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VIA ELECTRONIC SUBMITTAL & HARD COPY SUBMITTAL

July 7, 2021

Michael Belush, Chief of Planning and Zoning  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, Florida 33139

Re: **DRB21-0673** – Design Review for Renovation of Property  
Located at 6060 Indian Creek Drive, Miami Beach, Florida 33140

Dear Michael:

This law firm represents Tavmel Investments, LLC (the "Applicant"), the owner of the property located at 6060 Indian Creek Drive (the "Property") in the City of Miami Beach (the "City"). The Applicant proposes minor exterior improvements to the existing building by: (1) relocating the pedestrian entrance from side access to front access along Indian Creek Drive; (2) adding an entrance canopy on the portion of the Property fronting Indian Creek Drive; (3) upgrading property signage, including signage above the ground floor; (4) replacing concrete balcony railings with glass railings and glass balcony dividers; and (5) adding aluminum cladding to the pedestal wall on all elevations to modernize the aesthetic of the Property (collectively the "Project"). Please allow this letter to serve as the letter of intent in connection with a request to the Design Review Board ("DRB") for Design Review approval.

Property Description. The Property is located at the southwest corner of the intersection of Indian Creek Drive and W 63<sup>rd</sup> Street and is identified by Miami-Dade County Reference Folio

No. 02-3211-087-0001. See Exhibit A, Property Appraiser Detailed Report. The Property has a Lot Area of 27,441 square feet. Currently, the Property is developed with the Sixty Sixty Condominium, a 15-story condominium hotel with 84 units.

Development Program. The Applicant's goal is to refresh the dated structure into a modern and aesthetically pleasing building. First, to create a more welcoming experience, the Applicant seeks to improve the front entrance of the Property at Indian Creek Drive by relocating the existing pedestrian entrance stairway, reconfiguring the existing entrance terrace, and adding a canopy above the entrance terrace. The proposed entrance activates the Indian Creek frontage of the building for pedestrians and improves the overall relationship of the building with Indian Creek Drive. The existing ADA ramp will remain. The proposed canopy above the new entrance terrace protects residents and guests from the elements while entering the building, and makes for a more welcoming, visible and pedestrian-friendly entrance.

Pursuant to Section 142-1132(o)(6) of the Code, the maximum elevation of an entrance terrace is 30 inches above adjusted grade, and the maximum projection is 25% of the required yard. As applied to the Property, Adjusted Grade is 6.0' and the proposed elevation of the entrance terrace is 11.5'. Further, the maximum permitted projection is 25% of the required front setback, specifically 5', and the proposed terrace projects approximately 10' into the required front yard. Accordingly, a variance from Section 142-1132(o)(6) is required to achieve the desired improvements to the front entrance. Please see the section entitled Variance Request further below.

For improved aesthetics, the Applicant seeks to replace the outdated concrete balcony railings with new glass railings and glass balcony dividers, which modernize the existing building's elevations to be consistent with many other buildings in the surrounding area that utilize glass railings. Further, the Applicant seeks to add aluminum cladding with a wood-like finish to the pedestal wall on all elevations to modernize the Property. The original pedestal wall was designed with concrete score lines and tiles with a reddish color representing minimal architectural treatments. Over time, the pedestal wall has aged, leaving the appearance of a large blank wall surrounding the building. The proposed aluminum cladding greatly improves this condition by adding vertical movement that softens the pedestal by breaking up the massing and adds architectural interest.

Lastly, while the Property provides only limited areas for landscaping, the Applicant proposes a thoughtful reconfiguration of the existing plantings, especially at the front entrance. The minor modifications to the existing landscaping plan respond to the changes at the front entrance and generally revitalize the existing plantings on the Property, as well as adding more shade trees to the Property. Notably, no landscaping will be removed, but only replaced or

reconfigured. Overall, these minor improvements will modernize the design and bring the Property in alignment with the design of other buildings in the surrounding area.

Requests. The Applicant seeks the following requests in order to achieve the Project:

- 1) Request for design review approval of the aesthetic improvements to the entrance terrace, podium cladding, balcony railings, and reconfigured landscaping;
- 2) Request for design review approval of wall signage located above the ground floor on the east, west, and north facades at equivalent sizes equivalent to what is permitted on the ground floor in accordance with Section 138-16 of the Code;
- 3) Request for variance from Section 142-1132(o)(6) to permit the proposed entrance terrace to be elevated to 11.5' where a maximum of 8.5' is permitted, and project 10' into the required front yard setback where a maximum 5' projection is permitted.

*Design Review Approval.* The Project proposes to refresh the existing building in order to remain consistent with the built context of the surrounding area and the City's Design Review Criteria. These minor improvements include modernizing balconies with glass railings that improve transparency of the façade, and adding "wood-look" aluminum cladding on all elevations of the existing building podium between the second and fourth levels. Further, the proposed improvements to the entrance terrace and addition of an entrance canopy incorporate appropriate transparency to create visual interest and improve pedestrian compatibility. The reconfiguration of the planters at the main entrance and revitalization of existing landscaping around the Property create an overall more welcoming and aesthetically pleasing building. Accordingly, the proposed design modifications are consistent the Code and the City's Design Review Criteria.

*Signage Above the Ground Floor.* The current building signage includes a wall sign on the east elevation above the ground floor on the south side of the podium. Pursuant to Section 118-116 of the Code, the building is permitted one (1) wall sign per frontage at a minimum size of 20 square feet up to a maximum size of 30 square feet. Wall signs are permitted above the ground floor at the same size permitted on the ground floor subject to the review and approval of the location of the proposed sign by the DRB. The Applicant proposes a new building signage package that includes the following three (3) wall signs located above the ground floor:

- Wall sign located on the east (front) façade on the north portion of the podium above the existing vehicular entrance ramp at a size of 30 square feet where 30 square feet is permitted;
- Wall sign located on the west (waterfront) façade at a size of 30 square feet where 30 square feet is permitted; and
- Wall sign located on the north façade at a size of 20 square feet where 20 square feet is permitted.

The proposed signs are located in appropriate areas facing public rights of way to facilitate identification of the existing hotel, and are similar to signage utilized for similar hotel uses in the surrounding area. The quantity and sizes of all proposed signs are consistent with the requirements of the Code. Thus, the Applicant respectfully seeks review and approval of the proposed wall signs located above the ground floor on the east, west, and north facades.

*Variance Request.* The existing entrance canopy is legally nonconforming with respect to elevation, as it is elevated to 11.5' where 8.5' is permitted. Further, the existing entrance terrace projects the 6'-8" into the required front yard. In order to substantially improve the circulation and pedestrian compatibility of the entrance, the existing entrance terrace must be modestly extended to accommodate the new stairs along the Indian Creek Frontage. This minor extension of the entrance terrace requires a variance from Section 142-1132(o)(6) to permit a maximum elevation of 11.5' and a projection of 10' from the building setback, where a maximum elevation of 8.5' and a maximum projection of 5' are permitted.

Satisfaction of Hardship Criteria. The Applicant's requested variances satisfies all hardship criteria as follows:

**(1) 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;**

The existing legal nonconforming entrance terrace elevated to 11.5' and the existing legal nonconforming encroachment of the entrance terrace are special conditions unique to the Property and not applicable to other buildings in the same RM-2 District. The existing building was lawfully constructed in 1989 with an elevated entrance terrace and stepped planters extending from the entrance terrace to the east property line along Indian Creek Drive. This created a unique condition where the pedestrian entrance for the building is substantially elevated and visually cut off from the Indian Creek Frontage. This existing

condition is unique to the Property and building involved and inapplicable to other similarly situated buildings.

**(2) The special conditions and circumstances do not result from the action of the applicant;**

The existing elevated design and projection of the entrance terrace and stepped planters are not a result of any action of the Applicant. The Applicant's requested variance is in response to the existing conditions at the entrance and substantially improves the design of the pedestrian entrance consistent with the intent and purpose of the Code.

**(3) 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;**

Granting the requested variance does not confer any special privilege on the Applicant denied to other lands, buildings, or structures in the same zoning district, as the requested variance merely facilitates pedestrian access to the existing elevated entrance to the building. All buildings in the RM-2 District are permitted certain projections and encroachments to facilitate pedestrian access to entrances located along public frontages. The requested variance accommodates this common design feature within the existing built context of the Property in order to improve the pedestrian compatibility and aesthetic of the building entrance.

**(4) 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;**

Literal interpretation of the land development regulations works unnecessary and undue hardship on the Applicant by failing to acknowledge the existing elevation of the entrance terrace and extension of the stepped planters to the east property line. Denial of the requested variance would result in a steep staircase that does not comply with life safety requirements, and a narrow entrance landing with inadequate space for pedestrian and ADA maneuverability. All properties in the RM-2 District are required by the City's Design Review Criteria to incorporate pedestrian-compatible frontages. With respect to

the Property, the requested variance is required in order to align the building with the City's Design Review Criteria.

**(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

The requested variance merely allows reconfiguration of the existing entrance terrace at the same elevation that it currently exists, with a minor eastward extension to accommodate an appropriate and prominent main entrance. Accordingly, the requested variance is the minimum that will make possible the reasonable use of the existing hotel building's entrance.

**(6) 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; and**

The granting of the variance will be in harmony with the general intent and purpose of the Code, which encourages welcoming pedestrian-entrances with adequate ADA accessibility. The requested variance substantially improves the relationship of the existing building with its surrounding context by creating a more clearly defined entrance point for the building. The proposed glass railings and canopy create transparency and architectural interest at the entrance to the building in lieu of the existing entrance, which is obscured from public view. Creating a visually attractive and obvious pedestrian-friendly entrance at the Indian Creek Frontage is not detrimental to the public welfare, but rather improves the circulation and safety at the entrance to the existing building.

**(7) 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. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board of adjustment voting on the applicant's request.**

The variance request is consistent with the City's Comprehensive Plan and does not reduce the levels of service as set forth in the plan.

Practical Difficulty. The proposed entrance terrace is less impactful and more consistent with the Design Review Criteria and Code than the existing condition of the entrance terrace to the building. The existing stepped planters and narrow elevated entrance terrace create

challenges for reconfiguring the entrance to the building in a manner that relates more appropriately to the pedestrian realm. Approving the requested variance recognizes the modern emphasis on multi-modal transportation and pedestrianism by opening up the entrance to the building towards Indian Creek Drive and creating a welcoming covered entrance terrace that protects residents and guests from the elements. In response to the practical challenges associated with the existing entrance terrace, the proposed design minorly extends the entrance terrace, while reconfiguring the existing stepped planters in a manner that allows for improved circulation and building access. These design challenges created by the existing building design are practical difficulties that justify the minor variance request.

Conclusion. Approving the proposed minor design upgrades and granting the requested variance will result in a better design of the Property and make the building compatible with similar surrounding structures. The proposed entrance stairway and canopy at the front entrance will make the building more welcoming to residents and visitors. The new glass railings and glass balcony dividers will modernize the building, while increasing visibility of the surrounding area to its residents. Finally, the addition of aluminum cladding to the concrete pedestal will increase the aesthetic value of the pedestal elevations, thus improving the surrounding streetscape. Overall, granting these proposals will enhance the building and bring value to the surrounding area. The Applicant's goal remains to improve the building aesthetically while remaining in harmony with the Code. We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-377-6236.

Sincerely,



Matthew Amster

#### Attachments

cc: Michael W. Larkin, Esq.  
Nicholas Rodriguez, Esq.



# Exhibit A

# OFFICE OF THE PROPERTY APPRAISER

## Detailed Report

Generated On : 6/14/2021

Property Information	
Folio:	02-3211-087-0001
Property Address:	
Owner	REFERENCE ONLY
Mailing Address	
PA Primary Zone	4000 MULTI-FAMILY - 63-100 U/A
Primary Land Use	0000 REFERENCE FOLIO
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	0 Sq.Ft
Year Built	0



Assessment Information			
Year	2020	2019	2018
Land Value	\$0	\$0	\$0
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$0	\$0	\$0
Assessed Value	\$0	\$0	\$0

Benefits Information				
Benefit	Type	2020	2019	2018
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Taxable Value Information			
	2020	2019	2018
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0

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# OFFICE OF THE PROPERTY APPRAISER

Generated On : 6/14/2021

## Property Information

Folio: 02-3211-087-0001

Property Address:

## Roll Year **2020** Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features			
Description	Year Built	Units	Calc Value

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## Property Information

Folio: 02-3211-087-0001

Property Address:

## Roll Year **2019** Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features			
Description	Year Built	Units	Calc Value

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## Property Information

Folio: 02-3211-087-0001

Property Address:

## Roll Year **2018** Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features			
Description	Year Built	Units	Calc Value

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## Property Information

Folio: 02-3211-087-0001

Property Address:

Full Legal Description
SIXTY SIXTY CONDO
AMD PL OF 2 OCEAN FRONT SUB
PB 28-28 LOTS 31 THRU 35 BLK 2
AS DESC IN DEC OR 24411-1780
LOT SIZE 27555 SQFT
FAU 02 3211 007 0700

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description

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