

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: April 6, 2021

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB20-0604
14 Farrey Lane—Chabad Lubavitch of Venetian Causeway and Surrounding Islands, Inc.

DRB20-0604 (DRB18-0346), 14 Farrey Lane. An application has been filed requesting exterior design modifications to a previously issued Design Review Approval, specifically for changes to the exterior elevations.

RECOMMENDATION:

Approval

LEGAL DESCRIPTION:

Lot 14 of "2nd Section of Belle Isle Villas", according to the plat filed for record and recorded in Plat Book 42 at Page 100 of the Public Records of Miami-Dade County, Florida.

BACKGROUND:

On August 24, 2004, the Planning Board reviewed and approved an application for a Conditional Use Permit (CUP) for a religious institution in the RM-1 zoning district in an existing single-family structure on Belle Isle, pursuant to PB File No. 1676. The approval included the expansion of the facilities. On May 21, 2019, the Planning Board reviewed and approved an application to modify the previously issued CUP, pursuant to PB 18-0243, f.k.a. File No. 1676.

On September 16, 2019, The Design Review Board approved a new multi-story religious institution including design waivers, pursuant to DRB18-0346. This application also included approval of the following variances:

1. A variance to reduce by 10'-0" the minimum required front pedestal setback of 20'-0" in order to build a multi-story building 10'-0" at its closest point from the front (west) property line facing Farrey Lane, and a limited portion of the ground floor stairwell on the south side of the property at 3'-11".
2. A variance to reduce by 40'-0" the required 50'-0" interior side setback for religious institutions in order construct a multi-level religious institution at 10'-0" at its closet point from the interior side (north) property line.
3. A variance to eliminate the required at-grade parking front setback of 20'-0", in order to construct parking spaces and the vehicular driveway up to the front property line.

At the January 5, 2021 Design Review Board meeting, this item was automatically continued to a date certain of February 2, 2021 due to a lack of in-person quorum. At the February 2, 2021 DRB meeting, this item was discussed by the Board and continued to the April 6, 2021 meeting.

SITE DATA:

Zoning:	RM-1 (Residential, Multifamily Low Intensity)
Future Land Use:	RM-1 (Residential, Multifamily Low Intensity)
Lot Size:	4,694* SF
Lot Coverage:	45% 69.5% *DRB WAIVER GRANTED
Proposed FAR:	5,654 SF / 1.20
Maximum FAR:	5,867.5 SF / 1.25
Proposed Height:	49'-0" / (4) four-story
Maximum Height:	50' / (5) five-story
CMB Grade:	3.96' NGVD

*As indicated on submitted survey.

SURROUNDING PROPERTIES:

East: Five-story 1969 multifamily building "Island House"
North: One-story 1941 residence
South: Venetian Way
West: One-story 1941 residence

THE PROJECT:

The applicant has submitted revised plans entitled "Venetian Chabad Miami Synagogue", as prepared by **Choeff Levy Fischman Architecture and Design** dated, signed and sealed November 09, 2020. The applicant is proposing modifications to a previously issued Design Review Approval, specifically for changes to the exterior elevations.

CONSISTENCY WITH COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **religious use is consistent** with the RM-1 (Residential, Multifamily Low Intensity) designation of the Future Land Use Map of the 2025 Comprehensive Plan, as it is 'Other use', which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code. In addition to the previously approved requested variances:

On September 16, 2018 the DRB approved the following design waivers:

1. The minimum height requirement of (12) feet, as measured from base flood elevation plus minimum freeboard to the underside of the first-floor slab, shall be waived by two

(2) feet.

Section 142-155(3)(f)(A): A minimum height of twelve (12) feet shall be provided, as measured from base flood elevation plus minimum freeboard to the underside of the first-floor slab. The design review board or historic preservation board, as applicable may waive this height requirement by up to two (2) feet, in accordance with the design review or certificate of appropriateness criteria, as applicable.

2. A maximum lot coverage of 45% shall be waived for a lot coverage of 69.5%, or lower.
Section 142-155. - Development regulations and area requirements (3)(e) Lot Coverage. The maximum lot coverage for a lot or lots greater than 65 feet in width shall not exceed 45%. In addition to the building areas included in *lot coverage*, as defined in section 114-1, Impervious parking areas and impervious driveways shall also be included in the lot coverage calculations. The design review board or historic preservation board, as applicable may waive the lot coverage requirements in accordance with the design review or certificate of appropriateness criteria, as applicable.

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

COMPLIANCE WITH DESIGN REVIEW CRITERIA:

Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria are found to be satisfied, not satisfied or not applicable, as hereto indicated:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.
Satisfied
2. 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
3. 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
4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.
Satisfied

5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.
Satisfied
6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.
Satisfied
7. The design and layout of the proposed site plan, as well as all new and existing buildings 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 contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.
Satisfied
8. 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 all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.
Satisfied
9. 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. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.
Satisfied
10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.
Satisfied
11. 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.
Partially Satisfied; staff is recommending a vehicular gate to further screen the parking areas.

12. The proposed structure has 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
13. The building has, where feasible, space in that part of the ground floor fronting a 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 street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Not Applicable
16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.
Satisfied
17. 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.
Partially Satisfied; staff is recommending a vehicular gate to further screen the parking areas.
18. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.
Not Applicable
19. The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.
Not Applicable (for the current requested design modifications)

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 Satisfied
A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department.
- (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
- (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.
Satisfied
- (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
- (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
- (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.

Not Satisfied

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

Not Satisfied

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

Not Satisfied

STAFF ANALYSIS:
DESIGN REVIEW

On September 16, 2019, The Design Review Board approved a new multi-story religious facility, including waivers and variances, pursuant to DRB8-0346. The applicant returned to the DRB on February 2, 2021 with design modifications proposed for the building facades and surface materials. The Board had concerns with the modifications to the detailing that, coupled with the simplification of materiality, resulted in the loss of significant architectural features. As such, the application was continued to allow the architect to further refine the façade modifications and maintain the architectural gestures associated with the approved design.

The subject property is a substandard sized lot (although typical for Farrey Lane) located on the north side of Belle Isle. The site currently contains a one-story structure, which was originally a single-family residence, sited on a dead-end street with 13 other residences. Within the larger context of the north side of Belle Isle, the subject site is surrounded by apartment buildings and condominium towers within the RM-1 residential district.

The three-story synagogue has been designed in a contemporary style of architecture with softened architectural massing and details that allow the structure to integrate with its residential surroundings. The applicant is requesting design modifications related to the facades and materials. Specifically, the horizontal louvers on the elevator lobby, elevator tower and the second-floor west elevation have been removed and replaced with troweled stucco. The frameless glass railings have been substituted with framed glass railings throughout, with cable railings reserved to the exposed norther staircase that is tucked and hidden from the public view.

Along the front elevation the fenestration of the second level has been modified yet maintains a similar extent of transparency into the main floor, and the landscape planters have been introduced along that same level's balcony edge. Furthermore, another landscape planter, which once was recessed and lined the setback rooftop level, has been brought to the forefront to crown the projecting third level stucco frame.

At the direction of the board, the architect has made a concerted effort to maintain the prominent architectural gestures that rendered the approved design successful and has

provided a modified material palette that remains diverse and textural. Overall, staff is supportive of the proposed design modifications and recommends approval.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review and Sea Level Rise criteria.

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: April 6, 2021

PROPERTY/FOLIO: 14 Farrey Lane 02-3233-003-0140

FILE NO: DRB20-0604

IN RE: An application for exterior design modifications to a previously issued Design Review Approval, specifically for changes to the exterior elevations.

LEGAL: Lot 14 of "2nd Section of Belle Isle Villas", according to the plat filed for record and recorded in Plat Book 42 at Page 100 of the Public Records of Miami-Dade County, Florida.

APPLICANTS: Chabad Lubavitch of Venetian Causeway and Surrounding Islands, Inc.

ORDER

The City of Miami Beach Design Review 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. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated 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 is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12, and 19 in Section 118-251 of the Miami Beach Code.
- C. 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 is inconsistent with the Sea Level Rise Criteria 1, 10, 11, and 12 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 1. The property shall comply with all of the conditions of the conditional use approval enumerated in the Final Order for PB18-0243, dated May 21, 2019 for the religious facility.

2. All of the original conditions of approval by this Board, as reflected in the Final Order dated September 16, 2019, pursuant to DRB18-0346 shall remain in effect except as modified and approved herein.
3. A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department, in a manner to be reviewed and approved by staff.
4. Revised elevation, site plan, and floor plan drawings for the proposed new development at 14 Farrey Lane shall be submitted, at a minimum, such drawings shall incorporate the following:
 - a. The design and material modifications shall be approved as proposed.
 - b. The final design and details, including samples and color selection, of the proposed "smooth taupe colored stucco with score lines: shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - c. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - d. The final design and details of the framed glass railings shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - e. The metal cable railings proposed for the north, interior side elevation, shall be approved as proposed and the final design and details shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - f. The final design and details including samples and color selection of the proposed stone cladding shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - g. The final design and details including samples and color selection of the proposed troweled stucco finish shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - h. The final design and details including samples and color selection of the proposed stone cladding shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - i. The final design and details including samples and color selection of the proposed wood cladding shall be submitted in a manner to be reviewed

and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

- j. The final design and details including samples and color selection of the proposed porcelain tile wood cladding shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- k. The final design and details including samples and color selection of the proposed horizontal louver system shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- l. The final design and details, including samples and color selection, of the garage door/screening shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- m. All exterior ground floor handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff consistent with the Design Review Criteria and/or the directions from the Board.
- n. 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.
- o. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.

- B. 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.
- C. During construction work, the applicant will maintain gravel at the front of the construction site within the first 15'-0" of the required front yard to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site, and with an 8'-0" high fence with a wind resistant green mesh material along the front property line. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way. All construction vehicles shall either park on the private property or at alternate overflow parking sites with a shuttle service to and from the property. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- D. If applicable, a Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- E. 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.
- 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.

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 Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Venetian Chabad Miami Synagogue", as designed by **Choeff Levy Fishman Architecture + Design**, signed, sealed, and dated 2/14/21, and as approved by the Design Review 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 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 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 shall 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 _____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
Michael Belush, AICP

Filed with the Clerk of the Design Review Board on _____ ()