April 07, 2024

CITY OF MIAMI BEACH
PLANNING DEPARMENT
1700 Convention Center Drive
2nd Floor
Miami Beach, FL 33139

RE: Permit # DRB 23-0961
Project name: Denbora Bay III
2125 Bay Drive, Miami Beach, FL 33141
DRC Review Comment Response

Building official:

Below please find responses to your comments issued on the above-mentioned project number. We hope this helps to clarify our responses for your next review. We are available for any clarification at any time. Thank you for your help throughout this process.

1. APPLICATION COMPLETENESS

a) Provide a copy of all current or previously active Business Tax Receipt.

R: N/A. The LLC was created only for the purpose of holding the property and not for operating a business. The LLC does not have a EIN number nor a bank account. The property is owner and family occupied.

b) Provide the school concurrency list that will be emailed separately to the applicant, the information on the concurrency list will be transmitted to Miami Dade County Public Schools. MDCPS will contact the applicant to pay the fee for the Initial evaluation. The applicant must provide proof that this Initial evaluation is paid as soon as possible in order to proceed and keep the item on the agenda, please note that MDCPS may require additional steps to satisfy school concurrency, this process needs to be finalized in order to obtain a building permit. Please email Giselledeschamps@miamibeachfl.gov to receive school concurrency application.

R: Application submitted with final submittal package as requested.

c) Provide a section drawing that includes the required yards and all elevations of the encroachments.

R: Detail section showing the yard elevations is provided in sheet A7-1.01

d) **If applicable, a variance and/or waiver Diagram will be required for the height of the ground level.**

R: The height of the ground level has been adjusted, no variance or waiver will be required.

2. **ARCHITECTURAL REPRESENTATION**
3. **DESIGN RECOMMENDATIONS**

a) **The overall color palette for the material finish would need to consist of a lighter hue, inclusive of the black steel frame and cast-in concrete.**

R: The color palette was updated to a lighter hue, the dark concrete was replaced by a mid-tone gray and the black steel frame replaced to a gray painted color.

b) **Please clarify where the coral stone is located on the exterior of the building.**

R: Please refer to the updated facades, there is no coral stone used.

4. **ZONING COMMENTS**

a) **Parking at the Understory Level (below the First Habitable Level). Parking at the Understory Level shall be lined along a minimum of 50 percent (50%) of the built frontage with non-residential uses, lobbies or stoops that provide access to the First Habitable Level (FHL). Provide the dimensions of the staircase.) A variance would be required as proposed. Staff is not supportive of the variance as the design can be accommodated to meet the minimum 50% of built frontage with nonresidential uses.**

R: Please refer sheet A1-1.01 to the Ground Level Floor Plan to see the frontage dimensions, complying with the 50% required, accommodating the access to the building and a covered vestibule a part of the access area to the upper levels with the habitable spaces.

b) **A minimum height of 12 feet shall be provided, as measured from Base Flood Elevation plus minimum Freeboard to the underside of the first-floor slab. The design review board or historic preservation board, as applicable, may waive this height requirement by up to two feet, in accordance with the design review of certificate of appropriateness criteria, as applicable. A variance would be required as proposed. Staff would be supportive of variance. If applicant is intending to request design waiver for the height of the ground floor, please include this information on the letter of intent. Future crown of the road elevation will be required for further review of ground floor height requirements.**

R: Please refer to the updated section on sheet A3-1.01 to find the adjusted dimensions as required, no variance or waiver are needed.

c) **All parking and driveways shall substantially consist of permeable materials.**

R: Noted, all parking and driveways are proposed with permeable materials, pavers on sand bed, please refer to the detail on sheet G-4.

d) **At least one stair shall be visible and accessible from the building's main lobby (whether interior or exterior), shall provide access to all upper floors, shall be substantially transparent at the ground level and shall be located before access to elevators from the main building lobby along the principal path of travel from the street. Such stairs, if unable to meet minimum life-safety egress requirements, shall be in addition to all required egress stairs. A variance would be required as proposed. However, please note that staff would not support the variance as it is a result from the action of the applicant and does not present a true hardship.**

R: Please refer to the updated layout at ground floor and upper levels with the stairs visible and accessible as required, no variance request is needed.

e) **The first habitable level shall have a minimum floor-to-ceiling height of 12 feet in order to allow for the future retrofit and raising of the first habitable level, or if Design Flood Elevation (DFE) is adjusted upward in the future. A variance would be required as proposed. Staff would be supportive of variance given that it is an understory structure. If applicant is intending to request a variance, please revise the letter of intent to include the variance and respond to the hardship criteria in sec. 2.8.3.**

R: Please refer to sheet A3-1.01 to find the updated section showing 12’-0” from the DFE to the bottom of slab of the first habitable space, resulting in 13’-6” floor-to-ceiling height.

f) **The minimum yard elevation is future adjusted grade. Future adjusted grade means the midpoint elevation between the future crown of the road and the base flood elevation plus minimum freeboard for a lot or lots. Provide written confirmation from the Public Works Department that identifies the future crown of the road for further review of compliance with the minimum yard elevation.**

R: Please refer to the file Future Crown of Road. The Future Crown of Road provided by Public Works is 4.4’ N.A.V.D. furthermore, the Future adjusted grade is 7’-5” N.G.V.D. The project yard elevation has been adjusted accordingly.

g) **The maximum yard elevation for the required yard is B.F.E. Please note the elevation of the yard in the site plan for further review.**

R: Please refer to sheet A3-1.01 to find the yard elevation at 7’-6” NGVD = B.F.E. Addressed on Elevations as well as Site plan.

h) **Driveways and parking areas that are open to the sky within any required yard shall be composed of porous pavement or shall have a high albedo surface consisting of a durable material or sealant, as defined in section 1.2.1 of this Code.**

R: Noted, all parking and driveways are proposed with permeable materials, pavers on sand bed, please refer to the detail on sheet G-4.

i) **A standard perpendicular parking space shall have a width of not less than eight and one-half feet and a length of not less than 18 feet, or when located outdoors, 16 feet with two feet of pervious area overhang, in place of wheel stops and defined by continuous concrete curb, for a total length of 18 feet. Parallel parking #7 not in compliance. A variance would be required as proposed. Please note that staff would not support the variance as it is a result from the action of the applicant and does not present a true hardship. Parking is not required for lots less than 65' in width in the RM-1 District. The reduction of parking spaces will allow to meet the minimum parking space dimensions.**

R: Please refer to the Ground Level Floor Plan A1-1.01 to find the updated layout.

j) **Residential buildings with fewer than 25 units, drives shall have a minimum width of 18 feet for two-way traffic. For those grade level parking areas with less than ten parking spaces, inclusive of those parking areas underneath a building or structure, the two-way curb-cut and driveway entrance shall have a minimum width of 12 feet. Please note that staff would not support the variance as it is a result from the action of the applicant and does not present a true hardship.**

R: Noted, the current driveway is 12'-0" wide as required.

k) **Provide a written narrative with responses.**

R: Noted.

Please let us know any questions or comments you may have. Thank you for your attention in this matter.

Respectfully Submitted,

RICARDO J. MUNIZ-GUILLET
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