

Resolutions - C7 AE

## MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: July 25, 2018

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING TO CONSIDER GRANTING WAIVERS OF CERTAIN DEVELOPMENT REGULATIONS, BY A 5/7TH VOTE OF THE CITY COMMISSION, AFTER PUBLIC HEARING, PURSUANT TO SECTION 142-425(D), OF THE CITY'S LAND DEVELOPMENT REGULATIONS (LDR), FOR THE NEW SURFACE PARKING LOT TO BE CONSTRUCTED AT 8100 HAWTHORNE AVENUE, IN THE BISCAYNE BEACH NEIGHBORHOOD; BY WAIVING: 1) LDR SECTIONS 126-11(A) AND 126-11(B) RELATING TO TREE ISLANDS, IN ORDER TO REDUCE THE LANDSCAPING AREAS ALONG THE SOUTHEASTERN AND WESTERN PARKING ROWS; 2) LDR SECTION 142-106, IN ORDER TO REDUCE THE REAR AND FRONT SETBACKS ALONG THE EASTERN AND WESTERN PROPERTY LINES IN ORDER TO ACCOMMODATE 28 PARKING SPACES WITHIN THE PROPOSED SURFACE LOT.

**RECOMMENDATION**

The Administration recommends that the City Commission approve the resolution.

**ANALYSIS**

On September 13, 2017, the Mayor and City Commission directed the administration to explore the opportunity to further increase parking in the Biscayne Beach Neighborhood at the property located at 81 Street and Hawthorne Avenue and gain 25 to 30 parking spaces.

The future Biscayne Beach surface parking lot (Attachment A) is located at 8100 Hawthorne Avenue and is a City owned property. A portion of this property is occupied by a city-owned sanitary sewer pump station. The parking lot design is progressing to thirty (30) percent development and is anticipated to be presented to the community in September 2018 and Design Review Board (DRB) in October 2018.

In order to maximize the parking area and obtain 28 parking spaces on this lot, a number of waivers of certain City's Development Regulations, listed below, are needed:

1. LDR (Section 126-11)

a) LDR Subsection 126-11(a) requires 8.5 feet wide landscape area for tree planting. However, in order to maximize the parking, by accommodating five (5) parking spaces and the driving lane, the area along the southeast parking right of way can only accommodate a 7.2 feet wide landscape area.

b) LDR Subsection 126-11(b) - requires one (1) landscaped area with trees within the first 90 linear feet. However, along the west parking row, in order to obtain eight (8) parking spaces, the design can only accommodate one (1) landscaping area for trees a distance of 96.2 linear feet.

2. LDR (Section 142-106)

a) LDR Section 142-106 (a) requires a front setback of 20 feet. However, due to the parking lot configuration, the eastern property line can only accommodate a 13.5 feet front setback. The reduction in the front setback is needed to accommodate a portion of a driving lane for traffic circulation.

b) LDR Section 142-106 (b) requires 22.5 feet rear set back. However, the west property line can only accommodate a 13 feet rear setback. The reduced setback will allow the City to provide eight (8) angled parking spaces and accommodate the existing City's sanitary sewer pump station infrastructure.

The requested waivers would allow construction of the maximum number of parking spaces (approximately 28) within this surface parking lot. The Planning Department staff has reviewed the project, the waiver request and is likely to support the two (2) waivers.

The future Biscayne Beach surface parking lot is currently zoned Government Use (GU), open to the general public and, pursuant to Section 142-425(d) of the City Land Development Regulations, the City Commission may waive by five sevenths vote (5/7ths), 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."

The City Administration, based upon the direction of the City Commission, seeks the two waivers of the City's Land Development Regulations in order to provide 28 public parking spaces in the surface lot.

**CONCLUSION**

The Administration recommends that the City Commission approve the resolution.

**Legislative Tracking**

Capital Improvement Projects

**ATTACHMENTS:****Description**

- ▢ [Resolution](#)
- ▢ [Attachment A - Proposed Layout](#)