

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: **File No. 0416-0010, f.k.a., File No. 2324. 1747 Bay Road – Tremont Towing parking structure with retail and offices.**

The applicant, 1747 Bay Road Properties, LLC, is requesting a Conditional Use approval for a new main-use parking garage exceeding 50,000 square feet pursuant to Section 118, Article IV of the City Code.

RECOMMENDATION

Approval with conditions.

ZONING / SITE DATA

Future Land Use: I-1, Urban Light Industrial zoning district

Zoning: I-1, Urban Light Industrial zoning district

Legal Description: Unit 2 of the 1747 Bay Road Condominium of Island View Subdivision, as recorded in Official Records Book 28357, pages 2554-2650 of the Public Records of Miami-Dade County, Florida.

Land Uses See Zoning/Site map at the end of this report.

South: Industrial uses

East: Warehouse/storage and a surface parking lot

West: Industrial, commercial, and restaurant uses

North: Office and commercial uses

Lot Size: 16,000 SF (100x160)

Maximum FAR: n/a | 25% maximum of gross SF (20,000 SF)

Proposed FAR: 78,493 gross SF | 16,984 SF (accessory uses) as represented by the applicant

Maximum Height: 40'-0" / 4 stories

Proposed Height: 43'-0"*

***Variance required**

Proposed Uses:

| | |
|------------------------|------------|
| Retail: | 1,631 SF |
| Office (upper levels): | 11,734 SF |
| Ground level office: | 1,085 SF |
| Parking | 165 spaces |

THE PROJECT:

The applicant has submitted plans entitled "1747 Bay Road", as prepared by Urban Robot Associates, dated signed and sealed March 21, 2016.

The applicant is proposing to construct a new four-story main use valet-operated parking garage with accessory towing, offices and a retail space.

In accordance with section 142-483 of the City Code, new construction of structures 50,000 SF and over in the Industrial, I-1, zoning district must receive a Conditional Use approval from the Planning Board, whose review shall be the first step in the approval process prior to the review of the Design Review Board (DRB). The item is scheduled to be reviewed by the DRB on July 5, 2016 (DRB0416-0016). Additionally, the applicant is requesting a modification to conditions of approval for a previously issued Division of Land/Lot Split. Specifically, the applicant is requesting to remove the condition regarding the prohibition of variances, pursuant to Section 118, Article IV of the City Code. (PB 0416-0005, f.k.a., File No. 2114).

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 request is consistent with the Comprehensive Plan. The I-1 urban light industrial future land use category allows for new structures exceeding 50,000 SF as a Conditional Use.

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**

Partially Consistent – The proposal should not result in an impact that would exceed the thresholds for the levels of service as set forth in the Comprehensive Plan; however, a concurrency analysis will be performed at the time of building permit application. TrafTech Engineering, Inc. was retained by the applicant to conduct a traffic study. FTE, Inc. was selected by the City and paid by the applicant to conduct a peer review. As of the writing of this report, there are still outstanding transportation issues, which have not been addressed, as indicated in the peer review memo prepared by FTE, Inc. (see attached).

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

Partially Consistent – The proposed project appears to meet most zoning regulations with the exception of the proposed height. These aspects must be revised prior to obtaining a building permit if the project is denied the height variance. These comments shall not be considered final zoning review or approval. These and all zoning matters shall require final

review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

4. Public health, safety, morals and general welfare will not be adversely affected.

Partially Consistent – The proposed project may adversely affect the general welfare of nearby residents and businesses if delivery, waste removal, and other operations are not controlled. Staff is recommending conditions to mitigate the potential negative impacts. The entire project would have to comply with all applicable laws and regulations in order to obtain a building permit.

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

Consistent – The project proposes 165 parking spaces. There are 30 spaces on the ground floor that are separated for the towing services parking. Because the use is a main use parking garage the required parking for the uses on site and the accessory uses together may not exceed 50% of the total floor area of the structure, so as to ensure that the structure's main use is as a parking garage. The applicant must provide plans that indicate that they meet the requirements of the Code prior to obtaining a building permit.

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

Partially Consistent – Staff is recommending conditions to try to mitigate any adverse impacts on the surrounding neighbors.

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.

Consistent – The proposed uses for the project are permitted in the I-1 urban light industrial zoning district. While there are other buildings, both built and proposed, over 50,000 SF in the vicinity, adverse impacts are not expected from the geographic concentration of such uses if the impacts are properly controlled.

**COMPLIANCE WITH REVIEW GUIDELINES CRITERIA FOR NEW STRUCTURES
50,000 SQUARE FEET AND OVER**

Pursuant to Section 118-192(b), in reviewing an application for conditional use for new structures 50,000 square feet and over, the planning board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines:

1. Whether the proposed business operations plan has been provided, including hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which it is located.

Consistent – The proposed use is a main use valet operated parking garage with office, and retail accessory uses. The operations plan does not indicate the future tenants of the office and retail spaces, but the towing operation currently housed on the property will be incorporated into the project as an accessory use. The Towing services will be open 24 hours per day, daily. The proposed uses are permissible in the I-1 urban light industrial zoning district. The uses are compatible with the surrounding neighborhood. See the

Operations Details contained in the Board packages.

2. **Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan shall mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.**

Consistent – The plans show two (2) loading spaces and a trash collection area next to the loading area contained on the within the building. See the submitted floor plans (p. A-17).

3. **Whether the scale of the proposed use is compatible with the urban character of the surrounding area and creates adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.**

Partially Consistent – The scale of the proposed project is compatible with nearby buildings and I-1 urban light industrial zoning. Staff is recommending conditions to minimize potential adverse impacts.

4. **Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.**

Partially Consistent – The project proposes 165 parking spaces. There are 30 spaces on the ground floor that are separated for the towing services parking. Above, there are 30 valet spaces on each floor (FL 2-4), and 45 valet parking spaces on the roof. Because the use is a main use parking garage the required parking for the uses on site and the accessory uses together may not exceed 50% percent of the total floor area of the structure, so as to insure that the structure's main use is as a parking garage. The applicant must provide plans that indicate that they meet the requirements of the Code prior to obtaining a building permit. The applicant also proposes a special ramp operation (see ramp operation in the Operational Details contained in the Board packages).

5. **Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.**

Consistent – Pedestrians would enter the property from Bay Road directly from the public sidewalk. The towing operation proposes a lobby area, so as to contain any customers that may queue to pick up their automobiles.

6. **Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.**

Partially Consistent – The applicant proposes to provide a 24 hour security cameras on-site and ample lighting.

7. **Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.**

Traf Tech Engineering, Inc. was retained by the applicant to conduct a traffic study. FTE, Inc. was selected by the City and paid by the applicant to conduct a peer review. As of the writing of this report, there are still outstanding transportation issues, which have not been addressed, as indicated in the peer review memo prepared by FTE, Inc. (see attached).

- 8. Whether a noise attenuation plan has been provided that addresses how noise shall be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.**

Consistent – The parking, sanitation areas, and loading spaces are located within the structure, so the applicant does not anticipate any significant noise from it. Additionally, all the uses will be contained inside of the building; therefore, sound is not expected to permeate outside. Notwithstanding, staff is recommending conditions to help reduce any potential impact from noise.

- 9. Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.**

Partially Consistent – The LOI indicates that the trash will be handled through a centralized trash room location. The trash room is shown on the ground floor next to the Loading spaces (see p. A-17).

- 10. Whether the proximity of the proposed structure to similar size structures and to residential uses create adverse impacts and how such impacts are mitigated.**

Consistent – Adverse impacts are not expected due to proximity of similar sized structure. Also, there are not any adverse impacts expected on residential uses since the structure is buffered from residential uses by other commercial buildings. Notwithstanding, staff is recommending conditions to help reduce any potential impact.

- 11. Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect shall be addressed.**

Consistent – The I-1 urban industrial zoning district permits development such as proposed. While there are other buildings of this scale in the surrounding vicinity, negative impacts are not expected from the cumulative effect. Notwithstanding, staff is recommending conditions to help reduce any potential impact.

ANALYSIS

Project Description and Operations

The four (4) story main use parking garage with 165 parking spaces and approximately 16,984 SF of accessory commercial uses is proposed to be built on a site that presently contains a towing operation and towing storage yard. The proposed accessory commercial uses include towing, a retail space on the ground floor and approximately 14,913 SF of office space. The tow truck operation will be incorporated into the project with an office, customer lobby, and 45 parking spaces located on the ground floor. Including the parking levels, the overall gross square footage of the project is 78,493 SF as represented by the applicant.

Parking and Access

Ingress and egress into the parking garage would be from Bay Road. The proposed ramp would

be located at the southern end of the building.

According to the plans submitted by the applicant, parking would be located on levels 1-4, with 30 spaces on the ground floor that are separated for the towing services parking, 30 valet spaces on each floor (FL 2-4), and 45 valet parking spaces on the roof. The total number of parking spaces proposed is 165.

Because the proposal consists of a main use parking garage the required parking for the uses on site and the accessory uses together may not exceed 50% percent of the total floor area of the structure, so as to insure that the structure's main use is as a parking garage. The applicant must provide plans that indicate that they meet the requirements of the Code prior to obtaining a building permit.

Additionally, the applicant also proposes a special "one way" ramp operation. The one-way valet ramps are proposed to operate as follows:

"...The ramps will operate using a barrier gate at the ground level (which will avoid the general public becoming confused and attempting to enter the garage) and a 'vehicle priority system.' As the name implies, a vehicle priority system allows for safe access in parking facilities where only a single vehicle can traverse a driveway or ramp. The system includes traffic lights combined with a programmable logic controller and in-ground loops. Once an ascending or descending vehicle crosses an in-ground loop, the signal in the opposing direction will turn from green to red, warning valet drivers in the opposite direction not to enter the ramp. The lights will be located in a manner so that they are readily visible to a wide area on each floor, ensuring that the drivers have plenty of warning that another vehicle is using the ramp. Because this system will be employed in a valet-only facility, there is little room for confusion that could result in a publically accessible facility."

The floor plan shows four (4) bicycle parking spaces, but it is unclear whether those spaces are located entirely on private property. Staff will be recommending more bicycle spaces for both short term and long term parking.

Delivery and Sanitation

A loading and trash area that is fully contained inside of the building is proposed at the ground level at the center side of the property. This area has two bays and is able to accommodate trash and delivery trucks.

Staff is recommending that trash collection and deliveries take place no earlier than 8:00 AM in order to further minimize negative impacts on nearby residents.

Security

The applicant proposes to incorporate 24 hour security cameras and ample lighting to provide a safe environment for businesses and users. Staff is recommending additional condition to improve the safety of the building.

Traffic

Traf Tech Engineering Inc. was retained by the applicant to conduct a traffic study in connection with the proposed development. The study addresses trip generation, the traffic impacts created by the proposed project on the nearby transportation network, internal site circulation, and queuing. FTE, Inc. served as the traffic study peer reviewer for this project. As of the writing of this report, there are still outstanding transportation issues, which have not been addressed, as indicated in the peer review memo prepared by FTE, Inc. (see attached).

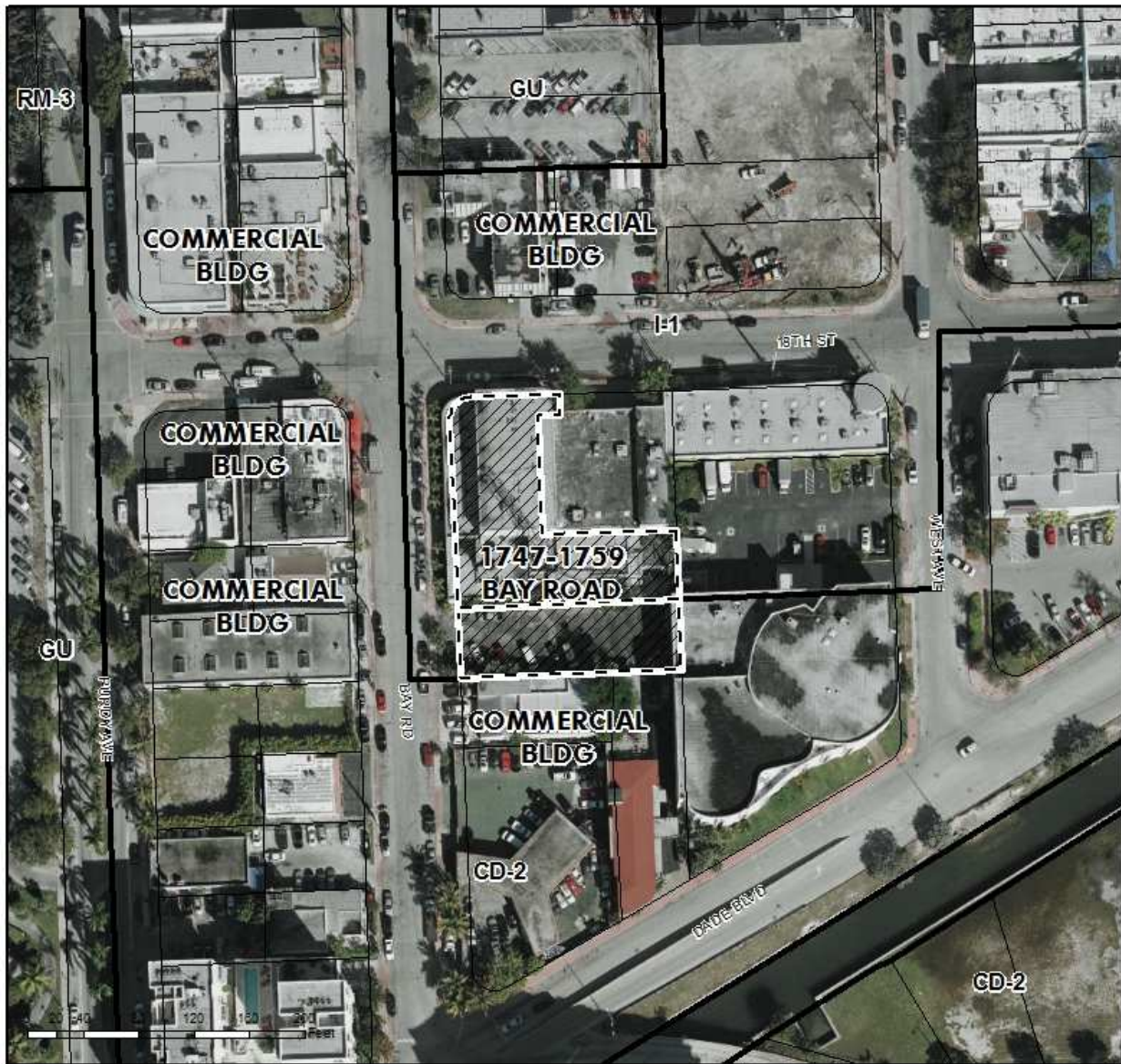
STAFF RECOMMENDATION

In view of the foregoing analysis, and provided that the outstanding transportation issues are addressed prior to the meeting, staff recommends that the application for a Conditional Use Permit for a new main-use parking garage exceeding 50,000 square feet be approved, subject to the conditions enumerated in the attached draft order.

TRM/MAB/TUI

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ZONING/SITE MAP



City of Miami Beach Planning Board
PB 0416-0010, f.k.a., File No. 2324
1747-1759 Bay Road



The Applicant, 1747 Bay Road Properties, LLC, Is requesting a Conditional Use Approval for a new main-use parking garage exceeding 50,000 square feet and Conditional Use Approval for a restaurant exceeding 100 seats, pursuant to Section 118, Article IV of the City Code.

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