



City of North Miami Beach, Florida

Community Development Department

PLANNING AND ZONING BOARD STAFF REPORT

TO: Planning and Zoning Board Members
VIA: Richard Lorber, AICP, Community Development Director
Justin Proffitt, AICP, Planning & Zoning Manager
FROM: Ana Parada, Assistant Planner
DATE: February 11th, 2019
RE: Capri Tower

P&Z ITEM # 18-14	Capri Tower
OWNER(S) OF PROPERTY	Tomajo LLC
APPLICANT/AGENT	Frankel Benayoun Architects, Inc
ADDRESS OF PROPERTY	13899 Biscayne Blvd
FOLIO NUMBER(S)	07-2221-002-0590
EXISTING ZONING	Core Sub-Area of the Arch Creek Mixed-Use Corridor District (MU/C)
EXISTING LAND USE	Office Building and Commercial
FUTURE LAND USE DESIGNATION	Business / Residential High Density

REQUEST:

The applicant, Frankel Benayoun Architects, Inc., representing Tomajo, LLC, requests site plan approval and one non-use variance to redevelop the property and construct a multifamily residential development. The project consists of one (1), fifteen (15) story tower with a total height of 192'-9" and approximately 513,347 square feet of gross floor area. In total, the project will provide 259 residential units and 396 parking spaces.

In addition, the project's recreational deck, located on the 5th level, proposes a green garden space, a pool, and two (2) spas. And at 161'-9" high, a roof-level observation deck offers plenty of space to enjoy panoramic views of the urban landscape of the City.

The applicant also requests a non-use variance from Section 24-58(R)(2) of the Zoning and Land Development Code to allow for the fourth (4) level of the project to have a floor to ceiling height of fifteen (15) feet, where twelve (12) feet is the maximum height allowed for all

floors above the ground floor. The additional height of the fourth level is required to accommodate the depths needed for the pool, spas, and landscape planting located on the fifth level, recreational deck.

THE SITE:

The site is currently developed with a five-story commercial building called the “Senator Building” that was originally constructed in 1958. The building is served by an on-site septic tank and its associated surface parking area. The total land area of the site is approximately 1.74 acres.

CODE COMPLIANCE CHECKLIST:

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.

SURROUNDING ZONING & LAND USES:

Location	Zoning Designations	Existing Land Uses	Future Land Use Designations
North	(MU/C) Arch Creek Mixed-Use Corridor District	Multifamily	Mixed-Use
South	(MU/C) Arch Creek Mixed-Use Corridor District	Commercial and Multifamily	Mixed-Use
East	(MU/C) Arch Creek Mixed-Use Corridor District	Multifamily	Mixed-Use
West	(B-2) General Business District	Biscayne Blvd Right of Way beyond that Vacant Lot Zoned B-2	Business

Sec. 24-58.4 - Arch Creek Mixed-Use Corridor District (MU/C)

Uses Permitted

Use Permitted	Proposed	Recommendation/Comments
Mixed Use, Residential and/or Nonresidential	Multi—Family Residential	Complies

Sec. 24-58 MU, Mixed Use District

Required	Proposed	Recommendation/Comments
Parking Garages: Except along an alley or a pedestrian passageway all levels of the garage shall be screened along all frontages by a Liner	<ul style="list-style-type: none"> ▪ Parking garage partially concealed with Liner building. Additional parking garage levels are 	<ul style="list-style-type: none"> ▪ Complies, administrative waiver from Sec. 24-58(K)(2)(b) provided for levels 2 through 4 at North, South and East

<p>building containing a minimum depth of 20 feet of habitable space.</p>	<p>concealed with architectural elements.</p> <ul style="list-style-type: none"> ▪ Garage is mechanically ventilated. 	<p>façade of the Development.</p>
<p>Garage Access: Shall be accessible from an alley or tertiary street, or one on a secondary street.</p>	<ul style="list-style-type: none"> ▪ Two proposed garage access points to the Development. One from Highland Drive (Tertiary Street) and a second access point on NE 139th Street (Existing secondary street). ▪ Garage entrances do not exceed 2 lanes and are 24 ft. wide per entrance/exit. 	<p>Complies</p>
<p>Open Space Standards: Open space areas may be one (1) of three (3) types: designated publicly accessible, semi-public or private</p>	<ul style="list-style-type: none"> ▪ A private open space has been proposed within the property boundaries of the development at the corner of Highland Dr. and NE 139th St. 	<p>Complies</p>
<p>Building Configuration and Design Standards</p>	<ul style="list-style-type: none"> ▪ Active uses are proposed along the ground floor of the development, including townhomes along Highland Drive and residential amenities along NE 139th St. ▪ Architectural features provided for all facade elevations including screening for the garage, glass windows, awnings, canopies, and balconies. 	<p>Complies</p> <ul style="list-style-type: none"> ▪ Applicant requested an Administrative Waiver from the active liner requirement per Sec. 24-58(K)(2)(b) for levels 2 through 4 along the North, South-east façades of the Development. In lieu of the required habitable space, the applicant will screen the garage and the garage will be mechanically ventilated. ▪ City's Architect & Urban Designer, Bermello Ajamil, reviewed the architectural details, site plan, and urban design standards

		and recommends approval of the project.
<p>Building Typology</p> <p>Maximum Ceiling Height on Ground Floor: 20'ft., 12 ft. each additional level</p>	<p>Tower Building</p> <p><u>Level Heights</u></p> <ul style="list-style-type: none"> ▪ Ground floor: 15' 9' ▪ Levels 2, 3, 5 through 14: 10 ft. ▪ Level 4: 15 ft** ▪ Level 15: 11 ft. 	<p>Complies</p> <ul style="list-style-type: none"> ▪ **Applicant requests a variance from Sec. 24-58(R)(2) regulating Height Standards.
Minimum Dwelling Unit Size: 550 square feet	609 – 1,901 Sq. Ft.	Complies
Cumulative average of all dwelling units: No less than 800 square ft.	885 Sq. Ft.	Complies
Landscape Standards	<ul style="list-style-type: none"> ▪ Landscape Plan proposes well designed and adequate landscaping. ▪ Landscape buffer strip proposed between the back of the curbs of Biscayne Blvd. and Highland Dr. and the sidewalk along the perimeter of the development. 	Complies
Light Pole Standards	<ul style="list-style-type: none"> ▪ Lighting Plan proposes adequate and well-designed lighting with decorative poles. 	Complies
Mechanical equipment and service utilities	<ul style="list-style-type: none"> ▪ All above ground utilities must be relocated underground. ▪ Mechanical equipment located at the roof level will be visually screened. 	Complies
Fences, walls, and hedges	<ul style="list-style-type: none"> ▪ N/A 	Complies

	All loading, trash and service areas are inside of the garage and are visually screened from ground view of surroundings and adjacent properties.	
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Sec. 24-58.4 – Arch Creek Mixed-Use Corridor District (MU/C), Site Development Standards

Required	Proposed	Recommendation/Comments
Lot width: Min: 200 feet Max: 250 feet	430.00 feet	Complies, administratively waived by the Community Development Director per Sec. 24-58 Table MU-2 Lot Standards by Building Size.
Minimum lot depth: 200 feet	329.30 feet	Complies
Minimum setbacks: <ul style="list-style-type: none"> ▪ Primary Street (Biscayne Blvd): Min. 15 ft – Max. 30 ft ▪ Secondary Street (NE 139th Street): Min. 10 ft – Max. 20 ft ▪ Tertiary Street (Highland Drive): Min. 10 ft – Max. 20 ft 	15 ft. 20' 20'	Complies
Minimum building frontage: <ul style="list-style-type: none"> ▪ Primary (Biscayne Blvd) 70% (along ground floor only) ▪ Secondary (NE 139th Street) 90% ▪ Tertiary (Highland Drive) 80% 	N/A 90% 85%	
Maximum building height: 15 stories/195 feet (number of stories may be	<ul style="list-style-type: none"> ▪ Total Building height: 15 stories/192'9" 	Complies

increased provided the overall building height is not exceeded)		
Minimum open space: 10%	28%	Complies
<p>Minimum/Maximum Parking Space requirements:</p> <ul style="list-style-type: none"> ▪ Residential + Guest: <ul style="list-style-type: none"> ▪ Min: 1 per unit, plus 1 per 20 units for guest parking: $259 + 13 = \mathbf{272}$ spaces; ▪ Max: 2 per unit, plus 1 per 20 units for guest parking: $518 + 13 = \mathbf{531}$ spaces. ▪ Total ADA spaces required (2% of total): 5.56 ADA spaces ▪ TOTAL MIN: 272 TOTAL MAX: 531 ▪ 1 bike rack space per every 15 parking spaces: $272/15 = 18.1$ bicycle racks ▪ Loading spaces: 3 spaces ▪ On Street Parking: 0 	<ul style="list-style-type: none"> ▪ 388 spaces ▪ 8 ADA spaces ▪ 396 Total Spaces ▪ 35 bike racks ▪ 3 loading spaces ▪ 7 spaces + 1 compact for a total of 8 spaces 	Complies

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

Required	Proposed	Recommendation
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<p>Paving and Drainage:</p> <ul style="list-style-type: none"> ▪ Surfaced w/6 inch rolled rock and 1-inch weatherproof pavement ▪ Proper drainage 	<ul style="list-style-type: none"> ▪ Concrete, Decorative Pavers ▪ Drainage plan provided 	Complies
<p>Minimum parking space sizes</p> <ul style="list-style-type: none"> ▪ Standard 9' x 18' ▪ Handicapped 12' x 20' plus 5' access ramp 	<ul style="list-style-type: none"> ▪ 9' x 18' ▪ 12' x 20' with 5' access ramp 	Complies
<p>Traffic Study: Kimley Horn & Associates provided traffic study.</p>	<p>City's Traffic Engineering Consultant, Traf-Tech, Inc., reviewed the applicant's study and finds that the project complies with all objective measures for transportation concurrency and will not generate a significant net increase in TRIPs.</p>	Complies

Article XV, Section 24-72(G), Site Plan Review Criteria

Required	Proposed	Recommendation
<p>Natural environment: All proposed development shall be designed in such a manner as to preserve, perpetuate and improve the existing natural character of the site. Existing trees and other landscape features shall, to the maximum extent possible, be preserved in their natural state and additional landscape features shall be provided to enhance architectural features, to relate structural design to the site, and to conceal unattractive areas and uses. Special attention shall be devoted to natural vegetation along waterfronts.</p>	<p>The applicant provided a Tree Disposition Plan with a certified arborist report showing the condition of existing trees. The scope, design, and high quality of the proposed project calls for some of the existing trees on the site to be removed and replaced with higher quality trees and palms with more canopy overall than the previous landscaping provided.</p>	Complies
<p>Open space: Adequate open space shall be provided which meets the particular needs and demands of the proposed development and all specific zoning requirements. The type and distribution of all open space shall be determined by the</p>	<p>The development plan shows a private open space proposed on the N.W. area of the project.</p>	Complies

<p>character, intensity and anticipated residential or user composition of the proposed development.</p>	<p>Additional landscaped open space is found along the perimeters of the development and on the Level 5 of the podium.</p>	
<p>Circulation and parking:</p> <p>(a) A clearly defined vehicular circulation system shall be provided which allows free movement within the proposed development while discouraging excessive speeds. Said system shall be separated insofar as practicable from pedestrian circulation systems. Pavement widths and access points to peripheral streets shall be provided which adequately serve the proposed development and which are compatible and functional with circulation systems outside the development.</p> <p>(b) Whenever possible in proposed residential developments, living units should be located on residential streets or courts which are designed to discourage nonlocal through traffic.</p> <p>(c) Off-street parking areas shall be located and designed in such a manner so as to not create any incompatible visual relationships.</p> <p>(d) Safe and efficient access to all areas of the proposed development shall be provided for emergency and service vehicles.</p>	<p>a) Paving, grading, and circulation plan provided on civil plans, refer to C-1, C-2, and C-3.</p> <p>No changes to existing street network. Proposed access points are located toward the rear of development to reduce impact on local traffic.</p> <p>b) Living units on ground floors located on residential streets designed to discourage nonlocal through traffic.</p> <p>c) All parking, except for on-street parking, is screened within the parking garage and will be mechanically ventilated.</p> <p>d) The site has two access points designed to fit emergency and service vehicles.</p>	<p>Complies</p>
<p>Community services and utilities: All proposed developments shall be designed and located in such a manner as to insure the adequate provision, use and compatibility of necessary community services and utilities.</p>	<p>The applicant provided a Utility Impact Study estimating the service demand prepared by Holland Engineering. The applicant will abandon the existing septic system and connect to</p>	<p>Complies</p>

<p>(a) An adequate waste water collection system, including all necessary extensions and connections, shall be provided in accordance with City standards for location and design. Where necessitated by the size of the development, the public sanitary sewer connection is required; see Section 24-133. On-site wastewater systems must be provided in accordance with County standards and regulations.</p> <p>(b) An efficient solid waste collection system including the provision of an adequate number of local receptacles in locations which afford maximum use and collection convenience, shall be provided in accordance with all applicable City standards.</p> <p>(c) A well-designed internal system for fire protection, including the provision of properly located fire hydrants, adequate water pressure, and an efficient access arrangement for emergency fire vehicles, shall be provided to insure the safety of all persons within the project.</p>	<p>the City's sanitary sewer system. Staff reviewed the site plan and concurrency requirements for potable water, sanitary sewer, solid waste, parks and recreation, and public schools and determined that the levels of service will be adequately maintained and serve the project.</p>	
<p>Building and structures: All buildings and structures proposed to be located within a development shall be oriented and designed in such a manner as to enhance, rather than detract, from the overall quality of the environment. The following guidelines shall be followed in the review and evaluation of all buildings and structures:</p> <p>(a) Proposed buildings and structures should be related harmoniously to the terrain, other buildings, and the surrounding neighborhood, and should not create through their location, scale, style, color or texture</p>	<p>a) The proposed development's tower and podium comply with the building orientation and design requirements in the MU/C and MU ordinances. These ordinances regulate orientation, height, location, scale, and density/intensity of buildings and their physical or visual relationships.</p>	<p>Complies</p>

<p>incompatible physical or visual relationships.</p> <p>(b) Maximum privacy should be incorporated into the design of any individual residential units and related outdoor patio and living areas.</p> <p>(c) Building location and other site features shall be reviewed in the context of any proposed road widenings, particularly the Biscayne Boulevard frontage.</p> <p>(d) Proposed buildings located in Special Flood Hazard Areas (SFHA) as identified on flood insurance rate maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA) shall have the lowest floor elevated no lower than the level of the base flood elevation.</p> <p>(e) Proposed buildings and site shall be compliant with the Americans with Disabilities Act (ADA) and Miami-Dade County Code of Ordinances.</p> <p>(f) Proposed buildings shall be compliant with the Fair Housing Act as required.</p>	<p>b) The residential units have private balconies and living areas as well as open private space. Townhouses include private courtyards.</p> <p>c) Highland Drive and NE 139th Street improvements provided in C-1 through C-3 of the Civil Off-site plans prepared by Holland Engineering, Inc and Frankel Benayoun architects, Inc.</p> <p>d) N/A. Property is not in the SFHA.</p> <p>e) ADA accessibility to buildings and parking is laid out in the site plan and will be further detailed in the building permitting phase of development.</p> <p>f) The development will comply with the Fair Housing Act as required.</p>	
<p>Signs: Shall be reviewed in the context of Article XIII.</p>	<p>All location of signs shown are for illustrative purposes. A separate master signage plan will be submitted for review and approval.</p>	<p>Complies</p>
<p>Crime Prevention Through Environmental Design: All proposed development shall be designed to discourage and reduce the possibility of nuisance and criminal activity.</p>	<p>The NMB Police Department reviewed the site plan and a condition of approval requires that the developer enter into the NMBPD Trespass After Warning Program, provide the NMBPD</p>	<p>Complies</p>

	with access to the property at all times, and a safety plan.	
Landscaping: All locations of plant materials shall be coordinated with the location of other elements of the site plan, particularly lighting fixtures and light poles. Landscaping and lighting shall not be placed in such a way as to cause the diminishment of illumination due to the placement of the lighting poles and plant materials or the future growth of the plant materials.	Sheets LD-1 through LP-3 of the Landscaping and the Photometric Plan show proper landscape plantings and lighting fixtures. Above ground utilities will be relocated below ground, refer to A-1.0.	Complies
Lighting: Placement of the lighting fixtures shall be coordinated with the placement of landscape materials, as noted above.	Refer to LP-1. Landscape plan show proper landscape and light pole placement.	Complies

Article XI. Landscaping, Sec. 24-122

Required	Proposed	Recommendation
Site landscape plan	Landscape plan provided	Complies

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

Flood Elevation	Proposed	Recommendation
Zone X, Areas determined to be outside 0.2% annual chance floodplain.	N/A	Complies

One (1) Non-Use Variances

Review Criteria	Recommendation
(1) A non-use variance to the terms of this Code that will not be contrary to the public interest may be recommended by the Planning and Zoning Board and granted by the City Council in compliance with the requirements of the City Charter in this Code, upon a showing by the applicant that the nonuse variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required. For this subsection, the term "non-use variances" involves matters such as setback lines, frontage requirements, subdivision regulations, height limitations,	One (1) Non-use Variance Request Complies

lot size restrictions, yard requirements and other variances which have no relation to change of use of the property in question.	
(2) Appropriate conditions and safeguards, in conformity with the Code, may be prescribed as a condition of the granting of the variance, and violation of such conditions shall be deemed a violation of this Code.	One (1) Non-use Variance Request Complies
(3) The nonconforming use of adjacent lands, structures, or buildings shall not be considered grounds for the authorization of a variance.	One (1) Non-use Variance Request Complies

PLANNING AND ZONING DEPARTMENT ANALYSIS:

The purpose and intent of the MU/C is to support a balanced mix of land uses characterized by compactness and pedestrian friendly design at a neighborhood-scale. The architecture and landscape design for this zone shall be appropriate to local history and the natural environment in areas consistent with the City's Comprehensive Plan.

The development has been designed to fit within the scale of the existing neighborhood through a compact architectural design. It also capitalizes on the natural areas surrounding the Highland Village community by providing many outdoor amenities within the development.

This project provides an additional residential option within the community, which is typically characterized by multi-family development. Mobile and single-family homes are located further to the southeast of the proposed development and well outside of the transition area. Under the Mixed-Use ordinance adopted in 2015, new developments within the Core-Sub Area of the MU/C district are permitted a maximum height of 15 stories or 195 feet.

Living spaces for residents are complete and inclusive of indoor and outdoor spaces as all residential units include terraces or balconies. Indoor amenities include a tech center, a gym, and multi-purpose lounge areas. And outdoors, to capitalize on the natural areas surrounding Highland Village, the architects have proposed an observation deck on the rooftop tower deck. The recreational deck on the fifth level includes a pool, two spas, and will have significant landscape plantings to create a green garden space. Additional open

spaces have been proposed on the ground floor area. The project exemplifies the planning and design principles of greater integration of housing and recreation.

The City of North Miami Beach's Division of Public Works has been actively working in Highland Village to improve and facilitate vehicular and pedestrian movement within the community. The Highland Drive Roadway Improvement Project includes wider sidewalks and traffic calming features within proximity to the development. To complement the efforts being made by the City, the applicant will construct the streetscape improvements along its portion of the road right of way and is proposing crosswalks on N.E. 139 Street and Highland Drive. These roadway improvements create connectivity and encourage a walkable, pedestrian friendly neighborhood. Finally, the developer is abandoning and closing the existing on-site septic tank and connecting the proposed development to City sewer lines.

Variance 1: Non-use variance to allow for the fourth (4) level to have a height of fifteen (15) feet, where twelve (12) feet is the maximum allowed for all floors above the ground floor pursuant to Section 24-58(R)(2).

The Applicant requests a variance to permit the fourth level of the development to have a height of fifteen (15) feet. The additional height is required to accommodate the depths needed for the pool and spa amenities located on the fifth level. Significant landscape plantings along the perimeters of the recreational deck for the podium roof garden area also require additional depths. The additional height request for the fourth level does not result in an exceedance of the overall building height permitted in the zoning district. The building height to the highest roof projection is 192'-9", which is below the maximum building height of 195'. The floor height exceedance for the fourth level will be mitigated and will not impact the overall design of the building, as the garage is entirely screened and all views into the garage covered. The code permits rooftop terraces and rooftop amenities, such as gardens, observation decks, swimming pools, and running tracks; and encourages developers to create unique gathering spaces to aid in the reduction of the urban heat index in the mixed-use district area, and to add aesthetic value to the buildings.

Appropriate conditions have been prescribed and staff finds that the request complies with variance review standards.

COMPREHENSIVE PLAN CONSISTENCY

The City's Comprehensive Plan and the Florida Statutes establish that a development order and development approved by the City is consistent with the adopted comprehensive plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of development permitted by such order or approval are compatible with and further the objectives, policies, land uses, and densities or intensities established in the comprehensive plan and land development

regulations. This project is most consistent with and furthers the following policies of the North Miami Beach Comprehensive Plan:

Future Land Use Element:

- **Policy 1.1.1** - *As major new development and/or redevelopment occurs, the City shall continue to use the Land Development Regulations to require a tie-in to the sanitary sewer system if at all feasible.*
- **Policy 1.6.5** - *Create mixed-use land use categories including a MU/Town Center; MU/Employment Center, MU/Neighborhood Center; MU/Corridor and MU/Waterfront to facilitate and encourage the creation of beautiful, safe and livable places in the downtown and along major corridors including West Dixie Highway, Hanford Boulevard, 19th Avenue, Biscayne Boulevard and 163rd Street.*
- **Policy 1.6.10** - *The Mixed-Use/Corridor (MU/C) is a mixed-use district intended to capitalize on its location on a primary transit and business corridor and is created to permit economic development to support both local and regional activity and provide a variety of workforce and market rate housing opportunities. Auto-oriented uses are considered acceptable in this district but are required to be designed in a manner that encourages pedestrian and transit use. Mixed-use may be vertically or horizontally integrated based on compatibility and other factors. Stand-alone office park-style development, big box retail establishments and stand-alone residential buildings are equally appropriate in this district.*
- **Policy 1.8.7** - *Pre-Application Meeting: All Applicants with development proposals in a Mixed-Use District shall be required to attend a pre-application meeting with the CRA (if applicable) and City staff prior to individual site plan or Master Plan submittal for review. Ensuring compatibility with adjacent properties in regard to existing development will be the focus of the pre-application meeting. In all cases, the best approach to respecting and designing for the existing context and optimizing compatibility with adjacent properties will be identified.*
 - *Arch Creek MU/C – Awareness of the adjacent environmental cleanup and related off-site impacts; floodplain encroachment and possibility of increased flooding, connectivity and crime prevention.*

Transportation Element:

- **Policy 1.1.2** - *The City hereby adopts traffic circulation level of service standards based on peak period conditions consistent with those standards established in the Miami-Dade CDMP for arterials and collectors. Peak period means the average of the two highest consecutive hours of traffic volume during a weekday...Arterials and Collectors – Within the Urban Infill Area (UIA):*
 - *Where no public mass transit service exists, roadways shall operate at or above LOS E;*
 - *Where mass transit service having headways of 20 minutes or less is provided within ½ mile distance, roadways shall operate at no greater than 120 percent of their capacity;*
 - *Roadways parallel to and within ½ mile distance of I-95/Tri-Rail, US 1, or any other corridors where extraordinary transit service such as commuter rail or express bus service exists, shall operate at no greater than 150 percent of their capacity.*

- **Policy 1.1.3** - *No development shall be approved if the projected impacts of the development (including redevelopment) would reduce service levels of any roadway on the traffic circulation system below the standards in Policy 1.1.2, unless the development qualifies for a transportation concurrency exception.*

The City of North Miami Beach's award winning Mixed-Use Zoning Comprehensive Plan Initiative was recognized by the Florida Chapter of the American Planning Association (APA) in the Comprehensive Plan category. The NMB Comprehensive Plan outlines goals, objectives, and policies to permit increased development density, intensity, and building height to encourage a variety of additional public benefits, such as redevelopment of the Community Redevelopment Area (CRA), public open spaces and greenways, public access to the waterfront, streetscape improvements, undergrounding of utilities where possible, and other tangible improvements to surrounding neighborhoods. Each sub-area includes a well-studied and community driven neighborhood plan, adopted by the City Commission as part of the rezoning of these areas to mixed-use zoning districts. These plans reflect the principles of the City's Strategic Plan, and South Florida's current development trends, including mixed use developments blending commercial and residential opportunities, walkable neighborhoods linked to multi-modal transit, and attractive, distinctive architecture and public spaces.

The MU/C, Arch Creek Mixed-Use Corridor District, Future Land Use designation and zoning regulations were created with the purpose of:

- Ensuring high quality, architecturally compatible, consistently landscaped development throughout the District;
- Stimulating neighborhood commercial and retail activities;
- Ensuring that new development or redevelopment projects enhance the visual character of Biscayne Boulevard in terms of massing and scale;
- Encouraging the development of pleasant shopping areas with attractive pedestrian spaces;
- Encouraging people to reside in the District; and
- Encouraging new publicly accessible open spaces.

Concurrency requirements for potable water, sanitary sewer, solid waste, parks and recreation, and public schools will be adequately maintained or improved to serve the project. Altogether, the proposed development's design, layout, compatibility with surrounding land uses, densities, intensities, levels of service and capacities are consistent with and further numerous goals, objectives, and policies of the City's Comprehensive Plan.

Traffic

The applicant's traffic engineer, Kimley-Horn and Associates, Inc., prepared a Traffic Impact Analysis showing the project's TRIP generation on the adjacent roadways to the site, Biscayne Boulevard, Highland Drive and NE 139th Street, to the project driveways. The following issues were studied:

- Project Access Driveway Analysis at the following intersections:
 - US 1/Biscayne Boulevard and NE 143rd Street
 - US 1/Biscayne Boulevard and NE 139th Street/Highlands Drive
 - US 1/Biscayne Boulevard and NE 135th Street.
- Evaluation of Existing Conditions vs. Future Background A.M. and P.M. Peak Hour Traffic.
- A.M. and P.M. Peak Hour Net New Trip Distribution, Net New Project Trip Assignment, and Future Total P.M. Peak Hour Traffic
- Intersection/driveway Capacity Analysis and levels of service (LOS);
- Cardinal Trip Distribution

Kimley-Horn and Associates, Inc., concludes that the project complies with all objective measures for transportation concurrency and will not generate a significant net increase in traffic when compared to the existing office building traffic generation. The City's traffic engineering consultant, Traf Tech Engineering, reviewed the final Traffic Impact Study and concurred with the analysis provided by Kimley-Horn and Associates and that the project complies with the City's levels of service standards pursuant to Policies 1.1.2 and 1.1.3 of the City's Comprehensive Plan.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION:

The Community Development Department recommends **APPROVAL** of the site plan and one (1) Non-Use Variance subject to the conditions contained in the attached draft Resolution.

SUBMITTAL HISTORY:

TRAD (October 25th, 2018)

PLANNING & ZONING BOARD (February 11th, 2019)

CITY COMMISSION (TBD)

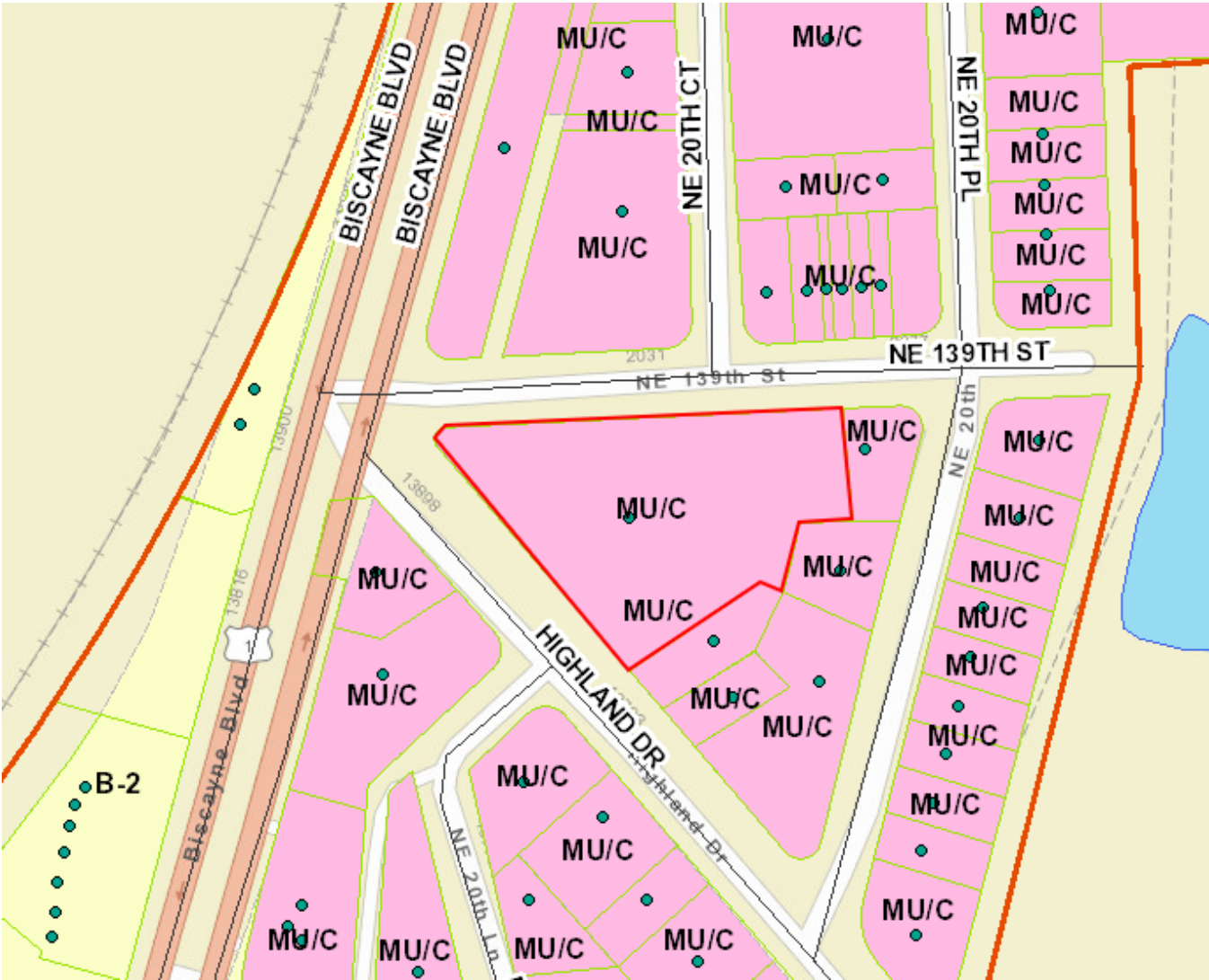
Attachment(s):

- Draft Resolution
- Letter of Intent and Application Package
- Traffic Impact Analysis, by Kimley Horn & Associates
- Traffic and Site Plan Review Memorandum, by Traf Tech Engineering, Inc.
- Property Owner Notification List
- Concurrency Review Report
- Site Plan & Survey

LOCATION AND AERIAL MAP



ZONING MAP



ADVERTISEMENT

2/1/2019



**CITY OF NORTH MIAMI BEACH
NOTICE OF PUBLIC HEARING**

CATEGORY Hearings FL
AD NUMBER 0000376868-01

DATE/TIME: Monday, February 11th, 2019 6:00 P.M.

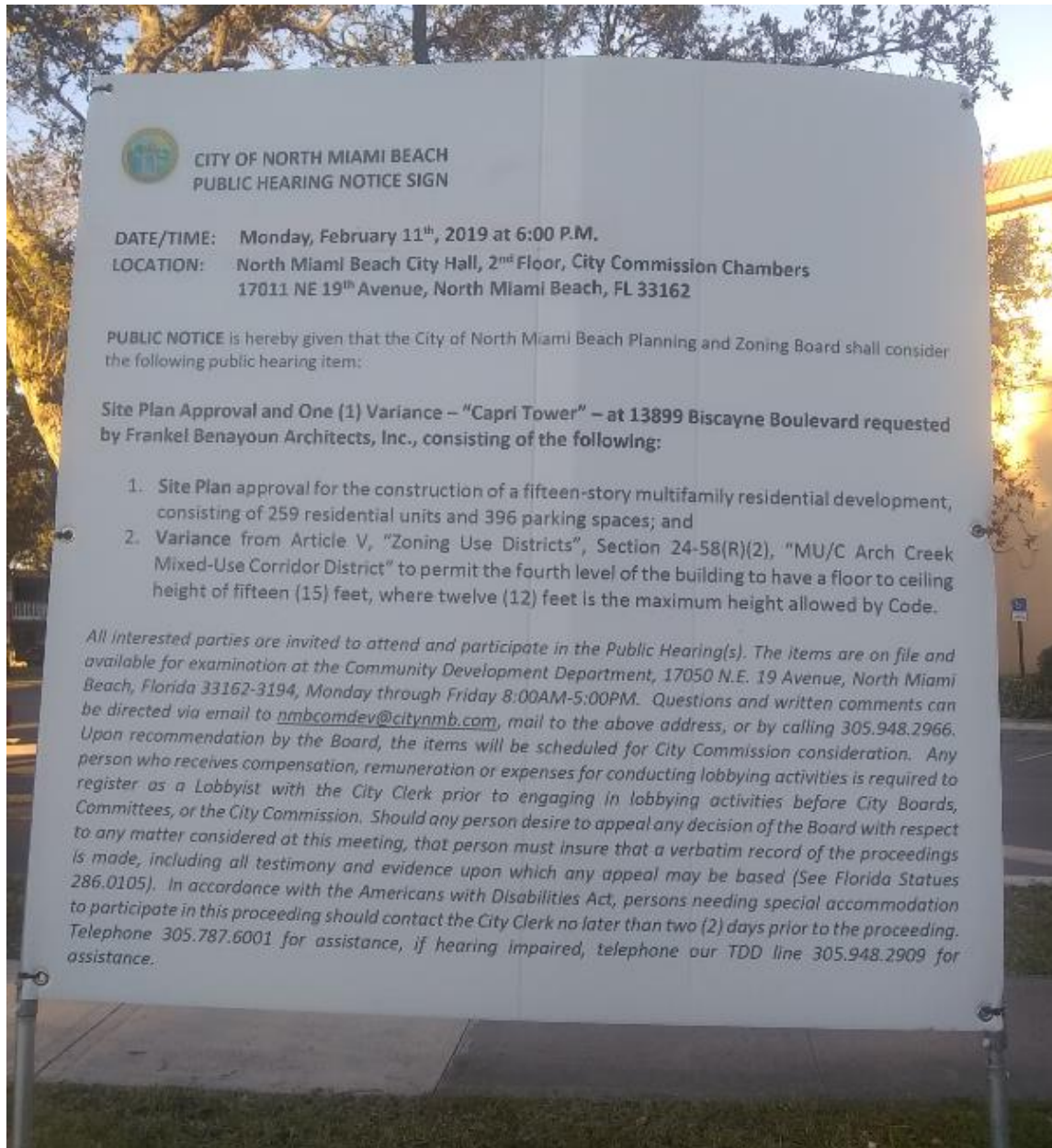
LOCATION: North Miami Beach City Hall, 2nd Floor, City Commission Chambers

17011 NE 19th Avenue, North Miami Beach, FL 33162
PUBLIC NOTICE is hereby given that the City of North Miami Beach Planning & Zoning Board shall consider the following public hearing item(s):
Site Plan, and Variance - "Capri Tower" - 13899 Biscayne Boulevard by Frankel Benayoun Architects, Inc:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL TO CONSTRUCT AN APPROXIMATELY 513,347 SQUARE FOOT, FIFTEEN-STORY MULTIFAMILY RESIDENCE, ON A 1.74 ACRE LOT, CONSISTING OF 259 RESIDENTIAL UNITS AND 396 PARKING SPACES; AND GRANTING A NON-USE VARIANCE FROM SECTION 24-58(R)(2) OF THE ZONING AND LAND DEVELOPMENT CODE TO PERMIT THE FOURTH LEVEL OF THE BUILDING TO HAVE A FLOOR TO CEILING HEIGHT OF FIFTEEN (15) FEET, WHERE TWELVE (12) FEET IS THE MAXIMUM HEIGHT ALLOWED; ON PROPERTY LOCATED AT 13899 BISCAYNE BOULEVARD, NORTH MIAMI BEACH, FLORIDA.

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](tel: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](tel:305-787-6001) for assistance, if hearing impaired, telephone our TDD line [305.948.2909](tel:305-948-2909) for assistance.
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PROPERTY NOTIFICATION SIGN





CITY OF NORTH MIAMI BEACH
PUBLIC HEARING NOTICE SIGN

DATE/TIME: Monday, February 11th, 2019 at 6:00 P.M.
LOCATION: North Miami Beach City Hall, 2nd Floor, City Commission 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 and One (1) Variance – “Capri Tower” – at 13899 Biscayne Boulevard requested by Frankel Benayoun Architects, Inc., consisting of the following:

1. Site Plan approval for the construction of a fifteen-story multifamily residential development, consisting of 259 residential units and 396 parking spaces; and
2. Variance from Article V, “Zoning Use Districts”, Section 24-58(R)(2), “MU/C Arch Creek Mixed-Use Corridor District” to permit the fourth level of the building to have a floor to ceiling height of fifteen (15) feet, where twelve (12) feet is the maximum height allowed by Code.

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, mail to the above address, or by calling 305.948.2966. Upon recommendation by the Board, the items will be scheduled for City Commission 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 Commission. 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 285.0105). 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.