



City of North Miami Beach, Florida

Community Development Department

PLANNING AND ZONING BOARD STAFF REPORT

TO: Planning and Zoning Board Members
VIA: Edward Ng, AICP, Interim Planning and Zoning Manager
FROM: Mario Duron, AICP, Associate Planner
DATE: June 14, 2021

RE: Canal Park West Tower Site Plan Approval

P&Z ITEM # 21-7	Site Plan Request – Canal Park West Tower
OWNER(S) OF PROPERTY	CANAL PARK OFFICE 2, LLC
APPLICANT/AGENT	Joseph S. Geller / Greenspoon Marder
ADDRESS OF PROPERTY	3227 NE 163 ST
FOLIO NUMBER	07-2215-001-0880
EXISTING ZONING	B-2, General Business District
EXISTING LAND USE	Vacant
FUTURE LAND USE DESIGNATION	Business

BACKGROUND:

The property owner, CANAL PARK OFFICE 2, LLC is requesting site plan approval to develop a ten-story office tower, consisting of 237,453 SF of office space and 720 off-street parking spaces, at the property located at 3227 NE 163rd Street.

THE SITE:

The proposed site plan is for a vacant lot bordered by a canal to the north, and beyond that the portion of the Eastern Shores community zoned RS-1, Residential Single-Family Zoning District. To the south, the lot fronts NE 163rd Street/Frontage Rd. and beyond that the City limits of North Miami. To the east and west, the property abuts a commercial plaza and an office building, respectively.

The total site area is 90,000 square feet or approximately 2 acres.

SURROUNDING LAND USES

Location	Zoning Designations	Existing Land Uses	Future Land Use Designations
North	Conservation & RS-1	Canal and beyond that Residential Single-Family District	Public/Quasi-Public and Residential Low Density

South	City Limits	Oleta River State Park	Oleta River State Park
East	General Business District, B-2	Business	Business
West	General Business District, B-2	Business	Business

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.

Sec. 24-52(B) – General Business District (B-2), Uses Permitted

Use Permitted	Proposed	Recommendation/Comments
Office, retail, and services	Office	Complies

Sec. 24-52(D) - General Business District (B-2), Site Development Standards

Required	Proposed	Comments
Lot Area: Min: 1 acre on lots fronting SR 826	2.0661 Acres	Complies
Lot width: Min: 100'	300 feet	Complies
Minimum setbacks: <i>apply to structures of 3 stories or less, shall be increased by 5 FT. for each story there after</i> <ul style="list-style-type: none"> ▪ Side Setback (interior): 0 FT. ▪ Rear setback: 20 FT. ▪ Front setback: 25 FT. 	<ul style="list-style-type: none"> ▪ Side setback (interior): <ul style="list-style-type: none"> ○ West LVL. 1-4: 5 FT. ○ West LVL. 5-10: 37 FT. ○ East LVL. 1-4: 10 FT. 11 IN. ○ East LVL. 5 -10: 63 FT ▪ Rear setback: <ul style="list-style-type: none"> ○ Level 1-3: 25 FT. ○ Level 4-10: 86 FT. ▪ Front Setback <ul style="list-style-type: none"> ○ 60 FT. 	Complies
Maximum building height: 15 stories/150 feet	10 Stories/150 FT.	Complies: <i>highest point of curtain wall glass parapet is 167'4"</i>
Minimum open space area/pervious area: 20% of total lot	<ul style="list-style-type: none"> ▪ 20.1% or 18,075 SF 	Complies

<p>Minimum space requirements:</p> <ul style="list-style-type: none"> ▪ Offices, General Use require 3 Spaces for each 1000 SF of GFA: <ul style="list-style-type: none"> ○ 237,483 SF GFA requires 714 Spaces. ▪ Total ADA spaces required (1 for every 25 spaces up to 100 spaces and an additional 1 space for each additional 100 spaces or part: 2 spaces ▪ Loading spaces for office uses over 100,000 SF of GFA: 3 spaces 	<p>714 Total Parking Spaces</p> <ul style="list-style-type: none"> ▪ 328 Valet Spaces ▪ 386 Regular Spaces ▪ 12 ADA spaces ▪ 3 Loading spaces 	<p>Complies. Parking lifts for valet provided on 1st and 4th level of garage.</p>
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Sec. 24-52– General Business District (B-2), Supplemental Regulations

Required	Proposed	Recommendation/Comments
<p>Paint: Base color LRV 35 or greater</p>	<p>Glass curtain proposed on all building elevations. Any paint color will be identified by owner and will be reviewed in the building permitting phase of development to ensure compliance with a minimum LRV of 35 or greater for base paint colors.</p>	<p>Complies</p>
<p>Vision Clearance: Triangle with 15' equal sides</p>	<p>Unobstructed views from access way to public street provided. Shown on C14.</p>	<p>Complies</p>

Article IX Off-Street Parking and Loading

Sec. 24-93 Parking Lot Design Standards

Required	Proposed	Recommendation
<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"> ▪ Parking Garage proposed. Refer to Architectural Plan Sheets A201 – A206 and Civil Plans Sheet C1 to C14. ▪ Refer to Sheet C9 for proposed drainage. 	Complies
<p>Minimum parking space sizes</p> <ul style="list-style-type: none"> ▪ Standard 9 FT. x 18 FT. ▪ Handicapped 12 FT. x 20 FT. plus 5 FT. access ramp 	<ul style="list-style-type: none"> ▪ 9 FT. x 18 FT. ▪ 12 FT. x 18 FT. with 5 FT. access ramp 	Complies, waiver granted for ADA parking space depth.
<p>Traffic Study: Langan Engineering & Environmental Services, Inc prepared a Traffic Impact Analysis dated 26 May 2021.</p>	<p>City's Traffic Engineering & Concurrency Consultant, the Corradino Group, reviewed the applicant's submission and finds the study's findings satisfactory.</p>	Complies

Article XV, Section 24-172(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 prepared a planting schedule showing existing trees and proposed plantings on Sheet LA-101. The scope and quality of the proposed planting schedule will complement the modern architecture of the building's design. In addition, significant landscaping is proposed along the waterfront, where the property abuts the RS-1 district.</p>	Complies
<p>Open space: Adequate open space shall be provided which meets the particular needs and demands of the proposed development and all</p>	<p>The site plan shows open spaces along various levels of the development. At ground level, the open</p>	Complies.

<p>specific zoning requirements. The type and distribution of all open space shall be determined by the character, intensity and anticipated residential or user composition of the proposed development.</p>	<p>space is generally located in the front and rear of the property. Additional open space is provided on the 5th floor level, as well as on the roof. In total, approximately 37,082 SF are dedicated to open space, and 20% of the lot area is pervious.</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 in plan set.</p> <p>b) Office only, N/A.</p> <p>c) Off-street parking proposed within a naturally ventilated garage. Vertical louvers, landscaping, and appropriate lighting are proposed so as to not create an incompatible visual relationship with adjacent properties and uses.</p> <p>d) Access to the Site will be provided from Frontage Rd./NE 163rd ST. Traffic Consultants reviewed the Site Plan to ensure appropriate access. Access provided is safe and efficient and adequately accommodates emergency and service vehicles as demonstrated by turning radii on the site plan, refer to Sheet FA1, MDC Approved Fire Access Plan.</p>	<p>Complies</p>

<p>Community services and utilities: All proposed developments shall be designed and located in such a manner as to ensure the adequate provision, use and compatibility of necessary community services and utilities.</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 ensure the safety of all persons within the project.</p>	<p>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>Complies</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</p>	<p>a) The proposed development is consistent and harmonious to the existing architecture and uses found along NE</p>	<p>Complies</p>

<p>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 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 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>163rd Street/ SR 826 east of Biscayne Boulevard.</p> <p>b) Office only, N/A.</p> <p>c) No additional roadway widening is anticipated by FDOT for SR 826.</p> <p>d) Property is located within Zone AE. Building to comply with minimum FEMA elevation requirements. Minimum finished floor elevation proposed is 9 FT.</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) Office only, N/A.</p>	
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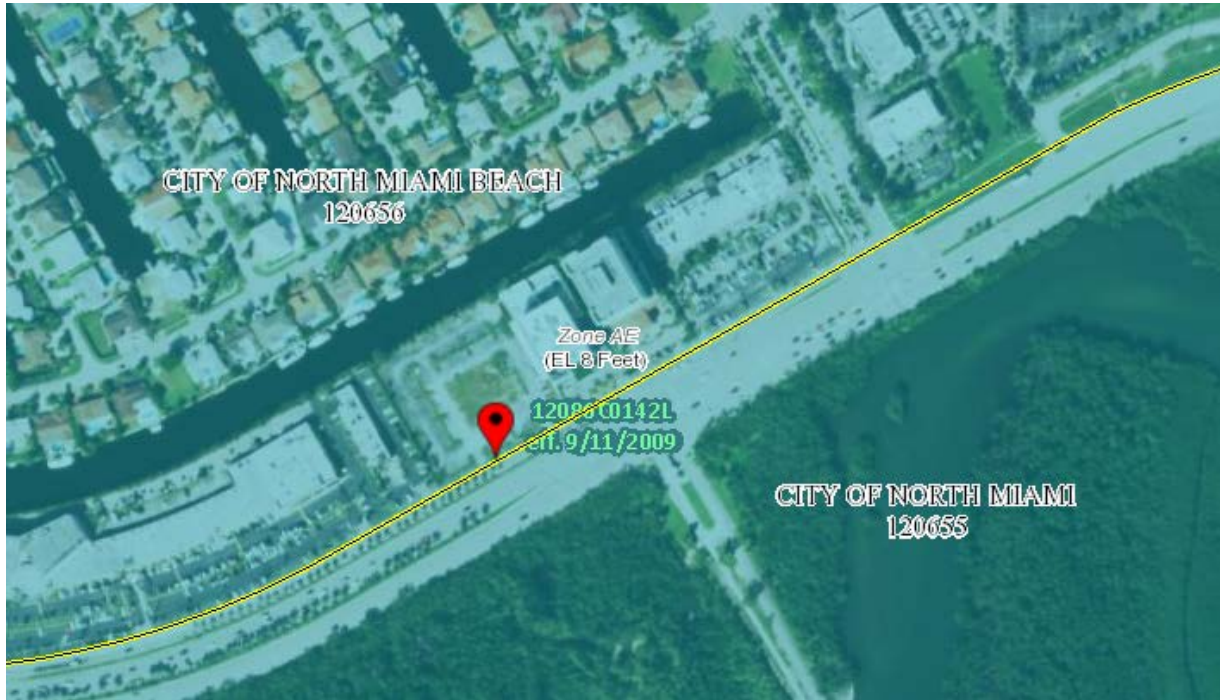
(f) Proposed buildings shall be compliant with the Fair Housing Act as required.		
Signs: Shall be reviewed in the context of Article XIII.	Adequate location has been designated for future signage as shown on A-080. All signage shall conform to Section 24-58.3, Signage Standards and Article XIII, Signs. All signage is reviewed during the building permit phase of development.	Complies
Crime Prevention Through Environmental Design: All proposed development shall be designed to discourage and reduce the possibility of nuisance and criminal activity.	The NMB Police Department reviewed the site plan and provided a condition requiring that the developer enter into the NMBPD Trespass After Warning Program, provide the NMBPD with access to the property at all times, and a safety plan	Complies
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.	Sheet LA-201 shows proposed landscape plantings effectively coordinated with existing and proposed onsite utilities and lighting.	Complies
Lighting: Placement of the lighting fixtures shall be coordinated with the placement of landscape materials, as noted above.	Sheet LA-201 shows the light pole placement coordinated with proposed landscaping.	Complies

Article XI. Landscaping, Sec. 24-122

Required	Proposed	Recommendation
Site landscape plan	Landscape plan provided, sheets LA-201, LA-202, LA-203, LA-301, and LA-302	Complies

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

Flood Elevation	Proposed	Recommendation
Zone AE	Min. +9 FT. FFE.	Complies



Traffic & Concurrency

The applicant's traffic engineer, Langan Engineering & Environmental Services, Inc. prepared a Traffic Impact Analysis (TIA) indicating the proposed development will generate 2,455 daily net new trips, 250 morning peak hour, and 259 afternoon peak hour net trips.

The Analysis also included a study of the following intersections NE 163rd Street with Biscayne Boulevard, NE 34th Avenue, and NE 35th Avenue. The TIA concluded the intersections will operate within their adopted level of service, except Biscayne Blvd and NE 163rd Street, which is expected to operate beyond capacity during the morning peak hour, with and without the proposed project's impact. To mitigate the movements and approaches impacted by the proposed development, signal timing has been optimized at NE 163rd Street and Biscayne Boulevard, and 163rd Street and NE 34 AVE, with no change to the light cycle length. The development also proposes to lengthen the eastbound left-turn lane at 163rd Street and NE 34th Avenue to mitigate impacts. Finally, an analysis of the proposed valet operations was undertaken and determined that with a minimum of three attendants, the valet operations will not cause vehicle ques to back onto NE 163rd Street/Frontage Road.

The City's concurrency and traffic engineering consultant the Corradino Group reviewed the Applicant's Traffic Impact Statement. They determined that all traffic-related comments were satisfactorily addressed. Moreover, the site is within the Miami-Dade County's designated Urban Infill Area (UIA), where developments are exempt from traffic-concurrency requirements to promote infill.

Staff also reviewed the concurrency requirements for potable water, sanitary sewer, solid waste, parks and recreation, and public schools, and determined that they will be adequately maintained and serve the project.

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:

- **Policy 1.8.2** - *The following land use densities, intensities and approaches shall be incorporated in the Land Development Code. Business: A range of zoning districts from a) the residential-office district with nonresidential uses limited to offices, institutions and community facilities to b) arterial highway districts with automotive and entertainment uses at an intensity whereby the maximum Impervious Surface Area is eighty percent (80%) and the maximum Building Height is fifteen (15) stories and maximum building height of one hundred fifty (150) feet.*
- **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.*

PLANNING AND ZONING ANALYSIS:

The intent of the B-2, General Business District is to provide suitable sites for development of retail and service commercial uses of general nature to serve the diverse consumer needs of the entire community. The applicant seeks site plan approval to develop a vacant parcel of land with a ten-story office tower.

The vacant site was formerly developed with a restaurant and its associated surface parking, and was demolished in 2017. Under this site plan request, the applicant proposes to develop a 453,011 SF, ten-story tower, consisting of 237,483 SF of office space and 714 parking spaces within a garage. The development program also calls for a robust

selection of amenities, including tennis/soccer courts on the roof level, and landscaped terrace with water features on the exterior of the five floor.

The Applicant has worked with the City's Urban Design Consultants, Bermello & Ajamil, and Staff to ensure the proposed design is harmonious and compatible with other buildings and the surrounding neighborhood. The office tower is being placed on the southern side of the property to maximize the distance from the residential area across the canal, north of the site. Moreover, the Applicant's design team, City Staff, and the City's Consultants worked through various design iterations in relation to the parking structure to ensure there is no encroachment of light on to adjacent properties, that no vehicles will be visible within the garage from outside view, and to ensure an elevated architectural design for the parking structure.

The proposed site plan and use complies with the development standards and regulations for properties zoned B-2, General Business District.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION:

The Community Development Department recommends **APPROVAL** of the site plan subject to the conditions contained in the attached draft Resolution and included below.

Conditions of Approval:

- Use of building amenities shall be limited to tenants. Not open to the public or for commercial uses.
- On-site boat operations permitted by City Code shall be from 8 AM to 7 PM, and limited mooring to four (4) boats. No charter or public marina will be allowed.
- Prior to the issuance of a Certificate of Occupancy, the Applicant shall demonstrate through its plans the opportunity for improved or maintained levels of transit service to serve the Project, including accessibility with existing transit lines. The Applicant will maintain or enhance the current level of service by providing access in the form of a premium transit facility with collocated transit and trolley stops for Miami-Dade County and North Miami Beach.
- Prior to issuance of the Master Building Permit, the Applicant shall provide manufactures detail sheet for pervious pavers used to ensure compliance with 20% pervious area on ground level.
- Prior to the issuance of the Master Building Permit, the Applicant shall verify if a cross access agreement exists with the property to the west. If existing, cross-access shall be maintained.
- Prior to the issuance of the Master Building Permit, the Applicant shall coordinate with Florida Department of Transportation (FDOT) on all applicable permits and approval processes.
- Prior to the issuance of the Certificate of Occupancy, the Applicant shall update the Valet Parking Traffic Operational Plan to include additional valet service agents to ensure no vehicle queuing issues if field conditions warrant at the time of full occupancy. Current Valet Parking Traffic Operational Plan assumes 10% of visitors and employees will use valet parking.

- Prior to the issuance of the Certificate of Occupancy, an Operational Parking Plan, including details of the mechanical lift parking operations and valet traffic plan with hours of operation and a circulation plan. The valet traffic operational plan shall be subject to review and approval by the Community Development Director.

SUBMITTAL HISTORY:

TRAD (April 22, 2021)

TRAD SIGN-OFF (May 17, 2021)

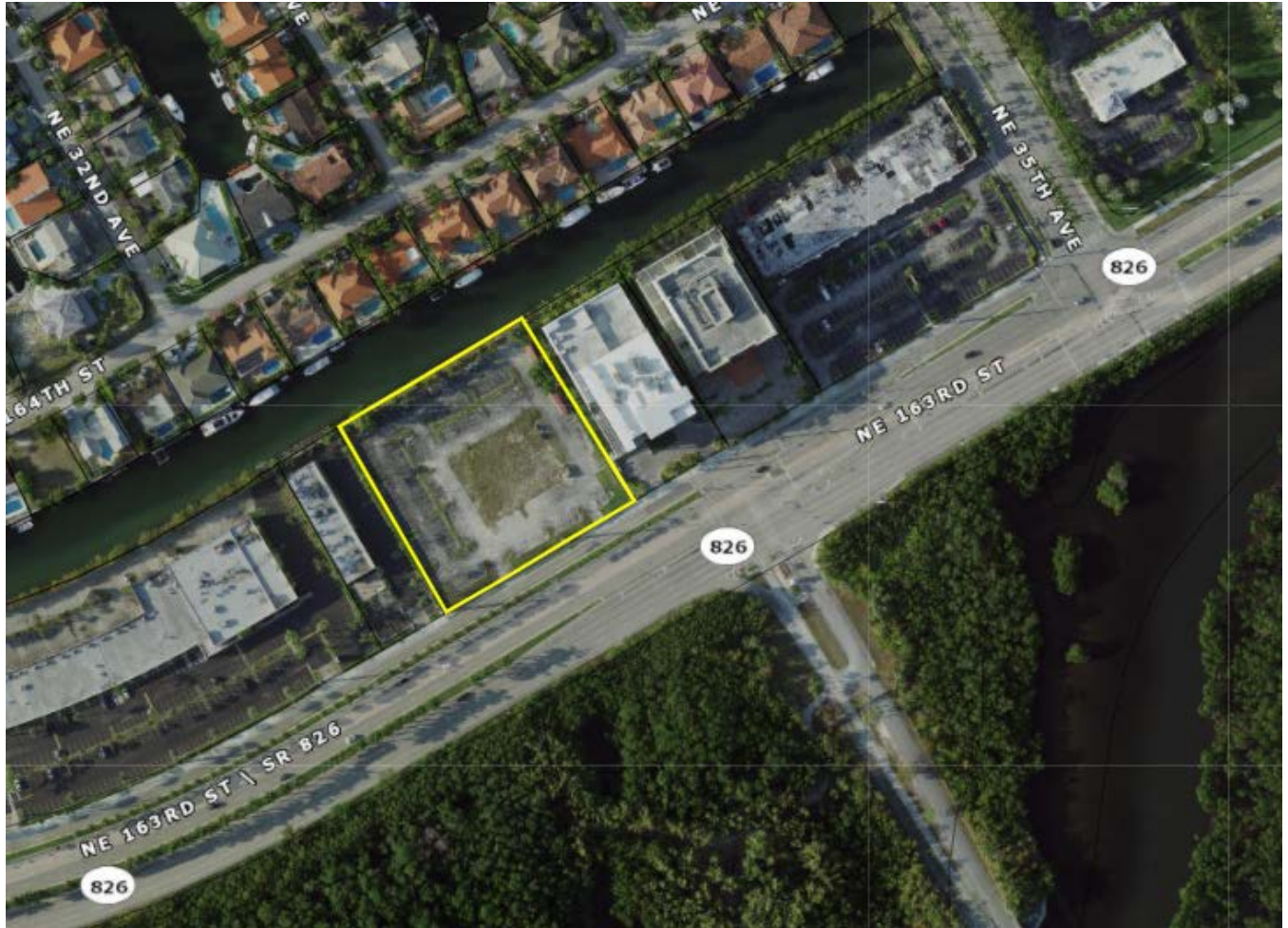
PLANNING & ZONING BOARD (June 14, 2021)

CITY COMMISSION (TBD)

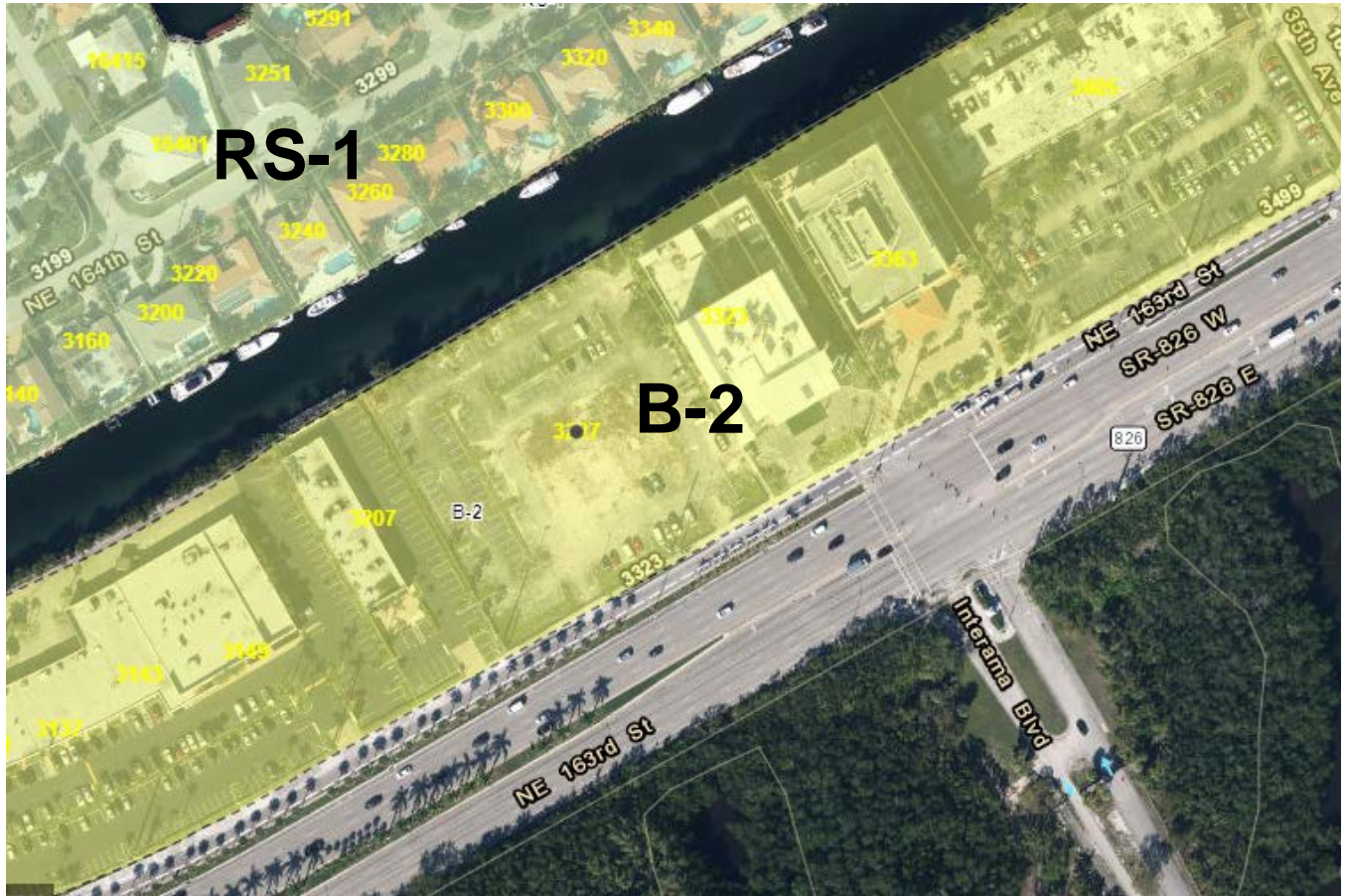
Attachment(s):

- Draft Resolution
- Application & Letter of Intent
- Site Plan & Survey
- Traffic Impact Analysis

LOCATION AND AERIAL MAP



ZONING MAP



ADVERTISEMENT HISTORY

6/4/2021



CITY OF NORTH MIAMI BEACH VIRTUAL PUBLIC HEARING NOTICE

The City of North Miami Beach will hold a virtual public hearing on:
Monday, June 14th, 2021 at 6:00 P.M.

The meeting agenda is available online at:
WWW.CITYNMB.COM

Members of the public may speak, watch, attend, or listen to the virtual public hearing
by following these instructions:

Ways to Watch and Speak during the Virtual Public Meeting:

To Watch on Comcast Channel 77
Live stream on WWW.CITYNMB.COM

Zoom Meeting: WWW.ZOOM.US

By Phone: (646) 876-9923, (US Toll)
(301) 715-8592, (US Toll)
Press *9 to Raise Hand to Speak

Meeting: 865 2350 1045 / Password: 823551
Email and address will be requested to register for the meeting

Any person requiring special accommodations to access this hearing is asked to advise the City at least 5 days before the hearing by contacting the City Clerk at 305-787-6001

PUBLIC COMMENTS

Public comments will be accepted by the following means:
By e-mail to:
NMBCOMDEV@CITYNMB.COM

Virtual Public Hearing:

The City of North Miami Beach Planning and Zoning Board shall consider the following

Quasi-Judicial Item:

CATEGORY	Hearings FL
AD NUMBER	0000533615-01

Site Plan Approval - "Canal Park West Tower" □ 3227 NE 163rd Street requested by Canal Park Office 2, LLC:
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL FOR THE DEVELOPMENT OF A TEN-STORY TOWER, CONSISTING OF 237,483 SQUARE FEET OF OFFICE SPACE, ON PROPERTY LOCATED AT 3227 NE 163 STREET, NORTH MIAMI BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A;" PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC RECORDS

The hearing will be recorded for later viewing and is a public record. The virtual chat, if any, will be saved and is a public record. Minutes of the hearing will be taken and will be made available.

NOTICE PURSUANT TO 5286.0105, FLORIDA STATUTES

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AMERICANS WITH DISABILITIES ACT

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the City at least 5 days before the hearing by contacting the City Clerk at 305-787-6001.

LOBBYING ACTIVITIES

In accordance with Section 2-161 of the City Code, adopting Section 2-11.1(s) of the Miami-Dade County Code, any person engaging in lobbying activities, as defined therein, must register at the City Clerk's Office before addressing the City Council on the agenda items or engaging in lobbying activities.

Have questions or need additional information signing into the Zoom meeting?

Email: NMBCOMDEV@CITYNMB.COM
Call: 305-948-2966

Written or physical evidence will be accepted no later than Monday, June 14, 2021 by 4:00 P.M.

To submit written or physical evidence intended to be offered into evidence during the Communication Media Technology proceedings:

Email: NMBCOMDEV@CITYNMB.COM
Call: 305-948-2966

6/4 21-61/0000533615M

PROPERTY NOTIFICATION SIGN

