

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, APPROVING THE GRANT OF THE WAIVERS OF CERTAIN DEVELOPMENT REGULATIONS, BY A 5/7TH VOTE OF THE CITY COMMISSION, PURSUANT TO SECTION 142-425(d), OF THE CITY CODE, FOR THE NEW SURFACE PARKING LOT TO BE CONSTRUCTED AT 8100 HAWTHORNE AVENUE, IN THE BISCAYNE BEACH NEIGHBORHOOD; BY WAIVING: 1) SECTIONS 126-11(a) AND 126-11(b), OF THE CITY CODE RELATING TO TREE ISLANDS, IN ORDER TO REDUCE THE LANDSCAPING AREAS ALONG THE SOUTHEASTERN AND WESTERN PARKING ROWS; 2) SECTION 142-106, OF THE CODE, 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.

WHEREAS, 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, along 81st Street and Hawthorne Avenue; and

WHEREAS, the future Biscayne Beach surface parking lot is proposed to be located at 8100 Hawthorne Avenue, on land owned by the City, a portion of which is currently occupied by a sanitary sewer pump station; and

WHEREAS, the parking lot design is progressing to thirty (30) percent construction drawings and is anticipated to be presented to the community in September 2018, and to the Design Review Board (DRB) in October 2018; and

WHEREAS, the future Biscayne Beach surface parking lot is zoned Government Use (GU); and

WHEREAS, pursuant to Section 142-425(d) of the City Code, 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 city utilized parking lots, provided they are continually used for such purposes."; and

WHEREAS, in order to maximize the parking area and obtain the 28 public parking spaces, as directed by the City Commission, the following waivers of the City's Development Regulations are needed:

1. Section 126-11 of the City Code:

- a) Subsection 126-11(a) of the City Code 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) Subsection 126-11(b) of the City Code - requires one (1) landscaping with one tree within

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. Section 142-106 of the City Code

- a) Section 142-106 (a) of the City Code 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) Section 142-106 (b) of the City Code 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; and

WHEREAS, the requested waivers would allow construction of the maximum number of parking spaces (approximately 28 spaces) within the proposed surface parking lot.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission approve, following a duly noticed public hearing, the granting of the waivers of certain Development Regulations, by a 5/7th vote of the City Commission, pursuant to Section 142-425(d), of the City Code, for the new surface parking lot to be constructed at 8100 Hawthorne Avenue, in the Biscayne Beach Neighborhood; by waiving: 1) Sections 126-11(a) and 126-11(b), of the City Code relating to tree islands, in order to reduce the landscaping areas along the southeastern and western parking rows; 2) Section 142-106, of the City Code, 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.

PASSED and ADOPTED this ____ day of _____, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

9/10/18

Date