

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: DRB21-0673
6060 Indian Creek Drive

An application has been filed requesting Design Review Approval for modifications to the existing 15-story building, including new balcony railings, changes to exterior surfaces and finishes, a re-designed front entrance, new landscaping, new signage located above the ground floor, and variances from the setback and height requirements for the construction of an expanded entryway terrace on Indian Creek Drive.

RECOMMENDATION:

Approval of design.
Approval of the variances.

LEGAL DESCRIPTION:

All units of Sixty Sixty Condominium, a Condominium, together with an undivided interest in the common elements, according to the declaration of Condominium thereof as recorded in official records Book 24411 at Page 1780, of the Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning: RM-2
Future Land Use: RM-2
Lot Size: 27,441 SF
Existing FAR: 60,829 SF/ 2.48
Existing Height: 150.74' | 15 Stories
Existing Use: Multi-family building
Existing Units: 84 units

Grade: +3.8' NGVD
Base Flood Elevation: +8.00' NGVD
Adjusted Grade: +5.9' NGVD

EXISTING PROPERTY:

15-Story multifamily building -84 units
Year: 1989
Architect: Francis Pisani

Surrounding Properties:

East: Three-Story Hotel Complex
North: 63rd Street Bridge | Brittany Bay Park
South: 25-Story residential building
West: Indian Creek Canal

THE PROJECT:

The applicant has submitted revised plans entitled "Sixty Sixty Cosmetic Improvements DRB Submission – Final Submittal – July 7th, 2021", as prepared by **UCI Design** dated, signed and sealed July 2, 2021. The applicant is proposing aesthetic improvements that include new balcony railings, changes to exterior surfaces and finishes, a re-designed front entrance, new landscaping, and new signage located above the ground floor.

The applicant is requesting the following variance(s):

1. A variance to exceed by 5'-0" (50%) the maximum allowed projection of 25%, in order to construct a front terrace encroaching 10'-0" (50%) into the required front yard.
2. A variance to exceed by 3'-0" the maximum allowed height of 8.5' NGVD, in order to construct a front terrace at an elevation of 11.5' NGVD.
 - Variances requested from:

Sec. 142-1132. Allowable encroachments within required yards for districts other than single-family districts.

- (o) *Projections. Every part of a required yard shall be open to the sky, except as authorized by these land development regulations. The following may project into a required yard for a distance not to exceed 25 percent of the required yard up to a maximum projection of six feet, unless otherwise noted.*
- (1) *Belt courses.*
 - (2) *Chimneys.*
 - (3) *Cornices.*
 - (4) *Exterior unenclosed private balconies.*
 - (5) *Ornamental features.*
 - (6) *Porches, platforms and terraces up to 30 inches above the adjusted grade elevation of the lot, as defined in chapter 114.*
 - (7) *Roof overhangs.*

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

- That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- That the special conditions and circumstances do not result from the action of the applicant;
- That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;
- That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship

on the applicant;

- That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and
- That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the requirements of the City Code, with the exception of the requested variances.

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.

CONSISTENCY WITH 2040 COMPREHENSIVE PLAN

A preliminary review of the project indicates that the proposed **multi-family residential** use appears to be **consistent** with the Future Land Use Map of the Comprehensive Plan.

ACCESSIBILITY COMPLIANCE

Additional information will be required for a complete review for compliance with the Florida Building Code 2001 Edition, Section 11 (Florida Accessibility Code for Building Construction). These and all accessibility matters shall require final review and verification by the Building Department prior to the issuance of a Building Permit.

CONCURRENCY DETERMINATION:

A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs shall be paid prior to the project receiving any Building Permit. Without exception, all concurrency fees shall be paid prior to the issuance of a Temporary Certificate of Occupancy or Certificate of Occupancy.

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; However, the proposed project seeks variances from the Board.

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; However, the proposed project seeks variances from the Board.
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; However, the proposed project seeks variances from the Board.
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; However, the proposed project seeks variances from the Board.
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; However, the applicant is requesting one variance from the required front setback.
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.
Not Applicable
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).
Not Applicable
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.
Not Applicable
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Not Applicable
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.
Not Applicable

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 Satisfied (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.
Not Applicable
- (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.

Not Applicable

- (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 Applicable

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

Not Applicable

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

Not Applicable

STAFF ANALYSIS:

DESIGN REVIEW

The applicant is requesting design review approval of exterior modifications to a 15-story, 84-unit multi-family residential building located on Indian Creek Drive, just south of the 63rd bridge and along the waterway. The proposed modifications include relocating the pedestrian entrance from the street up to the main lobby, reconfiguring the entrance terrace and incorporating a canopy, recladding the podium with vertical metal screening, replacing the concrete balconies with new glass railing systems, and new building signage on the podium.

The proposed modifications to the entrance significantly improve access from the street and the pedestrian experience to the building lobby. Regarding the exterior architectural improvements staff is supportive of the efforts to modernize the building. Staff is supportive of the design modifications proposed.

VARIANCE ANALYSIS

The applicant is requesting the following variance(s):

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 - (7) *Roof overhangs.*

* * *

The existing 15-story structure, constructed in 1989, is defined at the ground level by four (4) vehicular access drives and ramps, a long pedestrian ramp leading from the sidewalk level up approximately seven (7') feet to the elevated lobby level, and a hidden side entrance from the sidewalk level up to the main lobby level. With no well defined pedestrian access from the street or visibility to the lobby, the existing street level presence is rather foreboding.

Variance #1 is to allow a front porch to encroach 50% into the required yard, where only 25% is otherwise allowed. In this instance, the current site conditions result in a vehicular focused street level, which has a negative impact on the site and the surrounding area. The proposal for an expanded main front entrance lobby terrace will greatly improve pedestrian visibility and access to the site, in furtherance of the City's goals to prioritize and encourage non-vehicular modes of transportation. Pedestrian safety is also likely to be improved, as pedestrians are much more likely to utilize a safe and attractive pedestrian entrance over an unsafe vehicular driveway and ramp.

The building complies with the required front setback of 20 feet. However, the grade difference between the sidewalk level and the lobby level presents a practical difficulty in designing an appropriate entranceway and pedestrian transition between these levels. Variance #2 is due to this relatively extreme height difference and based upon the constructed site conditions.

Staff is supportive of the requested variances due to the practical difficulties noted, in addition to the resulting enhancements to the site and the surrounding area. Overall, staff recommends approval of the application with the recommendations and conditions noted in the attached draft order.

RECOMMENDATION:

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