

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: October 1, 2024

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB24-1041
900 West Avenue

An application has been filed requesting Design Review Board approval for modifications to an existing residential building, including new finishes, lighting, and signage, including a variance to allow for signage with non-individual channel letters.

RECOMMENDATION:

Approval with conditions.

HISTORY

On August 3, 2010, the DRB approved an application for the renovation of the two (2) existing 14-story buildings, including replacement, with design modifications, of all windows, doors, and railings (File No. DRB 22718).

On March 5, 2013, the DRB approved an application for the for modifications to the exterior of two (2) existing 14-story apartment buildings, including design modifications to the existing facades, and new roof-top terraces, and a new hardscape and landscape plan for the site, including an outdoor dining area, and 10th Street, street-end improvements in the public right-of-way, and continued modifications to previously approved conditions for the construction of a public baywalk. On August 6, 2013, the DRB approved the baywalk plan.

On March 18, 2021, the DRB approved an application for exterior design modifications to an existing Design Review Approval including the redesign and reconfiguration of the existing commercial space to accommodate an indoor and outdoor restaurant operation oriented towards the bay with access from 10th Street, the installation of illuminated signage, exterior speakers, an outdoor bar counter, operable doors systems to the façades and one or more variances including to extend the hours of operation for an outdoor bar counter and a variance from the required street side setback.

LEGAL DESCRIPTION:

Lots 11, 12, 13, 14, 15, 16, 17, and 18, in Block 1, amended plat of Fleetwood Subdivision, according to the plat thereof, recorded in plat book 28, page 34, of the public records of Miami-Dade County, Florida.

SITE DATA:

Zoning: RM-3
Future Land Use: RM-3
Lot Size: *174,928 SF

*As indicated by Miami-Dade Property Appraiser.

Existing FAR: 147,463 SF | 1.17
Maximum FAR: 252,638 SF | 2.0

Existing Height: 126'-0" / 14-story
Maximum Height: 150'-0"
Existing Units: 495 Units
Existing Parking: 109 Spaces –
additional spaces in
main use garage

SURROUNDING PROPERTIES:

West: Biscayne Bay
North: RM-3 residential - Mirador
South: RM-3 residential – South Bay Club
East: RM-2 main use parking garage &
Residential Bay Court Towers

ORIGINAL STRUCTURE:

Southgate Towers - 1958 Melvin Grossman| Two 14-story residential buildings.

THE PROJECT:

The applicant has submitted plans entitled "SOUTHGATE TOWERS", as designed by **Triba Architects**, dated August 04, 2024.

The applicant is requesting Design Review Approval for design modifications to the Southgate Towers located at 900 West Avenue. The modifications include a new entrance lobby, new pool entrance area, new finishes on the ground floor, new signage, and lighting. The applicant is also requesting a variance to allow for signage with non-individual channel letters in order to allow for cursive script.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the requirements of the City Code, with the exception of the requested variance. The applicant is requesting the following variance:

1. Section 6.2.6.c regarding projecting signs which requires that "*The sign shall consist of individual letters*" to allow for non-individual channel letters.

These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

PRACTICAL DIFFICULTY AND HARDSHIP CRITERIA

The applicant has submitted plans and documents with the application that staff has concluded satisfy Article 1, Section 2 of the Related Special Acts.

Additionally, staff has concluded that the plans and documents submitted with the application comply with the following hardship criteria, as they relate to the requirements of Section 2.8.3 of the Land Development Regulations:

- i. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- ii. The special conditions and circumstances do not result from the action of the applicant;

- iii. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;
- iv. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;
- v. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- vi. The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare;
- vii. The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan; and
- viii. The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

CONSISTENCY WITH COMPREHENSIVE PLAN:

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

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.
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 2.5.3.2.
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.
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 Satisfied; a lighting plan has not been submitted.
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 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

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4(a)(i) of the Land Development Regulations 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.
To be satisfied at time of building permit.
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 4 of the Land Development Regulations.
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.
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.
Satisfied

ANALYSIS:
DESIGN REVIEW

The applicant has submitted an application to modify the main entrance and pool entrance of the Southgate Towers, located at 910 West Avenue. The modifications are intended to improve the sense of arrival at the building and enhance the architecture of the building.

The proposal includes updating the existing canopy at the main entrance with new finishes, lighting and signage. Specifically, the canopy will be reclad with glazed tile columns and a

knotwood metal ceiling. The front entry circle will also receive new landscaping and a redesigned fountain. The existing storefront at the main lobby is proposed to be demolished and replaced with a sliding glass door Nanawall. Additionally, the applicant is proposing a projecting building identification sign above the canopy. A variance is being requested to allow for cursive script. Staff believes that the proposed changes enhance the building's entry features and are compatible with the buildings' architecture.

On the pool entry side of the lobby, the applicant is proposing to demolish the existing ground level façade, which would be replaced with a sliding glass door Nanawall. The applicant is proposing to construct a new terrace with stairs that enter onto the pool deck surrounded with new landscaping. Additionally, a new 5' tall all glass pool fence is proposed.

Overall, the proposed changes enhance the building and staff is supportive of the design.

VARIANCE REVIEW

The applicant is requesting the following variance(s):

1. Section 6.2.6.c regarding projecting signs which requires that "*The sign shall consist of individual letters*" to allow for non-individual channel letters.

The applicant is proposing a projecting sign above the entry canopy that will identify the buildings. Specifically, the sign will say "Southgate". The applicant is proposing a cursive script that is consistent with the mid-century modern architecture of the building. In this type of script, the letters do touch at one point, and therefore are technically not individual letters. The letters do comply with the intent of regulation which is intended to ensure that signs are not overly cluttered and detract from the architecture of the building. This is a practical difficulty, and staff is not opposed to the variance.

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, Sea Level Rise criteria, as applicable.

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: October 1, 2024

FILE NO: DRB24-1041

PROPERTY: **900 West Avenue**

APPLICANT: Southgate Towers, LLC

LEGAL: Lots 11, 12, 13, 14, 15, 16, 17, and 18, in Block 1, amended plat of Fleetwood Subdivision, according to the plat thereof, recorded in plat book 28, page 34, of the public records of Miami-Dade County, Florida.

IN RE: An application has been filed requesting Design Review Board approval for modifications to an existing residential building, including new finishes, lighting, and signage, including a variance to allow for signage with non-individual channel letters.

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 2.1.3.1 of the Land Development Regulations. 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 consistent with the Design Review in Section 2.5.3.1 of the Land Development Regulations.
- 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 consistent with Sea Level Rise in Section 7.1.2.4(a)(i) of the Land Development Regulations.
- D. The project will remain consistent with the criteria and requirements 2.5.3.1 and/or Section 7.1.2.4(a)(i) with the following conditions:
 - a. The final design details of the new nana walls and windows 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.

- b. The final design details of the elliptical shaped glazed tile column enclosures 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.
- c. The final design details of the new elliptical fountain with multiple spread and bubbler heads 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.
- 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 2.2.4.8 of the Land Development Regulations, the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal a decision of the design review board for design review approval only to the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

I. Variance(s)

- A. A variance of section 6.2.6.c regarding projecting signs which requires that “The sign shall consist of individual letters” to allow for non-individual channel letters.

II. General Terms and Conditions applying to both ‘I. Design Review Approval and ‘II. Variances’ noted above.

- A. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- B. 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.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. 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.

- E. The issuance of a building permit 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. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- 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 "Southgate Towers", as prepared by **Triba Architects** dated August 04th, 2024, 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.

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 Section 2.2.4.6 of the Land Development Regulations; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall 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 2 of the Land Development Regulations, 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 2 of the Land Development Regulations, for revocation or modification of the application.

BY: _____
Rogelio Madan, AICP
Development and Resiliency Officer
For Chairman

[illegible]

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

{NOTARIAL SEAL}

Notary:
Print Name
Notary Public, State of Florida
My Commission Expires:
Commission Number:

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

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