

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Design Review Board

TO: DRB Chairperson and Members

DATE: September 05, 2017

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: DRB17-0157  
**723 North Lincoln Lane**

The applicant, PPF 723 Lincoln Lane LLC, is requesting Design Review Approval for interior and exterior design modifications to the ground level glazing on the facades along North Lincoln Lane, Meridian Avenue and Meridian Court, in order to accommodate a new restaurant build-out at the ground floor.

#### **RECOMMENDATION:**

Approval of the design modifications

#### **LEGAL DESCRIPTION:**

Lot 3 and southern 37 ½ ft of Lot 4 and portion of Bridle Path of same Block 35 Golf Course Subdivision Amended Plat, According to the Plat Thereof, as Recorded in Plat Book 6, Page 26, of the Public Records of Miami-Dade County, Florida.

#### **HISTORY:**

On September 2, 2014, the Design Review Board (DRB) approved a new commercial building, pursuant to DRB File No. 23076. On May 03, 2016 the DRB approved a new signage program including blade signs and building id signs that required variances.

#### **SITE DATA:**

Zoning:	CD-3
Future Land Use:	CD-3
Lot Size:	19,912 SF
Approved FAR:	2.249   44,792 SF as represented by the applicant
Permitted FAR:	2.25   44,802 SF
Approved Height:	61'-76" 3-stories   71'-0" to greatest projection
Permitted Height:	75'-0"   7-stories
Indoor seats:	94
Outdoor seats:	132

#### **LAND USES:**

East: Five-story City parking garage  
North: Two-story Macy's department store  
South: Two-story building  
West: Surface parking lot

#### **THE PROJECT:**

The applicant has submitted plans entitled "Lincoln Eatery 723 Lincoln Lane North", as prepared by **Arquitectonica Architecture and Interior Design**, dated signed and sealed July 18, 2017.

The applicant is proposing design modifications to the exterior of the previously approved three-story commercial building. Specifically interior alterations to portions of the ground floor retail component.

**COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code. This 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 is 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.  
**Satisfied**
10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.  
**Not Applicable**
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**

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 proposal includes the blocking of ground floor storefront windows.**
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**  
**The storefront contains hurricane proof impact windows.**
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.  
**Satisfied**  
**The existing fixed storefront will be shaded by an existing sidewalk canopy.**
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.  
**Not applicable**  
**All landscaping was part of a prior approval.**

- (5) Whether 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, including a study of land elevation and elevation of surrounding properties were considered.

**Not Satisfied**

**Sea Level Rise projections were not taken into account.**

- (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.

**Not Applicable**

**While the site is currently built-out, the applicant is proposing to remodel the existing ground floor space.**

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

**Satisfied**

**All mechanical systems have been located at the roof level.**

- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

**Not Applicable**

**While the site is currently built-out, the applicant is proposing to remodel the existing ground floor space.**

- (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 Satisfied**

**While the site is currently built-out, the applicant is proposing to remodel the existing ground floor space which is below base flood elevation.**

- (10) Where feasible and appropriate, water retention systems shall be provided.

**Not Satisfied**

**While the site is currently built-out, the applicant is proposing to remodel the existing ground floor space which is below base flood elevation.**

**STAFF ANALYSIS:**

**DESIGN REVIEW**

On September 2, 2014, the Design Review Board approved a new highly transparent commercial building on a prominent corner location. The proposed structure contained multiple, smaller retail bays on the first floor with a larger retail tenant occupying the double height second and third floors, with a grand atrium spanning from the ground floor lobby area. The applicant is seeking design modifications to the interior of the previously approved three-story commercial building that will affect the storefront fenestration at the ground level.

The new tenant to occupy 90% of the ground floor, the Lincoln Eatery, is conceived as a food hall that allows consumers to sample different food options instead of being limited to a more traditional single kitchen operation. The Lincoln Eatery will be approximately 9,500 SF and contain up to sixteen different food stalls for vendors of all types of fare. Within the food hall, vendor spaces will range from 115 SF to nearly 500 SF, and spaces can be combined

depending on the tenant. About 4,400 SF will be leased to tenants and the remaining 5,200 SF will be for seating and other common space. The interior build out of the food hall and driving concept behind the “surrounding” market requires certain interior design elements and fixtures to be set flush against the interior of the exterior glazing system.

The following summarizes the proposed changes to the ground floor glazing and for the proposed floor plan:

- Interior shelving and partitions situated flush along the east, west and south interior glass storefront elevations;
- Removal of previously approved door and entrance openings;
- Installation of projecting sign; and
- Installation of a black film material applied directly to the interior of up to three panels of glass along the east elevation to obscure the interior bathroom and storage areas.

In this particular instance, staff is supportive of all of the proposed design modifications due the challenging nature of the highly transparent commercial space and the well-planned interior design of the tenant build out for the space. All ventilation for the kitchen has been previously planned and constructed and will be ducted outward with no venting occurring on the outside of the glass storefront. With regard to the installation of interior shelving partitions and counters flush against the existing glazing system within the building, the applicant is proposing to install a 34” counter that will be finished in subway tile. Further, name branding for the Lincoln Eatery is proposed along the back of the counters, to be visible from the exterior. The applicant's proposal will not reduce transparency at the first level but rather will effectively achieve greater pedestrian compatibility and heightened visual interest by engaging passerbys with merchandising activity more proximate to the storefront than typically allowed. Staff would recommend that the proposal be approved, but would suggest the incorporation of some preventive intervention in order to capture fallen materials and objects that may become captured in the 4” recess created between the counter and the glass. Staff has no objection in this particular instance, regarding the installation of a black film material applied directly to the interior of up to three panels of the glass along the east elevation in order to obscure the interior bathroom and storage, since this elevation is already compromised with venting, trash, and loading operations.

The approval herein would also supersede condition **IC3k** of the Final Order for DRB File No. 23076 dated May 03, 2016 which previously limited all interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, to be setback a minimum of ten (10') feet from the walls of the building on the first level. Staff recommends the application be approved as proposed.

**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.

TRM/JGM

**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: September 05, 2017

FILE NO: DRB17-0157

PROPERTY: **723 North Lincoln Lane**

APPLICANT: PPF 723 Lincoln Lane LLC

LEGAL: Lot 3 and southern 37 ½ ft of Lot 4 and portion of Bridle Path of same Block 35 Golf Course Subdivision Amended Plat, According to the Plat Thereof, as Recorded in Plat Book 6, Page 26, of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for interior and exterior design modifications to the ground level glazing on the facades along North Lincoln Lane, Meridian Avenue and Meridian Court, in order to accommodate a new restaurant build-out at the ground floor

**ORDER**

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 118-252(a) of the Miami Beach Code. 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 inconsistent with Design Review Criteria 16 in Section 118-251 of the Miami Beach Code.
- 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 inconsistent with Sea Level Rise Criteria 1, 5, 9, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
  1. All of the original conditions of approval by this Board, as reflected in the Final Order dated September 2, 2014, pursuant to DRB File No. 23076, shall remain in effect except as modified and approved herein.

2. Revised elevation, site plan, and floor plan drawings for the proposed new restaurant at 723 North Lincoln Lane shall be submitted, at a minimum, such drawings shall incorporate the following:
  - a. A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department, in a manner to be reviewed and approved by staff.
  - b. The proposed changes to the ground floor storefront, including the removal of the entry doors and replacement with a fixed panel of glazing, shall be approved as proposed.
  - c. The height of the letters proposed signage flush against the windows shall not exceed 6" in height.
  - d. The proposed opaque film material applied directly to the interior of the glass, and shall be limited to the areas identified on the plans.
  - e. 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.
  - f. 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 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.**

**II. Variance(s)**

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

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

- A. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- B. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.



- C. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy, a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- 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 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 Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Lincoln Eatery 723 Lincoln Lane North", as prepared by **Arquitectonica Architecture and Interior Design**, dated signed and sealed July 18, 2017, 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 of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting 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.

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 Chapter 118 of the City Code, 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

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