

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: July 7, 2020

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB19-0398
301-317 71st Street

An application has been filed requesting Design Review Approval for exterior alterations to an existing one-story building including the removal of an architectural postwar-modern spire/monument.

Recommendation:

Denial of the application without prejudice,

LEGAL DESCRIPTION:

Lots 13-15, Block 7, of "Normandy Beach South", According to the Plat Thereof, as Recorded in Plat Book 21, Page 54, of the Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning: TC-C

Future Land Use: North Beach Town Center Revitalization Overlay

EXISTING BUILDING:

1952 E. T. Reeder | One-story office

BACKGROUND:

A demolition permit, BC#1808984, was applied for on 10/01/2018, for the removal of the sign pylon.

The application was first placed on the July 2, 2019 DRB agenda, and was continued to the October 2, 2019 DRB meeting, at the request of the applicant. On October 2, 2019, a status report of the item was briefly presented to the DRB, and at the request of the applicant the item was continued to the December 13, 2019 DRB meeting.

At the December 13, 2019 DRB meeting, after a brief discussion, the item was continued to the February 4, 2020 DRB meeting at the request of the applicant. At the February 4, 2020 meeting, the item was continued to the April 7, 2020 DRB meeting. The April 7, 2020, May 5, 2020 and June 2, 2020 DRB meetings were postponed, due to the current COVID-19 pandemic.

Pursuant to Section 118-251(e) of the City Code, the DRB has one year to render a decision on an application. As such, there can be no further continuances of the application.

SURROUNDING PROPERTIES:

East: One story commercial

North: Surface parking lot

South: Two story commercial

adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.

Not Satisfied; See Staff Analysis. The applicant has not provided detailed information of a replacement for the removal of the existing pylon.

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 applicant has not provided detailed information of a replacement for the removal of the existing pylon.
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 Satisfied; See Staff Analysis. The applicant has not provided detailed information of a replacement for the removal of the existing pylon.
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 Satisfied; See Staff Analysis. The applicant has not provided detailed information of a replacement for the removal of the existing pylon.
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 Satisfied; See Staff Analysis. The applicant has not provided detailed information of a replacement for the removal of the existing pylon.

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 126 of the City Code.

Not Applicable

- (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.

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 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.

Not Applicable

- (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.

Not Applicable

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

Not Applicable

and construction of larger buildings within the Town Center and to encourage the development of 71st Street. The FAR for the site is 3.5, and the maximum permissible height is 165'-0". As such, it is presumably a matter of time before the site is redeveloped in accordance with the recently amended zoning entitlements.

The applicant has indicated that the proposed removal of the pylon structure is a matter of maintenance. An engineering report has not been submitted indicating that the spire element is an "unsafe structure" posing imminent threat to life safety, and no emergency demolition order has been established. The 162,000 lb. structure would be cut into (18) pieces (approx. 9000 lbs each) starting from the top of the pylon and working down towards the roof. Each leg of the structure would need to be cut independently of each other, alternating each of the three legs until reaching the roof. The last pieces will then be cut flush with the existing roof. The last cuts will require a roofer to patch the roof to match the existing after the final cuts are made.

The architecture envisioned for the 71st Street corridor is in keeping with local precedents, including utilizing the MiMo aesthetic. Ideally, any future development on the site will feature prominent and distinct architectural elements and architecture commensurate with the design feature.

As indicated previously, since the first DRB meeting in July of 2019, Planning staff has had productive conversations with the building owners regarding potential alternatives to the removal of the iconic pylon. Although the DRB does not have any legal jurisdiction to deny the removal of the structure, the DRB does have jurisdiction to review, and require, some form of iconic replacement for the pylon that satisfies the Design Review criteria.

In order to allow for the retention of the pylon to be further explored, as well as potential replacement options to be developed, staff has consistently recommended that the application be continued to a future date. However, pursuant to Section 118-251(e) of the City Code, there can be no further continuances of the application. Consequently, unless the application is withdrawn by the applicant, the DRB will need to take final, affirmative action on the subject application, in the form of approval or denial.

Staff remains supportive of the applicant's desire to pursue other options in lieu of removing the pylon structure. However, under the requirements of the City Code, neither staff or the DRB have the authority to continue this application past the July 7, 2020 DRB meeting date. Since a replacement option for the pylon has not yet been proposed, staff is recommending that the application be denied, without prejudice, so that the applicant can file a new application in the near future. Staff would further recommend that the applicant file any new application at that point in time when a replacement option for the pylon has been identified.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **denied, without prejudice**. It is further recommended that the applicant submit a new application at that point in time when a replacement option for the pylon has been identified. If the DRB should move to approve the application, and allow for the removal of the pylon structure without a replacement option, staff recommends that any approval be subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review and Sea Level Rise criteria.

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: _____

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

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