



Akron Office

520 South Main Street

Suite 2531

Akron, OH 44311

tel 330.572.2100

fax 330.572.2101

www.gpdgroup.com

April 5, 2018

GPD Job#: 2018241.04

Mr. James Murphy
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Letter of Intent for Modification Order Issued by Design Review Board on March 22, 2018, DRB File No: DRB18-0251 for the Tesla Motors, Inc. project located at 959 West Avenue, Miami Beach – Letter of Intent

Dear Mr. James Murphy:

As you may be aware, our office represents Tesla, Inc. (the “Applicants”) the tenants for the project located at 959 West Avenue (the “Property”). Please consider this letter as the Applicants’ letter of intent, associated with a Modification to the Design Review Board (DRB) order issued on March 22, 2018 for DRB File No.: DRB18-0251 for the existing parking structure located at 959 West Avenue.

The Property. The property is located in RM-2, Residential Multifamily, Medium Intensity Zoning District and is approximately 58,663 square foot lot. It is identified by Miami-Dade County Folio No. 02-4203-001-0420. The parking structure that sits on this property was constructed in 2002 and is approximately 44,000 square feet per level.

Applicants Proposal. The Applicants are proposing to install a Tesla electric vehicle charging station within the existing parking structure. The equipment that is associated with this project include nine (9) Tesla Charging Cabinets, Eighteen (18) Tesla Charging Posts, One (1) QED switchgear assembly, Two (2) Sub-Panels, Nine (9) NLTC Transformers and One (1) Utility Transformer. The Tesla Charging Cabinets, Charging Posts, Sub-Panels and NLTC Transformer will be installed within the second level of the parking structure. The Utility Transformer and QED Switchgear will be installed outside of the parking structure near the intersection of 10th Avenue and Alley.

The DRB issued an order for our Applicant to apply for two variances; to reduce the minimum rear and side facing street setback requirements due to the location of the Transformer and QED Switchgear. We have reached out to the utility company, FPL, to seek installation of the Transformer and QED Switchgear on the rooftop level of the deck. Due to the constructability and safety clearance requirements that are required to install the transformer and QED Switchgear as well as the need for 24/7 access to the equipment for maintenance or emergency, the transformer must be located outside of the parking structure. A letter from FPL has been provided with this submittal denoting this need.

Request. The Applicant is seeking variance to waive the code requirement of 5’-0” minimum rear and side setback for the purpose of allocating space for the Transformer and QED Switchgear.

The request for setback for the Transformer is 4'-10" side setback from 10th Street. The request for setback for the QED Switchgear is 1'-1" rear setback from Alley.

The Applicants are requesting design review approval of the aforementioned rear and side setback variances. This Board has the authority to approve such variances.

Satisfaction of Hardship Criteria. Section 118-353(d) of the City's Code sets forth the hardship criteria for variance request. The Applicants' requests satisfy all hardship criteria as follows:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The parking structure mostly takes up the existing parcel with street ways encompassing each side of structure. In addition, due to the constructability and safety clearance requirements that are required to install and maintain the transformer and QED switchgear there is little allowance for the Applicants to meet the 5'-0" rear and side variance setback required.

2. The special conditions and circumstances do not result from the action of the applicant;

The need for the requested rear and side variances directly result from the Property's physical configuration, which is not the result of any action by the Applicants.

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;

Granting the requested variance will enable the Applicants to be able to better service the Tesla users within the area of Miami Beach. The Code allows other similarly situated property owners to seek similar variances. The granting of this variance is in line with the purpose and intent of the Code and does not confer any special privileges to the Applicants.

4. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;

A literal interpretation of the provisions of these land development regulations would work an unnecessary and undue hardship on the Applicants. These variances are being requested to allow bringing utility service to the charging stations within the parking structure.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

This request is the minimum necessary in order to allow for the Tesla Charging Station to service this greater area of Miami Beach, Florida.

- 6. The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare;**

This variance will not be injurious to the area or otherwise detrimental to the public welfare. This request is consistent with the purpose and intent of the code to promote the public welfare in the promotion of bring green energy to an existing structure.

- 7. The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of the public hearing or any time prior to the board of adjustments voting on the applicant's request.**

These variances requested are consistent with the City's comprehensive plan.

Landscaping. The Applicant will be providing abundant landscaping on the Property, which will be resilient, and provide visual buffering of the proposed Transformer and QED Switchgear.

Conclusion. This proposal of the Tesla electric vehicle charging station and its associated equipment will allow Tesla users a location to charge their vehicle while they partake in the sites and surroundings that Miami Beach has to offer. The granting of this requested rear and side variance will be in harmony with the intent and purpose of the Code, will not be injurious to the area involved or otherwise detrimental to the public welfare. Furthermore, the granting of the request will provide the Applicants with a responsible use of the Property. Based on the reasons provided, the Applicants respectfully request your favorable review and recommendation of this application.

Sincerely,
GPD Group, Inc.

Sarah Varrecchia
Planning Specialist

Cc: Mr. Zachary Sheets, P.E., GPD Group, Inc.
Mr. Shawn Gleason, Tesla

