

## PLANNING DEPARTMENT

## COMMISSION MEMORANDUM

TO: Jimmy L. Morales, City Manager

FROM: Thomas R. Mooney, AICP  
Planning Director

DATE: October 1, 2019

SUBJECT: **Planning Analysis of Proposed Aerial Easement – Ocean Court between the Clevelander and Essex Hotels**

### **BACKGROUND**

There is a proposal pending before the City Commission to provide an aerial easement over Ocean Court between the Clevelander and Essex hotels for the construction of a pedestrian bridge between them. The hotels are located on the south sides of the blocks between 10<sup>th</sup> and 11<sup>th</sup> Streets. The aerial easement will be located 42.5 feet above the current street level and have a width of six (6) feet. The alley has a width of 20 feet. The proposed easement will have an area of 120 square feet and a volume of 1,680 cubic feet.

Section 82-38 of the Code of the City of Miami Beach requires that any proposed sale or lease of City-owned land be analyzed from a planning perspective so that the City Commission and the public are fully apprised of all conditions relating to the proposed sale or lease. The following is an analysis based on the criteria delineated in the Code.

### **ANALYSIS**

1. **Whether or not the proposed use is in keeping with city goals and objectives and conforms to the city comprehensive plan.**

**Consistent** – The easement will not impede the use of the alley as it exists today. The use of the adjacent properties will not change. This is consistent with the Comprehensive Plan.

2. **The impact on adjacent property, including the potential positive or negative impacts such as diminution of open space, increased traffic, noise level or enhanced property values, improved development patterns and provision of necessary services. Based on the proposed use of the property, the city shall determine the potential impact of the project on city utilities and other infrastructure needs and the magnitude of costs associated with needed infrastructure improvements. Should it become apparent that further evaluation of traffic impact is needed, the proponent shall be responsible for obtaining a traffic impact analysis from a reputable traffic engineer.**

**Consistent** – No negative impacts are anticipated by the proposal. The easement will not impede the functioning of the alley, nor will it result in additional development rights for either of the adjacent properties. The easement will not impact adopted levels of service for public infrastructure.

3. **A determination as to whether or not the proposed use is in keeping with a public purpose and community needs, such as expanding the city's revenue base, creating jobs, creating a significant revenue stream, and improving the community's overall quality of life.**

**Consistent** - This proposal expands the City's revenue base by allowing for improved functioning of the Essex and Clevelander Hotels. The adjacent property owners will be responsible for any taxes imposed on the site. The walkway will allow for the use of shared amenities and transfer of pedestrians and luggage between buildings without using public sidewalks or alleys. A similar aerial easement was provided to the north of this site and no negative impacts have been noted.

4. **A determination as to whether or not the development is in keeping with the surrounding neighborhood, will block views or create environmental intrusions, and evaluation of the design and aesthetic considerations of the project.**

**Consistent** - The surrounding neighborhood will not be negatively affected. The bridge will not block views. No environmental intrusions will be created by the proposed ROW vacation.

5. **The impact on adjacent properties, whether or not there is adequate parking, street and infrastructure needs.**

**Consistent** – This aerial easement will not affect the parking or infrastructure needs of adjacent properties.

6. **Such other issues as the city manager or his authorized designee, who shall be the city's planning director, may deem appropriate in analysis of the proposed disposition.**

**Not applicable** - The Planning Department has no other issues it deems appropriate to analyze for this proposal.

### **CONCLUSION**

This aerial easement is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan. The easement is not expected to generate any negative impacts for the surrounding area. The alley below the proposed bridge would continue to serve in the same manner, as utility, vehicular, and pedestrian access will continue to be provided.

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