



Memorandum

Date:	April 24, 2024
To:	Honorable Mayor and Councilmembers
From:	Kathie Brooks Interim City Manager
Department:	Michelle M. Lopez The Corradino Group Interim Planning & Zoning Director
Subject:	Doral Marketplace Retail Center Variance – Parking row landscape strip reduction from 7.5 feet to 0 feet. (Variance Request # 2)

Introduction

Doral Marketplace, LLC (the “Applicant”) is requesting four variances in connection with the proposed “Doral Marketplace Retail Center Site Plan” for the property located at the southwest corner of the intersection of NW 41st Street and NW 107th Avenue in the City of Doral (“City”). Each variance is evaluated individually for the purpose of providing an in-depth analysis of each evaluation review criteria pursuant to Section 53-468(b) of the City’s Land Development Code. The following is a summary of the first variance requested by the Applicant:

- “...parking row landscape strip reduction at four parallel rows of parking stalls adjacent and perpendicular to the primary grocery tenant building from 7.5 feet to 0 feet (a total reduction of the landscape strip in each row of parking stalls).

The Applicant is proposing to develop a multitenant retail center known as Doral Marketplace on approximately 10.6 acres of the overall 175-acre property (the “Property”), further identified by the Miami-Dade County Property Appraiser by Folio No. 35-3030-000-0020, 35-3030-000-0025. A copy of the letter of intent and application is provided in “Exhibit A.”

Through their application, the Applicant has proffered to provide pervious pavers where landscape islands are required by City Code. The proffer is intended to minimize negative impacts to stormwater drainage and percolation. The landscape plan provides for trees and landscaping throughout the parking areas, added to overall aesthetics and minimizing overall heat island effects and creating a desirable tree canopy.

The public notice was advertised in the Miami Herald on Wednesday, April 10, 2024, at least 15 calendar days prior to the hearing. On April 10, 2024, the Applicant transmitted the notice of the proposed variance hearing via regular mail to all adjoining property owners within 500 feet from the subject property. A copy of the legal advertisement is provided in “Exhibit B.”

Background

The proposed Doral Marketplace Retail Center is a proposed multitenant commercial development located on approximately 11 acres of the overall 175-acre property known as “Bridge Point Doral Distribution Center” (the “Center”). The Center is located immediately to the south of the proposed Doral Marketplace Retail Center. The subject property is undeveloped and was used for many years for agricultural purposes. In 2023, the property was rezoned from General Use (GU) to Corridor Commercial (CC) to align the zoning district with the Business land use category.

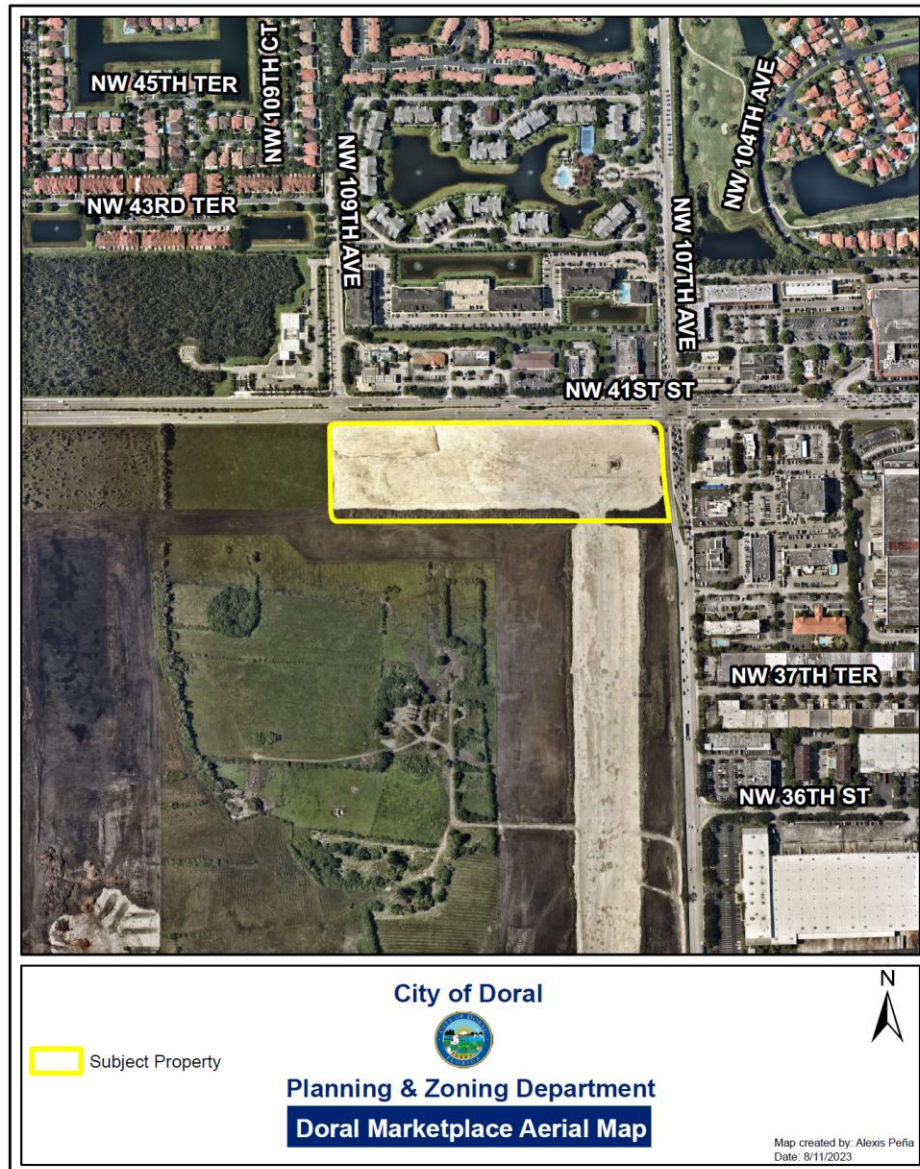
According to the Applicant request, the proposed project “totals approximately 88,562 square feet in floor area among six buildings, with the proposed major grocery store tenant building consisting of approximately 40,080 square feet in floor area. The project also includes a quick service restaurant with approximately 5,233 square feet in floor area.” The proposed project will be located to the east of the 16-acre dry-retention area that would be built and maintained by the Bridge Point Doral Distribution Center to naturally treat and manage stormwater consistent with the City’s floodplain management regulations.

The existing zoning districts surrounding the Property comprises of Corridor Commercial on the north and east, Industrial on the south, and Private Parks and Open Space on the west. The Property is within proximity to several eating establishments, warehouses, hotels, gas stations, banks, retail, pharmacies, offices, and other similar uses.

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Property Location

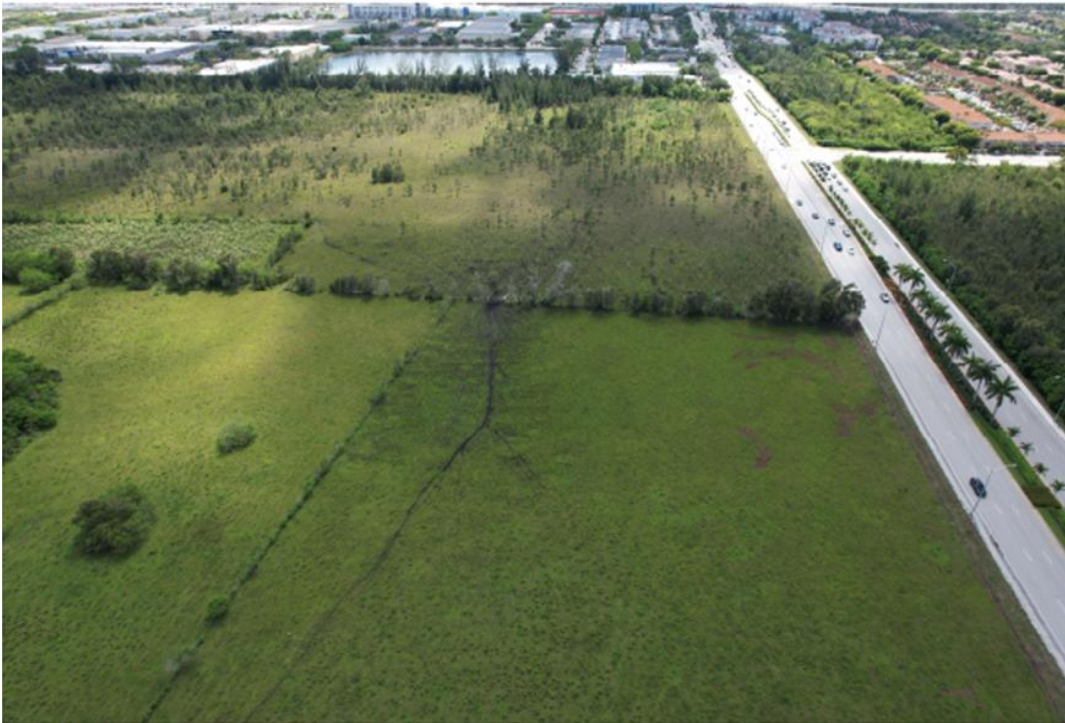
Figure 1. Property location map.



Source: City of Doral. Planning and Zoning Department (2023).

Existing Conditions

Figure I.a. Aerial view of the project area (view from the west)



Looking west.

Figure I.b. Aerial view of the project area. (view from the northeast)



Looking northeast.

Property Information

Table I provides a brief overview of the subject project.

Table I		
Doral Marketplace Retail Center Site Plan		
Property Information		
	General Information	Responses
1	Project Name	Doral Marketplace
2	Applicant	Doral Marketplace, LLC
3	Acres	± 11 acres
4	Location	Southwest corner of the intersection of NW 41st Street and NW 107th Avenue
5	Folio Numbers	35-3030-000-0020, 35-3030-000-0025
6	Existing Future Land Use Category	Business (B)
7	Existing Zoning District	Commercial Corridor (CC)
8	Code Compliance Violation	N/A

Source: City of Doral. Planning and Zoning Department (2023).

Neighborhood Analysis

Table II provides an overview of the land uses surrounding the property.

Table II				
Doral Marketplace Retail Center Site Plan – Neighborhood Analysis				
Adjacent Land Uses and Zoning Districts Matrix				
Area	Adjacent Uses	Future Land Use Categories	Zoning Districts	Overlay
North	Eating establishments, gas station, bank, retail, pharmacy	Business	Commercial Corridor (CC)	None
South	Industrial uses (Bridge Point)	Industrial (I)	Industrial (I)	None
East	Eating establishments, gas station, offices	Business	Commercial Corridor (CC)	None
West	Retention area walkways (private parks and open space)	Private Parks and Open Space (PPOS)	Private Parks and Open Space (PPOS)	None

Source: City of Doral. Planning and Zoning Department (2023).

LDC Development Standards

Table III. Summarize the development standards for the commercial corridor zoning district in Section 68-386 of the City's Land Development Code.

Table III
Development Standards for the Commercial Corridor District

Development Standards		Provided
Maximum Floor area ratio (FAR)	0.5 – 0.25 max	0.197
Maximum height	6 story building	24' (top of parapet) for retail bldgs. 32' (top of parapet) for Major Tenant A
Minimum lot area	1 acre	±449,767 sq ft
Minimum lot width (ft.)	100 ft minimum	±277'
Maximum building coverage (pct.)	50% maximum	19.7%
Minimum open space (pct.)	17%	19.4%
Minimum and maximum building setback (ft.)	Front	40' DBMP
	Side street	15'
	Side interior	5' to 15'
	Rear	5' to 15'

Source: City of Doral. Planning and Zoning Department (2023).

Notes: Information for the number of trees required, maximum fence height, maximum wall height, and minimum off-street parking are available in Chapter 68, Article IV, Division 3 Corridor Commercial District, Section 68-386. Illustration District, of the City's Land Development Code. All development fronting Doral Boulevard from NW 112 Avenue east to NW 97th Avenue shall be consistent with the "Semi-Suburban Character District" of the Doral Boulevard Master Plan.

Comprehensive plan consistency review

The subject Property is designated as Business by the City's Comprehensive Plan Future Land Use Map (FLUM). The Business land use category allows for a full range of sales services including retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, theaters, medical buildings, nursing homes, entertainment and cultural facilities, amusement and commercial recreation establishments and university and college facilities.

The comprehensive plan is silent as it relates to parking spaces or parking stall length.

Land development regulations consistency review

The Property is zoned corridor commercial in the City's Official Zoning Map. The applicable development standards for the corridor commercial zoning district are provided in Chapter 68, Article IV, Division 3 Corridor Commercial District of the City's Land Development Code.

The proposed variance is not consistent with the following section of the Land Development Code:

Section 77-193(2)(d). – A landscaping strip shall be placed between parallel rows of parking stalls, if the row is:

1. Parallel to the principal structure, then the minimum width of the landscape strip shall be 7.5 feet.

2. Perpendicular to the principal structure, then a five-foot wide walkway shall be placed between rows with a minimum width of five-foot landscape strip on both sides of the walkway between one parallel row of parking spaces. Aforementioned pedestrian walkway connections shall be provided as per the following table based on the respective number of parallel rows of parking spaces:

Number of Parallel Rows* of Parking Spaces	Number of Pedestrian Walkways Provided
5	1
6 to 10	2
11 to 15	3
16 to 20	4
21 to 25	5
26 or more	One every 6 parallel rows

*A parallel row consists of two rows of parking stalls.

Alternate, every other, landscape islands placed at a minimum interval of ten parking spaces are required to provide a walkway connecting to the main walkway provided between the two landscape strips as required in this subsection.

3. Perpendicular to the principal structure and rows that are excluded to include a walkway between the rows, then the minimum width of the landscape strip shall be 7.5 feet.

e. Each island shall have a minimum of one tree with a minimum 14 feet in height with a four-inch caliper at the time of planting.

f. Landscaping between rows shall have one tree for every 25 lineal feet with a minimum 14 feet in height with a four-inch caliper at the time of planting. The city may define the type of tree.

g. Buildings shall be connected to the parking lot area and public sideways with an internal system of walkways.

h. Where the walkway traverses a drive aisle, pavers, stamped asphalt or a similar material shall be used.

- i. Full curb shall surround the landscape island.

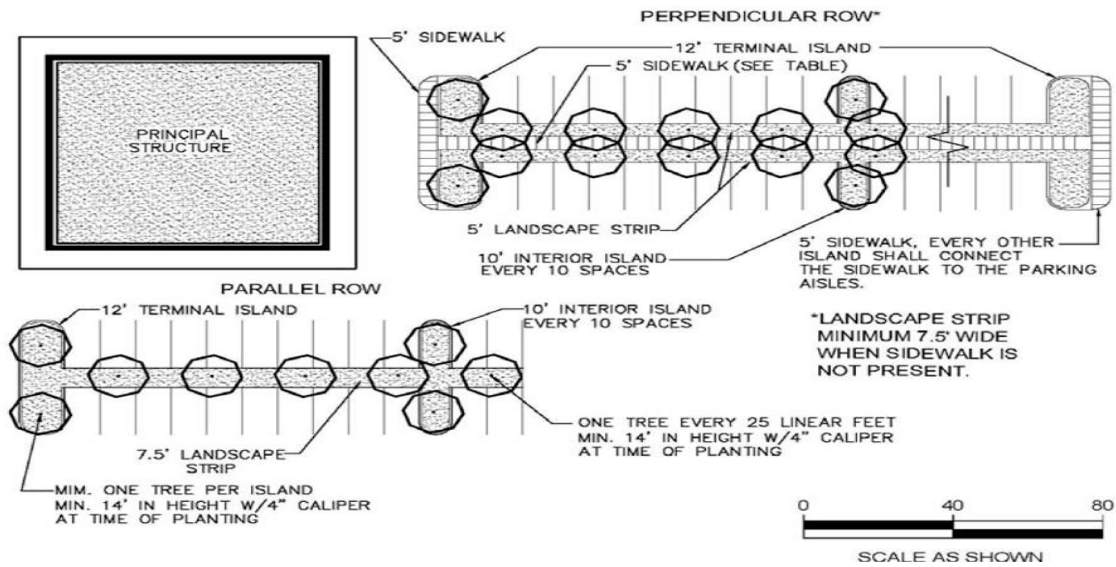
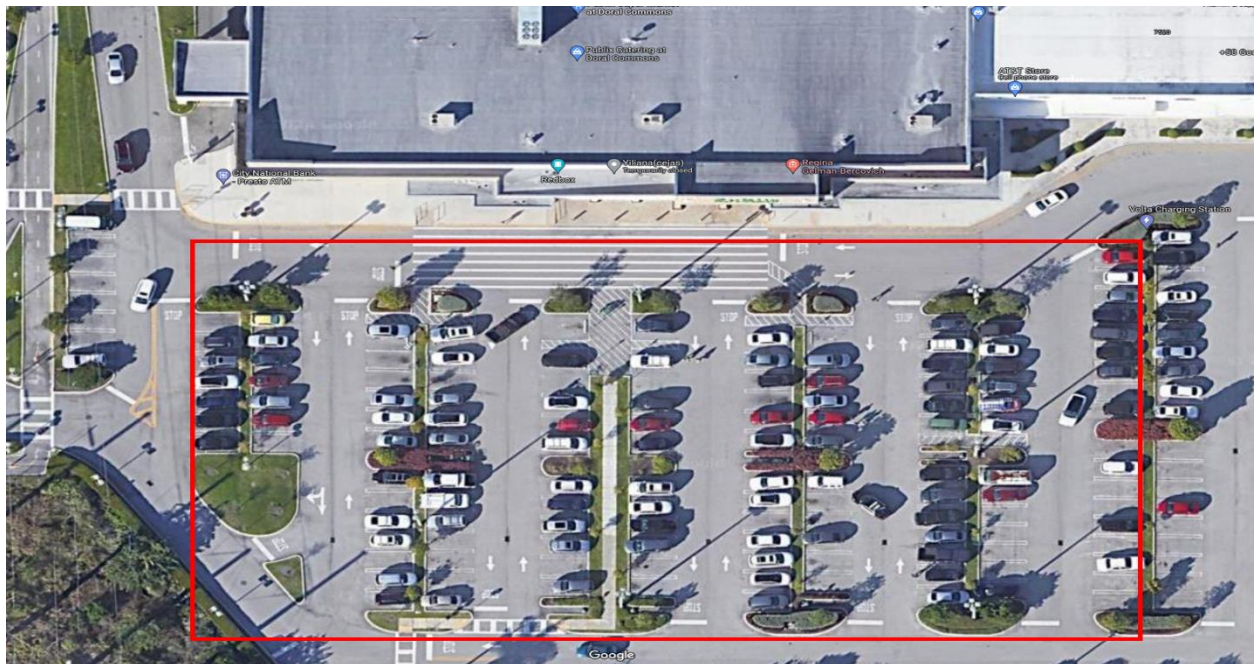


Figure 2. Landscape Strips (Local Shopping Center – Primary Grocery Tenant)



Source: City of Doral Planning and Zoning Department (2024)

Staff Analysis

The following is the Department evaluation of the specific variance criteria set forth in Section 53-468(b) of the City Code as it pertains to the subject variance requests by the Applicant.

Variance Request #2:

A variance from Section 77-193(2)(d) of the City Code for parking row landscape strip widths as follows:

- a. Landscape strip reduction at four parallel rows of parking stalls adjacent and perpendicular to adjacent to the primary grocery tenant building, from 7.5-feet to 0 feet (a total reduction of the landscape strip in each row of parking stalls)

(1) *Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.*

Planning and Zoning Department Response. The existing configuration of the property does not meet the definition, nor it shows any signs of being an irregular shape lot requiring the approval of a variance to grant the developer a relief from the requirements of Section 53-468(b), Land Development Code. The Applicant can address the landscape requirements in Section 77-193(2)(d), Landscaping and Buffers in the Land Development Code by modifying the proposed design of the buildings. The intent of Section 77-193 of the Land Development Code is to ensure that parking lots in the city provide landscaping to soften the impact of asphalt or other pavement on the overall appearance of the commercial use, prevents soil erosion, and reduces carbon dioxide through photosynthesis. The landscape strips requirements in Section 77-193(2)(d) of the Land Development Code is the bare minimum required by the city to mitigate the amount of heat absorbed by a parking lot released throughout the day and into the evening hours when the sun goes down. As a result, a parking lot without the appropriate landscaping can easily become a mini-urban heat island affecting the elderly, children and residents suffering from poor health. It is important to note that an effective environmentally landscape program will naturally alleviate the proposed project potential stormwater impacts.

(2) *The special conditions and circumstances are not the result of the actions of the applicant.*

Planning and Zoning Department Response. The Department disagrees with the Applicant position that this request is due to the narrow geographic shape of the lot. The configuration of this lot does not pose the basic characteristic of an irregular shape lot for which a variance could be considered by the elected body. Therefore, the issue here is not the land but the size of the buildings that can be slightly modified to avoid this variance.

- (3) ***Literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code and would work unnecessary and undue hardship on the applicant.***

Planning and Zoning Department Response. The literal interpretation and enforcement of the development code regulations would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code and would work unnecessary and undue hardship on the applicant. The Applicant does not meet the requirements of this criterion because there are no hardships associated with the land to justify granting a relief from the requirements of the Land Development Code (Section 77-193(2)(d), Landscaping and Buffers)

- (4) ***The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.***

Planning and Zoning Department Response. This variance request does not meet the basic requirements of this criterion. As indicated above, the existing configuration of the lot would not prevent the Applicant from meeting the requirements of Section 77-193(2)(d) of the Land Development Code.

- (5) ***Granting of the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings or structures in the same zoning district.***

Planning and Zoning Department Response. The granting of this variance request will confer on the applicant special privilege that is denied by the land development code to other lands, buildings, or structures in the same zoning district. The other developments within the general vicinity of the Doral Marketplace development are building their respective projects consistent with Section 77-193(2)(d) of the Land Development Code.

- (6) ***The granting of the variance will be in harmony with the general intent and purpose of this Land Development Code and will not be injurious to the surrounding properties or detrimental to the public welfare.***

Planning and Zoning Department Response: The granting of this request will not be in harmony with the general intent and purpose of Section 77-193(2)(d) of the Land Development Code.

Staff Analysis – Variance Request # 2:

On April 01, 2024, the Applicant submitted the fourth revised letter of intent, whereby the variance request was amended to read as follows:

- (4) “Landscape strip reduction at four parallel rows of parking stalls adjacent and perpendicular to adjacent to the primary grocery tenant building, from 7.5-feet to 0 feet (a total reduction of the landscape strip in each row of parking stalls).”

It is important to note that the original variance request, dated January 24, 2024, as mentioned above, the Applicant had requested reduction at four parallel rows of parking stalls adjacent and perpendicular to the primary grocery tenant building, from 7.5-feet to 0 feet, where 7.5-foot landscape strip is required for each parking row pursuant to Section 77-193(2)(d) of the City Land Development Code. The proposed variance eliminates basically all landscape strips within the parking area serving the primary grocery tenant (Major Tenant A) and replace them with a limited number of tree planter (diamonds shape), which is not consistent with the requirements in Section 77-193(2)(d) and Section 71-213(3) of the City’s Land Development. Although this alternative is better than previous proposals, the adverse impact of these planters on the length of parking space may create a potential safety issue. The trees need to be planted within the landscape strips along with other plants and shrubs that are drought tolerant, minimize stormwater runoff impacts and contribute to the aesthetic value of the project (i.e. maintains the appearance of the property while giving the parking lot a more appealing look). As mentioned, the City Code’s landscape strips are the bare minimum requirement by the city to mitigate the amount of heat absorbed by a parking lot released throughout the day and into the evening hours when the sun goes down. As a result, a parking lot without the appropriate landscaping can easily become a mini-urban heat island affecting the elderly, children and residents suffering from poor health.

Fiscal Impact

The resolution has no fiscal impact on city revenues or expenditures.

Strategic Plan Alignment

The proposed project may further the revenue growth strategic goal and/or strategic initiatives of the City of Doral Strategic Plan (2023). However, it is important to note that the intent of the Strategic Plan is to establish the overall mission and vision for the community to ensure sustainable and resilient growth. This vision is incorporated in the Comprehensive Plan Goals, Objectives, and Policies (GOPS) supported by the minimum requirements set forth in the Land Development Code. Since the proposed project request for variances from the minimum requirements of Land Development Code, without having a justifiable hardship, will create a conflict between the adopted Strategic Plan (mission and vision) and Comprehensive Plan that is responsible for implementing orderly and sustainable growth to guide the future development of the City.

Recommendation

Staff recommendations consideration of the proposed variance request. While the application does not meet the hardship criteria requirements set forth in City Code Section 53-468(b) of the Land Development Code for the City, the Applicant has proffered alternatives in an effort to mitigate the impacts.

If the Variance request is Approved, the Applicant shall provide pervious pavers where landscape islands are required by City Code. The proffer is intended to minimize negative impacts to stormwater drainage and percolation. The landscape plan provides for trees and landscaping throughout the parking areas, added to overall aesthetics and minimizing overall heat island effects and creating a desirable tree canopy.

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