

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: DRB18-0226

100 South Pointe Drive – Continuum on South Beach, South Tower Condominium

The applicant, the Continuum Condominium Association, is requesting Design Review Board approval for exterior design modifications to façades of an existing 41-story building to remove existing metal panels along the glass balcony railings on all elevations of the building and retain all clear glass railings. Additionally, the applicant is requesting the deletion of a condition of the Final Order. This item was originally approved in 1998, pursuant to DRB File No. 9611.

Recommendation:

Denial of the Application

LEGAL DESCRIPTION:

Continuum on South Beach Condo, the South Tower, a portion of "OCEAN PARCEL", as said "OCEAN PARCEL" is described in Official Records Book 18053 at Pages 0580 through 0586, as recorded in the Public Records of Miami-Dade County, Florida.

HISTORY:

On September 15, 1998, the Design Review Board approved an application for the construction of two condominium towers, a beach club, and retail, restaurant and parking facilities, pursuant to DRB File No. 9611. On December 08, 1998, the Design Review Board reviewed and approved modifications to the application that consisted of changes to the design and massing of the north and west walls of the south tower portion of the project.

SITE DATA:

Zoning: RPS-4

Future Land Use: RPS-4

NEIGHBORING PROPERTIES:

East: Atlantic Ocean

North: The Continuum, the North Tower

South: South Pointe Park

West: South Pointe Towers

EXISTING STRUCTURE:

41-story multifamily building (2000 SOM Skidmore Owens and Merrill)

THE PROJECT:

The applicant has submitted plans and renderings entitled "Emergency Glass Railing System Repairs" as prepared by B. P. Taurinski, P.E., P.A Structural Engineers, signed, sealed and dated March 28, 2018.

The applicant is seeking to remove decorative kick-plate metal panels from all of the glass panels of the balcony railing system.

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.
Not Applicable
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.
Not Applicable
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.
Not Applicable
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.
Not Satisfied; See Staff Analysis
The existing metal panels affixed to the balconies are an integral part of the exterior design of the building.
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.
Not Satisfied; See Staff Analysis
The existing metal panels affixed to the balconies are an integral part of the exterior design of the building.
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; See Staff Analysis
The existing metal panels affixed to the balconies are an integral part of the exterior design of the building.

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 Applicable
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.
Not Applicable
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.
Not Applicable
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).
Not Applicable
13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.
Not Applicable
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
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 Applicable
17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Not Applicable
18. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.
Not Applicable
19. The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.
Not Satisfied; see below

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.
Not Satisfied
A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department.
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable
- (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

While the site is currently built-out, the applicant is proposing to remodel the existing balconies.

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

Not Applicable

While the site is currently built-out, the applicant is proposing to remodel the existing balconies.

- (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 balconies.

- (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

The proposal does not include any habitable space located below the base flood elevation.

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

Not Applicable

While the site is currently built-out, the applicant is proposing to remodel the existing balconies.

STAFF ANALYSIS:

Staff must preface this analysis by underscoring the critical role the Continuum South Tower plays in the evolution of the overall hi-rise aesthetic at the southern tip of Miami Beach. When the first hi-rise tower was constructed in 1987 (South Pointe Towers) a very unique, and nautically influenced structure was introduced within an area that, at the time, was still searching for an identity. Portofino Tower, with its unique cruciform structure, followed in 1994 and by the time the original developer of the Continuum site made their first proposal in late 1997, the South Pointe area had already reached luxury real estate status.

Various design concepts for a unique and cutting edge residential tower grouping were proposed for the Continuum site. Ultimately, the DRB approved the existing combination of buildings by the world-renowned Skidmore, Owings and Merrill (SOM). The existing Continuum south tower was immediately recognizable by its carefully executed massing and design detail. The towers that followed Continuum (Murano and Apogee) are also uniquely designed, scaled and massed.

Collectively, all of the towers that form the visual termination of the southern tip of Miami Beach are highly unique to the City, as well as fully distinguished from one another. Unlike

other coastal Cities that have embraced an ‘any waterway USA’ approach to residential tower design, based solely on views from the interior, since South Pointe Towers was built in 1987, the DRB has insisted upon a unique individuality for the residential structures that define the southern tip of the City. This unique, and iconic approach to residential buildings has always focused on the outside design of the tower, not the inside looking out.

The applicant is proposing exterior façade modifications to existing balconies of the 41-story South Tower of the Continuum. Specifically, the applicant is proposing to remove the lower metal panels affixed to the 42" high glass railing systems found throughout the exterior balconies on all elevations. Once the “kick plate” break panels are removed and the gaskets replaced, the glass panels will be removed, cleaned, prepared, and reinstalled within the balcony framing systems, with the existing cap top railing to remain. The applicant is currently in the process of systematically removing the aesthetic panels that are affixed to all the balcony handrail glass. The applicant has concerns with the architectural panels as they have been delaminating from the handrail glass and as originally constructed. No new balcony elements, demolitions, or enlargements therein, are proposed as part of this application.

The applicant maintains that the removal of the metal panels is a life safety concern and that the panels were “falling off the building.” A permit for emergency railing repair has been applied for under BC1705997. The applicant does not propose to reinstall new panels to the existing glass panel railings. Had the applicant reinstalled the lower metal panels, DRB review would not be necessary.

The subject residential tower has become an iconic signature building at the southern tip of Miami Beach. The SOM design includes balconies that continue the horizontal architectural banding that is dominated by the white stucco wall below the fixed window glazing, matching and continuing the strong horizontal element of the floor slab along each of the 41 floors. The architectural metal panels, coupled with the white stucco balcony slab, are a critical component of the architectural design, as they facilitate the movement of the banding that runs along each façade of the building.

As stated in the 1998 staff recommendation for the project, *“the elevations have been simplified...a more straightforward array of painted concrete and glass balcony rails has been combined with elegantly stepped exterior walls”*. The emphasized horizontality offers a visual relief for the eye and breaks up the vertical scale of the tower.



The applicant is requesting to remove these architectural metal panels without replacing

them. As proposed, the balcony panels would be full glass, thus eliminating the continuity of the horizontal banding. Although the original developer and contractor failed to secure the metal panels in a method that meets code for windload, such panels can and should be reintroduced with a code compliant method of installation, such as an epoxy adhesive. The metal panels are an integral design detail of the building's façade and is a driving feature of the architectural anchor of the south end of the peninsula of Miami Beach.



Additionally, as specifically noted in the 1998 DRB report, *“Given the size of the tower and its massing, the key component for this project to be truly successful will be the color chosen for the structures, as well as the color and variety of fenestration and balcony rails.”* The architecture features floor to ceiling windows within the units throughout all façades. If the architect intended the balconies to have full transparency, like the floor to ceiling windows, they would have designed the balcony railing without the low metal component. Instead, due to the overwhelming verticality of the tower on the acreage, a horizontal repetition is necessary to scale down the enormity of the building. The permanent removal of the 12” x 36” panels will disrupt the horizontal harmony of the building since the banding is a key architectural feature.

Indeed, the exhibits submitted by the applicant clearly show the impact of removing the panels on the iconic, continuity of the architecture. The balconies, as proposed by the applicant, are more akin to coastal Cities that do not place a strong emphasis on architecture and urban design.

Staff **STRONGLY** recommends that the applicant be required to reintroduce the architectural metal panels into the balcony system, in a manner that meets all structural and wind load codes. There is no doubt that this can be accomplished in a code compliant manner.

Staff has met with the applicant's engineer on numerous occasions and has stressed the importance of reintroducing the low metal panels. Accordingly, staff recommends denial of the application as presented.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **denied**.

TRM/JGM/FSC

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: June 05, 2018

FILE NO: DRB18-0226

PROPERTY: **100 South Pointe Drive–Continuum South Tower**

APPLICANT: Continuum Condominium Association

LEGAL: Continuum on South Beach Condo, the South Tower, a portion of "OCEAN PARCEL", as said "OCEAN PARCEL" is described in Official Records Book 18053 at Pages 0580 through 0586, as recorded in the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Board approval for exterior design modifications to façades of an existing 41-story building to remove existing metal panels along the glass balcony railings on all elevations of the building and retain all clear glass railings. Additionally, the applicant is requesting the deletion of a condition of the Final Order. This item was originally approved in 1998, pursuant to DRB File No. 9611.

ORDER

The City of Miami Beach Design Review Board makes the following FINDING 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:

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 4 and 6 in Section 118-251 of the Miami Beach Code and the reasons set forth at the June 05, 2018 Design Review Board meeting.

IT IS HEREBY ORDERED, based upon the foregoing finding 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 recommendation, that the Application is **DENIED WITHOUT PREJUDICE** for the above-referenced project.

Dated this _____ day of _____, 20_____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

