

**Narrative Responses**  
**HPB25-0640 - 1440 Michigan Avenue**

August 17, 2025

Re: **HPB25-0640 – 1440 Michigan Avenue Narrative Responses to Staff Comments**

Please allow this letter to serve as the required narrative responses to the deficiency comments issued on July 3, 2025, relating to File No. HPB25-0640.

**Plan Review:**

I. APPLICATION

1. Provide the school concurrency application. 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.

**Response: Provided.**

2. Per Section 7.2.4.4(a)(9), the maximum height of a level cannot exceed 12 feet in height. As this section is more specific, the more general regulation in section 7.1.2.2(c)(2)(A) regarding the 12 foot clearance at the ground level is not applicable to this project. As such the waiver is not necessary.

**Response: Noted.**

II. VARIANCE REQUESTS

1. Staff is not supportive of the 3'-0" height variance. The Board is actively reviewing or has recently approved several projects in the Flamingo Park RM-1 that have not requested a height variance. One foot could easily be removed from each of the floor levels.

**Response: Acknowledged. The additional 3' was removed from the total building height, eliminating the need for variance. Additionally, due to comments I.2. above and II.2. below, the applicant has redesigned to avoid any variance request and as such can forego the companion**

**Planning Board application as there is no need to modify the condition of the prior lot split approval that prohibited variance requests.**

2. After further review, it has been determined that the understory level may be located at the future crown of road elevation and the variance request is not applicable.

**Response: Acknowledged. Understory is located at the Future Crown of the Road at 5.96' NGVD. See section 2 on sheet A500.**

III. DEFICIENCIES IN PRESENTATION

1. Provide current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images).

**Response: Noted. Please refer to sheets A102 and A103.**

2. Provide a contextual elevation line drawings, corner to corner, across the street and surrounding properties that accurately reflect the surrounding buildings.

**Response: Noted. Please refer to sheets A403.**

3. The following areas shall be included in the F.A.R. drawings and calculation:

- i. The electrical room at the understory level. If the space is utilized as an electrical transformer vault room, the area can be excluded from the F.A.R. however, it should be noted on the floor plan.

**Response: Acknowledged. Please refer to sheet A204 and A300 for the noted Electrical Transformer Vault room.**

- ii. The covered balconies are substantially enclosed by the wood-like aluminum slat screens. All portions of the covered balconies would need to count towards the F.A.R. calculation. Please note staff cannot accept this application as a first submittal until the F.A.R. calculation and drawings are revised.

**Response: Noted. There are no balconies enclosed by slat screens. Please refer to the floor plans (sheets A301 – A303), section (sheet A500) and axonometric drawings (sheets A502 and A503). The slat screens were removed from balconies on the south elevation. On the north elevation, the slat screens are positioned directly against exterior walls or windows for privacy purposes only, and do not enclose the balconies. See sheet A204 for the updated FAR diagrams and calculations. Notably,**

**on the south elevation, as discussed previously, we count FAR for the ground level to the outer edge of the column in the understory below. In addition, the partitions between units on the balconies are slat screens (see sheet A502).**

4. 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). As per the floor plans, the length of the exterior lobby at the understory level does not meet the minimum 50%.

**Response: Acknowledged. Please refer to the updated sheets A300 and A402, which shows 21'-5" of built frontage with the lobby and 18'-6" featuring a green wall with pedestrian access, covered seating, and exterior seating integrated into the landscape. This configuration has a total of 39'-11" of residential frontage, which exceeds the minimum 50% requirement of 26', as the total frontage measures 52'.**

5. 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 the minimum yard elevation. Additionally, the elevations of the required yard shall be noted in the site plan.

**Response: Acknowledged. Please refer to sheets A300 and A500 for the future adjusted grade of 7.76' NGVD in relation to the building and understory. Also attached is a PDF with email correspondence from Aaron Osborne, Project Engineer, confirming the future crown-of-road elevation at 4.4' NAVD (equivalent to 5.96' NGVD). See Exhibit A.**

6. The applicant shall provide short and long-term bicycle parking that complies with sec. 5.2.5.

**Response: Acknowledged. Please refer to sheet A300 for the updated 23 long term bike storage (1 per unit) and 16 short term. For latter, see note 37 in table for bike count.**

7. Planters cannot exceed 3 feet in height above the main roofline.

**Response: Acknowledged. Please refer to sheet A500 for revised planter height above roofline.**

8. Ornamental features including water features cannot project more than 25% into a required yard. Dimension all water feature projection within the required yards.

**Response: Acknowledged. Please refer to sheet A300 for the revised water features respecting the 25% maximum encroachment into the yard (5'-0").**

#### IV. DESIGN/APPROPRIATENESS COMMENTS (Recommendations)

1. In order to be more compatible with the adjacent properties and the surrounding historic district, staff recommends that the upper three floor levels be flipped so that the smallest floor plate is located at the uppermost level and the largest floor plate is closest to the ground. Staff finds that the placement of the largest floor plate at the uppermost level has the potential to overwhelm the single-family homes located to the south.

**Response: Noted. The design has been revised to reduce the massing of the three levels by removing the walls at the southwest corners. Please refer to sheets A701 and A702 for axonometric views of the updated 3D model.**

# Exhibit A

**Roberto Alvarez**

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**From:** Osborne, Aaron <AaronOsborne@miamibeachfl.gov>  
**Sent:** Thursday, April 24, 2025 6:48 PM  
**To:** Luisa Giffoni  
**Cc:** Matthew Amster; Roberto Alvarez; Slavi Gorgoski; Vasco Vieira; Jason Shlansky; Bento Queiroz  
**Subject:** RE: Request for Information - FCOR & LAG at 1440 Michigan Ave  
**Attachments:** Project Prioritization 200401 Map.pdf

Good afternoon Luisa,

- The future Crown of the Road elevation adjacent to 1440 Michigan Ave, Miami Beach, along Michigan Ave is projected at 4.4 feet NAVD.
- The future Crown of the Road elevation adjacent to 1440 Michigan Ave, Miami Beach, along Lenox Ave is projected at 4.4 feet NAVD.

In 2020, the City Commission adopted a new road elevation strategy which considers sea level rise (SLR) projections and tidal flooding. Since the SLR projections vary with time, so are the proposed elevation of the roads. We are currently using the 2025 projected values (see Table 1 below), and thus the elevations of the roads at the edge of pavement for *non-state roads* like Michigan Avenue and Lenox Avenue at the referenced address is projected to be approximately 4.2 feet NAVD (and 4.4 feet NAVD at the crown of the road for a typical two-lane road with 10-foot-wide lanes).

Table 1- Future Edge of Pavement Elevation (in feet NAVD) per Adopted Road Elevation Strategy

| Project Start Date | 2020 | 2025 | 2030 | 2035 | 2040 |
|--------------------|------|------|------|------|------|
| State Roads        | 4.8  | 5.2  | 5.7  | 6.2  | 6.7  |
| Non-state Roads    | 3.9  | 4.2  | 4.5  | 4.9  | 5.3  |

Please note that the projected future road elevation is only a *target* and *can be adjusted* to ensure proper harmonization. Harmonization refers to the transition in elevations between the private property and the right of way, including the driveway and pedestrian access as well as the front and side yard transitions.

Based on the prioritization of projects (see attached map), the above subject property falls within the Flamingo/Lummas E Neighborhood Improvement Project (NIP), and it is not expected to be raised within the next few years.

Feel free to contact me if you have any questions.

Best regards,

**MIAMIBEACH**

**Aaron Osborne**, Project Engineer  
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