MIAMIBEACH
PLANNING DEPARTMENT
Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: April 02, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: DRB18-0355
555 17th Street, 1701-1799 Convention Center Drive—Convention Center Hotel

DRB18-0355, 555 17th Street, 1701-1799 Convention Center Drive—Convention Center Hotel. An application has been filed requesting Design Review Approval for the construction of a new convention center hotel to replace an existing surface parking lot, one-story office building and one and two story portions of the rear of the Fillmore Miami Beach at the Jackie Gleason Theater building.

RECOMMENDATION:
Approval with conditions

HISTORY:
On November 06, 2018, Miami Beach residents voted in favor of the following ballot question:

Question #3: *Should City lease 2.6 acre property at northeast corner of 17th Street and Convention Center Drive to MB Mixed Use Investment, LLC for 99 years, requiring, per Resolution 2018-30425*

This approved the future construction/operation of an 800 room Hotel (maximum height of 185 feet), connected to the Convention Center. The design of the hotel complex is subject to review and approval by the Design Review Board.

On March 05, 2019, this item was discussed at the Design Review Board meeting and continued at the request of the applicant.

LEGAL DESCRIPTION:
See 'Exhibit A'

SITE DATA:

Zoning:	Civic and Convention Center District (CCC)
Future Land Use:	Public Facility (CCC)
Total Lot Size:	1,578,000 SF (36.32 acres) not including CCD
Existing FAR:	1,578,884 SF
Proposed Hotel GSF:	657,896 SF
Proposed FAR:	2,236,780 SF
Remaining FAR:	+/-2,104,920 SF
Maximum FAR:	2.75 (+/-4,341,700 SF)
Hotel parcel A size:	110,864 SF (+/-2.55 acres)
Proposed Height:	185'-0" from BFE +5 | 13' NGVD (198'-0")
# Hotel Units:	800 rooms
Parking spaces required:	320 spaces (800 rooms/ .4) | Provided: 320
Loading spaces required:	4 spaces | Provided: 4

Grade: + 4.07' NGVD (based on CL of CCD as indicated in the survey submitted)
Base Flood Elevation (BFE): +8.00' NGVD
First Floor Elevation: +9.00' NGVD Entry Lobby

SURROUNDING PROPERTIES:
East: Fillmore Miami Beach at the Jackie Gleason Theater | Museum Historic District
West: City Hall | Surface Parking lot (New Park)
South: Lincoln Road Parking Garage / New World Symphony and Soundscape Park
North: Miami Beach Convention Center | Collins Canal / Miami Beach Senior High School

THE PROJECT
The applicant has submitted plans entitled "Miami Beach Convention Center Hotel", as prepared by **Arquitectonica,** dated, signed and sealed February 15, 2019.

The proposal consists of a new 800 room convention center hotel located at the northeast corner of 17th Street and Convention Center Drive—just south of the newly renovated Miami Beach Convention Center.

The applicant is proposing to construct a 17-story hotel with two L-shaped tower wings at the southermost end of the new Convention Center project. The new hotel tower will replace a surface parking lot, a one-story office building and portions of the rear of the Fillmore Miami Beach at the Jackie Gleason. The design is oriented toward 17th Street and is massed in an L-shape manner, with its tower's delineated by glass balconies that tightly wrap around the building and its corners. Vehicular access to the proposed hotel will be from Convention Center Drive, while a new alleyway is proposed off of 17th Street for delivery purposes.

A breakdown of the project's floor plan is delineated hereto:
Ground Floor: 22,302 SF retail
24,594 SF front of house (FOH) and back of House (BOH) hotel operations
Hotel drop off
Loading spaces
25 surface parking spaces (Fillmore)
Parking Level: 320 valet spaces (x quadruple stacked tandem parking spaces)
5,100 lobby area and Sky bridge to Convention Center
8,177 SF BOH hotel operations
Level 3: 38,486 SF FOH hotel operations | 12,763 SF BOH
20,117 SF and 17,108 SF ballrooms
8,800 SF meeting rooms
Level 4: 23,345 SF FOH hotel operations | 2,675 SF BOH
23,150 SF fitness and spa
8,575 meeting rooms
Level 5: 24,637 SF restaurant spaces
8,600 SF FOH hotel operations | 9,991 SF BOH
Outdoor pool deck and seating areas
Levels 6-16: 70 units per level (11 levels) ranging in size 350 SF-860 SF
Top Level 17: 30 room, units ranging in size 350 SF | 2,590 SF

The proposed convention headquarter hotel will serve as an "on-site" hotel option for conference attendees and will be large enough to provide group room blocks necessary to

support and secure national and international conferences and conventions at the Convention Center. Shopping, dining, the beach, parks, as well cultural amenities are all within a short walking distance of the Convention Center hotel location, and other areas of Miami Beach are easily accessible by public transportation, or with Citi-Bikes and ride-sharing services. As such, the overall operational parking needs for the hotel will be minimized.

COMPLIANCE WITH ZONING CODE:
A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code:

- **SETBACK:** Currently, the setback regulations apply to all uses within the district and are an average of the requirements contained in the surrounding zoning districts. A proposal to modify the setback requirements is pending before the City Commission and will allow more flexibility of the placement of the hotel, and most particularly the tower portion of the hotel (above 50 feet in height). On March 13, 2019, the City Commission heard and passed the Ordinance at First Reading.

- **PARKING**: There is a proposal pending before the City Commission that will modify parking requirements for accessory uses to convention center hotels, limit the required off-street loading requirement for hotels and accessory uses to hotels to a minimum of four (4) spaces, and allow valet and tandem parking spaces to stack more than 2 vehicles per space. On March 13, 2019, the City Commission heard and passed the Ordinance at First Reading.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

CONSISTENCY WITH COMPREHENSIVE PLAN:
A preliminary review of the project indicates that the proposed **convention center hotel** is **consistent** with the Public Facility: Convention Center Facilities (PF-CCC) designation of the Future Land Use Map of the 2025 Comprehensive Plan. The main permitted uses in the CCC District include hotels.

COMPLIANCE WITH DESIGN REVIEW CRITERIA:
Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria are found to be satisfied, not satisfied or not applicable, as hereto indicated:

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

2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures,
   Satisfied

3. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Satisfied

4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.
Satisfied

5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.
Satisfied

6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.
Satisfied

7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.
Satisfied

8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.
Satisfied

9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.
Not Satisfied; a lighting plan has not been submitted.

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.
Satisfied

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Satisfied

12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied

13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied

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

15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Not Applicable

16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.
Satisfied

17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Not Applicable

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

19. The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.
Not Satisfied; see below

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

(1) A recycling or salvage plan for partial or total demolition shall be provided.
Not Satisfied
A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department.

(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied

(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied

(4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.
Satisfied

(5) The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.
Satisfied

(6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.
Satisfied

(7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.
Satisfied

(8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.
Not Applicable

(9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.
Not Applicable

(10) In all new projects, water retention systems shall be provided.
Satisfied; a cistern has been proposed

(11) Cool pavement materials or porous pavement materials shall be utilized.
Not Satisfied

(12) The project design shall minimize the potential for a project causing a heat island effect on site.
Not Satisfied

STAFF ANALYSIS:
DESIGN REVIEW
The subject site is a corner parcel located within the boundaries of the Convention Center District. The applicant is proposing to demolish the existing surface lot, single-story office structure and portions of the rear of the Fillmore Miami Beach at the Jackie Gleason Theater and develop the site with a contemporary hotel building. The proposed hotel will be 185'-0" in height with ground level retail, a parking deck on the second level, multiple ballroom and meeting spaces on levels 3 and 4 to complete the podium level. A pool deck sits on this along with level 5 programmed with over 30,000 SF of restaurant use. The proposed convention center hotel will compliment and serve the neighboring Convention Center and become a dynamic addition to the renovated Convention Center, neighboring the Convention Center Park that is soon-to-be under construction, Lincoln Road and other tourist attractions.

This item was previously presented at the March 05, 2019 Design Review Board meeting and was continued by the applicant to further refine the design and address both Board and staff comments.

The proposed design features a four-story podium that sits within the confines of the site, with its primary façades setback 11'-0" from Convention Center Drive and 12'-0" from 17th Street. Clad in floor-to-ceiling storefront glazing, the ground floor along 17th Street houses retail and a Miami Beach Welcome Center. Above the ground floor rests the remaining podium floors that are detailed in glass and horizontal metal fins in a curvaceous and undulating façade, inviting pedestrians around the corner site. The second level of the podium is dedicated to parking and contains a pedestrian sky bridge that connects the new hotel building to the adjacent Convention Center. The remainder of the podium houses hotel operations, function/meeting rooms and a spa and fitness center. The podium terminates at a fifth-floor amenity deck that is defined on the façades by a thick concrete band and glass railing. The open-air amenity deck is comprised of an outdoor pool and spa with a sun deck, gardens and dining venues. The curvilinear façade appears again at this level as a base for the "L-wing" hotel that makes up the balance of the building.

Two liner buildings/towers, adjoined at the northeast corner to form an "L" shape, that house the hotel rooms rise along the back edge of the site and separate at the upper stories to read as two intersecting components. Comprised of 12 stories (levels 06-17) the hotel tower wings contain 800 hotel rooms of varying sizes. The massing of the towers take form with balcony widths that, finished with a metal edge, provide rippling horizontal movement along the uniform, predominately glass, walls of the structure. The elevations are further enhanced with shifting exterior walls at the narrow ends of the tower wings.

While the previously presented design has subtle movement along the hotel towers' expansive elevations; the revised design further activates the facades, specifically the north tower's south façade that faces 17th Street and the east tower's east façade facing the ocean. The rounded exterior walls at the narrow ends of the hotel tower shift inward more frequently, and with more

exaggerated gestures, rendering an illusion undulating floor plates as the towers rise. The south elevation of the north tower incorporates such a gesture along its northwest corner, midway up the tower, that extends into its south elevation. Additionally, the east tower's eastern façade has incorporated a "dimpled" wall plane above the existing Jackie Gleason Theater; a sort of visual nod to the icon theater. The proposed modifications have rendered the hotel towers' elevations more dynamic.

In addition to the tower modification, the Board requested additional visual articulation of the Miami Beach Welcome Center along 17th Street with the incorporation of saved keystone from the adjacent mid-century municipal building, built by Henry Hohauser and slated for demolition as part of this project. While the ground floor plan notes the inclusion of the keystone elements within the interior of the Welcome Center, staff recommends that the architect investigate incorporating the keystone into the Welcome Center's street facing façade and ensure that the architectural feature wall is visible from the sidewalk along 17th Street.

Otherwise, staff commends the architecture firm on the design of the proposed Convention Center Hotel, finding that it not only compliments the newly renovated Convention Center, but also stands on its own as an elegant addition to the Miami Beach skyline. With this, staff is supportive of the proposed design and recommends approval with staff level review of recommended modifications.

Furthermore, the current site contains many specimen-size canopy trees. Staff recommends that these trees, which are defined by a certified tree arborist to be viable for relocation, be relocated to the proposed Convention Center Park that is to be constructed across from the Convention Center. In summary, staff is confident that further study and refinement the floorplans and elevations will result in a successful design. The modifications to the the project suggested herein can be readily addressed administratively, as indicated in the recommendation.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review criteria, Sea Level Rise criteria.

TRM/JGM

EXHIBIT A

LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IS SECTION 34, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 22, ACCORDING TO THE AMENDED PLAT OF GOLF COURSE SUBDIVISION OF THE ALTON BEACH REALTY COMPANY, AS RECORDED IN PLAT BOOK 6, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N88'00'53"E, ALONG THE EASTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY LINE OF 17TH STREET, SAID RIGHT OF WAY BEING 70 FEET IN WIDTH AS SHOWN ON SAID PLAT BOOK 6, PAGE 26, A DISTANCE 368.16 FEET; THENCE NO2'O4'00"W, ALONG THE EASTERN EDGE OF AN EXISTING 15 FEET WIDE SIDEWALK LYING ON THE EAST SIDE OF CONVENTION CENTER DRIVE AS NOW LAID OUT AND IN USE, A DISTANCE OF 39.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NO2'04'00"W ALONG SAID EXISTING SIDEWALK, A DISTANCE OF 238.58 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 40.00 FEET, A CHORD WHICH BEARS N42'58'54"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 62.90 FEET, THROUGH A CENTRAL ANGLE OF 50'05'48"; THENCE N88'01'48"E A DISTANCE OF 13.05 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE CONTINUE N88'01'48"E A DISTANCE OF 297.49 FEET; THENCE SO1'56'26"E, TO THE INTERSECTION WITH SAID EASTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY OF 17TH STREET, A DISTANCE OF 318.50 FEET; THENCE S88'00'53"W, ALONG SAID EASTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY OF 17TH STREET, A DISTANCE OF 309.96 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 40.00 FEET, A CHORD WHICH BEARS N47'01'33"W; THENCE NORTHWESTERLY ALONG THE ARC SAID CURVE A DISTANCE OF 62.78 FEET, THROUGH A CENTRAL ANGLE OF 89'55'08" TO THE POINT OF RFOINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 110,884 SQUARE FEET OR 2.55 ACRES MORE OR LESS.

TOGETHER WITH:

AN AIRSPACE PARCEL BEING A PARCEL OF LAND LYING IS SECTION 34, TOWNSHIP 53 SOUTH, RANGE 42, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA, HAVING AS ITS LOWER BOUNDARY, A HORIZONTAL PLANE AT ELEVATION 23.69 FEET (NORTH AMERICAN VERTICAL DATUM OF 1988), HAVING AS ITS UPPER BOUNDARY, A HORIZONTAL PLANE AT ELEVATION 52.44 FEET (NORTH AMERICAN VERTICAL DATUM OF 1988), THE PERIMETRICAL BOUNDARIES OF WHICH ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT SAID POINT "A"; THENCE NO3'29'22"W A DISTANCE OF 53.99 FEET; THENCE N86'30'38"E A DISTANCE OF 30.00 FEET; THENCE SO3'29'22"E A DISTANCE OF 54.78 FEET'; THENCE S88'01'48"W A DISTANCE OF 30.01 FEET TO 11-IE POINT OF BEGINNING SAID POINT ALSO BEING POINT "A".

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

TRANSPORTATION DEPARTMENT

MEMORANDUM

TO: James G. Murphy, Chief of Urban Design

FROM: Jose R. Gonzalez, P.E, Director JRG for

DATE: February 14, 2019

SUBJECT: Convention Center Hotel – Traffic Impact Study

In December 2014, the City of Miami Beach finalized a traffic impact study to explore the feasibility of a Convention Center Hotel. The project site selected for the study is adjacent to the Miami Beach Convention Center and currently occupied by Municipal Parking # 29. Currently, the site has accesses to accesses to 17th Street and Convention Center Drive. To measure the extent of the impact to the transportation network generated by the proposed hotel; various scenarios were explored related to hotel occupancy and convention center activation. The following hotel occupancy scenarios were studied during a normal day (no convention center event) and an event day (large convention center event):

- 400 Rooms
- 600 Rooms
- 800 Rooms
- 1000 Rooms
- 1200 Rooms.

Given the primary function of this hotel, vehicular trip generation was calculated based on the anticipated guest types the hotel would be serving: transient guests (patrons not linked to the convention center), in-house event guests (patrons who are primarily using the hotel's meeting space or attending a hotel event, convention guests (guests attending a convention at the convention center). Assuming 75% occupancy (industry standard for convention center hotels), the following vehicular trips were calculated:

- 400 Rooms – 130 Trips
- 600 Rooms – 196 Trips
- 800 Rooms – 261 Trips
- 1000 Rooms – 326 Trips
- 1200 Rooms – 391 Trips
- short term food delivery (i.e. Uber Eats), and trash collection, loading operations, and short term parking access.

Based on the trip generation figures, Level of Service was studied for 13 intersections utilizing the utilizing the Synchro Software which follows the methodology outlined in the Highway Capacity

Manual. Major intersections such as Alton Road and 17th Street, Alton Road and N. Michigan Avenue, Meridian Avenue, and 17th Street, and Alton Road and 5th Street were included in the study. Level of Service calculations were performed for existing (2014), background (2017), and estimated hotel opening year (2017). Based on the operational analysis, Level of Service and delays at each intersection meet the criterial identified in the 2025 City of Miami Beach Comprehensive Plan (Level of Service D). In addition, the City worked with the consultant to identify various improvements along the network that could further enhance capacity and mobility in and out of the Convention Center District. The City has completed many of these suggested improvements and has worked with the Florida Department of Transportation to program other enhancements in the coming months.

It is worth highlighting that the most significant impact to traffic is achieved by a shift in event mix from Consumer Show oriented booking to Conventions oriented booking. This scenario was also studied, and it was shown to reduce event traffic by approximately 50%. In various meetings convention organizers, it has been made clear that a Convention Center Hotel is a pre-requisite to booking most of the conventions.

In 2018, the City's Transportation Department reviewed traffic trends along major corridors in Miami Beach to determine the need for an updated Convention Center Hotel Traffic Impact Study. Upon further review for Average Annual Daily Traffic volumes, the data showed that traffic along major corridors in the City of Miami Beach has flattened since 2014, in the case of 17th street, Collins Avenue, and the MacArthur Causeway, a downward trend has been established. Nevertheless, into be conservative, the Transportation Department of the City requested that the developer engage a consultant to update the traffic study. The report is anticipated to be completed by February 15, 2019; however, no major changes in the results are anticipated.

Please feel free to contact me if you have any questions on the above.

cc: Josiel Ferrer-Diaz, E.I., Assistant Director

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE:	April 02, 2019
FILE NO:	DRB18-0355
PROPERTY:	**555 17th Street, 1701-1799 Convention Center Drive – Convention Center Hotel**
APPLICANT:	MB Mixed Use Investment, LLC
LEGAL:	See 'Exhibit A'
IN RE:	The Application for Design Review Approval for the construction of a new convention center hotel to replace an existing surface parking lot, one-story office building and one and two story portions of the rear of the Fillmore Miami Beach at the Jackie Gleason Theater building.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.

B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 9 and 19 in Section 118-251 of the Miami Beach Code.

C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 9, 10, 11 and 12 in Section 133-50(a) of the Miami Beach Code.

D. The project would remain consistent with the criteria and requirements of Section 118-251 and/or Section 133-50(a) if the following conditions are met:

1. Revised elevation, site plan, and floor plan drawings for the proposed new Convention Center Hotel and 555 17th Street shall be submitted, at a minimum, such drawings shall incorporate the following:

a. A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department, in a manner to be reviewed and approved by staff.

b. The Applicant has voluntarily proffered and agreed to display a plaque on the ground floor of the building, which includes an image of the original structure, referencing Henry Hohauser as the original structure's architect, and describes the original structure's history and evolution. Prior to the issuance of a Building Permit, the Applicant shall submit the design for the plaque to the Planning department to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

c. The Applicant has voluntarily proffered and agreed to install keystone cladding, or other architectural elements of the Henry Hohauser building, on portions of the interior of the Miami Beach Welcome Center, which shall be located within the property, and visible from the adjacent sidewalk along 17th Street, to recall the characteristics of the original structure on the site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions of the Board.

d. Further details of the railings and handrails shall be provided for all balconies and terraces in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board, and shall require a separate permit.

e. Any railings at the ground or pedestal level shall be designed as glass or tension wire in order to minimize obstruction and maintain transparency within both side yards for all balconies and terraces in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board, and shall require a separate permit.

f. Further details and material samples for the proposed "metal fins" shall be provided in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board, and shall require a separate permit.

g. Further details and material samples for the proposed "metal edge" along the balconies shall be provided in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board, and shall require a separate permit.

h. Material samples for all exterior paving areas shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

i. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

j. The final design details of exterior lighting shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

k. Any fence or gate at the front and street side of the property shall be designed in a manner consistent with the architecture of the new structure, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

l. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.

m. The final design details of the exterior materials and finishes shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

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

o. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.

p. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.

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

a. The applicant shall abide by the mitigation procedures for tree preservation outlined in Chapter 46, Division 2 of the City Code, where relevant, and the applicant shall cooperate with the City with regard to any proposed tree relocation provided that the City cover costs of said relocation.

b. Any existing plant material within the public right-of-way may be required to be removed, at the discretion of the Public Works Department.

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

d. The utilization of root barriers and/or structural soils Silva Cells, shall be clearly delineated on the revised landscape plan. A suspended pavement system shall be required for instances where the proposed street trees are to be planted and where root system of the proposed tree will need to grow under impervious surfaces to obtain optimal growth for the selected species, in a manner that provides adequate soil volume as determined by the city's Urban Forester for the proper growth of the proposed trees. In instances where the root systems of proposed trees will be able to grow under impervious surfaces and later enter into a pervious greenspace area, the use of structural based soils may be used upon the approval of the city's Urban Forester.

e. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures. The location of backflow preventers, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.

f. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right-of-way shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.

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

In accordance with Section 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. *Design Review Approval* and 'II. *Variances'* noted above.

A. The applicant shall comply with the electric vehicle parking requirements, pursuant to Sec. 130-39 of the City Code.

B. All new construction over 7,000 square feet shall be required to be, at a minimum, certified as LEED Gold by USGBC. In lieu of achieving LEED Gold certification,

properties can elect to pay a sustainability fee, pursuant to Chapter 133 of the City Code. This fee is set as a percentage of the cost of construction.

C. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.

D. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.

E. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.

F. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.

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

H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.

I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

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

K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations which were adopted by the Board, that the Application for Design Review approval is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "Miami Beach Convention Center Hotel Final Submittal 2019.01.07", as designed by **Arquitectonica Architecture and Interior Design,** dated, signed, and sealed February 15, 2019, and as approved by the Design Review Board, as determined by staff.

No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance as set forth in this Order have been met. The issuance of Design Review Approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code; the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this _____ day of _____, 20_____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY:_____
JAMES G. MURPHY
CHIEF OF URBAN DESIGN
FOR THE CHAIR

STATE OF FLORIDA)
)SS

COUNTY OF MIAMI-DADE)
The foregoing instrument was acknowledged before me this _____ day of _____ 20___ by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

_____
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: _____

Approved As To Form:
City Attorney's Office: _____ ( )

Filed with the Clerk of the Design Review Board on _____ ( )

EXHIBIT A

LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IS SECTION 34, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 22, ACCORDING TO THE AMENDED PLAT OF GOLF COURSE SUBDIVISION OF THE ALTON BEACH REALTY COMPANY, AS RECORDED IN PLAT BOOK 6, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N88'00'53"E, ALONG THE EASTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY LINE OF 17TH STREET, SAID RIGHT OF WAY BEING 70 FEET IN WIDTH AS SHOWN ON SAID PLAT BOOK 6, PAGE 26, A DISTANCE 368.16 FEET; THENCE NO2'O4'00"W, ALONG THE EASTERN EDGE OF AN EXISTING 15 FEET WIDE SIDEWALK LYING ON THE EAST SIDE OF CONVENTION CENTER DRIVE AS NOW LAID OUT AND IN USE, A DISTANCE OF 39.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NO2'04'00"W ALONG SAID EXISTING SIDEWALK, A DISTANCE OF 238.58 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 40.00 FEET, A CHORD WHICH BEARS N42'58'54"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 62.90 FEET, THROUGH A CENTRAL ANGLE OF 50'05'48"; THENCE N88'01'48"E A DISTANCE OF 13.05 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE CONTINUE N88'01'48"E A DISTANCE OF 297.49 FEET; THENCE SO1'56 26"E, TO THE INTERSECTION WITH SAID EASTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY OF 17TH STREET, A DISTANCE OF 318.50 FEET; THENCE S88'00'53"W, ALONG SAID EASTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY OF 17TH STREET, A DISTANCE OF 309.96 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 40.00 FEET, A CHORD WHICH BEARS N47'01'33"W; THENCE NORTHWESTERLY ALONG THE ARC SAID CURVE A DISTANCE OF 62.78 FEET, THROUGH A CENTRAL ANGLE OF 89'55'08" TO THE POINT OF RFOINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 110,884 SQUARE FEET OR 2.55 ACRES MORE OR LESS.

TOGETHER WITH:

AN AIRSPACE PARCEL BEING A PARCEL OF LAND LYING IS SECTION 34, TOWNSHIP 53 SOUTH, RANGE 42, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA, HAVING AS ITS LOWER BOUNDARY, A HORIZONTAL PLANE AT ELEVATION 23.69 FEET (NORTH AMERICAN VERTICAL DATUM OF 1988), HAVING AS ITS UPPER BOUNDARY, A HORIZONTAL PLANE AT ELEVATION 52.44 FEET (NORTH AMERICAN VERTICAL DATUM OF 1988), THE PERIMETRICAL BOUNDARIES OF WHICH ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT SAID POINT "A"; THENCE NO3'29'22"W A DISTANCE OF 53.99 FEET; THENCE N86'30'38"E A DISTANCE OF 30.00 FEET; THENCE SO3'29'22"E A DISTANCE OF 54.78 FEET"; THENCE S88'01'48"W A DISTANCE OF 30.01 FEET TO 11-IE POINT OF BEGINNING SAID POINT ALSO BEING POINT "A".