MIAMIBEACH

PLANNING DEPARTMENT

DESIGN REVIEW BOARD
STAFF REPORT

FROM: Richard G. Lorber, AICP, LEED AP
Acting Planning Director WHC for RGL

DATE: November 6, 2012 Meeting

RE: Design Review File No. 22934
1144 Marseille Drive – The Grand Tower at North Beach

The applicant, The Grand Tower at North Miami Beach, LLC., is requesting Design Review Approval for the construction of a new 4-story multifamily building on a vacant lot.

LEGAL DESCRIPTION:
Lots 8 & 9, and Tract 8, Block 57, of Normandy Golf Course Subdivision, According to the Plat Thereof, as Recorded in Plat Book 44, Page 62, and Plat Book 40, Page 36, of the Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning -	RM-1 (Residential, Low Intensity)
Future Land Use Designation-	RM-1 (Residential, Low Intensity)
Lot Size -	13,250 SF
Existing FAR -	N/A
Proposed FAR -	16,560 S.F. / 1.25 (Max FAR = 1.25), as represented by the applicant
Existing Height -	N/A
Proposed Height-	38 feet (Four stories)
Existing Use/Condition -	Vacant Lot
Proposed Use -	Multi-Family Residential (18 units, 800 S.F. avg.)

THE PROJECT:
The applicant has submitted plans entitled "The Grand Tower at North Beach", as prepared by itec design, dated 10-23-2012.

Thea applicant is proposing to construct a new 4-story building on a vacant site.

COMPLIANCE WITH ZONING CODE:
A preliminary review of the project indicates the following:

1. Tandem parking spaces may be utilized for self-parking in multi-family residential buildings and shall have a restrictive covenant, approved as to form by the city attorney's office and recorded in the public records of the county as a covenant running with the land, limiting the use of each pair of tandem parking spaces to the same unit owner.

2. As presently designed, the entire lobby area must be included in the F.A.R. calculations for the building.

This 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, including final parking calculations and a concurrency review.

ACCESSIBILITY COMPLIANCE:
Additional information will be required for a complete review for compliance with the Florida Building Code 2001 Edition, section 11 (Florida Accessibility Code for Building Construction.) The above noted comments shall not be considered final accessibility review or approval. These and all accessibility matters shall require final review and verification by the Building Department prior to the issuance of a Building Permit.

PRELIMINARY CONCURRENCY DETERMINATION:
In accordance with Chapter 122 of the Code of the City of Miami Beach, the Transportation and Concurrency Management Division has conducted a preliminary concurrency evaluation and determined that the project does not meet the City's concurrency requirements and level-of-service standards. The City's concurrency requirements can be achieved and satisfied through payment of mitigation fees or by entering into an enforceable development agreement with the City. The Transportation and Concurrency Management Division will make the determination of the project's fair-share mitigation cost.

A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs shall be paid prior to the project receiving any Building Permit. Without exception, all concurrency fees shall be paid prior to the issuance of a Temporary Certificate of Occupancy or Certificate of Occupancy.

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.
   Not Satisfied; See Staff Analysis and Condition No. 2
   The landscape plan requires further development in order to enhance the appearance of the property and the surrounding neighborhood.

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 118-252.
Not Satisfied; See Staff Analysis and Condition No. 2
The landscape plan requires further development in order to enhance the appearance of the property and the surrounding neighborhood.

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.
Satisfied

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.
Satisfied

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.
Not Satisfied; See Staff Analysis and Condition No. 2
The landscape plan requires further development in order to enhance the appearance of the property and the surrounding neighborhood.

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.
Satisfied

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).
Satisfied

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.
Satisfied

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

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.
Satisfied

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.
Satisfied

STAFF ANALYSIS:

The subject site is located within the boundaries of the recently adopted Normandy Isles Architectural District, and will be the first new multifamily building to be reviewed in this area since the district was designated. As such, the relationship between the proposed new building and the established character of the neighborhood is critical. Staff has met with the applicant and architect on several occasions, and believes that the final design responds well to the neighborhood.

As many older buildings in the neighborhood do not have on-site parking, including the adjacent two story multifamily buildings, it is important that any parking be designed in a manner that is sensitive to and compatible with the adjacent properties, while also satisfying the City's parking requirements for new construction. In order to minimize the impact of the parking on the neighboring properties, the proposed parking is well setback from the east and west property

lines, and is screened from view from Marseille Drive with a common lobby at the northeast corner, and two individual entrance vestibules for second floor units located at the northeast corner. Further, as the parking protrudes beyond the east and west building elevations, trellis strucures have been placed above the portions of the parking in these areas, which help screen the parking from the living units above as well as from the adjacent residential buildings. While staff would normally not recommend in favor of the three (3) parking spaces proposed at the rear of the property, as these are extra parking spaces and reduce the available landscape area, because the rear yard abuts a commercial zoning district with a commercial building and parking lot, staff is not opposed to these additional parking spaces. Staff would, however, recommend that a solid seven (7') foot high wall or fence be placed around the perimeter of the site (with a 20 foot setback from Marseille Dr., to align with the north building façade), in order to ensure that headlights from vehicles will not shine into the neighboring properties.

In order to provide a more sensitive relationship to the neighboring 2-story buildings, the massing of the front elevation has been reduced to 3-stories at the northeast corner of the building, with the 4-story portion limited in scope to approximately thirty-five (35') feet out of the total eighty-one (81') foot front elevation. Staff is very supportive of this asymmetric design relationship, which has been carried throughout the building in the remainder of the facades. Staff is also pleased with the high degree of archtictural development of all of the facades, which have been articulated in a manner which successfully aids in breaking up the massing of the building.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be approved, subject to the following conditions, which address the inconsistencies with the aforementioned Design Review criteria:

1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

    a. The final design and details, including materials, finishes, glazing, railings, and any architectural projections and features, shall be provided in a manner to be reviewed and approved by staff.

    b. The design of the garage door shall be fully developed and detailed and shall substantially obscure visibility into the garage when closed, in a manner to be reviewed and approved by staff.

    c. The final design and details of all trellis structures shall be provided, including materials and finishes, subject to the review and approval of staff.

    d. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view, in a manner to be approved by staff.

    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.

2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:

   a. With the exception of low walls and low fences (maximum four (4') feet in height) for landscape purposes and to better define the entrances to the units located at the northwest corner of the site, no fencing or walls shall be permitted with the front yard of the site.

   b. A seven (7') feet high perimeter wall shall be required around the subject site, with the exception of the front yard, in which case it shall be setback a minimum of twenty (20') feet to align with the setback of the north elevation, in a manner to be reviewed and approved by staff.

   c. Ficus hedges shall not be permitted anywhere on the subject site. The final selection of an alternate perimeter hedge material shall be subject to the review and approval of staff.

   d. Shade trees shall be required within the front yard of the project, subject to the review and approval of staff.

   e. A more diverse landscape plan shall be developed which includes the placement of large landscape material within the side and rear yards, including both palm and shade trees (depending on the available rooting area), in order to help soften the impact of the proposed construction on the neighboring properties, in a manner to be reviewed and approved by staff.

   f. The use of sod within the side and rear yards shall be substantially reduced or eliminated and replaced with low ground cover, subject to the review and approval of staff.

   g. The final design and details of all exterior paving materials shall be provided in a manner to be reviewed and approved by staff; asphalt shall not be permitted in the driveway approach north of the building façade.

   h. Irrigation, uplighting and the City's standard bound aggregate system with fertilization trench may be required for all street trees located within the sidewalk, or subject to the review and approval of staff. Alternatively, street trees located within landscaped 'bump-outs' may also be permitted, in a manner to be reviewed and approved by staff.

   i. The size of the proposed landscape Islands shall be increased in order to permit the planting of Live Oaks, the designated street tree for Marseille Drive, at the front of the building, in a manner to be reviewed and approved by staff.

   j. Right-of-Way improvements in front of the property shall be included in the Landscape plans.

k. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

l. The utilization of root barriers and/or structural soil, as applicable, shall be clearly delineated on the revised landscape plan.

m. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures; such fixtures and devices shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of backflow preventors, siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.

n. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.

o. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

3. All building signage shall be consistent in type, composed of flush mounted, non-plastic non-illuminate, individual letters and shall require a separate permit.

4. The final exterior surface color scheme, including color samples, shall be subject to the review and approval of staff and shall require a separate permit.

5. A traffic mitigation plan, which addresses all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, if required, shall be submitted prior to the issuance of a Building Permit and the final building plans shall meet all other requirements of the Land Development Regulations of the City Code.

6. Manufacturers drawings and Dade County product approval numbers for all new windows, doors and glass shall be required, prior to the issuance of a building permit.

7. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view, in a manner to be approved by staff.

8. All new and altered elements, spaces and areas shall meet the requirements of the Florida Accessibility Code (FAC).

9. The applicant may be required to submit a separate analysis for water and sewer requirements, at the discretion of the Public Works Director, or designee. Based on a preliminary review of the proposed project, the following may be required by the Public Works Department:

   a. A traffic and neighborhood impact study shall be conducted as a means to measure a proposed development's impact on transportation and neighborhoods. The study shall address all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, and if required, shall be submitted prior to the issuance of a Building Permit. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code. The developer shall refer to the most recent City of Miami Beach's Traffic and Neighborhood Impact Methodology as issued by the Public Works Department.

   b. Remove/replace sidewalks, curbs and gutters on all street frontages, if applicable. Unless otherwise specified, the standard color for city sidewalks is red, and the standard curb and gutter color is gray.

   c. Mill/resurface asphalt in rear alley along property, if applicable.

   d. Provide underground utility service connections and on-site transformer location, if necessary.

   e. Provide back-flow prevention devices on all water services.

   f. Provide on-site, self-contained storm water drainage for the proposed development.

   g. Meet water/sewer concurrency requirements including a hydraulic water model analysis and gravity sewer system capacity analysis as determined by the Department and the required upgrades to water and sewer mains servicing this project.

   h. Payment of City utility impact fees for water meters/services.

   i. Provide flood barrier ramps to underground parking or minimum slab elevation to be at highest adjacent crown road elevation plus 8".

   j. Right-of-way permit must be obtained from Public Works.

   k. All right-of-way encroachments must be removed.

   l. All planting/landscaping in the public right-of-way must be approved by the Public Works and Parks Departments.

10. The project shall comply with any landscaping or other sidewalk/street improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy.

11. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

12. At the time of completion of the project, only a **Final** Certificate of Occupancy (CO) or **Final** Certificate of Completion (CC) may be applied for; the staging and scheduling of the construction on site shall take this into account. All work on site must be completed in accordance with the plans approved herein, as well as any modifications approved or required by the Building, Fire, Planning, CIP and Public Works Departments, inclusive of all conditions imposed herein, and by other Development Review Boards, and any modifications required pursuant to field inspections, prior to the issuance of a CO or CC. This shall not prohibit the issuance of a Partial or Temporary CO, or a Partial or Temporary CC.

13. 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.

14. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

15. 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.

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