

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: April 5, 2022

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: DRB21-0781, aka DRB19-0462  
**6961-6985 Abbott Avenue, 300-326 71<sup>st</sup> Street and 6972 Harding Avenue**

An application has been filed requesting modifications to a previously approved Design Review Approval for the construction of a new multistory mixed-use residential and retail development, including one or more waivers and variances. Specifically, the applicant is requesting modifications to the design of all elevations and floor plans.

### **RECOMMENDATION:**

Approval with conditions

### **LEGAL DESCRIPTION:**

See attached Exhibit 'A'

### **BACKGROUND:**

On November 14, 2018, the City Commission adopted the North Beach Town Center—Central Core Land Development Regulations, establishing the **TC-C, Town Center – Central Core** zoning district with a FAR of 3.5. The TC-C district replaced the TC-1, TC-2, TC-3, and TC-3(c) districts within the boundaries of the area established by the FAR referendum.

On November 3, 2020, the Design Review Board reviewed and approved a new multi-story, mixed-use residential and retail development at the subject site, pursuant to DRB19-0462.

### **SITE DATA:**

Zoning: TCC Town Center--Central Core  
Future Land Use: TCC Town Center--Central Core  
Parking District: 8  
Lot Size: 48,995 SF (1.13 acres)  
Proposed FAR: 171,442 SF / 3.49 | 40.5 SF remaining  
Maximum FAR: 171,482.5 / 3.5  
Units: ~~418~~ 117 units  
Height:  
Proposed: 449'-2" 145'-8" measured from BFE +5', or 13' NGVD | 14-story  
Maximum: 125'-0" base | 200'-0" for lots >45,000 through public benefits program  
Highest Projection: ~~462'-2"~~ 157'-6"  
CMB Grade: 4.92' (varies) NGVD  
Base Flood Elevation: 8' NGVD  
First Floor Clearance: 28'-0" measured from CMB Grade, 15'-0" from BFE +5', or 13' NGVD  
Required Parking: 168 required spaces | ~~247~~ 207 provided  
Required Loading: Total loading: 3 required spaces | 3 provided

**SURROUNDING PROPERTIES:**

East: Two-story commercial and five-story 32-unit residential

North: One-story service station, one-story office and pylon

South: P84 City surface parking lot, two-story 14-unit residential building

West: Surface bank parking lots | Proposed fifteen-story mixed building (DRB19-0424\*)

\*approved DRB application October 06, 2020

**EXISTING BUILDINGS:**

- **Gidney Building - ‘Architecturally Significant’.** Designed by Henry Hohausser and constructed in 1948. A third-floor addition, designed by Edwin Reeder, was built in 1954.
- **City National Bank Building - ‘Nonconforming’.** Designed by Arnold Herbert Mathes, this six-story office building was constructed in 1971.

**THE PROJECT:**

The applicant has submitted plans entitled "6985 Abbott Avenue" as prepared by **Alfonso Jurado Architecture**, dated, signed and sealed December 30, 2021.

The following variances were approved on November 3, 2020 , pursuant to DRB19-0462:

1. A variance to reduce up to 10'-0" from the minimum required setback of 10'-0" for the pedestal structure as measured from Grade to 55'-0" (from BFE+5') along a class A frontage in order to retain an existing building located at the corner of 71<sup>st</sup> Street and Harding Avenue with a setback ranging from 5'-0" to zero (0'-0").
2. A variance to reduce up to 25'-0" from the minimum required setback of 25'-0" for the tower structure as measured from 55'-0" (from BFE+5') to maximum height along a class A frontage in order to retain an existing building located at the corner of 71<sup>st</sup> Street and Harding Avenue with a setback ranging from 5'-0" to zero (0'-0").
3. A variance to reduce up to 10'-0" from the minimum required setback of 10'-0" for the pedestal and tower structure along a class C frontage in order to retain an existing building located at the corner of 71<sup>st</sup> Street and Harding Avenue with a setback ranging from 2'-4" to zero (0'-0").
4. A variance to reduce by 10'-0" the required 10'-0" wide "Clear Pedestrian Path" along 71<sup>st</sup> Street (Class A).
5. A variance to reduce by 10'-0" the required 10'-0" wide "Clear Pedestrian Path" along Harding Avenue (Class C).
6. A variance to reduce the minimum required habitable space with 20'-0" in depth along 85% of the length of the façade at setback line along a class C frontage (Harding Avenue) in order to provide a portion of the façade with landscape and retail space.
7. A variance to reduce the minimum required habitable space along 85% of the length of the façade at setback line along a class C frontage (Harding Avenue) in order to provide a portion of the façade with landscape and retail space.

8. A variance to reduce by 35'-0" the minimum height of a façade in order to not provide a building along 85% of the façade fronting on Harding Avenue (Class C).
9. A variance to eliminate the visibility requirement for ground floor parking along Harding Avenue.
10. A variance to eliminate the shade structure required that projects for a minimum depth of five (5) feet along 71<sup>st</sup> Street (Class A) in order to retain an existing nonconforming six-story building.
11. A variance to eliminate the shade structure required that projects for a minimum depth of five (5) feet along Harding Avenue (Class C) in order to retain an existing nonconforming six-story building.
12. A variance to reduce the required minimum of 70 percent clear glass windows with views into the habitable space along 71<sup>st</sup> Street (Class A) in order to retain an existing nonconforming six-story building.
13. A variance to reduce the required minimum of 70 percent clear glass windows with views into the habitable space along Harding Avenue (Class C) in order to retain an existing nonconforming six-story building.
14. A variance to eliminate the requirement to screen the parking facilities from public rights-of-way and clear Pedestrian Path facing Abbott Avenue and Harding Avenue.
24. A variance to reduce the minimum required habitable space with 45'-0" in depth along 90% of the length of the façade at setback line along a Class B frontage (Abbott Avenue) in order to provide an internal vehicular turn around area.

**COMPLIANCE WITH ZONING CODE:**

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

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 **residential / mixed use** is **consistent** with the Future Land Use Map of the Comprehensive Plan.

**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.

**Not Satisfied; a lighting plan has not been submitted.**

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).  
**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.  
**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.

**Not Satisfied; see below**

**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) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.  
**Satisfied**
- (5) Whether 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, including a study of land elevation and elevation of surrounding properties were considered.  
**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.  
**Satisfied**
- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.  
**Satisfied**
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.  
**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) Where feasible and appropriate, water retention systems shall be provided.

**Partially Satisfied**

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

**Satisfied**

- (12) The design of each project shall minimize the potential for heat island effects on-site.

**Not Satisfied**

### **ANALYSIS:**

#### **DESIGN REVIEW**

The applicant is proposing modifications to the floor plans and elevations of a multi-story, mixed-use residential and retail development approved by the Design Review Board on November 3, 2020. The revised plans submitted, and the analysis herein reflect changes to the elevations and floorplans. The program remains similar, and the modifications do not include new variances or waivers.

The subject site is a 1.13-acre unified development located within the boundaries of the TC-C, Town Center – Central Core District. The applicant is proposing a new 14-story with 117 residential units above a ground floor retail component. The site is generally bound by 71<sup>st</sup> Street to the north, Abbott Avenue to the west, and Harding Avenue to the east. Except for the parcels fronting 71<sup>st</sup> Street, the rest of the site is vacant and unimproved, including a surface parking area ancillary to the bank.

The site encompasses the northernmost portion of a block fronting 71<sup>st</sup> Street, with unequal linear frontages along Abbott Avenue and Harding Avenue. The development project is comprised of several isolated components including a new, fourteen-story mixed-use building proposed to be located behind the two-existing commercial/office buildings fronting 71<sup>st</sup> Street that are both proposed to remain, as well as an existing surface parking lot. The entire subject property consists of eight parcels, five along Abbott Avenue and three along Harding Avenue. All of the substantial improvements and new construction are allocated to the four parcels along Abbott Avenue. Out of the 48,995 SF site, the proposed new construction occupies nearly half at 24,000SF. The retained Gidney and City National Bank building footprints encompass 18,745 SF and the surface parking lot contains 6,250 SF of lot area.

The primary façade of the new construction is along Abbott Avenue. The ground floor contains a residential lobby, valet access, amenity space, and one retail space with the back-of-house and utility rooms located internally. The Harding Avenue frontage has been dedicated as the sole vehicular entry into the proposal. The surface parking and drive through access is covered with a landscaped trellis to screen the parking, loading and access driveway. A small retail pop-up spaces has been provided south of the Bank to further bring the project into compliance with the street class frontage requirements of the TCC.

Four levels of parking occupy the entire footprint of the pedestal floors. The residential tower begins on the sixth floor as a rectilinear volume that rises nine stories up to the 14<sup>th</sup> floor.

The applicant is returning to the Design Review Board for modifications to floor plans and elevations.

### **FLOOR PLANS**

The most significant modifications to floor plans are due in part to structural inefficiencies of the previously approved design. As a result, the column layout was revised. Additionally, the top floor plan was changed to a full floor of units. As a result, the tower footprint was adjusted to redistribute the FAR and the pool was relocated from the rooftop to the podium level.

### **BUILDING ELEVATIONS AND GARAGE SCREENING**

The design of the building has been modified, most specifically along the tower elevations and the garage screening. Overall, the elevations of the tower are similar to the design previously approved by the Board, with the most prominent changes in the extent of fenestration. The design of the garage screening has greatly diverged from the previously approved design. The proposed screening is comprised of a thin stucco grid with staggering vertical elements that is inlaid with translucent fabric mesh. Staff finds that some of the previous design's vigor is lost with the redesign; furthermore staff has concerns with the extent of transparency the new mesh screen appears to allow. Staff does not oppose the varying gridded concept but does find that it needs further refinement in order to enhance its movement. Staff recommends potentially thickening the grid members to give them more presence and shadow, as well as revise the mesh screening to be one of texture and greater opacity.

Staff is supportive of the proposed modifications with the noted recommendations and recommends the approval of this application including any additional input and directions from the Board.

### **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 as applicable.

Exhibit 'A'

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOTS 1, 3, 4, 16, 17 AND 18, BLOCK 12 OF NORMANDY BEACH SOUTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGE 54, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. (LAND AREA: 36,991.48 SQ. FT)

PARCEL 2:

LOT 5, BLOCK 12 OF NORMANDY BEACH SOUTH, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 21, PAGE 54 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. (LAND AREA: 6,000.00 SQ. FT)

PARCEL 3:

LOT 2, BLOCK 12 OF NORMANDY BEACH SOUTH, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 21, PAGE 54 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. (LAND AREA: 6,000.00 SQ. FT)

TOTAL LAND AREA: 48,995.48 SQ. FT