



City of North Miami Beach, Florida

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING AND ZONING BOARD STAFF REPORT

TO: Planning and Zoning Board
FROM: Carlos M. Rivero, City Planner
DATE: October 19, 2015
RE: Riverwalk Mixed-Use Development

| | |
|------------------------------------|--|
| P&Z ITEM # 15-011 | THE RIVERWALK AT NORTH MIAMI BEACH |
| OWNER OF PROPERTY | BISCAYNE COVE, LLC |
| ADDRESS OF PROPERTY | 16375 / 16395 BISCAYNE BOULEVARD |
| FOLIO NUMBER | 07-2216-042-0010 & 07-2216-042-0020 |
| LEGAL DESCRIPTION | TRACTS "A" AND "B" OF NORTH MIAMI BEACH PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 155 AT PAGE 86 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA |
| EXISTING ZONING | MU/SWF, SOUTHERN MIXED-USE WATERFRONT DISTRICT |
| EXISTING LAND USE | COMMERCIAL |
| FUTURE LAND USE DESIGNATION | MU/SWF, SOUTHERN MIXED-USE WATERFRONT |

BACKGROUND:

The applicant, Omar A. Morales, representing Biscayne Cove, LLC, requests site plan approval in order to construct a 1,505,544 square foot, 32, 30, and 18-story, three-tower mixed-use development, including 730 residential units in the 32-story and 30-story towers, 177 hotel rooms in the 18-story tower and 9,178 square feet of commercial space consisting of 4,767 square feet of retail and 4,411 square feet of restaurant space, and conditional-use approval for the proposed hotel component, on two lots with a combined total of 180,935 square feet (4.16 acres), at 16375/16395 Biscayne Boulevard in the MU/SWF, Southern Mixed-use Waterfront District.

SURROUNDING LAND USES:

| Location | Zoning Designations | Existing Land Uses | Future Land Use Designations |
|----------|--|--------------------|---------------------------------------|
| North | N/A | Snake Creek Canal | N/A |
| South | MU/SWF, Southern Mixed-Use Waterfront District | Commercial | MU/SWF, Southern Mixed-Use Waterfront |
| East | <ul style="list-style-type: none"> ▪ B-2, General Business District ▪ MU/SWF, Southern Mixed-Use Waterfront District | Vacant | MU/SWF, Southern Mixed-Use Waterfront |
| West | MU/TC, Fulford Mixed-Use Town Center District | Commercial | MU/TC, Fulford Mixed-Use Town Center |

THE SITE:

The subject site is an 180,935 square foot property and currently contains an active restaurant on the southern half and a vacant commercial building on the northern half.

THE PROJECT:

The project involves the construction of a 1,505,544 square foot development featuring three towers. The north tower (Building A) is a 32-story luxury apartment building with a dedicated parking structure and a wide mix of residential units ranging from street level townhouse type units to luxury two-bedroom units. The two south towers (Building B) are a luxury 18-story 177 room hotel and a 30-story luxury condominium tower, which includes a parking structure, full service restaurant and retail spaces at the ground floor. The proposed mixed-use and multi-family three-tower development is in accordance with the permitted uses of the MU/SWF District.

Staff has reviewed the application for consideration by the Planning and Zoning Board; in this report, Staff presents the applicable Zoning and Land Development Code regulations with recommendations.

Sec. 24-58.5 MU/SWF, Southern Mixed-Use Waterfront District, Tower Building Type

Uses Permitted

| Permitted | Proposed | Recommendation/Comments |
|--|--|--|
| <ul style="list-style-type: none"> ▪ Multi-family residential | <ul style="list-style-type: none"> ▪ Multi-family residential | <ul style="list-style-type: none"> ▪ Complied |

| | | |
|---|---|---|
| <ul style="list-style-type: none"> ▪ Retail ▪ Hotel (conditional use) | <ul style="list-style-type: none"> ▪ Retail component ▪ Hotel component | <ul style="list-style-type: none"> ▪ Complied ▪ Permitted with Conditions |
|---|---|---|

Site Development Standards

| Required | Proposed | Recommendation/Comments |
|--|--|--|
| Minimum lot area: N/A | 180,935 sq.ft. | Complied |
| Minimum lot width: 200 feet (250' max.) | 204'-6" / 212'-8" | Complied |
| Minimum lot depth: 200 feet | 309' / 341'-1" | Complied |
| Minimum setbacks: <ul style="list-style-type: none"> ▪ Interior side setback: 0' (30' min. when abutting townhouse, zero lot lines and existing single family and an alley is not existing or proposed) ▪ Rear setback: 0' (30' min. when abutting townhouse, zero lot lines and existing single family and an alley is not existing or proposed) ▪ Tower setback: 15' (from podium) ▪ Front/side primary street setback: 15' (30' max.) (70% building frontage along ground floor only) ▪ Front/side secondary street setback: 0' (20' max.) (90% building frontage) ▪ Waterfront Promenade front/side setback: 20' (60' max.) (90% building frontage) ▪ Along South Florida | <ul style="list-style-type: none"> ▪ Interior side setback: 21'-4" / 15'-1" / 64'-7" ▪ Rear setback: 10' / 20'-6" ▪ 22' – 6" ▪ Front/side primary street setback: 16'-4" / 7'-4" (from ROW) ▪ Front/side secondary street setback: 1'-8" ▪ Waterfront Promenade front/side setback: 20' ▪ Along South Florida | <ul style="list-style-type: none"> ▪ Complied |

| | | |
|---|---|--|
| Water Management site interior side setback: 10' (20% building frontage on ground floor only) | Water Management site interior side setback: 10'-2" | |
| Maximum building height: 30 stories/375 feet (number of stories may be increased provided the overall building height is not exceeded) | 30 stories/375 feet 32 stories/ 359 feet | Complied Complied |
| Minimum open space area: 10% | 98,268 sq.ft. (54%) | Complied |
| Minimum pervious area: 10% | 18,400 sq.ft. (10%) | Complied |
| <p>Minimum space requirements:</p> <ul style="list-style-type: none"> ▪ 2 per 1,000 sq.ft.(retail, restaurant, or commercial): 19 spaces ▪ 1 per 4 rooms plus 1 per 800 sq.ft. for restaurant, public meeting areas; 1 per 15 rooms for staff (hotel): 57 spaces ▪ 1 per unit plus 1 per 20 units for guest parking: 790 spaces ▪ Total handicapped spaces required: 12 ▪ 1 bike rack space per every 15 parking spaces: 58 racks ▪ Loading spaces: 6 (3 multi-family, 2 hotel, 1 retail) | <ul style="list-style-type: none"> ▪ 19 spaces ▪ 57 Spaces ▪ 1224 Spaces ▪ 31 handicapped spaces ▪ 72 bike racks ▪ 8 loading spaces | <ul style="list-style-type: none"> ▪ Complied ▪ Complied ▪ Complied ▪ Complied ▪ Complied ▪ Complied |

Article IX Off-Street Parking and Loading
Sec. 24-93 Parking Lot Design Standards

| Required | Proposed | Recommendation |
|----------------------|----------|----------------|
| Paving and Drainage: | | |

| | | |
|--|---|--------------------------|
| <ul style="list-style-type: none"> ▪ Surfaced w/6 inch rolled rock and 1 inch weatherproof pavement ▪ Proper drainage | Concrete and pavers | Complied |
| | Drainage conceptual provided | Complied |
| Minimum parking space sizes <ul style="list-style-type: none"> ▪ Standard 9' x 18' ▪ Handicapped 12' x 20' plus 5' access ramp | 9' x 18' 12' x 20' with 5' access ramp | Complied Complied |
| Traffic Study | <ul style="list-style-type: none"> ▪ Traffic Impact Analysis Review conducted by RMA for entire zoning district. ▪ Traffic study submitted. | Complied Complied |

Article XI. Landscaping
Sec. 24-122

| Required | Proposed | Recommendation |
|---------------------|-----------------------------------|----------------|
| Site landscape plan | Complete landscape plan provided. | Complied |

Article X Subdivision and Floodplain Standards
Sec. 24-106(E)(2)(a)(2)

| Required | Proposed | Recommendation |
|----------------|--|----------------------|
| Zone AE (EL 7) | Building: 9.5' N.V.G.D. Garage: 8.5' N.V.G.D. | Complied Complied |

PLANNING AND ZONING DEPARTMENT ANALYSIS:

The purpose and intent of the MU/SWF, Southern Mixed-use Waterfront District is “to establish a mixed-use area that provides for multi-family housing that enables residents to live on the waterfront.”

The proposed mixed-use and multi-family development is in accordance with the intent of the district through its classification as a permitted use. It complies with the district’s purpose of enhancing the visual character of Biscayne Boulevard, ensuring public access to and the beautification of the waterfront, stimulating neighborhood commercial and retail activities and encouraging people to reside in the newly established district.

In the MU/SWF, Mixed-Use Southern Waterfront District, Hotel Use is permitted as a Conditional Use. As per Section 24-175 of the City Code, Conditional Use applications shall be reviewed for the following standards:

- (1) The proposed use will be compatible with the existing natural environment and other properties within the neighborhood;
The applicant has agreed to provide substantial enhancements and public access to the Bay Walk component of this mixed-use project.
- (2) The proposed use will create no substantial detrimental effects on neighborhood property values;
This is a substantial mixed-use development with a hotel component. This quality development should certainly have a positive effect on property values along the Biscayne Boulevard Corridor, and will help anchor future redevelopment in this key area of North Miami Beach.
- (3) The proposed use can be accommodated by adequate community facilities such as schools, streets, parks, and utilities;
The proposed Hotel is part of a mixed-use project which has complied with all required concurrency for the Miami-Dade County Public Schools. Adequate utilities are required to accommodate the project, as detailed in the applicable conditions contained in this report. The required transportation study finds that the level of service will not be diminished.
- (4) The proposed use will have adequate provisions for vehicular and pedestrian traffic movement, both internal to the use and in the area that will serve the use;
Ample pedestrian access has been provided into this mixed-use project. The approved traffic study indicates that vehicular traffic can be adequately handled by the existing street system.
- (5) The proposed use will have adequate drainage systems to service the use with particular attention to the necessity for on-site retention systems to alleviate runoff and pollution problems;
A preliminary engineering plan has been submitted with the applicant's plan. A more detailed drainage plan will be submitted and a more in-depth review of drainage will be conducted at the time of submittal for building permit. Adequate drainage, including retention of all stormwater on site, as well as pollution control is, and will be, a standard condition of project approval.
- (6) The proposed use will have adequate setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust, and other nuisances;
The proposed structure meets the newly adopted mixed-use development regulations with respect to design and architecture, building massing and setbacks, and requirements for active street frontage, and should be a very positive addition to the urban fabric of the Biscayne Boulevard Corridor.

- (7) The proposed use will be located on property which is sufficient, appropriate and adequate for any reasonably anticipated expansion thereof;
There is no additional expansion anticipated on the site. Developable property exists to the south of the site in case there is future demand for additional development.
- (8) Any other conditions as may be stipulated and made a requirement in granting any conditional uses, when it is considered necessary to further the intent and general welfare, including, but not limited to:
- (a) Limitations on the hours of commercial or industrial operations.
By its nature, a hotel is a 24 hour operation. Restaurants and public facilities shall follow applicable City regulations regarding operating hours.
 - (b) Limitations on the number of occupants of any building at any one time.
Both the Building Department, through use of the Florida Building Code, and the Miami-Dade County Fire Department limit the maximum occupancy of a structure.

PLANNING AND ZONING DEPARTMENT RECOMMENDATION:

The Planning and Zoning Department recommends approval of this project subject to the following conditions:

A. Conditions Prior to Issuance of Master Building Permit:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following:
 - a. Sketch of Survey prepared by Juan R. Martinez & Associates, Inc.
 - b. Plans prepared by Form Group, Inc. including the following:
 - Cover Sheet, Overall Site Plan
 - Sheet A-100, Data
 - Sheet DIAG-1, Easement Diagram
 - Sheet A-001, Renderings: Northwest Aerial View and View from Biscayne Blvd
 - Sheet A-002, Renderings: Southwest Aerial View and View along Royal Glades Drive
 - Sheet A-003, Renderings: Southeast View and View from across Royal Glade Canal
 - Sheet A-101, Ground Site Plan
 - Sheet A-102, Mezzanine Level Site Plan
 - Sheet A-103, Garage Level Site Plan
 - Sheet A-104, Recreation Deck Level Site Plan
 - Sheet A-105, Typical Floor Level Site Plan
 - Sheet A-106, Overall Roof Plan
 - Sheet A-107, Building A Ground Floor Plan
 - Sheet A-108, Building A Mezzanine Floor Plan
 - Sheet A-109, Building A Typical Garage Floor Plan

- Sheet A-110, Building A Amenities Deck Floor Plan – Level 9
- Sheet A-111, Building A Typical Unit Floor Plan – Levels 10 to 32
- Sheet A-112, Building A Roof Plan
- Sheet A-113, Building B Ground Floor Plan
- Sheet A-114, Building B Mezzanine Floor Level
- Sheet A-115, Building B Typical Garage Level Floor Plan
- Sheet A-116, Rec Deck Floor Plan – Building B
- Sheet A-117, Building B Typical Unit Floor Plan – Levels 9 to 30
- Sheet A-118, Roof Plan Building B
- Sheet A-200, West Building Elevation
- Sheet A-201, East Building Elevation
- Sheet A-202, Building A – North Elevation
- Sheet A-203, Building A – South Elevation
- Sheet A-204, Building B – North Elevation
- Sheet A-205, Building B – South Elevation
- Sheet A-300, Overall Building Section
- Sheet A-301, Building Section
- Sheet LD-1, Drainage Site Plan
- Sheet L-1, Overall Landscape Plan
- Sheet L-2, Landscape Plan Building A
- Sheet L-2.1, Landscape Plan Building A – Recreation Deck
- Sheet L-3, Landscape Plan Building B
- Sheet L-3.1, Landscape Plan Building B – Recreation Deck
- Sheet L-4, Landscaping Notes
- Sheet FS-1, Fire Set-up Plan

c. All representations and exhibits as prepared and provided to the Community Development Department as part of the Application Submittal Package, as amended.

d. All representations proffered by the Applicant’s representatives as a part of the review of the application at public hearings.

2. Prior to issuance of any Master Building Permit, Applicant shall provide the City Manager or designee with a draft schedule for the construction of the Project, (the "Construction Schedule").
3. Construction workers are prohibited from parking on residential streets or public parking lots. Prior to application for the Master Building Permit, the Applicant shall submit a construction parking plan providing off-street parking for construction workers during the period of construction to the City Manager or designee for review and approval. The construction parking plan shall provide: (a) Applicant's general contractor shall direct all workers to park at off street sites; (b) no workers shall park their vehicles in residential neighborhoods; and (c) Applicant shall provide reports as needed to the City Manager or designee detailing any problems and complaints regarding the parking.
4. Prior to issuance of any Master Building Permit, Applicant shall execute a covenant running with the land, binding upon its heirs, successors and assigns, subject to the approval of the City Attorney, which shall be recorded in the public records of Miami-Dade County, Florida at

Applicant's sole expense, containing all of the conditions and provisions required by this Resolution. This recorded covenant may be amended from time to time and shall be re-recorded after each amendment at the Applicant's sole expense, subject to the approval of the City Attorney.

5. Prior to the issuance of the Master Building Permit, a bond or equivalent amount of cash shall be posted with the City to replace public property damaged during the construction of the Project pursuant to the terms of Sections 14-1.10 and 14-1.11 of the City's Code of Ordinances in the amount of \$750.00. The final determination regarding property to be replaced shall be made by the City Manager or designee.
6. The Applicant shall provide a bond not to exceed a one-half percent (.05%) of the construction cost, as required by the Building Official. These funds shall be used to secure property and the construction site for the Project in the event construction is abandoned, or ceases prior to completion, or to repair public infrastructure damaged by construction, and to maintain the site during abandonment.
7. If the Applicant proposes to develop this project in phases, each phase must stand alone with respect to amenities and infrastructure. Additionally, any public improvements, in addition to any project features to be open to the public must be constructed as part of the initial phase.
8. No building permits shall be issued (except for signage, demolition, foundation, temporary power, construction trailers and sales center) unless the Applicant has submitted all documents required under this approval as of that date, in form and content subject to the approval of the City Attorney and City Manager or designee, and shall have paid all professional reimbursements and other payments required by the Code of Ordinances of the City of North Miami Beach.
9. Prior to the issuance of the Master Building Permit, the Applicant shall submit plans for the construction of an appropriate barrier between the construction site and adjoining properties in order to minimize blowing of dust and construction debris. Applicant shall comply with the regulations of the Code of Ordinances the City of North Miami Beach relating to construction site operations, including but not limited to the installation of a chain link construction fence with a windscreen displaying a rendering of the Project. Applicant shall use its good faith efforts to minimize vibration and noise during construction of the Project.
10. Prior to issuance of the Master Building Permit Applicant shall provide a unity of title in a form acceptable to the City Attorney for all parcels. The unity of title shall be recorded in the Public Records of Miami-Dade County, FL, at the expense of the Applicant.
11. Prior to or at the time of issuance of the Master Building Permit, the Applicant shall provide water impact fees to the City of North Miami Beach in the amount prescribed in the Code Section 19-4 and calculated using all fixtures and any existing building as an off-set.
12. Prior to or at the time of issuance of the Master Building Permit, the Applicant shall provide Police impact fees to the City of North Miami Beach in the amount prescribed in Code Section 24, Article 18.
13. The Applicant shall provide Park impact fees to the City of North Miami Beach in the amount prescribed in Code Section 24, Article 17, prior to or at the time of issuance of the Master Building Permit.
14. The applicant shall satisfy the requirements for Public School Concurrency as per the existing restrictive covenant in favor of the School Board of Miami-Dade County (CFN2007R12081500).

The amount of the required donation shall be pro-rated to reflect the 730 apartment units proposed by the applicant; the exact amount to be determined by the School Board. The donation shall be used by the School Board to provide capital educational improvements providing relief at either Fulford Elementary School and/or John F. Kennedy Middle School. Payment shall be delivered to the School Board prior to the approval and issuance of the first building permit.

15. The Applicant shall comply with all applicable conditions and permit requirements of the Miami-Dade County Fire Department, the Water and Sewer Department, Department of Regulatory and Economic Resources, Miami-Dade County Public Health Department, the Florida Department of Environmental Protection (FDEP), the Florida Department of Transportation (FDOT) and any other applicable regulatory agency.
16. Prior to the issuance of the Master Building Permit, the Applicant shall meet all requirements of the Department of Public Works Solid Waste Division for trash containers.
17. Any gates within the Project shall be of a decorative design to enhance the aesthetics of the buildings, as determined by the City Manager or designee. All vehicular service roll gates shall be at least fifteen (15) feet high and shall be of a decorative material to enhance the building.
18. If applicable, prior to the issuance of the Master Building Permit for the Project, any driveway permit along any State Right-of-Way must be approved and permitted by Florida Department of Transportation ("FDOT"), and proof of an FDOT permit shall be required prior to any work being performed within any State right of way.
19. The Project shall comply with the Americans with Disabilities Act (ADA), including but not limited to detectable warning features at driveway locations.
20. The Applicant shall post a sign on-site providing contact information in case of any complaint or concern during construction. The sign shall be removed upon the earlier of the City's issuance of a temporary or full certificate of occupancy.
21. The site plan and any conditional use or variance approvals shall remain valid for a period of 12-months from the date of adoption of the Resolution by the City Council. If no building permit is issued within the 12-month time period, the approvals shall be considered null and void and of no force and effect unless extensions of time are obtained pursuant to applicable law.
22. The applicant shall comply with the following guidance provided on August 13, 2015 from the City's Solid Waste staff review:
 - Building permit plans must indicate the following relating to garbage, trash & recycling removal:
 - a) Location and accessibility of garbage enclosures for towers A & B
 - b) Size and types of containers for both towers (open top, vertical compactors/roll off compactors or a combination of them)
 - c) Bulk trash removal and staging area (Bulk trash service is offered to single & multifamily units only. This service is not provided to businesses to include but not limited to retail, restaurants, hotels, etc.)
 - d) Recycling: Type and area where materials to be held until removal
 - A set of detailed plans is required for all garbage enclosures to include:
 - a) Dimensions
 - b) Sanitary Drain – 6"
 - c) Water spigot
 - d) Service door type/dimensions

e) Chute location and dimensions

23. All garbage service is to be provided by the City of North Miami Beach or its approved contractor.

24. The applicant shall comply with the following guidance provided on August 13, 2015 from the City's Engineering staff review:

- Please submit current complete survey showing all easements, utilities, etc. of the site. There are existing utilities at the site that may be affected by the building and may need to be relocated or easements modified.
- Show proposed modification and improvements along Biscayne Boulevard.
- Site Plan must show the SFWMD easement from Biscayne Boulevard to the South Florida Water Management District (SFWMD) flood control facility. The intent of the easement is for traffic circulation and access of heavy equipment for the flood control facility maintenance. The plan must be reviewed and permitted by the SFWMD prior to approval by the City.
- Note that the parking garage encroaches in the SFWMD access easement.
- Check the as-built for the existing stormwater system at this site. The building may also be in conflict with an existing drainage injection well. These wells will need equipment access for future maintenance and must be relocated to accessible open areas.
- Please show in the plan the existing drainage system. Additional drainage conveyance piping and drainage wells may be required for the stormwater management of this property. The wells must be minimum 100 feet radius apart. Make sure this is considered in your design. A well capacity test report must be taken before designing the well. There have been issues of low percolation rates of drainage injection wells close to the area. Some are less than 200 gpm/ft-head.
- South Building B (Sheet A-105) is in conflict with FPL transmission line 100-foot platted easement that is shown in the plan as 94'-4". Developer must contact FPL regarding this (showing 94"-4" only in the A-105 plan) easement.
- Check what CNMB Legal Department requirements regarding the existing easements of the utility companies that may be impacted by this project.
- There are existing drainage wells on this property. They can be used for drainage provided they will be accessible for maintenance and certified by the engineer. Otherwise, they must be capped. Check DERM requirements to cap these wells.
- Label proposed driveway, sidewalk, road pavement and bay walk pavement materials.
- Bay walk must be continuous around the SFWMD front driveway. Developer to the west can then connect to this bay walk. It must be ADA compliant.
- Provide more dimensions of sidewalk width, island width, setbacks, etc.
- Type "F" concrete curb and gutter is required for exterior curbing along the driveways.
- Install stormwater drainage system for the property. Roof drains must be discharged to this system. Research existing drainage system. There are existing injection wells on this property.
- See paving & drainage permits requirements below. Drainage must be re-calculated for the new project.

- DERM and FDOT drainage review and permits are required.
- Sidewalk must be continuous and must connect to the east property (The Harbour). Plans must be coordinated.
- Show all existing utilities on the Engineering Plan.
- There are existing utilities such as water, sewer and stormwater to be relocated that must be indicated on the plan.
- There are existing easements that may be vacated and must be indicated on the plan.
- Provide Erosion & Sediment Control Plan.
- Provide FDEP CGP permit. www.dep.state.fl.us/water/stormwater/npdes/ or call (850) 297-1232.
- Plan sheet A-109 showing two wheel stops on a parking stall, one behind the other.
- Plan sheet A-101 showing detailed parking dimensions less than City Code requirement of 9 feet. Plan is showing 8'-6" wide stall.
- Transition between the driveway and sidewalk must be curbed (F curb). Label if area is a sidewalk or roadway. The "F" curbing must be shown with 3 parallel lines depicting the bird's eye view figure of the curb. This should indicate the change in elevation as for the raised sidewalks.
- Handicap parking must be installed closest to the entrance to the building and connected with a 5-foot access aisle per ADA requirements.
- Indicate the proposed boardwalk railing, material, and height
- The landscaping plan must be coordinated with the utility plans. Avoid trees on top of utilities.
- SFWMD facility must be fenced other than chain link. Material must be discussed with City Planner.

Sidewalks (concrete, pavers) must be continuous through driveways and must be designed for traffic loads (thickness minimum 6").

PAVING & DRAINAGE PERMIT APPROVAL REQUIREMENTS:

a) Please submit three (3) sets of Engineering Plans (Paving, Grading and Drainage). Plans must be signed and sealed by a State of Florida certified Engineer and must be stamped approved by Miami-Dade County, D.E.R.M. & FDOT. Plans must show at least, but not limited to the following:

- Existing and proposed elevations around the property and adjacent public right-of-way, rim elevations, to indicate that the storm water run-off will be kept within the property and not allowed into the public right-of-way and adjacent properties.
- Tributary areas for each catch basins or indicate flow of run-off to catch basins.
- Profile and standard detail drawings of drainage facilities, cross-section showing elevations and dimensions per design calculations.
- Profile and standard detailed drawings of proposed pavement, curbing, ADA compliant handicap parking stalls, ramps, and sidewalk and driveway constructions.
- Dimensions of sidewalks, driveways, parking stalls, parking aisles, medians, islands, setbacks per City of North Miami Beach standard specifications.
- Traffic signs and pavement markings.
- Locations and points of discharge of rain leaders or connection to catch basins.

- b) Submit three (3) sets of Drainage Calculations, signed and sealed by an Engineer. Drainage Calculations must specify design criteria and must include all maps, charts, tables, and sources to support parameters used in calculations. Drainage calculations must be based on 5-year Storm, 10 minutes time of concentration (Intensity = 6.20 inches/hr.)
- c) Submit one (1) original set of S.F.W.M.D Usual-Open-Hole Percolation Test, signed and sealed from an approved testing laboratory, 15' deep test hole at location of proposed exfiltration trench. Percolation rate from this test must be used for the drainage design. This will only be required if an exfiltration trench will be used.
- d) Minimum exfiltration trench must be 15' deep, 3 feet wide and 25 feet in length.
- e) Submit Letter of Substantial Compliance and As-built (for work on public right-of-way only) drawing from Engineer of Record prior to sign off of the final inspection.

25. The applicant shall comply with the following guidance provided on August 13, 2015 from the City's Public Utilities staff review:

The City requires a 15 foot wide easement for our main lines and 10 foot wide easement for service lines.

- Building plans must be submitted to DERM for an allocation review and letter.
- On sheet A101, guy wires in the 100 foot FPL easement appear to be in conflict with some parking stalls.
- Preliminary site plan gives no indication as to proposed location of fire hydrants and/or water meters and backflow preventors. Please show on plans.
- Water and/or sewer utility plans must be submitted to the City's Engineering Division for review and approval.
- Building plans must also be submitted to the City's Engineering Division for review and assessment of above referenced fees and for sign off after payment of said fees.
- This process and above referenced approvals must take place prior to a building permit being issued by the City's Building Dept.

B. Conditions relating to Public Improvements, to be completed prior to issuance of any Temporary or Partial Certificate of Occupancy:

26. Applicant acknowledges and agrees that the site plan approval and conditional-use approval are subject to all of the payment and performance obligations set forth in these conditions, and that there shall be no extensions, modifications or waivers of these payment and performance due dates and obligations for any reason, including (but not limiting), by way of example of matters that will not excuse payment and performance, considerations of force majeure, labor strikes, declaration of war, natural, economic, or nationwide disturbances, changes in ownership, modifications of the site plan or design, delays in meeting the Construction Schedule, changes in economic conditions or market indicators, locally or otherwise, whether substantial or minor in nature. If the voluntary proffers and commitments made to the City pursuant to the Resolution and these Conditions are paid but the site plan and/or conditional use approvals herein expire and become null and void, the payments made by the Applicant shall constitute a credit from which the Applicant or its successors and assigns can use against any future required voluntary proffers and commitments for any future project. Any credit as described above is only valid for 12 months from

the date the approval expires, after which time the credit is no longer valid. The City can reevaluate the voluntary proffers and commitments made under this approval for any future project and the Applicant acknowledges that future voluntary proffers and commitments may increase depending on the scope and impacts of the future project.

C. Conditions To Be Completed Prior to Issuance of Partial or Temporary Certificate of Use or Occupancy:

27. Prior to the issuance of a Temporary Certificate of Occupancy, all proposed signage shall be submitted, reviewed and approved under a separate application.
28. All parking for the Project shall be constructed in compliance with the City of North Miami Beach Code of Ordinances in all respects, including but not limited to width, depth and floor to ceiling clearance, with no obstructions.
29. Prior to issuance of the Temporary Certificate of Occupancy, the design of any public property litter receptacles shall be determined by the City Manager or designee. The Applicant shall fund the cost of litter receptacles along all street frontages in a quantity, design and location acceptable to the City Manager or designee.
30. The Applicant shall design the Project to comply with all of the energy requirements of the 2014 Florida Building Code.
31. The Applicant shall meet all requirements of the Department of Public Works and Miami-Dade County for water, sewer and storm drainage services.
32. Prior to the issuance of a Master Building Permit, the City Manager or designee and the City Attorney, may refer any application for review by engineering, planning, legal, technical, environmental, or professional consultant(s) as deemed necessary. The City shall be reimbursed by Applicant for reasonable fees and charges made by such consultant(s) or professional(s) within thirty (30) days of submission of a City voucher. These fees and charges are in addition to any and all other fees required by the City.
33. If necessary for reception, the applicant agrees to permit a police antenna on the roof of the building. The applicant shall comply with the following guidance provided on August 13, 2015 from the City's Public Safety staff review:
 - Please provide PD with Photometric Plan, and discuss Building Security Plan (Security, CCTV, and Evacuation Plan) with PD staff.
 - Join NMBPD Trespass After Warning Program.
34. The Applicant, its successors and assigns shall comply with all City ordinances applicable to development and permit approvals at the time of adoption of the Resolution and in the event the Master Building Permit expires, all approvals and prior fees paid, excluding impact fees, shall be subject to be forfeited.

D. Conditions To Be Completed Prior to Issuance of Certificate of Occupancy:

E. Continuing Conditions of Approval:

35. Substantial modifications to the plans submitted and approved as part of the application may require the applicant to return to the Planning and Zoning Board and Mayor and City Council

for approval. Insubstantial changes shall include proportionate reductions in residential units and parking spaces by less than 5% of the total proposed project, changes that do not alter the project more than 5% of lot coverage, setbacks, height, density and intensity calculations so long as the proposed amendment does not cause an increase in the number of average daily trips; does not alter the location of any points of ingress, egress, access and vehicular and pedestrian patterns to the site; and does not violate any condition placed upon the site plan as originally approved. Insubstantial changes may be administratively approved by the City Manager or designee. Any de minimis amendments to the plans or site plans which cannot be resolved administratively shall be returned to the Mayor and City Council for a formal review. However, under no circumstances, may any plans, site plans, building, structure, or project be administratively altered by more than 5% lot coverage, setbacks, height limitations, as well as density or intensity calculations set forth in a previously approved site plan.

36. Live, amplified music shall be prohibited outdoors. Recorded music no greater than 75 decibels shall be allowed from 10:00 a.m. to 10:00 p.m. If applicable, this shall be reviewed annually through the Conditional Use approval.
37. The Applicant and its successors and assigns, including but not limited to the successor homeowners' association, if any, shall maintain all landscape and exterior hardscape features and materials on site and throughout all public improvements in good condition, replacing diseased, dying or dead plant material as necessary and repairing / cleaning / painting all hardscape features so as to present a healthy and orderly appearance at all times.
38. The words "Aventura", "Miami Beach," and "Sunny Isles Beach" shall not be used by the applicant immediately preceding or following the Project name. The words "Aventura", "Miami Beach" and "Sunny Isles Beach" shall not be part of the website address for the Project. References in the marketing materials to nearby communities shall be limited to descriptions of entertainment, shopping or dining locations, or other landmarks; the Applicant shall identify the Project as being located in the City of North Miami Beach, Florida.
39. As part of the Project's marketing materials and to the extent appropriate for purposes of the marketing campaign, including any sales brochures or similar information provided to potential purchasers, tenants and/or real estate sales personnel engaged in marketing the Project, Applicant shall use good faith efforts to promote the City of North Miami Beach and feature local businesses located in the City of North Miami Beach.
40. The publicly-accessible bay walk shall be open to the public between the hours of 8:00 am and 7:00 pm, seven days a week, including holidays.
41. Dumpsters shall be serviced wholly within the building envelope and only by the City of North Miami Beach or its approved contractor. All dumpsters shall be delivered to the trash room no later than 7:00 a.m. on collection days. The servicing of the dumpsters and their locations shall not be visible from pedestrians or passing motorists on the sidewalks, abutting rights-of way, adjacent streets or public beach.
42. Upon issuance of a hurricane warning by the National Weather Service or similar agency, all removable items from pool decks, roof decks and other outdoor spaces shall be immediately removed and secured.
43. The Applicant shall obtain a certificate of occupancy and certificate of use from the City upon compliance with all terms and conditions. The certificate of use shall be subject to review upon violation of any of the conditions, in accordance with the law.

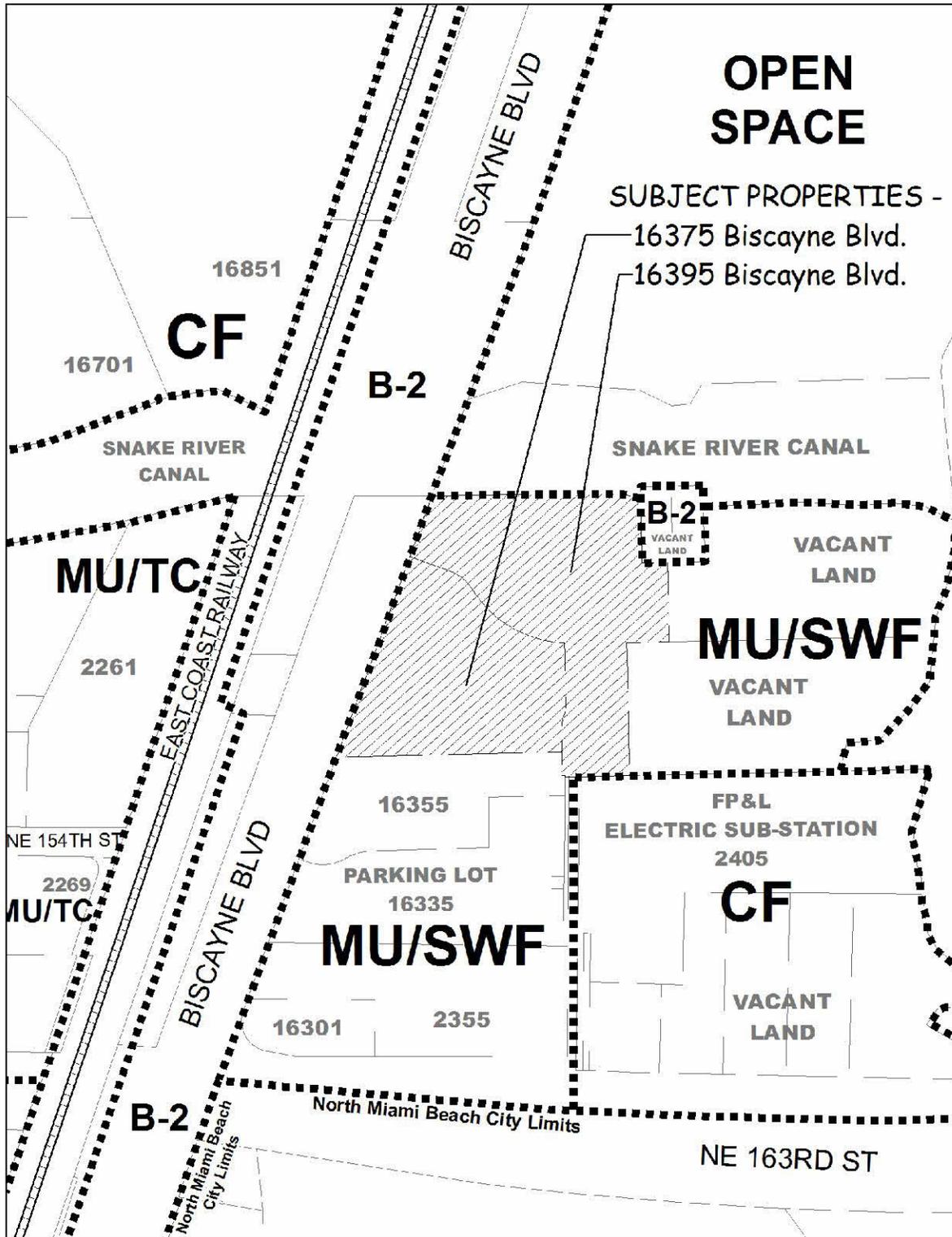
SUBMITTAL HISTORY:

TRAD (August 13, 2015)

PLANNING & ZONING BOARD (October 19, 2015)

CITY COUNCIL (November 3, 2015)

LOCATION AND ZONING MAP



10/8/2015

**Title:****Category:** Hearings**Adnumber:** 2485117

CITY OF NORTH MIAMI BEACH NOTICE OF PUBLIC HEARING DATE/TIME: Monday, October 19, 2015, 6:00 P.M.
LOCATION: North Miami Beach City Hall, 2nd Floor, City Council Chambers 17011 NE 19th Avenue, North Miami Beach, FL 33162 PUBLIC NOTICE is hereby given that the City of North Miami Beach Planning and Zoning Board shall consider the following public hearing item: Site Plan Approval - The Riverwalk - 16375/16395 Biscayne Boulevard, North Miami Beach, FL: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL TO CONSTRUCT A 1,505,544 SQUARE FOOT, 32, 30 AND 18 STORY, THREE-TOWER MIXED-USE DEVELOPMENT; INCLUDING 730 RESIDENTIAL UNITS IN THE 32-STORY AND 30-STORY TOWERS, 177 HOTEL ROOMS IN THE 18-STORY TOWER AND 9,178 SQUARE FEET OF COMMERCIAL SPACE, AND CONDITIONAL USE APPROVAL FOR THE PROPOSED HOTEL COMPONENT, ON TWO LOTS WITH A COMBINED TOTAL OF 4.15 ACRES, AS PROPOSED; IN THE SOUTHERN MIXED-USE WATERFRONT DISTRICT, LOCATED AT 16375/16395 BISCAYNE BOULEVARD. All interested parties are invited to attend and participate in the Public Hearing(s). The items are on file and available for examination at the Community Development Department, 17050 N.E. 19 Avenue, North Miami Beach, Florida 33162-3194, Monday through Friday 8:00AM-5:00PM. Questions and written comments can be directed via email to nmbcomdev@citynmb.com, FAX - 305.957.3517, or mail to the above address or by calling 305.948.2966. Upon recommendation by the Board, the items will be scheduled for City Council consideration. Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the City Clerk prior to engaging in lobbying activities before City Boards, Committees, or the City Council. Should any person desire to appeal any decision of the Board with respect to any matter considered at this meeting, that person must insure that a verbatim record of the proceedings is made, including all testimony and evidence upon which any appeal may be based (See Florida Statutes 286.0105). In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the City Clerk no later than two (2) days prior to the proceeding. Telephone 305.787.6001 for assistance, if hearing impaired, telephone our TDD line 305.948.2909 for assistance. 10/8 15-115/2485117M