

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Design Review Board

TO: DRB Chairperson and Members

DATE: February 06, 2017

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: DRB16-0092  
**Between 79<sup>th</sup> and 87<sup>th</sup> Collins Ave—North Shore Open Space Park**

The applicant, the City of Miami Beach, is requesting Design Review Approval for the substantial improvements of North Shore Open Space Park.

#### **Recommendation:**

**Approval** with conditions

#### **LEGAL DESCRIPTION:**

All of Blocks 1, 2, 3 and 4 lying West of the Miami-Dade County Erosion Control Line (ECL) as established within this area, Together With all of Blocks 13, 14, 15 and 16, Together With all the rights-of-way lying North of the North right-of-way line of 79th Street, lying South of the North right-of-way line of 83rd Street and lying East of the East right-of-way line of Collins Avenue (S.R. A-1-A), all of the CORRECTED PLAT OF ALTOS DEL MAR NO. 1, according to the plat thereof as recorded in Plat Book 31, Page 40, of the Public Records of Miami-Dade County Florida.

#### **TOGETHER WITH:**

All of Blocks 2, 3, 4 and 5 lying West of the Miami-Dade County Erosion Control Line (ECL) as established within this area, Together With all of Blocks 6, 7, 8 and 9, Together With all the rights-of-way lying North of the North right-of-way line of 83rd Street, lying South of the South right-of-way line of 87th Street and lying East of the East right-of-way line of Collins Avenue (S.R. A-1-A), all of ALTOS DEL MAR SUBDIVISION NO. 2, according to the plat thereof as recorded in Plat Book 4, Page 162, of the Public Records of Miami-Dade County Florida.

Said lands situate within the City of Miami Beach, Miami-Dade County, Florida.

#### **BACKGROUND:**

In November 2014 the city passed a resolution and executed a development agreement vacating the 87<sup>th</sup> Terrace easement. On March 3, 2015, the Design Review Board passed a resolution encouraging the City to hire a landscape architect to proceed with a park master plan for north beach open space park, and to proceed with the implementation of that plan as soon as possible.

#### **HISTORY:**

North Shore Open Space Park is a City-owned park that offers a natural buffer to the beach and whose rich vegetation offer a distinct getaway from the urban cityscape. It's dense hammocks, clustered palms, sand dunes, and beach access provide a native landscape that is unique within the City. Stretching from 79<sup>th</sup> through 87<sup>th</sup> Street, the park is a little more than half a mile long

and contains approximately 28 acres.

The park was originally platted as part of the Altos del Mar subdivisions, developed by the Tatum Ocean Park Company of the prominent early Miami Beach developers, brothers Smiley, Bethel, and Johnson Tatum. As part of a State and City sponsored environmentally endangered land acquisition program in the 1970s, the homes developed by the Tatum Brothers were bought and demolished in order to make way for the natural park in its current iteration. The Altos del Mar Historic District which lies directly to south of the park is the only remaining portion of the subdivision, and constitutes the only oceanfront single-family homes in Miami Beach.

**SITE DATA:**

Zoning: GU  
Future Land Use: ROS, Recreation Open Space  
North Shore Open Space Park  
Lot Size: ±1,214,801.39 SF (±28 acres)  
Grade: ±5.00' NGVD  
Flood: +8.0' NGVD  
Difference: +3.00' NGVD  
Adjusted Grade: +6.5' NGVD

**OPEN SPACE:**

Existing Pervious Area: 1,047,721.94 SF | 24.05 acres | 86.246%  
Existing Impervious Area: 167,079.45 SF | 3.84 acres | 13.754%

Proposed Pervious Area: 963,478.73 SF | 22.12 acres | 79.312%

Proposed Impervious Area: 251,322.66 SF | 5.77 acres | **20.688%**

**Total increase of 84,243.21 SF | 6.93% increase in impervious coverage**

Existing Conservation Area: SF 245,260.02 | 5.63 acres | 20.189% coverage

Proposed Conservation Area: 279,855.93 SF | 6.43 acres | **23.04% coverage**

**Total increase of 34,625.91 SF (0.8 acres) | 2.85% increase in conservation area coverage**

**LAND USES:**

East: Beach and Atlantic Ocean  
North: Under construction | DRB File No. 23129 – New twenty-story residential building  
South: Two single family homes – Altos del Mar Local Historic District  
West: GU lots, parking, civic services, and vacant lots

**THE PROJECT:**

The applicant has submitted plans and renderings entitled "North Shore Open Space Park – Proposed Improvements (Phase 1) Illustrative Package" and "North Shore Open Space Park – 30% Schematic Design Documents" by **Calvin, Giordano & Associates, Inc.** dated signed sealed November 14, 2016.

The applicant is proposing to demolish the existing paving and portions of the park's vegetation in order to provide more comprehensive walkway and recreation area improvements that will establish a cohesive park identity. The applicant is also proposing new fencing, lighting, and landscaping improvements that will provide for an overall safer environment that is more

compliant with the principles and standards of CPTED (Crime Prevention Through Environmental Design).

**ACCESSIBILITY COMPLIANCE**

Additional information will be required for a complete review for compliance with the Florida Building Code 2001 Edition, Section 11 (Florida Accessibility Code for Building Construction). These and all accessibility matters shall require final review and verification by the Building Department prior to the issuance of a Building Permit.

**CONCURRENCY DETERMINATION:**

A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs, if required, shall be paid prior to the project receiving any Building Permit.

**CONSISTENCY WITH COMPREHENSIVE PLAN:**

A preliminary review of the project indicates that the proposed **recreational use** appears to be **consistent** with the ROS designation of the Future Land Use Map of the 2025 Comprehensive Plan. The main permitted uses in the ROS, Recreation Open Space Element are recreation and open space facilities.

**COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code. 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.

**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 is 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, signs, and lighting and screening devices.  
**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.  
**Satisfied**
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.  
**Not Applicable**

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).  
**Not Applicable**
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.  
**Not Applicable**
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.  
**Not Applicable**
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**

**STAFF ANALYSIS:**

This application was heard at the January 3, 2017 Design Review Board meeting. The item was continued to the February 6, 2017 to correct an error in the notice. As previously indicated, staff is highly supportive of the improvements proposed herein for North Shore Open Space Park as they will greatly improve pedestrian access to the park, significantly upgrade the design, further expand the amenities found within the park, and enhance the overall experience and usability of the park. Staff has worked very closely with the design team for the park, and commends their efforts in the development of a very thorough set of design development drawings.

Since the previous meeting, at which time an update on the design of the park was presented, the elements of the final design have been further refined and detailed. The design of the walkways along the Park has been successfully developed to accent the conservation areas, and the materials and dimensions of the pathways features have been finalized. Natural materials and finishes are proposed throughout the park, including the use of exposed aggregate shell concrete, crushed coquina, key stone, and concrete pavers in various earth tones. The lighting plan has also been fully developed, complete with fixture specifications and

finishes, and a complete planting plan has been provided, including site furnishings. An appropriate gateway feature/gate is also proposed at the entrance to the Park.

The North Shore Open Space Park redesign pays homage to the park's current identity of a natural oasis, maintaining the conservation areas noted in the plans. The design development for this project from the onset has been a deliberate process. The CIP team along with the design consultants led public outreach meetings, hearing directly from neighbors what their aspirations were for the park. One key focus consistent throughout has been that the park should be designed to be a safer public amenity that is not conducive to crime. The heavily vegetated landscape, paired with blind corners and insufficient lighting currently provides a scenario that lends itself to criminal activity. By adopting tried and proven CPTED principles, clearing the undergrowth, creating wide circular sightlines around the pathways, and providing lighting, the park's new look will provide an overall safer recreational center for North Shore.

The review process for the park has been an interdisciplinary effort, with vital input from different City Departments who have partaken in the public outreach, become familiar with the project and provided valuable feedback that will be addressed throughout varying stages of project development. Comments have been provided to the applicant and the CIP department has been made aware of the departments' comments and constructive critiques. The comments and concerns pending are by and large able to be resolved at permit review. The most driving factor in the overall improvements to north Shore Open Space Park was to be compliant with four the basic principles of CPTED—Natural Surveillance, Natural Access Control, Territorial Reinforcement, and Maintenance and Management

The proposed redesign of the project promotes a more inviting and refined envisioning of the park, while keeping intact the existing natural beachfront habitat as conservation areas. The proposed park walkways create a meandering path that loops in and around the conservation areas as well as recreation areas, and facilitate leisurely or active use of the park. The overall concept is a 'bouquet-ing' of the conservation areas, surrounding clusters of the nature preserves with varying low wall typologies. A primary loop serves as the extension of the beach walk on the oceanfront side, and is the primary north-south path on the west side. A series of secondary loops explore the entire scope of the park, circling around the conservation areas.

The path intersections have been designed in a playful manner, sometimes merging, crossing, or being completely tangential to one another, barely touching. Staff has some concerns that joint pathways measure three pathway widths across. Staff would recommend having the applicant explore minimizing paving at path intersections to minimize the overall impact of the concrete. The design team has afforded park visitors with ample opportunities to sit and relax on the low keystone clad kneewalls.

Staff's only other concern is the need for a more expansive and inviting open green area between 83<sup>rd</sup> and 85<sup>th</sup> street. The primary loop is currently proposed to bisect the park at 84<sup>th</sup> Street, dividing what could be a more substantial lawn/picnic area for the park, with the possibility to provide the park with a recreational and recognizable anchor. The area east of the dividing primary loop path is proposed to include a mix of turf and sand landscaping. Staff would recommend the designers explore shifting the primary loop between 84<sup>th</sup> and 83<sup>rd</sup> Street eastwards to be nearer to the secondary loops and pavilions that lie just north of 83<sup>rd</sup> Street transect, allowing for a contiguous green space in the middle of the park.

In summary, staff is supportive of the improvements to the park areas and would recommend approval of the redesign of North Shore Open Space Park.

**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.

TRM/JGM/CAM

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**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: February 06, 2017

FILE NO: DRB16-0092

PROPERTY: **North Shore Open Space Park**

APPLICANT: City of Miami Beach

LEGAL: See attached 'Exhibit A'

IN RE: The Application for Design Review Approval for the substantial improvements of North Shore Open Space Park.

**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 consistent with Design Review Criteria in Section 118-251 of the Miami Beach Code.
- C. The project would remain consistent with the criteria and requirements of Section 118-251 if the following conditions are met:
  - 1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
    - a. The final design, including materials and finishes for all proposed railings shall be provided, subject to the review and approval of staff.
    - b. The final design of the lights along the pathway and dune, including materials and finishes, shall be provided and comply with Florida Department of Environmental Protection regulations, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.



- c. The final design details of the proposed fences and gates, including color and material samples, 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.
  - d. The final design and placement and model/type of all park furniture and fixtures, shall be reviewed and approved by the Planning Department and the Police Department.
  - e. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
  - f. 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.
  - g. 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. Parking areas shall be substantially screened from view from within the park, in a manner to be reviewed and approve by staff.
  - b. All landscape areas abutting driveways and parking areas shall be defined by decorative bollards.
  - c. All pathway pavers and concrete banding shall be utilized for the entire impervious area, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - d. 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.
  - e. The utilization of root barriers and/or structural soil, as applicable, shall be clearly delineated on the revised landscape plan.

- f. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures; such fixtures and devices shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of backflow preventors, 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.
- g. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. 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.
- h. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect for 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)**

- A. No variance(s) were filed as part of this application.

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

- A. 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.
- B. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. 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.

- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. Nothing in this order authorizes a violation of 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 amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "North Shore Open Space Park – Proposed Improvements (Phase 1) Illustrative Package" and "North Shore Open Space Park – 30% Schematic Design Documents" by **Calvin, Giordano & Associates, Inc.** dated signed sealed November 14, 2016, and as approved by the Design Review Board, as determined by staff.

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 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 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 shall expire for any reason (including but not



**'Exhibit A'**

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All of Blocks 2, 3, 4 and 5 lying West of the Miami-Dade County Erosion Control Line (ECL) as established within this area, Together With all of Blocks 6, 7, 8 and 9, Together With all the rights-of-way lying North of the North right-of-way line of 83rd Street, lying South of the South right-of-way line of 87th Street and lying East of the East right-of-way line of Collins Avenue (S.R. A-1-A), all of ALTOS DEL MAR SUBDIVISION NO. 2, according to the plat thereof as recorded in Plat Book 4, Page 162, of the Public Records of Miami-Dade County Florida.

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