

MIAMI BEACH

PLANNING DEPARTMENT
Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: September 10, 2021

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: DRB21-0645
1420-1508 Bay Road—The Grand Flamingo

An application has been filed requesting Design Review Approval for the construction of a new residential tower and to add as a sixth phase to an approved five-phased development project (aka DRB17-0216, DRB17-0160, DRB20-0577).

RECOMMENDATION:

Approval with conditions.

LEGAL DESCRIPTION:

See attached 'Exhibit A'

BACKGROUND:

On November 7, 2017 an application was approved by the Design Review Board (DRB) for design modifications and renovations to exterior and interior portions of the existing north and central towers of the Flamingo Apartments, pursuant to DRB File No. DRB17-0160. Subsequently, on March 8, 2018, an application was approved to allow this project to take place in four (4) phases as a phased development project, pursuant to DRB File No. DRB17-0216.

On November 3, 2020, an application was approved by the DRB for a modified phasing schedule to allow for this project to take place in five (5) phases, pursuant to DRB20-0577.

At the June 1, 2021 Design Review Board meeting, this application was continued to a date certain of July 6, 2021 at the request of the applicant. The July 6, 2021 meeting was cancelled due to the lack of a quorum, and the item was moved to the August 3, 2021 meeting.

At the August 3, 2021 meeting, the application was heard and continued by the Board continued to the September 10, 2021 meeting.

SITE DATA:

Zoning: RM-3 and RM-2
Future Land Use: RM-3 and RM-2
Lot Size: 695, 933 SF*
RM-3: 569,614 SF
RM-2: 126,319 SF

*As indicated on submitted survey.

RM-2 Site:

Existing FAR: 147,463 SF | 1.17
Proposed FAR: 250,925 SF | 1.98
Maximum FAR: 252,638 SF | 2.0
Proposed Height: 140'-0" / 14-story
Maximum Height: 140'-0"
CMB Grade: 4.09' to 4.19' NGVD

Exiting Flamingo Units: 1,689 Units
New Tower Units: 34 Units
Proposed Flamingo Units: 1,483 Units*
*Inclusive of previous approved

Grade: +7.00' NGVD
Base Flood Elevation: +8.00' NGVD
Difference: 1.0' NGVD
Adjusted Grade: +7.5' NGVD

Existing North Tower Units: No Change
Garden / Town House: No Change
Existing Central Tower Units: No change
Existing South Tower Units: No change

Existing Parking: 2,032 Spaces
Proposed Parking: 1,665 Spaces
Required Parking: 1,589 Spaces

SURROUNDING PROPERTIES:

West: Biscayne Bay
North: RM2 residential
Gilbert Fein Conservation District
South: The Waverly, 29- and 35-story
residential building
East: RM1 residential

ORIGINAL STRUCTURE:

Morton Towers South - 1960 Melvin Grossman | 15-story residential building
Morton Towers North - 1961 Melvin Grossman | 15-story residential building
Central Tower – 1997 Zyscovich | 35-story residential building

THE PROJECT:

The applicant has submitted revised plans entitled "FLAMINGO 1420 Bay Road", by **Stantec Architecture Inc**, dated, signed, and sealed June 7, 2021.

The applicant is requesting Design Review approval for the construction of a new tower at the north portion of the property and to add this new tower as a sixth phase to a previously approved five-phase development project.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the applicable sections of the City Code.

- Sec. 130-69. URBAN HEAT ISLAND ORDINANCE. - Commercial and noncommercial parking lots. 3) Open- air parking lots, open to the sky, shall be constructed with (i) a high albedo surface consisting of a durable material or sealant in order to minimize the urban heat island effect, or ii) porous pavement. The provisions of this paragraph shall apply to all parking areas, and all drive lanes and ramps.

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.
Satisfied
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).
Satisfied
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.
Satisfied
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.
Satisfied

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 or salvage plan shall be submitted at permitting.
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.

Satisfied

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

Satisfied

11. Cool pavement materials or porous pavement materials shall be utilized.

Satisfied

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

Satisfied

ANALYSIS:

DESIGN REVIEW

The applicant is requesting Design Review approval for a new residential tower at the northern end of the Flamingo Point development. The entire property is a waterfront parcel that is approximately 16 acres in size and is located between 14th and 16th Streets on the west side of Bay Road. The site traverses two different residential multifamily zoning districts, with the southern portion of the site zoned RM-3 and the northern portion zoned RM-2.

Most of the property is zoned RM-3 and contains the north, south and center multistory residential towers, townhouses fronting Bay Road, associated parking and entrances, a few accessory commercial uses, and landscaped areas. Most recently this area was the subject of Design Review Board (DRB) applications for renovations to the exterior and interior portions of the existing North and Central Towers of Flamingo Apartments, pursuant to DRB17-0160 and DRB20-0577. This portion of the site contains a lot area of approximately 569,614 SF.

The subject north portion of the site is zoned RM-2 and contains a lot area of approximately 126,319 SF. Current development on this section is comprised of the northern half of the main parking garage, townhouses that line the garage on its east facade along Bay Road, garden apartments lining the bay side, and surface parking and driveways that access the North Garage.

The applicant is proposing a new, 14-story tower in the northmost section that is currently surface parking. The new tower is adjacent to the North Garage and well-set back into the

site, nearly 239' from the front property line. It features a driveway at the front, followed by a drive aisle that meanders through 13 short-term parking spaces, into a roundabout with a guardhouse and then diverges into two drives that circle the base of the new tower, with alternate entry points into the North Garage. It is important to note that the primary vehicular entrance for this tower is through the recently constructed North Garage entrance on Bay Road, where ramps lead residents to parking areas on the third-floor, as well as the main entrance to the tower. For egress, vehicles will exist through the internal garage ramps leading to the ground floor exit from the North Garage that is adjacent to the new tower and utilizes the permeable driveway on the RM-2 Parcel that leads back out to Bay Road. The only ingress that will occur at the northmost driveway will be deliveries to Flamingo Point, where there are thirteen (13) short-term parking spaces.

The new tower is designed in a clean, contemporary style that contrasts clear glass glazing systems and railings with white smooth stucco and fluted textured walls and metal accents that include architectural vertical screens and rooftop mechanical screening. The proposed tower features its main lobby on the third floor, which is accessed via a skybridge connecting it to the North Garage. A secondary lobby is located on the ground floor for pedestrian access, along with back of house and elevator access to the main lobby and upper residential floors. The design incorporates one residential unit along the bayfront façade on the ground floor at an elevation of 9' NGVD, providing a consistent residential façade to the bayfront, as well as screening the internal drive aisles. The remaining floors feature residential units varying from two- to four bedrooms. An amenity pool deck with some landscaped gardens crown the tower on its main roof level.

The proposed application is designed within its allowable zoning thresholds, maintains an overall reduced density count with the prior DRB approvals, even with the additional 34 units, and proposes landscape improvements that increase the permeable areas on the RM-2 parcel. Furthermore, in this proposal the applicant has addressed the design concerns previously expressed by staff. The items revised include the following:

- Reduction of the northmost curb cut /driveway into the site. The applicant has reduced the curb cut from 29'-7" to 26'-0".
- The design incorporates an architectural wall and additional landscaping at the front of the property in an effort to screen the parking and enhance the pedestrian nature of the project.
- Additional landscaping has been incorporated into the architecture of the proposed building, specifically at the ground level where vines have been added to the screen facing east.

PHASED DEVELOPMENT REVIEW

The applicant has obtained phase development approval to complete the approved Flamingo renovations for five (5) phases. The applicant would like to add a sixth phase to the approved phased development, pursuant to DRB20-0577. As a result, the applicant seeks to modify the approved phased development permit to incorporate the New Tower. The description and approximate schedule for each phase is as follows:

<u>Phase #</u>	<u>Description</u>	<u>Timeframe</u>	<u>Status</u>
I	Pedestrian Plaza, North and south drop off, and ground and 3rd level Central Tower renovation	Building permit within 18 months of DRB Order DRB17-0160	Completed
II	North Garage & Courtyard	Building permit within six (6) months of Phase I building permit	Permitted and in construction
III	North Pool & Outdoor Area	Building permit within 12 months of Phase II building permit	Permitted and in construction
IV	North Tower Renovation	Building permit within 12 months of Phase III building permit	Permitted and in construction
V	New Garden Apartments	Building permit within 18 months of Certificate of Occupancy (CO) for Phase III (North Tower)	Approved by DRB on November 3, 2020
<i>New Phase VI</i>	New Tower	Building permit within 18 months of Certificate of Occupancy for Phase V (New garden Apartments)	Permitted and in construction

In summary, staff recommends that the application be approved with the modifications noted above.

RECOMMENDATION:

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

EXHIBIT 'A'

PARCEL I:

Lot 7 and the South 1.00 feet of Lot 6, in Block 43, of ALTON BEACH BAYFRONT SUBDIVISION, according to the plat thereof, as recorded in Plat Book 4, at Page 125, of the Public Records of Dade County, Florida.

PARCEL II:

Lot 6, less the South 1.0 feet, in Block 43, of ALTON BEACH BAYFRONT SUBDIVISION, according to the plat thereof, as recorded in Plat Book 4, at Page 125, of the Public Records of Dade County, Florida.

Parcel III:

Together with any and all right, title and interest of the insured as a lessee under that certain Sovereignty Submerged Land Lease No. 130004286 by and between The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as Lessor, and Morton Towers Apartments, a Florida general partnership, as Lessee, filed August 20, 1990, at Official Records Book 14671, at Page 573, as modified and renewed by Sovereignty Submerged Land Lease Renewal No. 130004286 by and between The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, as Lessor, and Morton Towers Apartments, a Florida general partnership, as Lessee, filed June 14, 1994, at Official Records Book 16401, at Page 2756, of the Public Records of Dade County, Florida; as further modified by Modified Sovereignty Submerged Land Lease No. 130004286 by and between the Board of Trustees of the Internal Improvement Fund of the State of Florida, as Lessor and Morton Towers Apartments, L.P., a Delaware limited partnership, as Lessee, filed September 19, 1997 in Official Records Book 17797, at Page 4825, which Lease demises the following described property:

ALSO DESCRIBED AS FOLLOWS:

ALSO MARINA AREA "A", a parcel of land in Biscayne Bay contiguous to the Westerly line of parcel 1 of the above described property and described as follows:

Commence (P.O.C.) at the Southeasterly corner of Lot 7 referenced above, said Southeasterly corner of Lot 7 being the Northwest corner of Bay Road and 14th Street in the City of Miami Beach, Florida; thence run N 1°33'30" W along the Westerly line of Bay Road, along the Easterly line of said Lot 7, a distance of 780.91 feet; thence run S 48°37'57" W across Lot 7, a distance of 678.89 feet to a point on the Westerly face of a concrete bulkhead cap on the Westerly line of Lot 7 on the Easterly shore of Biscayne Bay, said point being the POINT OF BEGINNING (P.O.B.) of Marina Area "A"; thence run Northwesterly meandering the face of said bulkhead cap along the Easterly shore of Biscayne Bay, along the Westerly line of said Lot 7, a distance of 184.00 feet; thence run S 62°57'00" W in Biscayne Bay, a distance of 135.00 feet; thence run

S 27°03'00" E in Biscayne Bay, a distance of 184.00 feet; thence run N 62°57'00" E in Biscayne Bay a distance of 135.00 feet, more or less to the POINT OF BEGINNING (P.O.B.). Marina Area "A" contains 24,840 square feet more or less or 0.570 acres, more or less.

ALSO MARINA AREA "B", a parcel of land in Biscayne Bay contiguous to the Westerly line of parcel 1 of the above described property and described as follows:

Commence (P.O.C.) at the Southeasterly corner of Lot 7, referenced above, said Southeasterly corner also being the Northwesterly corner of Bay Road and 14th Street in the City of Miami Beach, Florida; thence run N 1°33'30" W along the Westerly line of Bay Road, along the Easterly line of Lot 7, a distance of 780.91 feet; thence run S 48°37'57" W across Lot 7, a distance of 678.89 feet to a point on the Westerly face of a concrete bulkhead cap on the Westerly line of said Lot 7 on the Easterly shore of Biscayne Bay; thence meandering the

Westerly face of said bulkhead cap along the Westerly line of said Lot 7, run Southerly a distance of 96.60 feet to a POINT OF BEGINNING (P.O.B.) of Marina Area "B" described as follows; thence run S 57°46'30" W into Biscayne Bay, a distance of 135.00 feet to a point; thence run S 32°13'30" E in Biscayne Bay, a distance of 115.00 feet to a point, thence run N 57°46'30" E in Biscayne Bay, a distance of 135.00 feet, more or less to the face of the said concrete bulkhead cap on the westerly line of said Lot 7; thence meandering the Westerly face of said bulkhead cap along the Westerly line of said Lot 7, run Northerly, a distance of 115.00 feet, more or less to the POINT OF BEGINNING (P.O.B.) Marina Area "B" contains 15,525 square feet, more or less or 0.356 acres, more or less.