MIAMIBEACH
PLANNING DEPARTMENT
Staff Report & Recommendation Design Review Board

TO: DRB Chairperson and Members DATE: June 4, 2024

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: DRB24-1013
300 South Pointe Drive

An application has been filed requesting exterior design modifications to the parking garage of an existing building, including the construction of stairs and an elevator to provide pedestrian access to the garage.

RECOMMENDATION:
Approval

LEGAL DESCRIPTION:
See Exhibit A

SITE DATA:
Zoning: RPS-4
Future Land Use: RPS-4

SURROUNDING PROPERTIES:
East: 37-story multi-residential building
North: Two-story commercial building
South: South Pointe Park
West: 22-story multi-residential building

EXISTING PROPERTY:
44-story multi-residential building

THE PROJECT:
The applicant has submitted plans entitled "Portofino Entry Feature" as designed by **Derma Studio,** dated April 7th, 2024.

The applicant is proposing exterior improvements to the pedestrian entrance and access to the vehicular driveway of the Property.

COMPLIANCE WITH ZONING CODE:
A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the City Code.

- The monument sign shall comply with the maximum sign area and height requirements of sec. 6.2.7 of the Resiliency 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, SECTION 2.5.3.1:

Design review encompasses the examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearance, safety, and function of any new or existing structure and physical attributes of the project in relation to the site, adjacent structures and surrounding community. The design review board and the planning department shall review plans based upon the below stated criteria, criteria listed in neighborhood plans, if applicable, and applicable design guidelines. Recommendations of the planning department may include, but not be limited to, comments from the building department and the public works department.

a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.
Satisfied

b. 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

c. 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

d. 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 2.5.3.2.
Satisfied

e. 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

f. 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

g. 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

h. 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.
Not Applicable

i. 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

j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.
Satisfied

k. 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 Applicable

l. 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).
Not Applicable

m. 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

n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Not Applicable

o. 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

p. 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

q.. 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

r. 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

s. The structure and site complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.
Satisfied; see below

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4(a)(i) of the Land Development Regulations 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 Applicable

(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable

(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not Applicable

(4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.
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.
Not Applicable

(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 Applicable

(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

ANALYSIS:

DESIGN REVIEW

The applicant is proposing modifications to the parking garage and vehicular entrance, as well as the pedestrian access point, of an existing 44-story multi-residential building. The subject property is located at the southeast corner of Washington Avenue and South Pointe Drive.

The proposed modifications include the demolition and removal of an existing staircase, pedestrian gate, and brick pavers that provide access from the sidewalk to the first level of the elevated entrance. In place of the landscape, an accessible elevator is proposed, which will be located behind the open staircase and above ground planter. The residential building includes a two-level pedestal parking garage structure that is accessible from the intersection of Collins Avenue and South Pointe Drive. The existing site conditions allow for accessibility through a staircase positioned near the vehicular driveway entrance. Alternatively, pedestrians can access the parking garage via a corridor adjacent to the staircase.

In order to access the main entrance from the sidewalk, residents and guest are currently required to travel through the parking drive aisles to reach the elevator banks situated at the base of each tower at the lobby level. The applicant proposes to upgrade the current pedestrian entrance stairs by installing an elegant circular staircase and breezeway adorned with lush landscaping. Additionally, the applicant is providing better accessibility to the residential building by adding an elevator. The north façade of the parking garage is embellished with a limestone brick veneer, a dark aluminum trellis, and decorative metal work that compliments the existing ground floor commercial spaces.

The proposed alterations significantly enhance the pedestrian access to the site and establish an inviting and secure staircase that provides direct entry to the lobby level of the building for residents. However, staff recommends that additional landscaping be provided along the new pedestrian pathway to create a buffer between the visitors and exit lanes.

Staff is supportive of the changes proposed and recommends the approval of the application with the above noted recommendations.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **approved** with conditions, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review and Sea Level Rise criteria.

Exhibit A – Legal Description

Commence (P.O.C.) at the Southeasterly intersection of Biscayne Street (Formerly Biscayne Avenue) and Washington Avenue, as said Avenue and Street are shown on South Beach Park Subdivision, recorded in Plat Book 6, at page 77 of the public records of Dade County, Florida; thence S 10°47'35" W, 6.16 feet to the Southerly line of a 6.00 foot Roadway Dedication for Biscayne Street; thence N 87°38'57" E along the Southerly line of said dedication recorded in O.R. Book 12566, at page 2914 of the public records of Dade County, Florida, 364.79 feet to the Point of Beginning (P.O.B.) of the hereinafter described Phase I; thence S 10°47'35" W, 70.93 feet; thence N 87°38'57" E, 93.21 feet; thence N 2°21'03" W, 4.00 feet; thence N 87°38'57" E, 14.10 feet; thence S 2°21'03" E, 4.00 feet; thence N 87°38'57" E, 81.37 feet; thence run S 2°21'03" E, 85.815 feet; thence run S 62°18'04" W, 24.53 feet; thence S 27°41'56" E, 18.00 feet; thence N 62°18'04" E, 2.00 feet; thence S 27°41'56" E, 38.33 feet; thence S 62°18'04" W, 2.00 feet; thence S 27°41'56" E, 116.74 feet; thence N 62°18'04" E, 27.00 feet; thence S 27°41'56" E, 16.67 feet; thence S 62°18'04" W, 27.00 feet; thence S 27°41'56" E, 29.33 feet; thence S 62°18'04" W, 145.65 feet; thence S 27°41'56" E, 12.00 feet; thence S 62°18'04" W, 27.93 feet; thence S 27°41'56" E, 43.555 feet; thence S 24°23'44" W, 40.00 feet to the Southerly line of said South Beach Park Subdivision; thence N 65°36'16" W, 352.64 feet along the said Southerly line; thence run N 24°23'44" E, 40.00 feet along the dividing line between Phase I and Phase III. The following 4 courses are on the said dividing line; thence run N 27°41'56" W, 29.35 feet; thence N 62°18'04" E, 81.58 feet; thence N 27°41'56" W, 158.00 feet; thence N 62°18'04" E, 134.42 feet; thence N 10°47'35" E, 69.213 feet to the above referenced Southerly line of the 6.00 foot Roadway Dedication; thence N 87°38'57" E along said Southerly line, 73.08 feet to the Point of Beginning (P.O.B.).

Together with

Commence (P.O.C.) at the Southeasterly corner of Biscayne Street (Formerly: Biscayne Avenue) and Washington Avenue, as said Street and Avenue are shown on South Beach Park Subdivision, recorded in Plat Book 6, at page 77 of the public records of Dade County, Florida, and run S 10°47'35" W along the Easterly line of Washington Avenue, a distance of 6.16 feet to a point on the Southerly line of 6.00 foot roadway dedication, said dedication recorded in Official Record Book 12566, at page 2914 of the public records of Dade County, Florida; thence run N 87°38'57" E along the Southerly line of said 6.00 foot dedication, along the existing Southerly line of Biscayne Street, a distance of 638.266 feet to the Point of Beginning (P.O.B.) of Commercial Parcel No. 2; thence run S 10°47'35" W, a distance of 70.93 feet; thence run S 87°38'57" W, a distance of 166.226 feet; thence run N 2°21'03" W, a distance of 4.00 feet; thence run S 87°38'57" W, a distance of 14.10 feet; thence run S 2°21'03" E, a distance of 4.00 feet; thence run S 87°38'57" W, a distance of 93.21 feet; thence run N 10°47'35" E, a distance of 70.93 feet to the existing Southerly line of the 6.00 foot dedication; thence run N 87°38'57" E along the existing Southerly line of Biscayne Street, a distance of 273.536 feet to the Point of Beginning (P.O.B.).

300 S Pointe Drive

Folio Nos. 02-4210-000-0131 and 02-4210-000-0131

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: June 4th, 2024

FILE NO: DRB24-1013

PROPERTY: **300 South Pointe Drive**

APPLICANT: Portofino/South Pointe Master Association, Inc.

LEGAL: See Exhibit 'A'

IN RE: An application has been filed requesting exterior design modifications to the parking garage of an existing building, including the construction of stairs and an elevator to provide pedestrian access to the garage.

O R D E R

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

A. The Board has jurisdiction pursuant to Section 2.1.3.1 of the Land Development Regulations. The property is not located within a designated local historic district and is not an individually designated historic site.

B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with the Design Review in Section 2.5.3.1 of the Land Development Regulations.

C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Sea Level Rise in Section 7.1.2.4(a)(i) of the Land Development Regulations.

D. The project will remain consistent with the criteria and requirements 2.5.3.1 and/ or Section 7.1.2.4(a)(i) with the following conditions:

a. The monument sign shall comply with the maximum sign area and height requirements of sec. 6.2.7 of the Resiliency Code.

b. Additional landscaping shall be provided at the 5' pedestrian walkway to screen vehicles, subject to the review and approval of staff.

c. The final design details of the exterior limestone brick veneer shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

d. The final design details of the dark painted aluminum trellis shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

e. The final design details of the decorative metal work shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

f. The final design details of the exterior materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

g. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.

h. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.

In accordance with section 2.2.4.8 of the Land Development Regulations, the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal a decision of the design review board for design review approval only to the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

I. Variance(s)

A. No variance(s) were filed as part of this application.

II. General Terms and Conditions applying to both 'I. *Design Review Approval* and 'II. *Variances'* noted above.

A. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

B. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.

C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

D. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

E. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

F. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II,III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Portofino Entry Feature", as prepared by **Derma Studio** signed, sealed and dated April 7th, 2024, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Section 2.2.4.6 of the Land Development Regulations; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 2 of the Land Development Regulations, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 2 of the Land Development Regulations, for revocation or modification of the application.

Dated _____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY:_____
Rogelio Madan, AICP
Development and Resiliency Officer
For Chairman

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____ 20___ by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

Notary:
Print Name
Notary Public, State of Florida
My Commission Expires:
Commission Number:

{NOTARIAL SEAL]

Approved As To Form:
City Attorney's Office: _____ ( )

Filed with the Clerk of the
Design Review Board on _____( )

Exhibit A – Legal Description

Commence (P.O.C.) at the Southeasterly intersection of Biscayne Street (Formerly Biscayne Avenue) and Washington Avenue, as said Avenue and Street are shown on South Beach Park Subdivision, recorded in Plat Book 6, at page 77 of the public records of Dade County, Florida; thence S 10°47'35" W, 6.16 feet to the Southerly line of a 6.00 foot Roadway Dedication for Biscayne Street; thence N 87°38'57" E along the Southerly line of said dedication recorded in O.R. Book 12566, at page 2914 of the public records of Dade County, Florida, 364.79 feet to the Point of Beginning (P.O.B.) of the hereinafter described Phase I; thence S 10°47'35" W, 70.93 feet; thence N 87°38'57" E, 93.21 feet; thence N 2°21'03" W, 4.00 feet; thence N 87°38'57" E, 14.10 feet; thence S 2°21'03" E, 4.00 feet; thence N 87°38'57" E, 81.37 feet; thence run S 2°21'03" E, 85.815 feet; thence run S 62°18'04" W, 24.53 feet; thence S 27°41'56" E, 18.00 feet; thence N 62°18'04" E, 2.00 feet; thence S 27°41'56" E, 38.33 feet; thence S 62°18'04" W, 2.00 feet; thence S 27°41'56" E, 116.74 feet; thence N 62°18'04" E, 27.00 feet; thence S 27°41'56" E, 16.67 feet; thence S 62°18'04" W, 27.00 feet; thence S 27°41'56" E, 29.33 feet; thence S 62°18'04" W, 145.65 feet; thence S 27°41'56" E, 12.00 feet; thence S 62°18'04" W, 27.93 feet; thence S 27°41'56" E, 43.555 feet; thence S 24°23'44" W, 40.00 feet to the Southerly line of said South Beach Park Subdivision; thence N 65°36'16" W, 352.64 feet along the said Southerly line; thence run N 24°23'44" E, 40.00 feet along the dividing line between Phase I and Phase III. The following 4 courses are on the said dividing line; thence run N 27°41'56" W, 29.35 feet; thence N 62°18'04" E, 81.58 feet; thence N 27°41'56" W, 158.00 feet; thence N 62°18'04" E, 134.42 feet; thence N 10°47'35" E, 69.213 feet to the above referenced Southerly line of the 6.00 foot Roadway Dedication; thence N 87°38'57" E along said Southerly line, 73.08 feet to the Point of Beginning (P.O.B.).

Together with

Commence (P.O.C.) at the Southeasterly corner of Biscayne Street (Formerly: Biscayne Avenue) and Washington Avenue, as said Street and Avenue are shown on South Beach Park Subdivision, recorded in Plat Book 6, at page 77 of the public records of Dade County, Florida, and run S 10°47'35" W along the Easterly line of Washington Avenue, a distance of 6.16 feet to a point on the Southerly line of 6.00 foot roadway dedication, said dedication recorded in Official Record Book 12566, at page 2914 of the public records of Dade County, Florida; thence run N 87°38'57" E along the Southerly line of said 6.00 foot dedication, along the existing Southerly line of Biscayne Street, a distance of 638.266 feet to the Point of Beginning (P.O.B.) of Commercial Parcel No. 2; thence run S 10°47'35" W, a distance of 70.93 feet; thence run S 87°38'57" W, a distance of 166.226 feet; thence run N 2°21'03" W, a distance of 4.00 feet; thence run S 87°38'57" W, a distance of 14.10 feet; thence run S 2°21'03" E, a distance of 4.00 feet; thence run S 87°38'57" W, a distance of 93.21 feet; thence run N 10°47'35" E, a distance of 70.93 feet to the existing Southerly line of the 6.00 foot dedication; thence run N 87°38'57" E along the existing Southerly line of Biscayne Street, a distance of 273.536 feet to the Point of Beginning (P.O.B.).

300 S Pointe Drive

Folio Nos. 02-4210-000-0131 and 02-4210-000-0131