

# MIAMI BEACH

PLANNING DEPARTMENT  
Staff Report & Recommendation

Design Review Board

TO: Chairperson and Members  
Design Review Board

DATE: October 4, 2022

FROM: Thomas R. Mooney, AICP *MB For TRM*  
Planning Director

SUBJECT: **DRB21-0676, 1790 Alton Road**

An application has been filed requesting Design Review Approval for the construction of a new 5-story mixed-use building, including one or more waivers and variances for the width of a drive aisle due to the location of loading spaces. The application will also require Conditional Use approval from the Planning Board for mechanical parking and for a restaurant exceeding 100 seats with an occupancy greater than 125 (but less than 199).

## **RECOMMENDATION:**

Continue to a future meeting date.

## **LEGAL DESCRIPTION:**

Lot 1, Block 17-A of "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, less beginning at the northwesterly corner of Lot 1; thence south along the westerly line of Lot 1 for 169.41 feet to a point where the westerly line of Lot 1 intersects the northerly line of Dade Boulevard; thence northeasterly along the northerly line of Dade Boulevard for 65.7 feet to a point; thence northwesterly along a line deflecting 90 degrees to the left for 65.95 feet to a point; thence northerly along a line deflecting to the right 29 degrees 22'37" for 79.65 feet to a point being on the southerly line of 18<sup>th</sup> Street for 24.9 feet to the point of beginning, together with all the appurtenances therunto belonging in anywise appertaining. (Special Warranty Deed, dated October 15<sup>th</sup> 1993, recorded in Official Records Book 16367, Page 4229, Miami-Dade County Records).

## **BACKGROUND:**

Various projects for the subject site have been approved by the Board over the past decade, however nothing has been constructed. The most recent approval was on July 7, 2020, for the construction of a single-story retail bank building.

On September 20, 2022, the Planning Board approved a Conditional Use Permit (CUP) for the subject site, including mechanical parking and a restaurant exceeding 100 seats with an occupancy greater than 125 (but less than 199), pursuant to PB22-0548.

## **SITE DATA:**

Zoning: CD-2  
Future Land Use: CD-2  
Parking District: 5  
Lot Size: 10,331 SF  
Proposed FAR: 20,107 SF/ 1.94\*  
Permitted FAR: 20,662 SF/ 2.0

\*As represented by the applicant  
Height: Proposed: **55'-0" from BFE +5'**\*  
(68' NGVD)  
Maximum: **55'-0"**\*  
Highest Projection: +18'-0"  
(86'-0" NGVD)

**\*DRB WAIVER**  
CMB Grade: 5.4' NGVD  
Base Flood Elevation: 8' NGVD

Proposed Use: Mixed-Use  
12 Residential units  
180-seat restaurant  
Required Parking: 19 Spaces  
Provided Parking: 19 Spaces\*

\*Mechanical lifts

**SURROUNDING PROPERTIES:**

North: Five-Story 2018 Commercial  
South: Five-story Hotel  
Under Construction  
West: One-story 1965 Commercial  
East: Two-story 1982 Office

**THE PROJECT:**

The applicant has submitted plans entitled "1790 ALTON ROAD", as designed by **Studio Mc+G Architecture**, signed, sealed, and dated June 23, 2022. The applicant is proposing a new five-story mixed-use development that is predominately residential and features accessory restaurants and mechanical parking.

The applicant is requesting the following waiver(s):

1. The height of the proposed structure is 55'-0" in accordance with Section 142-306 Maximum Building Height (Feet).

The applicant is requesting the following variance(s):

1. A variance from Section 130-64 of the City code, to reduce by 10'-0", the minimum required width of 22'-0" for an interior drive aisle, in order to provide a reduced drive aisle width of 12'-0", during times the proposed loading zones are occupied.

**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, excluding requested variance(s) :

- Maximum Building Height (Feet): 5'-0" (except as provided in Section 142-1161). Notwithstanding the above, the Design Review Board in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum freeboard, to the top of the second floor slab.
- Planning Board review and approval is required for proposed mechanical parking.
- Planning Board review and approval / Conditional Use Permit is required for the second-floor restaurant as it exceeds 100 seats and occupancy exceeds 125.
- The proposed design of the second-floor restaurant with outdoor space exceeds the maximum allowed occupancy load of 199. The design of the outdoor area shall be revised to include 75% landscaped roof deck or whatever percentage is required for the proposed restaurant to comply with the required occupancy load.
- Staff recommends further review and refinement of the programming at the first/street level, specifically at the south corner where the restaurant kitchen is proposed. Active ground floor coverage may be compromised by the proposed kitchen; an open kitchen may present concerns and an enclosed kitchen will render dead space

- The outdoor bar proposed on the upper roof deck is not permitted and shall be removed.
- Miami-Dade County School Concurrency is required.

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; however, variances related to the width of the required drive aisle are requested. See Staff Analysis.**
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, variances related to the width of the required drive aisle are requested. See Staff Analysis.**
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; the application is requesting a waiver for a 5' height increase.**
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.  
**Not Satisfied; the design of the second-floor outdoor restaurant terrace is expansive and may result in an occupancy load greater than what is allowed. See Staff Analysis.**

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.  
**Not Satisfied; the design of the second-floor outdoor restaurant terrace is expansive and may result in an occupancy load greater than what is allowed. See Staff Analysis.**
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; however, variances related to the width of the required drive aisle are requested. See Staff Analysis.**
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.  
**Not satisfied; the design of the second-floor restaurant terrace shall be further enhanced with landscape. See Staff Analysis**
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.  
**Not Satisfied; the design of the second-floor outdoor restaurant terrace is expansive and may result in an occupancy load greater than what is allowed. The design of the subject terrace must be revised. See Staff Analysis.**
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.  
**Not Satisfied; the south corner of the site is programmed on the first/street level with a kitchen that may pose concerns with active ground floor frontage. See Staff Analysis.**
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**

**ANALYSIS:**  
**DESIGN REVIEW**

The applicant is proposing to construct a new five-story mixed used building on a vacant corner lot within the eastern boundaries of the Sunset Harbour neighborhood. The irregular-shaped lot is defined by a pronounced corner and is bounded by 18<sup>th</sup> Street to the north, Alton Road to the east, and Dade Boulevard to the south.

The proposed five-story building is predominately programmed with residential units and also includes 2 separate restaurants and mechanical parking. The first restaurant is located on level one and includes outdoor seating on 18<sup>th</sup> Street and Alton Road. The second restaurant is located on the second floor and extends to an outdoor terrace that is proposed at the southern wedge of the building envelope. The remainder of the building is programmed with 12 residential units that will be located on levels three to five. Based upon the documents submitted as part of the companion Planning Board application, these units are intended for

short-term rentals. Although hotels are prohibited in the Sunset Harbour neighborhood, the short-term rental of apartment units is allowed. The rooftop of the five-story structure will feature a residential amenity deck with a pool, sun chairs and cabanas. Additionally, 19 parking spaces are proposed on the ground floor, with 18 spaces consisting of six, three-level vehicle lifts.

This irregular-shaped property is located at the southeast edge of the pedestrian-friendly Sunset Harbor neighborhood. The ground floor of the building conforms to the geometry of the site along the street edges with floor to ceiling glass walls fronting 18<sup>th</sup> Street and Alton Road. From the second level up, the building mass is pushed to the northern portion of the site, emphasizing its northeast corner. Rounded glass balconies and floor-to-ceiling glazing are sandwiched between a stucco concrete band/balcony at the second level and a floating roof canopy at the roof level. The stucco framed massing is further articulated with squiggling, thin columns.

Alton Road functions as one of the main commercial corridors in the city and this corner location is a major entrance to a pedestrian oriented neighborhood. Staff finds the proposed multi-use program is well-suited for the unique site and is supportive of the overall design in style and form. However, staff is concerned with the design of the proposed restaurants, specifically as it relates to the allowed occupancy load and the proposed second-floor outdoor terrace facing Dade Boulevard. The applicant is proposing two (2) restaurants for this small site, the second which contains an expansive outdoor terrace.

Specifically, the design of the second floor terrace needs to be further refined, as the expanse of the terrace lends itself to an occupancy load that will negatively impact the surrounding residential neighborhood of Sunset Harbor. As such, staff recommends the landscaped areas be substantially increased so that the occupancy load requirements can be adhered to. Additionally, the restaurant on the ground floor has the blank walls of the kitchen located to the southern corner of the site, with glazing facing Alton Road and Dade Boulevard. Staff has concerns with how a kitchen, exposed or enclosed, will impact the active street frontage of the site and recommends additional information and design of this vital corner of the project.

### **VARIANCE(S) REVIEW**

The applicant is requesting the following variance(s):

1. A variance to reduce by 10'-0", the minimum required width of 22'-0" for an interior drive aisle, in order to provide a reduced drive aisle width of 12'-0", during times the proposed loading zones are occupied.
  - Variance requested from:

#### **Sec. 130-64. Drives.**

**Drives shall have a minimum width of 22 feet for two-way traffic** and 11 feet for one-way traffic. Notwithstanding the foregoing, for residential buildings with fewer than 25 units, drives shall have a minimum width of 18 feet for two-way traffic. For those grade level parking areas with less than ten parking spaces, inclusive of those parking areas underneath a building or structure, the two-way curb-cut and driveway entrance shall have a minimum width of 12 feet.

The proposed development is in parking district No. 5, which provides a parking exemption for restaurants of less than 100 sets that have less than 3,500 square feet of floor area, as

well as nonresidential uses above the ground floor, from parking requirements. However, 19 parking spaces are required for the 12 residential units.

The project includes two (2) required loading spaces, however they are proposed to be located in the drive isle of the parking entrance. When the loading is in use, only one lane will be available to access the parking areas. Since the parking will be operated through a valet service, and there are a limited number of residential units, it is not expected that this will pose a significant problem for the operation of the building. Further, the Planning Board has limited the hours of loading to between 10am and 4pm. Due to the practical difficulties involved in providing off-street loading on this triangular site, and the reasons noted above, staff is supportive of the requested variance.

In summary, staff recommends that the design be substantially refined in accordance with the recommendations provided herein, and/or directions from the Board. Based on this analysis, staff recommends continuance of the application to a future date to address the concerns noted above.

**RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the application be continued to the December 6, 2022, meeting. However, should the Design Review Board move to approve the application, staff recommends that such approval be subject to the conditions enumerated in the attached draft Final Order, which address the inconsistencies with the aforementioned Design Review and Sea Level Rise criteria.