

MIAMI BEACH

PLANNING DEPARTMENT
Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: May 15, 2025

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **DRB24-1078, 1681 LENOX AVENUE**

An application has been filed requesting modifications to an existing two-story commercial building that received Design Review Approval. Specifically, the applicant is requesting Design Review approval for a proposed aluminum screen located on the west and south facades, including one or more waivers.

RECOMMENDATION:

Approval.

LEGAL DESCRIPTION:

Lots 16 & 17, Block 38, Palm View Subdivision, according to the Plat Thereof, as Recorded in Plat Book 6, Page 29, of the Public Records of Miami-Dade County, Florida.

BACKGROUND:

On December 1, 2009, the Design Review Board approved the construction of a 2-story retail and restaurant building (DRB File No. 22561). The subject building was permitted and constructed and until recently was occupied by a restaurant (Yard house).

SITE DATA:

Zoning: CD-3, Commercial, High Intensity

EXISTING STRUCTURES:

2- story commercial building

SURROUNDING PROPERTIES:

West: Parking lot

North: Parking lot

South: Parking lot

East: commercial office building

THE PROJECT:

The applicant has submitted revised plans entitled " 1681 Lenox Avenue Design Review Board", by **STUDIO MUNGE**, dated, signed, and sealed March 9, 2025. The applicant is requesting Design Review approval for a proposed aluminum screen located on the west and south facades, including one or more waivers.

The applicant is requesting the following waivers:

1. The project is increasing the non-conformity with the short frontage standards, Section 7.1.2.2.f.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code.

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, SECTION 2.5.3.1:

Design review encompasses the examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearance, safety, and function of any new or existing structure and physical attributes of the project in relation to the site, adjacent structures and surrounding community. The design review board and the planning department shall review plans based upon the below stated criteria, criteria listed in neighborhood plans, if applicable, and applicable design guidelines. Recommendations of the planning department may include, but not be limited to, comments from the building department and the public works department.

- a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.

Satisfied

- b. 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.

Not Satisfied; the proposed project requires a waiver from the Design Review Board.

- c. 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 proposed project requires a waiver from the Design Review Board.

- d. 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

- e. 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.

Not Satisfied; the proposed project requires a waiver from the Design Review Board.

- f. 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
- g. 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
- h. 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
- i. 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 applicable
- j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.
Not applicable
- k. 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
- l. 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
- m. 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

- n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

Not applicable

- o. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvements.

Not applicable

- p. 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 Satisfied; the proposed project is reducing the existing transparency into the building. However, the applicant is proposing a screening system that will provide visual interest.

- q. 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

- r. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.

Not Applicable

- s. The structure and site complies with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

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.
The Applicant will provide a recycling or salvage plan during permitting, if applicable..
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not applicable

- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not applicable
- (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.
Not applicable
- (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 addressed
- (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.
Not applicable

STAFF ANALYSIS:

Design Review

The subject property contains a two-story commercial building with a covered terrace at the front, facing Lenox Avenue, and the applicant proposes to enclose the terrace with a new laser-cut, white powder-coated aluminum screen, to provide privacy. The screen will be composed of a lower section with varying heights and a higher section with different lengths suspended from the existing projecting concrete roof/canopy. These screens will extend along the building's front (west) and side (south) façades.

The primary entrance is proposed to be relocated from the northwest corner to the south side, where a double-door vestibule will be added. Additionally, a secondary access point with a double vestibule is proposed for the southwest corner of the property, providing direct access to the terrace. The applicant is also proposing to remove the existing concrete water feature, which was part of the original design of the building.

The design of the proposed aluminum screen creates visual interest and has the potential to enhance the building's appearance. However, as currently proposed, the screen may obscure the original design intent (as shown in the elevation on page A-404), as the additional screening reduces transparency at the ground level and conflicts with design review criteria (p) above.

Staff also has a concern with the proposal to remove the existing water feature (see Figure 1 at the end of this report) and instead recommends that the lower section of the screen be repositioned either behind or above the water feature. This would allow for a key feature of the original design to be maintained, while still allowing for outdoor seating. Staff is also recommending that the water feature be operable, including the incorporation of night lighting to enhance the evening appearance.

To maintain the building's transparency and reveal more of the original design, staff also suggests reducing the suspended screen, as illustrated in the renderings on page A-405, where the lower and upper sections of the screen are shown separately. Lighting details have not been provided, and based on the night renderings, lighting strips are proposed along the base of the lower screen and at the ceiling of the upper screen. Staff recommends providing further details on the proposed light fixtures to ensure they align with the overall design prior as part of the building permit review process.

The applicant is requesting a waiver of the short frontage standards for non-residential ground floors in section 7.1.2.2.f of the Resiliency Code, as the proposed aluminum screen will reduce the area that is available for pedestrian circulation, thereby increasing the non-conformity with those standards. This does not affect the area of the public sidewalk and given that there is not a continuous pedestrian circulation zone along the frontage due to the water feature, staff is not opposed to the granting of the waiver.

The Planning Board is scheduled to review a separate application at its June 10, 2025, meeting (PB File No. PB25-0740), for a Neighborhood Impact Establishment (NIE) that requires a Conditional Use Permit (CUP) approval. The Planning Board will review the application for occupancy, sound impacts, and general operations.

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 and Sea Level Rise criteria, as applicable.



Figure 1: Water Feature

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: May 15, 2025

PROPERTY: **1681 LENOX AVE: Exterior Screen**

FILE NO: DRB24-1078

IN RE: An application has been filed requesting modifications to an existing two-story commercial building that received Design Review Approval. Specifically, the applicant is requesting Design Review approval for a proposed aluminum screen located on the west and south facades, including one or more waivers.

LEGAL: Lots 16 & 17, Block 38, Palm View Subdivision, according to the Plat Thereof, as Recorded in Plat Book 6, Page 29, of the Public Records of Miami-Dade County, Florida.

APPLICANT: Ultra Supper Club Miami LP

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 Design Review Criteria 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 Criteria in Section 7.1.2.4(a)(i) of the Land Development Regulations
- D. The project would be consistent with the criteria and requirements 2.5.3.1 and/ or Section 7.1.2.4(a)(1) if the following conditions are met:

1. Revised drawings shall be submitted, at a minimum, such drawings shall incorporate the following:
 - a. The final finish color of the screens shall be limited to shades of white.
 - b. Final details of the proposed screens shall be required, 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 existing water feature shall be preserved and be operable, night lighting shall be restored or installed to enhance the evening appearance. in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - d. The lower screen shall be repositioned behind the water feature or above the water feature. in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - e. To maintain the building's transparency and reveal more of the original design, the upper screen shall be reduced in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

Underline denotes added language and ~~strike through~~ denotes stricken language from the original final Order.

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.

II. Variance(s) :

- A. No variance(s) were filed as part of this application.

III. General Terms and Conditions applying to both 'I. *Design Review Approval* and 'II. *Variances and Waivers*' 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. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.

- C. This order shall be enforced by the Building, Planning, Parking and Code Compliance Departments.
- D. If in the future the road and sidewalk is raised, the applicants agree to remove the metal screen to facilitate the harmonization process and re-install the metal screen after the raising of the road/sidewalks are completed.
- E. 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.
- F. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- G. 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.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. 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 Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "3900 Alton Road ", as prepared by **STUDIO MUNGE**, dated, signed, and sealed March 9, 2025, 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 of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting 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.

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.

Dated _____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
Rogelio A. Madan, AICP
Development & Resiliency Officer
For the Chair

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Michael Belush, Planning & Design Officer 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 _____ ()