

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: February 02, 2016

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: Design Review File No. 23239
6529 Indian Creek Drive—Permanent Parking Lot

The applicant, **The Mimosa LLC**, is requesting Design Review Approval for the construction of a permanent surface parking lot. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

RECOMMENDATION:

Approval with conditions

LEGAL DESCRIPTION:

Lot 44 and southern 8 feet of Lot 43 of Block 7 of the "2nd OceanFront Subdivision" according to Plat thereof as recorded in Plat Book 28, Page 28 of the Public Records of Miami-Dade County, Florida.

SITE DATA:

Zoning: CD-2
Future Land Use: CD-2
Lot Size: 10,083 SF
Existing Parking Spaces: 27 Total (3 ADA)
Proposed Parking Spaces: 22 Total (3 ADA)
Existing Open Green Space: 2,512SF of green space (24.91%)
Proposed Open Green Space: 2,820SF of green space (26.77%)

SURROUNDING PROPERTIES:

North: Five-story residential building
South: Three-story residential building
West: Miami Beach Rowing Club
East: Temporary Parking Lot

HISTORY:

BCO12026: site was inspected and approved for CO for a temporary parking lot which combined two existing parking lots by unity of title into one parking lot (6529 Indian Creek Drive and 6526 Collins Avenue) for a total parking spaces of 55 spaces with an approved landscaping and irrigation plan.

THE PROJECT:

The applicant has submitted plans entitled "Proposed Permanent Parking Lot" as prepared by **Rahimuddin Rahimi PE** signed sealed and dated 12/11/15.

The applicant is proposing improvements to an existing surface parking lot. Scope of work includes resurfacing and installing new landscaping and new solar light fixtures.

CONSISTENCY WITH COMPREHENSIVE PLAN BCO12026 was Inspected and approved for CO for a temporary parking lot which combined two existing parking lots by unity of title into one parking lot (6529 Indian Creek Drive and 6526 Collins Avenue) for a total parking spaces of 55 spaces with an approved landscaping and irrigation plan.

A preliminary review of the project indicates that the proposed **parking lot** appears to be **consistent** with the Future Land Use Map of the 2025 Comprehensive Plan.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code, in addition to the requested variance(s):

1. Within the required yards—the maximum height for a light pole is 10'-0" measured from grade.

2. Sec. 130-69.5. - Additional requirements.

In addition to any other requirements regarding parking garages and parking lots contained herein, and except where a parking garage or lot is accessory to a residential use and located on the same lot, all parking garages and lots located within 100 feet of a residential use or district that intend to operate after midnight, shall obtain conditional use approval from the planning board before obtaining a building permit or occupational license. **The applicant has submitted an application for Conditional Use approval from the Planning Board (PB File No. 2305) and is scheduled to be heard at the February 23, 2016 meeting.**

The above noted 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.

COMPLIANCE WITH DESIGN REVIEW CRITERIA:

Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria are found to be satisfied, not satisfied or not applicable, as hereto indicated:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.
Satisfied
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
Satisfied

3. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Satisfied
4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.
Satisfied
5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.
Satisfied
6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.
Not Applicable
7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.
Satisfied
8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.
Satisfied
9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.
Satisfied
10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.

Satisfied

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
Not Applicable
12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Not Applicable
13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.
Not Applicable
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Not Applicable
15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Not Applicable
16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.
Not Applicable
17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Not Applicable

STAFF ANALYSIS:
DESIGN REVIEW

The applicant is proposing improvements to the western half of an existing temporary surface parking lot converting the lot from "temporary" to "permanent" status in order to satisfy the required parking component for the Mimosa hotel addition located at 6525 Collins Avenue. These improvements include resurfacing the lot, new landscaping, new light fixtures and the widening of the existing curb-cut along 65th Street.

On February 23, 2016, the Planning Board will review an application for a Conditional Use Permit for the subject permanent parking lot since the lot is located within 100'-0" of a residential building and will be operated past midnight. The Planning Board will address all important issues related to the operation of the project, including parking, traffic, and valet.

In general, a surface parking lot is a highly undesirable use for a highly visible, urban corner property, such as the subject site. Over the long term, vehicular storage lots, such as this, have an adverse impact on the developed context of the surrounding area and can become an eyesore to the neighborhood. While staff believes that a more appropriate use of the property would be a well-designed mixed used, residential or commercial structure, the proposed use is permitted within the CD-2 zoning district. Staff would also note that the subject property has been vacant for over 50 years.

The proposed landscape plan will be an improvement over the existing site conditions and should help to mitigate the adverse visual and noise impacts the surface parking lot may have on surrounding properties. Staff however, recommends that the proposed landscape area be increased around the perimeter of the property along Indian Creek Drive and 65th Street and include a low topiary structure to reinforce the very important urban edge. This may require the reduction or elimination of the interior planter and shifting the parking spaces.

Staff is supportive of the improvements to the lot and recommends approval of the application.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review criteria.

TRM/JGM

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**DESIGN REVIEW BOARD
City of Miami Beach, Florida**

MEETING DATE: February 02, 2016

FILE NO: 23239

PROPERTY: **6529 Indian Creek Drive – Permanent Parking Lot**

APPLICANT: The Mimosa LLC

LEGAL: Lot 44 and southern 8 feet of Lot 43 of Block 7 of the "2nd OceanFront Subdivision" according to Plat thereof as recorded in Plat Book 28, Page 28 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a permanent surface parking lot.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review Approval

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Design Review Criteria in Section 118-251 of the Miami Beach Code.
- C. The project would remain consistent with the criteria and requirements of section 118-251 if the following conditions are met:

1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. Concrete pavers shall be installed at the vehicular and pedestrian entrances to the parking lot, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - b. A concrete banding shall be provided in order to better define and contain the placement of the pavers at the entrance of the lot. Any traffic signals that may be required on the parking lot surface, within the paver field, shall be created with pavers of a different color. Painting over the paver field shall not be permitted.
 - c. Light poles proposed to be installed on site shall not exceed 10'-0" from grade. At the time of building permit a revised photometric must be provided. The revised photometric must show that all light from the proposed light fixtures will be maintained on site. Lightpole location shall not prevent the installation of canopy shade trees in the landscape islands.
 - d. Parking stripes shall be painted white, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - e. The final design and details of the proposed new planters, pavers, and materials and finishes shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - f. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - g. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
 - a. A landscape topiary, or similar feature, shall be required along the perimeter of the lot facing a public sidewalk. The design, details and dimensions of such feature shall be subject to the review and approval of staff consistent with the Design Review Criteria and/or the directions from the Board.

- b. All of the existing trees shall be inspected and evaluated by staff prior to the issuance of a building permit. Any trees identified to be in poor condition, damaged or not in compliance with the minimum Florida #1 grade standard shall be replaced with new canopy shade trees subject to the review and approval of staff.
- c. The final landscape selection, which shall include increasing the overall installed size for portions of the landscaping, location, quantity, and specifications of all existing and proposed new landscaping shall be required, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- d. Larger canopy shade trees suitable for the available landscape areas shall be provided subject to the review and approval of staff.
- e. The proposed trees along the north and south interior side yards shall be aligned with the end of the parking lines and centered in the available landscape area in order to protect tree trunks from any possible vehicular projections, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- f. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the final revised landscape plan.
- g. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- h. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.

- B. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- E. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- G. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Proposed Permanent Parking Lot" as prepared by Rahimuddin Rahimi PE signed sealed and dated 12/11/15, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in

