

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: June 7, 2022

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **DRB22-0814, a.k.a (DRB20-0549, DRB17-0198), 1733-1759 Purdy Avenue and 1724-1752 Bay Road**

An application has been filed requesting Design Review approval for exterior modifications to a previously approved Design Review Approval for the construction of a new five-story mixed use building. Specifically, the applicant is requesting modifications to the previously approved plans and elevations. This application is also requesting modification of conditions of the original Final Order. This item was originally approved in 2018, (DRB17-0198), and modifications were approved in 2021, (DRB20-0549).

RECOMMENDATION:

Approval

BACKGROUND:

On December 4, 2018, the Design Review Board reviewed and approved the design for a new five-story mixed use building including a waiver (DRB17-0198).

On November 27, 2018, the Planning Board approved a conditional use permit for a mixed-use development over 50,000 square feet and conditional use approval for two restaurants, each exceeding 100 seats. On December 14, 2020 the Planning Board approved modifications to the previously issued conditional use permit (PB20-0344).

On May 4, 2021 the Design Review Board approved modifications to the previously approved building height and changes to the exterior materials.

LEGAL DESCRIPTION:

The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning: CD-2
Future Land Use: CD-2
Parking District: No. 5
Lot Size: 33,750 SF
Proposed FAR: 2.0 – 67,500 SF
Permitted FAR: 2.0 – 67,500 SF
Height:
 Approved: **65'-0" from BFE +5'**
 (78' NGVD)
 Highest Projection: +16'-8 1/4"

(97'-8 1/4" NGVD)
Grade: +5.42' NGVD
Base Flood Elevation: +8.00' NGVD
Difference: 2.58'
Ground Floor Elevation: +7'-6 1/2" NGVD

SURROUNDING PROPERTIES:

North: Proposed residential building
South: "Lofts" residential mixed use
West: City Park | Government use
East: Industrial uses

THE PROJECT:

The applicant has submitted plans entitled "Eighteen Sunset", as designed by **Domo Architecture + Design and Rai A. Fernandez R. A.**, dated April 11, 2022.

The applicant is requesting modifications to a condition of the original Final Order related to the construction of an egress stair from the 3rd level outdoor terrace to the street.

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.

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 Applicable as it relates to the proposed modifications.
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.
Not Applicable as it relates to the proposed modifications.
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 as it relates to the proposed modifications.
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 as it relates to the proposed modifications.
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 as it relates to the proposed modifications.

ANALYSIS:

DESIGN REVIEW

On December 4, 2018, the Design Review Board reviewed and approved a new 5-story residential building with ground floor retail, on-site parking, and an expansive rooftop amenity pool deck, pursuant to DRB17-0198.

Originally planned as a residential mixed-use project with three floors of residential units over a second floor parking level above a commercial base along Purdy Avenue and Bay Road, a new program including office uses was approved in 2021. On December 14, 2020 the Planning Board approved the conversion of eight (8) previously proposed residential units on the third and fourth floors to 29,728 square feet of commercial office space.

The modifications in 2021 also included an increase in height (as a result of recently modified Land Use Regulations spearheaded by the applicant), and changes to the exterior facades; specifically in materiality and glazing, and a revised roof / ammentidity deck.

When the project was initially reviewed by both the Planning Board and the Design Review Board, concerns were expressed from the neighboring building to the south "The Lofts", related to the construction along their neighboring property line (the south property line of the subject application).

Condition 7.a. of the Conditional Use approval from the Planning Board includes the following condition:

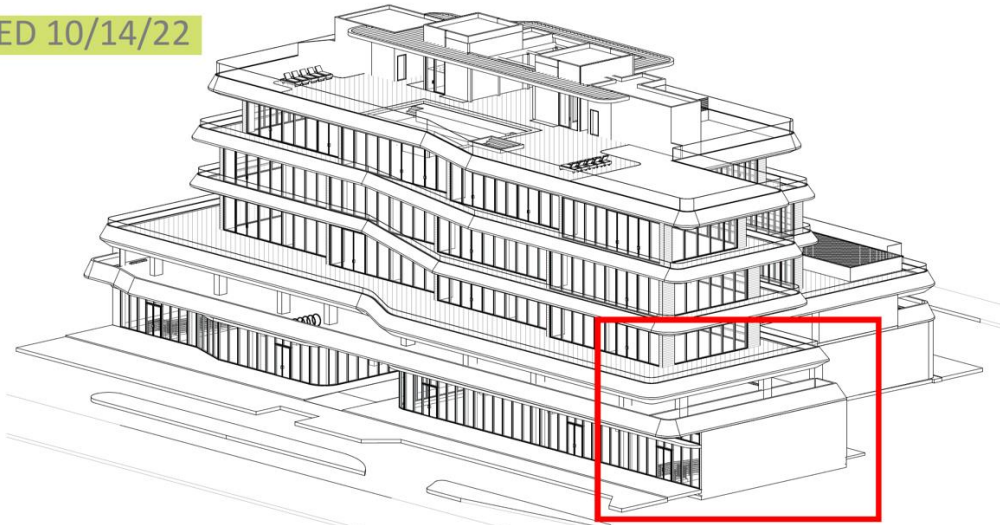
The garage level parking (second floor), shall be set back a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards. The final design of this area shall be subject to the review and approval of the Design Review Board.

Condition I.D.2.c. of the original DRB approval includes the following condition:

The garage level parking (second floor), shall be set back a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and residential units of the building to the south, in a manner to be reviewed and approved by staff.

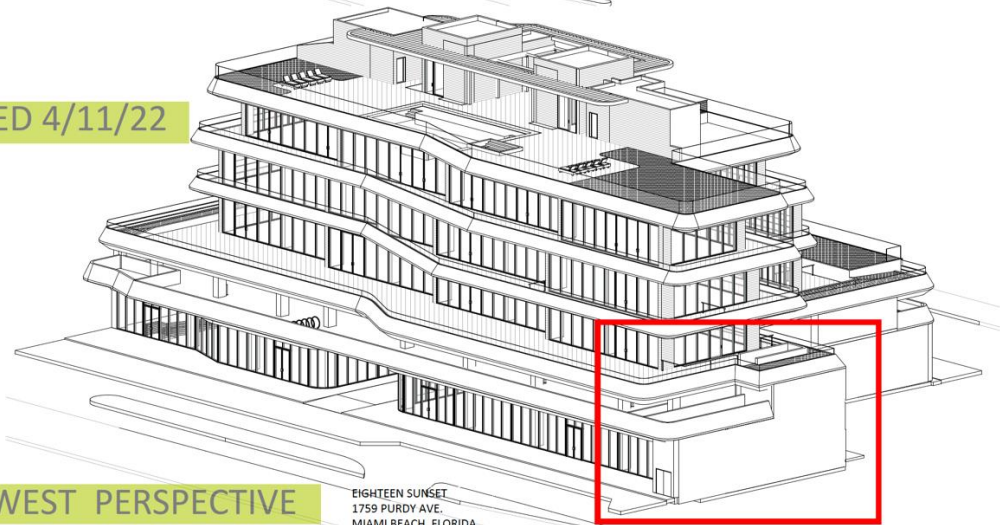
As indicated by the applicant, while in the building permit review process, an added egress stair was required to be provided from the third level outdoor terrace to the street, due to lifesafety requirements. The changes proposed can be visualized best in the below 3D drawing submitted with the application. The additional renderings provided with the application, further show the relationship of the proposed changes with the abutting building to the south.

APPROVED 10/14/22



1
SWP
SOUTHWEST PERSPECTIVE

PROPOSED 4/11/22



SOUTH WEST PERSPECTIVE

EIGHTEEN SUNSET
1759 PURDY AVE.
MIAMI BEACH, FLORIDA
4/11/22



As the new stairwell enclosure does not directly impact the larger windows and balconies of the abutting building, staff has no objections to the applicant's proposal and would recommend that referenced condition of the final order be amended as follows:

The garage level parking (second floor), shall be set back a minimum of ten (10') feet from the south property line, with the exception of the egress stair in a form substantially as indicated in the amended application reviewed and approved by the Board on June 7, 2022. The entirety of such setback area provided (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and residential units of the building to the south, in a manner to be reviewed and approved by staff.

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 criteria, Sea Level Rise, and Practical Difficulty and Hardship criteria, as applicable.