

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation Historic Preservation Board

TO: Chairperson and Members
 Historic Preservation Board

DATE: April 11, 2023

FROM: Thomas R. Mooney, AICP
 Planning Director



SUBJECT: HPB22-0553, **4041 Collins Avenue.**

An application has been filed requesting a Certificate of Appropriateness for alterations to the hotel property including exterior and public interior modifications, the relocation of the existing 1930s home and the design of a new rear yard site plan including landscape and hardscape modifications.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions.

EXISTING STRUCTURES

Local Historic District:	Collins Waterfront
Classification:	Contributing
Construction Date:	1940
Architect:	Victor H. Nellenbogen
 <u>Attached south addition</u>	
Classification:	Contributing
Construction Date:	1955
Architect:	Melvin Grossman
 <u>Attached east addition</u>	
Classification:	Non-Contributing
Construction Date:	2007
Architect:	STA Architecture
 <u>1-story home</u>	
Classification:	Contributing
Construction Date:	1931
Architect:	C. L. Kinports

ZONING / SITE DATA

Folio: 02-3226-001-1920

Legal Description:	Lots 1-8 and alley thru Block 33 of the Miami Beach Improvement Co Subdivision, according to the plat thereof, as recorded in Plat Book 5, Page 8, of the public records of Miami-Dade County, Florida and a portion lying east and adjacent west of the erosion control line per Plat Book 105, Page 62.
Zoning:	RM-3, Residential multi-family, high intensity
Future Land Use Designation:	RM-3, Residential multi-family, high intensity
Lot Size:	71,200 sq. ft. (3.0 Max FAR)
Existing FAR:	213,203 sq. ft. / 2.99 FAR
Proposed FAR:	213,358 sq. ft. / 2.99 FAR
Existing Use/Condition:	Hotel
Proposed Use:	No change

THE PROJECT

The applicant has submitted plans entitled “Andaz”, as prepared by EoA, Inc., dated February 2, 2023.

COMPLIANCE WITH ZONING CODE

A preliminary review of the project indicates that the application appears to be consistent with the City Code. This 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.

CONSISTENCY WITH 2040 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the use is **consistent** with the Future Land Use Map of the Comprehensive Plan.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.
Not Applicable
The scope of demolition is minor.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.
Satisfied

- (5) The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

Satisfied

The land elevation of the site is consistent with the surrounding properties.

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.

Not Applicable

- (7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.

Satisfied

Additional information shall be provided at the time of building permit review.

- (8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.

Not Applicable

The first habitable floor is located above base flood elevation.

- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

Not Applicable

- (10) In all new projects, water retention systems shall be provided.

Satisfied

Additional information shall be provided at the time of building permit review.

- (11) Cool pavement materials or porous pavement materials shall be utilized.

Satisfied

Additional information shall be provided at the time of building permit review.

- (12) The project design shall minimize the potential for a project causing a heat island effect on site.

Satisfied

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 City 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 may be amended from time to time.
Satisfied
- b. The Secretary of Interior's Standards for Reconstruction as may be amended from time to time.
Not Applicable
- c. 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.
Not Satisfied
The relocation of the home as proposed does not allow for public view of the primary façade.
- c. Texture and material and color.
Not Satisfied
The circular treatment proposed for the walls and ceiling of the entry foyer of the 1940 building is highly inconsistent with the art deco character of the building.
- 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.
Not Satisfied
The relocation of the home as proposed does not allow for public view of the primary façade.

The circular treatment proposed for the walls and ceiling of the entry foyer of the 1940 building is highly inconsistent with the art deco character of the building.
- f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Not Satisfied

The relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

Satisfied

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 relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

Not Satisfied

The circular treatment proposed for the walls and ceiling of the entry foyer of the 1940 building is highly inconsistent with the art deco character of the building.

- 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 relocation of the home as proposed does not allow for public view of the primary façade.

- 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 relocation of the home as proposed does not allow for public view of the primary façade.

- 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 Satisfied

The relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

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 Satisfied

The relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

Satisfied

The existing structures, with the exception of the 2007 addition, are designated as Contributing within the Collins Waterfront Local 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 buildings, with the exception of the 2007 addition, are is of such design, craftsmanship, or material that they could be reproduced only with great difficulty and/or expense.

- 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 existing buildings, with the exception of the 2007 addition, are distinctive examples of a style of architecture that contributes to 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 buildings are classified as Contributing in the Miami Beach Historic Properties Database with the exception of the 2007 addition which is classified as Non-Contributing.

- 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 the buildings, with the exception of the 2007 addition, 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 Satisfied

The applicant is not proposing the total demolition of the existing building.

- h. The Miami-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 the structure.

STAFF ANALYSIS

The subject hotel building, originally known as the Lord Tarleton Hotel, was constructed in 1940 and designed by Victor H. Nellenbogen in the Art Deco style of architecture. In 1955, a 9-story attached addition, designed by Melvin Grossman, was constructed to the south. Further, in 2007 an 11-story addition was constructed to the east of the 1955 addition and the entire site was converted to residential use. In 2013, the property was renovated and converted back into a hotel. Also located on the subject property, is a 1-story single-family home. The home was originally located at 228 40th Street and was relocated in 2007 to the north side of the hotel site fronting on 41st Street. This home was constructed in 1931 and designed by C. L. Kinports in the Mediterranean Revival style of architecture. The applicant is currently requesting modifications to several portions of the property as part of the rebranding of the hotel.

Lord Tarleton modifications

Staff would begin this analysis by noting that the original 1940 interior public spaces of the Lord Tarleton Hotel have been significantly modified several times and little to no original interior architectural features remain. Further, limited historical documentation is available and no historical photographs of the interior spaces have been located.

Within the 1940 Lord Tarleton portion of the building, the applicant is requesting approval for modifications to the exterior entry stairs and terrace, and alterations to the ground level and second level public interior spaces.



Postcard, Postmarked 1944



1997 Photograph

The applicant is proposing to reconfigure the entry terrace and steps including the addition of an accessible ramp. As can be seen in the images on the previous page, the original entrance to the hotel was entirely obscured by a 2-story addition constructed in front of the tower as part of the 1955 renovations. In 2004, the Board approved the removal of this addition as part of the renovation and conversion of the property to residential use. Given that this portion of the building appears to have been reconstructed, staff has no objection to the minor modifications to the exterior entrance area which have been designed in a manner that compliments the existing architecture.

Located immediately inside the building is a double height space containing a symmetrical staircase accessing the second level. Staff would note that this configuration was approved by the Board in 2013. The original entry was single height with only one staircase at the north side. After examining the original plans, staff believes that it is highly likely that this area functioned as an entry foyer to a grand second level lobby. The applicant is proposing to redesign this space including the introduction of glass stair guardrails and, wall and ceiling treatments as can be seen in the rendering on Sheet A-5.1. In general, due to the substantial alterations that have already taken place, staff is open to a new design concept; however, staff believes that the circular wall and ceiling/light cove design is a significant departure from the original art deco character of the building and recommends elimination of these elements. Additionally, the applicant is proposing alterations to the remaining public spaces including the introduction of a dining room at the first level and, a new lobby and lounge at the second level. Further, the eastern walls of these areas are proposed to be modified in order to increase connectivity to the rear yard of the hotel. As previously stated, due to significant alterations that have occurred over time and the lack of original architectural details or finishes, staff has no objection to the proposed design.

1930's house relocation and new rear yard plan

The applicant is proposing to completely redevelop the rear yard of the property including the introduction of new pools and pool decks, an outdoor bar counter and, an elevated deck and walkway. Perhaps the most dramatic change requested, is the proposed relocation of the 1931 home from 41st Street to the south side of the rear yard. As the home was previously moved in 2005, staff is generally supportive of the proposal and would note that the applicant has provided a lifting/relocation plan prepared by Brownie Structural Movers which outlines a relocation methodology.

As currently presented, however, the front of the home is proposed to face west toward the rear of the 2007 addition, removing the primary façade of the home from public view. Staff strongly believes that the front of the home should be visible from a public vantage point. As such, staff recommends that the home be reoriented so that the front faces east



2011 Photograph of the home fronting 41st Street

toward the public beach walk and that a prominent view corridor be incorporated into the design of the rear yard site plan allowing for public appreciation of this important Contributing building.

In summary, staff is generally supportive of the application and is confident that the recommendations noted above can be addressed administratively. As such, staff recommends approval of the application as noted below.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for a Certificate of Appropriateness and a variance be **approved**, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness and practical difficulty and hardship criteria, as applicable.

Folio: 02-3226-001-1920

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CONSISTENCY WITH 2040 COMPREHENSIVE PLAN

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COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

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- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.
Satisfied

- (5) The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

Satisfied

The land elevation of the site is consistent with the surrounding properties.

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.

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Additional information shall be provided at the time of building permit review.

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- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

Not Applicable

- (10) In all new projects, water retention systems shall be provided.

Satisfied

Additional information shall be provided at the time of building permit review.

- (11) Cool pavement materials or porous pavement materials shall be utilized.

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Additional information shall be provided at the time of building permit review.

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Satisfied
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Not Applicable
- c. 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):

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Satisfied
- b. General design, scale, massing and arrangement.
Not Satisfied
The relocation of the home as proposed does not allow for public view of the primary façade.
- c. Texture and material and color.
Not Satisfied
The circular treatment proposed for the walls and ceiling of the entry foyer of the 1940 building is highly inconsistent with the art deco character of the building.
- 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.
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The circular treatment proposed for the walls and ceiling of the entry foyer of the 1940 building is highly inconsistent with the art deco character of the building.
- f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
Not Satisfied

The relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

Satisfied

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 relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

Not Satisfied

The circular treatment proposed for the walls and ceiling of the entry foyer of the 1940 building is highly inconsistent with the art deco character of the building.

- 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 relocation of the home as proposed does not allow for public view of the primary façade.

- 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 relocation of the home as proposed does not allow for public view of the primary façade.

- 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 Satisfied

The relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

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 Satisfied

The relocation of the home as proposed does not allow for public view of the primary façade.

- 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.

Satisfied

The existing structures, with the exception of the 2007 addition, are designated as Contributing within the Collins Waterfront Local 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 buildings, with the exception of the 2007 addition, are is of such design, craftsmanship, or material that they could be reproduced only with great difficulty and/or expense.

- 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 existing buildings, with the exception of the 2007 addition, are distinctive examples of a style of architecture that contributes to 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 buildings are classified as Contributing in the Miami Beach Historic Properties Database with the exception of the 2007 addition which is classified as Non-Contributing.

- 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 the buildings, with the exception of the 2007 addition, 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 Satisfied

The applicant is not proposing the total demolition of the existing building.

- h. The Miami-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 the structure.

STAFF ANALYSIS

The subject hotel building, originally known as the Lord Tarleton Hotel, was constructed in 1940 and designed by Victor H. Nellenbogen in the Art Deco style of architecture. In 1955, a 9-story attached addition, designed by Melvin Grossman, was constructed to the south. Further, in 2007 an 11-story addition was constructed to the east of the 1955 addition and the entire site was converted to residential use. In 2013, the property was renovated and converted back into a hotel. Also located on the subject property, is a 1-story single-family home. The home was originally located at 228 40th Street and was relocated in 2007 to the north side of the hotel site fronting on 41st Street. This home was constructed in 1931 and designed by C. L. Kinports in the Mediterranean Revival style of architecture. The applicant is currently requesting modifications to several portions of the property as part of the rebranding of the hotel.

Lord Tarleton modifications

Staff would begin this analysis by noting that the original 1940 interior public spaces of the Lord Tarleton Hotel have been significantly modified several times and little to no original interior architectural features remain. Further, limited historical documentation is available and no historical photographs of the interior spaces have been located.

Within the 1940 Lord Tarleton portion of the building, the applicant is requesting approval for modifications to the exterior entry stairs and terrace, and alterations to the ground level and second level public interior spaces.



Postcard, Postmarked 1944



1997 Photograph

The applicant is proposing to reconfigure the entry terrace and steps including the addition of an accessible ramp. As can be seen in the images on the previous page, the original entrance to the hotel was entirely obscured by a 2-story addition constructed in front of the tower as part of the 1955 renovations. In 2004, the Board approved the removal of this addition as part of the renovation and conversion of the property to residential use. Given that this portion of the building appears to have been reconstructed, staff has no objection to the minor modifications to the exterior entrance area which have been designed in a manner that compliments the existing architecture.

Located immediately inside the building is a double height space containing a symmetrical staircase accessing the second level. Staff would note that this configuration was approved by the Board in 2013. The original entry was single height with only one staircase at the north side. After examining the original plans, staff believes that it is highly likely that this area functioned as an entry foyer to a grand second level lobby. The applicant is proposing to redesign this space including the introduction of glass stair guardrails and, wall and ceiling treatments as can be seen in the rendering on Sheet A-5.1. In general, due to the substantial alterations that have already taken place, staff is open to a new design concept; however, staff believes that the circular wall and ceiling/light cove design is a significant departure from the original art deco character of the building and recommends elimination of these elements. Additionally, the applicant is proposing alterations to the remaining public spaces including the introduction of a dining room at the first level and, a new lobby and lounge at the second level. Further, the eastern walls of these areas are proposed to be modified in order to increase connectivity to the rear yard of the hotel. As previously stated, due to significant alterations that have occurred over time and the lack of original architectural details or finishes, staff has no objection to the proposed design.

1930's house relocation and new rear yard plan

The applicant is proposing to completely redevelop the rear yard of the property including the introduction of new pools and pool decks, an outdoor bar counter and, an elevated deck and walkway. Perhaps the most dramatic change requested, is the proposed relocation of the 1931 home from 41st Street to the south side of the rear yard. As the home was previously moved in 2005, staff is generally supportive of the proposal and would note that the applicant has provided a lifting/relocation plan prepared by Brownie Structural Movers which outlines a relocation methodology.

As currently presented, however, the front of the home is proposed to face west toward the rear of the 2007 addition, removing the primary façade of the home from public view. Staff strongly believes that the front of the home should be visible from a public vantage point. As such, staff recommends that the home be reoriented so that the front faces east



2011 Photograph of the home fronting 41st Street

toward the public beach walk and that a prominent view corridor be incorporated into the design of the rear yard site plan allowing for public appreciation of this important Contributing building.

In summary, staff is generally supportive of the application and is confident that the recommendations noted above can be addressed administratively. As such, staff recommends approval of the application as noted below.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for a Certificate of Appropriateness and a variance be **approved**, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness and practical difficulty and hardship criteria, as applicable.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: April 11, 2023

PROPERTY/FOLIO: 4041 Collins Avenue / 02-3226-001-1920

FILE NO: HPB22-0553

APPLICANT: Golden Palms, LLC

IN RE: An application has been filed requesting a Certificate of Appropriateness for alterations to the hotel property including exterior and public interior modifications, the relocation of the existing 1930s home and the design of a new rear yard site plan including landscape and hardscape modifications.

LEGAL: Lots 1-8 and alley thru Block 33 of the Miami Beach Improvement Co Subdivision, according to the plat thereof, as recorded in Plat Book 5, Page 8, of the public records of Miami-Dade County, Florida and a portion lying east and adjacent west of the erosion control line per Plat Book 105, Page 62.

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 consistent with Sea Level Rise and Resiliency Review Criteria in Section 133-50(a) of the Miami Beach Code.
 - 2. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 - 3. Is not consistent with Certificate of Appropriateness Criteria 'b', 'c', 'e' & 'f' in Section 118-564(a)(2) of the Miami Beach Code.
 - 4. Is not consistent with Certificate of Appropriateness Criteria 'a', 'c', 'd', 'e', 'j' & 'm' in Section 118-564(a)(3) of the Miami Beach Code.
 - 5. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(f)(4) of the Miami Beach Code.

C. The project would be consistent with the criteria and requirements of section 118-564 and 133-50(a) 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 circular wall and ceiling/light cove shall be eliminated within the entry foyer of the 1940 building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - b. The relocated single-family home shall be reoriented so that the front is facing east, 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. Final design and details of the outdoor bar counter and shade structure 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. In accordance with Section 142-1109 of the City Code, the accessory outdoor bar counter shall be visible from any point along the property line adjacent to a public right-of-way, including the Beachwalk.
 - d. Final details of all exterior 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. A prominent view corridor from the Beachwalk centered on relocated 1931 home, of at least 30'-0" in width, shall be incorporated into the design of the rear yard site/landscape plan in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - a. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain.
 - b. The project design shall minimize the potential for a project causing a heat island effect on site.
 - c. Cool pavement materials or porous pavement materials shall be utilized, if applicable.

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 part of this application.

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. The applicant agrees and shall be required to provide access to areas subject to this approval (not including private residences or hotel rooms) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.
- B. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- C. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- D. 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.
- E. 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.
- F. All applicable FPL transformers or vault rooms and backflow prevention devices shall not be located within the required setbacks with the exception of the valve (PIV) which may be visible and accessible from the street.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

- H. 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.
- I. 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.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. 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.
- L. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

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 **"Andaz", as prepared by EoA, Inc., dated February 2, 2023**, 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
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
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, Historic Preservation & Architecture Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She 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 _____ ())