


# MIAMIBEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Design Review Board

TO: DRB Chairperson and Members

FROM: Thomas R. Mooney, AICP   
Planning Director

SUBJECT: DRB16-0058  
**1000 West Avenue – Mirador South**

DATE: November 1, 2016

The applicant, Mirador 1000 Condominium Association, is requesting Design Review Approval for façade modifications of an existing sixteen-story building. Specifically, to replace concrete balcony railings on all sides of the building with glass railings.

#### **Recommendation:**

Modified Approval with conditions

#### **LEGAL DESCRIPTION:**

The South 150' of Lot 9 and all of Lot 10, Block 80, a subdivision of Block Eighty of the Alton Beach Realty Company, A part of the Alton Beach Bay Front Subdivision, According to the Plat Thereof, as recorded in Plat Book 6 at Page 12, of the Public Records of Miami-Dade County, Florida.

#### **HISTORY:**

On July 07, 2015, an application was presented to the Design Review Board to replace concrete balcony railings throughout the building on all sides of the building with glass railings, pursuant to DRB File No. 23190. After multiple continuances, the application was formally withdrawn by the applicant at the December 1, 2015 DRB meeting.

#### **SITE DATA:**

Zoning: RM-3  
Future Land Use: RM

#### **EXISTING STRUCTURE:**

Sixteen-story multifamily building (1965 Melvin Grossman)

#### **LAND USES:**

East: Vacant and five-story multifamily building  
North: Fourteen-story multifamily building (Mondrian Hotel)  
South: Fourteen-story multifamily building (Southgate Towers)  
West: Biscayne Bay

#### **THE PROJECT:**

The applicant has submitted revised plans and renderings entitled "New Balcony Glass for Mirador 1000 Condominium 1000 West Avenue" as prepared by design architects **Charles H. Benson & Associates** signed, sealed and dated 8/26/16.

The applicant is proposing to demolish the existing concrete portion of existing balcony railings throughout the building, and replace same with 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.  
**Not Satisfied; See Staff Analysis**
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.

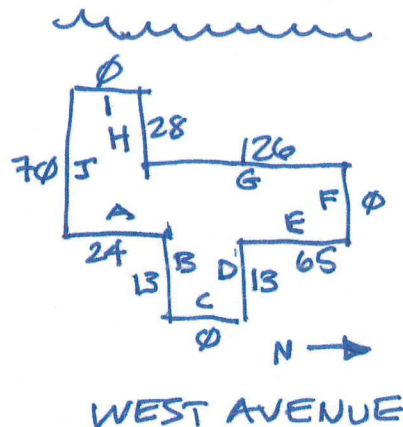
**Not Applicable**

**STAFF ANALYSIS:**

In the previous submittal that was subsequently withdrawn, at the urging of the Board, the applicant proposed clear glass panels and a solid raised metal panel, in a powder coated white, along those portions of the balconies containing solid concrete that face West Avenue. This design option was chosen in order to break up the scale of the building and better evoke the original design of the balconies, and more importantly, to maintain the depth and shadow lines of the original design.

Although staff would prefer to maintain the original balcony designs throughout the buildings, it is understandable that the applicant would want to replace the concrete railing balconies on the predominately western facing elevations with glass railings in order to take advantage of Bay views. Consequently, staff does not object to the proposed glass railing replacements on the building elevations which do not face West Avenue, for a total of 224 balconies.

However, on the east elevations the solid balconies act as important framing elements to the central expanse of glazing, and staff believes that replacing these balconies with clear glass is inconsistent with the defining architectural character of the elevation of the existing building.



Staff would recommend that the 115 balconies along West Avenue—elevations A, B, D, E—be restored with the concrete balcony walls. The balance of the balconies—the remaining 224 concrete balconies on elevations J, H and G—may be demolished and improved with all clear glass panels.

**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/or Practical Difficulty and Hardship criteria.

TRM/JGM

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

MEETING DATE: November 1, 2016

FILE NO: DRB16-0058

PROPERTY: **1000 West Avenue – Mirador South**

APPLICANT: Mirador 1000 Condominium Association

LEGAL: The South 150' of Lot 9 and all of Lot 10, Block 80, a subdivision of Block Eighty of the Alton Beach Realty Company, A part of the Alton Beach Bay Front Subdivision , According to the Plat Thereof, as recorded in Plat Book 6 at Page 12, of the Public Records of Miami-Dade County, Florida.

IN RE: The application requesting Design Review Approval for façade modifications of an existing sixteen-story building. Specifically, to replace concrete balcony railings on all sides of the building with 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 4 in Section 118-251 of the Miami Beach Code.
- C. The project would remain consistent with the criteria and requirements of Section 118-251 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 the east elevations where the solid balconies act as framing elements to the central expanse of glazing, all glass railings shall not be permitted. Also the 13 balconies along the north and south elevation on the wing closest to West Avenue on the south, all glass railings shall not be permitted on a total of 115 balconies.



- b. On the other non-West Avenue front facing elevations where the 224 balconies currently contain concrete railings, those concrete portions shall be permitted to be demolished and replaced with all glass railings, in a manner to be reviewed and approved by staff.
  - c. 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.
  - d. Color samples for the glass railing shall be submitted for the review and approval of staff.
  - 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.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. The applicant shall provide street trees to follow the CMB Master Street Tree Plan for West Avenue, in a manner to be approved by Staff. Either landscape bump-outs in-between every parallel parking space or a continuous wider swale area shall be provided to accommodate the street trees through the entire front of the property, inclusive of 1000, 1100, and 1200 West Avenue. The minimum planting area per tree shall be approximately 100 square feet. Live Oak is the designated street tree for West Avenue and shall have a minimum caliper size of 6", an overall height of 22' and a spread of 12' at time of installation and spaced approximately 30' on center. The proposed plan shall be approved by the Capital Improvements Office, Parking Department and Public Works Department. If for any reason the planting of any street tree is not feasible, then the applicant shall submit a monetary contribution to the city's Tree Program for the number of trees not installed and meeting these requirements, sufficient to cover their cost at market value. The same quantity, species and size tree shall be planted by the Parks and Recreation Department in any available public right-of-way area within the same corridor or as near to the subject property as possible. If trees are placed on a different street, then species may be change to follow the Street Tree Master Plan.

- b. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- c. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures; such fixtures and devices shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of backflow preventors, siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- d. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- e.

**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 "New Balcony Glass for Mirador 1000 Condominium 1000 West Avenue" as prepared by design architects **Charles H. Benson & Associates** signed, sealed and dated 8/26/16, 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 the City Code, for revocation or modification of the application.



