

Design Review Board

TO:

DRB Chairperson and Members

DATE: January 3, 2017

FROM:

Thomas R. Mooney, AICP

Planning Director

SUBJECT:

DRB FILE No. 23162 (a.k.a.DRB16-0087)

2400 Pine Tree Drive

The applicant, Greater Miami Hebrew Academy, is requesting a (1) one-year Extension of Time for a previously issued Design Review Approval for the construction of a new four-story educational building, including variances to exceed the maximum area for a sign, to waive the minimum required width for an interior drive aisle and to waive the minimum required width for driveway entrance in order to replace a vacant parcel of land. (ITEM WAS APPROVED AT THE MAY 5, 2015 MEETING)

RECOMMENDATION:

Approval of the (1) one-year Extension of Time

LEGAL DESCRIPTION:

See attached Exhibit 'A'

HISTORY:

The application was approved by the Design Review Board on May 5, 2015 subject to the conditions set forth in the "Final Order".

Original Approval Date:

May 5, 2015

Order Expiration Date:

November 5, 2016

Proposed Expiration Date:

November 5, 2017

THE PROJECT:

The proposed new construction is in the building department permit process. The application and plans for Building Permit No. BC0616-0530 was applied for on 6/3/16 and has been reviewed twice by all of the associated disciplines. Staff recommends the request for an extension of time be approved to ensure that the permitting process commences.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the request for an extension of time be approved for a period not to exceed one (1) year from the expiration of the original approval as indicated in the Final Order for the project, subject to the conditions enumerated in the attached Draft Order.

TRM/JGM

F:\PLAN\\$DRB\DRB17\01-03-2017\JAN 17 Staff Reports\DRB 23162-e (aka DRB16-0087) 2400 Pine Tree Drive.JAN17.doc

Exhibit 'A'

FOLIO NUMBER: 02-3227-000-0092

LEGAL DESCRIPTION:

Commence at a appoint on the easterly line of Pine Tree Drive at the intersection with the northerly line of West 25th Street, as shown on the plat of FLAMINGO TERRACE EXTENSION, recorded in plat book 38, page 61, Public Records of Dade County, Florida, thence run southerly, along the easterly line of Pine Tree Drive for a distance of 374.96 feet to a point, thence run westerly, at right angle to said Easterly Line of Pine Tee Drive for a distance of 150.00 feet to the Point of Beginning; thence continue Westerly along the extension of the last described course for a distance of 299.03 feet; thence deflect to the right 161°03'09" and run northerly for a distance of 131.14 feet to a point, thence deflect to the left 71°03'09" and run northerly for a distance of 207.42 feet to a point, thence run easterly, at right angles to the easterly line of Pine Tree Drive for a distance of 250.00 feet to the point of beginning. Said lands located, lying and being in the City of Miami Beach.

DESIGN REVIEW BOARD City of Miami Beach, Florida

MEETING DATE:

January 3, 2017

FILE NO:

DRB 23162 (a.k.a. DRB16-0087)

PROPERTY:

2400 Pine Tree Drive

APPLICANT:

Greater Miami Hebrew Academy

LEGAL:

See attached Exhibit 'A'

IN RE:

The Application for a (1) one-year Extension of Time for a previously issued Design Review Approval for the construction of a new four-story educational building, including variances to exceed the maximum area for a sign, to waive the minimum required width for an interior drive aisle and to waive the minimum required width for driveway entrance in order to replace a vacant parcel of land. (ITEM WAS APPROVED AT THE MAY

5, 2015 MEETING).

ORDER

The City of Miami Beach Design Review Board makes the following FINDING 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:

The applicant submitted information establishing, among other things, that delays were encountered in permitting the project. The foregoing constitutes good cause for granting a one (1) year extension of time to the requirement that a Full Building Permit be obtained within eighteen (18) months of the original Design Review Approval.

IT IS HEREBY ORDERED, based upon the foregoing finding of fact and the staff report and analysis, which is adopted herein, including the recommendation, that a one (1) year extension of time to obtain a full building permit (which one [1] year period shall run from the expiration date of the original approval, which was on November 6, 2016) is granted for the above-referenced project conditioned upon the following, to which the applicant has agreed:

- 1. A <u>full</u> building permit, not a foundation or shell permit, for the project shall be obtained by November 5, 2017.
- 2. Construction shall commence and continue in accordance with the applicable Building Code.
- This Extension of Time shall run concurrent with any other Extensions of Time that
 may be provided to the property owner as a result of actions of non-City authorities
 with jurisdiction over such matters.
- 4. 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.

5. 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.

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 and the Order for the May 5, 2015 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 and the Final Order for the May 5, 2015 meeting. If the Full Building Permit is not issued by November 5, 2017, the Design Review Approval will expire and become null and void. If the Full Building Permit 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 Design Review Approval will expire and become null and void.

Dated this	_ day of	, 20		
		DESIGN REVIEW BOARD THE CITY OF MIAMI BEACH, I	FLORIDA	
		BY: JAMES G. MURPHY CHIEF OF URBAN DESIGN FOR THE CHAIR		
STATE OF FLORIDA))SS			
	OADE ´) ent was acknow 20 b ami Beach, Flo	vledged before me this or y James G. Murphy, Chief of Urba rida, a Florida Municipal Corporation o me.	n Design, Planning	
		NOTARY PUBLIC Miami-Dade County, Florida My commission expires:		
Approved As To Form: City Attorney's Office:		()	
Filed with the Clerk of t	the Design Rev	iew Board on	_()

Exhibit 'A'

FOLIO NUMBER: 02-3227-000-0092

LEGAL DESCRIPTION:

Commence at a appoint on the easterly line of Pine Tree Drive at the intersection with the northerly line of West 25th Street, as shown on the plat of FLAMINGO TERRACE EXTENSION, recorded in plat book 38, page 61, Public Records of Dade County, Florida, thence run southerly, along the easterly line of Pine Tree Drive for a distance of 374.96 feet to a point, thence run westerly, at right angle to said Easterly Line of Pine Tee Drive for a distance of 150.00 feet to the Point of Beginning; thence continue Westerly along the extension of the last described course for a distance of 299.03 feet; thence deflect to the right 161°03'09" and run northerly for a distance of 131.14 feet to a point, thence deflect to the left 71°03'09" and run northerly for a distance of 207.42 feet to a point, thence run easterly, at right angles to the easterly line of Pine Tree Drive for a distance of 175.00 feet to a point; thence run southerly, parallel to the easterly line of Pine Tree Drive for a distance of 250.00 feet to the point of beginning. Said lands located, lying and being in the City of Miami Beach.