



City of North Miami Beach, Florida
COMMUNITY DEVELOPMENT DEPARTMENT

**CITY COUNCIL
 STAFF REPORT**

TO: City Council
FROM: Carlos M. Rivero, City Planner
DATE: July 21, 2015
**RE: International City Building (Holistic Recovery Center Drug/Alcohol Rehabilitation Center),
 Conditional Use Approval**

P&Z ITEM # 15-001	INTERNATIONAL CITY BUILDING
OWNER OF PROPERTY	INTERNATIONAL CITY BUILDING, LLC
ADDRESS OF PROPERTY	150 / 152 NW 168 STREET
FOLIO NUMBER	07-2113-007-2320
LEGAL DESCRIPTION	LOTS 9 THROUGH 20, BOTH INCLUDED, IN BLOCK 12 OF OLETA TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 117, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
EXISTING ZONING	B-2, GENERAL BUSINESS DISTRICT
EXISTING LAND USE	OFFICE BUILDING
FUTURE LAND USE DESIGNATION	BUSINESS

BACKGROUND:

The applicant, Roland Faith, representing International City Building LLC, requests site plan and conditional use approval for the operation of *Holistic Recovery Centers, Inc.*, a 12,655 square foot drug/alcohol non-residential rehabilitation center within an existing office building on a 37,500 square foot lot.

SURROUNDING LAND USES:

Location	Zoning Designations	Existing Land Uses	Future Land Use Designations
North	CF, Community Facility	Jackson North Medical Center	Public and Quasi-Public
East	B-2, General Business District	Office Building	Business

South	B-2, General Business District	Office Building	Business
West	B-2, General Business District	Vacant Lot	Business

THE SITE:

The subject site is 37,500 square feet and contains a three-story office building (two stories on columns above surface parking).

THE PROJECT:

The project involves the establishment of a 12,655 square foot drug/alcohol rehabilitation center on the second floor. Pursuant to the B-2 Zoning District, the proposed center is conditionally permitted.

Staff has reviewed the application for consideration by the City Council; in this report, Staff presents the applicable Zoning and Land Development Code regulations with recommendations.

**Sec. 24-52 B-2, General Business District
Uses Permitted**

Conditionally Permitted	Proposed	Recommendation/Comments
Drug/Alcohol Rehabilitation Service	Drug/alcohol Rehabilitation Center	Permitted with Conditions

Site Development Standards

Required	Proposed	Recommendation/Comments
Minimum lot area: 5,000 sq.ft.	37,500 sq.ft.	Complied
Minimum lot width: 100 ft.	300 ft.	Complied
Minimum setbacks: Minimum setbacks: Front: 25' Rear: 20' Side (interior):0' Side (corner): 20' Adjacent More Restrictive District: 25'	Existing structure	Complied
Maximum building height: 15 stories/150 ft.	3 stories	Complied

Minimum pervious area: 20% of total lot area	Existing structure	Complied
Minimum floor area: 1000 sq. ft. per structure	Existing structure	Complied
Minimum space requirements: 4.5 spaces for each 1,000 sq.ft. gfa	85 standard spaces and 4 handicapped	Complied
Applicable Special Regulations: <ul style="list-style-type: none"> Enclosed activities Lighting 	<ul style="list-style-type: none"> All activities related to the permitted use are conducted entirely within an enclosed and roofed structure except for outdoor dining areas. All necessary lighting is oriented to prevent any direct glare or nuisance of any kind to adjacent properties or public right-of-way. 	Complied.

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

Required	Proposed	Recommendation
Paving and Drainage: <ul style="list-style-type: none"> Surfaced w/6 inch rolled rock and 1 inch weatherproof pavement Proper drainage 	Concrete	Complied
	Drainage plan provided	Complied
Minimum parking space sizes <ul style="list-style-type: none"> Standard 9' x 18' Handicapped 12' x 20' plus 5' access ramp 	9' x 18' 12' x 20' with 5' access ramp	Complied Complied
Traffic Control: N/A	N/A	N/A

Article XI. Landscaping
Sec. 24-122

Required	Proposed	Recommendation
Repair/replace as needed	Landscape restoration plan	Complied

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

Required	Proposed	Recommendation
N/A (Zone X)	N/A (Zone X)	N/A

PLANNING AND ZONING DEPARTMENT ANALYSIS:

The purpose of the General Business District is “to provide suitable sites for development of retail and service commercial uses of a general nature which serve the diverse consumer needs of the entire community.” The proposed drug/alcohol rehabilitation center is in accordance with the intent of the district and its proximity to an existing hospital ensures its ability to address the needs of those seeking treatment.

PLANNING AND ZONING DEPARTMENT RECOMMENDATION:

The Planning and Zoning Department recommends approval of this conditional use subject to the following conditions:

1. Application/supporting documentation. Construction of the proposed project shall be in conformance with the following:
 - Sketch of Survey prepared by Narciso J. Ramirez, Professional Land Surveyor and Mapper
 - Plans prepared by PME Engineering Corp. including the following:
 - i. Site Plan, Sheet SD-1
 - ii. Ground Floor Plan & Elevator Lobby Elevations, Sheet A1-1
 - iii. Second Floor Plan, Sheet A1-2
 - iv. Photometric Site Plan, Sheet PH-00
 - v. Site Power Plan, Sheet PH-0.
 - vi. Notes, Riser & Panel, Sheet PH-1
2. All representations and exhibits as prepared and provided to the Community Development Department as part of the Application Submittal Package, as amended.
3. All representations proffered by the Applicant’s representatives as a part of the review of the application at public hearings.
4. All comments made by all Staff Reviewers and submitted to the applicant on January 8, 2015 shall be addressed prior to Building permit submittal as follows:

ENGINEERING:

5. Miami-Dade County Fire Department approval is required for adequacy of fire protection for the site.
6. All missing and/or damaged landscaping, parking infrastructure, pavement, striping, and curbing must be replaced as part of this project.

POLICE:

7. If numerous incidents of crime are reported on the premises the Resolution approving the conditional use may be revoked.
8. Excluding any outdoor area designated on the proposed site plan, the proposed facility shall not direct or encourage any patron to stand, sit (including in a parked car), gather, or loiter outside of the building where the facility operates, including in any parking

areas, sidewalks, rights-of-way, or neighboring properties for any period of time longer than reasonably required for patrons to conduct their business and depart.

9. The Applicant shall have a security risk assessment conducted on the property by the NMBPD Crime Prevention Unit prior to the issuance of a Certificate of Occupancy.
10. The Applicant must join the NMBPD Trespass After Warning Program.
11. The facility must comply with the Florida Building Code Chapter 36 Standards for Security and Forced Entry Prevention.
12. The Applicant shall provide the NMBPD with access to the facility in cases of emergency.

ADDITIONAL VOLUNTARY CONDITIONS (LISTED ON LETER OF INTENT):

13. The facility will have 24-hour a day on-site security and 10 security cameras monitoring the facility during the hours of operation.
14. The hours of operation shall be Monday to Friday 9:00 A.M. to 5:00 P.M., Saturday 9:00 A.M. to 2:00 P.M., and closed on Sunday.
15. Clients shall be monitored at all times by mental health and certified behavioral technicians (CBHT's).
16. The Applicant shall provide two scholarships, per month for North Miami Beach residents in need of addiction treatment assistance. The owner/applicant/operator will work with the North Miami Beach Police Department for referrals and will provide a report, at the end of the each calendar year, list the amount of scholarships provided and the duration of each scholarship recipient's use of the service.
17. The main building entrance will be the only access into the building, the second floor door to the stairway with direct parking lot access (shown on the plans described in condition no. 1 herein) shall have an audible alarm when opened.
18. The Applicant will provide a North Miami Beach Police Department substation, if requested.

ADDITIONAL CONDITIONS:

19. The applicant shall maintain the parking lot of the subject property, including the south 10 foot strip along the south property line currently labeled as alley, in a clean, safe, and aesthetically pleasing manner.
20. The medical courier boxes at the front of the building shall be relocated to a more discreet position to be less visible from the street, subject to review and approval of Planning staff.
21. The City Council shall maintain jurisdiction of this Conditional Use Permit. If deemed necessary, at the request of the City Manager, the Applicant shall appear before the City Council for a progress report. The Council reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports.
22. This Conditional Use is also subject to modification or revocation. The City Council shall retain the right to call the owner, applicant, and/or operator back before them and

modify the hours of operation or the occupant load proposed for the project should there be valid complaints about loud, excessive, unnecessary, or unusual noise, as determined by the Code Compliance Department, or if code violations have been issued to the property. Nothing in this provision shall be deemed to limit the right of the City Council to call back the owner, applicant and/or operator for other reasons and for other modifications of this Conditional Use Permit.

23. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
24. Any substantial modifications to the plans submitted and approved as part of the application, as determined by the City Manager or designee, may require the applicant to return to the City Council for approval.
25. The applicant, owner and/or operator, both now and in the future, shall abide by all the documents and statements submitted with this application, as well as all conditions of this Conditional Use Permit.

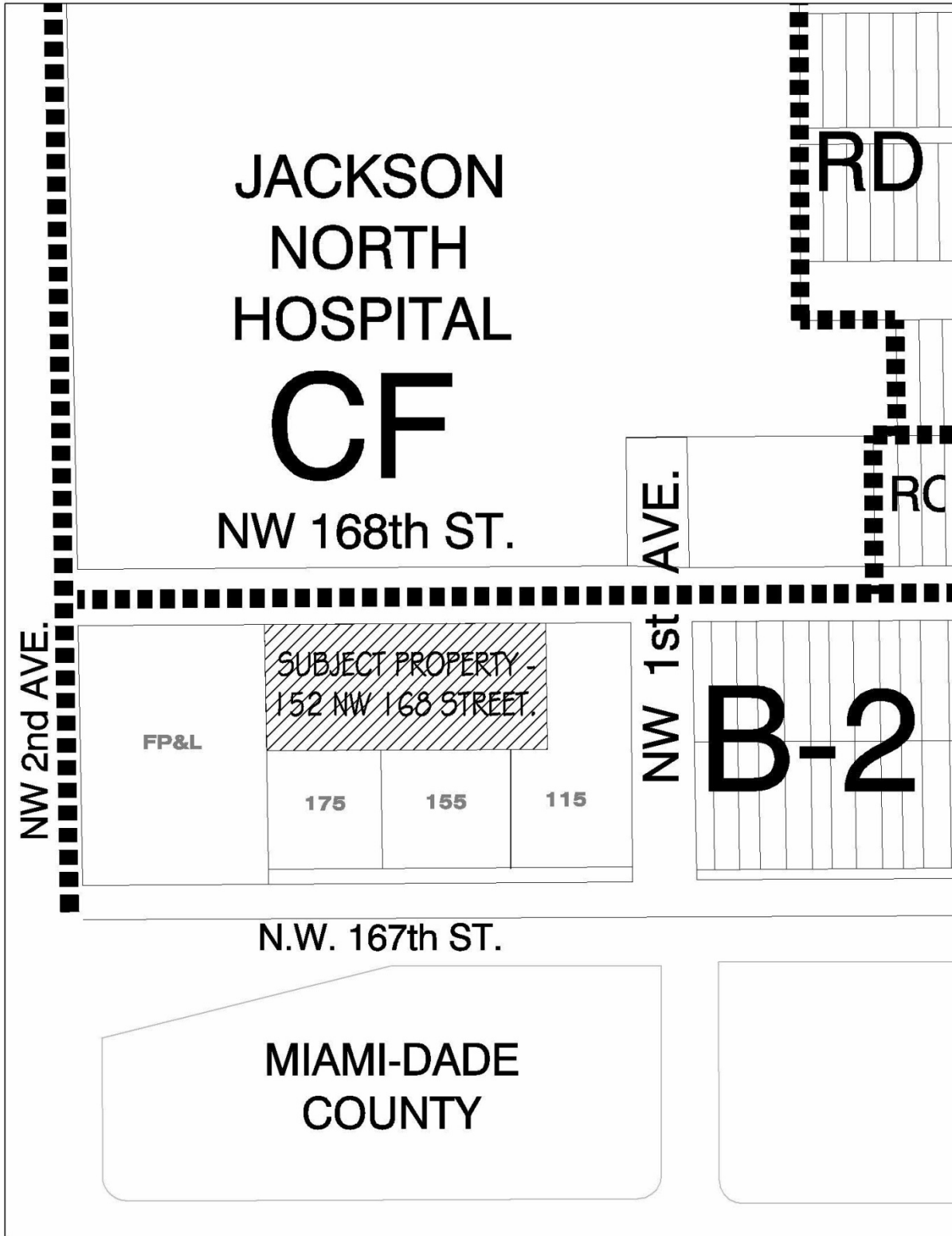
SUBMITTAL HISTORY:

TRAD (January 8, 2015)

PLANNING & ZONING BOARD, unanimous 7-0 vote (May 11, 2015)

CITY COUNCIL (July 21, 2015)

LOCATION AND ZONING MAP



ADVERTISEMENT HISTORY:



Site sign installed on April 27, 2015

4/30/2015



Title:

Category: Hearings

Adnumber: 2434451

CITY OF NORTH MIAMI BEACH NOTICE OF PUBLIC HEARING DATE/TIME: Monday, May 11, 2015, 6:00 P.M.
LOCATION: North Miami Beach City Hall, 2nd Floor, City Council Chambers 17011 NE 19th Avenue, North Miami Beach, FL 33162 PUBLIC NOTICE is hereby given that the City of North Miami Beach Planning and Zoning Board shall consider the following public hearing item: Conditional Use and Site Plan Approval — 152 NW 168 Street, North Miami Beach, FL: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING CONDITIONAL USE AND SITE PLAN APPROVAL, IN ACCORDANCE WITH SECTION 24-52 (C) OF THE NORTH MIAMI BEACH CODE OF ORDINANCES FOR THE CONSTRUCTION AND OPERATION OF A PROPOSED NON-RESIDENTIAL DRUG AND ALCOHOL REHABILITATION SERVICE IN AN EXISTING OFFICE BUILDING, ON PROPERTY LEGALLY DESCRIBED AS LOTS 9 THROUGH 20, BOTH INCLUDED, IN BLOCK 12 OF OLETA TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 117, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA ALSO KNOWN AS 152 NW 168 STREET, NORTH MIAMI BEACH, FL. All interested parties are invited to attend and participate in the Public Hearing(s). The items are on file and available for examination at the Community Development Department, 17050 N.E. 19 Avenue, North Miami Beach, Florida 33162-3194, Monday through Friday 8:00AM-5:00PM. Questions and written comments can be directed via email to nmbcomdev@citynmb.com, FAX - 305.957.3517, or mail to the above address or by calling 305.948.2966. Upon recommendation by the Board, the items will be scheduled for City Council consideration. Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the City Clerk prior to engaging in lobbying activities before City Boards, Committees, or the City Council. Should any person desire to appeal any decision of the Board with respect to any matter considered at this meeting, that person must insure that a verbatim record of the proceedings is made, including all testimony and evidence upon which any appeal may be based (See Florida Statutes 286.0105). In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the City Clerk no later than two (2) days prior to the proceeding. Telephone 305.787.6001 for assistance, if hearing impaired, telephone our TDD line 305.948.2909 for assistance. 4/30 15-3-190/2434451M

7/9/2015



Title:

Category: Hearings

Adnumber: 2460225

CITY OF NORTH MIAMI BEACH NOTICE OF PUBLIC HEARING DATE/TIME: Tuesday, July 21, 2015, 7:30 P.M.
 LOCATION: North Miami Beach City Hall, 2nd Floor, City Council Chambers 17011 NE 19th Avenue, North Miami Beach, FL 33162 PUBLIC NOTICE is hereby given that the City of North Miami Beach City Council shall consider the following public hearing item: Conditional Use and Site Plan Approval — 152 NW 168 Street, North Miami Beach, FL: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING CONDITIONAL USE AND SITE PLAN APPROVAL, IN ACCORDANCE WITH SECTION 24-52(C) OF THE NORTH MIAMI BEACH CODE OF ORDINANCES FOR THE CONSTRUCTION AND OPERATION OF A PROPOSED NON-RESIDENTIAL DRUG AND ALCOHOL REHABILITATION SERVICE IN AN EXISTING OFFICE BUILDING, ON PROPERTY LEGALLY DESCRIBED AS LOTS 9 THROUGH 20, BOTH INCLUDED, IN BLOCK 12 OF OLETA TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, AT PAGE 117, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA ALSO KNOWN AS 152 NW 168 STREET, NORTH MIAMI BEACH, FL. All interested parties are invited to attend and participate in the Public Hearing(s). The items are on file and available for examination at the Community Development Department, 17050 N.E. 19 Avenue, North Miami Beach, Florida 33162-3194, Monday through Friday 8:00AM-5:00PM. Questions and written comments can be directed via email to nmbcomdev@citynmb.com, FAX - 305.957.3517, or mail to the above address or by calling 305.948.2966. Upon recommendation by the Board, the items will be scheduled for City Council consideration. Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the City Clerk prior to engaging in lobbying activities before City Boards, Committees, or the City Council. Should any person desire to appeal any decision of the Board with respect to any matter considered at this meeting, that person must insure that a verbatim record of the proceedings is made, including all testimony and evidence upon which any appeal may be based (See Florida Statutes 286.0105). In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the City Clerk no later than two (2) days prior to the proceeding. Telephone 305.787.6001 for assistance, if hearing impaired, telephone our TDD line 305.948.2909 for assistance. 7/9 15-191/2460225M