

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, ON SECOND AND FINAL READING OF THIS RESOLUTION, AND FOLLOWING A DULY NOTICED PUBLIC HEARING, THE GRANTING OF WAIVERS OF CERTAIN LAND DEVELOPMENT REGULATIONS, BY A 5/7TH VOTE OF THE CITY COMMISSION, PURSUANT TO CITY CODE SECTION 142-425(D), OF THE CITY'S LAND DEVELOPMENT REGULATIONS (LDR), FOR THE FUTURE FIRE STATION 1 LOCATED AT 833 6TH STREET, IN THE FLAMINGO PARK NEIGHBORHOOD; SAID WAIVERS REGARDING LDR SECTIONS 142-155(A)(3)E, PERTAINING TO THE LOT COVERAGE REQUIREMENTS; 142-155(A)(3)F, PERTAINING TO GROUND FLOOR REQUIREMENTS; 142-155(A)(4)L, PERTAINING TO THE MAXIMUM WIDTH OF THE CURB CUT; 142-155(A)(4)I, PERTAINING TO THE MAXIMUM FLOOR TO FLOOR HEIGHT; 142-155(A)(3)A.1, PERTAINING TO THE MINIMUM ELEVATION OF THE YARD; 142-156(A), PERTAINING TO SIDE, INTERIOR SETBACK REQUIREMENTS; 133-61, PERTAINING TO THE REQUIREMENTS OF THE SHORT FRONTAGE STANDARDS; 133-62, PERTAINING TO THE REQUIREMENTS OF THE LONG FRONTAGE STANDARDS; 126-10(A)(B), PERTAINING TO REQUIREMENTS FOR A BUFFER BETWEEN DISSIMILAR USES; AND, 126-11(A)(B)(H), PERTAINING TO REQUIREMENTS FOR LANDSCAPE AREAS IN PERMANENT PARKING LOTS; IN ORDER TO CONSTRUCT THE NEW FIRE STATION 1.**

**WHEREAS**, the existing Fire Station 1 located at 1051 Jefferson Avenue, was built in 1967 and serves the areas south of 15th Street including Star Island, Hibiscus Island, Palm Island, MacArthur Causeway up to Watson Island and Terminal Island; and

**WHEREAS**, in 1992, the existing Fire Station 1 underwent a major renovation of the existing interior spaces, that included upgrades to the mechanical, plumbing and electrical systems; and

**WHEREAS**, an addition was also constructed providing additional space for Fire Rescue which increased the facility to 12,836 square feet; and

**WHEREAS**, on February 3, 2015, the firm of Borelli & Partners was retained to provide professional Architectural and Engineering services for a detailed comprehensive facility assessment report to include conducting a conditions assessment of the existing Fire Station 1, researching current codes and guidelines, as-built documentation and conducting site inspections to determine the current overall condition of the facility; and

**WHEREAS**, subsequently, Borelli and Partners submitted an assessment report for the facility which concluded that significant maintenance and repairs were required to continue operations and recommended the demolition and reconstruction of the existing Fire Station 1; and

**WHEREAS**, the concerns cited include the existing building being constructed at 5.5' below the current required FEMA Flood elevation, indicating that under severe storm events Fire Station 1 would become inaccessible and would prevent emergency assistance to the surrounding Miami Beach community; and

**WHEREAS**, additionally, the facility does not meet current National Fire Protection Association (NFPA) standards, which require that the building be able to withstand a Category 5 hurricane and other natural disasters, as well as security threats/risks; and

**WHEREAS**, while a major renovation would address some issues, the facility would still not address the current operational needs of the Fire Department, as well as the structural needs of modern fire apparatus; and

**WHEREAS**, the existing building does not provide the facilities required to meet the anticipated increase in demands due to the growth of the area and the building does not provide sufficient parking spaces for the employees of the fire station, negatively impacting the availability of parking in the neighborhood; and

**WHEREAS**, in 2016, City staff worked with professional architecture and engineering consultants to analyze several public and private sites for the location of Fire Station 1 and the sites were presented to the Neighborhood and Community Affairs Committee (NCAC) and the Finance and Citywide Projects Committees (FCWPC); and

**WHEREAS**, two design concepts, depicting the spatial requirements for Fire Station 1 at a parking lot located in Flamingo Park were also presented to the NCAC and FCWPC for direction on the location and required project budget, and ultimately, a site was not identified and the project did not move forward given that it remained unfunded; and

**WHEREAS**, on July 21, 2017, the Administration presented a proposal for a 2018 General Obligation Bond Program to the FCWPC, identifying a preliminary wish list of projects, which could be funded and the Fire Station 1 project was included on the preliminary list for funding; and

**WHEREAS**, on November 6, 2018, the electorate of the City of Miami Beach approved the issuance of \$439,000,000 of general obligation bonds, including \$72,000,000 for police, fire, public safety, and security improvements; and

**WHEREAS**, the development of a new Fire Station 1 was included in the projects that would be funded, with \$10,000,000, by the General Obligation Bonds; and

**WHEREAS**, on May 8, 2019, the City Commission approved a request to issue a Request for Qualifications (RFQ) for architectural and engineering design services for new Fire Station 1 facility and on July 31, 2019, the City Commission adopted Resolution 2019-30913, and the City retained the firm of Wannemacher Jensen Architects for architectural and engineering design services for the new Fire Station 1 facility; and

**WHEREAS**, the project currently proposes to replace the existing Fire Station 1 with a new Fire Station at the South Shore Community Center located at 833 6th Street, in the Flamingo Park Neighborhood; and

**WHEREAS**, this site was selected after the evaluation of multiple sites during the conceptual site planning and feasibility phase because of the size, the access to frontages on the three sides on 6th Street Jefferson Avenue and Meridian Avenue, and its location which offers the possibility of improved response time; and



**WHEREAS**, the site is the location of public access surface parking lot, P-11, where the available number of spaces shall be reduced from twenty-seven (27) public parking spaces to fourteen (14), and the site provides access to the alley, Meridian Court, through P-11, and

**WHEREAS**, the design requires the demolition of the two story, Morris Lapidus designed, South Shore Community Center, which houses a day care and offices that provide social services to the community; and

**WHEREAS**, the two existing tenants of the South Shore Community Center have active lease agreements that expire in October of 2022, and these leases will continue to be renewed until the property must be vacated for demolition and at that time, the tenants will be relocated with City assistance; and

**WHEREAS**, the City remains committed to finding a safe and adequate new home for the Rainbow Intergenerational Learning Center and Seniors in Action so that no community programs or services are lost as a result of building demolition; and

**WHEREAS**, the new 29,309 square feet facility will provide four drive-thru apparatus bays, living spaces, offices, a kitchen, a gym, support facilities and 34 parking spaces and shall comply with the City's future sea level rise initiatives, storm water management and resiliency programs, and the requirements of US Green Building Council's LEED Gold certification; and

**WHEREAS**, the design elevates the apparatus bays, to provide parking below the building, meeting the minimum parking requirement for the Fire Department employees on site, thereby preserving neighborhood parking availability; and

**WHEREAS**, access ramps are provided from Meridian Avenue and Jefferson Avenue to the elevated apparatus bays, meeting the requirements for certification by the NFPA and vehicular access is maintained to Meridian Court in the proposed design; and

**WHEREAS**, the Project is currently at the 30% design phase and shall be presented at the Historic Preservation Board in late 2021; and

**WHEREAS**, the 42,059 square feet property at 833 6th Street is larger than all the sites previously evaluated for the location of the fire station, including the existing site; and

**WHEREAS**, the site has access from 3 separate street frontages (Jefferson Avenue, 6th Street and Meridian Avenue), which allows for optimal drive thru access to the apparatus bays by providing an entrance on Meridian Avenue, an exit onto Jefferson Avenue and separate access for the public would be from 6th Street; and

**WHEREAS**, the site provides sufficient parking spaces for fire station employees, even at peak times during shift changes, while maintaining public access parking at the northeast corner; and

**WHEREAS**, this site, of all the sites evaluated, is expected to offer optimal response times for its service area; and

**WHEREAS**, various waivers of the City of Miami Beach Land Development Regulations are required for the design to be implemented. The following waivers to the Land Development regulations are being presented to the City Commission for consideration:

**1. A waiver of Land Development Regulations Section 142-155(a)(3)e (Attachment A) to allow Lot Coverage of 75% instead of the 45% maximum allowed.**

Lot coverage is defined as the percentage of the lot covered by the ground floor of all principal and accessory buildings, plus all areas covered by the roofs of such buildings. The RM-1 zoning for the parcel requires that the lot coverage calculations also include the impervious areas of parking areas and driveways. The proposed programmatic requirements for the fire station with drive-thru apparatus bays elevated above the required minimum finished floor elevation, dictates the use of wide vehicular ramps for access by the fire trucks. Existing surface parking lot P-11 is maintained in the design to avoid parking shortages for the neighborhood, and to maintain required access to the alley. These conditions increase the lot coverage, based on the design, to 75% instead of the 45% maximum allowed.

**2. A waiver of Land Development Regulations Section 142-155(a)(3)f.1 (Attachment B) to allow the 4'-5" height above base flood elevation plus minimum freeboard, where 12'-0" is required.**

The ground floor height of the parking area below the building is designed with floor to slab height of 10'-6". The first habitable floor is placed at a height 4'-5" above the required base flood elevation plus the minimum freeboard, whereas 12'-0" is required. A waiver will be required to allow the height of the ground floor measured above base flood elevation plus minimum freeboard of 4'-5", where 12'-0" is required.

**3. A waiver of Land Development Regulations Section 142-155(a)(4)l (Attachment C) to allow three curb cuts exceeding the 12'-0" maximum width allowed, including two curb cuts on Meridian Avenue, 22'-0" and 39'-4" wide, and on Jefferson Avenue, 73'-7" wide.**

The proposed design includes two curb cuts on Meridian Avenue and one on Jefferson Avenue. The 22'-0" wide curb cut on Meridian is existing and provides access to existing parking lot P-11. This width is required to accommodate sanitation and other utility trucks that use this entrance to access the Meridian Court alley. New curb cuts are provided for the fire trucks to enter on Meridian Avenue at 39'-4" wide and to exit onto Jefferson Avenue, at 73'-7" wide. The wider curb cut provided for exiting on Jefferson Avenue will ensure safe maneuvering, particularly during a quick exit for an emergency call. A waiver will be required to allow a curb cut width exceeding the 12'-0" maximum allowed, up to the 73'-7" provided on Jefferson Avenue.

**4. A waiver of Land Development Regulations Section 142-155(a)(4)i (Attachment D) to allow floor to floor height up to 18'-6", where 12'-0" maximum is required.**

The apparatus bay level is designed with a floor-to-floor height of 18'-6" to accommodate a large fire rescue truck with a rescue ladder, and the space required for the building structure above. The living quarters on the third floor requires a floor to floor height of 12'-6" to provide the required structural depth for the roof elements, and plenum space for MEP equipment above the living spaces. A waiver is required to allow floor to floor height up to 18'-6", where 12'-0" maximum is allowed.



**5. A waiver of Land Development Regulations Section 142-155(a)(3)a,1 (Attachment E) waiving the requirement that the project raise the yard to no less than 5'-0" NAVD.**

The existing yard (the open area, other than a court, which is on the same lot as a building and which is unoccupied and unobstructed) has existing large canopy trees on the northwest, southwest and southeast corners, which are scheduled to be preserved as a part of the proposed design. The project maintains the elevation (2'-0" NAVD average) of the yard in order to preserve the mature trees, therefore an exception to the requirement to raise the yard to no less than 5'-0" NAVD shall be required.

**6. A waiver of Land Development Regulations Section 142-156(a), (Attachment F) to allow the 7'-6" side interior setback to at-grade parking where 11'-3" is required.**

Existing parking lot P-11 has a legal nonconforming setback of 3'-2" from the side, interior property line at the northeast corner. The proposed layout for P-11 increases the setback of the parking lot to 7'-6". The proposed parking on the northwest side is designed to align with the 7'-6" setback proposed for P-11. The space required for the access ramps to the apparatus bay impacts the available space on site and prevents placing the parking lot at the required 11'-3" setback. A waiver of the side interior setback requirement is required to allow the 7'-6" setback where 11'-3" is required.

**7. A waiver of Land Development Regulations Section 133-61, (Attachment G) waiving the requirements of the Short Frontage Standards for the project.**

The program requirements for the new fire station with drive-thru apparatus bays, and existing right of way conditions do not provide the necessary space to meet the requirements of the Short Frontage Standards. The Short frontage standards require sidewalks with a minimum width of 10'-0" and a 5'-0" wide landscape area with street trees and other landscape material between the sidewalk and the automobile parking or travel lanes. The existing sidewalks are 8'-0" wide on Jefferson Avenue and 5'-0" wide on Meridian Avenue, with existing adjacent on-street parking. The requirements cannot be met within the property, as the vehicular exit ramps at curb cuts on Jefferson Avenue and Meridian Avenue extends to the interior side of the existing sidewalk, to provide the required slope for vehicular ramps. Landscaping is provided at the proposed planters, but street trees cannot be placed in some of the planters due to the visibility requirements at the intersection, and location of existing underground utilities. A waiver of the Short Frontage Standards is required.

**8. A waiver of the Land Development Regulations Section 133-62, (Attachment H) waiving the requirements of the Long Frontage Standards for the project.**

The footprint of the proposed fire station apparatus bay, the access ramp and existing on-street parallel parking occupy much of the area required to comply with the Long Frontage Standards on 6th Street. The Long Frontage Standards require sidewalks with a minimum width of 10'-0" raised to the future crown of road elevations. The 5'-11" wide existing sidewalk abuts existing on-street parking and does not allow space for the wider sidewalk or the landscape transition zone required by the standards. A waiver of the Long Frontage Standards is required.

**9. A waiver of the Land Development Regulations Section 126-10(a) and (b) (Attachment I) for the requirement for trees as a part of the buffer between the dissimilar uses.**

A buffer is required between the proposed fire station and the residential use to the north. The required buffers, with shrubs, trees and ground cover are provided at the western side of the northern property line. At the eastern side of the north property line, existing underground utilities and the location of the parking lot and access driveway, conflict with the installation of the required trees. At the northeast side, palm trees, shrubbery and ground cover shall be provided. A waiver is required for the shade trees that cannot be provided as a part of the buffer between the dissimilar uses.

**10. A waiver of Land Development Regulations Section 126-11(a), (b) and (h) (Attachment J) for the requirement for trees at the end of all parking rows, and landscaped areas with trees within the first 90 linear feet, for each parking row.**

A landscape area is required every 90 feet within the northern parking row of the P-11 parking lot, and at the ends of all parking rows. The proposed layout of P-11 parking lot maximizes the number of parking spaces, with creation of landscape areas large enough to support larger healthy trees. Conflicts with existing underground utilities further restrict the area available for placement of trees within the parking lot. Larger landscape areas are provided at both ends of the parking rows, except at the proposed landscape area at the end of the parking row, immediately west of the existing alleyway. This island contains an existing storm drain and is incumbered by the required sight visibility triangle. A tree cannot be placed in this island. The sidewalk that connects ADA accessible parking spaces in P-11 to the public sidewalk, precludes the 5'-0" landscape area required between the parking stalls and the side lot line at the northeast corner; and

**WHEREAS**, the 833 6th Street site is zoned Government Use (GU), and pursuant to Section 142-425(d) of the Land Development Regulations of the City Code, the City Commission may waive by five sevenths vote (5/7ths), following a duly noticed public 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; and

**WHEREAS**, on September 23, 2021, Wannemacher Jensen and CIP presented the 30% design documents to the General Obligation Bond Oversight Committee (GOBOC); and

**WHEREAS**, GOBOC voted unanimously to support the design as presented, and a Letter to the Commission was issued indicating GOBOC support and recommendation for the project to move forward as quickly as possible; and

**WHEREAS**, on September 30, 2021, the City Commission approved the scheduling a Public Hearing to consider the waiver of Development Regulations pursuant to Section 142-425 (d) of the Land Development Regulations, after duly noticed public hearing, advertised in the newspaper at least fifteen (15) days prior to the hearing, a description of the request and the time and place of such hearing shall be posted on the property, and notice be given by mail to the owners of land lying within 375 feet of the property at least fifteen (15) days prior to the hearing; and

**WHEREAS**, on October 5, 2021, CIP presented the 30% design documents to the community during a virtual public meeting; and



**WHEREAS**, CIP and the design consultant responded to questions from several residents. A copy of the presentation is attached (Attachment K); and

**WHEREAS**, on November 1, 2021, the 30% design documents were presented to the Flamingo Park Neighborhood Association, and several questions from residents were addressed; and

**WHEREAS**, the Administration wishes to confirm the use of the property located at 833 6th Street for the location of the New Fire Station 1, and requests that the City Commission approve the waivers of the development regulations, as enumerated above; and

**WHEREAS**, the public hearing scheduled for October 27, 2021, was opened and continued by the City Commission and the public hearing for the waivers is now scheduled for December 8, 2021; and

**WHEREAS**, the Administration recommends that the City Commission approve the Resolution.

**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, on second and final reading of this Resolution, and following a duly noticed public hearing, the granting waivers of certain Land Development Regulations, by a 5/7<sup>th</sup> vote of the City Commission, pursuant to section 142-425(d), of the City's Land Development Regulations (LDR), for the future Fire Station 1 located at 833 6<sup>th</sup> Street, in the Flamingo Park Neighborhood; said waivers regarding LDR sections 142-155(a)(3)e, pertaining to the lot coverage requirements; 142-155(a)(3)f, pertaining to ground floor requirements; 142-155(a)(4)l, pertaining to the maximum width of the curb cut; 142-155(a)(4)i, pertaining to the maximum floor to floor height; 142-155(a)(3)a.1 pertaining to the minimum elevation of the yard; 142-156(a), pertaining to side, interior setback requirements; 133-61, pertaining to the requirements of the short frontage standards; 133-62, pertaining to the requirements of the long frontage standards; 126-10(a)(b), pertaining to requirements for a buffer between dissimilar uses; and, 126-11(a)(b)(h), pertaining to requirements for landscape areas in permanent parking lots; in order to construct the new Fire Station 1.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

11-30-21  
\_\_\_\_\_  
Date