

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: June 28, 2016

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **Comprehensive Plan & LDR Amendments
500 Alton Road C-PS2 Transit Hub**

REQUESTS

PB0616-0024. 500 ALTON ROAD CPS2 TRANSIT HUB - COMP PLAN AMENDMENTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING POLICY 1.2 BY AMENDING THE PERMITTED USES IN THE "GENERAL MIXED USE COMMERCIAL "PERFORMANCE STANDARD" CATEGORY (C-PS2)" TO ALLOW PUBLIC TRANSIT FACILITIES AS A PERMITTED USE; AMENDING THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY CREATING POLICY 4.6.1 ENTITLED "ENHANCED TRANSIT INFRASTRUCTURE ON PRIVATE PROPERTY" AND BY AMENDING THE "GLOSSARY OF TERMS" TO INCLUDE THE TERM "TRANSIT HUB" AND RELATED DEFINITION.

PB0416-0006. 500 ALTON ROAD CPS2 TRANSIT HUB - LDR AMENDMENTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 18 "PS PERFORMANCE STANDARD DISTRICT" AND CHAPTER 114, "GENERAL PROVISIONS," BY AMENDING SECTIONS 142-698 AND 142-699 REGARDING MAXIMUM BUILDING HEIGHT AND SETBACKS REQUIREMENTS FOR THE CPS-2 DISTRICT; AMENDING SECTION 114-1 REGARDING DEFINITIONS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AN EFFECTIVE DATE; AND A SUNSET DATE.

RECOMMENDATION:

Transmit the proposed Comprehensive Plan and Land Development Regulation Amendment to the City Commission with an unfavorable recommendation.

HISTORY/ BACKGROUND

The applicant, 500 Alton Road Ventures, LLC. and 120 Sixth, LLC., submitted applications for amendments to the Comprehensive Plan and Land Development Regulations pursuant to

Article III of Chapter 118, of the City Code.

On April 23, 2013 the Planning Board approved a Conditional Use Permit that included the subject area for a development known collectively as “600 Alton” consisting of a mixed use commercial and residential project that exceeded 50,000 square feet, as well as a mechanical parking garage on the 500, 600, and 700 Blocks of Alton Road (PB File No. 2094). On July 22, 2014 the “600 Alton” project was granted an extension of time to obtain a full building, extending the deadline until October 3, 2015. Two (2) State authorized extensions were requested on the Conditional Use Permit, which extended the deadline to obtain a full building permit to July 3, 2017.

On May 26, 2015, the Planning Board approved a modification to the previously approved Conditional Use permit to incorporate an additional parcel (PB File No. 2094), and also approved a Conditional Use Permit for the operation of a surface parking lot, 24-hours a day on the subject parcel (PB File No. 2245).

ZONING / SITE DATA

Legal Description:	See the application
Site Area:	~87,140 SF / 2 acres
Future Land Use Category:	General Mixed Use Commercial “Performance Standard” Category (C-PS2)
Zoning Designation:	Commercial Performance Standard District 2 – C-PS2
Existing Land Uses:	
North:	6 th Street/Vacant Buildings (RM-2/CD-2)
East:	Alton Road/Commercial (C-PS2)
South:	Mac Arthur Causeway/Residential (C-PS4)
West:	West Avenue/Residential (C-PS4)

REVIEW CRITERIA

In accordance with Section 118-163 (3), when reviewing a request for an amendment to these land development regulations, the Board shall consider the following where applicable:

- Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Partially Consistent – The proposed LDR amendment would be consistent with Comprehensive Plan as proposed to be amended.

- Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

Inconsistent – The proposed amendment does create an isolated district, where a 300 foot building would be permitted. The scale of the proposed new building would be compatible with those buildings to the west and south; however, it would be incompatible with areas to the north and east.

3. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Inconsistent – The proposed 300 foot height is out of scale with the needs of the neighborhood, since sites to the immediate north and to the east have a height limit of 5 and 7 stories respectively.

4. Whether the proposed change would tax the existing load on public facilities and infrastructure.

Consistent – The proposed amendment will not result in an increase in the intensity from what is currently permitted in the area. However, impacts to adopted levels of service will be determined and mitigated prior to any development obtaining a building permit.

5. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Consistent – The proposed modification does not modify district boundaries.

6. Whether changed or changing conditions make the passage of the proposed change necessary.

Partially Consistent – While it is necessary for the City to address the need for transit hubs and facilities, it is important for the City to address the issue comprehensively as part of proposals for new public transportation facilities.

7. Whether the proposed change will adversely influence living conditions in the neighborhood.

Inconsistent – The proposed amendment would allow for significantly taller buildings than what is currently permitted. This would affect views from existing buildings and create shadows over surrounding properties. Additionally, the location of the site may not effectively integrate with proposed public transportation options which may lead to unidentified impacts to the surrounding areas.

8. Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.

Consistent – The proposed change will not allow for additional development beyond what is currently permitted. However, a concurrency analysis and mitigation shall be required prior to the issuance of a building permit.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

Inconsistent – The proposed change would allow for a height of up to 300 feet if a transit hub is incorporated into a development at the affected site. The proposed height would reduce light and air corridors, as well as create shadows over properties to the northwest in the mornings and to the northeast in the evenings, particularly in the winter

months when the sun sits lower in the sky.

10. Whether the proposed change will adversely affect property values in the adjacent area.

Partially Consistent – Surrounding property values may be impacted, as existing residential units may have views disrupted as a result of the additional height proposed.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change would not be a deterrent to the redevelopment or improvement of any adjacent property.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Inconsistent – The site presently has an approved development order that can be constructed within existing zoning regulations.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Inconsistent – The City is considering alternative sites for a transit hub which may be more appropriate for the integration with proposed public transportation projects.

ANALYSIS

Comprehensive Plan Amendment

The proposed amendment would modify the Future Land Use Element of the 2025 Comprehensive Plan to allow for “*public transit hubs*” as a main permitted use within the “General Mixed Use Commercial “Performance Standard Category (C-PS2)” future land use designation. This designation is generally located on the properties that front 5th Street between the Ocean Court Alley on the east and West Avenue on the west.

The proposal would also modify the Transportation Element to provide that the City encourage enhanced transit infrastructure on private property through the land development regulations, including “*transit hubs*.” Additionally the amendment provides the following definition for a “*Transit hub*.”

Transit hub is a facility for passenger boarding and transfer for one or more transit modes, including, but not limited to, bus, trolley, streetcar, or train.

As the Comprehensive Plan is intended to address a long-term vision for the entire the City, the Planning and Transportation Departments have concerns that the proposed modification is not comprehensive enough in addressing the needs for transit facilities throughout the City. This includes policies regarding the specific needs at transit facilities, citywide locations, infrastructure they are intended to serve, review policies, necessary amenities, and appropriate coordination with other agencies.

Land Development Regulations Amendment

The proposed amendments to the Land Development Regulations would apply to sites with a C-PS2 zoning designation that are located west of Alton Road, which provide 20,000 square feet in size at no cost to the public for a transit hub, subject to City Commission approval. For applicable development, the amendment provides for the following regulations:

- An increase in height from 7 stories/75 feet to 30 stories/300 feet
- The ability for residential and hotel development to utilize commercial (C-PS2) setbacks as opposed to larger residential setbacks (R-PS2)
- Modify pedestal and tower setbacks to:
 - Front setback: 0 feet for all uses
 - Side-interior/Side, Facing a Street: From 0 feet for commercial and 7.5 feet for residential to 10 feet for all uses
- Removal of the requirement that setbacks for front yards and sides facing a street be both minimum and maximum standards.
- Removal of a requirement that an open court be provided for lots with a width greater than 100 feet.
- Removal of a requirement that residential or commercial uses be located at the ground floor, instead requiring architectural elements to create a pedestrian scale.

The amendment also includes a 3-year sunset provision. If the City Commission does not accept the 20,000 square feet for a transit hub, the applicant would have to construct a building pursuant to the current development regulations.

Staff has concerns regarding the scale of development that could be created by the proposed amendment. The amendment would allow for much greater heights than what is currently permitted along the Alton Road and Fifth Street corridors, and in residential areas to the northeast. Additionally this may block light over properties to the northwest in the morning and northeast in the evening, particularly in the winter months. Additionally there are concerns over the urban design impact of not requiring active uses at the ground floor, as Alton Road and West Avenue, north of 5th Street, are intended to be a pedestrian-scale commercial corridor.

Transportation Issues

In consultation with the Transportation Department, concerns over the effectiveness of a transit hub at the proposed location have been identified. Currently proposed transit plans project a light rail service connecting downtown Miami to South Beach via the south side of the Mac Arthur Causeway, where it would then continue down Fifth Street and north on Washington Avenue. A transit hub on the north side of Fifth Street would require the transit system span over the causeway and enter the property at an upper level, thus requiring a transfer to a local transit service at the ground level. As transfers make the use of public transportation less desirable, it is important for the City consider other options when deciding where to locate a transit facility.

The applicant's vision for a transit hub at the site was presented to the City's Transportation Department and Light Rail/Modern Streetcar Consultant Team. The Consultant Team had the following concerns regarding the proposal:

Interoperability

- The City's discussions with Miami-Dade County to date have been predicated on the

Miami Beach project being interoperable with the County's project on McArthur Causeway – i.e. have the ability to provide a one seat ride without having to transfer between the two systems.

- The Director of the Citizen's Independent Transportation Trust that oversees the use of the dedicated sales tax for Transportation in Miami-Dade County (the anticipated source of County funding), has stated that funding from them is unlikely if the system is not interoperable.
- The City's procurement solicitation requires interoperability.
- The 500 Alton Development Proposal would not be interoperable -- The City of Miami Beach streetcar and the McArthur causeway service to the City of Miami would intersect at different floors.

Access and Operations Concerns

- The proposed site in the 500 Alton Development Proposal would not serve the City of Miami Beach streetcar. The 500 Alton Development Proposal presumes that the City of Miami Beach streetcar operates as a single one-way counter clockwise (Alton Road southbound) loop. The Miami Beach Light Rail/Modern Streetcar Project, as outlined in the solicitation document, and consistent with the June 2015 MPO study specifies a double track two-way service.
- Service on the northbound side track could not connect directly to the site.
- Streetcars exiting the site would require a complex, managed traffic control to cross Alton Road traffic at the maximum choke point of the roadway.
- The streetcar is shown operating along the north side of 5th street, which would not work for the northbound side track.

Facility Concerns

- The proposed site and floor plans would have buses and streetcars intersecting and conflicting.
- The site space proposed site is limited and likely too small.
- The proposed site does not provide for any transit parking. Some parking is shown, but it is clearly labelled as located in the "private development area." A major attribute for a Transit Hub is the provision for ample parking for "capturing" motorists at the entrance to south beach.

Other Impacts Other Proposed Projects

- The proposal would prematurely commit a service to the mainland on the north side of the Causeway before any environmental studies have been completed.

Comprehensive Plan Issues

This application includes a text amendment to the Future Land Use and Transportation elements of the Comprehensive Plan. Under Section 163.3184(2), F.S., this amendment shall follow the expedited state review process for adoption of comprehensive plan amendments. This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31 days after it is adopted if there are no appeals.

Interlocal Agreement for Public School Facility Planning

The 2005 Florida Legislature adopted laws which are incorporated in the Florida Statutes, requiring each local government to adopt an intergovernmental coordination element as part of their comprehensive plan, as well as a statutory mandate to implement public school concurrency.

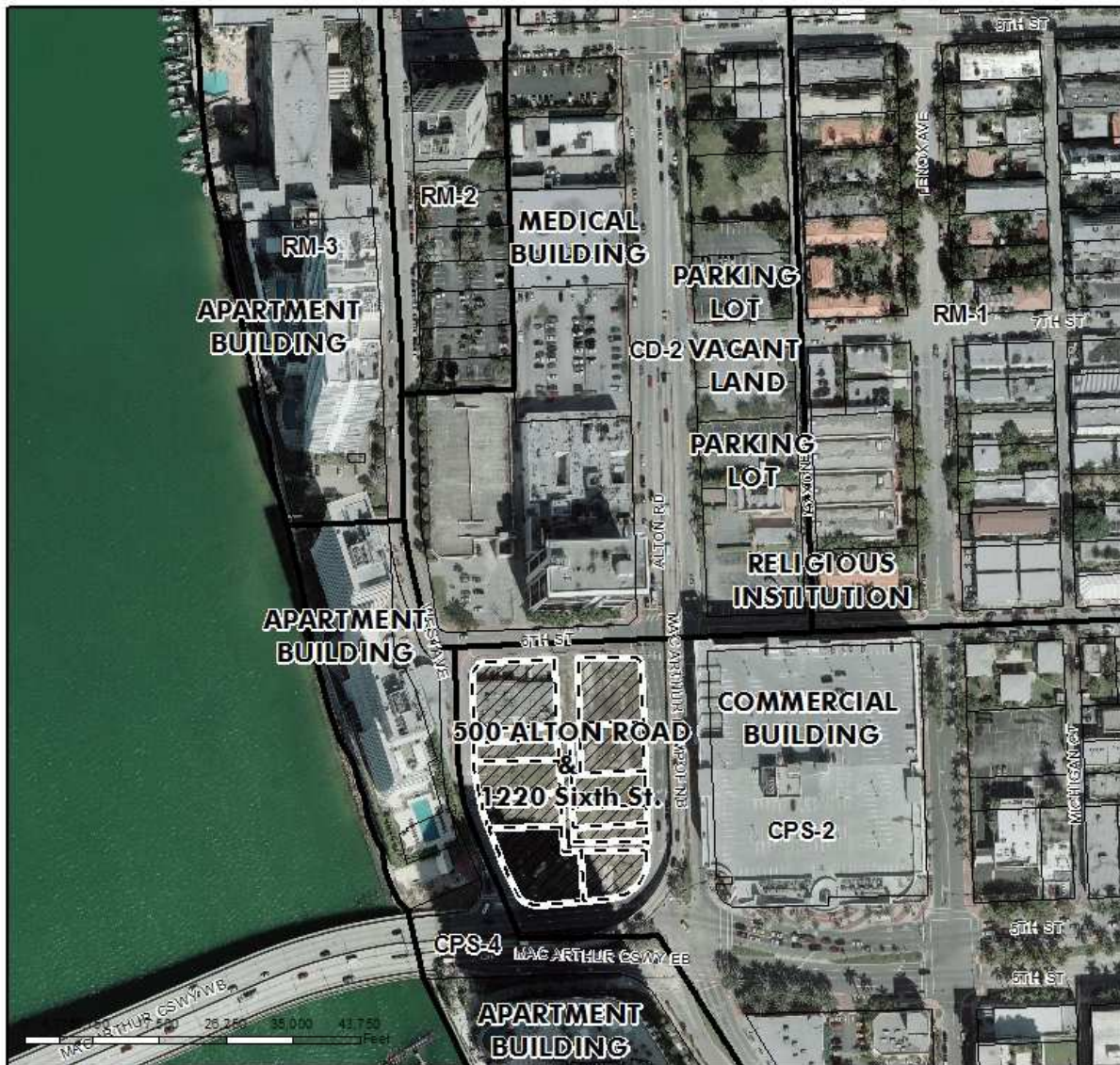
Final site plan approval of any future development on the site would be contingent upon meeting Public School Concurrency requirements and the applicant will be required to obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. Such Certificate will state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit. The previously approved development order on the site is subject to a proportionate share mitigation plan with Miami-Dade County Public Schools.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed amendments to the Comprehensive Plan and Land Development Regulations to the City Commission with an unfavorable recommendation.

TRM/MAB/RAM

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City of Miami Beach Planning Board
 PB 0416-0009, f.k.a., File No. 2245
 500 Alton Road & 1220 Sixth Street



The applicants, 500 Alton Road Ventures, LLC and 120 Sixth, LLC., are requesting modifications to a previously issued Conditional Use Approval which allows the operation of the parking lot after midnight. Specifically, the applicants are requesting modifications to the previously approved site plan and landscape plan, pursuant to Section 118, Article IV of the City Code.

MIAMI BEACH
 PLANNING DEPARTMENT

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