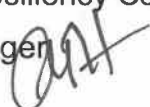


MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Finance and Economic Resiliency Committee Members
FROM: Alina T. Hudak, City Manager 
DATE: October 16, 2023
SUBJECT: **DISCUSS THE CONVEYANCE OF AN AIR RIGHTS EASEMENT FOR
OPEN VEHICULAR ACCESS AS PART OF THE PROPOSED
REDEVELOPMENT OF 7410 COLLINS AVENUE AND 7401-25
HARDING AVENUE**

HISTORY:

At its July 26, 2023 meeting, the City Commission approved a referral to the Finance and Economic Resiliency Committee (FERC) meeting to discuss the conveyance of an air rights easement for open vehicular access as part of the proposed redevelopment of 7410 Collins Avenue and 7401-25 Harding Avenue.

The request relates to a perpetual air rights easement across Collins Court, consisting of approximately 600 square feet between 74th Street and 75th Street, to accommodate an open vehicular bridge over Collins Court that would connect the parking garage elements of the proposed redevelopment 7410 Collins Avenue and 7401-25 Harding Avenue.

ANALYSIS:

The air bridge that is being proposed will be:

- Uncovered.
- The height at which the bottom of the bridge structure is located (measuring from the surface of the right of way) has a clear dimension of 17'9".

Under an air rights easement, the developer shall bear any and all costs of installation, maintenance, repairs, taxes, insurance and any and all other costs and expenses, including any necessary relocation or undergrounding of existing utilities in conflict with the proposed air bridge, involved in its installation, operation and use.

Pursuant to Sections 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.

An appraisal will need to be conducted in order to form an opinion of the market value of an aerial easement above the alley crossing the 7400th block of Collins/Harding Avenues (Public Works placed an appraisal request on October 4, 2023, which will be completed in 3-4 weeks), and be presented to the members of the Finance and Economic Resiliency Committee for review and approval, followed by a public hearing and approval by the City Commission. Additionally, the City may require that certain utilities that run along Collins Court be upgraded to accommodate current and future uses within the 7400 block, consistent with the North Shore D (North Beach Town Center) Neighborhood Improvement Project, currently under preliminary design.

CONCLUSION:

Public Works has reviewed the request and proposed plans submitted to the Planning Director and has no objection to begin the process, so long as the applicant meets the open vehicular/pedestrian bridge clearance requirements, and proper steps for final approval.

Applicable Area

North Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Commission referral to FERC	Other
<input type="checkbox"/> Letter of intent issued to the Planning Director	Other

ATH/ETC/JLG



MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner David Richardson
DATE: July 26, 2023

SUBJECT: REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS THE CONVEYANCE OF AN AIR RIGHTS EASEMENT FOR OPEN VEHICULAR ACCESS AS PART OF THE PROPOSED REDEVELOPMENT OF 7410 COLLINS AVENUE AND 7401-25 HARDING AVENUE.

ANALYSIS

Please place on the July 26, 2023 agenda a referral to the Finance and Economic Resiliency Committee to discuss a potential transaction involving the conveyance by the City of a perpetual air rights easement across Collins Court, consisting of approximately 600 square feet between 74th Street and 75th Street, to accommodate an open vehicular bridge over Collins Court that would connect the parking garage elements of the proposed redevelopment 7410 Collins Avenue and 7401-25 Harding Avenue.

As part of the Committee's review, and pending the City Commission's consideration of the proposed air rights easement in accordance with all applicable requirements of the City Code, the owner of the private project requests for the Committee to consider recommending that the City Manager be authorized to accept, process, and execute the land use board applications necessary for the redevelopment plan to be considered by the appropriate land use boards, with the understanding that no land use board applications which include the City's easement area may be scheduled for a public hearing unless otherwise authorized by the City Commission.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner David Richardson



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6229 office

305.377.6222 fax

gpenn@brzoninglaw.com

June 19, 2023

VIA ELECTRONIC FILING

Thomas Mooney, Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Historic Preservation Approvals for Partial Demolition and Design New Mixed-Use Development 7410 Collins Avenue (File No. HPB23-0580) and 7401-25 Harding Avenue (File No. HPB23-0579).

Dear Tom:

This firm represents 7410, LLC (the "Applicant"), the owner of the above-referenced sites on Collins Avenue and Harding Avenue just north of 74 Street (collectively the "Property").

Please consider this letter the Applicant's letter of intent in support of application numbers HPB23-0580 and HPB23-0579 for to allow for the redevelopment of the Property with a new mixed-use development consisting of residential, office, and commercial uses.

Description of the Property.

7410 Collins Avenue (02-3202-003-0180) is approximately 15,000 square feet and is developed with an approximately 20,693 square foot retail building originally developed as a "Pantry Pride" supermarket. While certain architectural elements of the building remain on the east and south facades, the building was significantly altered in the half century following its development. For example, significant amounts of former storefront were enclosed, especially along 74 Street and the southeast corner of the structure. A former tower sign element was also removed.

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7401-25 Harding Avenue is approximately 30,000 square feet in size and consists of 7401 Harding Avenue (02-3202-003-0210), 7409 Harding Avenue (02-3202-003-0220), 7417 Harding Avenue (02-3202-003-0230), and 7425 Harding Avenue (02-3202-003-0240). The 7401-25 Harding Avenue is located west of the platted alley of Collins Court and has served as a parking lot for the commercial use at 7410 Collins Avenue for over half a century.

As part of the redevelopment plan, the Applicant is proposing to renovate and develop a ground floor addition to the 7410 Collins building to include a mix of commercial and residential uses. The 7410 Collins project will be linked to 7401-25 Harding Avenue through an open pedestrian and vehicular bridge across the Collins Court alley.

7410 Collins Development. The Applicant proposes to demolish non-contributing portions of the existing façade and develop a ground level addition behind existing south and east façade areas. The Applicant further proposes to restore the storefront system in a manner more consistent with the historic commercial façade. The existing architectural elements of the building will be restored and enhanced as part of the project. The expanded building will be 30,000 square feet in size and will include approximately 8,494 square feet of commercial space and eighteen (18) residential units.

7401-25 Harding Development. The Applicant proposes to develop 7401-25 Harding with eight townhomes, approximately 4,250 square feet of commercial use, and approximately 37,350 square feet of office space. The proposed building has been designed to be compatible with the surrounding neighborhood, protecting the privacy of adjacent residential unit owners.

Open Vehicular/Pedestrian Bridge. The Applicant is proposing to bridge the alley at a minimum clearance of 16.5' to allow for vehicles and pedestrians to cross from one building to the other. The bridge will allow for vehicular access to both buildings to be provided from the alley without duplicative and wasteful ramping on both sides. Each building has been designed to be "self-sufficient" for parking purposes. The Applicant will be seeking an easement from the City Commission to allow for the development of the bridge.

Operations. Vehicle access to the development will be exclusively from Collins Court. All loading and delivery access will be interior to the buildings, with trash rooms located at the ground floor. Pedestrians will access the office and commercial spaces directly from 74 Street and Collins Avenue. None of the currently proposed uses would require conditional use approval.

The building will be served by a unified security system. The proposed uses are not expected to create a queue. If queuing occurs, there is more than adequate room to accommodate that queuing within the Property.

Plan Review Standards. Below are the standards applied by your Department and the Historic Preservation Board as well as the status of the proposed development with each criterion:

a. 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.

The provided plans provide the necessary details.

b. 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.

The provided plans provide the necessary details.

c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 118-503.

The provided plans provide the necessary details.

d. The proposed structure, and/or additions to an existing structure is appropriate to and compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties, or the purposes for which the district was created.

Care has been taken in the design of the proposed development to be compatible as possible with the surrounding development.

e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land

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uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.

The Owner has created the site plan in a manner that most efficiently utilizes the Property without negatively impacting the surrounding area.

f. 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 any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.

Care has been taken to enhance the pedestrian experience and minimize the amount of vehicular and pedestrian interaction. Both sites will be accessed from Collins Court.

g. 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 and consistent with a city master plan, where applicable.

The building elevations have been designed to minimize glare on adjacent parcels.

h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.

Landscaping has been designed in a manner to provide buffering from adjacent uses.

i. 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.

Care has been taken in limiting the glare and noise escaping the Property. All of the parking will be inside the new structures.

j. Any proposed new structure shall have 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).

There are no view corridors that need to be retained. The building massing of each structure has been designed to be compatible with the neighboring properties..

k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, 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 sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.

Both proposed buildings include commercial uses at the ground level and all parking is located underneath the structures and/or hidden by parapet walls.

l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

Both rooftops screen mechanical equipment, stairs, and elevators..

m. Any 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).

The additional development on the Property has been designed in a manner that honors and remains compatible with the existing building.

n. All portions of a project fronting a street or sidewalk shall incorporate of transparency at the first level necessary to achieve pedestrian compatibility .

Significant transparency has been designed on the first floor elevation of all three streets, including innovative open-air space at the northeast corner of 74 Street and Harding Avenue..

o. 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.

The loading and trash areas have been located within the buildings.

Sea Level Rise and Resiliency. Section 7.1.2.4 of the Miami Beach Resiliency Code 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.

A recycling and salvage plan will be provided.

2. Windows that are proposed to be replaced shall be hurricane proof impact windows.

All new windows will be hurricane proof.

3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

Due to the nature of the uses proposed, operative windows are not appropriate in the office and commercial portions of the project. The townhome units are proposed to have operative windows.

4. Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with chapter 126 of the city Code.

The landscape plan is resilient as it is comprised of native and Florida-friendly plants appropriate for the area.

5. The project applicant shall consider the 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. The applicant shall also

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specifically study the land elevation of the subject property and the elevation of surrounding properties.

The project has been designed with sea level rise in mind.

6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three additional feet in height.

The project has been designed to accommodate the raising of adjacent rights of way in the future.

7. As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

The plan is in compliance.

8. Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.

This provision is not applicable to the instant application.

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 54 of the city Code.

This provision is not applicable to the instant application.

10. As applicable to all new construction, stormwater retention systems shall be provided.

The project has been designed with stormwater retention as required.

11. Cool pavement materials or porous pavement materials shall be utilized.

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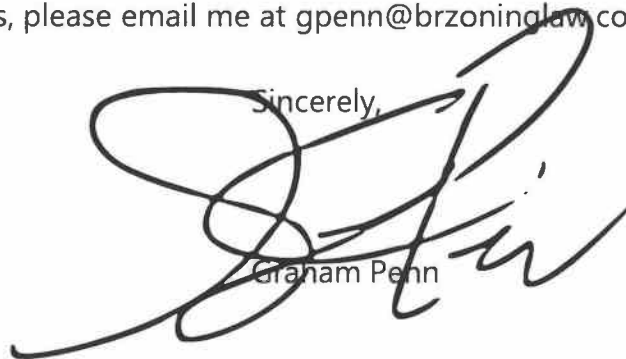
The project can accommodate cool pavement where possible.

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

The use of generous overhangs in the design of both buildings, will limit the potential height island effect.

Conclusion. We look forward to your favorable recommendation. If you have any questions or comments, please email me at gpenn@brzoninglaw.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Penn', written over the word 'Graham Penn'.

Graham Penn