

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, ON SECOND AND FINAL READING OF THIS RESOLUTION AND FOLLOWING A DULY NOTICED PUBLIC HEARING, THE GRANTING OF THE WAIVER OF CERTAIN DEVELOPMENT REGULATIONS, BY A 5/7TH VOTE OF THE CITY COMMISSION, PURSUANT TO SECTION 142-425(d), OF THE LAND DEVELOPMENT REGULATIONS (LDR), FOR THE NEW INTERCEPTOR PARKING GARAGE TO BE CONSTRUCTED AT THE P-23 SURFACE PARKING LOT, LOCATED AT 1623 WEST AVENUE, WHICH WAIVERS CONSIST OF: 1) A WAIVER OF SECTION 142-156(a), OF THE LDR, IN ORDER TO REDUCE THE MINIMUM FRONT SETBACK (WEST SIDE) ALONG WEST AVENUE; TO REDUCE THE SIDE SETBACK ALONG THE NORTH SIDE OF THE PARKING LOT; AND TO REDUCE THE REAR SETBACK ALONG THE EAST SIDE OF THE PARKING LOT ALONG ALTON COURT; 2) A WAIVER OF SECTION 142-155(b) OF THE LDR, IN ORDER TO INCREASE THE MAXIMUM BUILDING HEIGHT FROM 50 FEET TO 75 FEET; AND 3) A WAIVER OF SECTION 142-156(b)(1), OF THE LDR, IN ORDER TO ALLOW RETAIL USES ON THE FIRST LEVEL OF THE GARAGE, FRONTING WEST AVENUE.

WHEREAS, on April 13, 2016, the Mayor and City Commission approved the issuance of Request for Qualifications No. 2016-124-KB (RFQ) for Architectural and Engineering Design Criteria Professional Services for proposals to construct mixed use parking garages, and which RFQ included the P-23 Surface Parking Lot site (Project); and

WHEREAS, on June 8, 2016, the City Commission approved Resolution No. 2016-29425, authorizing the City to negotiate with Desman, Inc. (Consultant); which negotiations were successful, and an agreement was executed with the Consultant; and

WHEREAS, the construction of an interceptor parking garage at the P-23 Surface Parking Lot was approved in the FY 2015-16 Capital Budget as part of the City's initiative to expand municipal parking garages; and

WHEREAS, a Design Criteria Package (DCP) is being prepared by the Consultant and will be provided to the Design Build Team for the design development and subsequent construction of a new parking garage; and

WHEREAS, the Consultant is preparing the Design Criteria Package (DCP) that would include concise performance-oriented specifications for the new Interceptor Garage at the P-23 surface parking lot; and

WHEREAS, the purpose of the DCP is to furnish sufficient information to allow Design-Build (DB) firms to provide a response to the City's Request for Proposals (RFP) for Design-Build services; and

WHEREAS, at the May 17, 2017 Commission Meeting, the Mayor and City Commission directed staff to proceed with the development of a parking structure 75 foot in height, with workforce housing on the top two (2) floors, and retail use on the first floor of the garage; and

WHEREAS, the P-23 Surface Parking Lot is zoned Government Use (GU) and, as per Section 142-425(d), of the Land Development Regulations, the City Commission may waive by five sevenths (5/7ths) vote, following a duly noticed public hearing advertised in the newspaper at least fifteen (15) days prior to the hearing, development regulations “pertaining to governmental owned or leased buildings, uses and sites which are wholly used by, open and accessible to the general public, or used by not-for-profit, educational, or cultural organizations, or for convention center hotels, or convention center hotel accessory garages, or city utilized parking lots, provided they are continually used for such purposes;” and

WHEREAS, administration is requesting the following development regulation waivers:

1. A waiver of the requirements of section 142-156(a), of the Land Development Regulations, in order to (a) reduce the minimum front setback, facing West Avenue, from 20 feet to 15 feet; (b) to reduce the minimum north side setback from 12 feet to 11 feet 4 inches; and to reduce the rear setback from 15 feet to zero feet;
2. A waiver of section 142-155(b), of the Land Development Regulations, in order to increase the maximum building height from 50 feet to 75 feet. The requested building height is necessary to accommodate sufficient parking levels, ensuring sufficient clearance for vans, ensuring the ability to modify the building in the future to accommodate sea level rise, and to accommodate workforce housing on the top two (2) floors of the garage.
3. A waiver of section 142-156(b)(1), of the Land Development Regulations, in order to allow a mixed-use development including residential and/or retail space at the first level of the structure, facing West Avenue. Without the waiver, the development regulations would require solely first floor/first level residential uses.

WHEREAS, the requested waivers would allow construction of the maximum number of parking spaces (approximately 170 to 180 spaces on four levels) and two (2) floors of workforce housing (approximately 32,000 gross square feet); and

WHEREAS, on June 7, 2017, the City Commission approved scheduling a Public Hearing to consider the waivers of certain Development Regulations pursuant to Section 142-425(d), of the Land Development Regulations, for the P23 Surface Parking Lot for July 26, 2017.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission approve, on second and final reading of this resolution and following a duly noticed Public Hearing, granting of the waiver of certain development regulations, by a 5/7th vote of the City Commission, pursuant to section 142-425(d), of the Land Development Regulations (LDR), for the new interceptor parking garage to be constructed at the P-23 Surface Parking Lot, located at 1623 West Avenue, which waivers consist of: 1) a waiver of section 142-156(a), of the LDR, in order to reduce the minimum front setback (west side) along West Avenue; to reduce the side setback along the north side of the parking lot; and to reduce the rear setback along the east side of the parking lot, along Alton Court; 2) a waiver of section 142-155(b) of the

LDR, in order to increase the maximum building height from 50 feet to 75 feet; and 3) a waiver of section 142-156(b)(1), of the LDR, in order to provide retail uses at the first level of the garage, fronting West Avenue.

PASSED AND ADOPTED this ____ day of July, 2017.

ATTEST:

Philip Levine, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

6/15/17

Date