

MIAMI BEACH PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: April 25, 2024

FROM: Thomas R. Mooney, AICP  for TRM
Planning Director

SUBJECT: **PB23-0636. 1100 Fifth Street. New Office Building.**

An application has been filed requesting a conditional use approval for Neighborhood Impact Structure (NIS) for a new five-story mixed use development exceeding 50,000 square feet, and a Neighborhood Impact Establishment (NIE) restaurant, including a mechanical parking garage, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; Chapter 5, Article II, Section 5.2.11; Chapter 7, Article V, Section 7.5.5.4. of the Miami Beach Resiliency Code.

RECOMMENDATION

1. Approval of the Neighborhood Impact Structure and Mechanical Parking, with conditions.
2. Continue the Neighborhood Impact Establishment (NIE) portion of the application to a future date.

ZONING/SITE DATA

Legal Description:	See exhibit "A" at the end of this report
Zoning District:	C-PS2 Commercial, Performance Standard General Mixed Use Commercial District
Future Land Use Designation:	C-PS2 Commercial, Performance Standard General Mixed Use Commercial District
Surrounding Uses:	See Zoning/Site Map at the end of this report.
	North: Commercial
	South: School
	West: Apartment Building
	East: Commercial/Office Buildings
Lot Size (Unified Development Site):	32,650 SF
Maximum FAR:	2.00 - 63,500 SF
Proposed FAR:	1.99 - 63,253 SF

THE PROJECT

The applicant, The Alton Venture, LLC, has submitted plans entitled "1100 Fifth Street," prepared by Zyscovich Souto Moura Arquitectos SA, dated February 25, 2024. The applicant is requesting

conditional use approval for the following:

1. A Neighborhood Impact Structure, consisting of a 5-story mixed-use office building exceeding 50,000 square feet; and
2. A Neighborhood Impact Establishment (NIE) consisting of a restaurant with an occupant content exceeding 300 persons.

The subject property is part of a unified development site and contains two one-story commercial buildings and a parking lot, all of which are proposed to be demolished. The proposed building will front Alton Road, 5th Street, Lenox Avenue and 4th Street.

COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES:

Conditional Uses may be approved in accordance with the procedures and standards set forth in the Miami Beach Resiliency Code Chapter 2, Article V, Section 2.5.2.2.a, Section 2.5.2.2.b and Section 7.5.5.4.

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. The C-PS2 future land use category allows for the proposed uses either as a main permitted use or a conditional use.

2. **The intended use or construction shall 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, as it is within the intensity limits provided for the C-PS2 future land use category.

3. **Structures and uses associated with the request shall be consistent with these land development regulations.**

Not Consistent – Developments exceeding 50,000 square feet and Neighborhood Impact Establishments, are permitted as conditional use in this zoning district.

Based upon the plans provided, it appears that most of the balconies provided around the perimeter of the building do not meet the definition of a private projecting balcony. The balconies will have to be modified to meet the definition of a projecting balcony in order to be excluded from inclusion as floor area. This comment shall not be considered final zoning review or approval. This and all zoning matters shall require final review and verification prior to the issuance of a Building Permit.

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

Consistent – The proposed project may adversely affect the general welfare of nearby residents if impacts are not controlled. Staff has recommended conditions to ensure that the public health, safety, morals, and general welfare are not adversely affected. The facility would have to comply with all applicable laws and regulations for licensure.

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

Consistent – The development is utilizing the alternative parking incentives and is proposing 105 off-street vehicle parking spaces, which is consistent with the requirements of Parking Tier 1.

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

Consistent – Staff is recommending conditions to mitigate any adverse impacts from noise, and other issues on the surrounding neighborhood.

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

Consistent – There are other office buildings and (NIE) restaurants in the area, however, office uses tend to not generate significant negative impacts to neighborhoods, as such adverse impacts are not expected from the geographic concentration of such uses if properly controlled.

8. The structure and site comply with the sea level rise and resiliency review criteria in Chapter 7, Article I, as applicable.

Consistent – The proposed design complies with the sea level rise and resiliency criteria as detailed below.

9. Appropriate consideration is given to the safety of and friendliness to pedestrian traffic; passageways through alleys is encouraged where feasible and driveways shall be minimized to the extent possible.

Consistent – The Project ensures pedestrian safety and friendliness as the existing sidewalk is wide at this location. Additionally, the applicant is proposing a covered patio at the corner of 5th Street and Lenox Avenue to access the lobby for the office uses. The only driveway is located on Lenox Avenue which minimizes conflicts with pedestrians on the sidewalk in comparison with the existing three driveways on this site.

COMPLIANCE WITH REVIEW GUIDELINES CRITERIA FOR NEW STRUCTURES 50,000 SQUARE FEET AND OVER

Pursuant to Section 2.5.2.2.b., in reviewing an application for conditional use for new structures 50,000 square feet and over, the Planning Board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines:

1. Whether the proposed business operations plan has been provided, including hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which the use is proposed to be located.

Not Consistent – The applicant’s letter of intent indicates that the future tenants are not yet known; as a result, the operations plan provides minimal details as to the business operations, goals, and number of employees expected including the restaurant which is proposed to be a Neighborhood Impact Establishment; However, the operations plan indicates general information regarding, security, parking, loading/deliveries, and sanitation. Staff is concerned about the minimal information provided in regards of the proposed NIE restaurant. Staff is recommending that the restaurant not be approved until such time as a tenant is selected, and a detailed floor plan and a complete restaurant operational plan is provided.

2. **Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan shall mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.**

Partially Consistent– The operations plan indicates that loading will take place within the loading area; Three (3) spaces will be provided which complies with the loading requirements in section 5.2.6.

The proposed hours for deliveries, loading, and trash removal are from 7:00 AM to 8: 00 PM, during times that the valet is not operational, in order to avoid conflicts. As there are no abutting residential uses, negative impacts from these loading hours are not anticipated. However, as there is currently no restaurant tenant, further review will be required to ensure that the size of trucks used to service the restaurant do not exceed the size for which the building has been designed.

3. **Whether the scale of the proposed use is compatible with the urban character of the surrounding area and creates adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.**

Consistent – The scale of the proposed project is compatible with most nearby buildings and the C-PS2 zoning district’s allowable development. However, the scale, massing, architecture, and compatibility issues will be further discussed at the DRB meeting.

4. **Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.**

Consistent – The applicant is proposing 105 off-street parking spaces which is consistent with the code requirements. The parking spaces are located on the second levels. Access to the parking is proposed via ramp from the access driveway located on Lenox Avenue.

96 spaces will utilize mechanical lifts, 4 will be self-parking spaces and 5 ADA parking spaces are proposed.

Per LOI, the mechanical parking is to be solely operated by the valet personnel. The plans indicate that valet drop-off and pickup will be on the ground floor.

The development is utilizing the alternative parking incentives and is providing:

- 65 long term bicycle parking spaces
- 60 short term bicycle parking spaces
- 3 carpool van pool parking spaces
- 1 drop off stall
- 9 scooter/motorcycle spaces
- 4 shower stalls

The site can be accessed by alternative modes of transportation and is also in close proximity to several bus routes and the Miami Beach Trolley. See Parking and Access Analysis.

5. Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.

Consistent – Pedestrians will be able to access the site directly from the patio that fronts 5th Street and Lenox Avenue. The offices are accessed through the central elevator lobby. The proposed restaurant access is from the outdoor terrace that fronts Alton Road and the internal valet drop off area. Pedestrian queuing on public rights of way are not anticipated as a result of the proposed uses.

6. Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.

Consistent – The applicant has indicated that there will a security system as well as security personnel on-site to monitor the facility.

7. Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.

Consistent – The applicant has provided a Traffic Study prepared by Kimley Horn and Associates; See the attached memorandum from the Transportation Department.

8. Whether a noise attenuation plan has been provided that addresses how noise shall be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.

Consistent – The applicant is not proposing entertainment uses (which are prohibited) or any uses that would create significant noise impacts. Additionally, parking, loading and back of house operations are contained within the structure.

9. Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.

Consistent – The project will have a trash and recycling room located on the south side of the property, the restaurant's trash room is located near the outdoor terrace, both trash rooms have access to the internal loading areas. Staff has incorporated recommendations regarding sanitation operations, including a limit on hours for pickups. See Delivery and Sanitation analysis.

10. Whether the proximity of the proposed structure to similar size structures and to residential uses create adverse impacts and how such impacts are mitigated.

Consistent – Proximity to similar sized structures is not expected to create adverse impacts, as this corridor is an appropriate location for such structures. The proposed project is not expected to create a negative impact to the existing residential uses to the west of the site across Alton Road. However, staff is recommending conditions to mitigate any adverse impacts from noise and other issues on the surrounding neighbors.

11. Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect shall be addressed.

Consistent – While there may be other buildings over 50,000 gross square feet in the area, adverse impacts are not expected from the cumulative effect of concentration of such uses. However, staff is recommending conditions to mitigate any adverse impacts from noise and other issues on the surrounding neighbors.

CHAPTER 5, ARTICLE II SECTION 5.2.11.b.3.A – 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 5, and other provisions of these land development regulations, and requiring no variances from these provisions.

Consistent – Schematic drawings showing the parking in a traditional, non-mechanical means was submitted showing 105 parking spaces for the project on-site.

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 and main use off-street parking requirements.

Consistent – A schematic drawing showing the parking for the project by mechanical means was submitted showing 105 spaces. This is consistent with the City Resiliency Code.

CHAPTER 5, ARTICLE II SECTION 5.2.11.e – PLANNING BOARD MECHANICAL PARKING REVIEW CRITERIA

The Planning Board shall also consider the following review criteria when considering each

application for the use of mechanical parking systems:

1. **Whether the scale of the proposed structure is compatible with the existing urban character of the surrounding neighborhood.**

Partially Consistent – The scale of the project is generally compatible with the surrounding area; however, issues of scale and compatibility will also be addressed by the Design Review Board.

2. **Whether the proposed use of mechanical parking results in an improvement of design characteristics and compatibility with the surrounding neighborhood and has demonstrated how the scale, mass, volume, and height of the building are reduced by the use of mechanical parking.**

Consistent – The mechanical parking system allows the project to provide the minimum required parking and provide operational parking needs in a more efficient manner, which will result in improved marketability for the Class A office building. This will create a much more context sensitive and harmonious relationship with the surrounding area.

3. **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 garage does not result in an increase in density or intensity over that which is currently permitted with conventional parking as shown by the two submitted schematics.

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

Not Consistent – The mechanical lifts are located on the second level and the applicant is proposing an opaque screening material that is behind the metal planter boxes; however the proposed landscape screen is not sufficient and will allow visibility from the exterior; The plans will have to be modified to ensure that the mechanical lifts are not visible from the exterior.

5. **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 owner.**

Not applicable – As per the letter of intent, no residential uses are proposed, and the mechanical parking lifts will be managed by a valet parking operator.

6. **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.

7. **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 and Associates, Inc. was retained by the applicant to do a traffic assessment, please see Transportation Department Memo.

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

Partially Consistent – Per letter of intent attached, valet service will be required. The operational plan related to valet parking operations is insufficient; the hours of operations, mechanical lift specifications and emergency procedures are not clear. Staff has recommendations for conditions to address these concerns prior to the applicant obtaining a building permit.

9. **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.**

Not Applicable

10. **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.

11. **Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect will be addressed.**

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

NEIGHBORHOOD IMPACT ESTABLISHMENT REVIEW GUIDELINES

In accordance with Chapter 7, Article 5 Sec. 7.5.5.4 of the Miami Beach Resiliency Code, in reviewing an application for an outdoor entertainment establishment, open air entertainment establishment or a neighborhood impact establishment, the Planning Board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines for conditional uses pursuant to Chapter 2, Article V:

1. **An operational/business plan which addresses hours of operation, number of employees, menu items, goals of business, and other operational characteristics pertinent to the application.**

Not Consistent – The applicant's letter of intent indicates that the future tenants are not yet known; as a result, the operations plan provides minimal details as to the business operations, goals, and number of employees expected including the restaurant which is proposed to be a Neighborhood Impact Establishment; However, the operations plan indicates general information regarding, security, parking, loading/deliveries, and sanitation. Staff is concerned about the minimal information provided in regards of the proposed NIE restaurant. Staff is recommending conditions to ensure the restaurant is approved when the tenant is selected, a detailed floor plan and a complete restaurant operational plan is provided.

2. **A parking plan which fully describes where and how the parking is to be provided and utilized, e.g., valet, self-park, shared parking, after-hour metered spaces and the manner in which it is to be managed.**

Consistent – (See response to 50,000 SF review criteria above)

3. **An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises would be controlled.**

Consistent – (See response to 50,000 SF review criteria above)

4. **A security plan for the establishment and any parking facility, including enforcement of patron age restrictions.**

Partially Consistent – The applicant has indicated that there will be a security system as well as security personnel on-site to monitor the building. However, there are no specifics regarding security and enforcement of patron age restrictions.

5. **A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated.**

Consistent – (See response to 50,000 SF review criteria above).

6. **A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment.**

Consistent – (See response to 50,000 SF review criteria above)..

7. **A noise attenuation plan which addresses how noise would be controlled to meet the requirements of the noise ordinance.**

Partially Consistent – The Applicant's submitted a Letter of Intent and operations plan that outlines general operations for the entire project. The applicant is not proposing entertainment uses (which are prohibited) or any uses that would create significant noise

impacts. However, noise attenuation details for the proposed NIE restaurant were not provided.

8. Proximity of proposed establishment to residential uses.

Consistent – Proximity to residential uses is not expected to create adverse impact. However, once all the details related to the NIE restaurant are submitted. Staff will recommend conditions to ensure that nearby residents are not negatively affected.

9. Cumulative effect of proposed establishment and adjacent pre-existing uses.

Partially Consistent – There are other NIEs within the vicinity of this district. If not carefully controlled, such concentration could negatively impact the surrounding neighborhood. However, once all the details related to the NIE restaurant are submitted. Staff will place conditions to minimize potential impacts.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Chapter 7, Article I, Section 7.1.2.4.a of the Land Development 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:

A. A recycling or salvage plan for partial or total demolition shall be provided.

Partially Satisfied – The applicant has indicated that a recycling or salvage plan will be provided prior to the submittal of a building permit as may be necessary.

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

Satisfied – Windows will be hurricane proof impact windows.

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

Satisfied – Operable windows will be provided where feasible and appropriate.

D. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided, in accordance with chapter 4 in Land Development Regulations.

Satisfied – Per letter of intent, all landscaping will consist of salt tolerant, highly water-absorbent, native, or Florida friendly plants.

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

Partially Satisfied – The applicant has indicated that projections will be taken into account; however, the development complies with the City’s resiliency standards.

- F. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways 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 3 additional feet in height.**

Satisfied – The building has sufficient clearances where the ground floor and parking areas can be adapted if adjacent public rights-of-way are raised.

- G. 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.**

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

- H. Existing buildings shall, where reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.**

Not Applicable – The existing buildings will be demolished.

- I. 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 in General Ordinances.**

Not Applicable - The Project is entirely new construction above base floor elevation

- J. As applicable to all new construction, stormwater retention systems shall be provided.**

Partially Consistent – The applicant has indicated that water retention systems will be provided where feasible and appropriate.

- K. Cool pavement materials or porous pavement materials shall be utilized.**

Satisfied – The applicant indicated that cool or porous pavement materials shall be utilized.

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

Satisfied – The applicant will install landscaping and vegetation on the rooftop and ground level that will help reduce the urban heat island effect.

ANALYSIS

The proposal is for a new 5-story mixed-use building fronting Alton Road, 5th Street and Lenox Avenue. The ground floor will consist of a restaurant, office lobby, loading area and vehicular

access. The upper levels will consist of office uses and the rooftop will include an amenity deck for office tenants. Parking will be located on the second floor.

As proposed, the new mixed-use building will contain 44,000 square feet of office use and 7,204 square feet of restaurant space. Given the scale of the development, the proposed uses are not expected to have any significant quality of life impacts on nearby residential properties.

Traffic, Parking, and Access

The ground floor level will be raised to base flood elevation and a covered patio is proposed at the corner of 5th Street and Lenox Avenue, which provides access to the office lobby. The restaurant is accessed through the covered outdoor terrace fronting Alton Road and queuing of pedestrians on public rights of way is not expected.

The applicant is proposing 105 off-street parking spaces which meets minimum code requirements. The parking spaces are located on the second level and access to the parking is proposed via a ramp from the access driveway located on Lenox Avenue. 96 of the parking spaces will utilize mechanical lifts; 4 spaces will consist of self-parking and 5 accessible parking spaces are proposed.

Per the letter of intent, the mechanical parking is to be solely operated by valet personnel. The plans indicate that valet drop-off and pickup will be on the ground floor. The development is utilizing alternative parking incentives and will be providing the following:

- 65 long term bicycle parking spaces
- 60 short term bicycle parking spaces
- 3 carpool van pool parking spaces
- 1 drop off stall
- 9 scooter/motorcycle spaces
- 4 shower stalls

The operational plan did not provide information regarding the mechanical lift specifications and power emergency procedures. Staff is recommending a condition to provide this information at time of building permit.

The applicant has provided plans to demonstrate how the required parking could be provided using traditional means. The mechanical lifts option results in a more efficient design with more open space and less massing. The mechanical parking system will be screened with landscape along the second-floor façade and an opaque screening material that is behind the landscape planter boxes. Staff is concerned that the proposed opaque screening material is not sufficient to ensure that the mechanical lifts will not be visible from the right of way and surrounding properties. Staff is recommending a condition to include the full screening of the garage, subject to the review and approval of the Design Review Board.

Deliveries and Sanitation

Pursuant to section 5.2.6 of the LDRs, the proposed use requires three (3) loading spaces. The loading spaces are located within the new driveway near the valet drop-off area and ramp to the second level parking spaces. Although the traffic study indicates that an on-street loading space will also be utilized, unless a variance is granted from the Design Review Board, all loading must take place within the enclosed parking garage. Staff is also recommending that the size of all

service trucks be limited to the maximum noted in the provided traffic study (SU 30), with a maximum overall length of 30 feet.

As presented, the proposed location of the loading spaces may encroach into the driveway, and the plans may need to be modified to comply with the code requirements or a variance may be sought. During non-loading hours, the loading spaces will be used for valet operations.

The operations plan includes delivery hours from 7:00 a.m. to 8:00 a.m., with valet operations starting after 8:00 a.m.

There are two proposed trash rooms, one of which will service the entire building and is located on the south side of the property. The second trash room is for the restaurant and is located on the south east side of this space with access to the outdoor terrace and the loading area. Staff has recommended that the hours for trash pickups be consistent with loading hours.

Restaurant Neighborhood Impact Establishment.

Based on the minimal information provided for the proposed restaurant, staff is recommending that the NIE portion of the application be continued to a future date. Once a restaurant operator has been selected, a detailed floor plan showing the occupancy loads, kitchen, back of house layout, and a complete operational plan including noise attenuation details can be submitted for the Board to review. Entertainment is not proposed and is not permitted within the C-PS2 zoning district.

STAFF RECOMMENDATION

In view of the foregoing analysis, staff recommends the following:

1. The Planning Board approve the Neighborhood Impact Structure (NIS) and the mechanical parking, subject to the conditions enumerated in the attached Draft Order.
2. The Planning Board continue the Neighborhood Impact Establishment (NIE) portion of the application until such time as the applicant identifies a restaurant operator.

ZONING/SITE MAP

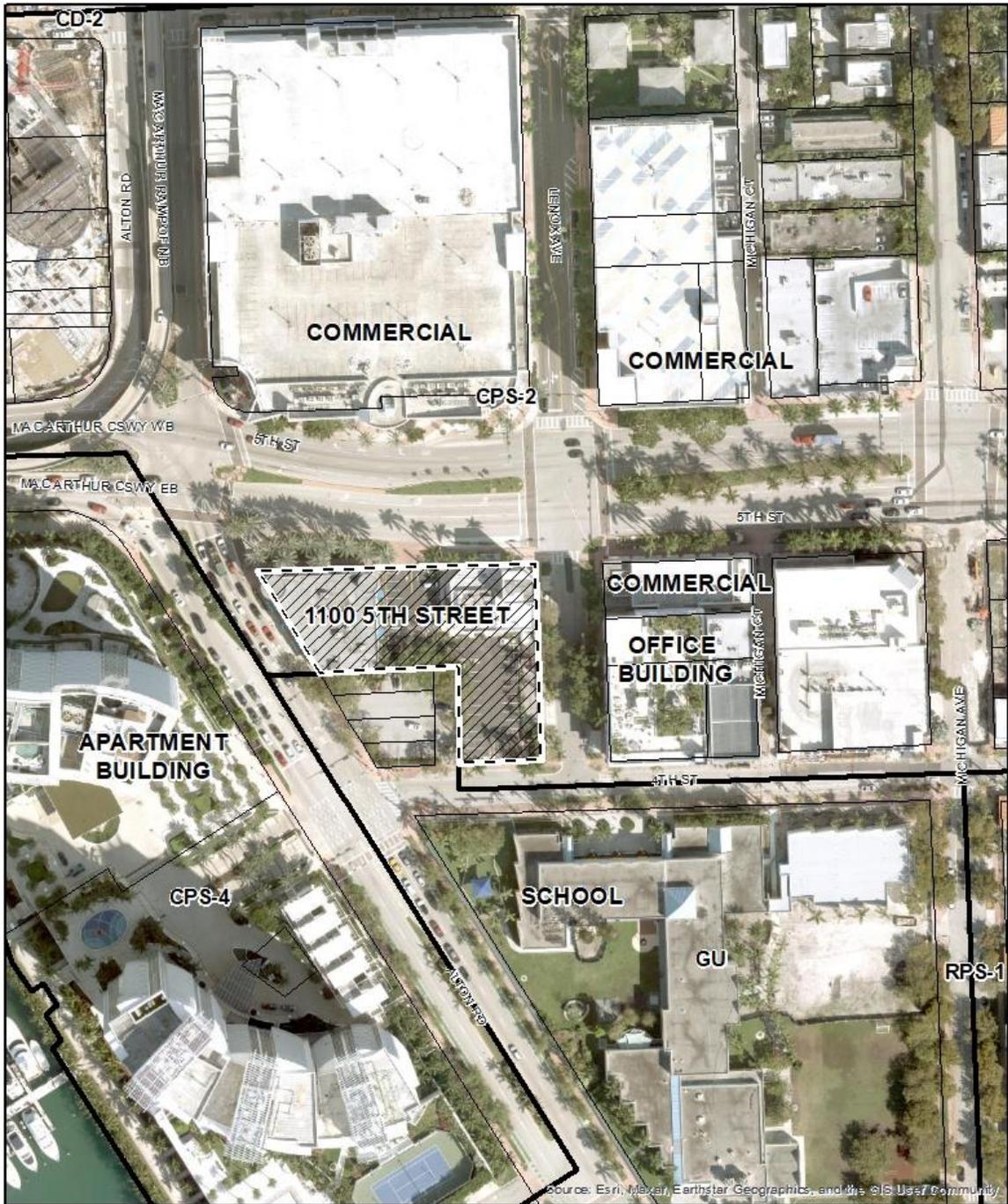


EXHIBIT "A"

PARCEL 1:

The East 100 feet of Lot 3, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 2:

Lot 3, less the East 100 feet thereof and less that portion thereof which lies within the external area formed by a 10 foot radius arc concave to the Southeast tangent to the North line of said Lot 3 and tangent to the Southwesterly line of said Lot 3, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 3:

Lot 4, less the East 145.6 feet thereof, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 4:

The East 145.6 feet of Lot 4, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 5:

Lots 5, 6, 7, 8, and 9 of Resubdivision Lots 5 and 6, Block 103, THE OCEAN BEACH REALTY CO.'S OCEAN BEACH ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 26, at Page 62, of the Public Records of Dade County, Florida.

ALL OF ABOVE DESCRIBED PARCELS 1, 2, 3, 4, AND 5 BEING NOW KNOWN AS: All of Lots 3 and 4, in Block 103, of OCEAN BEACH FLA., ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida; LESS and EXCEPT that portion of Lot 3 which lies within the external area formed by a 10 foot radius arc concave to the Southeast and tangent to both the North and Southwesterly lines of said Lot 3;

TOGETHER WITH;

Lots 5, 6, 7, 8 and 9, of RESUBDIVISION OF LOTS 5 AND 6, BLOCK 103, OF THE OCEAN BEACH REALTY CO.'S OCEAN BEACH ADDITION NO. 3, according to the plat thereof, recorded in Plat Book 26, at Page 62, of the Public Records of Dade County, Florida.

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

PROPERTY: 1100 Fifth Street

FILE NO. PB23-0636

IN RE: An application for conditional use approval for a Neighborhood Impact Structure (NIS) for a new five-story mixed use development exceeding 50,000 square feet, and a ~~Neighborhood Impact Establishment (NIE) restaurant~~, including a mechanical parking garage, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; Chapter 5, Article II, Section 5.2.11; Chapter 7, Article V, Section 7.5.5.4. of the Miami Beach Resiliency Code.

LEGAL DESCRIPTION: See exhibit "A"

MEETING DATE: April 25, 2024

CONDITIONAL USE PERMIT

The applicant, The Alton Venture LLC requested a Conditional Use approval for the construction of a new 5-story office development exceeding 50,000 square feet, including the use of a mechanical parking, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; Chapter 5, Article II, Section 5.2.11; Chapter 7, Article V, Section 7.5.5.4. of the Miami Beach Resiliency 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 C-PS2 Commercial, Performance Standard General Mixed Use Commercial 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. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. 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 Chapter 2, Article V, Section 2.5.2.5.
2. This Conditional Use Permit is issued to The Alton Venture, LLC, (the applicant) and Gateway MB LLC, (owner of the property). Any changes in ownership or 50% (fifty percent) or more stock ownership, or the equivalent, shall require the new owner to submit an affidavit, approved by City, to the City of Miami Beach Planning Department, transferring approval to the new owner and acknowledging acceptance of all conditions established herein prior to the issuance of a new Certificate of Use/Business Tax Receipt.
3. 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:
4. The following shall apply to the operation of the entire project:
5. The proposed Neighborhood Impact Establishment (NIE) restaurant shall not be approved at this time. Any future application for an NIE restaurant shall include all information needed for a complete review, including an actual operator/tenant, and shall require the review and approval of the Planning Board as a modification to this Conditional Use Permit.
6. Deliveries and waste collections shall only occur between 7:00 AM and 8:00 AM each day.
7. The maximum size of any vehicle utilized to service the building, including any restaurant, shall not exceed an SU 30 truck.
8. All loading operations shall take place within the enclosed garage in designated loading zones. Utilization of on-street loading shall not be permitted.
9. All trash rooms shall be large enough to accommodate sufficient trash capacity in order to minimize refuse pickups to a maximum of one pick up per day. All trash rooms shall be air conditioned and sound-proofed in a manner to be approved by staff. The doors to the trash rooms shall remain closed and secured when not in use and all trash dumpsters shall be closed at all times except when in use.
10. All trash containers shall utilize rubber wheels, as well as a path consisting of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
11. The property and adjacent rights-of-way be maintained clean and free from debris

12. Except as may be required for Fire, Building, or Life Safety Code purposes, no speakers or televisions of any kind shall be affixed to, installed, or otherwise located on the exterior of the premises within the boundaries of the project.
13. No patrons shall be allowed to queue on public rights-of-way.
14. Establishments with outdoor cafes or sidewalk café permits shall only serve alcoholic beverages at sidewalk cafes during hours when food is served in the restaurant.
15. No dancehall shall be permitted on the site.
16. Special event permits shall be prohibited.
17. No exterior bars or accessory outdoor bar counters shall be permitted anywhere on the premises.
18. Commercial uses on the rooftop shall be prohibited.
19. Use of the rooftop shall be limited to office tenants and their invited guests.
20. A progress report shall be scheduled before the Planning Board 90 days after obtaining a business tax receipt (BTR).
21. 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.
22. The parking garage and lifts shall be fully enclosed and screened from exterior view, in a manner to be reviewed and approved by the Design Review Board.
23. As part of the Building Permit plans for the project, the applicant shall submit revised architectural drawings, to show that the loading spaces proposed do not encroach into the interior driveway, subject to the review and approval of staff.
24. As part of the Building Permit plans for the project, the applicant shall submit mechanical lifts specifications and power emergency procedures.
25. The Planning Board shall retain the right to call the owner or operator back before the Board and make modifications to this Conditional Use Permit should there be valid complaints, as determined by Code Compliance, 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
26. 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.

27. 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.
28. The applicant shall address the following Transportation, Mobility, Concurrency, Delivery, and Parking requirements:
 - a. All parking provided within the proposed building shall be for the sole use of the building tenants. Such parking shall not be utilized as shared parking, underutilized parking or for any other use not located on the subject property.
 - b. The applicant shall coordinate with the Transportation & Mobility Department to implement an acceptable Transportation Demand Management (TDM) Implementation Plan per the TDM strategies outlined in the most recent traffic impact study prepared by Kimley-Horn & Associates, Inc. dated 2/29/24, prior to the issuance of a building permit.
 - c. The applicant shall commit to provide the minimum number of seven (7) valet runners during the AM peak demand period and eleven (11) valet runners during the PM peak demand period. This number should be adjusted as necessary when higher than normal peak demands are encountered
29. The development shall comply with the “Green Buildings” requirements in 7.1.3.2 of the Resiliency Code.
30. 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.
31. The applicant, operator and/or owner, 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.
32. The applicant shall resolve all outstanding violations and fines on the property, if any, prior to the issuance of a building permit for the project.
33. A violation of Chapter 46, Article IV, “Noise,” of the Code of the City of Miami Beach, Florida (a/k/a “noise ordinance”), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in Chapter 2, Article V, Section 2.5.2.5 of the Miami Beach Resiliency Code.
34. 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.
35. 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.

- 36. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- 37. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.
- 38. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.
- 39. The applicant agrees and shall be required to provide access to areas subject to this Conditional Use Permit for inspection by the City (i.e. Planning Department, Code Compliance Department, Building Department, and Fire Department staff), to ensure compliance with the terms and conditions of this Conditional Use Permit. Failure to provide access may result in revocation of the Conditional Use Permit.

Dated _____

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: _____
Michael Belush, AICP
Planning and Design Officer
for the Chair

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by Michael Belush, Planning and Design Officer for the Chair of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[NOTARIAL SEAL]

Notary:
Print Name:
Notary Public, State of Florida
My Commission Expires:
Commission Number:

Approved As To Form:
Legal Department _____ ()

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

EXHIBIT "A"

PARCEL 1:

The East 100 feet of Lot 3, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 2:

Lot 3, less the East 100 feet thereof and less that portion thereof which lies within the external area formed by a 10 foot radius arc concave to the Southeast tangent to the North line of said Lot 3 and tangent to the Southwesterly line of said Lot 3, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 3:

Lot 4, less the East 145.6 feet thereof, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 4:

The East 145.6 feet of Lot 4, of Block 103, of OCEAN BEACH, FLA. ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida.

PARCEL 5:

Lots 5, 6, 7, 8, and 9 of Resubdivision Lots 5 and 6, Block 103, THE OCEAN BEACH REALTY CO.'S OCEAN BEACH ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 26, at Page 62, of the Public Records of Dade County, Florida.

ALL OF ABOVE DESCRIBED PARCELS 1, 2, 3, 4, AND 5 BEING NOW KNOWN AS: All of Lots 3 and 4, in Block 103, of OCEAN BEACH FLA., ADDITION NO. 3, according to the Plat thereof, recorded in Plat Book 2, at Page 81, of the Public Records of Dade County, Florida; LESS and EXCEPT that portion of Lot 3 which lies within the external area formed by a 10 foot radius arc concave to the Southeast and tangent to both the North and Southwesterly lines of said Lot 3;

TOGETHER WITH;

Lots 5, 6, 7, 8 and 9, of RESUBDIVISION OF LOTS 5 AND 6, BLOCK 103, OF THE OCEAN BEACH REALTY CO.'S OCEAN BEACH ADDITION NO. 3, according to the plat thereof, recorded in Plat Book 26, at Page 62, of the Public Records of Dade County, Florida.

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, www.miamibeachfl.gov

TRANSPORTATION & MOBILITY DEPARTMENT
Tel: 305.673.7514

MEMORANDUM

TO: Thomas R. Mooney, AICP, Director, City of Miami Beach Planning Department

FROM: José R. González, P.E., Director, City of Miami Beach Transportation & Mobility Department

DATE: April 4, 2024

SUBJECT: 1100 5 Street ("Alton Road Office") – Traffic Impact Analysis – PB23-0636

for

DocuSigned by:
Atuél Rodríguez
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The City of Miami Beach Transportation & Mobility Department has reviewed the subject Traffic Impact Analysis submitted by the applicant as part of the Planning Board application for the proposed commercial redevelopment project located at 1100 5 Street in Miami Beach, Florida. The proposed redevelopment consists of approximately 48,000 square feet of office space and 7,462 square feet of commercial space, which may operate as a restaurant with 214 seats once a leaseholder is found. Since the applicant has not yet secured a tenant for the future use of the commercial or restaurant space, the applicant's team has agreed to complete the traffic analyses utilizing the highest trip generator of the two to complete the needed operational analyses within the Traffic Impact Analysis, the highest trip generator being a 214-seat 'Fine Dining' restaurant.

Trip Generation and Trip Distribution

The results of the Trip Generation Analysis show that the proposed commercial redevelopment is expected to generate a decrease of 14 net new vehicle trips during the AM peak hour and an increase of 48 net new weekday trips during the PM peak hour.

Multimodal Trips

The proposed redevelopment is located within an urban, dense, and mixed-land use area. It is expected that employees, patrons, and guests will choose to walk, bicycle, or use public transit to and from the proposed redevelopment.

There are three (3) Miami-Dade County Metrobus routes and two (2) Miami Beach Trolley routes that serve the vicinity of the project site (within ½ mile). These include Metrobus routes 14, 20, and 100; and the Miami Beach Trolley routes South Beach Loop A and South Beach Loop B.

Level of Service (LOS) Analysis

Turning movement counts were collected during the P.M peak period on Tuesday October 17, 2023, at the following 4 intersections:

- Alton Road and 5 Street (signalized)
- 5 Street and Lenox Avenue (signalized)
- Alton Road and 4 Street (signalized)
- 5 Street and Lenox Avenue (unsignalized)

No turning movement counts were collected during the AM peak hour, as the proposed commercial redevelopment is expected to generate a decrease of 14 net new vehicle trips during the AM peak. Therefore, no operational analyses were completed for the AM peak period.

The collected PM peak volumes were seasonally adjusted to reflect peak conditions and complete operational analyses. The intersection capacity analyses for the study intersections show that all the signalized and unsignalized study intersections are expected to operate within the FDOT and City of Miami Beach adopted LOS standard of overall LOS D or better during the PM peak hour period in the 2026 build scenario. The following is a summary of the 2026 future total conditions for the analyzed PM peak hour:

1. Alton Road and 5 Street (Signalized)
 - Weekday PM Peak Hour, Overall Intersection LOS C (33.1 Seconds)
2. 5 Street and Lenox Avenue (Signalized)
 - Weekday PM Peak Hour, Overall Intersections B (11.8 Seconds)
3. Alton Road and 4 Street (Signalized)
 - Weekday PM Peak Hour, Overall Intersection LOS B (10.6 Seconds)
4. 4 Street and Lenox Avenue (unsignalized)
 - Weekday PM Peak Hour
 - Southbound (SB) LOS B (10.4 Seconds)

Valet & Mechanical Lifts Operations

The proposed redevelopment site is proposing a 105-space parking garage, with access provided via a garage ramp that is located near the ground floor valet area and is accessed from a curb cut on Lenox Avenue. The proposed parking garage will not be open to the public. The valet drop-off/pick-up area consists of one (1) valet drop-off lane with storage for three (3) vehicles (approximately 75 feet), one (1) valet pick-up lane with storage for two (2) vehicles (approximately 56 feet), and ingress and egress bypass lanes. In addition to the valet pick-up area, approximately 152 feet of storage space can be accommodated along the ramp. Office employees will be given a tag indicating they are a monthly parker, while restaurant and office guests will be given a ticket that can be validated.

The proposed garage contains five (5) ADA spaces, four (4) conventional parking spaces, and 48 mechanical lifts parking spaces, which provides one (1) additional space on top of a conventional space, for a total of 105 parking spaces to be exclusively used by valet attendants that will keep the mechanical lift keys. The project site also maintains five (5) on-street parking spaces. The mechanical lifts will operate between 8:00 A.M. to 7:00 P.M. on weekdays, with the exception of restaurant operating hours. After the operating hours of the building, the mechanical lifts will be locked by the valet attendants. Self-parking will not be permitted at the lifts. After the office use closes operations, vehicles will be moved to spaces that do not require the use of the lifts system to egress the building, and the key for the vehicles will be secured at the security desk for pick-up and/or payment if necessary. An entry/exit security gate will remain open during operating hours.

Figures 1 and 2 provide a graphic illustration of the proposed ground level valet routes to and from the on-site parking garage.

The results of the AM peak hour Valet Operations Analysis demonstrate that a minimum of seven (7) valet attendants, six (6) for the valet drop-off area and one (1) for the valet pick-up area, would be required to ensure future valet queues do not exceed the existing storage available at the valet drop-off/pick-up area during the highest AM peak valet demand scenario.

The results of the PM peak hour Valet Operations Analysis demonstrate that a minimum of eleven (11) valet attendants, five (5) for the valet drop-off area and six (6) for the valet pick-up area, would be required to ensure future valet queues do not exceed the existing storage available at the valet drop-off/pick-up area during the highest PM peak valet demand scenario.

Figure 1: Ground Floor Valet Route

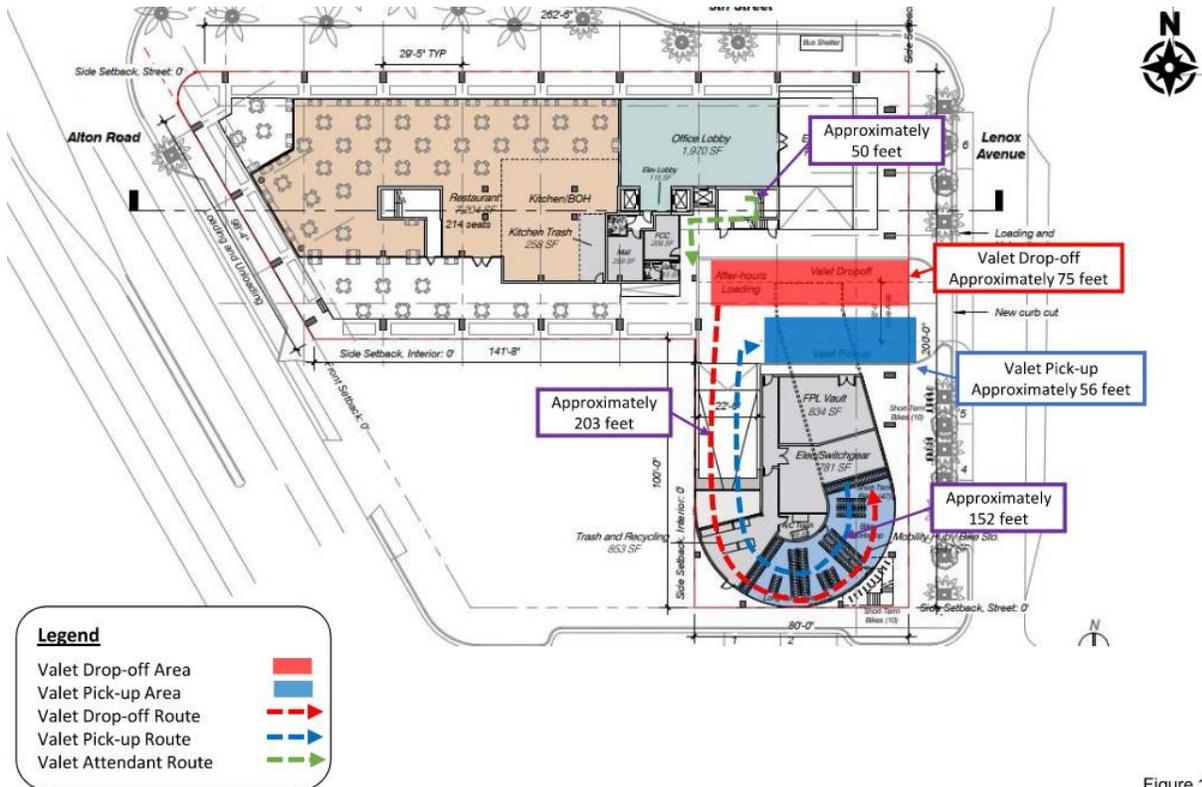


Figure 1

Figure 2: Level 2 Valet Route

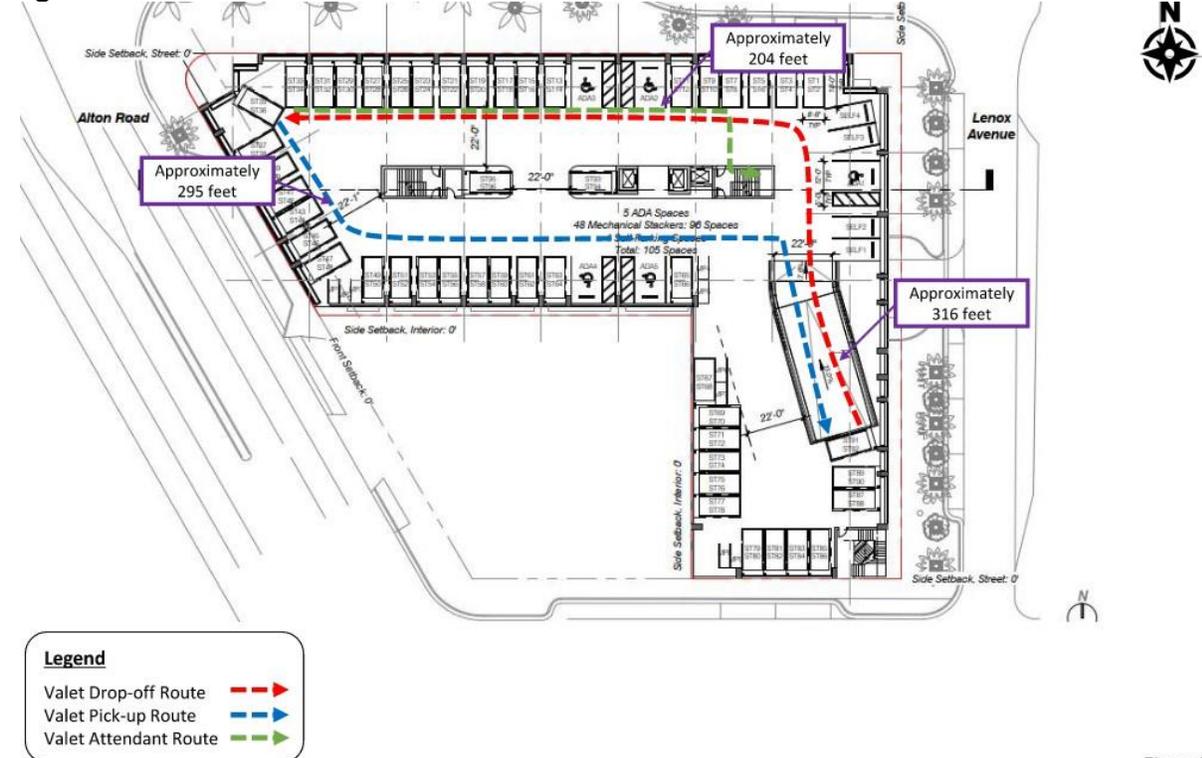


Figure 2

Circulation/Maneuverability Operations

The project site will maintain an existing on-street loading zone on Alton Road, as well as proposes the use of the valet area as an after-hours loading zone. Delivery/loading vehicles require a back-in maneuver from Lenox Avenue to access the site, and will only be permitted access during valet non-operational hours.

Transportation Demand Management (TDM)

The redevelopment site is located less than five (5) miles from the MiamiCentral Station, and therefore trips between the development and the station fall within Brightline's rideshare program. Additionally, the applicant will commit to providing the following Transportation Demand Management strategies:

- Distributing a questionnaire to survey tenants' preferred method of transportation.
- Providing 67 short-term and 72 long-term secure bicycle parking (bicycle racks and lockers).
- Providing transit information within the site including route schedules and maps.
- Providing nine (9) designated scooter/motorcycle parking spaces.
- Providing subsidized transit passes for employees.
- Providing bike-sharing/rentals passes for the Citi Bike station located across the street.
- Providing car/vanpooling-designated parking spaces.
- Providing four (4) shower stalls for bicyclists on-site.

Conditions of Approval

1. The applicant shall coordinate with the Transportation & Mobility Department to implement an acceptable Transportation Demand Management (TDM) Implementation Plan per the TDM strategies outlined in the most recent traffic impact study prepared by Kimley-Horn & Associates, Inc. dated 2/29/24, prior to the issuance of a building permit.
2. The applicant shall commit to provide the minimum number of seven (7) valet runners during the AM peak demand period and eleven (11) valet runners during the PM peak demand period. This number should be adjusted as necessary when higher than normal peak demands are encountered.

Conclusion

The City of Miami Beach Transportation & Mobility Department, including the Peer Review Consultant, has no further comments on the Traffic Impact Analysis for the proposed 1100 5 Street ("Alton Road Office") redevelopment project.

Please feel free to contact the City of Miami Beach Transportation & Mobility Department if you have any questions on the above.

CC: Otniel Rodríguez, E.I., Assistant Director, City of Miami Beach Transportation & Mobility Department

Ghassan Choueiry, P.E., Senior Transportation Engineer, City of Miami Beach Transportation & Mobility Department

Grant Webster, Transportation Planner, City of Miami Beach Transportation & Mobility Department



Memorandum to Planning Department Re: 1100 5 Street – Traffic Impact Analysis
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April 4, 2024

Enc. The Corradino Group, Inc. (Peer Reviewer) Traffic Review Memo dated 04/04/24.