed by E.L. Robertson, is a noteworthy example of single-family Mediterranean Revival style architecture with Moorish influence. The home incorporates many significant architectural elements including pointed arch windows, decorative metal window grilles, projecting stair tower, highly detailed and ornate cornices, balconettes, a recessed entryway and decorative reliefs.

The applicant is proposing the renovation and restoration of the existing structure including the removal of all of non-original windows and through-the-window air conditioning units. New single hung windows with a muntin configuration consistent with available historical documentation and a central air-conditioning system will be introduced. Although supportive of the proposed window replacement, staff would note that the proposed elevations and renderings do not accurately reflect the historic configuration for all of the windows. Staff would recommend that all windows be replaced in accordance with the original design. Additionally, staff would recommend the reintroduction of the balconette which was originally located at the second level of the northernmost portion of the west façade.

The applicant is also proposing to reconfigure the existing front yard including the introduction of a vehicular drop off and three parking spaces. Further, pervious grass pavers are proposed to be installed at the north end of the driveway in what appear to be an attempt to accommodate additional parking spaces. Examination of historical documentation reveals that the front yard facing Indian Creek was originally enclosed by a low wall and pedestrian entry gate with decorative scroll details. Vehicular access to the site was via a driveway leading to the garage along 32nd Street. Portions of the site wall were removed in the early 50's in order to introduce parking spaces. Although staff would prefer to return the front yard to its original landscaped design, staff understands the need to provide for onsite parking for the hotel use. Staff is however, concerned that the amount of paving, including the pervious grass pavers, will lead to a parking lot type affect similar to its current inappropriate configuration. As such, staff would recommend that the curb cuts and driveway be limited to the minimum width required by the City Code (12 feet), that the pervious grass pavers be eliminated and replaced with additional landscaping and that additional landscaping be introduced in this area.

2-story Garage

The 2-story garage structure is located behind the main house and is accessed via 32nd Street. The building originally contained a 3-car garage on the ground floor and an apartment unit on the second floor. The structure remains substantially intact with the exception of the enclosure of the easternmost garage door opening (see original north elevation below).



The applicant is proposing to change the use of the structure from multifamily residential to an accessory 59 seat restaurant with outdoor seating. The ground level will be converted into a kitchen and bar counter and the second level will be utilized as an office and storage area. The majority of the seating for the restaurant will be located in the proposed outdoor dining area adjacent to the north. Additionally, the applicant is proposing to construct a trellis structure with a retractable awning over the proposed outdoor seating. Although staff is not opposed to introduction of this shade structure, staff would note that the proposed materials have not been identified on the plans and that extent of the trellis is not shown consistently within the elevation

drawings, renderings and the proposed floor plan. Within the two remaining garage door openings the applicant is proposing to install French style doors with sidelights. Staff has no objection to the modification; however, staff is concerned with regard to the lack of detail provided. On the proposed elevation drawings and renderings the garage door openings no longer show the rounded corbel details at the corners of the openings and the openings appear to be different widths.

Finally, staff is extremely concerned that the applicant is not proposing any exterior restoration of the garage structure.

In order to address the concerns noted above, staff would, at a minimum, recommend the following:

1. All exterior windows be removed and replaced with impact resistant single hung windows consistent with available historical documentation and the removal of the inappropriate through-the-window air-conditioning units to be replaced with a central air-conditioning system.
2. The original third garage door opening of the 2-story garage structure shall be full restored or a 1" blind recess shall be provided in the location of the original door opening.
3. The vehicular gate which was located along the north property line leading to the garage shall be recreated in a manner consistent with available historical documentation.

Proposed 1-story detached addition

The applicant is proposing to construct a new 1-story structure to the south of the 2-story house. The building will house various mechanical rooms which will service the hotel complex. Staff has no objection to the construction of the building as it has been designed in a simple manner which compliments the house. Further, the new structure will be minimally, if at all visible from south bound only traffic on Indian Creek Drive.

VARIANCE ANALYSIS

The applicant is proposing the conversion to a hotel development while preserving the historic buildings and conditions of the site. The main structure has non-conforming setbacks, room sizes, driveway and pool setbacks. The proposed FAR for the site is well below the maximum allowed as the increase in area is minimal. Staff finds that practical difficulties exist, as noted in the variance description part of this report in order to preserve the historic buildings without major alterations. Staff recommends approval of the variance requests number 1, 2, 3, 4, 5 and 6 with the modifications recommended by staff.

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 and Practical Difficulty and Hardship criteria, as applicable.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: February 9, 2016

FILE NO: 7602

PROPERTY: 3120 Collins Avenue

APPLICANT: Atlantic Princess Condominium Association, Inc.

LEGAL: Lots 4, 5, 6, 9, 11, 12 and the North ½ of Lot 3, Block 16, of the Amended Plat of the Ocean Front Property of the Miami Beach Improvement Company, According to the Plat Thereof, as Recorded in Plat Book 5, Page 7, 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 8-story and two 2-story 'Contributing' structures, and the construction of two 1-story attached ground level additions, a 1-story detached ground level addition and a new stair enclosure, including variances to reduce the required south side yard pedestal and south tower setbacks for a stair enclosure, stairwell bulkhead and exhaust enclosure, to reduce the required side yard facing a street setback for a trash room enclosure, to reduce the required front yard setback on Indian Creek Drive for a driveway, to reduce the required side setbacks for a pool and pool deck, and a variance from the minimum required hotel unit size.

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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 Collins Waterfront 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 not consistent with the Certificate of Appropriateness Criteria 'a' in Section 118-564(a)(1) of the Miami Beach Code.

2. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'c', 'd', 'f' & 'h' in Section 118-564(a)(2) of the Miami Beach Code.

3. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'c', 'd', 'e', 'g', 'h'. 'j' & 'o' in Section 118-564(a)(3) of the Miami Beach Code.

4. Is consistent with Certificate of Appropriateness Criteria for Demolition 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:

a. The lobby of the Rendale Hotel shall be restored to the greatest extent possible, consistent with available historical documentation. Lighting fixtures and permanent wall coverings, including wallpaper, located within the original lobby, shall be consistent with Art Deco style of architecture, 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 ground floor windows of the Rendale Hotel 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 windows on the 2-story house and 2-story garage shall be replaced with new single-hung 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.

d. All existing through-the-wall or through-the window air conditioning units shall be removed along the north and east elevations of the Rendale Hotel and along all

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elevations of the 2-story house and the 2-story garage; new central systems 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.

e. The balconette located on the west elevation of the 2-story home shall be recreated, 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. The existing pool equipment room and storage room structures along the north property line shall be removed; any new trash room structure shall not exceed the setback of the existing north wall of the Rendale Hotel structure.

g. Final design and details of the proposed 1-story additions 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.

h. Final design and details of the proposed trellis structure located to the north of the 2-story garage building shall be provided and the structure of the trellis shall be reduced to the greatest extent possible, 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. The existing garage door openings located on the north elevation of the 2-story garage structure shall be maintained including the rounded corbel corner details, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

j. The original third garage door opening of the 2-story garage structure shall be reintroduced or a 1" blind recess shall be provided in the location of the original door opening, 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 pedestrian gate which was located along the west property line shall be recreated consistent with available 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.

l. The vehicular gate which was located along the north property line leading to the garage shall be recreated consistent with available 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.

m. The curb cuts along Indian Creek Drive and the and driveway within the front yard of the 2-story house shall have a maximum of 12'-0", in a manner to be

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reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

n. The five decorative metal railings which were located within the window openings of five windows at the southeast corner of the ground level of the Rendale Hotel shall be recreated, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

o. 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.

p. 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. 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. Additional landscaping shall be provided within the front yard of the 2-story house, 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 pervious pavers shall not be approved. Additional landscaping 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.

c. Any existing hedge material located within the front yard and/or Public ROW 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.

d. With the exception of individual plants provided for accent, all understory plant material provided within the front yard facing the public ROW shall naturally not exceed 24" in height at maturity and shall not require periodic pruning in order to maintain such height, 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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e. 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.

f. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.

g. 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.

II. Variance(s)

A. The applicant filed an application with the Planning Department for the following variance(s) which were either approved by the Board with modifications, or denied (Underlying denotes new language and ~~strikethrough~~ denotes stricken language):

1. A variance to reduce all required pedestal interior side setback of 8'-0" in order to construct walls enclosing an existing stair and to construct a new kitchen exhaust duct up to the south property line and up to 50'-0" in height.

2. A variance to reduce all required tower interior side setback of 11'-6" in order to construct walls enclosing an existing stair including the bulkhead and to construct a new kitchen exhaust duct up to the south property line and up to 84'-10" in height.

3. A variance to reduce by 8'-0" ~~all~~ the required pedestal sum of the side setbacks of 16'-0" in order to construct a trash room on the north side at 5'-0" from ~~up to~~ the property line and a sum of the side setbacks of 5'-0" ~~zero~~.

4. A variance to reduce by a range from 15'-0" to 4'-10" the required front setback of 20'-0" for parking in order to construct a driveway at a setback ranging from 5'-0" to 15'-2" from the front property line facing Indian Creek Drive.

5. A variance to reduce by 1'-6" the minimum required side setback of 9'-0" from the interior side property line to the water's edge of a pool, in order to retain the existing pool's retaining walls at 7'-3" from the South property line.

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6. A variance to reduce the required minimum hotel unit size for reconfigured units within a Historic structure: 15% of the hotel units shall be between 300-335 s.f. and 85% of units shall be 335 s.f. of larger, in order to reconstruct 5 hotel units at less than 300 s.f (the smallest at 200 s.f., 45.4% of units), 3 hotel units between 300 s.f. and 335 s.f. (the smallest at 324 s.f., 27.3% of the units) and 3 hotel units exceeding 335 s.f. (the smallest at 360 s.f., 27.3%) all within the building at 3127 Indian Creek Drive.

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;

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.

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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.

3. Revised detailed site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:

a. The proposed trash room shall be redesigned with access solely from the east, west, or south side, with a minimum street side setback of 5'-0", subject to the review and approval of staff.

b. The two curb cuts facing Indian Creek Drive shall be no larger than 12'-0" in width.

c. Walkways on the required side yards shall not exceed 44" in width.

d. Pavement within the side yard facing a street shall not project more than 25% of the required yard.

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 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.

C. 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.

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D. 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.

E. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

F. 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.

G. 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.

H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

I. 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 "3120 Collins Ave. – Miami Beach" as prepared by STA Architectural Group, dated December 17, 2015, 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

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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

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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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