

MIAMI BEACH
PLANNING DEPARTMENT
Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: June 05, 2018

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB18-0243 (aka DRB06-0062)
1674 Meridian Avenue

The applicant, IVY MBT Property LLC C/O IVY Realty, is requesting exterior design modifications to a previously issued Design Review Approval dated November 01, 2016, for alterations to signage and architectural eyebrows and window configurations to the overall south and east façade of an existing five-story building.

RECOMMENDATION:

Approval of the design modifications

LEGAL DESCRIPTION:

North ½ of Lot 5 & North 5FT Lot 4 of Block 36 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 November 01, 2016, the Design Review Board reviewed and approved exterior and interior design modifications to the first and second floor and alterations to the overall façade of an existing five-story office building including new window and door openings, new storefronts and new eyebrow canopy including signage variances, pursuant to DRB06-0062. The DRB approved the following variances:

- A variance to exceed by 15 SF the maximum permitted area of 15 SF for a projecting sign for a business (Tenant 1) in order to allow the installation of a projecting sign on the south facade with a total of 30 SF.
- A variance to relocate an allowable projecting sign for a business (Tenant 1) on the south façade from the ground floor to the 2nd floor of a multistory commercial building.
- A variance to relocate an allowable building identification sign from the parapet of the building facing Meridian Avenue to the eyebrow of the south façade of the building.
- A variance to allow a projecting sign as a building identification sign in order to install a projecting sign on the eyebrow at the south side of the building.
- A variance to exceed by 15 SF the maximum permitted area of 15 SF for a projecting sign for a business (Tenant 2) in order to allow the installation of a projecting sign facing Meridian Avenue with a total of 30 SF.
- A variance to exceed by 45 SF the maximum permitted area of 15 SF for a projecting sign for a business (Tenant 2) in order to allow the installation of two (2) projecting signs on the south side with a total of 60 SF.
- A variance to relocate two (2) allowable projecting signs for a business (Tenant 2) on the south façade from the ground floor to the 2nd floor of a multistory commercial building.

The applicant filed a State of Emergency extension that extended the original approval deadline to December 01, 2019.

SITE DATA:

Zoning: CD-3
Future Land Use: CD-3
Lot Size: 8,250 SF

EXISTING STRUCTURE:

Five-story Office with ground floor retail
Architect: Gilbert Fein
Year of Construction: 1959

LAND USES:

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

THE PROJECT:

The applicant has submitted plans entitled "1674 Meridian Ave", as prepared by **MAK work**, dated, signed and sealed April 06, 2018.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City 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:

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.
Not Applicable
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).
Satisfied
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.
Satisfied

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 Applicable

- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied
All windows will be replaced with hurricane proof impact windows.
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not Applicable
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
Not Applicable
- (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 Applicable
- (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
- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
Not Applicable
- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
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) Where feasible and appropriate, water retention systems shall be provided.
Not Applicable

STAFF ANALYSIS:
DESIGN REVIEW

The applicant is proposing design modifications to a previously approved Design Review Approval to the exterior and interior of an existing five-story office building originally designed by Gilbert Fein. The applicant had applied for a building permit (BC1705006) based on the original DRB approval, but experienced challenges securing the necessary life safety approval from the Fire Department due to the preponderance of glass on the southern façade. Although the existing building utilizes a predominant amount of glass along the south and east façade, and

notwithstanding the existence of a neighboring surface parking lot to the south, the Fire Department requires more stringent protection on the interior side façade in the event that the parking lot site is developed with a multi-story building that could eventually abut the subject property. To satisfy this code requirement, the architectural solutions are either to limit the amount of fenestration to 25% of the façade or provide an alternative level of fire protection.

The 2016 approval featured a new eyebrow proposed above the 2nd floor slab along the south façade, intended to carry most of the new signs for the building, which extended from the front elevation along Meridian Avenue. The architect seeks to maintain this aesthetic, while being able to satisfy the necessary life safety requirements. As part of the modifications herein, the applicant is proposing three additional eyebrows along the south façade between each floor on the exterior, all of which will be installed with sprinkler systems, flush mounted to the exterior underside of each eyebrow. This fire suppression system would also have an interior component inside of the glass. The three upper eyebrows wrap around the eastern front elevation, while the first floor eyebrow wraps around and continues at the entirety of the ground level.

The applicant has also proposed alterations to the signage originally approved, which require new variances that staff would not be supportive of. As such, the applicant will relocate the two signs along the south façade from hanging below the eyebrow to projecting above the eyebrow in the same dimension, layout and format—requiring no new variances. Staff is supportive of these modifications to the signage along the south façade. Staff also notes that any future development of the City parking lot can extend up to the property line and eliminate the visibility of the signs.

Staff recommends approval of the modification 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 and Sea Level Rise Criteria.

TRM/JGM

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DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: June 05, 2018

FILE NO: DRB18-0243 (aka DRB16-0062)

PROPERTY: **1674 Meridian Avenue**

APPLICANT: IVY MBT Property LLC C/O IVY Realty

LEGAL: North ½ of Lot 5 & North 5FT Lot 4 of Block 36 Golf Course Sibdivision 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 exterior design modifications to a previously issued Design Review Approval dated November 01, 2016 for alterations to signage and architectural eyebrows and window configurations to the overall south and east façade of an existing five-story building.

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 consistent with Design Review Criteria 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 consistent with Sea Level Rise Criteria in Section 133-50(a) of the Miami Beach Code.
- D. The project would remain 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 shall remain in full force and effect under the prior Final Order dated November 01, 2016 for DRB06-0062 except as modified herein.

2. Revised elevation, site plan and floor plan drawings for the proposed modification to 1674 Meridian Avenue shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. Signs shown in the plans by MAKwork dated April 6, 2018, are illustrative and any sign submitted for permit can either meet code requirements or utilize a previously-approved variance as appropriate, in a manner to be reviewed and approved by staff.
 - b. A fully enclosed, air-conditioned trash room(s) shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - c. All electrical conduits, exterior lighting elements and sprinkler lines and sprinkler heads located within the proposed eyebrow shall be contained within the metal canopy structure and shall not be surface mounted wherever visible from the public right of way or wherever they may otherwise have an adverse aesthetic impact upon the design integrity the structure, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - d. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location. All future signage shall be designed as individual reverse channel letters with a brushed aluminum finish that can may or may not be backlit with/out a color, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - e. If any signage is projecting above or suspended below the proposed eyebrow, the signage shall be composed of individual pin-mounted lettering and all electrical conduits and exterior lighting elements shall be hidden from view. No exterior raceways shall be permitted.
 - f. All kitchen ventilation shall be chased through the interior of the building to the roof or through the rear of the building. No exhaust ducts or vents shall be permitted on the front or side elevations.
 - g. The final details of all exterior surface finishes and materials, including samples, 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.
 - h. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, shall be setback a minimum of ten (10'-0") feet from the east wall and five (5'-0") from the south wall of the building on the first and second levels, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes only.

- i. The final design and details of all exterior and interior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
- j. Final details of all proposed storefront systems and associated details shall be provided for all of the structures on the project sites, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- k. 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.
- l. 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.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

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

- A. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- B. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

- D. 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.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. 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 Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "1674 Meridian Ave", as prepared by **MAK work**, dated, signed and sealed April 06, 2018, 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 commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

