

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: July 27, 2020

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB20-0357. 1910 Alton Road – Mechanical Parking**

An application has been filed requesting conditional use approval for a new 5-story mixed-use building, including the use of a mechanical parking, pursuant to Chapter 118, Article IV, and Chapter 130, Article II of the City Code.

RECOMMENDATION

Approval with conditions

HISTORY

On June 23, 2020 the Board continued the application to a date certain of July 27, 2020, at the request of the applicant.

On July 15, 2020 the Design Review Board issued design review approval for the construction of the new 5-story building, including associated variances (File No. DRB20-0522).

ZONING / SITE DATA

Legal Description: LOT 2, BLOCK 12-A, OF ISLAND VIEW ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9 PAGE 144, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

Zoning District: CD-2, Commercial Medium Intensity District.

Future Land Use: CD-2, Commercial Medium Intensity District.

Surrounding Uses: See Zoning/Site map at the end of this report.

North: Commercial building
South: Commercial building
East: FPL Site
West: Commercial building

Lot Size: 8,000 SF

Maximum FAR: 2.0 For Mixed use projects

Proposed FAR: 2.0 - 16,000 SF as represented by the applicant

Maximum Height: 50'-0"

Proposed Height: 53'-0" (subject to DRB Variance approval)

Proposed Uses: Retail, Office and Residential use

THE PROJECT

The applicant has submitted plans entitled "1910 Alton Road" as prepared by Kobi Karp Architecture and Planning, dated April 27, 2020. The applicant is requesting Conditional Use approval for the construction of a new 5-story mixed-use building including mechanical parking.

COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES:

Conditional Uses may be approved in accordance with the procedures and standards set forth in the City Code Art. 4, Sec. 118-191 and Sec. 118-192:

1. **The use is consistent with the Comprehensive Plan or Neighborhood Plan if one exists for the area in which the property is located.**

Consistent – The request is consistent with the Comprehensive Plan, as the CD-2 Category permits Commercial and residential uses.

2. **The intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan**

Consistent – The proposal should not result in an impact that would exceed the thresholds for the levels of service as set forth in the Comprehensive Plan; however, a concurrency analysis will be performed at the time of building permit application.

3. **Structures and uses associated with the request are consistent with this Ordinance.**

Partially Consistent – As proposed, it appears that the project would comply with the Land Development Regulations, with the exception of (3) variances requested, to be reviewed by the Design Review Board. These comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification prior to the issuance of a building permit.

4. **Public health, safety, morals and general welfare will not be adversely affected.**

Consistent – The proposed project should not adversely affect the general welfare of nearby residents and businesses as the proposed uses are compatible with the surrounding area.

5. **Adequate off-street parking facilities will be provided.**

Consistent – The project includes a mechanical lift system in the parking garage, which will provide the required parking for the project.

6. **Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.**

Consistent - The proposed project is not expected to adversely affect surrounding values; however, staff is recommending conditions to provide further safeguards.

7. **The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.**

Consistent – There are not any accessory mechanical parking garages nearby. The project's proposed uses are allowed in the CD-2 zoning district. Adverse impacts are not

anticipated on the surrounding neighborhood as a result of this request.

SECTION 130-38–MECHANICAL AND ROBOTIC PARKING SYSTEMS

Projects proposing to use mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory off-street parking requirements shall prepare schematic floor plans prior to site plan review by the applicable land use board. Two sets of schematic floor plans shall be required:

1. **One set of schematic plans sufficient to show the proposed development project with accessory off-street parking requirements satisfied by traditional, non-mechanical means, meeting all aspects of the design standards for parking spaces required in Article III of Chapter 130, and other provisions of these land development regulations, and requiring no variances from these provisions.**

Partially Consistent – Schematic drawings showing the parking in a traditional, non-mechanical means was submitted showing 11 parking spaces for the project on-site, however there is a deficit of two spaces from the required retail portion of the project which can be paid on an annual basis in this parking district. When factoring in providing the two (2) required loading spaces on site without variances, only 9 parking spaces could be accommodated on site without variances.

2. **A second set of schematic plans, sufficient to show the same proposed development project, utilizing mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory off-street parking requirements.**

Partially Consistent – 13 parking spaces are required, a schematic drawing showing the parking for the project by mechanical means was submitted showing 15 spaces.

The Planning Board shall also consider the following review criteria when considering each application for the use of mechanical parking systems:

- (a) **Whether the scale of the proposed structure is compatible with the existing urban character of the surrounding neighborhood.**

Consistent – The scale of the project is compatible with the surrounding area. The proposed height of approximately 53' with a variance is compliant with the maximum permitted height of the CD-2 zoning district. The project was approved by the Design Review Board on July 15, 2020 (DRB20-0522).

- (b) **Whether the proposed use of mechanical parking results in an improvement of design characteristics and compatibility with the surrounding neighborhood.**

Partially Consistent –The proposed design of the mechanical parking appears to be compatible with design characteristics and with the surrounding neighborhood. However, the use of mechanical parking does not result in an improvement in the overall design of the building. It does however allow the project to provide more parking on this otherwise very limited site. The project was approved by the Design Review Board on July 15, 2020 (DRB20-0522).

- (c) **Whether the proposed use of mechanical parking does not result in an increase in density or intensity over what could be constructed with conventional parking.**

Consistent – The proposed use of mechanical parking does not result in an increase in density

or intensity over what could be constructed with conventional parking, because in this parking district, required parking may be satisfied by paying an annual fee in lieu of providing all of the required parking on site.

- (d) **Whether parking lifts or mechanisms are located inside, within a fully enclosed building, and not visible from exterior view.**

Not Consistent – The proposed parking lifts would be located inside the proposed structure, however the parking area is NOT completely screened from view from the exterior. Additional screening elements will be required to satisfy this requirement.

- (e) **In cases where mechanical parking lifts are used for self-parking in multifamily residential buildings; whether approval is conditioned upon the proper restrictive covenant being provided limiting the use of each lift to the same unit applicant.**

Consistent – Not applicable; as per the letter of intent, the proposed project is not a multifamily residential building and the mechanical parking lifts will be managed by a valet parking operator.

- (f) **In cases where mechanical parking lifts are used for valet parking; whether approval is conditioned upon the proper restrictive covenant being provided stipulating that a valet service or operator must be provided for such parking for so long as the use continues.**

Consistent – The proper restricted covenant shall be provided prior to the issuance of building permit.

- (g) **Whether a traffic study has been provided that details the ingress, egress and circulation within the mechanical parking facility, and the technical and staffing requirements necessary to ensure that the proposed mechanical parking system does not cause excessive stacking, waiting, or backups onto the public right-of-way.**

Consistent – Kimley Horn. was retained by the applicant to do a traffic assessment, please see Transportation Department Memo.

- (h) **Whether a proposed operations plan, including hours of operation, number of employees, maintenance requirements, noise specifications, and emergency procedures, has been provided.**

Partially Consistent – Maneuverability and valet analysis were provided but there is no information regarding hours of operations, number of employees, maintenance requirements, noise specifications and emergency procedures. However, due to the relatively small size of the project, this information can be provided at the time of building permit. See Traffic, Parking and Access.

- (i) **In cases where the proposed facility includes accessory uses in addition to the parking garage, whether the accessory uses are in proportion to the facility as a whole, and delivery of merchandise and removal of refuse, and any additional impacts upon the surrounding neighborhood created by the scale and intensity of the proposed accessory uses, are adequately addressed.**

Partially Consistent – The primary uses for the project are two retail spaces, two levels of office and one residential unit, making it a low intensity project. However, staff is concerned with the proposed back-in or back-out for delivery vehicles, which could impact traffic along Alton Road.

Staff is recommending that one set of lifts be removed so that delivery vehicles may use that space for turning around. The deliveries and trash removal of the project will be handled mostly internally. See Delivery and Sanitation Analysis.

(j) Whether the proximity of the proposed facility to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated.

Consistent – The proposed project appears to be compatible with the surrounding neighborhood and it appears that it would not create any significant adverse impacts to the surrounding uses.

(k) Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect shall be addressed.

Consistent – No negative impact is anticipated from the cumulative effect from the proposed facility and nearby structures.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development Regulations 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.

Satisfied – The applicant will provide a recycling or salvage plan during permitting.

- (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

Where appropriate, the proposed new windows will be operable.

- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

Satisfied – All new landscaping will consist of Florida friendly plants.

- (5) Whether 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, including a study of land elevation and elevation of surrounding properties were considered.

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.

Satisfied

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

Satisfied – All critical mechanical and electrical systems will be located above BFE.

- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

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.

Satisfied

- (10) Where feasible and appropriate, water retention systems shall be provided.

Satisfied – Per letter of Intent, a water retention system will be provided.

- (11) Cool pavement materials or porous pavement materials shall be utilized.

Not Satisfied. No information was provided.

- (12) The design of each project shall minimize the potential for heat island effects on-site

Not Satisfied. No information was provided.

ANALYSIS

The proposal consists of a new five (5) story mixed-use building which will replace the existing two (2) story building, to be demolished. The subject site is zoned CD-2, Commercial Medium Intensity, and is located on the west side of Alton Road, bordered by low scale commercial buildings and the FPL site in the back of the property (to the west). All of the immediate neighbors are commercial buildings.

The ground floor contains the parking garage that will provide parking for the proposed project through the use of mechanical lifts. There is also a small lobby, long term bicycle room, trash room, electrical room and small retail space. Due to the low intensity of the site, impacts on the adjacent structures and surrounding neighborhood should be minimal.

Traffic, Parking and Access

Kimley Horn. was retained by the applicant to conduct a traffic assessment, maneuverability analysis and a sight distance analysis. Please refer to the separate memo provided by the Transportation Department.

The project is located where Sunset Drive meets Alton Road, for this reason, it is proposed to create a triangular raised traffic median, to discourage drivers accessing the proposed driveway from Alton Road. The proposed ingress and egress for all vehicles will be Sunset Drive/Alton Road and the proposed project will provide fifteen (15) spaces, which is consistent with the parking requirements. However staff is recommending removal of one set of lifts, as noted below, which would result in 13 parking spaces provided on site.

The valet operation proposed by the applicant would require drivers and their guests to valet their vehicles in the driveway towards the center of the property where the attendants will drive and retrieve cars from the mechanical lifts.

Delivery and Sanitation

The project proposes two 10' x 20' loading spaces (for which variances are being requested) and an enclosed trash area that is located on the east side towards the front of the building. Staff is supportive of the variances requested for the loading zones, due to the constraints of the site and

the relatively small size of the project, as noted in the Design Review Board staff report.

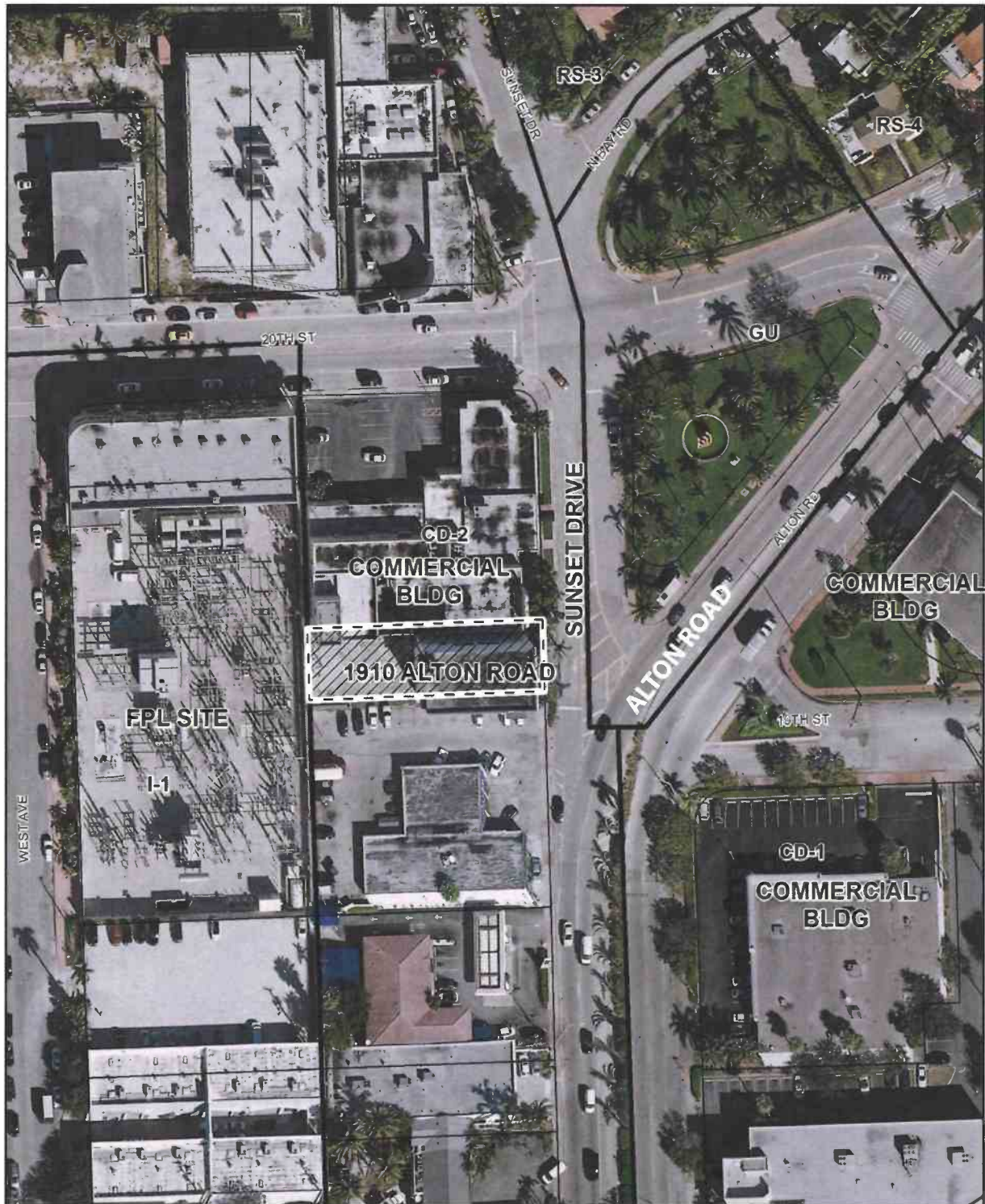
Because there is no alley behind this property, all sanitation and deliveries will be done from the Sunset Drive/Alton Road driveway. Staff is concerned that no internal turnaround has been provided on-site, and with the resulting interruption in vehicular traffic that may result. Removing one set of lifts and utilizing this area will allow room for a turnaround area, which staff is recommending as a condition of approval.

The coordination of deliveries and trash collection will be done with the management company of the building. Due to the relatively small size of the project, staff believes that, provided a turnaround area is provided on site, there should be no impact on traffic flow along Alton Road.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the Conditional Use Permit be approved, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies in the aforementioned Conditional Use review criteria.

ZONING/SITE MAP



**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1910 Alton Road.

FILE NO. PB20-0357

IN RE: An application for conditional use approval for a new 5-story mixed-use building, including the use of a mechanical parking, pursuant to Chapter 118, Article IV, and Chapter 130, Article II of the City Code.

LEGAL DESCRIPTION: LOT 2, BLOCK 12-A, OF ISLAND VIEW ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9 PAGE 144, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA.

MEETING DATE: July 27, 2020

CONDITIONAL USE PERMIT

The applicant, Alton Office Holdings, LLC, requested a Conditional Use approval for the construction of a new 5-story mixed-use building including mechanical parking lifts, pursuant to Chapter 118, Article IV and Chapter 130, Article II of the City Code. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

The Planning Board of the City of Miami Beach 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 of the record for this matter:

The property in question is located in the CD-2 – Commercial Medium Intensity District.

The use is consistent with the Comprehensive Plan for the area in which the property is located;

The intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;

The structures and uses associated with the request are consistent with the Land Development Regulations;

The public health, safety, morals, and general welfare will not be adversely affected;

Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

IT IS THEREFORE 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 is adopted herein, including the staff recommendations, that the Conditional Use Permit be GRANTED, as provided below:

1. This Conditional Use Permit is issued to Alton Office Holdings, LLC, to construct a five (5)

story mixed-use building including mechanical parking lifts.

2. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall appear before the Planning Board for a progress report within 90 days from the issuance of the BTR's for the non-residential portions of the project. An update on the valet operation shall be provided at the time of the progress report. The Board 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. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
3. The applicant, and/or owner of any property containing a mechanical lift, 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 Order.
4. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners of any property containing a mechanical lift, operators, and all successors in interest and assigns. Any substantial modifications to the plans submitted and approved as part of this application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans.
5. The Planning Board shall retain the right to call the owner or operator back before them and make modifications to this Conditional Use Permit should there be valid complaints about loud, excessive, unnecessary, or unusual noise. Nothing in this provision shall be deemed to limit the right of the Planning Board to call back the owner or operator for other reasons and for other modifications of this Conditional Use Permit.
6. 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.
7. As part of the Building Permit plans for the project, the applicant shall submit revised architectural drawings, and landscape drawings, which shall be subject to the review and approval of staff; at a minimum, such plans shall satisfy the following:
 - a. A turnaround area shall be provided on site for delivery vehicles. This may be provided by removing one set of mechanical lifts, subject to the review and approval of staff.
 - b. The parking garage and lifts shall be fully screened from exterior view, in a manner to be reviewed and approved by staff.
 - c. The final details and plans for the proposed mechanical parking system shall be made part of the building permit plans for the project and shall be subject to the review and approval of staff. Such plans shall comply with all applicable regulations and requirements of the City Code.
 - d. A complete operational plan including hours of operations, number of employees and security plans shall be provided as part of the building permit for the project and shall be subject to the review and approval of staff.

8. All new construction over 7,000 square feet or ground floor additions (whether attached or detached) to existing structures that encompass over 10,000 square feet of additional floor area 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.
9. The Applicant agrees to the following operational conditions for all permitted and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, guests, users, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced and the applicant agrees to include the rules and regulations set forth in these conditions in any contract or assignment:
 - a. A sufficient number of valet attendants shall be provided on site to ensure that queuing onto Sunset Drive / Alton Road does not occur at any time.
 - b. All trash containers shall utilize rubber wheels, or the path for the trash containers shall consist of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
 - c. Garbage dumpster covers shall be closed at all times except when in active use.
 - d. 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.
 - e. Backing into or out of the site shall not be permitted.
10. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of a Building permit.
11. The applicant shall obtain a full building permit within 18 months from the date of approval of this Conditional Use Permit, and the work shall proceed in accordance with the Florida Building Code. Extensions of time for good cause, not to exceed a total of one year for all extensions, may be granted by the Planning Board.
12. This 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.
13. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

- Dated _____

Filed with the Clerk of the Planning Board on _____ ()