

MIAMIBEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Historic Preservation Board

TO: Chairperson and Members
Historic Preservation Board

DATE: April 14, 2026

FROM: Thomas R. Mooney, AICP
Planning Director

^{DS}
 For TRM

SUBJECT: HPB25-0656. **1600 Washington Avenue**

An application has been filed requesting a Certificate of Appropriateness for the total demolition of two structures and the construction of a new mixed-use building.

STAFF RECOMMENDATION

Approval of the Certificate of Appropriateness, including the requested waiver.

BACKGROUND

The following applications for substantial new construction were previously approved by the Historic Preservation Board (HPB) for the subject site, but were never constructed:

- May 10, 2005 (HPB File No. 2881): The Board approved a Certificate of Appropriateness for the demolition of three one-, two-, and three-story buildings and the construction of a new nine-story mixed-use structure.
- May 8, 2018 (HPB17-0142): The Board approved a Certificate of Appropriateness for the total demolition of the one-story Non-Contributing structures; the partial demolition, restoration, and relocation of the existing two-story Contributing structure; and the construction of a new ten-story mixed-use building, including variances to reduce required pedestal and tower setbacks, exceed maximum building height, and reduce required driveway dimensions.
- August 11, 2009 (HPB File No. 6639): The Board approved a Certificate of Appropriateness for the demolition of two buildings and the construction of a new five-story parking garage with ground-floor accessory commercial space. This garage, which formerly contained the Time Out Market on the ground floor, completed construction in 2013.

On October 16, 2025, the Planning Board approved an application for a Neighborhood Impact Structure (NIS) for the construction of the proposed new 15-story mixed-use building exceeding 50,000 square feet at the site (see PB25-0763, attached).

The property owner has also filed private Comprehensive Plan (PB25-0766) and LDR (PB25-0765) amendment applications for this block of Washington Avenue (CD-3 Urban Core Residential Plan). On December 9, 2025, the Planning Board transmitted these applications to the City Commission with favorable recommendations. Additionally, the Planning Board approved a motion recommending that the City Commission consider the following recommendations:

1. Explore the introduction of design guidelines for projects proposed under the Urban Core Residential Use Incentives legislation.
2. Give further consideration to waiving of the mobility fees.
3. Include a requirement for a dedicated resident drop-off and pick-up location.
4. Include a parking requirement for new residential units.

The CD-3 Urban Core Residential Plan proposes a maximum FAR of 3.25 and a maximum height of 150 feet, with no change to the currently allowable maximum density of 150 units per acre. The ordinances are scheduled to be considered by the City Commission at First Reading on April 22, 2026,

HISTORY

On November 18, 2025, the HPB reviewed the subject application and continued it to a date certain of December 16, 2025. At the December 16, 2025 meeting, the application was continued to a date certain of January 13, 2026, at the request of the applicant. The January 13, 2026 meeting was subsequently cancelled and all pending items were automatically continued to the February 10, 2026 meeting. On February 10, 2026, the application was continued at the applicant’s request, to the April 14, 2026 meeting.

EXISTING STRUCTURES

Flamingo Park Local Historic District

1600 Washington Avenue	1601 Drexel Avenue
Existing commercial building	Parking garage with accessory commercial use
Classification: Non-Contributing	Classification: Non-Contributing
Construction Date: 1952	Construction Date: 2010
Architect: Maurice Weintraub	Architect: Enrique Norten

425 16th Street (a/k/a 1600 Washington Avenue)	
Existing apartment building	
Classification: Contributing	
Construction Date: 1938	
Architect: Henry Hohausser	

ZONING / SITE DATA

Property Addresses	1600 Washington Avenue / 1601 Drexel Avenue
Folio Numbers	02-3234-006-0010 (Parcel 1) / 02-3234-006-0040 (Parcel 2)
Zoning District	CD-3, Commercial, High Intensity
Future Land Use	CD-3, Commercial, High Intensity
Local Historic District	Flamingo Park

Lot Area	66,708 sq. ft.
Existing FAR	40,172 sq. ft.
Proposed FAR	216,389 sq. ft. / 3.24 FAR (pending LDR amendment)
Existing Height	Not provided
Proposed Height	150'-0" (measured from B.F.E. +1'-0" freeboard / 9.00' NGVD)
Existing Uses	Commercial; multi-family residential; main-use parking garage with accessory restaurant
Proposed Use	Multi-family residential (210 units); ground-floor retail (~7,000 sq. ft.)
Surrounding Uses	North: Mixed-use commercial and office East: Mixed-use commercial and office South: Multi-family residential West: Multi-family residential
Applicant	420 Lincoln Road Development, LLC
Architect	BGA Architects & TEN Arquitectos
Plans Dated	March 19, 2026 (revised resubmittal)

*The proposed FAR of 3.25 and height of 150 feet reflect the CD-3 Urban Core Residential Plan legislation currently pending before the City Commission. The approval of this application by the HPB is contingent upon the adoption of this legislation by the City Commission. Should the proposed FAR and height increase not be adopted, the application would need to be substantially revised to comply with current code requirements.

THE PROJECT

The applicant requests a Certificate of Appropriateness for the total demolition of two structures and the construction of a new 15-story mixed-use building. The project includes 210 residential units (64 studios, 116 one-bedroom units, and 30 two-bedroom units; average unit size 731 square feet) and approximately 7,000 square feet of ground-floor retail space. The existing five-story parking garage located on the west side of the site will be retained and incorporated into the new development. Building servicing will utilize the existing service alley located between the garage and the proposed new building. The revised architectural plans are dated March 19, 2026, prepared by BGA Architects and TEN Arquitectos.

COMPLIANCE WITH ZONING CODE

A preliminary review indicates that the application, as proposed, is not consistent with the maximum FAR and building height requirements of the City Code. The separate LDR amendment increasing maximum FAR and building height for the property must be adopted prior to issuance of any building permit.

The application also appears inconsistent with the following sections of the City Code:

1. Section 7.1.2.2.f.1.c & 7.1.2.2.f.2.c: The ground floor shall be located no lower than the future crown of road elevation.
2. Section 7.2.12.3.a.: The proposed units do not comply with the average unit size of 800 S.F. However, the average unit size requirement does not apply when a restrictive covenant running with the land affirms that no residential units on the property shall be leased or rented for a period of less than six months and one day.

3. The balcony slabs on the upper levels encroaches into the southeast corner of the site, which is rounded. A ROW permit would be required.
4. The enclosed staircase at the ground floor, elevator lobby, and pool equipment at the rooftop shall be included in the F.A.R. drawings and calculations.

The above comments shall not be considered final zoning review or approval. All zoning matters 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 indicates that the proposed residential use with accessory commercial use is consistent with the Future Land Use Map of the Comprehensive Plan, provided that the related amendments currently pending before the City Commission are adopted.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4(a)(1) of the Land Development Regulations 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 at the time 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 4 of the Land Development Regulations.
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.
Satisfied
- 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.
Satisfied

- 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.
Satisfied
- 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 – The existing buildings are proposed to be demolished.
- 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 54 of the General Ordinances.
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.
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

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.
Satisfied – The revised design incorporates improved landscaping and pedestrian treatment along the service alley entrance. See Staff Analysis.
 - 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).
Satisfied
- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
- m. 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.
Satisfied – The existing apartment building at 425 16th Street is designated as part of the Flamingo Park Local Historic District and classified as a Contributing structure.

- 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.
Satisfied – The subject structure at 425 16th Street is one of the last remaining examples of its kind.
- 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 – The retention of the subject structure, with its compromised structural integrity, would impede development of the site. As it does not function as part of a cohesive grouping of buildings, its removal would not compromise the streetscape.
- 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.
Satisfied – The applicant is requesting approval for a new structure as part of this application.
- 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.

STAFF ANALYSIS

The subject development site contains three existing structures:

- **1600 Washington Avenue:** A one-story Non-Contributing commercial building constructed in 1952.
- **425 16th Street:** A two-story Contributing multifamily residential building (the Laurel Apartments) constructed in 1938.
- **1601 Drexel Avenue:** A five-story Non-Contributing parking garage with accessory commercial use constructed in 2010.

The project proposes total demolition of the one-story non-contributing commercial building and the two-story contributing building, and the construction of a new 15-story mixed-use building containing 210 residential units and approximately 7,000 square feet of ground-floor retail. The existing parking garage will be retained and incorporated into the new development.

1600 Washington Avenue – Request for Total Demolition

The one-story building at 1600 Washington Avenue was constructed in 1952 and designed by architect Maurice Weintraub. Due to significant alterations over the years, the structure is classified as non-contributing. As the building retains little to no original architectural elements, staff has no objection to the request for total demolition.

425 16th Street – Request for Total Demolition

The structure, originally known as the Laurel Apartments, was constructed in 1938 and designed by noted Miami Beach architect Henry Hohausser in the Streamline Modern style. The two-story building is classified as contributing in the Miami Beach Historic Properties Database and is characterized by recessed porthole windows, rounded corner eyebrows, and horizontal fluting between windows.

Staff notes that this structure is no longer part of a cohesive grouping of buildings. Its once-prominent east façade has long been eclipsed by the construction of the retail building immediately to the east. While staff would not typically recommend demolition of a contributing structure, its removal in this instance will not compromise a cohesive streetscape. Retention of the structure would make it difficult to achieve the residential density proposed for this site within the City Center area.

A structural assessment prepared by Youssef Hachem Consulting Engineering, dated June 5, 2025, identifies significant deficiencies including visible cracking, spalling, and deterioration of concrete columns and beams. The building's elevation is below flood level (6.87' NGVD). Pursuant to FEMA requirements, if renovation costs exceed 50% of the structure's value (excluding land), the structure must be elevated to current flood requirements. The structural engineer concludes that the foundation cannot withstand the elevation process and recommends demolition.

New 15-Story Building – Design Modifications (April 14, 2026 Update)

The revised plans, dated March 19, 2026, substantially address the four design concerns identified by the Board and staff at the October 21, 2025 hearing. These recommendations included: (1) appropriate recognition and homage to the contributing structure proposed for demolition; (2) revised facade articulation incorporating brisoles on the southern elevation; (3) improved pedestrian treatment of the 16th Street frontage between the garage entrance and the first retail space; and (4) revised renderings consistent with the submitted landscape plans.

Regarding recognition and homage to the historic structure proposed for demolition, the applicant proposes to etch the façade of the two-story Laurel Apartments into the lobby glazing at the approximate location where the building currently stands. Staff finds this an innovative and contextually appropriate approach to memorializing the Contributing structure while maintaining a cohesive design language for the new building.

As it pertains to the building massing and articulation along the 16th Street frontage, the building has been shifted north to create space for varying balcony depths that introduce movement and rhythm to the structure. Balconies extend and recede from the main plane, and metal railings are used in combination with metal louvers and solid stucco balcony elements in an articulated pattern. These elements serve as both safety features and as solar control and privacy filters. The result achieves the additional architectural interest at the pedestrian level that staff identified as necessary at the 16th Street frontage.

The service alley entrance along 16th Street has been addressed with updated renderings illustrating proposed landscaping at a pedestrian-level perspective and demonstrating an improved treatment of the alley entrance consistent with the adjacent garage. Staff finds that the revised design adequately addresses the pedestrian experience concern. The alley entrance remains operational for building servicing, and the landscape treatment mitigates the visual and pedestrian impact.

The revised renderings are consistent with the landscape plans submitted with the application, resolving the inconsistency identified at the October 2025 HPB hearing. Staff recommends as a condition of approval that landscape plans submitted for building permit be consistent with the landscape plans submitted with this application.

WAIVER ANALYSIS

The applicant requests a waiver from Section 7.1.2.2.f.2.c of the Land Development Regulations, which requires that the ground floor be located no lower than the future crown of road elevation. Per the applicant's letter of intent, the design standards cannot be fully accommodated along 16th Street because the existing parking garage is to remain. Raising the sidewalk in front of only the new residential building would create an uneven elevation transition mid-block. The applicant is consulting with the Public Works Department to identify a reasonable solution.

The intent of the long-frontage standards is to ensure new buildings can be retrofitted to accommodate future street raising. The applicant is in compliance with several short- and long-term frontage standards in Sections 7.1.2.1 and 7.1.2.2 of the LDRs. The site provides the minimum 15-foot setback from back of curb required for the circulation zone and landscape area. The facades include a knee wall with a minimum height of two feet, six inches above sidewalk elevation, and an easement will provide the City with perpetual public access to portions of the circulation zone constructed within the setback on private property.

The HPB may waive these requirements where implementation is unfeasible or incompatible with the environment and adjacent structures. The applicant proposes to construct the mixed-use development at an elevation matching the future crown of the road and has provided sufficient ground-level height to ensure future compatibility. The applicant has also met with the Public Works Department regarding vertical transition areas within the public sidewalk during the period between the existing parking structure and future street raising. The stair and ramp structures required to access the new finish floor level have been designed to minimize obstruction within the right-of-way. Staff finds that the proposed project satisfies the overall intent of the long-frontage standards and recommends approval of the waiver request.

SUMMARY

Various development proposals have been considered for this site over the past 20 years. The current proposal is contingent upon the adoption of zoning incentives pending before the City Commission, including an increase in height from 100 feet to 150 feet. Following the October 21, 2025 HPB hearing, the applicant worked collaboratively with staff to address all four design concerns identified by the Board. The revised plans, dated March 19, 2026, adequately address each concern. Staff is supportive of the proposal to introduce long-term residential housing on the subject site and recommends approval subject to the conditions enumerated herein.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the requests for a Certificate of Appropriateness, including the requested waiver from Section 7.1.2.2(f)(2)(c), be **approved**, subject to the conditions enumerated in the attached draft Order, which address the identified Certificate of Appropriateness criteria.

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: April 14, 2026

PROPERTY/FOLIO: 1600 Washington Avenue / 02-3234-006-0010 & 02-3234-006-0040

FILE NO: HPB25-0656

APPLICANT: 420 Lincoln Road Development, LLC,

IN RE: An application has been filed requesting a Certificate of Appropriateness for the total demolition of two structures and the construction of a new mixed-use building.

LEGAL: Lot 1, Block 53, of the Pine Ridge Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 34, of the Public Records of Miami-Dade County, Florida. (Parcel 1- 1600 Washington Avenue).

Lots 5 thru 10 and the north 20 feet of the west 60 feet of Lot 3 and the west 5 feet of Lots 2 & 3, Block 53, of the Pine Ridge Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 34, of the Public Records of Miami-Dade County, Florida. (Parcel 2- 1601 Drexel Avenue)

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 Flamingo Park 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 7.1.2.4(a)(1) of the Land Development Regulations.
 - 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 Certificate of Appropriateness Criteria in section 2.13.7(d)(ii)(2) of the Land Development Regulations.
 - 4. Is consistent with the Certificate of Appropriateness for Demolition criteria in section 2.13.7(d)(vi)(4) of the Land Development Regulations.

- C. The project would be consistent with the criteria and requirements of sections 2.13.7(d) and 7.1.2.4(a) of the Land Development Regulations subject to the following conditions:
1. This Certificate of Appropriateness is subject to the adoption of separate ordinance amendments increasing the maximum FAR for the property to 3.25 and increasing the maximum building height to 150 feet. Should the maximum FAR and/or building height for the property not be increased, any revisions to the plan to account for a lesser FAR and/or building height shall be subject to the review and approval of the Historic Preservation Board, as a revision to this Certificate of Appropriateness.
 2. Revised elevation, site plan and floor plan drawings shall be submitted, and at a minimum, such drawings shall incorporate the following:
 - a. The façade treatment incorporating metal railings, metal louvers, and solid stucco balcony elements, as depicted in the revised plans dated March 19, 2026, shall be incorporated into the construction documents, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria.
 - b. The service alley entrance landscaping and pedestrian-level improvements along 16th Street, as depicted in the revised plans dated March 19, 2026, shall be incorporated into the construction documents, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria.
 - c. The etching of the historic façade of the Laurel Apartments (425 16th Street) into the lobby glazing, as described in the applicant's letter of intent dated March 22, 2026, shall be incorporated into the construction documents, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria
 - d. All interior fixtures located within the ground floor commercial space, including but not limited to shelving, partitions, and checkout counters, shall be set back a minimum of ten (10') feet from glazed portions of an exterior wall fronting Washington Avenue and 16th Street, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria. This shall not prohibit moveable tables and chairs or substantially transparent fixtures for display purposes only.
 - e. Interior lighting shall be designed so as not to have an adverse or overwhelming impact upon the surrounding historic district. Intensive 'white' lighting shall not be permitted within the commercial space, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria.
 - f. The final design and details of all exterior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria. All proposed interior lighting located within the retail area shall be recessed or small pendant lighting.

5. In accordance with Section 7.1.2.2(e)(ii)(2)(C)(IV) of the Land Development Regulations, the Long Frontage Standards including circulation zone, parallel transition areas, landscape transition areas, easements, minimum height for knee walls, and 15' setbacks are hereby waived.
6. Prior to issuance of a building permit, the applicant shall resolve the ground-floor elevation and transition design along 16th Street in coordination with the Public Works Department and in compliance with Section 7.1.2.2(f)(2)(c) to the extent feasible, in a manner to be reviewed and approved by the Planning Director or designee.
7. The balcony slabs on the upper levels that encroach into the southeast corner of the site shall require a Right-of-Way permit by the Public Works Department.
8. Prior to issuance of a building permit, the applicant shall provide a restrictive covenant, running with the land, affirming that no residential units on the property shall be leased or rented for a period of less than six months and one day, subject to review and approval by the City Attorney's Office.

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. No variances were filed as part of this application.

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. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- C. 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.
- D. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, 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 main building setbacks 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 Paragraphs I, II, and III of the Findings of Fact, to which the applicant has agreed.

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