

# MIAMI BEACH

## PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: October 07, 2014

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: Design Review File No. 23075  
**1235 West Avenue**

The applicant, 1235 West Investments LLC, is requesting Design Review Approval for the construction of a new six-story multifamily building to replace an existing two-story multifamily building, to be demolished.

### **RECOMMENDATION:**

Approval with conditions

### **LEGAL DESCRIPTION:**

Lot 11 of Block 82 of the "Bay View Subdivision", According to the Plat Thereof, as Recorded in Plat Book 9, Page 110, of the Public Records of Miami-Dade County, Florida.

### **SITE DATA:**

Zoning: RM-2 (Multifamily, Medium Intensity)  
Future Land Use: RM-2 (Multifamily, Medium Intensity)  
Lot Size: 7,500 SF (50x150)  
Proposed FAR: 14,900 SF / 1.98 as represented by the applicant  
Maximum FAR: 15,000 SF / 2  
Proposed Height: 60'-0" feet / 6 stories  
84'-0" feet to highest projection  
Maximum Height: 60'-0" / 6 stories  
Proposed Use: Multi-Family Residential  
Residential Units: 5 units  
Parking Spaces: 10 spaces (2@5 units)

### **EXISTING STRUCTURE:**

Two-story multifamily building (Anton Skislewicz, 1940)

### **LAND USES:**

East: Two-story retail / office building  
North: Five-story multifamily building (1972)  
South: Five-story multifamily building (1980)  
West: Fourteen-story multifamily building

**THE PROJECT:**

The applicant has submitted plans entitled "West Avenue Apartments" as prepared by **Schapiro Associates** signed and sealed July 11, 2014.

The applicant is proposing to construct a new six-story residential building with a rooftop pool.

**CONSISTENCY WITH COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed **residential use** appears to be **consistent** with the Future Land Use Map of the 2025 Comprehensive Plan.

**COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code:

1. Shaded FAR drawings have not been provided and shall be required for all floor plans that clearly delineate the square footage of the project counted towards the total FAR.
2. The interior driving isle may require a variance to waive the minimum required width for 90 degree parking. Drives shall have a minimum width of 22' for two-way traffic.

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 is 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.  
**Not Satisfied; the interior driving isle may require a variance to waive the minimum required width for 90 degree parking.**
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.  
**Satisfied**
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.  
**Not Satisfied; a mitigating method should be introduced along the side property lines to ensure minimal light spillage onto the neighboring multifamily buildings.**
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.

**Not satisfied, all mechanical equipment located above the roof deck shall be enclosed or screened from public view.**

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.

**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**

**STAFF ANALYSIS:**

This item was fully presented at the September 02, 2014 Design Review Board meeting, but due to a deficiency in the Herald advertisement no action could be taken at that time by the Board.

Although disappointed by the proposed demolition of a quality two-story 1940 Anton Skislewicz building, staff is generally supportive of the proposed new six-story residential building for West Avenue. The abutting property to the north contains a five-story building built in 1972 with no discerning design characteristics. Similarly the abutting property to the south contains a five-story building built in 1980 with an exposed outdoor catwalk corridor system which does not face the subject property.

The applicant is proposing to demolish the structure and develop the site with a contemporary six-story, five-unit residential building with a rooftop pool. Each floor will contain a single unit, and have direct elevator access. A very attractive slender building is proposed for the subject site with a well-intended floor plan that offers all the units an expansive front balcony that overlooks West Avenue.

A central single curb cut allows all vehicles onto the subject property, accessed from Alton Court and all parking is provided for on-site. The ground floor site plan does contain some discrepancies and will need some further refinement, particularly the elimination of the concrete canopy that extends from the main doors of the lobby to the sidewalk edge. Staff would also recommend that some additional detail regarding the side property line walls or other similar mitigating method, along the south and north property lines be introduced and detailed, in order to ensure that headlights from owners' vehicles will not shine into the neighboring properties.

Since the previous meeting, the applicant has addressed all of staff's notable design concerns pertaining to the roofdeck and is supportive of the overall design of the project and pleased with

the modifications executed by the architect. Staff would still recommend that some additional detail regarding the side property line walls or other similar mitigating method, along the south and north property lines be introduced and detailed, in order to ensure that headlights from owners' vehicles will not shine into the neighboring properties. As such, staff recommends the application be approved with the conditions enumerated in the recommendation.

**RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the application be approved, subject to the following conditions, which address the inconsistencies with the aforementioned Design Review criteria:

1. Revised elevation, site plan and floor plan drawings shall be submitted; at a minimum, such drawings shall incorporate the following:
  - a. The active roof deck shall not exceed **50%** of the enclosed floor area immediately one floor below, below in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - b. All window frames shall be composed of either a natural or white aluminum finish. All windows shall consist of clear glass and incorporate the minimum tint required by the energy code, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - c. A minimum of 5'-0" high wall or similar physical screen shall be required along the north and south property lines of the site (with a 20 foot setback from West Avenue), in order to screen the parking and to ensure that headlights from the residential unit owners' vehicles do not shine into the neighboring properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - d. Any fence or gate at the front of the property shall be designed in a manner consistent with the architecture of the main structure, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - e. An exterior lighting plan shall be designed and demonstrate that all site lighting shall be contained within the subject property and that none shall shine into the neighboring properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - f. The rooftop mechanical equipment proposed within the southeast corner of the roof shall be relocated away from the edges of the building that face a street. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be configured to be as close to the center of the roof as possible and screened from view on all sides, in a manner to be approved by staff.
  - g. The final design details of all exterior surface materials and finishes 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. 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.
    - i. 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. A dense landscape buffer shall be introduced along the north and south property lines of the site (with a 20 foot setback from West Avenue), in order to ensure that headlights from the residential unit owners' vehicles do not shine into the neighboring properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
    - b. Street trees, including irrigation and up-lighting shall be required both on West Avenue, within the public right-of-way, in a manner to be reviewed and approved by staff.
    - c. All exterior walkways shall consist of decorative pavers, set in sand or other semi-pervious material, subject to the review and approval of staff.
    - d. 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.
    - e. The utilization of root barriers and/or Silva Cells as applicable shall be clearly delineated on the revised landscape plan.
    - f. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow prevention devices. Backflow prevention devices shall not be permitted within any required yard or any area fronting a street or sidewalk, unless otherwise permitted by the Land Development Regulations. The location of all backflow prevention devices, and how they are screened 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. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all post-indicator valves (PIV), fire department connections (FDC) and all other related devices and fixtures, which shall be clearly indicated on the site and landscape plans.
    - g. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. 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.
    - h. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect for the project architect shall verify, in writing, that the project is consistent with the

site and landscape plans approved by the Planning Department for Building Permit.

3. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.
4. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the board.
5. A traffic mitigation plan, which addresses all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, if required, shall be submitted prior to the issuance of a Building Permit and the final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
6. The project shall comply with any landscaping or other sidewalk/street improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy.
7. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
8. 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.
9. 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.
10. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
11. 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.

TRM/JGM

c: Gary Held, First Assistant City Attorney

F:\PLAN\DRB\DRB14\Oct14\DRB 23075 1235 West Ave.OCT14.doc