

MIAMI BEACH

PLANNING DEPARTMENT

COMMISSION MEMORANDUM

TO: Jimmy L. Morales, City ManagerFROM: Thomas R. Mooney, AICP
Planning Director

DATE: July 26, 2017

SUBJECT: **Analysis of Waiver of GU Regulations –
Interceptor Garage at P-23 Surface Lot****BACKGROUND**

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 mixed use parking garages, including the P-23 Surface Parking Lot Project (Project).

The RFQ was issued on April 20, 2016, and on June 8, 2016, the City Commission approved Resolution No. 2016-29425 authorizing the City to negotiate with DESMAN, INC. (Consultant); negotiations were successful, and an agreement was executed with the Consultant.

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

ANALYSIS

A parking garage has been proposed for the P-23 surface parking lot which is located at 1623 West Avenue. The P-23 Surface Parking Lot is zoned Government Use (GU) and, as per Section 142-425(d) of the City Code, 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.*"

In order to construct the public garage with an affordable housing component, the Administration is requesting the following development regulation waivers:

1. 142-156(a), to reduce the minimum front setback, facing West Avenue from twenty feet (20'-0") to fifteen feet (15'-0"); to reduce the minimum north side setback from twelve feet (12'-0") to eleven feet four inches (11'-4"); to reduce the rear setback

- from fifteen feet (15'-0") to zero feet (0'-0");
2. 142-155(b), to increase the maximum building height from fifty feet (50') to seventy five feet (75'). The requested building height is necessary to accommodate parking levels, takes into account sufficient clearance for vans, future modifications to accommodate sea level rise and to accommodate workforce housing on the top two (2) floors of the garage.
 3. 142-156(b) (1), to allow mixed-use development including residential and/or retail space at the first level facing West Avenue.

The requested waivers would allow construction of the maximum number of parking spaces (approximately 170 to 180 spaces on four levels) and two floors of workforce housing (approximately 32,000 gross square feet). It is estimated that this could result in approximately 68 units at the minimum allowable unit size for workforce housing.

The Planning Department has reviewed the request for waivers and has made the following findings regarding the requested waivers:

1. 142-156(a), to reduce the minimum front setback, facing West Avenue from twenty feet (20'-0") to fifteen feet (15'-0"); to reduce the minimum north side setback from twelve feet (12'-0") to eleven feet four inches (11'-4"); to reduce the rear setback from fifteen feet (15'-0") to zero feet (0'-0");
 - The reduction of the front setback to 15' is compatible with the setbacks of the structures to the north and south and should not create negative impacts.
 - The reduction of the side setback from 12' to 11'-4" is minimal and should not create negative impacts on the adjacent property.
 - Regardless of the side setback, since the structure will be adjacent to existing residential buildings, it will be important to ensure that the facades are well designed to ensure that they don't negatively impact the adjacent residents.
 - The rear setback fronts the Alton Court alley and the reduction will not have a negative impact on surrounding properties.
2. 142-155(b), to increase the maximum building height from fifty feet (50') to seventy five feet (75').
 - The proposed 75' height limit is higher than the adjacent 50' structures; however, the height is lower than the approximately 90' building to the northwest of the site.
 - The additional height may create impacts on surrounding properties if not

appropriately mitigated. Mitigation measures can be taken to minimize the impact of the additional height on surrounding properties as part of the Design Review Process.

- Mitigation measures include, but are not limited to, the use of green walls, upper level setbacks, or other architectural façade treatments.
3. 142-156(b) (1), to allow mixed-use development including residential and/or retail space at the first level facing West Avenue.
- The West Avenue corridor primarily consists of residential uses. However, there are opportunities for community oriented low-scale retail that will not create a negative impact on surrounding properties.
 - Commercial uses are permitted on the adjacent frontage on the west side of Alton Court, which has a CD-2 designation.

Additionally, the Comprehensive Plan future land use designation of the site is “Parking (P)”. The Parking designation allows for:

“Parking facilities and commercial uses when located on frontage opposite a land use category that permits commercial use.”

Residential uses are not permitted within the “Parking (P)” future land use designation. Since a workforce housing component is proposed, a comprehensive plan amendment will be necessary to allow for the residential uses to be built.

CONCLUSION

In summary, the requested waivers are consistent with the Goals, Objectives, and Policies of the Comprehensive Plan. Approval of the waivers at Lot P-23, located at 1623 West Avenue are not expected to result in any negative impacts on the surrounding area if appropriately mitigated through the Design Review process.

TRM/MCS/RAM

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