



ZONING, LAND USE AND ENVIRONMENTAL LAW

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## VIA ELECTRONIC SUBMITTAL

July 7, 2024

Deborah Tackett  
Historic Preservation & Architecture Officer  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

Re: HPB23-0605, 1525 Lenox Avenue - Responses to Design  
Historic Preservation Board (HPB) Comments

Dear Ms. Tackett:

M&E 3731/1622 Capital LLC, (the "Applicant") submitted the above referenced application on June 16, 2024. Please see our *italicized* responses to the comments issued by the Planning Department.

### I. HPB Plan Review Comments

1. Sheet A1.01; lot coverage not applicable for lot less than 65' in width and open space not a code requirement. This sheet can be removed.

- *This sheet has been removed.*

2. Sheet A1.05; trash chute counts as FAR on all upper levels. Elevator does not count as FAR at the roof level.

- *The trash chute floor area ratio (FAR) has been added to the total FAR count. See sheet A1.05.*

3. Sheet A2.01; per section 7.2.4.4(a)(12) the curb cut shall not exceed 12' in width.

- *Per Section 7.2.4.4(a)(12) the curb cut is 12' in width and does not exceed 12'. See Sheet A2.01.*

4. Sheet A2.01; per section 5.3.2(e) the parking spaces may be 16' in length, not 18'.
  - *Per Section 5.3.2(3), the parking spaces have been reduced to 16'. See Sheet A2.01.*
5. Sheet A2.01; the paved area within the required front setback is not permitted.
  - *The paved area within the front setback has been removed and replaced with gravel. See Sheet A2.01.*
6. Sheet A2.01; the columns along the north side, north of the driveway appear to be located within the north side setback.
  - *The columns along the north side, north of the driveway have been shifted south, outside of the north side setback. See Sheet A2.01.*
7. Sheet A2.01; show the backflow preventer and FPL transformer in the site plan. These elements are not allowable yard encroachments.
  - *The backflow preventer and FPL transformer have been added to the site plan and are not within the yard encroachments. See Sheet A.201.*
8. Sheet A3.04; the roof/pool deck may only occupy 50% of the area of the floor below. Provide a calculation and shaded diagram demonstrating compliance.
  - *The roof/pool deck has been revised and reduced to occupy less than fifty percent (50%) of the area of the floor below. Specifically, the area of the floor below is 4,185 square feet, permitting a maximum roof/pool deck area of 2,092 square feet. The revised roof/pool deck now occupies 1,825 square feet, or forty-four percent (44%), which is well within maximum fifty percent (50%) requirement. See Sheet A3.04.*
9. Sheet A3.04; the summer kitchen, storage room, trash chute are not allowable height encroachments.
  - *The summer kitchen, storage room, trash chute has been removed from the roof/pool deck. See Sheet A3.04.*
10. Sheet A3.04; the area of the elevator lobby shall be reduced to the minimum required.

- *The elevator lobby has been reduced to the minimum required. See Sheet A3.04.*

11. Submit completed School Concurrency form.

- *The School Concurrency form has been submitted.*

12. Demonstrate compliance with Section 7.1.2.2(c)(2)(E).

- *Per Section 7.1.2.2(c)(2)(E), 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 stair, if unable to meet minimum life-safety egress requirements, shall be in addition to all required egress stairs. Access has been provided from the main lobby to the western stairwell, providing access to all upper floors. See Sheet A2.01, A3.01, A3.02, A30.03 and A3.04.*

II. Design/Appropriateness Comments (Recommendations)

1. Staff recommends that the driveway to the parking area not exceed 12' in width. Per Section 5.3.4, 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.
  - *Per Section 7.2.4.4(a)(12) the curb cut is 12' in width and does not exceed 12'. See Sheet A2.01.*
2. Staff recommends that the paving area within the north side yard be eliminated and additional landscaping be introduced as the entrances to the building to the north are located along this side.
  - *The paving area on the north side yard has been replaced for gravel. Additionally, the north side yard has been revised to add additional landscaping. See Sheet LP-1.0.*
3. Staff recommends that decorative/architectural screening be added in between the building columns to screen the parking area from the neighboring properties to the greatest extent possible.

- *Decorative screening cannot be placed in between columns of the surface parking as Section 5.3.4 of the Code requires driveways to have a minimum width of 18' for two way traffic. In addition, crabwood hedges have been proposed along the entirety of the north and south property lines that will serve as sufficient screening for the parking area from the neighboring properties. See Sheet LP-1.0.*
- 4. Staff recommends the elimination of the decorative structure and screens at the roof level.
  - *Screens have been removed on the north elevation to provide more clarity. See Sheet A6.01.*
- 5. Staff recommends additional development of the south elevation.
  - *Additional fenestration has been added to the south elevation. See Sheet A4.01, A4.03, and A6.00.*
- 6. Staff recommends that all special material samples and finishes be brought to the HPB hearing.
  - *Special material samples and finished will be brought to the HPB hearing.*

### III. Planning Landscape Comments

1. 3 street trees min. are required. The average spacing is determined by the overall frontage of the subject property (50'-0"). Street trees shall be placed within the swale area or shall be placed within seven feet of the property line on private property where demonstrated to be necessary due to right-of-way obstructions as determined by the environment and sustainability department. Please revise the landscape legend required column.
  - *Three (3) street trees have been placed within seven feet (7') of the property line. See landscape plan and landscape list on Sheet LP-1.0.*
2. Please revise the landscape legend Shrub and Large Shrub/Small tree column; 8 total trees x 12 – 96 Shrubs. 96 x 10% - 10 Large Shrubs/Small Trees.

- *The landscape legend has been revised to ninety-six (96) shrubs and ten (10) large shrubs/small trees as required. See Sheet LP-1.0.*
- 3. Root guards or barriers shall be installed to protect utilities and structures within close proximity of proposed tree plantings. The root guards shall be clearly delineated in the landscape plans and shall be reviewed and approved by staff.
  - *This comment is not applicable. The equipment and utilities are located inside the building in the equipment rooms.*
- 4. Suspended paver systems such as Silvia Cells or equal shall be installed where street trees are planted in right of way sidewalk and other hardscape area in a manner to be reviewed and approved by staff. Suspended paver systems shall be clearly delineated in the landscape plans. Structural soils may be considered where proposed trees are located immediately adjacent to large open space areas.
  - *No trees are being proposed in the right-of-way, therefore, suspended paver systems are not required.*

#### IV. Urban Forestry Group Review Comments

1. This property currently has a tree permit, UF2024-1312, applied for. It has been failed with the comments below. However, we will be able to pass this HPB review if the following are shown in plans. 1) Please show tree protection around the palms to remain. 2) For the trees proposed within the sidewalk, those would most likely not be possible due to ADA restrictions. Please provide detail on how they are proposed to be ADA compliant. Also, trees proposed in ROW shall have suspended pavement systems incorporated. Please show in plans where they will be located and provide a detail as to the system used including total cubic feet of uncompacted soil volume. PLEASE NOTE, no other permits, such as building, demolition, pool, etc., will be passed or issued until the tree permit has been issued.
  - *The tree protection and support are illustrated on the plan. See Sheet LD-1.0. Specifically, the tree protection and support are illustrated for trees, 5, 6, 7, and 8 on the southwestern corner of the Tree Disposition Plan. Additionally, there are no trees proposed within the sidewalk.*

2. Review Comments: \*Please upload docs into the CSS and respond to all comments via a narrative (do not email), Include BOTH the Tree Disposition and Landscape Plan Set (not just one sheet revised), Cloud all changes, and update revision dates accordingly. All comments are subject to change based on submission. 1. The Landscape Plan is missing. Please provide it for review. 2. Before even providing the landscape plan: Please ensure the following corrections are made: Mitigation trees must be at least 5 feet away from property line walls, fences, structures, driveways, sidewalks, etc. 3. We can't determine the mitigation count until the below comments are addressed. However, please note: that hedges will not be used as mitigation trees. If you wish to use a row of trees for mitigation, they must alternate in species and spacing. Additionally, property owners cannot trim them into hedges – this should be communicated clearly to them. 4. Provide specific tree heights instead of ranges (e.g., 14 feet to 16 feet). Extra credit will only be given for the specified height, and we will always consider the smallest height. 5. Multi-trunk trees counting towards mitigation must be specified, grown, and purchased as "TREE-FORM." 6. Please overlay the exfiltration trench on the Landscape Plan or provide the Civil Drawings. 7. There is a total shortfall that can be addressed by proposing either: • TWO (2) trees at a minimum height of 16 feet (recommended), or • THREE (3) trees at a minimum height of 12 feet. • FYI: \*Additional height increments of two feet will earn extra credit (e.g., 16 feet = 2 trees, 18 feet = 3 trees, 20 feet = 4 trees, etc.). If this was not clear in any respect, please email:

- *Responses to all comments have been uploaded with the final submittal package.*

We Look forward to your expeditious review and favorable recommendation. Should you have any questions please do not hesitate to contact me at (305) 377-6231.

Sincerely,



Michael Larkin

CC: Michael Yanopoulos, Esq.