

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: September 6, 2022

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB22-0825
1311 15th Terrace

An application has been filed requesting Design Review Approval for the construction of a new four-story multi-family residential building including one or more waivers, and variances related to the required dimensions for parking, to replace an existing 2-story building, to be demolished.

RECOMMENDATION:

Approval with conditions.

LEGAL DESCRIPTION:

Lot 8 and East ½ of Lot 9, in Block 67-A, of "RESUBDIVISION OF BLOCKS 67 AND 79 ALTON BEACH REALTY COS. BAY FRONT SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 16, Page 1, of the Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning: RM-1
Future Land Use: RM-1
Lot Size: 7,500 SF
Proposed FAR: 9,162 SF/ 1.25*
Maximum FAR: 9,375 SF

*As represented by the applicant

Height:

Proposed: 52.7'-0" / 5-Story
Maximum: 55'-0" / 5-Story
Highest Projection: +65'-1"

Existing Use: Multifamily Residential

Proposed Use: Multifamily Residential

Residential Units: 6 Units

Grade: +4.17' NGVD
Flood: +8.00' NGVD
Adjusted Grade: +5.62' NGVD
Finished Floor Elevation: +7.08' NGVD

Surrounding Properties:

East: 2-story 1937 Multi-Family Building
North: 5-story 1973 Multi-Family Building
South: 2-story 1929 Single Family Home
West: 2-story 1961 Multi-Family Building

THE PROJECT:

The applicant has submitted revised plans entitled "New Apartment building at 1311 15th Terrace" as prepared by **Anthony Leon, Architect**, dated, signed, and sealed June 17, 2022.

The applicant is proposing to construct a new six-unit, residential building on a site that contains an existing two-story multifamily structure. The ground floor consists of a combination of unclosed and enclosed lobby space facing the street frontage with access to mailbox and building elevators. Trash room, bicycle parking and vehicular parking for six automobiles is also provided. The main stairway is sited roughly centered within the building envelope and

accessed by a ramp along the southeastern portion of the front yard facing the street. There are two units per floor on levels two, three and four for a total of six units. Pool and amenity level is located on the 5th floor / rooftop level.

The applicant is requesting the following waiver(s):

1. **Section 142-155.(a)(3) f. Ground floor requirements.** A minimum height of twelve (12) feet shall be provided, as measured from base flood elevation plus minimum freeboard to the underside of the first floor slab. The design review board or historic preservation board, as applicable, may waive this height requirement by up to two (2) feet, in accordance with the design review or certificate of appropriateness criteria, as applicable. **The applicant is providing a clearance of 10'-3" from BFE+ 1'-0" freeboard.**
2. **Section 142-155(a)(3)e. Lot coverage.** The maximum lot coverage for a lot or lots greater than 65 feet in width shall not exceed 45 percent. In addition to the building areas included in lot coverage, as defined in section 114-1, **impervious parking areas and impervious driveways** shall also be included in the lot coverage calculations. The design review board or historic preservation board, as applicable, may waive the lot coverage requirements in accordance with the design review or certificate of appropriateness criteria, as applicable.

Although the applicant has requested this waiver, based upon the plans provided, which indicate that the parking and driveway will consist of pervious materials, such waiver is not necessary.

The applicant is requesting the following variance(s):

1. A variance from Section 130-61(1) from the minimum parking space depth of **18'-0"**, in order provide parking spaces with a depth of **16'-10"**.
2. A variance from Section 130-63 from the minimum required **22 foot** interior aisle width for parking, in order to provide an interior aisle with a width of **21 feet**.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that staff has concluded satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, staff has concluded that the plans and documents submitted with the application comply with the following hardship criteria, 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.
- The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following requirements of the City Code, in addition to the requested variances.

1. The lot coverage has not been accurately calculated.
2. The FAR drawings shall be revised to clearly indicate that the circulation cores are included where required.
3. The balconies shall be dimensioned, including verification that they do not project more than 25% into a required yard.
4. Cooking facilities and countertops are not allowable height exceptions.

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.

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.
Not satisfied; two variances related parking layout are being requested. Additionally, a design waiver is being requested related to lot coverage.
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).
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) 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.

Not Applicable

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

Not 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

STAFF ANALYSIS:

DESIGN REVIEW

The subject site is an interior block parcel located within the boundaries of the West Avenue Bay Front Overlay. The applicant is proposing to construct a contemporary five-story building with six units. Two units per floor share access with the two stairwells located to the north and south ends of the building. Elevator access is also shared towards the center frontal core access. The unit size (1,310 SF) is the same for all of the 6 units which contain three bedrooms, and two baths.

Above the parking level, the walls of the building have been setback over four (4') feet beyond the minimum requirements, in order to provide deeper, continuous balconies for each of the units, with a depth of over seven (7') feet. As these continuous balconies are the dominant design element of the side elevations, staff would recommend that a more custom railing design be employed in place of the proposed standard vertical picket railings. The extent of vertical picket railings tend to render the overall design outdated in its present form. Staff

would also recommend that the glass railing for the front of the building be replaced with the same redesigned railings that staff is recommending for the side elevations.

The design waiver that the applicant is requesting pertains to the clearance of the garage from the base flood elevation plus minimum freeboard to the underside of the first-floor slab, where the code requires a minimum of 12'-0" height clearance. The first habitable floor of the building is designed at 19.91" NGVD, which translates to a garage clearance height of 10'-3" above 9' NGVD in order to provide parking with a slab clearance that may accommodate elevation changes to the ground floor with future raising of roadways. The Design Review Board may waive this height requirement by up to 2'-0". Staff is supportive of the waiver for a clearance of 10'-3".

In summary, staff finds the massing and program of the design to be compatible with the neighborhood and recommends the approval of the application.

VARIANCE REVIEW

The applicant is requesting the following variances:

1. A variance from Section 130-61(1) from the minimum parking space depth of **18'-0"**, in order provide parking spaces with a depth of **16'-10"**.

Variance requested from:

Sec. 130-61. Off-street parking space dimensions.

- (1) A standard perpendicular parking space shall have a width of not less than eight and one-half feet and a **length of not less than 18 feet**, or when located outdoors, 16 feet with two feet of pervious area overhang, in place of wheel stops and defined by continuous concrete curb, for a total length of 18 feet. The provision of having a two-foot pervious area overhang in standard parking spaces may be waived at the discretion of the planning and zoning director in those instances where said overhang is not practical. In no instance, however, shall the length of any standard off-street parking space be less than 18 feet, unless otherwise provided for under sections 130-101, 130-251, 130-281, 130-69 and 130-61(2) herein.*

The requested variance for the parking space depth of 16'-10" applies to five of the six proposed parking spaces under the building. The city code does have a provision for a reduced depth of 16 feet for parking spaces on lots that are 55 feet wide or less, however the subject lot is 75 feet in width. However, this lot is also rather shallow, with a lot depth of only 100 feet. This depth, in combination with the need to provide vertical circulation and active uses facing the street, results in practical difficulties in complying with the required parking space dimension. For this reason, as well as the fact that the variance only impacts the internal working of the building and does not affect the overall building mass, staff is supportive of the variance.

2. A variance from Section 130-63 from the minimum required **22 foot** interior aisle width for parking, in order to provide an interior aisle with a width of **21 feet**.

Variance requested from:

Sec. 130-63. Interior aisles.

Interior aisles shall meet or exceed the following minimum dimensions permitted:

90° parking—22 feet, with columns parallel to the interior drive on each side of the required drive, set back an additional one foot six inches, measured from the edge of the required interior drive to the face of the column.

Similar to the reasons noted for Variance #1, the dimensions of the site present practical difficulties in complying with the required interior drive aisle width of 22 feet. The requested variance to reduce this by one (1') foot will not result in any substantive functionality of the parking spaces, only affects the internal parking under the building, and does not have any external impact on the surrounding neighborhood. For these reasons, staff is supportive of the requested variance.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends **approval** of the design, and **approval** of the variances, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review criteria, Sea Level Rise criteria and Practical Difficulty and Hardship criteria.