

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: May 22, 2018

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB 18-0184. 5775 Collins Avenue
CUP for a Mechanical Lift Parking System**

PB 18-0184. 5775 Collins Avenue. The applicant, Miami Beach Associates, LLC, is requesting Conditional Use approval for modifications to the parking garage of a multifamily project, previously approved by the Design Review Board (DRB 17-0131), in order to include mechanical parking, pursuant to Chapter 118, Article IV and Chapter 130, Article II of the City Code.

RECOMMENDATION

Approval with Conditions

ZONING / SITE DATA

Legal Description: LOTS 10, 11, AND 12, BLOCK 1, AMENDED PLAT OF SECOND OCEAN FRONT SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28 AT PAGE 28, OF THE PUBLIC RECORDS OF MAIMI-DADE COUNTY, FLORIDA

Future Land Use: High Density Multi Family Residential Category (RM-3)

Zoning: RM-3 Residential Multifamily, High Intensity

Lot Size: 63,638 Square Feet

Floor Area: 190,311 Square Feet

Height: 200'-0"

Existing Use: Multifamily Residential

Proposed Use: Multifamily Residential

Surrounding Uses: See Zoning Site Map (Last Page of this Report)
North: Apartment Building
West: Apartment Building
South: Apartment Building
East: Atlantic Ocean

BACKGROUND

The applicant has submitted plans entitled "5775 Collins Avenue", as prepared by Arquitectonica International Corp., dated March 23, 2018.

The demolition of the existing 12-story, 107-unit Marlborough House multifamily building and construction of a new 17-story, 89-unit multifamily residential condominium building was approved by the Design Review Board on December 5, 2017 (File #DRB17-0131). The Approved project had a 2-level subterranean garage that did not include mechanical parking systems. The applicant is requesting a Conditional Use Permit to incorporate the use of mechanical parking lifts in order to consolidate the two subterranean levels into one subterranean level.

COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES:

Conditional Uses may be approved in accordance with the procedures and standards set forth in the City Code Art. 4, Sec. 118-191 and Sec. 118-192:

1. **The Use is consistent with the Comprehensive Plan or Neighborhood Plan if one exists for the area in which the property is located.**

Consistent – The use is consistent with the City's Comprehensive Plan.

2. **The intended Use or construction would not result in an impact that would exceed the thresholds for the levels of service as set forth in the Comprehensive Plan.**

Consistent – The proposal will have no effect on the use of the property.

3. **Structures and uses associated with the request are consistent with this Ordinance.**

Consistent – As currently proposed, the project is consistent with the applicable requirements of the Land Development Regulations of the City Code. However, this 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. **Public health, safety, morals and general welfare would not be adversely affected.**

Consistent - The proposal is not expected to adversely affect the general welfare of nearby residents.

5. **Adequate off-street parking facilities would be provided.**

Consistent – The proposal would continue to satisfy the parking requirements for the proposed use of the site.

6. **Necessary safeguards would be provided for the protection of surrounding property, persons, and neighborhood values.**

Consistent - The proposed mechanical lift located within the below-ground structure is not expected to adversely affect the general welfare of nearby residents.

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

Consistent – The proposed project is not expected to create any negative impact on the surrounding neighborhood from concentration of uses.

REVIEW CRITERIA PURSUANT TO SECTION 130-38 (3) OF THE CITY CODE WHEN CONSIDERING AN APPLICATION FOR THE USE OF MECHANICAL 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 130, and other provisions of these land development regulations, and requiring no variances from these provisions.**

Consistent – the project was previously approved by DRB showing the required parking in a traditional, non-mechanical means (two levels below ground, as per the requirements of the Code), this mechanical lift parking system is in order to eliminate the need for two (2) below ground levels, and consolidate the required parking into one (1) below ground level. The project will continue to provide 196 spaces, of which 186 would be mechanical lift spaces.

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 off-street parking requirements.**

Consistent – A schematic drawing showing the required parking and the mechanical lift parking system was submitted. The mechanical parking version does not intensify the use.

The non-mechanical schematic drawings have been reviewed by planning staff and it has been concluded that they meet the requirements of the design standards of the City Code. Henceforth, the project may proceed to site plan approval based on the second set of plans, using mechanical parking.

MECHANICAL PARKING STANDARDS

Pursuant to Section 130-38(7) of the City Code, Mechanical parking devices, robotic parking systems and/or vehicle elevators must also satisfy the following conditions:

- (a) **The noise or vibration from the operation of mechanical parking lifts, car elevators, or robotic parking systems shall not be plainly audible to or felt by any individual standing outside an apartment or hotel unit at any adjacent or nearby property. In addition, noise and vibration barriers shall be utilized to ensure that surrounding walls decrease sound and vibration emissions outside of the parking**

garage;

Consistent – According to the applicant, the parking is subterranean so noise generated by the mechanical parking will not be audible on adjacent properties.

- (b) **For mechanical lifts, the parking lift platform must be sealed and of a sufficient width and length (minimum of eight feet by 16 feet) to completely cover the bottom of the vehicle on the platform to prevent dripping liquids or debris onto the vehicle below;**

Consistent – According to the applicant, the platform will meet this standard.

- (c) **All free-standing mechanical parking lifts must be designed so that power is required to lift the car, but that no power is required to lower the car, in order to ensure that the lift can be lowered and the top vehicle can be accessed in the event of a power outage; robotic garages and vehicle elevators must have backup generators sufficient to power the system;**

Consistent – a generator will be provided to ensure the lifts can operate in the event of a loss of power. Additionally, they can operate by hand.

- (d) **All mechanical lifts must be designed to prevent lowering of the lift when a vehicle is parked below the lift;**

Consistent – According to the applicant, the proposed lifts meet this standard.

- (e) **The ceiling heights of any parking level with parking lifts within the parking garage shall be a minimum of 11 feet by six inches;**

Consistent – The proposal meets this standard.

- (f) **All mechanical parking systems, including lifts, elevators and robotic systems, must be inspected and certified as safe and in good working order by a licensed mechanical engineer at least once per year and the findings of the inspection shall be summarized in a report signed by the same licensed mechanical engineer or firm. Such report shall be furnished to the planning director and the building official;**

Consistent – According to the applicant, this standard will be met.

- (g) **All parking lifts shall be maintained and kept in good working order;**

Consistent – The owner agrees to maintain the lifts in good working order.

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:

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

Consistent – The mechanical lift parking system will be completely enclosed within a below-grade parking garage as previously approved by DRB ensuring context sensitive and harmonious relationship with adjacent areas.

- (b) **Whether the proposed use of mechanical parking results in an improvement of design characteristics and compatibility with the surrounding neighborhood;**

Consistent – The mechanical lift parking system will continue to be completely enclosed below ground and it will not affect the previously approved design. The mechanical lifts will allow the parking to be consolidated into one below ground level, as opposed to two.

- (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;**

Consistent – The proposed mechanical lift does not result in an increase in density or intensity over that which is currently approved with conventional parking.

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

Consistent – The proposed parking lifts are entirely enclosed within the structure and will not be visible from the exterior.

- (e) **In cases where mechanical parking lifts are used for self-parking in multi-family residential buildings; whether the proper restrictive covenant limiting the use of each lift to the same unit owner has been provided;**

Consistent – Approximately 30 of the 89 units will be able to self-park in non-tandem mechanical parking spaces or non-mechanical parking spaces. Those spaces will be assigned to specific units.

- (f) **In cases where mechanical parking lifts are used for valet parking; whether the proper restrictive covenant stipulating that a valet service or operator shall be provided for such parking for so long as the use continues has been provided;**

Partially Consistent – Valet parking will be offered to residents. However, it will only be mandatory for residents of units who are assigned to parking spaces that are in a tandem setup. The proper covenants will be provided prior to the issuance of a building permit.

- (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;**

Consistent – A traffic study prepared by Traf Tech Engineering, Inc. was submitted by the applicant. See attached memorandum from the City of Miami Beach Transportation Department.

- (h) **Whether a proposed operations plan, including hours of operation, number of employees, maintenance requirements, noise specifications, and emergency procedures, has been provided.**

Partially Consistent – This is for a residential use, so valet operations will be available 24-hours a day. The applicant has not yet selected a manufacturer, so maintenance requirements will be decided upon once it is chosen. However, they will be inspected once a year to ensure safe and good working condition by licensed mechanical engineer at least once year with a written report being provided to the City. There will be a generator to operate the mechanical lifts in case of a power failure, and they can be operated by hand in the event of an extended loss of power. For emergency procedures, each lift will be equipped with a security key to ensure that it is only operated by authorized personnel. Additionally, they have an emergency stop button.

- (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, are planned to address 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 – There are no accessory uses.

- (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.**

Consistent – The mechanical system will be located below ground and will not create a negative impact on the neighboring structures and residential uses.

- (k) **Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect would be addressed.**

Consistent – There should not be a cumulative effect from the proposed facility.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(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:

- (1) **A recycling or salvage plan for partial or total demolition shall be provided.**

According to the applicant, a recycling plan will be provided as part of the submittal for a demolition permit to the building department.

- (2) **Windows that are proposed to be replaced shall be hurricane proof impact windows.**

According to the applicant, all windows in the proposed building will be hurricane proof impact windows.

- (3) **Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.**

According to the applicant, the windows for residential units will be operable.

- (4) **Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.**

According to the applicant, all new landscaping will consist of Florida Friendly plants.

- (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.**

According to the applicant, Sea Level Rise Projections were taken into account. Due to the site's proposed grade, it is not anticipated that the site will not be excessively impacted by sea level rise in the timeframe included for official projections.

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

The configuration of the driveways with the street allows for the raising of the streets and the driveways will continue to work with slight changes to ramping.

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

All critical mechanical and electrical systems will be located above the base flood elevation.

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

Not applicable.

- (9) **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 of the City Code.**

As indicated by the applicant, the parking garage will be dry flood proofed.

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

The projects' stormwater management system was designed to retain all runoff generated by the site in accordance with applicable design criteria.

ANALYSIS

The applicant is requesting a Conditional Use Permit to incorporate the use of mechanical parking lifts within a below grade garage. The garage will contain 196 spaces of which 186 use mechanical lift systems.

The mechanical lifts system contains two tiers, one at grade, and one above. Access to the lifts is at grade, the parking will serve an 89-unit multifamily building. The mechanical parking system will be located entirely within an enclosed structure and will not be visible from surrounding properties.

Traffic and Circulation

The applicant provided a traffic study. Long driveways with sufficient stacking capacity are proposed. It is therefore not expected that the mechanical lift system will create queues or traffic problems.

Noise

Since the proposed parking lifts would be located enclosed below grade, a sound study was not deemed necessary.

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.

TRM/MAB/RAM

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City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

TRANSPORTATION DEPARTMENT

MEMORANDUM

TO: Michael Belush, AICP, Planning and Zoning Manager

FROM: Jose R. Gonzalez, PE, Director ⁵¹²⁶

DATE: May 7, 2018

SUBJECT: 5775 Collins Avenue – Traffic Impact Study

The Transportation Department has reviewed the subject Traffic Impact Study (TIS) submitted by the applicant as part of the Planning Board application for the residential redevelopment located at 5775 Collins Avenue (Project). Traftech Engineering, Inc. prepared and submitted the TIS for this project. Florida Transportation Engineering, Inc. (FTE) was retained by the City to perform a peer review of the TIS for the Project.

TRIP GENERATION AND TRAFFIC ANALYSIS

The proposed redevelopment will consist of 89 residential units. The trip generation for the Project was based on information obtained from the Institute of Transportation Engineers' (ITE) Trip Generation Manual (10th Edition). According to the ITE manual, the most appropriate "land use" categories for the proposed redevelopment is Land Use 222 - High Rise Apartment. As indicated in Table 1 of the TIS report, the proposed redevelopment is anticipated to generate approximately 38 net new trips (9 inbound and 29 outbound) during the typical AM peak hour, and approximately 39 net new trips (24 inbound and 15 outbound) during the typical PM peak hour.

As requested by the City, turning movement counts (TMC) were collected at the 63rd Street intersections with Collins Avenue and Indian Creek Drive. In addition the applicant's traffic engineer was requested to perform a queuing capacity analysis at the signalized U-turn located on the 5800 block northbound on Collins Avenue. The analyses were undertaken following the capacity/level of service procedures outlined in the Highway Capacity Manual (HCM) using the SYNCHRO Volume 10 software. The intersection capacity analyses results indicate that 63rd Street and Indian Creek Drive intersection is failing under existing conditions due to demand exceeding capacity of the intersection and will continue to fail with the Project in place. The Collins Avenue and 63rd Street intersection will continue operating at an adequate level of service. The impact of project trips on the signalized U-turn located at the 5800 block in the northbound direction of Collins Avenue is minimal.

PEDESTRIAN FACILITIES

There are two (2) existing crosswalks in the vicinity of the Project provided at the signalized intersections on 5800 Block and 5600 Block of Collins Avenue. These crosswalks are located approximately 600 feet north of the Project and 700 feet south of the Project, respectively. The Project will provide a public beach access on the south side of the property.

PARKING & VALET OPERATIONS, LOADING ZONES

The access to the Project will be via an ingress only driveway and an egress only driveway located on Collins Avenue. All resident and guest trips associated with the Project are anticipated to utilize valet service. Valet queueing operation will take place within the property boundaries, in the port-cochere area. The valet queueing operations analysis was based on the methodology outlined in ITE's Transportation and Land Development publication. The maximum length of queue anticipated at the residential valet drop-off area, at the required 95% confidence level, is eight (8) vehicles during the PM peak hour of a weekday. The residential valet pick-up area analysis offered the same results. Based on the valet analysis provided by the applicant's traffic engineer, the residential valet area will require six (6) valet attendants for drop-off and pick-up operations to accommodate the anticipated demand and available capacity. The driveway port cochere of the project has adequate length to accommodate the queueing of valet vehicles.

Loading operations and trash pick-up will take place on the front driveway of the Project. Applicant's traffic engineer has performed a maneuverability analysis, demonstrating the loading vehicles will be able to effectively make entry and exit to the Project without adversely affecting the public right-of-way.

CONDITION

To improve public benefit and the safety of pedestrians crossing Collins Avenue to access the beach, the applicant is required to perform a signalized pedestrian crosswalk warrant study at a feasible location in close proximity to the beach access prior to completion of the Project. If a pedestrian crosswalk is warranted, the applicant is required to coordinate with the City of Miami Beach, the Florida Department of Transportation (FDOT), and Miami-Dade County Department of Transportation and Public Works to design and construct the signalized crosswalk as part of the Project. If a pedestrian crosswalk is not warranted prior to completion of the Project, then the applicant will be required to conduct a subsequent pedestrian crosswalk warrant analysis six (6) months after Project opening.

CONCLUSION

The Transportation Department approves the Traffic Impact Study with the aforementioned condition for the 5775 Collins Avenue Project.

Please feel free to contact me if you have any questions on the above.

cc: Josiel Ferrer-Diaz, E.I., Transportation Manager
Firat Akcay, Transportation Analyst

ZONING SITE MAP



**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 5775 Collins Avenue

FILE NO. PB 18-0184

IN RE: The applicant, Miami Beach Associates, LLC, is requesting Conditional Use approval for modifications to the parking garage of a multifamily project, previously approved by the Design Review Board (DRB 17-0131), in order to include mechanical parking, pursuant to Chapter 118, Article IV and Chapter 130, Article II of the City Code.

LEGAL DESCRIPTION: LOTS 10, 11, AND 12, BLOCK 1, AMENDED PLAT OF SECOND OCEAN FRONT SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28 AT PAGE 28, OF THE PUBLIC RECORDS OF MAIMI-DADE COUNTY, FLORIDA

MEETING DATE: May 22, 2018

DRAFT CONDITIONAL USE PERMIT

The Applicant, Miami Beach Associates, LLC, requested Conditional Use approval for a mechanical lift parking system in the privately-owned parking garage, pursuant to Chapter 118, Article IV, and section 130, Article II of the City 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:

That the property in question is located in the RM-3 Residential Multifamily, High Intensity Zoning District; and

That the use is consistent with the Comprehensive Plan for the area in which the property is located; and

That 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; and

That structures and uses associated with the request are consistent with the Land Development Regulations; and

That the public health, safety, morals, and general welfare will not be adversely affected; and

That 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, as approved by the Planning Board, and accepted by the applicant, that a Conditional Use Permit as requested and set forth above be GRANTED, subject to the following conditions:

1. As part of the Building Permit plans for the project, the applicant shall submit revised architectural drawings, which shall be subject to the review and approval of staff; at a minimum, such plans shall satisfy the following:
 - a. The final details and plans for the proposed mechanical parking system shall be made part of the building permit plans for the project and shall be subject to the review and approval of staff. Such plans shall comply with all applicable regulations and requirements of the City Code.
2. The Planning Board shall retain the right to call the owner of the individual unit in which a mechanical lift is located, both now and in the future, back before the Board and modify this Conditional Use should there be valid complaints or violations (as determined by Code Compliance) about loud, excessive, unnecessary, or unusual noise, as related to the Mechanical Parking System.
3. The applicant shall maintain the mechanical lift parking in good working order, and shall have the parking inspected annually by a certified mechanical engineer.
4. The applicant, and/or owner of any property containing a mechanical lift, 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.
5. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners of any property containing a mechanical lift, operators, and all successors in interest and assigns. Any substantial modifications to the plans submitted and approved as part of this application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans.
6. 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.
7. 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 section 118-194, of the City Code.
8. 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.

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