

MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: March 17, 2026

FROM: Thomas R. Mooney, AICP
Planning Director

DS For TRM


SUBJECT: HPB25-0676, **2201 Collins Avenue -W Hotel**

An application has been filed requesting a Certificate of Appropriateness for the partial demolition and renovation of the existing structure and site, including the construction associated with the introduction of a new patisserie, a private members-only club, new beach club restaurant, modifications to valet operations, including a dedicated members-only drop-off entrance along the north side of the property. The application also includes variances from the maximum continuous deck area within the Dune Preservation Overlay District, a variance from the minimum required setback from the bulkhead line within the Oceanfront Overlay District, and a variance from the maximum allowable clearance for a shade structure in the Dune Preservation Overlay.

RECOMMENDATION

Approval of the Certificate of Appropriateness with conditions.
Approval of Variances #1-3 with conditions.

BACKGROUND

The applicants have submitted a Planning Board application for modifications to a previously approved Conditional Use Permit for a Neighborhood Impact Establishment (PB25-0793), which is expected to be heard at an upcoming Planning Board meeting.

EXISTING STRUCTURE

2201 Collins Avenue (W Hotel)

Local Historic District: Collins Waterfront
Classification: Non-Contributing
Original Construction Date: 2010
Original Architect: Nichols Brosch Wurst Wolfe

ZONING / SITE DATA

Property Address	2201 Collins Avenue
Legal Description	Begin (P.O.B.) At The Northeasterly Corner Of 22 nd Street (Formally Known As Ocean Avenue) And Collins Ave, As Said Street And Avenue Are Shown On The Amended Map Of The Ocean Front Property Of Miami Beach Improvement Company's Subdivision, Recorded In Plot Book 5, At Pages 7 And 8, Of The Public Records Of Miami-Dade County, Florida; And Run South 70 02' 49.4" East Along Northernly Right-Of-Way Line Of 22 nd Street, A Distance Of 564.715

	To A Point On The Erosion Control Line Of The Atlantic Ocean, Recorded In Plat Book 105, At Page 62, Of The Public Records Of Miami-Dade County, Florida; Thence North 18 28'10.4 East Along The Said Erosion Control Line, A Distance Of 240.081 Feet To A Point; Then Continue Along The Erosion Control Line North 19 20'59.4" East A Distance Of 60.003 Feet; Thence Run North 70 02'49.4" West Along The Northerly Property Line, A Distance Of 557.868 Feet To A Point On The Easternly Right-Of-Way Line Of Collins Avenue; Thence South 19 57'10.6" West Along The Easternly Right-Of-Way Of Collins Avenue, A Distance Of 300.00 Feet To The Point Of The Beginning (P.O.B).
Zoning	RM-3, Residential Multi-Family, High Intensity
Future Land Use Designation	RM-3, Residential Multi-Family, High Intensity
Folio Number	02-3234-218-0001
Lot Area	168,291 SF
Lot Dimensions	Width: 300' Depth: North 557' / South 564'
Existing Use	Hotel / Apartments
Proposed Use	Hotel / Apartments (with modifications to food and beverage program)
FAR (Maximum / Existing / Proposed)	504,873 SF max / 503,454 SF existing / 503,812 SF proposed
Building Height (Maximum / Existing)	200'-0" max / 200'-0" existing (20+ stories + roof & elevator machine room)
Total Seated Occupancy (Existing / Proposed)	1,060 existing / 2,017 proposed (Refer to Sheets A0.7 and A0.8 for venue-by-venue breakdown)
Total Fire Occupancy (Existing / Proposed)	1,435 existing (CUP-approved) / 2,931 proposed
Overlays / Special Districts	Collins Waterfront Local Historic District; Dune Preservation Overlay District; Oceanfront Overlay District

THE PROJECT

The applicant has submitted plans entitled "2201 Collins Avenue", as prepared by Nichols Architects, dated January 11, 2026.

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 (Variances requested for items 1-3).

Dune Preservation Overlay District:

1. Section 7.3.1.1.d.2: *As the dune overlay regulations are intended to provide a natural beach environment, it is required that individual structures/decks be less than 400 square feet in floor area and that structures be separated by a distance of 10 to 25 feet and that this area be landscaped. Nothing in this division shall be considered to allow development exceeding the maximum stated in this section.*

The proposed deck is approximately 1,598 square feet.

2. Section 7.3.1.1.c.1: *Shade structures and chickees shall be open on all sides and, with the exception of supporting columns, and shall have an unobstructed, clear space between the edge of the roof covering and finished floor of not more than eight feet.*

The proposed trellis has a clearance of 10' where 8' is the maximum permitted.

Oceanfront Overlay District:

3. Section 7.3.1.2.b.3: *There shall be a minimum required 15-foot setback from a side lot line and a minimum required 10-foot setback from the bulkhead line.*

The proposed ADA ramp and stairs are setback 0' from the bulkhead line.

4. Patisserie Terrace — Required Setbacks:

The proposed patisserie terrace seating area does not comply with the required site setbacks. The terrace, as shown on the submitted plans, encroaches into the required setback area and will need to be modified prior to approval. Revised plans reflecting a compliant terrace configuration shall be submitted for review prior to, or as a condition of, any Board approval.

The patisserie terrace seating area shall be modified to comply with required setbacks. Revised plans shall be submitted prior to building permit.

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.

TRAFFIC IMPACT ANALYSIS - Kimley-Horn and Associates, Inc. | December 2025

A Traffic Impact Analysis was prepared by Kimley-Horn and Associates, Inc. The study assessed the traffic impacts of the proposed use modifications at 2201 Collins Avenue, which include the addition of 454 restaurant seats and 7,550 square feet of eating and beverage venues. The existing building contains 393 hotel rooms, 15 residential units, 546 restaurant seats and 19,708 square feet of eating and drinking uses.

The proposed modifications are projected to generate 61 net new A.M. peak hour trips, 113 net new P.M. peak hour trips, and 820 net new daily trips. Five intersections along Collins Avenue/SR A1A between 21st and 23rd Streets were analyzed. All study intersections are projected to operate at Level of Service (LOS) C or better under future total conditions. One queue deficiency identified at Collins Avenue/SR A1A and 22nd Street during the P.M. peak hour is addressed through a proposed signal timing optimization.

All vehicles will be required to valet and the site will be served by two valet areas: an existing main valet on 22nd Street and a new members only valet on 23rd Street. The study concludes that both valet areas can accommodate projected demand within the designated storage areas with appropriate staffing. Transportation Demand Management measures, including bicycle parking, cyclist facilities, and on-site transit information, are also proposed.

The traffic study and valet operations, along with any associated impacts, will be reviewed as part of the pending Planning Board application for the proposed increase in intensity.

CONSISTENCY WITH 2025 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed **hotel uses** are **consistent** with the Future Land Use Map of the Comprehensive Plan.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

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 indicate the following, as they relate to the requirements of Section 2.8.3, 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.

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:

- A. A recycling or salvage plan for partial or total demolition shall be provided.
To be satisfied as part of building permit.
- B. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
- C. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
- D. 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

- E. 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.

Not Applicable

- F. 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

- G. 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.

Not Applicable

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

Not Applicable

- I. 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

- J. In all new projects, water retention systems shall be provided.

Satisfied

- K. Cool pavement materials or porous pavement materials shall be utilized.

Satisfied

- L. 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:

1. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to section 2.13.7(d)(ii)(1) of the Land Development Regulations (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 may be amended from time to time.

Not Applicable

- 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

The Secretary of Interior's Guidelines for Rehabilitation are intended as an aid to assist in applying the Secretary of Interior's Standards but are not binding on their own and are not meant to give case-specific advice or to address exceptions of unusual conditions.

- 2. The examination of architectural drawings for consistency with the criteria pursuant to section 2.13.7(d)(ii)(2) of the Land Development Regulations and stated below, with regard to the aesthetics, appearances, compatibility, 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.
Satisfied
 - d. The proposed structure, or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance 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.
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 photometric plan shall be submitted at the time of building permit.
- 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).
Not Applicable
- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
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. 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

- n. 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 2.13.7(d)(vi)(4) of the Land Development Regulations 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 of such design, craftsmanship, or material that it could be reproduced only with great difficulty or expense.
Not Satisfied
The existing structure is non-contributing and the design, craftsmanship, and material can be reproduced with no difficulty.
- b. The building, structure, improvement, or site is one of the last remaining examples of its kind in the neighborhood, the county, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.
Not Satisfied
- c. 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.
Not Satisfied
- d. 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 a contributing structure, historic structure or architecturally significant feature.
- e. The 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.

ANALYSIS

The applicants are requesting a Certificate of Appropriateness for the partial demolition and renovation of the existing structure and site, including the construction associated with the introduction of a new patisserie, a private members-only club, new beach club restaurant, modifications to valet operations, including a dedicated members-only drop-off entrance along the north side of the property. The proposed project includes modifications to the rear yard area of the property in which the existing pool, pool bar, and cabanas will be removed. In their place, the applicant proposes a new food and beverage bar and an outdoor deck area to support the beach club operations. A freestanding aluminum pergola is also proposed within the rear yard. The pergola will feature a retractable fabric awning, side fabric shades, and a clear glass roof

element designed to collect rainwater. Staff would note that the food and beverage area proposed within the rear yard has not been fully designed at this time. Additionally, outdoor bars are not permitted to be visible from a right-of-way. Staff further notes that, provided a minimum 50-foot side setback is maintained, an outdoor bar counter may not operate between midnight and 8:00 a.m.

The interior renovations are primarily situated in the lobby area, including the removal of existing flooring, stone wall cladding, decorative column screening, and exterior planters. Additionally, the existing storefront systems located along the south side of the lobby will be removed and replaced with modified storefront assemblies that incorporate additional mullions. The floor slab will also be raised in order to align with the adjacent private dining room. As part of the interior renovation, the corridor columns will feature a new tambour of a Venetian plaster finish and stone accent bands. New operable windows will be installed to enhance indoor-outdoor connectivity, and movable furniture will be introduced within the terrace area. These improvements will serve as a transition to a new outdoor patisserie terrace. The patisserie is intended to function as an all-day venue offering casual breakfast and coffee service, activating the ground-floor lobby frontage and contributing to pedestrian engagement along the streetscape.

Along the center of the property, a new three-meal restaurant will serve breakfast, lunch, and dinner. The associated improvements include a new pergola and bar area, as well as an operable window wall designed to facilitate a stronger visual and functional connection between the interior dining area and the adjacent outdoor spaces.

Additional modifications are proposed at the northeast drop-off area of the property where portions of the existing sidewalk will be removed, and partial demolition of the ground floor along the north elevation will occur. A new landscaped median will be installed in advance of the drop-off entrance. The existing gate and asphalt paving will also be removed in preparation for the construction of a future porte-cochere serving a proposed members-only club. With respect to the design of the porte-cochere canopy along 22nd Street, the applicant has proposed a blue and white striped fabric treatment. Staff does not support this proposal. The blue and white stripe pattern is not compatible with the architectural character of the building or the Collins Waterfront Historic District. Staff recommends that the canopy material be revised to a neutral or solid color consistent with the overall palette of the structure, and that revised material samples be submitted for Board review.

Staff would note that there have been ongoing concerns with valet operations associated with the property. Vehicles associated with the hotel are regularly observed parked along 22nd Street in a perpendicular orientation relative to the street, obstructing the public right-of-way and creating unsafe conditions for pedestrians and vehicular traffic. To address this, staff has included a condition in the draft order to restrict parking associated with the property along 22nd Street, including a requirement that the drop-off area be redesigned to incorporate a raised six-inch (6") curb to physically prevent vehicles from encroaching onto the sidewalk. Any valet-related vehicle staging should be limited to drop-off and pick-up only, and vehicles should be oriented parallel to the building at all times. Parking or staging on the sidewalk shall not be permitted under any circumstances.

Staff also recommends that no existing landscaping be removed along the south side of the property as part of the proposed modifications. Staff further notes that the property is subject to a requirement to maintain a minimum 50 percent view corridor along the rear of the property. The existing dense hedging along the rear of the property is unpermitted and is inconsistent with this requirement. The hedging is also inconsistent with the highly pedestrian character of the adjacent

beach walk, as it creates a solid visual barrier along a public corridor. Staff has included a condition in the draft order requiring the removal of all unpermitted portions of the rear hedge prior to the issuance of any building permit for the work approved herein. Additionally, staff recommends that the Board require a full landscape plan for the entire site, including the rear yard and beach walk frontage, to be submitted for review and approval by the Board prior to the issuance of any building permit. Staff has additional recommendations relative to the project's compliance with the Oceanfront and Dune Preservation Overlay districts, as noted in the Variance Analysis below.

VARIANCE ANALYSIS

As part of this application, the following variances have been requested:

1. A variance to exceed 1,198 square feet of the maximum 400 square feet in order to construct a 1,598 square foot deck within the Dune Preservation Overlay District.

- Variances requested from:

7.3.1.1 DUNE PRESERVATION

(d)(2) Size and spacing of chickees, shade structures and outdoor cafes. As the dune overlay regulations are intended to provide a natural beach environment, it is required that individual structures/decks be less than 400 square feet in floor area and that structures be separated by a distance of 10 to 25 feet and that this area be landscaped. Nothing in this division shall be considered to allow development exceeding the maximum stated in this section.

2. A variance from Section 7.3.1.2.b.3 to (A) permit an ADA ramp and elongated stairs at a setback of 0' from the bulkhead line within the Oceanfront Overlay, for a length of 70'-6", where 10' is the minimum setback required, and (B) permit an encroachment of 0' from the bulkhead line, within the Oceanfront Overlay, for a length of 61'-8", where 10' is the minimum setback required.

- Variances requested from:

7.3.1.2 OCEANFRONT

(b)(3) There shall be a minimum required 15-foot setback from a side lot line and a minimum required ten-foot setback from the bulkhead line.

The applicant is requesting variances associated with the redevelopment of the rear yard oceanfront area. The proposed improvements include the demolition of the existing pool bar, wood decking, and four cabanas in order to construct a new 1,598 square foot deck and pool bar that will serve as an outdoor amenity area for the proposed beach club. The subject site contains approximately 10,985 square feet of oceanfront area located within the Dune Overlay. Staff notes that the existing W Hotel is a non-contributing structure constructed in 2010. The dune and oceanfront overlay regulations applicable to this property were in effect prior to the construction of the building. As such, the site was subject to these standards at the time of its development, and it is difficult to establish that a true hardship or practical difficulty arises from the application of regulations that have remained substantially unchanged since the building was constructed. The Board should consider this context in evaluating the variance requests.

With respect to Variance #1, the proposed deck is located along the northeast portion of the property and replaces existing structures in the same general area. The project maintains the minimum required 80 percent of landscape and sod areas, with the proposed improvements

increasing the impervious area by approximately 60 square feet compared to existing conditions. Staff has concerns regarding the concentration of dining area and associated canopy structures proposed within the dune environment. The large retractable canopy structures, combined with the consolidated deck area, represent a significant intensification of covered and enclosed space within an area where the overlay regulations are specifically intended to limit such development.

Staff notes that the code requires individual structures to be less than 400 square feet in floor area and to be separated by a distance of 10 to 25 feet. Staff recommends that the canopy structures be broken down into multiple, separate structures, each not exceeding 400 square feet, in compliance with the intent of the Dune Preservation Overlay regulations. Additionally, staff recommends that the deck be further articulated with landscape planters to interrupt the concentration of hardscape within the dune area.

Variance #2 pertains to the maximum permitted height clearance for a shade structure within the Dune Preservation Overlay. The applicant is proposing a trellis system that incorporates a retractable fabric awning, side fabric shades, and a clear glass roof element. The code limits shade structures within the dune area to a maximum height clearance of eight feet. The proposed trellis system has a height clearance of ten feet, exceeding the maximum by two feet. The applicant has not demonstrated that the additional height is the minimum necessary to meet a practical difficulty specific to this property, given that the beachfront location and applicable regulations were established conditions at the time the building was constructed. If the Board determines that the variance is appropriate, staff recommends as a condition that no more than 50 percent of the covered structures exceed the maximum permitted eight-foot height clearance.

Staff further recommends that the trellis system incorporate a varied arrangement of heights consistent with the 50 percent condition noted above, and that landscape areas within the dune environment be preserved to the maximum extent practicable.

Subject to the conditions outlined above and contained in the draft order, as well as the Board's determination that the applicable hardship and practical difficulty criteria are satisfied, staff does not object to approval of Variances #1 and #2.

3. A variance from Section 7.3.1.1.c.1 to permit a trellis with a clearance of 10', where 8' is the maximum clearance permitted within the Dune Preservation Overlay.

- Variances requested from:

7.3.1.1 DUNE PRESERVATION

(c)(1) Shade structures and chickees shall be open on all sides and, with the exception of supporting columns, shall have an unobstructed, clear space between the edge of the roof covering and finished floor of not more than eight feet.

The applicant is proposing an ADA ramp and staircase to facilitate the transition from grade to the elevated beach deck. The code requires walkways and ramps to maintain a minimum setback of 10 feet from the bulkhead line and the applicant is requesting a variance to permit a setback of 0 feet to accommodate the stairs and ADA ramp. The proposed ramp and stairs are designed to provide a gradual transition between grade and the elevated beach deck. The staircases are designed with a low rise and extended length intended to accommodate accessibility requirements and minimize grade change impacts.

The ADA ramp and elongated staircase associated with Variance #3 encroach into the required setback approximately 70'-5½" of the property's total 300-foot oceanfront width. Accordingly, the remaining 229'-6½" of the property frontage, representing approximately 77 percent of the total

width, fully complies with the applicable setback requirements. As such, the encroachment is limited to a relatively small portion of the overall frontage and does not substantially alter the open character of the oceanfront setback area.

The applicant has stated that strict compliance with the 10-foot setback would require steeper slopes or alternative configurations that may not meet ADA accessibility standards. The ADA ramp and elongated staircase encroachment is confined to the circulation elements associated with the elevated deck.

Variance #3 involves a separate encroachment along approximately 61'-8" of the same 300-foot property width, adjacent to the pool bar. The pool bar encroachment is similarly low-profile and open in character and does not impose adverse impacts on neighboring properties or the surrounding oceanfront environment. When the encroachments associated with Variances 2(a) and 2(b) are considered together, the total length of encroachment equals approximately 132'-1" of the property's total 300-foot width. As a result, approximately 167'-10" of the frontage, representing 56 percent of the total property width, continues to provide the required setback. Staff finds that the combined encroachment remains limited and that the requests represent the minimum variance necessary to accommodate both accessible design requirements and the pool bar configuration.

Staff has concluded that these accessibility requirements present a practical difficulty and the proposed encroachment represents the minimum variance necessary to accommodate ADA access. As such, staff recommends approval of Variance #3. Accordingly, staff recommends approval of Variance #2.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the application be **approved** including variances #1- #3, subject to the conditions enumerated in the attached draft Order, which address the inconsistencies with the aforementioned Certificate of Appropriateness criteria and Hardship and Practical Difficulties criteria, as applicable.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: March 17th, 2026

PROPERTY/FOLIO: 2201 Collins Avenue / 02-3234-218-0001

FILE NO: HPB25-0676

APPLICANT: 2201 COLLINS PROPCO, LLC

IN RE: An application for a Certificate of Appropriateness for the partial demolition and renovation of the existing structure and site, including the construction associated with the introduction of a new patisserie, a private members-only club, new beach club restaurant, modifications to valet operations, including a dedicated members-only drop-off entrance along the north side of the property. The application also includes variances from the maximum continues deck area within the Dune Preservation Overlay District, a variance from the minimum required setback from the Bulkhead line within the Oceanfront Overlay District, and a variance from the maximum allowable clearance for a shade structure in the Dune Preservation Overlay.

LEGAL: Begin (P.O.B.) At The Northeasterly Corner Of 22nd Street (Formally Known As Ocean Avenue) And Collins Ave, As Said Street And Avenue Are Shown On The Amended Map Of The Ocean Front Property Of Miami Beach Improvement Company's Subdivision, Recorded In Plot Book 5, At Pages 7 And 8, Of The Public Records Of Miami-Dade County, Florida; And Run South 70 02' 49.4" East Along Northernly Right-Of-Way Line Of 22nd Street, A Distance Of 564.715 To A Point On The Erosion Control Line Of The Atlantic Ocean, Recorded In Plat Book 105, At Page 62, Of The Public Records Of Miami-Dade County, Florida; Thence North 18 28'10.4 East Along The Said Erosion Control Line, A Distance Of 240.081 Feet To A Point; Then Continue Along The Erosion Control Line North 19 20'59.4" East A Distance Of 60.003 Feet; Thence Run North 70 02'49.4" West Along The Northerly Property Line, A Distance Of 557.868 Feet To A Point On The Easternly Right-Of-Way Line Of Collins Avenue; Thence South 19 57'10.6" West Along The Easternly Right-Of-Way Of Collins Avenue, A Distance Of 300.00 Feet To The Point Of The Beginning (P.O.B).

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 within the Collins Waterfront Local Historic Site.

- 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 7.1.2.4(a)(1) of the Land Development Regulations, subject to the conditions set forth herein.
 2. Is consistent with Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(1) of the Land Development Regulations.
 3. Is consistent with of the Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
 4. Is consistent with Certificate of Appropriateness for Demolition Evaluation Criteria in Section 2.13.7(d)(vi)(4) of the Land Development Regulations, as applicable to the non-contributing structure proposed for demolition.
- C. The project would remain consistent with the criteria and requirements of sections 2.13.7(d) and 7.1.2.4(a) of Land Development Regulations 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 applicant shall further articulate landscape planters to break up the deck and minimize the concentration of hardscape at the beach pool area along the northeast corner, 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 trellis system at the rear yard shall incorporate a varied arrangement of heights so that no more than 50 percent of the covered structure exceeds the maximum permitted eight-foot height clearance, 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. The applicant shall not exceed the maximum eight-foot height clearance for more than 50 percent of the canopy structure, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. The final details of the aluminum trellis system and retractable fabric awning 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.

- e. Final design and details of the proposed canopies 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.
- f. The proposed blue and white striped canopy treatment for the porte-cochere along 22nd Street shall not be approved. The canopy material shall be revised to a neutral or solid color consistent with the architectural palette of the building. Revised material samples and color selections shall be submitted for review and approval by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board, prior to the issuance of a building permit.
- g. The patisserie terrace seating area, as depicted on the submitted plans, does not comply with the required site setbacks and shall be modified prior to the issuance of a building permit. Revised plans reflecting a compliant terrace configuration shall be submitted for review and approval by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- h. A photometric plan shall be submitted for review and approval prior to the issuance of a building permit, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- i. A full landscape plan for the entire site, including the rear yard and beach walk frontage, shall be submitted for review and approval by the Board prior to the issuance of any building permit. The landscape plan shall address the required 50 percent minimum view corridor along the rear of the property. The existing unpermitted dense hedging along the rear property line, which is inconsistent with the view corridor requirement and the pedestrian character of the adjacent beach walk, shall be removed and replaced with compliant, open landscaping. No existing permitted landscaping along the south side of the property shall be removed as part of the proposed modifications.
- j. The valet drop-off area along 22nd Street shall be redesigned to incorporate a raised six-inch (6") curb to physically prevent vehicles from encroaching onto the public sidewalk. Valet-related vehicle staging along 22nd Street shall be limited to drop-off and pick-up only. All vehicles shall be oriented parallel to the building at all times. Parking or staging of vehicles on the sidewalk shall not be permitted under any circumstances. Revised site plan drawings incorporating these requirements shall be submitted for review and approval by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- k. Any outdoor bar proposed within the rear yard shall not be visible from a right-of-way. Provided a minimum 50-foot side setback is maintained, no outdoor bar counter shall operate between midnight and 8:00 a.m. The final design and location of the outdoor food and beverage area within the rear yard shall be submitted for review and approval by the Board prior to the issuance of a building permit.

In accordance with section 2.2.4.8(c) of the Land Development Regulations the applicant, 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 magistrate appointed by the City Commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variances which were either approved, approved with modifications or denied by the Board:
1. A variance to exceed 1,198 square feet of the maximum 400 square feet in order to construct a 1,598 square foot deck within the Dune Preservation Overlay District.
 2. A variance to exceed by 2'-0" the maximum height clearance of 8'-0" in order to construct a trellis at a height clearance of 10'-0" on the Dune Overlay District.
 3. A variance to reduce by 10'-0" the required setback of 10'-0" in order to construct an ADA ramp and stairs at 0' from the bulkhead line on the Oceanfront Overlay District.
- 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 indicate the following, as they relate to the requirements of section 2.8.3(a) of the Land Development Regulations:

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 these land development regulations to other lands, buildings, or structures in the same zoning district.

That literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations 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 these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

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.

- C. The Board finds that the application satisfies Article 1, Section 2 of the Related Special Acts and the requirements of section 2.8.3(a) of the Land Development Regulations, and hereby **approves** the requested variance(s) and imposes the following conditions based on its authority in section 2.8.4 of the Land Development Regulations:
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.

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. The applicant shall comply with the electric vehicle parking requirements, pursuant to section 5.1.13 of the land development regulations, as applicable.
- E. 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.

- F. 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.
- G. 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.
- H. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- I. 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.
- J. 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.
- K. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- L. 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.
- M. 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 "**2201 Collins Avenue**", as prepared by **Nichols Architects dated January 11th, 2026**, 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 section 2.13.7 of the Land Development Regulations; 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 2 of the Land Development Regulations, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations. Failure to comply with this Order shall subject the application to chapter 2 of the Land Development Regulations, for revocation or modification of the application.

Dated _____.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
Michael A. Belush, AICP
Planning & Design Officer
For the Chair

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Michael A. Belush, Planning & Design Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: _____

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

Filed with the Clerk of the
Historic Preservation Board on _____ (_____)

DRAFT