

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: April 02, 2019

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB18-0333
5500 Collins Avenue – Towerhouse Condominium

DRB18-0333, 5500 Collins Avenue. The applicant, Towerhouse Condominium, Inc., is requesting Design Review Approval to replace the existing precast baluster railings system along the balconies of the west (Indian Creek), north and south and west elevations of the existing 25-story building with all clear glass railings.

Recommendation:

Approval with conditions

LEGAL DESCRIPTION:

See attached "Exhibit A"

HISTORY:

This item was discussed and continued at the December 04, 2018 DRB meeting in order to further refine the design.

On February 05, 2019, the applicant proposed two more options, including the original design, to the Design Review Board for approval. The item was discussed and continued to the April 02, 2019 DRB meeting.

SITE DATA:

Zoning: RM-3

Future Land Use: RM

EXISTING BUILDING:

1974 Reiff Fellman & Associates | 25-story 84-unit multifamily building

LAND USES:

East: 18-story multifamily building (Castle Beach)

North: 17-story multifamily building (5600 Condo)

South: Yacht and Tennis Resort (Carriage House Condominium marina)

West: Indian Creek Canal

THE PROJECT:

The applicant has submitted plans and renderings entitled "Tower House Condominium Balcony Railing Replacement: Design Review Board Continuation-2" as prepared by design architects **Castellanos Design Studio** signed, sealed and dated February 22, 2019.

The applicant is seeking to replace the existing precast concrete fins on portions of the exterior balcony railing system on the north and south and west elevations of the building with all clear glass railings.

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.
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.
Satisfied
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied
- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.
Satisfied
- (5) The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also

specifically study the land elevation of the subject property and the elevation of surrounding properties.

Satisfied

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.

Satisfied

- (7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.

Satisfied

- (8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.

Not Applicable

- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

Not Applicable

- (10) In all new projects, water retention systems shall be provided.

Not Satisfied

- (11) Cool pavement materials or porous pavement materials shall be utilized.

Not Satisfied

- (12) The project design shall minimize the potential for a project causing a heat island effect on site.

Not Satisfied

STAFF ANALYSIS:

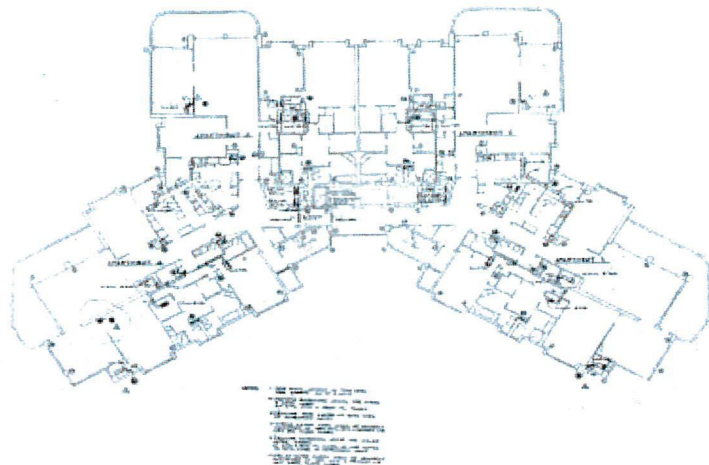
The applicant is proposing exterior façade modifications to existing balconies of a 25-story building. Specifically, the applicant is proposing to replace the concrete portions of the balcony railings along the existing 84 balconies with glass railings along the north, south and west elevations. This item was previously presented at the December 04, 2018 Design Review Board meeting and continued again at the February 05, 2019 meeting to allow for the architect to further refine the design and address both staff comments and direction from the Board.

The existing structure was designed by Reiff-Fellman and Associates in the Brutalist style of architecture. Sited on the western side of Collins Avenue, the octagon shaped tower plan contains four spacious residences per floor, each with one large balcony located directly on the Indian Creek waterway with expansive views of the waterway and the City. The Collins Avenue street presence is fortress-like and severe with striated vertical bands of glazing and solid

concrete wall mass that rise from the ground towards the sky between vertical pre-cast concrete fins.

The rear waterfront elevation is comprised of multi-faceted facades of glass that are framed within precast concrete vertical fins. Bookended by balconies, the rear façade is bulleted with expansive balcony openings that contrast with the solid façade facing Collins Avenue.

The original design for the Reiff-Fellman building contained precast concrete balusters with a tapered fin design that reflect the shape of the building. The pre-cast railings are a character defining element of the building's architecture. Nevertheless, the removal of the decorative concrete brise soleil and other solid masonry railing systems for the replacement of full glass railings along waterfront facing frontages has been proposed in the past.



Details of typical floor plan from original plans, Permit 88131



The railing design proposed at the December 04, 2018 DRB meeting was a post-less glass balcony system that allowed for uniform views of the Indian Creek waterway and the northern and southern vistas of Collins Avenue. The original design of the building does not feature balconies directly facing the east, likely due to the existence of the expansive Castle Beach Condominium built in 1964 that broadsides Collins Avenue and effectively blocks all views of the ocean. The pre-cast concrete fin detail that adorns the existing balconies occurs mostly on the less visible elevations, the north, south and west, of the building. However, given that the rear portion of the balconies along the side elevations of the building are visible from the street, the Board requested that the applicant further investigate bringing into the new design of the railings some of the verticality provided by the pre-cast fin detail.

In addition to the original proposed design scheme, or "Option 1", that was presented at both the December 04, 2019 and the February 05, 2019 DRB meeting, the applicant is proposing another railing design based on the Board's comments. At both meetings, the Board recommended that the applicant explore incorporating into the glass railing design details that evoke the vertical articulation of the pre-cast fins. The first design scheme, "Option 1", maintains the originally proposed post-less impact, bronze glass railing system. The second scheme, or "Option 2", introduces posts, adorned with a metal fins, between glass panes along the entire length of the balcony system. The new scheme begins to address the Board's comments. Staff recommends that the design of the proposed "fin" resemble more closely the pre-cast fin common in the existing railings. Furthermore, staff is amenable to a hybrid of both design that incorporates railings with posts and fins along portions facing Collins Avenue – those segments of balconies facing due north, east and south - and transitions to a post-less railing system along the eastern face of the balconies. Staff is supportive of either instance in which the design includes a vertical gesture that evokes the previous pre-cast fins, especially along the portions of Collins Avenue where their absence is most felt; and is confident that further study and refinement will result in a successful design. The modifications to the project suggested herein can be readily addressed administratively, as indicated in the recommendation.

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 and Sea Level Rise criteria.

"Exhibit A"

Legal Description

TOWERHOUSE CONDO
AMD PL OF FIRST OCEAN FRONT SUB
PB 9-78 LOTS 335 336 & 337 LESS
COLLINS AVE & FILLED LAND W &
ADJ -BEG 62.195FT W OF NE COR
LOT 337 CONT W 214FT SLY 296.77
FT TO WLY EXTN OF S/L LOT 335 E
192.296FT NLY ALG CC 324.70FT TO
POB & LOTS 333-334 & 338 LESS
COLLINS AVE & FILLED LAND LYG W
& ADJ/ LOT SIZE IRREGULAR

Containing 24,805 Square Feet or 0.569 acres, more or less.

Property Address: 5500 Collins Avenue, Miami Beach, Florida, 33140

Folio No.: 02-3214-008-0001

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: April 02, 2019

FILE NO: DRB18-0333

PROPERTY: **5500 Collins Avenue – Tower House Condominium**

APPLICANT: Tower House Condominium

LEGAL: See attached "Exhibit A"

IN RE: The application requesting Design Review Approval to replace the existing precast baluster railings system along the balconies of the west (Indian Creek), north and south and west elevations of the existing 25-story building with all clear glass railings.

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 19 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, 4, and 5 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. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. On all the balconies, the plans submitted for Option 2, a combination of glass and railings with the introduction of the "fin", shall be permitted with

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- . further refinement of the proposed “fin” to more closely resemble the pre-cast fin common in the existing railings, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- b. Fully and carefully designed details for the proposed balconies shall be submitted; the method of railing connection to the slab, as well material finishes and dimensions shall be provided, in a manner to be reviewed and approved by staff.
- c. Color samples for the glass railing shall be submitted for the review and approval of staff.
- d. 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.
- e. 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. 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 Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Tower House Condominium Balcony Railing Replacement: Design Review Board Continuation-2" as prepared by design architects **Castellanos Design Studio** signed, sealed and dated February 22, 2019, 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.

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 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.

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 should 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 118 of the City Code, 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 118 of

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

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