

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: July 26, 2016

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 0616-0032 – 337 71st Street & 7125 Abbott Avenue – Convenience Store and Carwash**

The applicant, PW Global Services, Inc, dba PW Auto Services, is requesting a Conditional Use Permit, pursuant to Section 118, Article IX of the Miami Beach City Code, in order to add a convenience store and a car wash to the existing automotive service station.

RECOMMENDATION

Approval with conditions.

ZONING / SITE DATA

Sec. 118-395.(b) (7) (c) A nonconforming gasoline service station that provides a generator or other suitable equipment that will keep the station operational, may add new floor area (other than floor area strictly necessary to house an emergency electrical generator and related facilities), or convert existing floor area or land, to add new accessory uses, such as a convenience sales area or a car wash, subject to conditional use approval, notwithstanding the nonconforming status of the gasoline service station.

Conditional use, as defined in Section 114-1, means a use that would not be appropriate generally or without restriction throughout a particular zoning district, but would be appropriate if controlled as to number, area, location, or relation to the neighborhood.

Zoning: TC-1, North Beach Town Center Core zoning district.

Legal Description: See Exhibit A attached.

Land Uses:	North:	Retail
	East:	Restaurant, parking, and commercial
	South:	Office
	West:	Gas station and mixed use commercial

BACKGROUND

June 24, 2014 A Conditional Use Permit (CUP) File 2174 was granted for this project, however a fully building permit was not issued within the required timeframe and the CUP expired. The current application is consistent with the previously approved application.

THE PROJECT:

The applicant submitted plans entitled, “Shell Proposed Convenience Stores Remodeling”, prepared by OA Architecture, dated with various dates (June 17, 2016, March 24, 2014 and June 10, 2014). The subject site is located at the northeast corner of 71st Street and Abbott Avenue, consisting of two operating gas/service stations, separated by a public alley running east to west between the two sites. Each station currently contains fuel pumps, and a small retail area and two automotive service stations. As part of the renovation of the properties, the applicant is proposing to reconfigure the retail and service areas by consolidating the retail areas to the south structure, relocating the automotive service station from the south building to an expanded servicing area in the north building, and adding a proposed car wash on the north side of the north lot. New landscaping is proposed throughout the site, along with an outdoor terrace attached to the southernmost building.

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.

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**

Consistent–The proposed use is not anticipated to degrade the level of service for the surrounding area below the thresholds that have been established.

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

Consistent–A gasoline service station is allowed to expand through the conditional use process notwithstanding the nonconforming status of use in the zoning district. The gas station at 337 71st Street has been at the location since 1959 and the service station at 7125 Abbott Avenue has been at the location since 1949, according to the Building Department records.

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

Consistent–The gas service stations have been at the location for over 50 years, and its expansion is not located near any residential units.

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

Consistent—In the TC-1 zoning district, there is not a required amount of parking for a service station. The plans show two handicap parking spaces on site.

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

Consistent—Staff has worked with the applicant to maximize landscaping on the site in order to mitigate any adverse impacts that may occur on the surrounding neighborhood as a result of the use.

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—There is a gas station and convenience store across the street on the northwest corner of 71st Street and Abbott that is not required to have a conditional use, unless it expands. That gas station also does not have service bays or a carwash. This corner is a high traffic area and has been supporting two gas stations at the same location for decades.

STAFF ANALYSIS

The subject site is located at the northeast corner of 71st Street and Abbott Avenue, consisting of two operating gas/service stations, separated by a public alley running east to west between the two sites. Each station currently contains fuel pumps, and a small retail area and two automotive service stations. As part of the renovation of the properties, the applicant is proposing to reconfigure the retail and service areas by consolidating the retail areas to the south structure, relocating the automotive service station from the south building to an expanded servicing area in the north building, and adding a proposed car wash on the north side of the north lot. New landscaping is proposed throughout the site, along with an outdoor terrace attached to the southernmost building.

Staff has met with the applicant and architect on several occasions with the goal to maximize the amount of landscaping on the site, minimize the visual impact of the paving, reduce the width of curb cuts, and reconfigure the circulation and access in a more convenient manner. The City Code permits a nonconforming gasoline service station that provides a generator or other suitable equipment that will keep the station operational, to add new floor area or convert existing floor area or land, to add new accessory uses, such as a convenience sales area or a car wash, subject to conditional use approval.

TRAFFIC AND CIRCULATION:

The traffic study was previously reviewed as part of the prior application. The applicant commissioned Richard Garcia & Associates to do a traffic impact study (TIS). The study by Richard Garcia & Associates collected data at the existing operation on October 18, 2013, resulting in a trip generation of 112 vehicle trips during the AM peak hour, and 136 vehicle trips during the PM peak hour. It was also concluded that no additional vehicle trips are expected with the addition of the convenience market and car wash. It is further stated that since the project is not expected to generate additional vehicle trips, all of the intersections within the study area will continue to operate at an acceptable Level of Service.

As mentioned in the TIS as part of the internal traffic circulation, vehicles may access the subject project via Abbot Avenue, 71st Street and Harding Court. The north driveway on Abbott Avenue is intended to be restricted to ingress only, which will reduce some of the existing vehicle conflicts between entering and exiting traffic and therefore, can be considered a safety upgrade. The rest of the vehicle access points will allow entering and exiting traffic. Moreover, the driveway on 71st Street will be restricted to right-in and right-out only traffic.

As shown in the site plan, the subject project has proposed a car wash on the north side of the property. The exit of the car wash is approximately 35 feet from the north driveway, and consequently, the site is expected to have some vehicular conflicts between traffic entering the site and vehicles exiting the car wash. As such, the subject project will provide signs to indicate vehicles exiting the car wash to utilize the south driveways to exit the site in addition to restricting the north driveway to ingress only as stated above. Figure 12 of the TIS depicts the proposed site plan including some of the patterns of the on-site traffic circulation.

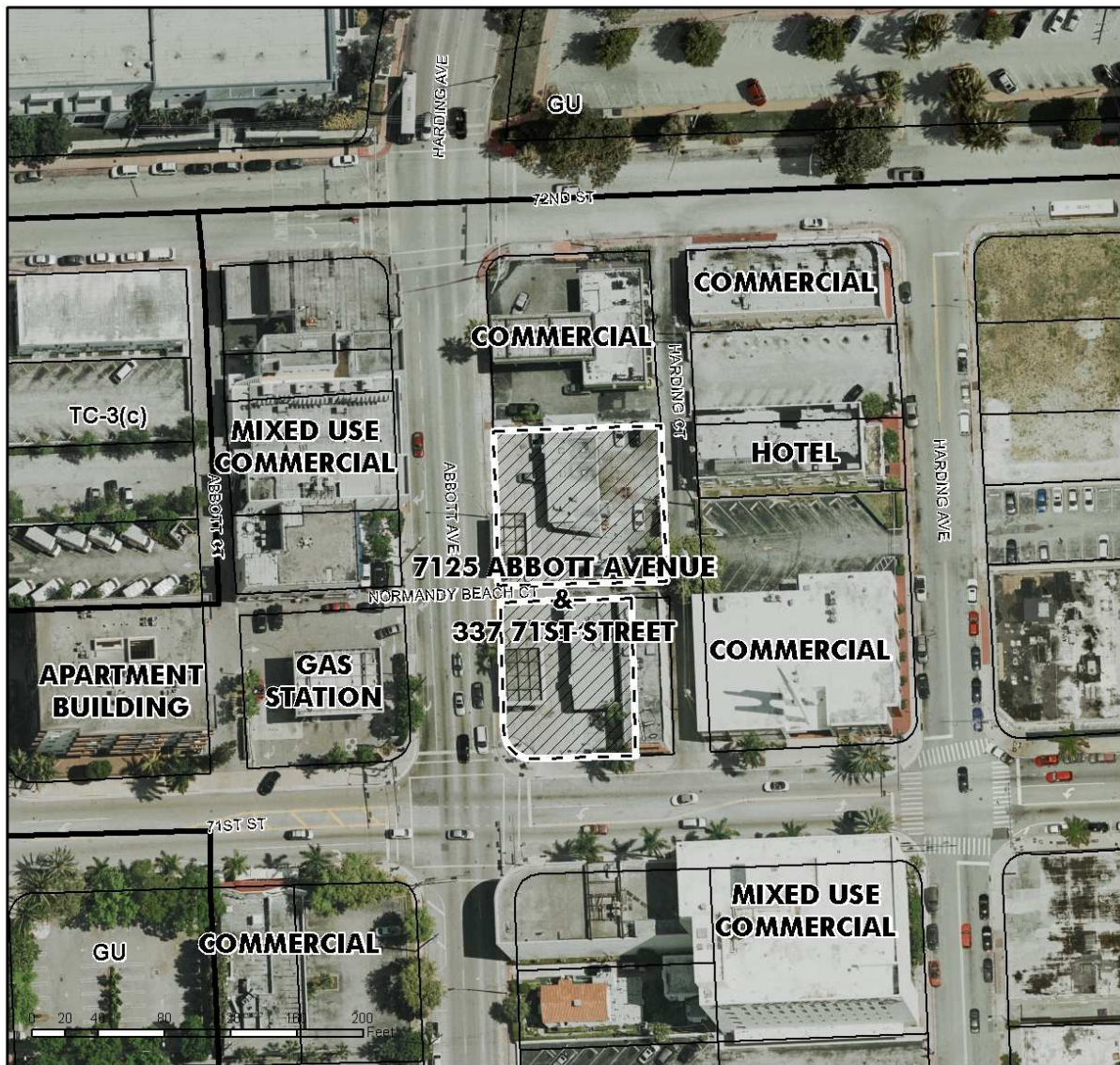
STAFF RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for a Conditional Use Permit be approved subject to the conditions enumerated in the attached Draft Order.

TRM/MAB/AG

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ZONING/SITE MAP



City of Miami Beach Planning Board
File No. 2174
337 71ST STREET & 7125 ABBOTT AVENUE



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