

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Design Review Board

TO: DRB Chairperson and Members

DATE: October 4<sup>th</sup>, 2022

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: DRB22-0821  
**3026 N Bay Road**

An application has been filed requesting Design Review Approval for the construction of a new two-story residence with an understory, to replace an existing residence.

#### **RECOMMENDATION:**

Approval.

#### **LEGAL DESCRIPTION:**

LOT 8, IN BLOCK 10, OF AMENDED PLAT OF SUNSET LAKE SUBDIVISION; ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 52, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

#### **SITE DATA:**

Zoning:	RS-2	Grade: +3.63' NGVD
Future Land Use:	RS	Base Flood Elevation: +8.00' NGVD
Lot Size:	20,500 SF (as indicated by the applicant) *	Adjusted Grade: 5.8' NGVD
		First Floor Elevation: +15.0 NGVD (BFE+ 7' FB)
Lot Coverage:		
Proposed:	6,150 SF / 30%	
Maximum:	6,150 SF / 30% (as indicated by applicant) *	
Unit size:		
Proposed:	9,307 SF / 45.4%	
Maximum:	10,250 SF / 50% (as indicated by applicant) *	
Height:		
Proposed:	28'-0" flat roof	
Maximum:	28'-0" flat roof	

#### **EXISTING PROPERTY:**

Year: 1940  
Architect: J. Edwin Petersen  
Vacant: No  
Demolition: N/A

#### **SURROUNDING PROPERTIES:**

East: Two-Story 1935 residence  
North: Biscayne Waterway  
South: Vacant  
West: One-Story 1951 residence

#### **THE PROJECT:**

The applicant has submitted plans entitled "3026 North Bay Road Miami Beach, Florida" as designed by **DOMO Architecture + Design**, signed and sealed August 5<sup>th</sup>, 2022.

The applicant is requesting review for an understory area:

1. Understory area shall be subject to the review and approval of the Design Review Board in accordance with Section 142-105(b)(4)(d).

**COMPLIANCE WITH ZONING CODE:**

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

- A six-foot minimum setback is required from the rear property line to swimming pool deck or platform, the exterior face of an infinity edge pool catch basin, or screen enclosure associated or not associated with a swimming pool.
- The lot area in the survey provided is 19,506 S.F. The lot area shall be consistent in the zoning data sheet, diagrams, calculations, and all corresponding sheets.
- The maximum lot coverage cannot exceed 5,851 S.F. and the maximum unit size is 9,753 S.F. Please revise zoning data sheet, diagrams, and calculations accordingly.
- The garage area shall be excluded in the first and second floor unit size breakdown (sheet A-2.1/2.2).

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 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.

**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.

**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.

**Not Applicable**

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; 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.

**Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.**

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

**Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.**

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

**Satisfied; additional information will be required at the time of building permit in order to demonstrate compliance.**

**STAFF ANALYSIS:**

The applicant is proposing to construct a new two-story residence on North Bay Road that will replace an existing residence. The proposed home features an understory with the first fully enclosed, habitable floor of the residence designed at an elevation of +15'-0" NGVD, or BFE

plus 7'-0" of freeboard. The intent of the design is to create an opulent color palette with lush landscaping and a serene privacy for the homeowner and surrounding properties. In this design, the project architect has incorporated an understory that features a foyer, a staircase with an open courtyard, glass storage, and elevator access to the first habitable floor level.

The residence has been designed in a contemporary minimalist style and is primarily composed of stone, clear glazing, and bronze metallic finish. The front (east) elevation consists of the travertine stone and the aluminum fixed panels that mirrors the one-story guest suites. Along the rear (west) elevation, the volume of the massing is divided to construct a green roof between the master and guest terraces that overlooks Biscayne Bay and the waterfront garden.

Similarly, both the north and south elevation predominantly consist of lime painted stucco and travertine stucco cladding that wraps around the front façade and rear yard. The eaves that are enveloped along the exterior elevations consist of plaster lime stucco. Although the architect has substantiated a variety of material finishes, staff finds that the eaves of the structure should incorporate a darker color surface to establish visual interest and further contrast from the lighter color palette of the natural stone and stucco.

Furthermore, additional fenestration should be incorporated along the ground floor of the north elevation to achieve a harmonious balance. As proposed, the design provokes a sense of openness through its landscaping, materiality, and volumes within the architecture. Staff is supportive of the design and recommends approval of the application with conditions set forth in the draft final order.

**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.