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MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation — PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: May 28, 2024

FROM: Thomas R. Mooney, AICP
Planning Director

DS for TRM

SUBJECT: **PB23-0641. 1333 Dade Boulevard. Mixed Use Office Building.**

An application has been filed requesting a conditional use approval for 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 of the Miami Beach Resiliency Code.

RECOMMENDATION
Approval with conditions.

ZONING/SITE DATA

Legal Description:	See exhibit "A" at the end of this report
Zoning District:	CD-2 Commercial, Medium Intensity District
Future Land Use Designation:	CD-2 Commercial, Medium Intensity District
Surrounding Uses:	See Zoning/Site Map at the end of this report.
North:	Commercial
South:	Apartment Building
West:	Commercial/ Tow truck yard
East:	Commercial/ Storage
Lot Size:	8, 476 SF
Maximum FAR:	2.00 – 16,900 SF
Proposed FAR:	1.99 – 16,872 SF

THE PROJECT
The applicant, Qriar Office, LLC, has submitted plans entitled "1333 Dade Boulevard," prepared by Urban Robot Associates, Sebastian Velez, dated February 23, 2024. The subject site is currently vacant and previously contained a 2-story, 9,346 square foot industrial building that housed Miami Beach Auto paint and body shop.

The applicant is requesting conditional use approval for Mechanical Parking garage. The proposed five-story building contains 9,956 square feet of office space, one residential unit with 4,408 square feet of floor area, a 1,354 square foot lobby, and 14 parking spaces consisting of traditional and mechanical spaces. The rooftop will provide an amenity space for the residential unit.

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Due to site restrictions, the proposed driveway is 12 feet wide. The floor-to-ceiling height of the nonresidential first habitable level is 14 feet, which will allow raising of the ground floor in the future if needed. However, only 11 feet is provided above the Design Flood Elevation (DFE). The Applicant received variances from the Design Review Board for the driveway and the ground floor height.

The subject project was approved by the Design Review Board on May 7th, 2024 (DRB23-0985).

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 Chapter 7, Article V, Section 7.5.5.4.

1. The use shall be 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 CD - 2 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 CD-2 future land use category.

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

Consistent – 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 shall 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 proposing 13 off-street vehicle parking spaces, which exceeds the code requirements. Note: Since the plans were submitted, one mechanical parking space was removed, so that one space may be utilized for maneuvering.

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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 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 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 the only driveway is located on Dade Blvd.

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 15 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 13 spaces. This is consistent with the City Resiliency Code.

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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 are going to be addressed by the DRB.

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.**

   Consistent – The mechanical lifts are located on ground floor level and 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.**

   Consistent – As per the letter of intent, 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

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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 – The applicant submitted a traffic study, 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 valet operation are not clear. Staff has recommendations for conditions to address this concern 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.

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.

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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 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.

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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 that will help reduce the urban heat island effect.

ANALYSIS

The applicant is proposing a new 5-story mixed-use building on a vacant site in the Sunset Harbour neighborhood. Located on the north side of Dade Boulevard between Bay Road and West Avenue, the property is comprised of a single parcel in the center of the block. Mechanical parking is proposed on the ground level only, located behind a main lobby which fronts the street. One large residential unit is proposed on the second level, with offices located on levels 3-5. A roof deck is proposed for the use of the residential unit.

The site is subject to the CD-2 regulations associated with the Sunset Harbour Neighborhood Vision Plan, which is intended to incentivize Class A office development along the perimeter of the neighborhood. 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 main lobby, fronting Dade Boulevard, provides access to the offices and residential unit. Queuing of pedestrians in public rights of way is not expected. Although there is no parking requirement for non-residential uses above the ground floor, the project is providing 13 spaces to minimize the need for tenants to park off-site.

The site is an interior lot with one frontage on Dade Boulevard, and vehicular access for parking and loading will be accommodated via a 12-foot, two-way drive isle. The parking will consist of 10 mechanical lift spaces, one surface space, and one accessible space. One loading space is also provided on the ground floor, along with eight bike racks at the rear of the site.

Per the letter of intent, only valet operators will be able to operate the vehicle lifts, and individuals residing in the single residential unit will utilize the self-park, non-lift spaces. The plans indicate that valet drop-off and pickup will be at the valet station located on the ground floor.

The applicant has provided plans to demonstrate how the required parking could be provided

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using conventional parking spaces. The mechanical lift option results in a more efficient design with more open space and less massing. The mechanical parking system is located inside the building and is not visible from the Right of way and surrounding properties.

In accordance with the recommendation of the Transportation and Mobility Department, the applicant is proposing to reduce the number of parking spaces from 14 to 13 so that additional space is available for maneuvering. Since there are no issues with the required parking, staff requested that the applicant present this change at the hearing. This modification is also noted in the draft order.

Deliveries and Sanitation
Pursuant to section 5.2.6 of the LDRs, the proposed use requires one (1) loading space, which is located within the building at the rear of the property. The operations plan indicates loading hours from 7:00 a.m. to 5:00 p.m., and trash pick-up from 5:00 a.m. to 7:00 a.m. Staff has recommended conditions to limit loading to off-peak daytime hours to minimize traffic disruptions and reduce noise impacts on surrounding properties.

There is one proposed trash room located at the rear of the property on the east side, with access to the loading area. Staff has recommended hours for trash pickups consistent with loading hours.

STAFF RECOMMENDATION

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

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ZONING/SITE MAP



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EXHIBIT "A"

All of Lot 13, in Block 16-A of ISLAND VIEW SUBDIVISION, according to the plat thereof, as recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County, Florida; and beginning at the Northwest corner of Lot 13, in Block 16-A of ISLAND VIEW SUBDIVISION, according to the plat thereof, as recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County, Florida, run Northerly along a prolongation of the West line of said Lot 13, a distance of 50 feet more or less, to a point in the North line of Lot 10 in said Block 16-A of said subdivision; thence run Easterly along the said North line of said Lot 10 to the Northeast corner of said Lot 10; thence run Southerly along the East line of said Lot 10, which is the same as the East line of said Lot 13 projected Northerly for a distance of 50 Feet more or less, to the Southeast corner of said Lot 10, which said point is the same as the Northeast corner of said Lot 13; thence run Westerly along the South line of said Lot 10, which is the same as the North line of said Lot 13, to the point of beginning.

Parcel Identification Number: 02-3233-012-0671

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MIAMIBEACH

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

DS JRG

DATE: May 14, 2024

SUBJECT: 1333 Dade Boulevard – Traffic Impact Analysis – PB23-0641

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 five-story building with one (1) residential unit on the second floor and 10,356 square feet of office on the upper levels, that is currently occupied by 5,912 square feet of two (2)-story automobile part and service center building. The project is located at 1333 Dade Boulevard in Miami Beach, Florida. The proposed development will provide six (6) on-site mechanical lifts to provide 12 total lift parking spaces, one (1) surface parking spot, and one (1) ADA space for a total of 14 on-site parking spaces.

The project build-out year is anticipated by 2027. The Traffic Impact Analysis associated with this project was performed in accordance with the requirements of the City of Miami Beach and the approved methodology.

Trip Generation and Trip Distribution

The results of the Trip Generation Analysis indicated that the proposed development is expected to generate 14 net new AM peak hour trips and 14 net new PM peak hour trips, for a total of 70 net new daily trips. The project is located north of Dade Boulevard between Bay Road and West Avenue. One (1) full-access driveway will be provided on Dade Boulevard east of Bay Road/17th Street.

Multimodal Trips

Sidewalks are provided on the north side of Dade Boulevard near the project site and the width of the sidewalk adjacent to the property is six (6) feet. The north leg crosswalk at the intersection of Dade Boulevard and Bay Road has high-emphasis markings, and all crosswalk legs at the intersection of Dade Boulevard and West Avenue have high-emphasis markings. An upcoming project will install high-emphasis crosswalk markings and a bicycle counter on the east leg of the intersection of Dade Boulevard and 17 Street.

A Citi Bike station is located south of the intersection of Sunset Harbour Drive and 18th Street, an approximately four-minute walk from the site. Additionally, the project is providing bicycle racks with a capacity of eight (8) bicycles, located on-site on private property.

The Miami-Dade County Metrobus Route 15 stop is located south of the intersection of Dade Boulevard and Sunset Harbour Drive near the project site, an approximately two-minute walk from

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the development. The City of Miami Beach Trolley South Beach Loops A and B stop is located south of the intersection of 20 Street and West Avenue, an approximately five-minute walk from the development.

Operational and Driveway Analysis

The Intersection Capacity Analysis indicates that all approaches for all the study intersections are projected to operate within the City's adopted overall Level of Service (LOS) standards, LOS D, or better during the AM and PM peak hours. The 95th percentile Queuing Analysis indicates the project is not expected to impact the queues at any of the stop-controlled movements at any of the study intersections.

Entry Gate Analysis

Due to site restrictions, the proposed driveway will be 12-feet wide and will operate as a two-way driveway. Therefore, to control the traffic flow and avoid conflicts between entering and exiting vehicles, the development is proposing the installation of a gate and a valet stand. The project driveway will have one (1) high-speed roller gate located approximately 65 feet from the property line with an additional 26 feet of stacking before Dade Boulevard, providing storage for two (2) vehicles during the opening operation. Residents will be able to open the gate through a barcode reader, while office employees and visitors will have to stop and be served by the valet operation. The analysis was conservative as it assumed a service time of 1.0 minute/vehicle. The results indicate that all entry gate queues will be accommodated on-site and not extend onto public right-of-way.

Circulation/Maneuverability Operations

Access to the proposed development will be provided via one (1) full-access driveway on Dade Boulevard. A Maneuverability Analysis was performed for the project driveway and internal drive aisle. The proposed development will provide 14 parking spaces: 12 spaces will be provided by six double-stack car lifts (two of the six stackers will be tandem parking spaces), one surface parking spot, and one ADA space - for a total of 14 on-site parking spaces. The ground floor parking space of the stacker on the southeast corner of the parking lot (Parking Spot #11) will remain permanently unoccupied to accommodate maneuvering and temporary vehicle storage while other vehicles maneuver. One single parking space will be assigned to the residential unit and the other will be an ADA parking space. All parking spaces will be valet-only except for the one surface parking spot assigned to the resident.

Valet Analysis

The analysis indicates that the valet operation will require a minimum of three (3) valet attendants, who will both oversee the valet stand to manage the flow of incoming vehicles, as well as drive the vehicles and operate the vehicle lifts. In addition, the development will coordinate and establish specific timeframes for the use of the proposed loading area to avoid any conflict with the valet operation. The specific timeframes for the loading area will be outside the expected peak-hours of pick-up and drop-off. The analyses indicate that the expected 95th percentile queue lengths will not exceed the length of the queue storage area.

Transportation Demand Management (TDM)

To encourage the use of the public transportation to travel to and from the project site, the development will provide Miami-Dade County Metrobus and City of Miami Beach Trolley route and schedule information on or near employee bulletin board. The project will also provide bicycle racks with a capacity of eight (8) bicycles to encourage non-vehicular travel, located on-site on private

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property. The project also proposes to conduct regular employee outreach to provide them with the multiple commute options.

The project site abuts Dade Boulevard and is located between Bay Road and West Avenue. The proposed development is approximately a two-minute walk to the nearest bus and trolley stop (Route 15), located south of the intersection of Dade Boulevard and Sunset Harbour Drive. A Citi Bike docking station is located south of the intersection of Sunset Harbour Drive and 18th Street, approximately a four-minute walk from the site.

Conditions of Approval

1. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to implement an acceptable Transportation Demand Management (TDM) Implementation Plan per the TDM strategies outlined in the most recent Traffic Impact Analysis, prior to the issuance of a building permit.

2. The applicant shall maintain one (1) dedicated parking space on the ground floor level of the project as permanently open and unoccupied, to function as temporary storage and staging for valet operations, and to prevent vehicles from entering City right-of-way to accommodate on-site maneuverability restrictions.

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 1333 Dade Boulevard development 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

Enc. HNTB Corporation (Peer Reviewer), Traffic Review Memo dated 05/13/2024.

PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA

PROPERTY:	1333 Dade Boulevard
FILE NO.	PB23-0641
IN RE:	An application for conditional use approval for 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 of the Miami Beach Resiliency Code.
LEGAL DESCRIPTION:	See exhibit "A" at the end of this order.
MEETING DATE:	May 28, 2024

CONDITIONAL USE PERMIT

The applicant, Qriar Office, LLC requested a Conditional Use approval 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 CD-2 Medium Intensity Commercial District, 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 Qriar Office, LLC, (the applicant/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. Deliveries and waste collections may occur between 7:00 AM and 5:00 PM each day.

6. 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.

7. 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.

8. The property and adjacent rights-of-way be maintained clean and free from debris

9. 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.

10. Special event permits shall be prohibited.

11. No exterior bars or accessory outdoor bar counters shall be permitted anywhere on the premises.

12. Commercial uses on the rooftop shall be prohibited.

13. Use of the rooftop shall be limited to residential unit tenants and their invited guests.

14. A progress report shall be scheduled before the Planning Board 90 days after obtaining a Certificate of Occupancy (CO) for the building.

15. 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.

16. As part of the Building Permit plans for the project, the applicant shall submit mechanical lifts specifications and power emergency procedures.

17. 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

18. 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.

19. 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.

20. The project shall contain up to 13 parking spaces, with one additional space utilized for maneuvering, in a manner to be reviewed and approved by staff.

21. 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 Analysis, prior to the issuance of a building permit.

    c. The applicant shall maintain one (1) dedicated parking space on the ground floor level of the project as permanently open and unoccupied, to function as temporary storage and staging for valet operations, and to prevent vehicles from entering City right-of-way to accommodate on-site maneuverability restrictions.

22. The development shall comply with the “Green Buildings” requirements in ~~7~~.1.3.2 of the Resiliency Code.

23. 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.

24. 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.

25. 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.

26. 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.

27. 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.

28. 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.

29. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

30. 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.

31. 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.

32. 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.

_____
Notary:
Print Name:
[NOTARIAL SEAL] 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 "Legal Description"
1333 Dade Blvd

All of Lot 13, in Block 16-A of ISLAND VIEW SUBDIVISION, according to the plat thereof, as recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County, Florida; and beginning at the Northwest corner of Lot 13, in Block 16-A of ISLAND VIEW SUBDIVISION, according to the plat thereof, as recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County, Florida, run Northerly along a prolongation of the West line of said Lot 13, a distance of 50 feet more or less, to a point in the North line of Lot 10 in said Block 16-A of said subdivision; thence run Easterly along the said North line of said Lot 10 to the Northeast corner of said Lot 10; thence run Southerly along the East line of said Lot 10, which is the same as the East line of said Lot 13 projected Northerly for a distance of 50 Feet more or less, to the Southeast corner of said Lot 10, which said point is the same as the Northeast corner of said Lot 13; thence run Westerly along the South line of said Lot 10, which is the same as the North line of said Lot 13, to the point of beginning.

Parcel Identification Number: 02-3233-012-0671