



Planning Division
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Staff Analysis and Recommendation

To: Honorable Mayor and Members of the Town Council

From: Ed Pidermann, Town Manager

Subject:
HEARING NUMBER: PHSP2019-0670
APPLICANT: MIAMI LAKES CENTER LLC
FOLIO: 32-2013-015-0030
LOCATION: 5875 NW 163 ST,
Miami Lakes, FL 33014
ZONING DISTRICT: IU-C
FUTURE LAND USE: Industrial
Date: AUGUST 18, 2020

A. REQUEST(S)

In accordance with Section 13-304(h) of the Town of Miami Lakes Land Development Code (LDC), MIAMI LAKES CENTER LLC (the "Applicant") is requesting Site plan and conditional use approval for new construction of a five-story a parking garage with accessory parking and sales vehicle storage.

B. SUMMARY

The site is a 10.71-acre lot located east of NW 59th Avenue, between NW 163rd Street and NW 165th Terrace. It contains an existing 152,526 square foot office building, situated at the northern portion of the property, with the remainder dedicated to surface parking. The Applicant's site plan proposes a five-story parking structure to provide required accessory parking to the uses at the existing office building, as well a vehicle storage for nearby existing automobile sales businesses fronting the Palmetto expressway. The structure provides 219 parking spaces for tenant parking, and 1,254 spaces for vehicle storage. As part of this application, a conditional use for the accessory parking is requested.

The property is currently zoned IU-C, Industrial Use Conditional, and the Future Land Use designation is Industrial and Office.

C. STAFF RECOMMENDATION

It is recommended that the Town Council approve the application for Site Plan, subject to the following conditions:

1. The project shall be developed in substantial compliance with the approved Site Plan.
2. Prior to the issuance of a building permit authorizing any construction, all required impact fees, including Mobility Fees, must be paid in full.
3. Prior to permitting, all civil engineering plans must be finalized and in substantial compliance with the Site Plan, including any additional modifications as required by the Public Works director.
4. The proposed sidewalks shall be increased to six feet in width.
5. The Applicant will work with staff to ensure that the final design and location of all sidewalks respect any existing specimen street trees, including, where necessary the use of flexible pavement materials and limited encroachments of portions of the sidewalk into private property.
6. All planting materials, but particularly those designed to screen the garage from public rights-of-way, shall be carefully maintained and replaced as needed to continue to serve their function.
7. Prior to permitting, the project shall secure all approvals for water and sewer and shall receive approval from the Miami-Dade Fire Rescue Department.
8. The Applicant shall obtain a Certificate of Use (CU), upon compliance with all the terms and conditions of this approval, the same subject to cancellation by the Town upon violation of any of the conditions. Business tax receipt shall be obtained if applicable.
9. The Applicant shall obtain all required building permits, within one (1) year of the date of this approval. If all required building permits are not obtained or an extension granted not within the prescribed time limit, this approval shall become null and void.
10. Compliance with all other applicable laws not specifically identified herein.
11. All fees associated with this request that are owed to the Town be paid in full prior to issuance of development order.

D. BACKGROUND

Zoning District of Property: IU-C – Industrial Use Conditional

Future Land Use Designation: Industrial Office

Subject Property:

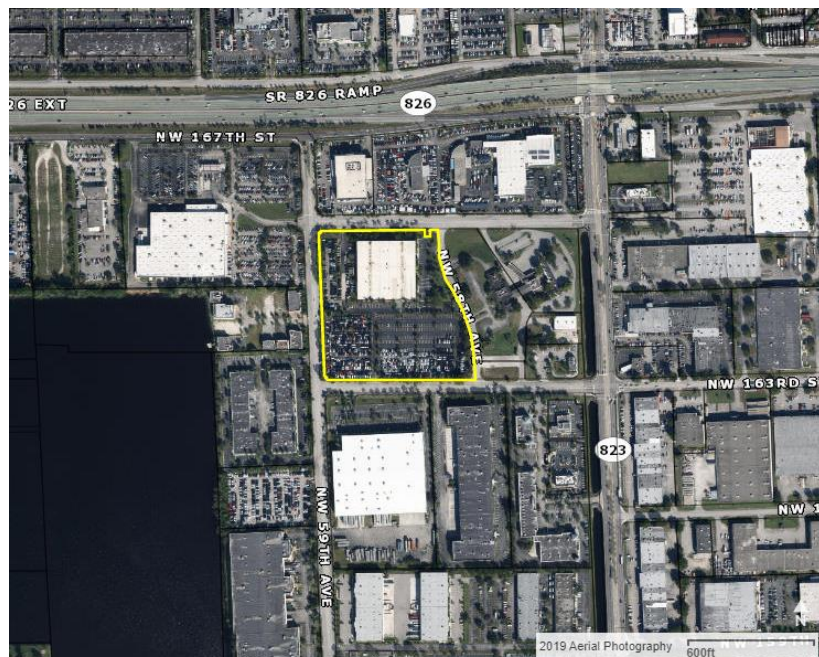
The site is a 10.71-acre lot located east of NW 59th Avenue, between NW 163rd Street and NW 165th Terrace. It contains an existing 152,526 square foot office building, situated at the northern portion of the property, with the remainder dedicated to surface parking.

The existing building contains office space and houses as well the space proposed for Southeastern College, recently approved by the Town Council as a Conditional Use during the July 14th hearing.

Surrounding Property:

	Land Use Designation	Zoning District
North:	Business Office	BU-1A – Limited Business District
South:	Industrial Office	IU-C – Industrial Use Conditional
East:	Industrial Office	IU-C – Industrial Use Conditional
West:	Business Office	BU-2 – Special Business District

Subject Property Location Map:



E. ADJACENT MOBILITY PROJECTS

On April, 25, 2016, the Town Council of the Town of Miami Lakes adopted Ordinance No. 16-192, establishing the Town's Mobility Fee Program. The program is a replacement for traditional transportation concurrency review as provided for by Florida Statutes, and seeks to enhance internal Town mobility through the use of several modalities. The comprehensive approach identifies specific projects throughout the Town, all aimed at improving traffic and mobility improvements. The projects identified below have been adopted by the Town Council as part of that initiative and are described herein due to their adjacency to the proposal that is the subject of this report.

Initiative: Freebee Extension Services to Regional Transit.

Status: Town secured funding from FDOT for FY 2020. The Town is extending the Freebee transportation services for commuters within the Town of Miami Lakes or adjacent municipalities. The program is intended to connect passengers from two Park-and-Ride locations: (1) Town Hall, and (2) Picnic Park West, to the Palmetto Metrorail Station during peak hours from 6:00 AM to 9:00 AM, and 4:00 PM to 7:00 PM.

Initiative: 59th Avenue Roadway Extension.

Status: Town secured funding through grants from FDOT and is coordinating with Miami-Dade County Public Works and Transportation to secure funding through Miami-Dade County road impact fees. The project is in the design and land acquisition phase.

F. FISCAL IMPACT

The project, if constructed will be subject to impact fees for Police, Fire, Road and Mobility. The following is an estimate based on current fees and supplied data. Final fee calculation shall be completed at time of permitting.

Land use	Square Feet	Police Impact Fee	Fire Impact Fee	Road Impact Fee	Mobility Fee	TOTAL
Parking garage	447,762	\$178,567.49	\$638,642.94	\$2,167,929.28	\$96,338.68	\$3,081,478.38
Estimated Property Value	\$8,000,000.00					
Millage Rate	2.3127					
Ad Valorem	\$18,501.60					

Estimated value of the property at certificate of occupancy is 8 million dollars which could potentially result in annual ad-valorem tax revenue of \$18,501.60.

G. OPEN BUILDING PERMITS/CODE COMPLIANCE CASES

There are currently no open code violations for his property.

H. ANALYSIS

The following analysis shall be performed in two (2) parts. The first portion shall analyze the site plan portion of the request pursuant to the criteria provided at Subsection 13-304(h); the second section will analyze the Conditional use portion of the request pursuant to the criteria at Subsection 13-303(b).

Site Plan Criteria

Subsection 13-304(h) provides specific criteria for review of a site plan. All portions of this report are incorporated into this Site Plan Criteria analysis. These criteria are listed below, with Staff Comments for each:

- (1) In what respects the plan is or is not consistent with the Comprehensive Plan, the purpose and intent of the zoning district in which it is located and any design or planning studies adopted by the Town Council that include recommendations applicable to the design of the site under review.

The following is a review of the relevant Goals, Objectives and Policies of the Town's Comprehensive Master Development Plan (Comp Plan). It is followed by a review of the Land Development Code provisions.

Policy 1.1.2: The following future land use categories are contained in the Town's Future Land Use Map:

***Industrial and Office (IO)** - Industries, manufacturing operations, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, merchandise marts and similar uses are allowable within the Industrial and Office designation. Also included are construction and utility equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. Limited commercial uses to serve the firms and workers in IO areas are encouraged, dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized. Free-standing retail and personal service uses larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Freestanding retail and personal service uses which are 10 acres and less in size should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses and others with unusual siting requirements may also be considered on a conditional basis at appropriate locations. The specific range and intensity of uses appropriate in IO areas vary by location as a function of such factors as availability of public services, roadway access and neighborhood compatibility. Special limitations may be imposed on uses in IO where necessary to protect environmental resources, including wellfield protection areas. Through the assignment of zoning districts and special conditions, the specific range and intensity of uses appropriate for a particular site will be determined. This category requires a minimum of 10% landscaped open space (15% when abutting a residential site), and a minimum lot area of 5,000 square feet. The maximum height permitted in this category is seven (7) stories.

Mixing of residential use with light industrial, commercial, office and hotels is also allowable on a conditional use basis with residential being limited to the density of the adjacent residential future land use category, and other uses being limited in size, impact and by standards contained in the BO category and the LDC for mixed-use projects. If no residential areas exist adjacent to a subject site, then the Medium Density land use category is allowed.

However, residential use shall not be developed on over 15% of the area of any individual site.

Analysis: Vehicle storage uses are permitted within the IO designation. Scale and intensity are based on site size, availability of services, accessibility, proximity and scale of adjacent residential uses. The property is a large accessible site, with utilities in close proximity. The property is not adjacent to residential uses. The proposal would therefore comply with this policy.

Finding: Complies.

Policy 2.1.8: In-lieu of traditional transportation concurrency, the Town shall mitigate the mobility impacts of development and redevelopment and provide a portion of funding needed to implement the improvements identified in the Element, through a mobility fee.

Analysis: See Section E, Adjacent Mobility Projects. The project is proposed at 447,762 square feet of vehicle storage space, of which 74,627 sf are proposed as accessory parking for the adjacent office building and the resulting 373,135 square feet will be used as passive vehicle storage and are therefore treated, for the purposes of fee calculations, as warehouse use. The number of trips is therefore calculated only for the 373,135 square feet proposed for storage at a rate of 1.49 daily trips per 1000 sf and with a Mean Auto Occupancy rate of 1.082. The resulting number of trips is 555.97 daily trips which conversely results in 602.12 individual trips. The ensuing mobility fee will be assessed at the rate prior to the rate change approved by the Council on December 10, 2019, and amended on April 21, 2020, as the application was already under process at the time of approval. The resulting mobility fee at the rate of \$160 per individual trip is \$96,338.68. No building permit shall be issued related to the requested site plan until the mobility fee is paid in full.

As provided at Section E, the town has included in its Comprehensive Master Development plan a number of mobility projects in and around the proposed development. The fee paid by the applicant may be used to fund those projects.

Finding: Conditionally complies pursuant to payment of mobility fee. No building permit related to the site plan shall be issued until said fee is paid in full.

Policy 2.2.4: For purposes of capital improvements planning, the Town hereby adopts the following pedestrian level of service standards:

Detached sidewalks: By 2030, 90 percent of all lineal street footage in Miami Lakes (excluding limited access expressways and ramps thereto) shall include sidewalks separated from the vehicle lanes by a swale/street tree planting area with appropriate street trees.

Analysis: The applicant is providing sidewalks around part of the perimeter of the site, where no sidewalks exist today. Staff has requested six-foot sidewalks along 59th Ave and 163 St. although eight to ten-foot sidewalks would be preferable, particularly within the context of complete streets, the existing right-of-way does not allow for anything wider than a six-foot sidewalk. The applicant currently is proposing five-foot sidewalks.

Finding: Partially Complies. Providing sidewalks is both a requirement of the LDC and of the Comprehensive Plan and minimum six-foot sidewalks are recommended by the street master plan.

(2) In what respects the plan is or is not in conformance with all applicable regulations of the zoning district in which it is located.

Analysis: See Section B, Summary; Section E, Mobility Projects and Subsection H (1). Section B provides a full explanation as to the applicable regulations applied to the subject property and Section E describes the nearby mobility projects. Except for the size of the sidewalks provided, the proposed project complies with requirements of the Town Code of Ordinances. Sec. 35-3, which contains the requirement to provide sidewalks for new construction, is part of the Code of Ordinances at Chapter 35, but is not part of the LDC (Land Development Code) which is contained within Chapter 13 of the Code of Ordinances; for this reason, a variance request is not available for this requirement.

Finding: Partially complies.

(3) In what respects the plan is or is not in conformance with Town code requirements including:

- a. The design and construction of streets, utility facilities and other essential services as may be required by the Town or other governmental agencies.
- b. Internal and external circulation, including vehicular, bicycle and pedestrian. Circulation systems shall serve the needs of the development and be compatible with, and functionally integrate with, circulation systems outside the development. Vehicular traffic from non-residential development shall be routed so as to minimize impacts on residential development.

Analysis: See Section E, Mobility projects and Criteria 1 and 2 of this analysis. The project does not require the dedication of additional rights-of-way or internal streets. The project is contributing \$ \$96,338.68 towards Town's Mobility Program. The site plan provides for proper on-site vehicular movements with full surface level parking and garage parking facilities.

Finding: Conditionally complies upon payment of applicable mobility fees and appropriately sizing sidewalk facilities.

(4) In what respects the plan is or is not consistent with good design standards in respect to all external relationships including but not limited to:

- a. Design and architectural standards as provided at section 13-311.
- b. Disposition of open space, use of screening or buffering where appropriate to provide a logical transition to existing, permitted or planned uses on adjoining properties.
- c. Landscaping that enhances architectural features, strengthens vista and important axes, provides shade, blocks noise generated by major roadways and intense-use areas and, to the maximum extent practicable, preserves existing trees on-site.
- d. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.
- e. Service areas shall be screened and so located as to minimize or eliminate visibility, to the greatest extent possible, from the public right-of-way and other properties.
- f. Design of the site shall ensure adequate access for emergency vehicles and personnel.

- g. Design of the site shall utilize strategies to provide for the conservation of energy and natural resources, including water.

Analysis: See analysis provided at Criterion 2 and 3 above. The project proposes a single building, five (5) stories in height of contemporary design, loosely based on Modern Architectural styles. As proposed, the scale is compatible with adjacent developments, as many existing buildings fronting 59th Ave are four to five stories in height. The proportions of the main façade, as perceived from 59th avenue, are approximately 1:2.5 height to width ratio, with the resulting rectangular shape broken up by the use of central element, and a varying roofline featuring a corner parapet at the corner with 163 St. and changes in material. The side facades are similarly articulated, using both vertical and horizontal elements, shifting planes, and an emphasized corner feature. The project proposes planters in parts of the main facades facing streets to attempt to partially screen the vehicles from view, as well as a line of hedges lining the ground floor to that effect.

The project complies with landscape requirements, and it includes 23 new street trees.

The proposed lighting is both adequate and harmonious with both the building and the landscape.

The applicant shall have obtained preliminary approval from Miami-Dade County Fire Rescue Department and appropriate measures for energy and water conservation are proposed.

Finding: Conditionally Complies provided plant materials are properly maintained to continuously screen the parking areas.

- (5) In what respects the plan is or is not in conformance with the Town policy in respect to sufficiency of ownership, guarantee for completion of all required improvements and the guarantee for continued maintenance.

Analysis: The application conforms with the Town's requirements concerning sufficiency of ownership.

Finding: Complies

Conditional Use Criteria

This section applies only to the existing parking area, proposed as additional and required parking for the proposed development.

1. Land Use Compatibility.

Analysis: The proposed use of an accessory parking garage is allowed and compatible with adjacent uses.

Finding: Complies

2. Sufficient Site Size, Site Specifications, and Infrastructure to Accommodate the Proposed Use.

Analysis: See section (4) above. The proposal is adequate to accommodate the proposed use.

Finding: Complies

3. Compliance with the Comprehensive Plan and Land Development Code.

Analysis: Per Policy 1.1.2 of the Comprehensive Plan, Industrial and Office (IO) Land Use Designation accommodates a full range of industrial and office uses and accessory uses, and accessory parking is included in this.

Finding: Complies

4. Proper Use of Mitigative Techniques.

Analysis: The project will contribute appropriate impact fees to mitigate impacts to services.

Finding: Complies

5. Hazardous Waste.

Analysis: There are no hazardous materials nor hazardous wastes associated with this use.

Finding: Complies.