

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: March 8, 2016

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: HPB File No. 7608, 6475 Collins Avenue – Allison Park ADA Playground.

The applicant, City of Miami Beach, is requesting a Certificate of Appropriateness for the installation of a handicap accessible playground within the northeast portion of the park.

### STAFF RECOMMENDATION

Approval of Certificate of Appropriateness with conditions

### EXISTING SITE

Local Historic District: North Beach Resort

### ZONING / SITE DATA

Legal Description: Lots 30 thru 34 and the South 25 feet of Lot 35, Block 1, of AMENDED PLAT OF SECOND OCEANFRONT ADDITION SUBDIVISION, according to the Plat thereof Recorded in Plat Book 28, Page 28 of the Public Records of Miami Dade County, Florida.

Zoning: GU (Government Use)  
Future Land Use Designation: ROS (Recreation and Open Space)

### BACKGROUND

A discussion item was held at the May 30, 2014 Neighborhood/Community Affairs Committee (NCAC), regarding the possibility of including an adaptive/inclusive playground in the design plan for Allison Park. The Committee members expressed their support in providing equal opportunities to all children within our community.

At its May 30, 2014 meeting, by majority vote, the Neighborhood/Community Affairs Committee passed a motion to recommend that the City Commission approve an adaptive and inclusive playground within Allison Park.

On July 23, 2014, the Mayor and City Commission adopted a resolution adopting and accepting the recommendation of the NCAC to establish a beach with accessible elements at the beach adjacent to Allison Park and to include an adaptive and inclusive playground at Allison Park located at 6475 Collins Avenue (Resolution 2014-28695).

On March 12, 2015, the City retained A/E Services from Bruce Howard & Associates, Inc. (Consultant), to develop a conceptual design for the Allison Park Redesign Project (the Project). On July 27, 2015, the Consultant submitted a conceptual design for the accessible beach and accessible outdoor recreation and playground facility, reflecting the vision of the City and the Foundation.

At the September 2, 2015 City Commission Meeting, a discussion was held with regard to the conceptual redesign of the Park meeting the City's needs for an ADA Accessible Program. At this meeting, the Mayor and City Commission adopted a resolution approving in concept, an accessible beach and an accessible outdoor recreation and playground facility at Allison Park (Resolution 2015-29121).

### **THE PROJECT**

The applicant has submitted plans entitled "Proposed Upgrades to Allison Park", as prepared by Bruce Howard and Associates, Inc., dated January 1, 2016.

The applicant is requesting a Certificate of Appropriateness Certificate of Appropriateness for the installation of a handicap accessible playground within the northeast portion of the park.

### **CONSISTENCY WITH 2025 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed **municipal park 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, may be inconsistent with the following portions of the City Code:

1. A setback variances or a waiver of development regulations for City owned property, approved by the City Commission, for the proposed for the playground equipment and hardscape are required.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

### **COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA**

A decision on an application for a Certificate of Appropriateness shall be based upon the following:

- I. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to Section 118-564(a)(1) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time.  
**Satisfied**
  - b. Other guidelines/policies/plans adopted or approved by Resolution or Ordinance by the City Commission.  
**Satisfied**
- II. In determining whether a particular application is compatible with surrounding properties, the Board shall consider the following criteria pursuant to Section 118-564(a)(2) of the Miami Beach Code (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
- a. Exterior architectural features.  
**Satisfied**
  - b. General design, scale, massing and arrangement.  
**Satisfied**
  - c. Texture and material and color.  
**Not Satisfied**  
**The proposed bright blue color of the rubberized surface may detract from the character of the natural park setting.**
  - d. The relationship of a, b, c, above, to other structures and features of the district.  
**Satisfied**
  - e. The purpose for which the district was created.  
**Satisfied**
  - f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.  
**Satisfied**
  - g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.  
**Not Applicable**
  - h. The original architectural design or any subsequent modifications that have acquired significance.  
**Not Applicable**
- III. The examination of architectural drawings for consistency with the criteria pursuant to Section 118-564(a)(3) of the Miami Beach Code and stated below, with regard to the aesthetics, appearances, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.  
**Satisfied**
- b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.  
**Satisfied**
- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 118-503.  
**Satisfied**
- d. The proposed structure, and/or additions to an existing structure is appropriate to and compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties, or the purposes for which the district was created.  
**Satisfied**
- 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.  
**Not Applicable**
- 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 Applicable**

- 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.  
**Not Applicable**
- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).  
**Satisfied**
- 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.  
**Not Applicable**
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.  
**Not Applicable**
- 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.  
**Not Applicable**
- 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 Applicable**

### **ANALYSIS**

The subject park is located in the North Beach Resort Local Historic District. The existing site currently contains landscape areas, restrooms and a parking lot. The park is also home to three sea turtle statues which are proposed to be retained. The existing trellis and low wall located within the northeast corner of the park are proposed to be removed in order to install a new accessible playground.

The proposed adaptive and inclusive playground designed for both the physically disabled and the non-disabled, will include a brown, tan and blue rubberized play surface and paths and associated playground equipment and furniture. In order to construct this new facility, the existing trees located in the northeast corner of the park are proposed to be relocated whenever possible, to the southeast corner of the property. It is important to note that this project will increase the overall tree canopy of the park by approximately 6,000 square feet. Further, the applicant is proposing to install a significant amount of low ground cover as well as over 7,000 square feet of new sod.

According to the City Commission Memorandum dated July 23, 2014, it is estimated that there are 7 million children in the United States who have a disability that makes it hard for them to use most public playgrounds. An adaptive playground will provide children with cognitive and/or physical challenges with the ability to have full access to the same playground equipment as other children.

Staff would commend the applicant for proposing to significantly increase the overall tree canopy within the park and is highly supportive of the application. Staff's only concern is with regard to the proposed bright blue color of the rubberized surface, which may detract from the character of the natural park setting. As such, staff would recommend that the blue area be replaced by a more natural green color which should serve to enhance the overall design of the park. Finally, staff would note that the park and playground will be open from sunset to sunrise and no new lighting is proposed at this time.

Staff is confident that the above noted concern may be easily addressed administratively and is recommending approval as noted 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: March 8, 2016

FILE NO: 7608

PROPERTY: 6475 Collins Avenue

APPLICANT: City of Miami Beach

LEGAL: Lots 30 thru 34 and the South 25 feet of Lot 35, Block 1, of AMENDED PLAT OF SECOND OCEANFRONT ADDITION SUBDIVISION, according to the Plat thereof Recorded in Plat Book 28, Page 28 of the Public Records of Miami Dade County, Florida.

IN RE: The Application for a Certificate of Appropriateness for the installation of a handicap accessible playground within the northeast portion of the park.

**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 North Beach Resort Local Historic District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted:
  1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
  2. Is not consistent with Certificate of Appropriateness Criteria 'c' in Section 118-564(a)(2) of the Miami Beach Code.
  3. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(3) of the Miami Beach Code.

- C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:
1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
    - a. The rubberized play surface shall be a combination of brown, beige and green colors, 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. Final details for all playground equipment and furniture, including surface finishes and materials, 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.
  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. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
    - b. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain.

**In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.**

**II. Variance(s)**

- A. No variances have been requested as a 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 "Proposed Upgrades to Allison Park", as prepared by Bruce Howard and Associates, Inc., dated January 1, 2016, 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: \_\_\_\_\_

Page 5 of 5  
HPB File No. 7608  
Meeting Date: March 8, 2016

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

Filed with the Clerk of the Historic Preservation Board on \_\_\_\_\_ ( )

F:\PLAN\HPB\16HPB\03-08-2016\Draft Orders\HPB 7608\_6475 Collins Av.Mar16.FO.DRAFT.docx

DRAFT