



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 – Reduction in the parking length Requirements pursuant to Section 77-185(a)(1) (Variance Request # 1)**

Introduction

Doral Marketplace, LLC (the “Applicant”) is requesting two (2) 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 “Code). The following is a summary of the first variance requested by the Applicant:

- i. A reduction in the parking stall length of 18-feet where 19-feet is required pursuant to City Code Section 77-185(a)(1) for 249 parking spaces of the 488 parking spaces proposed, approximately 51 percent of the total number of proposed parking spaces.
- ii. A reduction of the parking standard for “compact vehicles” of eight feet by sixteen feet (8x16) where the City Code Section 77-185(a)(1) requires nine feet by nineteen feet (9x19) for 87 of 488 parking spaces proposed, approximately 18 percent of the total number of proposed parking spaces.

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." As designed, the Site Plan requires a total of 437 parking spaces, with a surplus of 51 parking spaces.

Through their application, the Applicant has proffered to:

- *Add a 4-foot high decorative masonry wall for additional screening for the row of parking next to the grocer building without reducing any of the landscaping fronting Doral Boulevard. The design to be approved as part of the site plan which, if the variances are approved.*
- *Eliminate the 5 EV charging stations at compact spaces on the south side and relocate those EV charging stations to spaces across the parking drive aisle which are to be 9x18 ft. spaces not compact, responding to Staff's comment. The total number of EV spaces at 10 will not change.*

The public notice was advertised in the Miami Herald on Wednesday, April 10th, 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

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 previously used 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 (6) 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.

Property Location

Figure I. Property location map.



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

Existing Conditions

Figure 1.a. Aerial view of the project area (view from the west)



Looking west.



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	41.0' (Bldg 400) 41.1' (Bldg 200) 33.7' (Major Tenant A)
	Side street	15'	36.3' (Major Tenant A)
	Side interior	5' to 15'	49.1' (Restaurant bldg)
	Rear	5' to 15'	50.4' (Bldg 300) 48.6' (Bldg 500) 59.5' (Major Tenant A)

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.

As indicated in the variance application, the proposed variance is not consistent with the following section of the Land Development Code:

Section 77-185(a)(1). – Size. Land Development Code. Standard parking spaces shall be a minimum of nine feet wide and 19 feet long. Standard parking spaces within the Doral Décor Overlay District shall be a minimum of eight and one-half feet wide by 18 feet long.

Doral Boulevard Beautification Master Plan consistency review

On March 14, 2007, the City of Doral adopted the “Doral Boulevard, Street Beautification Master Plan.” The intent of this master plan is to describe the parameters and criteria which will guide the development patterns for any and all parcels fronting Doral Boulevard. The master plan addresses two components of the corridor’s beautification process: these two being the planning component and the landscape architectural component. The planning component covers issues such as building height and scale, while the landscape architectural component covers issues including sidewalk improvements and amenities, architectural features, median planting improvements, gateways, and other ROW improvements typical of most streetscape beautification projects.

The northern portion of the Property fronts Doral Boulevard and is subject to the requirements of the Doral Boulevard Street Beautification Master Plan. The master plan for Doral Boulevard was developed to guide the development pattern along the Boulevard to ensure the quality of spaces and character envisioned by the residents of the City. The Plan envisions Doral Boulevard as the “Main Street” of the City, a vibrant, active and pedestrian-oriented environment.

The site is located within the “Semi-Suburban Streetscape Character District.” The Semi-Urban Character District is bound to the limits of the Boulevard corridor from NW 112th Avenue east to NW 97th (the west boundary of the Semi-Urban Character District). Any parcel which is within or whose part therefore lies within the boundaries shall be defined as belonging to the Semi-Suburban Streetscape Character District and shall conform to its governing design principles. The proposed project is going to be located immediately to the south of Doral Boulevard and within the boundaries of the Semi-Suburban Streetscape Character District. This District incorporates wide landscape buffers which encourage recreational use. The street is lined by palms and trees with ample, lush tropical plantings in the under-story. Sidewalk benches and trash receptacles are located every 150 feet in shaded areas.

The Doral Boulevard Street Beautification Master Plan, “Semi-Suburban Streetscape Character District” is silent as it relates to parking spaces or parking stall length.

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 #1:

A variance from Section 77-185(a) of the City Code for (i) 249 parking spaces of the total 488 parking spaces, reduce the parking length of 18-feet where 19-feet is required by Section 77-

185(a)(1) of the City's Land Development Code. (ii) For 87 parking spaces of the total 488 parking spaces to be provided to be "compact vehicle" parking spaces of 16 feet in parking stall length, a reduction of three feet from 19 feet required under the City Code, and 8 feet in width, a reduction of one foot from 9 feet required under the City Code."

- (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. This property is currently undeveloped and does not have any special conditions and/or circumstances 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. The Applicant can address the length of the parking stall by modifying the size of the buildings to meet the requirements of Section 77-185(a)(1) of the Land Development Code.

If additional parking spaces are needed to meet peak hour demands, the Applicant has the option to enter into a cross-parking agreement with the owner of the logistic center or propose a shared parking agreement to the city. This is a common practice used in the City of Doral's retail centers for such businesses as restaurants, grocery stores and other retail uses to meet and/or exceed their respective parking requirements.

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

Planning and Zoning Department Response. The Department disagree 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 53-468, Review Criteria).

- (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. This variance does not meet the basic requirements of this criterion. As indicated above, the configuration of the lot would not prevent the Applicant from meeting the requirements of Section 77-185(a)(1) of the Land Development Code. If minor modifications are made to the size of the buildings, then the required length of the parking stalls would be met without the need for a variance.

- (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 the Doral Boulevard Master (Semi-Suburban District requirements), Comprehensive Plan (Policies 2.2.9 and 2.2.10) and the Land Development Code (Section 86-3, and Compliance with the Doral Boulevard Street Beautification Master Plan).

- (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 the Land Development Code because there is not a hardship to justify the variance.

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

“A variance from Section 77-185(a)(1) (i) for 249 parking spaces of the total 488 parking spaces reduce the parking length of 18-feet, where 19-feet is required by Section 77-185(a)(1) of the City’s Land Development Code. (ii) for 87 parking spaces of the total 488 parking spaces to be provided to be “compact vehicle” parking spaces of 16 feet in parking stall length, a reduction of three feet from 19 feet required under the City Code, and 8 feet in width, a reduction of one foot from 9 feet required under the City Code.”

The variance application # 1 is requesting 249 parking spaces of the total 488 parking spaces or over 50% of the total parking stalls to be 18 feet in length. Based on the information provided by the Applicant, this variance will mostly benefit the parking area serving the primary grocery tenant (Major Tenant A). The applicant has provided 488 parking spaces whereas per site plan calculation only 354 parking spaces are required. 87 of the surplus 134 parking spaces provided are for “Compact vehicles” including five EV spaces. In reviewing the documents provided by the Applicant, the length of compact vehicle stalls is 16 feet; however, the depth of the stalls is further compromised by protrusion of a portion of the tree diamond into the vehicle parking space. The

Department is also concerned that a reduction in the length of parking stall will not safely accommodate oversized trucks that are 19 feet in length, thereby creating a safety issue, and potential impacts to the internal traffic flow.

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 through their site plan:

- *Add a 4-foot high decorative masonry wall for additional screening for the row of parking next to the grocer building without reducing any of the landscaping fronting Doral Boulevard. The design to be approved as part of the site plan which, if the variances are approved.*
- *Eliminate the 5 EV charging stations at compact spaces on the south side and relocate those EV charging stations to spaces across the parking drive aisle which are to be 9x18 ft. spaces not compact, responding to Staff's comment. The total number of EV spaces at 10 will not change.*