

March 5, 2018

City of Miami Beach
Planning and Zoning Board
1700 Convention Center Drive
Miami Beach, Florida 33139

**Re: Architect's Letter of Intent
191 N Hibiscus Dr, Miami Beach, Florida
Request for Conditional Use Permit –
Mechanical Parking Lifts**

Dear Planning Staff,

This Letter of Intent is regarding the request for Conditional Use Permit approval for Mechanical Parking Lifts at the residence located at 191 N Hibiscus Dr in Miami Beach, FL. The residence is currently under construction with building shell completed, and was previously approved by the Design Review Board in June, 2015, Design Review File No. 23150. The clients are car enthusiasts who wish to privately accommodate their growing car collection. The purpose and use of the lift(s) is intended solely for the end-user's ability to provide enough enclosed, concealed parking for their prized vehicles.

This property falls within an RS-3 residential district and was granted the allowable 28'-0" building height waiver for this district, when approved by the DRB. The additional height allowed larger floor-to-floor heights, which accommodated 15'-0" height ceilings in the designed garage space, exceeding the requirement of 11 feet 6 inches (Sec 130-38 (6)(e)). The proposed locations for the mechanical parking lift(s) will be situated within the previously approved garages, with no alterations or deviations to the DRB approved design. The exterior aesthetic will not be altered (both massing and materials to remain as designed), nor will any harm or inconvenience to the neighboring properties or general surrounding area ensue based on the request's approval.

Responses to items #42 and #44 on the board application checklist, along with supplemental criteria, are described below and shown in red to differentiate from *italicized* code criteria. Text with strikethrough does not apply to this project and/or the conditional use request:

Article II – Sea Level Rise and Resiliency Review Criteria

Sec. 133-50 – Criteria

(a) Criteria for development orders:

- ~~(1) A recycling or salvage plan for partial or total demolition shall be provided.~~
- ~~(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.~~
- ~~(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.~~
- ~~(4) Whether resilient landscaping (salt tolerant, highly water absorbent, native or Florida friendly plants) will be provided.~~

~~(5) Whether 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, including a study of land elevation and elevation of surrounding properties were considered.~~

(6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land.

Driveways and garage's have been set and were previously approved at elevation of a minimum 1'-2" higher than the surrounding, existing grades. Site grading and sloped driveways at the entry and access portions of the driveway and garages shall be raised according to the approved civil engineered grading plan, which has considered the Hibiscus Island Capital Improvement Project and the raising of the roadways in that portion of the island;

(7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

All mechanical and electrical equipment – including that of the proposed mechanical parking lifts and the associated electrical disconnects – shall be raised above Base Flood Elevation of 10'-0" NGVD. The approved and permitted plans call for this criteria within the specifications and engineered drawings;

~~(8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.~~

~~(9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry floodproofing systems will be provided in accordance with chapter 54 of the City Code.~~

~~(10) Where feasible and appropriate, water retention systems shall be provided.~~

Chapter 118 – Administration and Review Procedures

Sec. 118-192 (a) (1)-(7) – Review Guidelines

(a) Conditional uses may be approved in accordance with procedures and standards of this article provided that:

(1) The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.

Structure and intended use associated with request is consistent with the Hibiscus Island Capital Improvement Project and the raising of the roadways in that portion of the island;

(2) 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.

Structure and intended use associated with request is consistent, DRB Approved, and Permitted;

(3) Structures and uses associated with the request are consistent with these land development regulations.

Structure and intended use associated with request is consistent, DRB Approved, and Permitted;

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

The proposed mechanical parking lifts will not adversely affect the public health, safety, morals, and general welfare. The requested items will be maintained within, and concealed within, the previously approved design, as to not alter or affect the design itself or the perceived aesthetics of the surrounding conditions;

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

Structure and intended use associated with request is consistent, DRB Approved, and Permitted;

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

Structure and intended use associated with request is consistent, DRB Approved, and Permitted; Necessary privacy and screening elements were approved previously and will remain consistent with the approved conditions;

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

Provided that a concentration of similar uses and types of conditional uses adhere to the criteria for which this conditional use is seeking, there will be no negative impact on the surrounding

neighborhood, as this request has adequately addressed these issues of public health, safety, morals, general welfare, and *neighborhood aesthetic quality*;

(8) *The structure and site complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.*

Correct, see above response to Chapter 133 criteria;

Chapter 130 – Off-Street Parking

Sec. 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k) – Mechanical and robotic parking systems

(3) *Exceptions to the mechanical parking prohibition may be considered by the planning board, pursuant to the conditional use process in chapter 118, article IV of the City Code, if the proposed project meets the following conditions:*

(c) *Projects proposing to use mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory and main use off-street parking requirements.*

(i) *Projects proposing to use mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory and main use 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:*

*using the number of parking spaces noted on the first set of plans using traditional parking.
No variances to these provisions shall be permitted.*

(4) *The following exceptions to the mechanical parking prohibition may be considered by the design review board or historic preservation board, as applicable:*

~~(a) Apartment buildings with 20 apartment units or less may utilize mechanical lifts, in accordance with the review criteria of section 138-38(5), provided the parking area is accessed from a rear alley and secure storage for alternative transportation such as scooters, bicycles, and motorcycles is provided on site.~~

(b) *Single-family homes utilizing up to three mechanical lifts may be approved by the design review board or historic preservation board, as applicable, in accordance with the applicable review criteria of section 130-38(5).*

(5) *As part of the conditional use, design review board, or historic preservation board review process for the use of mechanical parking devices, robotic parking systems and/or vehicle elevators under any of the provisions of this section, the following review criteria shall be evaluated when considering each application for the use of mechanical parking systems:*

(a) *Whether the scale of the proposed structure is compatible with the existing urban character of the surrounding neighborhood;*

Structure and intended use associated with request is: 1) compatible with the existing urban character of the surrounding neighborhood; 2) DRB Approved; 3) Permitted within the City of Miami beach;

The proposed mechanical parking lifts will be concealed within the garage of the DRB-approved design and will not alter nor deviate aesthetically from the previously approved conditions;

(b) *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;*

All above-mentioned criteria will not detract nor deviate from the DRB-approved design;

~~(c) 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;~~

(d) *Whether parking lifts or mechanisms are located inside, within a fully enclosed building, and not visible from exterior view;*

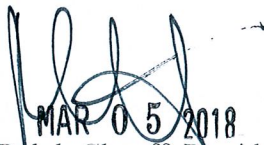
The proposed mechanical parking lifts will be concealed within the garage of the DRB-approved design and will not alter nor deviate aesthetically from the previously approved conditions;

- ~~(e) 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;~~
- ~~(f) 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;~~
- ~~(g) 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;~~
- ~~(h) Whether a proposed operations plan, including hours of operation, number of employees, maintenance requirements, noise specifications, and emergency procedures, has been provided;~~
- ~~(i) 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;~~
- ~~(j) Whether the proximity of the proposed facility to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated;~~
- ~~(k) Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect will be addressed;~~

We feel that the approval of the mechanical parking lifts is not an egregious request that will not disturb any neighbor or will be at all noticeable. The clients of the residence have designed this project to be their permanent residence and have conformed to the Miami Beach standard of quality and care through adhering to Design Review Board criteria during the approval process at that time. The clients intend to utilize the request for their personal use and maintain a high level of quality both in and throughout their property to add to the beauty of the surrounding Hibiscus Island context.

We respectfully ask that the Planning Board grant the applicant the approval for a Conditional Use permit being requested for this project.

Sincerely,



MAR 05 2018
Ralph Choeff, President
Choeff Levy Fischman PA
Architecture + Design