

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 003-2014

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CITY CLERK'S OFFICE

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 2, 2014

SUBJECT: North Beach Revitalization Strategy

The purpose of this Letter to the Commission (LTC) is to inform the Commission of some upcoming planning efforts in the North Beach area of the City.

In an effort to enhance the economy, livability and quality of life in North Beach, City staff is in final preparations of a new initiative to create a North Beach Economic Development and Revitalization Strategy. This initiative, which will be led by the Economic Development Division of the Tourism, Culture and Economic Development Department, will involve all of the City's external service departments and is designed to create a comprehensive plan that will outline a vision for the area and guide future decision making regarding North Beach.

Staff will host a minimum of three public meetings, February through April, to engage residents, business owners and property owners in the project and to solicit attendee's vision for North Beach. Input will also be sought from attendees as to their desires regarding such issues as transportation, housing, parking, public safety, parks and open space, desired businesses and methods to attract such businesses as well as any other issues which may affect North Beach. At least one of these three meetings will be scheduled to maximize attendance by business and property owners to insure the greatest participation by these groups.

In addition to the public meetings, staff will interview 25-30 key individuals with more than a casual knowledge of the North Beach area and will attend meetings of homeowner associations or other organizations, as they may be invited, to insure face-to-face engagement with as many members of the public as possible.

Recognizing that many individuals in the public have other commitments in their lives, though they might still wish to have their voice heard, staff will utilize social media and other electronic means to share information with the public and as additional avenues to collect input from the public. Methods such as a dedicated email address, Facebook page, and web page will be used as information conduits for the public to share their views.

At the same time as gathering public input, staff will also work to review all existing plans and studies with recommendations that affect North Beach. It is not the purpose of the Revitalization Strategy to re-write these plans, but instead to update them where necessary and to integrate them in to the Strategy so that all of the City's future efforts in

the area are coordinated and implemented with maximum efficiency. Plans and studies such as the North Beach Town Center Plan, North Beach Oceanfront Parks Concept Revitalization Plan, Coastal Communities Transportation and Transit Master Plans, Miami Beach Stormwater Management Master Plan, and the Miami Beach Municipal Mobility Plan, along with any other similar documents, shall be included.

Staff shall also use this time to document the general physical conditions in the area including, but not limited to, roadways, parking, housing stock and commercial space. Information regarding resident shopping habits will be utilized along with commercially available business and sales data to prepare an analysis of retail/commercial spending in the area. Staff from all participating departments will meet to discuss needs and potential methods to address issues previously known to staff as well as those that arose during public input sessions and those found during the existing conditions analysis.

This effort, in fact, is already underway. I led a walkthrough of North Shore Space Park and adjacent properties the morning of December 24th. Needless to say, this 48 acre park can and should play a critical role in the revitalization of North Beach and the provision of quality services to residents and visitors.

Ultimately these efforts will result in a comprehensive Economic Development and Revitalization Strategy document. This document will include information regarding existing conditions of the area, the needs of the North Beach, and technical and regulatory issues as identified by staff. These conditions and needs will then be addressed with a series of goals and objectives as well as a list of recommended projects, programs, and other methods to address the needs and wants of the community (those desired by the public as well as regulatory needs). It is expected this list will include but not be limited to such items as: uses for public land, park and open space projects, location of desired public amenities, additional public parking (both surface lots and structured parking), business attraction programs, public safety enhancements, stormwater projects, methods to facilitate rehabilitation of housing (those that are contributing structures in the historic districts and others), roadway and other infrastructure projects, zoning and/or other City Code changes to facilitate desired activity. Projects and programs outlined will be prioritized in an implementation strategy with projects grouped into potential implementation timeframes (i.e. 1-2 years, first 5 years, 5-10 years, 10-20 years and 20+ years).

The entire effort is anticipated to be completed by mid-summer with a final Economic Development and Revitalization Strategy document prepared and ready for review and Commission approval at that time.

C: Kathie Brooks, Assistant City Manager
Max Sklar, Tourism, Culture, and Economic Development Director
Jeffrey Oris, Economic Development Division Director

2013 NORTH BEACH ACTIVITIES BY THE CITY OF MIAMI BEACH

(a snapshot look at programs and projects; this is not an exhaustive list)

POLICE DEPARTMENT

The North Shore Sub Station opened in fall of 2013. A permanent facility where residents can speak with an officer regarding concerns, complaints or have a report taken. A full time crime analyst dedicated to reviewing crime data within the district is also located at the facility. Additional potential for customer services for all City departments is being investigated.

Crime Prevention Programs now in place in North Beach:

- **J.A.M. Program** – Through this program all juveniles in the 33141 zip code who are on probation or house arrest are visited by officers routinely to ensure they are abiding by the conditions of their probation and/or house arrest.
- **Security Survey** – Neighborhood Resource Officer conducts free business, residential and multi-family security surveys in Area 3. Referrals come from HOA's, new businesses or victims of burglaries.
- **Dumping Detail** – Officers drive the neighborhood looking for illegal dumping violations and dumpster violations. Educational information is distributed regarding dumping regulations in the City of Miami Beach. Prevention, education and enforcement efforts are included during the detail.
- **Captains Walks** – Multiple city departments select a neighborhood in Area 3 and walk the neighborhood blocks to define and correct a variety of problems to include sanitation, parking, code violations, public works and police issues.
- **Vehicle Report Cards** - Cards are issued to vehicles in public parking lots and on roadways informing them of vulnerabilities such as leaving valuables visible and doors unlocked.
- **Graffiti Prevention** – Police takes lead on cases of graffiti and move quickly with Code Enforcement to remove graffiti in order to reduce reoccurring offenses.
- **Bi-Monthly Police Meetings** – Police conduct public meetings every other month in Area 3 at Normandy Park and Pool. Various safety and crime prevention topics are discussed such as Crime Prevention Through Environmental Design (CPTED), residential burglaries, hurricane preparedness, holiday safety, and reporting crime among others.

Planning and Zoning Department

The Planning and Zoning Department has undertaken a number of land use and zoning amendments designed to facilitate additional rehabilitation and development. Previous efforts included creation of the Town Center land use and zoning categories as well as an expansion of Parking District #4.

Currently there are two ordinances in process that should positively affect North Beach:

- **North Beach National Register District Parking Ordinance** - This ordinance will allow for a reduction in off-street parking requirements for owners seeking to add onto contributing multi-family buildings within a National Register District and allow for the use of a fee in lieu of parking in the case where additions to contributing structures, both commercial and residential, trigger additional parking requirements within the two National Register Historic Districts in North Beach. Both of these options are designed to incentivize reinvestment in these structures.
- **North Beach RM-1 Zoning Setback Amendments** – This ordinance is designed to give more flexibility to the architectural design of new multifamily buildings in the area. The Planning Department is suggesting that a 3-story height limit could apply to the first 60 feet of lot depth as measured from the lot front and a 4-story or 40 feet height limit could apply for the remainder of the lot depth. This would ensure more compatible height relationships between adjoining lots.

BUILDING DEPARTMENT

The Building Department has been instrumental in dealing with a number of properties that have been eyesores and/or havens for the homeless for several years in North Beach. The Department has begun to bring long-term, neglected properties before the Unsafe Structures Board to seek demolition orders against properties that have been neglected for years. If a demolition order is entered, the City will demolish the structures and lien the property for the cost of demolition.

Below is a sample list indicating the status of several long-term, problem properties in the North Beach Area that the Department is continuing action against:

- **800 84th St.** - The City is waiting to obtain an estimate for the total demolition.
- **1240 71st St.** - The owner has applied for a permit for partial interior demolition.
- **7420 Ocean Ter.** - The owner is in the process of obtaining necessary permits to make repairs.
- **25 N. Shore Dr.** - Building has met with the property owner to inform of the penalties if construction activities are not in action by next January.
- **6949 Bay Dr.** - The Unsafe Structure Board granted 30 days (until January 10, 2014) to obtain necessary permits to correct deficiencies or the City will proceed with demolition.
- **880 71st St.** - Building has met with the property owner and her attorney to inform of penalties if an engineer's report on how to correct deficiencies is not submitted by February 3, 2014.

CODE ENFORCEMENT DIVISION

Code Enforcement has continued its efforts in North Beach with several efforts designed to address property maintenance related issues specifically along the Collins Corridor in North Beach. The Division has worked over 120 cases in just the Community Development Block Grant Target District in North Beach. These efforts include:

- Working closely with residents and groups such as the North Beach Development Corporation to identify properties and issues of greatest concern in the area
- Creating a clear program to continue to work with owners and, when necessary, cite owner who are not properly maintaining their buildings
- Addressing buildings that are abandoned and/or derelict
- Working with property/business owners to remove and prevent graffiti
- Collaborating with Sanitation and other divisions/departments of the City to reduce illegal dumping.

OFFICE OF COMMUNITY SERVICES

Community Services continues to seek new and innovative programs and projects to assist the residents of North Beach. Currently, the Office is working on the following initiatives:

- **Success University** – the Office is working to begin hosting Success University services at the former Log Cabin site. We will share the space that Parks & Recreation will be using to enable Family Group Conference sessions for families who reside in the area.
- **Homeless Outreach** – We have been targeting the North Shore Open Space Park and UNIDAD Senior Center site for joint missions with Police to target homeless in the area so that we may be able to provide appropriate services to this population in North Beach.

ECONOMIC DEVELOPMENT DIVISION

The Economic Development Division has begun to focus its efforts on the North Beach area with the following activities:

- **North Beach Economic Development and Revitalization** Strategy – The Division will be spearheading the upcoming, large-scale effort to prepare a Strategic plan for the revitalization of North Beach. The effort will involve significant public input and collaboration with all of the City's external service departments as well as several outside governmental agencies.
- **CDBG Storefront Rehabilitation Grants** – The Division is working with approximately seven property owners and their resident businesses to upgrade retail storefronts in the Collins Avenue corridor of North Beach through the use of Federal funds through the Community Development Block Grant (CDBG) program. This project has involved significant contact with the business/property owners as well as their contractors to inform them of grant requirements. Several storefronts are currently under construction.
- **Food Truck Pilot Program** – At the recommendation of the Neighborhood and Community Affairs Committee, the Division usher through approval of a monthly Food Truck event in North Beach designed to attract residents and non-residents to the area around the North Shore Park Bandshell. The event included food trucks, family-friendly activities and entertainment, as well as opportunities for local restaurants and businesses to participate. The event has been a consistent draw since its initiation and has been funded for a second year.

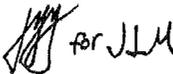


MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager  for JLM

DATE: April 23, 2013

SUBJECT: **DISCUSSION REGARDING THE DEVELOPMENT OF THE WEST LOTS
BETWEEN 79TH STREET TO 87TH STREET AND COLLINS AVENUE**

BACKGROUND/ANALYSIS

A discussion regarding the possible development of the West Lots between 79 Street to 87 Street and Collins Avenue was referred to the Land Use and Development Committee by the City Commission on December 12, 2012.

The City-owned property known as the "West Lots" consists of 8 city blocks of land located on the west side of Collins Avenue, directly across the street from North Shore Open Space Park. Each of the 8 blocks measures 175 feet by 300 feet or 1.2 acres. An additional city-owned parcel located at 87 Terrace (175' x 75') is separated from the 8 blocks by a privately-owned parcel. Four of the blocks are developed as off-street parking lots (total 307 spaces), two blocks are vacant land, one block is used for a temporary Ocean Rescue headquarters and one block is leased to the Log Cabin Nursery. The Log Cabin lease expires on July 31, 2013.

Ownership History: The land that currently encompasses the West Lots as well as North Shore Open Space Park was assembled by the City of Miami Beach over a period of time spanning three decades between the 1950's and 1980's. In 1989, the City deeded all of the West Lots and North Shore Open Space Park to the State of Florida with a deed restriction "that the above described property shall be used and maintained for public recreational purposes for which it was conveyed in perpetuity." In November 2000, the State of Florida deeded the land back to the City of Miami Beach without any specific language about the use of the land.

Referendum: Sec. 103.2(b)2. Of the City Charter states: "The sale, exchange, conveyance or lease of ten years or longer of the following properties shall also require approval by a majority vote of the voters in a City-wide referendum: (1) *Lots West of the North Shore Open Space Park*: All City-owned property bounded by 87th Street on the North, Collins Avenue on the East, 79th Street on the South, and Collins Court on the West; ..."

Land Use and Zoning: The West Lots and North Shore Open Space Park are zoned **GU Government Use**. However the Future Land Use Map designates the West Lots as **RM-1 Residential Multifamily Low Intensity**, while the park itself is reserved for ROS Recreation and Open Space. If the Future Land Use map is used as a guide for the West Lots, the maximum Floor Area Ratio (FAR) would be 1.25 and the maximum density would be 60 dwelling units per acre. Development of the entire 8 blocks at this intensity would yield a

total of 576 dwelling units in a maximum of 525,000 square feet of building floor area. The height limit is 5 stories or 50 feet.

The stated purpose of the RM-1 future land use category is to provide development opportunities for and to enhance the desirability and quality of existing and/or new low density multi-family residential areas. Uses which may be permitted include single family detached dwellings; single family attached dwellings, townhouse dwellings and multiple family dwellings, and hotels for properties fronting Harding Avenue or Collins Avenue from the City Line on the north to 73rd Street on the south.

DPZ Plan: In 1994, the firm of Duany Plater-Zyberk Architects and Urban Planners (DPZ), completed a "Development Plan and Design Guidelines for the North Beach Neighborhood." Part of this report included a plan for multifamily residential development on the West Lots. The thought was that "development of an active urban edge on Collins overlooking the Park can contribute greatly to residents' use of it and to safety in adjacent public space." The recommendation: "zone the 8 blocks on the west side of Collins Avenue RM-1 with ground floor retail use permitted only at the corner of Collins and 83 Street. Limit the height to 3 stories with the exception of 600 s.f. towers on corner lots which may reach 50 ft."

This plan for the West Lots was heavily intertwined with a DPZ proposal to widen Collins Avenue into a two-way boulevard with a center landscaped median between 79 Street and 87 Terrace. The landscaped boulevard required a dedication of 50 feet of land from the east side of each of the west lots in addition to acquisition of private land near 79 Street and 87 Street for southbound traffic to make the transition between Harding Avenue and Collins Avenue.

This concept plan package for the West Lots and a two-way Collins Avenue had widespread support in the community. However, failure to reach an agreement with the Florida Department of Transportation on the traffic plan prevented the project from moving forward. In 2001, the City instructed the Administration to prepare an RFQ for residential development on the West Lots according to the DPZ plan, and they commissioned the Corradino Group to again prepare a thorough traffic analysis and alternatives study for two-way traffic on Collins Avenue. In Sept. 2001, the LUDC reviewed the proposed RFQ with its companion development regulations and design guidelines, but they accepted a recommendation from the North Beach Development Corporation (NBDC) to delay the RFQ until the completion of the traffic analysis and resolution of the dispute with FDOT over the plan to widen Collins Avenue for two-way traffic. By 2003, FDOT again blocked the transportation element of the plan; and no further effort was made to issue an RFQ for residential development.

Parking: It should be noted that the DPZ plan included an inventory of all the public parking, both on street and off street, that existed in 1994 to serve public use of Open Space Park (731 spaces) and a plan to replace all parking spaces that would be displaced by the residential development and widening of Collins Ave.

Recent North Beach Initiatives: In 2012, the Administration began to take a fresh look at North Beach and to identify a list of potential initiatives that could make it a better place. The potential benefits of developing the West Lots were a part of those discussions. At the same time, an idea that originated with the Sustainable + Authentic Place movement began to take shape: to attract investment in North Beach as a tourist destination by highlighting its authentic character as a low-key, walkable beachfront neighborhood with historic MIMO

identity and a vibrant cultural mix of residents and businesses. While focusing on tourism as an economic development strategy to strengthen the retail/restaurant/entertainment businesses in North Beach, an idea emerged to consider expanding the tourism initiative to the West Lots.

At an October 2012 Planning Board Workshop, the Administration presented a long list of potential ideas for North Beach Initiatives that included the following item:

- Engage the community in a discussion of future uses of the West Lots. Ensure that public parking is preserved for Open Space Park while considering such uses as a family-oriented resort complex that could enhance the park with nature-themed programming for all users.

This idea was received favorably by the Planning Board, as well as by community leaders in North Beach, including NBDC.

Alternative land use and development scenarios:

The current zoning and land use designation in the comprehensive plan limits the uses for the West Lots to governmental uses, low intensity residential and/or hotels. Retail, restaurant and commercial uses are not permitted, except for services limited to guests in a hotel. A comprehensive plan amendment may be required if the Mayor and Commission wishes to modify the land development regulations. A voter referendum is required to approve all non-governmental uses of 10 years or more in duration.

Considerations for evaluating possible development scenarios for the West Lots should include the following:

1. Ability to provide accessible, low-cost parking to serve users of North Shore Open Space Park
2. Compatibility with the adjacent low scale, historic neighborhood, including compatibility with the existing shortage of parking in the neighborhood.
3. Potential to enhance safety and programming of activities in North Shore Open Space Park
4. Economic spinoff to support existing North Beach commercial districts, provide new jobs and increase tax revenue.

CONCLUSION

The Administration recommends that the Land Use Committee provide staff with policy direction on this matter.

JLM/JGG/RGL
Attachments

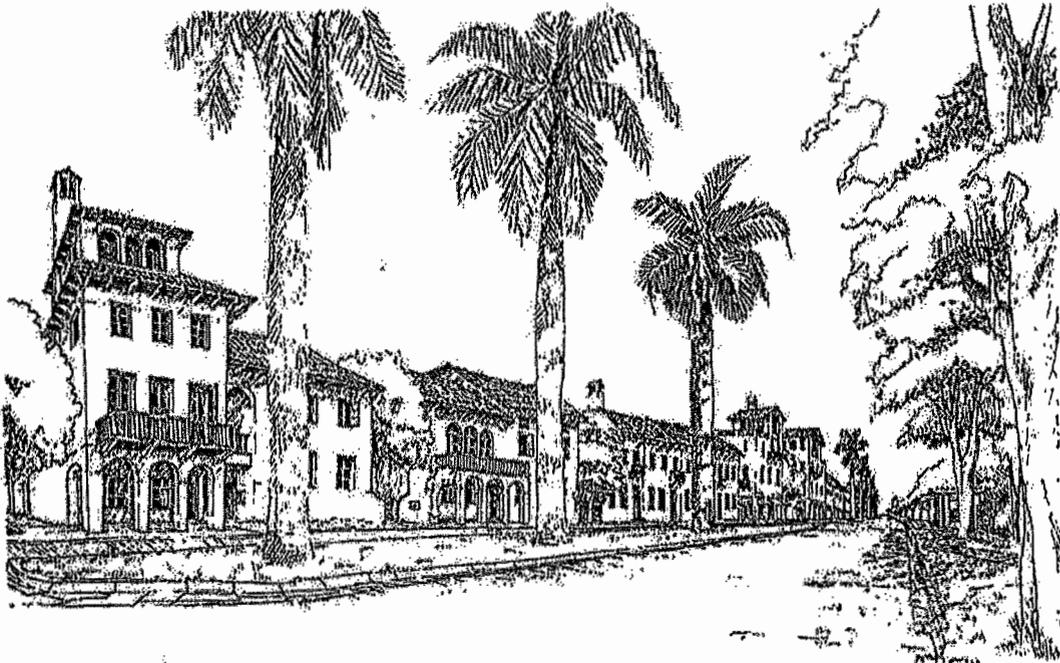
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DEVELOPMENT PLAN AND DESIGN GUIDELINES

FOR THE

NORTH BEACH NEIGHBORHOOD

SEPTEMBER 15, 1994



ANDRES DUANY AND ELIZABETH PLATER-ZYBERK
ARCHITECTS AND URBAN PLANNERS

PREPARED FOR
THE CITY OF MIAMI BEACH

LUDC#5

AREA 1 COLLINS AVENUE

GENERAL STATEMENT

Collins Avenue
Currently, Collins Avenue is a high speed one-way, three lane street with under-utilized meter parking on both sides. Although its spatial definition and overall physical image do not enhance pedestrian activity now, this avenue has the potential to become an attractive boulevard along the North Shore Open Space Park and a catalyst for renovation in the North Beach Neighborhood.

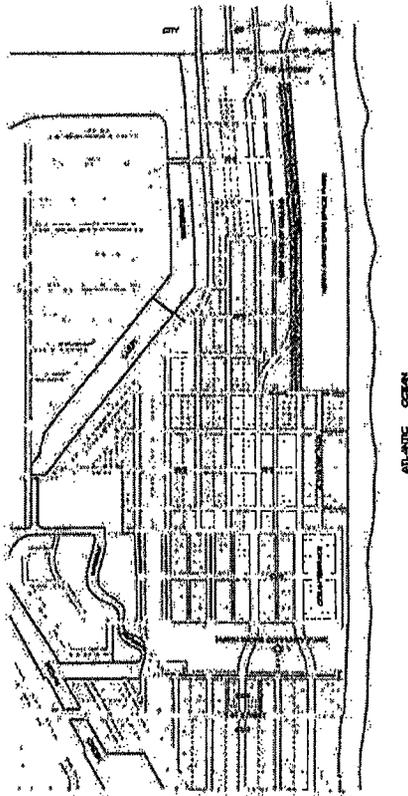
This plan proposes to reconfigure Collins Avenue and adjacent southbound Harding Avenue both as two-way streets. Collins Avenue will function as a north-south through street with two lanes in each direction; Harding Avenue will function as a local street with one lane in each direction. Both new street sections show parallel parking. On Harding, this will alleviate some of the current parking shortage of the neighborhood. On both Harding and Collins, on-street parking is important to mitigate traffic speed and to buffer sidewalk pedestrians. Additionally, on Collins, the Department of Transportation is requesting that the parking serve as a potential third lane for future expansion.

Collins Avenue is an important component in the so called Collins Corridor which includes also the Park and the eight undeveloped blocks west of the Avenue. Developing an appropriate building type on the west of Collins will define the park's west edge and will give the new boulevard physical containment. The redesign of Collins into a two-way boulevard with parallel parking on both sides will require enlargement of its ROW with approximately 50 feet taken from its west side.

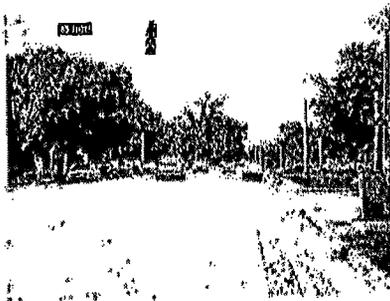
The redevelopment provides the opportunity for the adequate location and architectural design of bus stops along the Avenue, to encourage the use of public transportation in the area. These are shown to coincide with the Park entry positions at 81st, 83rd, 85th, and 87th Streets.

RECOMMENDATIONS

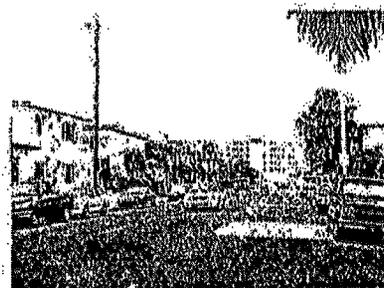
1. Reconfigure Collins and Harding Avenue as per plan, including the taking of additional R.O.W. width for Collins from its west side, and the purchase of properties at north and south for realignment of the southbound lanes.



KEY MAP

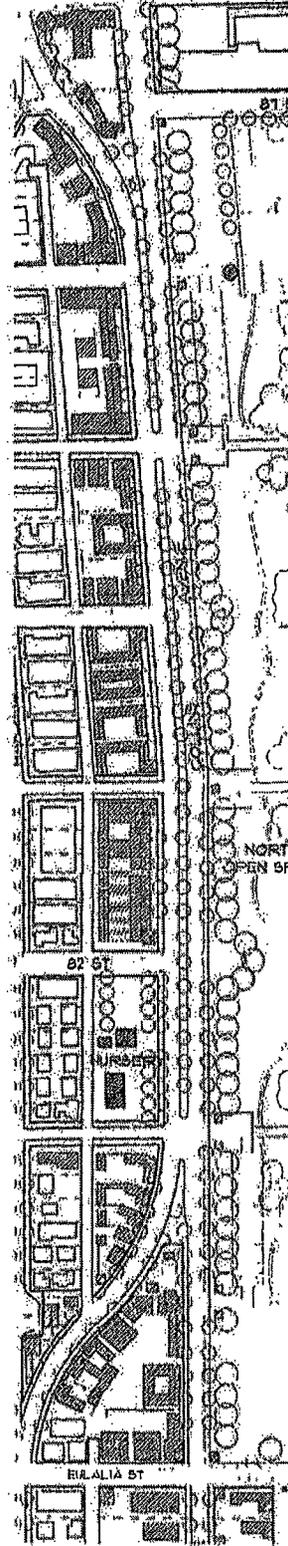


Collins Avenue, Looking South

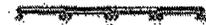


Harding Avenue

AREA 1
COLLINS AVENUE



- LEGEND
- EXISTING BUILDING
 - EXISTING PAVED PARKING
 - PROPOSED PAVED PARKING
 - PAVING STREET AND LANDSCAPE IMPROVEMENTS



AREA 4
NEW COLLINS AVENUE RESIDENTIAL DEVELOPMENT

GENERAL STATEMENT

New Collins Avenue Residential Development

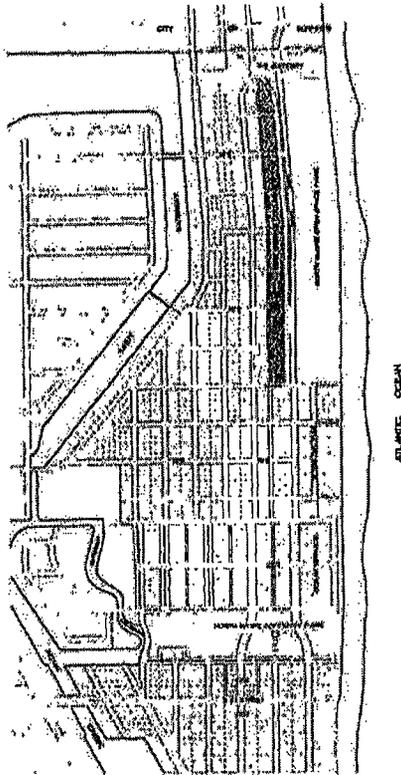
The future of North Beach will be influenced by the development of the eight blocks west of North Shore Open Space Park. These blocks, for the most part vacant, play an important role in the urban structure of North Beach and are critical to the future of the Park. They are currently owned by the City of Miami Beach and are used for municipal meter parking. The proceeds from their sale for development will endow a maintenance fund for the Park.

In addition, the development of an active urban edge on Collins overlooking the Park can contribute greatly to residents' use of it and to safety in adjacent public space.

The Development Plan shows studies of a variety of housing types from townhouses to small and large lot apartments. These studies suggest that the historic 50-ft. wide lot platting is inefficient in the accommodation of parking and that a combination of 25-ft., 75-ft. and 150-ft widths has the potential to generate a unique and recognizable architectural character for this part of North Beach. These may also serve as a prototype for similar conditions elsewhere in the City.

RECOMMENDATIONS

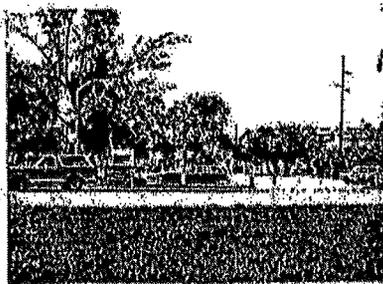
1. Zone the eight blocks on the west side of Collins Avenue RM-1 with ground floor retail use permitted only at the corner of Collins and 83rd Street. Limit height to three stories with the exception of 600sf towers on corner lots which may reach 50 ft.
2. Preserve the Log Cabin Nursery on Collins Avenue and 81st Street. Should a new location be found for the Nursery, develop this block like the others.
3. Plat blocks for a mixture of building types, including townhouses and small apartment buildings, with 25-ft., 75-ft and 15-ft lot widths, or in a manner as shown in the Block Type 1 illustration. No more than two blocks of the eight should be platted for 300-ft. or longer block frontage.
4. Establish a uniform Build-to-Line full length of Collins from north entry south to retail district. The Plan shows corner buildings at the property line for a 25 ft. length, with the remainder of the block frontage set back 5 ft.
5. All new buildings should be built according to the urban regulations of the Development Plan.
6. Establish the following architectural standards:
 - 6.1. The exterior finish shall be limited to clapboard siding, stucco and local stone.
 - 6.2. Balconies and porches shall be made of concrete, stucco, wood or metal.
 - 6.3. Two or more wall materials may be combined on one facade only horizontally with stone below stucco and stucco below wood.
 - 6.4. Sliding doors and windows are permitted only at backyard locations.
 - 6.5. Openings, including porches, windows and arches shall be square or vertical in proportion.
 - 6.7. Buildings shall have flat roofs with parapets or symmetrical pitched roofs with slopes no less than 5:12, except that porch roofs may be sheds with pitches no less than 2:12.



KEY MAP



Existing Log Cabin Nursery on Collins and 81st Street



Vacant Blocks on the West Side of Collins

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE OF FLORIDA

QUITCLAIM DEED

Deed Number 30611

KNOW ALL MEN BY THESE PRESENTS: That WHEREAS, the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA is by Section 253.03, Florida Statutes, authorized and empowered to convey certain lands under the terms and conditions set forth herein; and,

WHEREAS, said BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA did approve this transfer on the 28th day of September, 1993.

NOW, THEREFORE, the undersigned BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, as "GRANTOR", under authority of Section 253.03, Florida Statutes, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, to it in hand paid by CITY OF MIAMI BEACH, a political subdivision of the State of Florida, as "GRANTEE," has remised, released, conveyed and quitclaimed, and by these presents does remise, release, convey and quitclaim unto GRANTEE, its successors, heirs and assigns forever, all the right, title, interest, claim and demand which GRANTOR may have in and to the following described lands in Dade County, Florida, to-wit:

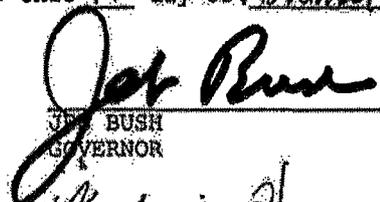
(See Exhibit "A" attached hereto and made a part hereof.)

TO HAVE AND TO HOLD the above-described lands subject to all outstanding easements, reservations and other interests.

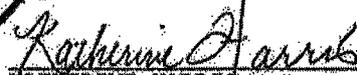
IN TESTIMONY WHEREOF, the members of the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA have hereunto subscribed their names and have caused the official seal of said BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST

FUND OF THE STATE OF FLORIDA to be hereunto affixed in the City of Tallahassee, Florida, on this 1st day of November, A.D. 2000.

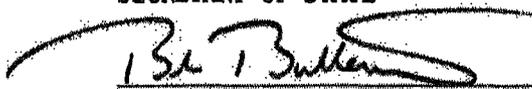
(SEAL)
BOARD OF TRUSTEES OF THE
INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE
OF FLORIDA



JEB BUSH
GOVERNOR



KATHERINE HARRIS
SECRETARY OF STATE



BOB BUTTERWORTH
ATTORNEY GENERAL

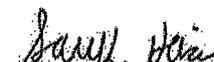


ROBERT F. MILLIGAN
COMPTROLLER

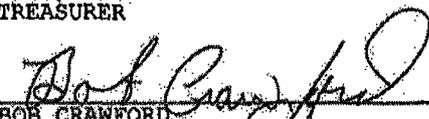


BILL NELSON
TREASURER

APPROVED AS TO FORM AND
LEGALITY

By: 

DEP Attorney



BOB CRAWFORD
COMMISSIONER OF AGRICULTURE



TOM GALLAGHER
COMMISSIONER OF EDUCATION

As and Constituting the BOARD
OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE
STATE OF FLORIDA

EXHIBIT "A"

Parcel A

Blocks 19 and 20, Corrected Plat of ALTOS DEL MAR NO. 1, according to the plat thereof recorded in Plat Book 31, at Page 40, Public Records of Dade County, Florida.

AND

Parcel B

Block 17, Corrected Plat of ALTOS DEL MAR NO. 1, according to the plat thereof recorded in Plat Book 31, at Page 40, Public Records of Dade County, Florida, together with, Blocks 14 and 15, ALTOS DEL MAR SUBDIVISION NO. 2, Plat Book 4, at Page 162, Public Records of Dade County, Florida.

AND

Parcel C

Blocks 1, 2, 3, 4, 13, 14, 15 and 16, ALTOS DEL MAR NO. 1, according to the plat thereof recorded in Plat Book 31, at Page 40, Public Records of Dade County, Florida, together with, Blocks 2, 3, 4, 5, 6, 7, 8 and 9, ALTOS DEL MAR SUBDIVISION NO. 2, Plat Book 4, Page 162, Public Records of Dade County, Florida and all that portion of Streets 80th, 81st, 82nd, 83rd, 84th, 85th and 86th, bounded on the Westerly side by a line 30.00 feet Easterly of the center line of Collins Avenue and on the Easterly side bounded by the Bulkhead Line established by the City of Miami Beach, and together with that portion of Atlantic Way bounded on the North by a line 25.00 feet Southerly of the center line of 87th Street and bounded on the South by a line 25.00 feet Northerly of the center line of 79th Street.

AND

Parcel D

Lots 1, 2, 3, 4, 5 and 6, Block 13, ALTOS DEL MAR, SUBDIVISION NO. 2, according to the plat thereof recorded in Plat Book 4, at Page 162, Public Records of Dade County, Florida.

AND

Parcel E

That portion of land bounded on the North by a line 25.00 feet South of the center line of 87th Street projected Easterly; bounded on the South by a line 25.00 feet North of the center line of 79th Street projected Easterly; bounded on the East by the Erosion Control Line and on the West bounded by the Bulkhead Line.

Establishment of Erosion Control Line and Bulkhead Line as per data shown in Plat Book 105, at Page 62, Public Records of Dade County, Florida.

AND

Parcel F

That portion of 80th Street bounded on the Westerly side by a line 10.00 feet Easterly of the center line of a certain 20.00 foot alley adjacent and parallel to the Westerly line of Blocks 19 and 20, corrected plat of ALTOS DEL MAR NO. 1, Plat Book 31, Page 40 and bounded on the Easterly by a line 30.00 feet Westerly of the center line of Collins Avenue.

Parcel F (continued)

That portion of Streets 83rd and 84th bounded on the West by a line 10.00 feet East of the center line of a 20.00 foot alley adjacent and parallel to the Westerly line of Block 17, corrected plat of ALTOS DEL MAR NO. 1, Plat Book 31, Page 40 and Blocks 14 and 15, ALTOS DEL MAR, SUBDIVISION NO. 2, Plat Book 4, Page 162 and bounded on the Easterly by a line 30.00 feet Westerly of the center line of Collins Avenue.

That portion of 86th Street bounded on the West by a line 10.00 feet Easterly of the center line of a 20.00 foot alley adjacent to the Westerly line of Block 13, ALTOS DEL MAR, SUBDIVISION NO. 2, Plat Book 4, Page 162 and on the East bounded by a line 30.00 feet West of the center line of Collins Avenue.

Subject to:

Rights-of-way, easements and covenants and agreements of record, if any now exist, affecting the above described premises, but any such interests that may have been terminated are not hereby reimposed.

1999 FEB -3 PM 3 15

90R051734

144280 338

Folio No.

SPECIAL WARRANTY DEED

Grantee's I.D. No.

THIS SPECIAL WARRANTY DEED, made this 29th day of November, 1999, by the CITY OF MIAMI BEACH, FLORIDA, a Florida municipal corporation, hereinafter called "Grantor" and the BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, whose post office address is c/o Florida Department of Natural Resources, Division of State Lands, 3900 Commonwealth Boulevard, Room 412, Tallahassee, Florida 32399, hereinafter called "Grantee":

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other valuable consideration, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the Grantee, its successors and assigns, all of the following described property located in Miami Beach, Dade County, Florida:

PARCEL A

BLOCKS 19 AND 20, CORRECTED PLAT OF ALTOS DEL MAR NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 31, AT PAGE 40, PUBLIC RECORDS OF DADE COUNTY, FLORIDA,

PARCEL B

BLOCK 17, CORRECTED PLAT OF ALTOS DEL MAR NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 31, AT PAGE 40, PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH, BLOCKS 14 AND 15, ALTOS DEL MAR SUBDIVISION NO. 2, PLAT BOOK 4, AT PAGE 162, PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

PARCEL C

BLOCKS 1, 2, 3, 4, 13, 14, 15 AND 16, ALTOS DEL MAR NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 31, AT PAGE 40, PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH, BLOCKS 2, 3, 4, 5, 6, 7, 8 AND 9, ALTOS DEL MAR SUBDIVISION NO. 2, PLAT BOOK 4, PAGE 162, PUBLIC RECORDS OF DADE COUNTY, FLORIDA AND ALL THAT PORTION OF STREETS 80TH, 81ST, 82ND, 83RD, 84TH, 85TH AND 86TH, BOUNDED ON THE WESTERLY SIDE BY A LINE 30.00 FEET EASTERLY OF THE CENTER LINE OF COLLINS AVENUE AND ON THE EASTERLY SIDE BOUNDED BY THE BULKHEAD LINE ESTABLISHED BY THE CITY OF MIAMI BEACH, AND TOGETHER WITH THAT PORTION OF ATLANTIC WAY BOUNDED ON THE NORTH BY A LINE 25.00 FEET SOUTHERLY OF THE CENTER LINE OF 87TH STREET AND BOUNDED ON THE SOUTH BY A LINE 25.00 FEET NORTHERLY OF THE CENTER LINE OF 79TH STREET.

PARCEL D

LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 13, ALTOS DEL MAR, SUBDIVISION NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, AT PAGE 162, PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

PARCEL E

THAT PORTION OF LAND BOUNDED ON THE NORTH BY A LINE 25.00 FEET SOUTH OF THE CENTER LINE OF 87TH STREET PROJECTED EASTERLY; BOUNDED ON THE SOUTH BY A LINE 25.00 FEET NORTH OF THE CENTER

parking parking
2
535
42E
pkg

79-81

82-85

park and streets within park

pkg 85-86

Lots 1+2 sub 1

NOT OWN Block 12

(1421)

15/11

RE 144280 339

- beach easement

LINE OF 79TH STREET PROTECTED EASTERLY; BOUNDED ON THE EAST BY THE EROSION CONTROL LINE AND ON THE WEST BOUNDED BY THE BULKHEAD LINE.

ESTABLISHMENT OF EROSION CONTROL LINE AND BULKHEAD LINE AS PER DATA SHOWN IN PLAT BOOK 106, AT PAGE 62, PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SUBJECT TO:

- 1. Rights-of-way, easements and covenants and Agreements of record, if any now exist, affecting the above described premises, but any such interests that may have been terminated are not hereby reimposed.
- 2. Any right, title or interest in the above described premises that Grantor has at the present or may have had prior to the date of this conveyance.

TO HAVE AND TO HOLD, the same in fee simple.

AND the Grantor hereby covenants with the Grantee that the grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, that except as noted above that at the time of delivery of this deed the premises were free from all encumbrances made by it, and Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

It is agreed and understood by and between the Grantor and Grantee, and the Grantee by its acceptance of this deed, and does covenant and agree for itself, and its successors and assigns, forever, that the above described property shall be used and maintained for public recreational purposes for which it was conveyed in perpetuity.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name and on its behalf this 29th day of November, 1989.

WITNESSES:

Handwritten signatures of witnesses

CITY OF MIAMI BEACH, a Florida municipal corporation

Handwritten signature of Vice-Mayor
VICE-MAYOR

FORM APPROVED
LEGAL DEPT.

By *Handwritten signature*

Date 11/8/89

ATTENT:

Handwritten signature



APPROVED AS TO FORM & LEGALITY
David W. Hill 2/6/90
DEPARTMENT ATTORNEY

APPROVED AS TO FORM & LEGALITY
Handwritten signature
DEPARTMENT ATTORNEY

6:48:40 p.m.

R9F Discussion To Consider A Potential Development Of The Parking Lot Between 72nd And 73rd Street Of Collins Avenue.

(Requested by Commissioner Jerry Libbin)

ACTION: Item referred. Motion made by Commissioner Libbin to refer the item to the Land Use and Development Committee; seconded by Commissioner Weithorn; Voice vote: 7-0. **Richard Lorber to place on the committee agenda and to handle.**

REFERRAL:

Referred to Land Use and Development Committee

Motion made by Commissioner Libbin to refer items R9F, R9G and R9H to the Land Use and Development Committee; seconded by Commissioner Weithorn; Voice-vote: 7-0.

6:48:40 p.m.

* R9G Discussion To Consider An RFP For The Development Of The West Lots Between 79th Street To 87th Street Of Collins Avenue.

(Requested by Commissioner Jerry Libbin)

ACTION: Item referred. Motion made by Commissioner Libbin to refer the item to the Land Use and Development Committee; seconded by Commissioner Weithorn; Voice vote: 7-0. Richard Lorber to place on the committee agenda and to handle.

REFERRAL:

Referred to Land Use and Development Committee

6:48:40 p.m.

R9H Discussion To Revisit The Absolute Necessity For Mass Transit Connectivity From The Mainland To Miami Beach.

(Requested by Commissioner Jerry Libbin)

ACTION: Item referred. Motion made by Commissioner Libbin to refer the item to the Land Use and Development Committee; seconded by Commissioner Weithorn; Voice vote: 7-0. Richard Lorber to place on the Committee Agenda and to handle.

REFERRAL:

Referred to Land Use and Development Committee

West Lots Fact Sheet

Land Area

Size of each block = 175' x 300'
52,500 sq. ft.
1.2 acres

8 blocks = 420,000 sq. ft.
9.64 acres

Existing Zoning

GU - Governmental Use

Main permitted uses: government buildings and uses, including but not limited to parking lots and garages; parks and associated parking; schools; performing arts and cultural facilities; monuments and memorials. Any use not listed above shall only be approved after the city commission holds a public hearing.

Setbacks, floor area ratio, signs, parking, etc: the average of the requirements contained in the surrounding zoning districts (RM-1)

RM-1

Main permitted uses:	single-family detached dwelling; townhomes; apartments; hotels (for properties fronting Harding Avenue or Collins Avenue, from the City Line on the north, to 73rd Street on the south); bed and breakfast inn
Conditional uses:	adult congregate living facility; day care facility; nursing home; religious institutions; private and public institutions; schools; and commercial or noncommercial parking lots and garages.
Floor Area Ratio:	1.25 maximum 1.4 maximum west side of Collins Avenue between 76th and 79th Streets
Density:	60 dwelling units per acre
Building Height:	50 feet or 5 stories maximum

Future Land Use Plan

RM-1 Residential Multifamily Low Intensity

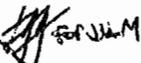


MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager 

DATE: April 23, 2013

SUBJECT: **DISCUSSION REGARDING THE DEVELOPMENT OF THE PARKING LOT
BETWEEN 72ND AND 73RD STREET AND COLLINS AVENUE**

BACKGROUND / ANALYSIS

A discussion regarding the possible development of the parking lot between 72 Street and 73 Street and Collins Avenue was referred to the Land Use and Development Committee by the City Commission on December 12, 2012.

The City-owned property commonly known as the "72 Street Parking Lot" in North Beach is a 3.87 acre city block situated in the center of North Shore Park, which extends from the Atlantic Ocean on the East to a canal bordering Park View Island on the west. The lot contains 320 parking spaces, and a sewer pump station in the center of the site with underground force mains connecting to the north and south.

Ownership History: The land that became North Shore Park was acquired by the City of Miami Beach in 1941 after a 14-year-long effort to convince the U.S Coast Guard to release it. Originally the land was part of a larger tract owned by the federal government for the Biscayne House of Refuge, one of a series of U.S. Federal Life Saving Service Stations located along the southeastern coastline beginning in 1875. By 1921, the need for life saving stations lessened by the advent of modern navigational aids and a quickly developing inhabited Florida coastline. Following the hurricane of 1926, the site became an overgrown wasteland and an obstacle to development in North Beach. Finally, in 1941, by authority of Congress, the land was exchanged for a site on Causeway Island in Biscayne Bay for the use of the Coast Guard. Ironically, because the original Life Saving Station Reservation charter of 1875 prohibited the sale of any portion of the Reserve, Congress, in 1941, had to grant the land to a local land reclamation contractor, the Paul Smith Construction Company, in exchange for creating the site for a new Coast Guard station on Causeway Island. The contractor was then able to sell the exchanged land to the City of Miami Beach for a public park. However, the park license was granted to the City of Miami and subsequently had to be sold to the City of Miami Beach.

Referendum: Sec. 103.2(b)2. Of the City Charter states: "The sale, exchange, conveyance or lease of ten years or longer of the following properties shall also require approval by a majority vote of the voters in a City-wide referendum: . . . (3) *72nd Street Parking Lot:* The City-owned surface parking lot bounded by 73rd Street on the North, Collins Avenue on the East, 72nd Street on the South, and Harding Avenue on the West; ..."

Land Use and Zoning: The Site is currently zoned GU Government Use District; the underlying Future Land Use Map designation is CD-3 Commercial High-Intensity. Main permitted uses for the GU District are government buildings and uses, including but not limited to, parking lots and garages; parks and associated parking; schools; performing arts and cultural facilities; and monuments and memorials. Uses not listed above may be approved by the City Commission through a public hearing. The maximum allowable building height is seventy-five (75) feet or seven (7) stories, and the maximum allowable floor area ratio is 2.75.

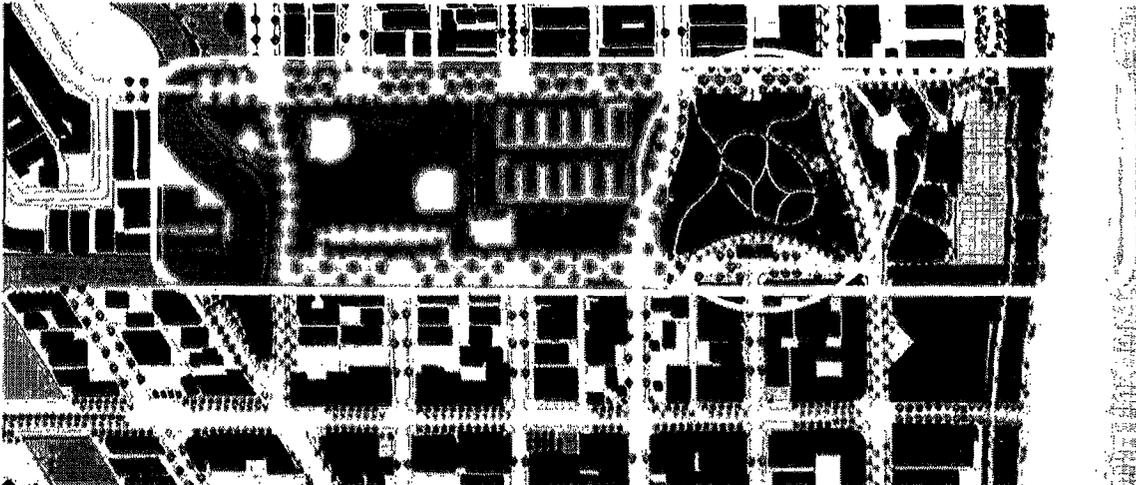
Previous Development Proposals: In 1999, the City issued an RFP for development of the 72 Street parking lot. In February 2000, the Commission authorized the Administration to enter into negotiations with the winning proposal, the Pointe at North Beach by the Equity One development team. The proposed project consisted of a 51,500 sf. Publix, 81,465 sf. movie theater, 36,500 sf. retail/restaurant area, 906 parking spaces and an optional community theater. By November 2000, the City terminated negotiations with the Pointe at North Beach as a result of the proposer's failure to secure commitments from anchor tenants.

In November 2000, the City issued a Request for Qualifications (RFQ) for development of the parking lot. In April 2001, the Commission accepted the Related Group of Florida as the number one ranked development team and authorized the Administration to negotiate and contract and a development plan for the site. A series of community workshops and public hearings took place over the following year wherein there was a lack of consensus on the developer's proposal to build a residential tower with ground floor retail and public plaza space. In April 2002, the Commission voted unanimously to terminate negotiations with the Related Group. The sentiment of the Commission was to keep the property for public use. They directed the Administration to determine what should be done with the land along with the process of finalizing the North Beach Master Plan.

North Beach Town Center Plan: In July 2007, the Mayor and City Commission adopted the North Beach Town Center Plan. This plan culminated several years of work with the community wherein consensus was reached over redevelopment of the 71 Street commercial corridor and a vision plan for a "Civic Square" in the parking lot in North Shore Park. Following is the relevant text from the Town Center Plan:

The 72nd Street municipal parking lot is an integral part of the enormous tract of public open space stretching from the Atlantic Ocean to the inland waterway. It is a legacy from the mid-19th Century, prior to settlement of the South Florida coastline, when the Federal government established the Biscayne House of Refuge on this tract of land. Because it is situated in the heart of North Beach, this land has the potential to function like grand linear parks in other cities, only on a much smaller scale (examples: The Mall in Washington DC and Central Park in NYC).

Bandshell Park on the east and North Shore Park on the west bookend the municipal parking lot. Public parking is a critical need in this location to serve the adjoining commercial districts and the park and beach activities. However, with improving technology it is increasingly feasible to depress the parking partially below grade and reclaim the surface area for green space. It should be designed as a lushly landscaped civic square and function as a community gathering space. Examples of civic squares are Bryant Park in NYC, Rittenhouse Square in Philadelphia and Pioneer Square in Portland.



Intermodal Terminal: Over the years, the 72 Street parking lot has been considered as a potential site for an intermodal transfer station. The Coastal Communities Transit Study (CCTS) identified opportunities to improve bus transit service in the short term and lay the groundwork for a more advanced type of transit service in the future. The goal was to attract "choice" riders with service that is more attractive, accessible, reliable and frequent. Key components of the plan were to consolidate many of the 14 bus routes that currently serve Miami Beach into one local and one express bus route running north/south on A1A, and to connect the north/south route to the east/west bus service at strategically located transfer terminals. This would streamline the currently confusing and duplicative service and free up resources to provide a fleet of smaller buses to initiate local circulator routes similar to the South Beach Local.

In 2008, the City commissioned a Transit Center Feasibility Study for the 72 Street lot by HDR Engineering. The study found it to be a viable site for use as a transit transfer station; however, the alternative concept drawings for the site plan were later found to be flawed from an engineering standpoint. In 2010, the City Administration tried to resurrect the project in an effort to transfer a Federal Transit Administration (FTA) grant from a site in South Beach. Refined engineering drawings that were deemed acceptable by Miami Dade Transit (MDT) and the Florida Department of Transportation (FDOT) required the use of more than one-half of the entire site, leaving undesirable options for parking and other uses. Furthermore, MDT had failed to implement the most important recommendations of the CCTS concerning streamlining of the bus routes, therefore there was limited need for passenger transfers. Ultimately, the City determined that the benefits of a bus transfer station at this site did not outweigh the costs of giving up valuable public land and returned the FTA grant funds to the federal government.

It is worth noting that the idea of an Intermodal Terminal may become viable in the future if transit service is substantially improved and new technologies introduced.

Alternative land use and development scenarios:

Considerations for evaluating possible development scenarios for the 72 Street parking lot should include the following:

1. Consider preserving the lot for public park and governmental uses, as recommended in the North Beach Town Center Plan. Develop a dynamic public square that would

be an attraction for residents and tourists and support local businesses. Encourage redevelopment of the private property along the edges of the park by virtue of having frontage on a first class public space and by preserving views to the ocean.

2. Ensure that there will be accessible, low-cost parking to serve users of North Shore Park and the business districts, either on-site or in nearby locations.
3. Consider engaging a consultant to thoroughly explore opportunities and needs for this site with the community and develop consensus for a development program.

CONCLUSION

The Administration recommends that the Land Use Committee provide staff with policy direction on this matter.

JLM/JGG/RGL

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72 Street Parking Lot Fact Sheet

Site Data

3.87 acres

320 parking spaces

Sewer pump station

Existing Zoning

GU - Governmental Use

Main permitted uses: government buildings and uses, including but not limited to parking lots and garages; parks and associated parking; schools; performing arts and cultural facilities; monuments and memorials. Any use not listed above shall only be approved after the city commission holds a public hearing.

Setbacks, floor area ratio, signs, parking, etc: the average of the requirements contained in the surrounding zoning districts: TC-1, CD-2, RM-2 and RM-1

Future Land Use Plan

CD-3 Commercial High Intensity

Floor Area Ratio:	2.75 maximum
Density:	150 dwelling units per acre
Building Height:	75 feet or 7 stories maximum



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee  for JLM

FROM: Jimmy L. Morales, City Manager

DATE: April 23, 2013

SUBJECT: **ZONING AND PLANNING INITIATIVES FOR NORTH BEACH INCLUDING ORDINANCE AMENDMENTS FOR PARKING REQUIREMENTS AND DEVELOPMENT REGULATIONS**

BACKGROUND

On November 12, 2012, at the request of Commissioner Libbin, the City Commission referred a discussion item to the Land Use and Development Committee, pertaining to a Planning Board resolution outlining zoning and planning initiatives for the North Beach area, including ordinance amendments for required parking and development regulations.

On October 30, 2012, the Planning Board held a workshop discussion regarding potential initiatives for the North Beach area. The Planning Department made a presentation based upon ideas that were identified during a series of meetings between staff members from Planning, Economic Development, Neighborhood Services, Parks and Recreation, Police, Parking and Real Estate, Housing and Community Development. A copy of the presentation memo entitled "North Beach Initiatives" is attached hereto.

At the conclusion of the discussion, the Planning Board adopted a resolution urging the Commission to refer the following items to the Land Use and Development Committee (LUDC) for further discussion and action:

- 1) Amending the Parking Ordinance to allow additions to contributing buildings in National Register districts to pay a one-time parking impact fee in the same manner as Local Historic Districts
- 2) Amending the Parking Ordinance to reduce parking requirements for additions to 'Contributing' buildings in National Register historic districts.
- 3) Provide public parking in areas of greatest need.
- 4) Explore the creation of building permit incentives for substantially rehabilitated buildings.
- 5) Prepare design guidelines for the rehabilitation of and additions to MiMo architecture in order to streamline the development review process.
- 6) Amend the RM-1 zoning district with height and setback standards for new construction that are more compatible with the scale and character of the built environment.

ANALYSIS

The following is a summary and analysis of each of the recommendations in the above noted Planning Board motion:

Parking Impact fees

Currently, the City Code allows payment of a fee in lieu of providing parking when additions, alterations or change of use result in an increased parking requirement, but only in the architectural district or locally designated historic districts. The proposal would extend this same benefit to contributing buildings located in the North Beach National Register Historic Districts. The intent is to provide an incentive to preserve and rehabilitate historic MIMo buildings in North Beach, which currently has two National Register districts: North Shore and Normandy Isles. This would benefit development involving a change of use, alteration, rehabilitation or addition of a sidewalk cafe (options for one-time fee or yearly fee) and development with construction of additional square footage (one-time fee only). It should apply to both commercial and residential buildings provided that they are identified as "contributing" by the National Register, and provided that the existing contributing structure is substantially retained, preserved and restored.

The attached Ordinance pertaining to the expansion of parking impact fees to North Beach National Register Districts addresses all of the aforementioned issues.

Parking Requirement for Additions to Historic Buildings

Many of the historic apartment buildings in North Beach are built at slightly less than the maximum floor area allowed by the existing zoning (generally RM-1, FAR 1.25). When owners consider the options of preservation vs. new construction, they generally seek to optimize the floor area and number of dwelling units or hotel rooms. If they are inclined toward preservation, the parking requirement for additional units may be an obstacle, even with the ability to pay a fee in lieu of parking, as recommended above. Therefore, as a further incentive to preserve historic buildings in North Beach, the Planning Board supported the idea of allowing small additions to be made with no parking requirement. Specifically, there should be no parking requirement for the existing structure and any addition, whether attached or detached, up to a maximum of 2,500 square feet. This incentive would only apply to an existing apartment and apartment-hotel building that is being substantially retained, preserved and restored; additionally, the existing building must be classified as 'Contributing', and located within a National Register historic district.

The attached Ordinance pertaining to parking requirements for Contributing buildings addresses all of the aforementioned issues.

RM-1 Height and Setback Standards

The RM-1 zoning district, which encompasses much of North Beach, is intended for low intensity multifamily housing, and hotels in limited areas along Collins and Harding Avenues. The intensity limitation for new construction, as determined by the Floor Area Ratio (FAR) 1.25, is consistent with the existing two story buildings in the neighborhood. However, the height, setback and parking regulations in the RM-1 zoning often lead to incompatible relationships between new infill construction and the built context of existing neighborhoods. The Planning Department has analyzed the height and setback of the predominant building types in North Beach, and has suggested certain adjustments to make new infill buildings more compatible with their surroundings. These could be implemented in the form of a zoning overlay.

Prior to 1963, buildings in North Beach neighborhoods were almost exclusively one or two stories and not more than 22 feet in height. These building types still represent about 80% of

the built environment, giving it a very strong, consistent, human scale character. The RM-1 zoning district allows new construction up to 50 feet in height, but with an FAR 1.25, it is rarely necessary to build more than two floors of living space. The parking requirement for new construction automatically makes the ground floor mostly utilized for parking and the minimum building height increases to three stories. Therefore, this analysis suggests that the height limit could be 3-stories or 30 feet above base flood elevation. In order to give more flexibility to the architectural design, the Planning Department suggests that the 3-story height limit could apply to the first 60 feet of lot depth as measured from the lot front and a 4-story or 40 feet height limit could apply for the remainder of the lot depth. This would ensure a more compatible height relationship between adjoining lots.

The minimum setbacks in the RM-1 zoning district (generally 20' in the front, 7'-6" on the side and 15' in the rear) apply to neighborhoods citywide. However, they do not match the minimum setbacks that were enforced prior to 1963 when the majority of North Beach was developed. In fact, there were different front yard setbacks in each neighborhood as shown on the chart below:

	Front	Side	Rear
North Shore	10	5	5
Biscayne Beach	10	5	5
North Shore S of 71 Street	15	5	5
Normandy Isle and Normandy Shores	20	5	5
Normandy waterfront	25	5	5

New infill construction would be more compatible with the built context of existing neighborhoods if it could follow the established setback lines.

The attached Ordinance pertaining to RM-1 setbacks and height addresses all of the aforementioned issues.

Provide Public Parking in Areas of Greatest Need

The multi-family residential districts in North Beach generally have a shortage of parking for residents. This may be the greatest threat to the long-term preservation of the historic character of the neighborhoods, as property values increase and higher income residents move in. The proposed idea is for the City to explore opportunities to increase the supply of public parking that would be accessible to residents. This could include the intensification of existing parking lots, purchase of new sites or joint venture opportunities. One example would be on the West Lots, where if redeveloped by the private sector, there could be provisions made for excess parking to serve the neighborhood. Another possibility is to purchase vacant lots and/or sites with non-contributing structures. The proposed parking garage in the Town Center would also serve residents in the area.

Strategies to reduce the demand for auto ownership could also be explored. Examples could include improved transit service (i.e., North Beach Shuttle), a more extensive bikeways network, and ample, convenient parking spaces for car-share vehicles.

Building Permit Incentives for Substantially Rehabilitated Buildings

In National Register historic districts where preservation of buildings is optional, the Planning Board recommended additional incentives that may not be necessary in locally designated historic districts. The suggestion is that the City explore the possibility of rebates on building permit fees for contributing buildings in National Register historic districts in North Beach that successfully rehabilitate buildings according to historic preservation standards. However, there may be a legal issue with this proposal, as Building Permit Fees are regulated by State Law.

Design Guidelines

The Planning Department has a grant from the State of Florida Historic Preservation Office to prepare a comprehensive set of design guidelines for repair, alterations, rehabilitation, additions and new construction to Postwar Modern "MiMo" buildings. The richly illustrated guidelines will be the first to focus on this period of architecture, especially relating to the small-scale residential buildings that are predominant in North Beach. The document will serve as an educational tool for property owners and a guide for the Planning Department staff and Design Review Board when they review applications.

Tourism and Hotel Initiative

One of the key economic development strategies recommended for North Beach is to increase tourism by promoting investment in new hotels and adaptive reuse of historic apartment buildings into small tourist hotels. The idea is to highlight the special character of North Beach as a quiet, low-key alternative to South Beach with authentic Mid-Century Modern character, appealing ethnic diversity and eco-friendly activities for families and all age groups. The advantages would be increased numbers of visitors to support local businesses; rehabilitation of aging buildings; jobs; increased tax base and enhanced community image. The idea has received enthusiastic support from the Planning Board and from community leaders.

The Economic Development staff and the Department of Tourism and Culture have been actively involved with the Planning Department in exploring next steps, especially with regard to what would be needed to attract investment in small tourist hotels. They have also discussed options for marketing and promotion of North Beach with the Greater Miami Convention and Tourism Bureau.

As part of the effort to identify opportunities for hotel reuse and renovation, the Administration has developed a preliminary scope of services, which will:

1. Evaluate whether or not it is both market and financially feasible to purchase, renovate, and convert older buildings along the Harding Avenue corridor into boutique style lodging facilities;
2. If the resulting ROI is below market and not sufficient to attract private equity, then the study will define the feasibility gap and identify opportunities to close the gap and reach a market-based ROI;
3. The objective is to prepare a white paper which, on a theoretical basis but using actual buildings (anonymously) to demonstrate the feasibility to potential investors.

Additional services may be required, but the cost of a study such as this is approximately \$25,000. The Administration will submit this proposal as an enhancement during the 2013/14 budget process, but will continue to work to identify a potential funding source during the current budget year.

CONCLUSION

The Administration recommends that the Land Use Committee refer the attached Ordinance Amendments to the Planning Board for consideration, and provide staff with policy direction regarding the public parking and building incentive recommendations from the Planning Board.

JLM/JGG/RGL
Attachments

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MIAMI BEACH

PLANNING DEPARTMENT
Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

FROM: Richard G. Lorber, AICP, LEED AP
Acting Planning Director

SUBJECT: Discussion Item – North Beach Initiatives

DATE: October 30, 2012

BACKGROUND

For the past several months, the Administration has been taking a fresh look at North Beach and identifying a list of potential initiatives that could make it a better place. The following list is a preliminary draft, a work in progress. It has been prepared by an interdepartmental working group comprised of the Planning Department, the City Manager's Office, Economic Development, Parks and Recreation, Police, Parking, Real Estate, Housing Community Development and Neighborhood Services. Some of these items are ongoing or have received approval from the policy makers, but many new ideas on this list have not been vetted in any public forum.

ANALYSIS

The following are current programs and potential steps the City could consider for improving North Beach. Additional suggestions from the Planning Board are welcomed.

Economic Development

- Encourage adaptive reuse of residential structures along the Harding/Abbott corridor for small tourist hotels, targeting an untapped tourist market that is seeking a low-key, authentic place with unique character and beaches.
- Renew efforts to develop a public parking garage in the Town Center in conjunction with a mixed-use development that could act as a catalyst for redevelopment of other nearby properties.
- Seek appropriate uses and financing for renovation of the west side of the Byron Carlyle Theater
- Continue to implement the Commercial Façade Renovation Program in the Bandshell commercial district with \$120,000 CDBG funds and seek additional funding to expand the program.
- Micro Loan Program / Start-up business Incentive Program / Partners for Self Employment Loans
- Design and construct pedestrian-oriented Streetscape Improvements in the Town Center, especially on local streets such as Harding Avenue, 72 Street and 69 Street.
- Engage the community in a discussion of future use of the West Lots. Ensure that public parking is preserved for Open Space Park while considering such uses as a family-oriented resort complex that could enhance the park with nature-themed programming for all users.

Planning and Zoning

- Create incentives to preserve the unique character and sense of place in North Beach, especially preservation of MiMo architecture.
 - Amend the Fee in Lieu of Parking Program to allow additions to contributing buildings in National Register districts to pay a one-time parking impact fee, the same as local historic districts.
 - Amend off-street parking requirements to reduce parking requirements for additions to contributing buildings in National Register historic districts
 - Reduce the hotel room parking requirement from one space per room to one space per two rooms
 - Provide public parking in areas of greatest need
 - Explore the possibility of building permit incentives for substantially rehabilitated buildings
 - Prepare design guidelines for rehabilitation of and additions to MiMo architecture to streamline the development review process
 - Amend the RM-1 zoning district with height and setback standards for new construction to be more compatible with the scale and character of the built environment
- Analyze the strategic location of the 72 Street parking lot in the North Beach community and develop standards for future uses that maximize public benefits

Parks

- Utilize the remaining \$2.2 million GO Bond funds to make improvements to Altos Del Mar Park; seek input from the community about appropriate activities.
- Identify an appropriate location to build a Skate Park
- Identify an appropriate location for a Teen Center
- Provide concessions for non-motorized watersports activities along the beach in the Bandshell/Ocean Terrace area.
- Construct a public kayak launch facility along the Indian Creek waterway, possibly at the Dickens Av/73 Street parking area.
- Upon the relocation of the North Beach Police Substation, reconfigure the current substation for the Parks and Recreation Department's use for the provision of water oriented recreation programs and activities

Transportation

- Analyze the demand for and the benefits of a free or low-cost bus circulator route serving North Beach, similar to the South Beach Local
- Coordinate with the update of the AGN Bicycle Master Plan to identify and construct safe bicycle facilities throughout North Beach.
- Actively participate in long-range transit planning at the county and regional level to develop premium transit service on the JFK Causeway/71 St and the A1A corridor. Ensure that public land is reserved for an intermodal transit center connecting the two corridors.

Safety and Cleanliness

- Funding approved for FY 12/13 to hire 2 additional police officers specifically to serve the North Beach area on beat duty.

- 1st Time Offender Diversion Program – Require wraparound services through Community Services Division
- Consider relocating the North Beach Sub Station to a commercial district that would benefit from the police presence; and reuse the current sub-station for water-oriented recreation programs
- Increase community awareness of Crime Prevention Through Environmental Design (CPTED)
- Conduct a Pedestrian Lighting Survey and identify a plan to upgrade lighting in deficient areas.
- Sanitation: Enhanced litter control and sidewalk cleaning

Housing

- Set-aside future affordable housing grant funding to North Beach to increase:
 - Homeownership/down payment assistance
 - Owner-occupied housing rehabilitation assistance
 - Inventory of safe, decent, affordable rental housing

Community Services

- Food Cooperative – Expand or create a food subsidy program to address food insecurity. Program would focus on providing produce and protein and would be funded by grants and donations
- Expanded Youth Employment – Goal is to expand the number and placements of youth employed in North Beach via the Teen Job Corps by expanding its contract with the City to include graffiti removal and assistance with food program
- Non-violence Drug Free Lease Provisions – Encourage landlords to add language to their leases that prohibits violence and drug offenses among tenants and can lead to violations of their leases

Events

- Monthly Food Trucks and Music Festival
- Free Weekly Movies at the North Shore Bandshell
- Craft Beer Festival

NEXT STEPS:

The Administration anticipates that this list of initiatives will be presented to the Land Use and Development Committee and to the Neighborhoods/Community Affairs Committee as a discussion item in November or December, 2012. Any recommendations from the Planning Board will be also transmitted to those committees. Depending upon the outcome of those initial discussions with the policy makers, the Administration will schedule community meetings with North Beach residents, businesses and property owners.

RGL/JAM

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 130 OFF-STREET PARKING, ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-31 "PARKING DISTRICTS ESTABLISHED," BY ADDING NEW PARKING REGULATIONS FOR PARKING DISTRICTS NO. 1 AND NO. 4, INCLUDING A REDUCTION IN OFF-STREET PARKING REQUIREMENTS FOR CERTAIN LAND USES AND BUILDING TYPES IN NATIONAL REGISTER DISTRICTS; BY AMENDING CHAPTER 130 OFF-STREET PARKING, ARTICLE V, "FEE IN LIEU OF PARKING PROGRAM", SECTION 130-131 "GENERALLY", BY EXPANDING THE PARKING IMPACT REQUIREMENTS FOR CERTAIN LAND USES AND BUILDING TYPES IN NATIONAL REGISTER DISTRICTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, In the summer of 2009, the North Shore and Normandy Isles National Register Historic Districts were placed on the National Register of Historic places by the United States Department of the Interior; and

WHEREAS, the Planning Department conducted an analysis of existing conditions, issues and opportunities in the North Shore and Normandy Isles National Register Historic Districts; and

WHEREAS, the City desires to reduce parking requirements with certain conditions in the North Shore and Normandy Isles National Register Historic Districts in order to encourage the retention and preservation of existing contributing structures within the districts and to promote walking, bicycling and public transit modes of transportation, as well as to reduce the scale and massing of new development in the residential neighborhoods.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 130 of the City Code, entitled "Off-Street Parking," Article II, "Districts; Requirements," is hereby amended as follows:

Sec. 130-32. - Off-street parking requirements for parking district no. 1.

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 1, accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows:

* * *

(6) Apartment building and apartment-hotel:

a. Apartment buildings on lots that are 50 feet in width or less: 1.5 spaces per unit.

b. Apartment buildings on lots wider than 50 feet:

1.5 spaces per unit for units between 550 and 999 square feet;

1.75 spaces per unit for units between 1000 and 1200 square feet;

2.0 spaces per unit for units above 1200 square feet.

c. Designated Guest parking: Developments of 20 units or less shall have no designated guest parking requirements. Multi-family buildings and suites-hotels with more than 20 units shall be required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.

d. For existing apartment and apartment-hotel buildings, which are classified as 'Contributing', are located within the Normandy Isles National Register District or the North Shore National Register District, and which are being substantially retained, preserved and restored, there shall be no parking requirement for the existing structure and any addition, whether attached or detached, up to a maximum of 2,500 square feet.

Section 130-33. - Off-street parking requirements for parking districts nos. 2, 3 and 4.

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking districts nos. 2, 3 and 4 accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows. There shall be no off-street parking requirement for uses in this parking district except for those listed below:

(1) *Apartment building and apartment-hotel:*

a. Apartment buildings on lots that are 50 feet in width or less: 1.5 spaces per unit.

- b. Apartment buildings on lots wider than 50 feet:
- 1.5 spaces per unit for units between 550 and 999 square feet;
 - 1.75 spaces per unit for units between 1000 and 1200 square feet;
 - 2.0 spaces per unit for units above 1200 square feet.
- c. Designated Guest parking: Developments of 20 units or less shall have not designated guest parking requirements. Multi-family buildings and suites-hotels with more than 20 units shall be required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.
- d. For existing apartment and apartment-hotel buildings, which are classified as 'Contributing', are located within the Normandy Isles National Register District, and which are being substantially retained, preserved and restored, there shall be no parking requirement for the existing structure and any addition, whether attached or detached, up to a maximum of 2,500 square feet.

SECTION 2. Chapter 130 of the City Code, entitled "Off-Street Parking," Article V, " Fee in Lieu of Parking Program," is hereby amended as follows:

Section 130-131. - Generally.

A fee in lieu of providing parking may be paid to the city in lieu of providing required parking on-site, or within 1,200 feet of the site in the architectural district or otherwise within 500 feet of the site, only in the following instances, except that parking requirements for accessory commercial uses in newly constructed buildings within the Collins Waterfront Historic District in an area in the RM-2 zoning district that is bounded by 41st Street on the south and 44th Street on the north shall be satisfied by providing the required parking spaces, and may not be satisfied by paying a fee in lieu of providing parking:

- (1) New construction of commercial or residential development and commercial or residential additions to existing buildings whether attached or detached from the main structure within the architectural district or a local historic district.
- (2) When an alteration or rehabilitation within an existing structure results in an increased parking requirement pursuant to subsection 130-132(b).
- (3) New construction of 1,000 square feet or less, or additions of 1,000 square feet or less to existing buildings whether attached or detached from the main structure may fully satisfy the parking requirement by participation in the fee in lieu of providing parking program pursuant to subsection 130-132(a).
- (4) The creation or expansion of an outdoor cafe (except for those which are an accessory use to buildings described in subsection 130-31(b)).
- (5) Commercial or residential additions to existing contributing buildings, whether attached or detached from the main structure, within the Normandy Isles National Register District or the North Shore National Register District, provided the existing contributing structure is substantially retained, preserved and restored.

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142 ZONING DISTRICTS AND REGULATIONS, ARTICLE II, "DISTRICT REGULATIONS," SUBDIVISION II. "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SECTION 142-155 "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS" AND SECTION 142-156 "SETBACK REQUIREMENTS," BY ADDING NEW HEIGHT AND SETBACK REGULATIONS FOR MULTIFAMILY BUILDINGS IN NORTH BEACH; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the North Beach multifamily neighborhoods were largely developed between 1935 and 1963 with low scale, Mid Century Modern buildings on 50 feet lots, giving the area a cohesive and distinctive character; and

WHEREAS, In the summer of 2009, the North Shore and Normandy Isles National Register Historic Districts were placed on the National Register of Historic places by the United States Department of the Interior; and

WHEREAS, the Planning Department conducted an analysis of existing conditions, issues and opportunities in the RM-1 Multifamily; and

WHEREAS, the City desires to reduce parking requirements with certain conditions in the North Shore and Normandy Isles National Register Historic Districts in order to encourage the retention and preservation of existing contributing structures within the districts and to promote walking, bicycling and public transit modes of transportation, as well as to reduce the scale and massing of new development in the residential neighborhoods.

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 142 of the City Code, entitled "Zoning Districts and Regulations," Article II – "District Regulations," Subdivision II. – "RM-1 Residential Multifamily Low Intensity" is hereby amended as follows:

Sec. 142-155. - Development regulations and area requirements.

- (a) The development regulations in the RM-1 residential multifamily, low density district are as follows:

* * *

(4) In the National Register Historic Districts in North Beach, the following shall apply:

- a. The maximum building height shall be 30 feet for the first 60 feet of lot depth as measured from the lot front and a maximum of 40 feet for the remainder of the lot depth.
- b. The maximum number of stories shall be 3 for the first 60 feet of lot depth lot depth as measured from the lot front and a maximum of 4 stories for the remainder of the lot depth.
- c. Stairwell bulkheads shall not be permitted to extend above the maximum building height.
- d. Elevator bulkheads extending above the main roofline of a building shall be required to meet the line-of-sight requirements set forth in section 142-1161 herein and such line-of-sight requirement cannot be waived by the historic preservation board.

- (b) The lot area, lot width, unit size and building height requirements for the RM-1 residential multifamily, low density district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)	Maximum Number of Stories
5,000	50	New construction—550 Non-elderly and elderly low and moderate income housing: See section 142-1183 Rehabilitated buildings—400	New construction—800 Non-elderly and elderly low and moderate income housing: See section 142-1183 Rehabilitated buildings—550	Historic district—40 Flamingo Park Local Historic District—35 (except as provided in section 142-1161 <u>North Beach National Register Districts</u> — see section 142-155(a)(4) Otherwise—50	Historic district—4 Flamingo Park Local Historic District—3 (except as provided in section 142-1161 <u>North Beach National Register Districts</u> — see section 142-155(a)(4) Otherwise—5

Sec. 142-156. - Setback requirements.

(a) The setback requirements for the RM-1 residential multifamily, low density district are as follows:

	Front	Side, Interior	Side, Facing a Street	Rear
At-grade parking lot on the same lot except where (c) below is applicable	20 feet	5 feet, or 5% of lot width, whichever is greater	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots—5 feet Oceanfront lots—50 feet from bulkhead line
Subterranean	20 feet	5 feet, or 5% of lot width, whichever is greater (0 feet if lot width is 50 feet or less)	5 feet, or 5% of lot width, whichever is greater	Non-oceanfront lots—0 feet Oceanfront lots—50 feet from bulkhead line
Pedestal	20 feet Except lots A and 1–30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231-237 of the Amended Plat of First Ocean Front Subdivision—50 feet	Sum of the side yards shall equal 16% of lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Sum of the side yards shall equal 16% of lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Non-oceanfront lots—10% of lot depth Oceanfront lots—20% of lot depth, 50 feet from the bulkhead line whichever is greater
Tower	20 feet + 1 foot for every 1 foot increase in height above 50 feet, to a maximum of 50 feet, then shall remain constant. Except lots A and 1–30 of the Amended Plat Indian Beach Corporation Subdivision and lots 231–237 of the Amended Plat of First Ocean Front Subdivision—50 feet	The required pedestal setback plus 0.10 of the height of the tower portion of the building. The total required setback shall not exceed 50 feet	Sum of the side yards shall equal 16% of the lot width Minimum—7.5 feet or 8% of lot width, whichever is greater	Non-oceanfront lots—15% of lot depth Oceanfront lots—25% of lot depth, 75 feet minimum from the bulkhead line whichever is greater

* * *

(d) In the National Register Historic Districts in North Beach, the following setback requirements shall apply for the pedestal portions of all buildings. Setbacks for tower, at-grade parking and subterranean levels shall be the same as set forth in (a) above.

	Front	Side	Rear
North Shore	10	5	5
Biscayne Beach	10	5	5
North Shore S of 71 Street	15	5	5
Normandy Isle and Normandy Shores	20	5	5
Normandy waterfront	25	5	5

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 5. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

City Attorney

Date

First Reading:
Second Reading:

Verified by: _____
Richard Lorber, AICP, LEED
Acting Planning Director



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: May 8, 2013

SUBJECT: **REPORT OF THE APRIL 23, 2013 LAND USE AND DEVELOPMENT COMMITTEE MEETING**

A Land Use and Development Committee meeting was held on April 23, 2013. Members in attendance were Commissioners Góngora, Wolfson and Libbin, along with members from the Administration and the public, were also in attendance. Please see the attached sign-in sheet. The meeting was called to order at 3:50 pm.

1. DISCUSSION REGARDING THE DEVELOPMENT OF THE WEST LOTS BETWEEN 79TH STREET TO 87TH STREET AND COLLINS AVENUE.

**(DEFERRED FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REFERRED BY COMMISSIONER JERRY LIBBIN
DECEMBER 12, 2012, CITY COMMISSION MEETING, ITEM R9G)**

AFTER-ACTION:

Richard Lorber provided an overview and administration recommendation. Jorge Gomez mentioned that a City referendum may be required for any type of Joint Venture.

Commissioner Libbin indicated that it would be a good idea to hear from the community, particularly to build consensus around what types of development should take place in the area. Commissioner Libbin emphasized the need for a transportation circulator in the North Beach area. Also, Commissioner Libbin noted that the Byron Carlyle should be part of a larger picture, perhaps reaching out to various groups through an RFP.

Commissioner Gongora would be supportive of a development that had a specific public purpose. Daniel Veltia spoke, indicating that more tourist dollars/revenue needed. Carol Housen emphasized the Town Center Plan and retaining open space of 72nd Street lots.

Commissioner Wolfson indicated that he supports efforts to incentivize commercial development and attractions. Debra Ruggiero spoke about the location of skate park in 72nd area. Mark Weithorn spoke about concern with congestion that would be generated by potential development. ~~Park across the street from west lots & 72nd Street lot is very valuable to residents.~~ Glenda Phipps, speaking on behalf of Fairway Park neighborhood, said there was overwhelming support for the TC plan. She wanted attractions in North Beach for recreation (family/kids). 72nd Street and West Lots would be too valuable for a supermarket or other commercial development.

MOTION: Deferred

Agenda Item CGA

Date 5-8-13

2. DISCUSSION REGARDING DEVELOPMENT OF THE PARKING LOT BETWEEN 72ND AND 73RD STREET AND COLLINS AVENUE.

**(DEFERRED FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REFERRED BY COMMISSIONER JERRY LIBBIN
DECEMBER 12, 2012 CITY COMMISSION MEETING ITEM R9F)**

AFTER-ACTION:

Richard Lorber provided an overview and administration recommendation. Mr. Lorber noted the importance of retaining open, public character, including parking spaces. Commissioner Gongora relates a desire of Commissioner Weithorn regarding the inclusion of Institutions of Higher Education. Daniel Veitia talked about the 'Town Center' plan and code changes. He also mentioned that NB is lacking tourism. He suggested developing streetscape plan and parking structures. Additionally, the 71st Street commercial area is perfect for development, with 72nd street corridor retained as open area (recreation). Daniel suggested that the Commission direct Planning Dept to begin to build consensus around the TC plan and take the lead on this.

Commissioner Wolfson suggested getting letters of interest for different ideas on the 72nd Street Lots. Commissioner Gongora likes the 72nd Street lots being retained as some type of public or institutional use.

Commissioner Libbin discussed having a skate park located somewhere in North Beach. On 72nd Street, parking should be enhanced, in addition to some type of public space. Also suggests integrating a transit hub. He agreed with Daniel Veitia's suggestion regarding having planning take the lead in building consensus for the 72nd Street site.

City Manager Jimmy Morales discussed a potential role for the FIU School of Architecture and the Arts participating in North Beach efforts, and suggested that the students could come up with some ideas.

MOTION: Planning Staff to facilitate a workshop and discussion for 72nd Street site.
Libbin/Wolfson: (3-0)

**3. ZONING AND PLANNING INITIATIVES FOR NORTH BEACH INCLUDING
ORDINANCE AMENDMENTS FOR PARKING REQUIREMENTS AND
DEVELOPMENT REGULATIONS.**

**(DEFERRED FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REFERRED BY COMMISSIONER JERRY LIBBIN
DECEMBER 12, 2012 CITY COMMISSION MEETING, ITEM C4I #1)**

AFTER-ACTION:

Richard Lorber provided an overview and administration recommendation, including specific recommendations of the Planning Board.

Commissioner Libbin suggested that parking recommendations to the Transportation and Parking Committee. Mark Weithorn suggested that Item No. 6 is good. Daniel Veitia was supportive of parking incentives in order to promote retention of buildings and promote investment.

Richard Lorber gave an overview of proposed Parking & RM-1 Ordinance, as well as design guidelines for MiMo buildings. Carol Housen discussed legalizing short term rentals west of Harding Avenue, as there are a number of illegal short term rentals in the area.

MOTION: Send Items 1, 2, 3 in the memo, pertaining to parking, to the Transportation and Parking Committee. Entire item to be brought back to the LUDC at a future date.
Libbin / Wolfson (3-0)

**4. REDUCED PARKING RATES FOR HOTEL EMPLOYEES.
(DEFERRED FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER JONAH WOLFSON,
OCTOBER 19, 2011 CITY COMMISSION MEETING, ITEM C4K)**

AFTER-ACTION:
No discussion

MOTION: Deferred

**5. DISCUSSION OF THE MIAMI BEACH CURRENT CITY CODE CHAPTER 6-4 (3)
RELATING TO ALCOHOLIC BEVERAGE SALES THAT REQUIRES A 300 FOOT
DISTANCE BETWEEN LIQUOR STORES AND ASK THAT THE CITY LOOK INTO
ADOPTING THE COUNTY REQUIREMENT OF 1500 FEET.
(DEFERRED FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REFERRED BY COMMISSIONER JORGE R. EXPOSITO
OCTOBER 19, 2011 CITY COMMISSION MEETING, ITEM C4L)**

AFTER-ACTION:
No discussion

MOTION: Deferred

**6. REVIEW OF MIAMI BEACH LAND USE BOARDS TO IMPROVE THE CITY OF MIAMI
BEACH BUILDING AND PLANNING DEPARTMENT PROCESSES.
(DEFERRED FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER MICHAEL GONGORA
MARCH 21, 2012 CITY COMMISSION MEETING, ITEM C4M)**

AFTER-ACTION:
No discussion

MOTION: Deferred

**7. DISCUSSION REGARDING FOOD TRUCKS ON PRIVATE PROPERTY.
(RETURNING FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER JONAH WOLFSON
SEPTEMBER 12, 2012 CITY COMMISSION MEETING, ITEM C4K)**

AFTER-ACTION:
No discussion

MOTION: Deferred

- 8. DISCUSSION PERTAINING TO "SMARTER MATERIALS FOR NEXT GENERATION INFRASTRUCTURE," SUCH AS ELIMINATING THE DISPOSAL OF TIRES IN GLOBAL LANDFILLS AND INCINERATORS.
(DEFERRED FROM THE FEBRUARY 13, 2013 LUDC MEETING
ORIGINALLY REFERRED BY COMMISSIONER MICHAEL GONGORA
DECEMBER 12, 2012 CITY COMMISSION MEETING, ITEM C4M)**

AFTER-ACTION:
No discussion

MOTION: Deferred

- 9. DISCUSSION REGARDING THE CONDITION OF THE STONES IN THE 1100 BLOCK OF LINCOLN ROAD.
(REQUESTED BY COMMISSIONER JONAH WOLFSON
DECEMBER 12, 2012 CITY COMMISSION MEETING, ITEM R9E)**

AFTER-ACTION:
No discussion

MOTION: Deferred

- 10. CD-2 SELF STORAGE
(REQUESTED BY CITY COMMISSION
FEBRUARY 6, 2013 CITY COMMISSION MEETING, ITEM R5E)**

AFTER-ACTION: Endorse Ordinance as amended at First Reading

MOTION: Libbin/Gongora (2-0)

- 11. DISCUSSION ON THE BOARDWALK
(REQUESTED BY CITY COMMISSION
FEBRUARY 6, 2013 CITY COMMISSION MEETING, ITEM R9B1)**

AFTER-ACTION:
Jay Fink of the Public Works Department provided an overview of boardwalk construction, as well as recent proposals to replace boardwalk with beach walk pavers.

1. Maintain existing boardwalk (100k per year).
2. Widen boardwalk
3. Remove boardwalk and replace with beachwalk. DEP prefers
4. Remove boardwalk and raise grade before placing pavers. This would allow for better views. Also requires more fill and potentially retention walls.

Commissioner Libbin indicated that he likes the boardwalk, and was under Impression that it had to be removed. He suggested leaving the boardwalk the way it is and having a grade level path to the immediate east and/or segregating walkers and bikers.

City Manager Jimmy Morales asked if we have a definitive answer on whether the boardwalk has to come down. The Administration replied that the State has not required that the boardwalk come down. Any modifications or expansion of the boardwalk would require State review. The State requires engineering drawings to provide adequate feedback.

Betsy Wheaton explained technical requirements for State review. Mark Welthorn would like to see the connection from 46th – 64th Streets completed, before modifying existing boardwalk. Adam Shedroff drew comparison to Collins canal walk.

Tom Muia from the Marriott Edition / Seville hotel project explained that Marriott agreed to lower boardwalk from 29th-30th Street. He explained impact of not removing the boardwalk on the design of the project. Commissioner Wolfson indicated that he is OK with the Seville portion of boardwalk being lowered. Triton Tower residents suggested having Seville donate funds for boardwalk removal to city for boardwalk maintenance, and expressed safety concerns with removing boardwalk. Another Triton tower resident expressed support for boardwalk, as it is safer, and said he won't go on the beachwalk pavers, due to cyclists, skaters, etc.

Ira Giller circulated a petition with over 1K signatures in support of maintaining the boardwalk. Ira was part of the original design team for the boardwalk. He believes that the boardwalk has a very long life span. The Boardwalk is a much better surface to walk on. He believes a parallel path for bikes is a good option.

Blue/Green Diamond Resident and Mid-Beach Neighborhood Alliance agreed with all of Ira points, and also has a major safety concern, particularly conflicts with segways and bikes on beachwalk. Eugene Rodriguez supported the idea of segregating bikes from walkers by adding a separate bike path. Residents also expressed concern about homeless under the boardwalk.

Commissioner Libbin asked if there is space to create a new, at grade path. Commissioner Gongora suggested that the consensus is to keep the boardwalk, finish 46-64 st connection and then look at at-grade bike lane adjacent to boardwalk. He also suggested having the Seville work with the administration to resolve the boardwalk issue behind the hotel.

MOTION: Consensus reached on keeping the existing, raised boardwalk. Priority to be given to completing the beachwalk link between 46th and 64th Streets, and then study the potential of adding a bike path at grade, adjacent to the existing raised boardwalk. Administration directed to evaluate existing projects that contemplate the removal of portions of the boardwalk, and report back to the LUDC on progress.

12. DISCUSSION REGARDING THE CURRENT SIDEWALK CAFÉ ORDINANCE
(RETURNING FROM THE FEBRUARY 13, 2013 LUDC MEETING)

a) DISCUSSION REGARDING THE LINCOLN ROAD UTILIZATION AREAS FOR SIDEWALK CAFES.

(REQUESTED BY COMMISSIONER MICHAEL GONGORA
JANUARY 16, 2013 CITY COMMISSION MEETING, ITEM C4R)

b) USE OF ELECTRICITY BY SIDEWALK CAFÉS; AND REFER ALL CURRENT SIDEWALK CAFÉ MATTERS TO LUDC.

**(REQUESTED BY COMMISSIONER DEEDE WEITHORN AND CITY COMMISSION
JANUARY 16, 2013, ITEM R9G)**

- c) DISCUSSION REGARDING RESTAURANT SOLICITATION OF PEDESTRIANS ON
CITY SIDEWALKS, PARTICULARLY OCEAN DRIVE AND LINCOLN ROAD.
(ORIGINALLY REFERRED TO NCAC BY COMMISSIONER EDWARD L. TOBIN
DECEMBER 12, 2012 CITY COMMISSION MEETING, ITEM C4H)**

AFTER-ACTION:

At request of Commissioner Weithorn, Item 12.b is deferred.

Stephen Scott of the Building Department provided an overview, based upon direction of the LUDC at the previous meeting. Commissioner Wolfson expressed a concern with making changes retroactive. Administration confirms any changes would be prospective.

Commissioner Libbin suggested that sofas not be permitted. Commissioner Wolfson indicated that he is ok with sofas. Carla Probus expressed concern with tacky/cheesy nature of sidewalk cafes. Design, hawking a problem. Morris Sunshine was concerned with impact of sidewalk cafes on the residential quality of life. Marlo Courtney suggests transferring review of sidewalk cafes from PW to Planning Dept. David Kelsey indicated Lincoln Road and Ocean Drive are successful and care needs to be taken with regard to revised regulations and suggested getting the input of business owners and tenants. Adam Shedroff spoke.

Commissioner Wolfson said he understands concerns of Marlo Courtney, but wonders why the LUDC has not heard from other business owners on Ocean Drive. He suggested compiling a list of Ocean Drive owners/tenants and meet with everyone. Commissioner Gongora discussed irresponsible businesses. Robert Santo discussed the problem of conflicting plans on file.

Commissioner Libbin also suggested transferring some review authority from PW to Planning. City Manager Jimmy Morales indicated that the administration will put together a work plan for enforcement. Jorge Gomez indicates that there will be outreach to the current sidewalk café operators. The City Manager also suggested convening an industry meeting.

MOTION: Defer entire item (12.a-c). Administration instructed to continue enforcement of current regulations.

**13. DISCUSSION REGARDING A MASS TRANSIT CONNECTIVITY FEASIBILITY STUDY
ENTITLED "BEACH CORRIDOR TRANSIT CONNECTION STUDY" TO BE
CONDUCTED BY THE MIAMI-DADE METROPOLITAN PLANNING ORGANIZATION
IN PARTNERSHIP WITH THE CITY OF MIAMI BEACH, CITY OF MIAMI, MIAMI-DADE
TRANSIT, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION.**

AFTER-ACTION:

Kathie Brooks provided an update.

Attachment *AL*
JLM/JSG/RGL/TRM
t:\agenda\2013\may 8\ludc meeting of april 23, 2013 afteraction.docx

LAND USE AND DEVELOPMENT COMMITTEE MEETING
 April 23, 2013 @ 3:00 pm
 City Manager's Large Conference Room

Attendance Sheet

NAME	CONTACT NUMBER	I WISH TO RECEIVE THE AGENDA ELECTRONICALLY	E-MAIL ADDRESS
1. David Sacks	305 379 2425	dsacks@pathmanaleis.com	yes@
2. Eugene Lopez	305-725-1608	Eugenebtp@AOL.com	Eugenebtp@AOL.com
3. Alicia A. Casanova	786-218-6474	yes	alicia@highpointacademy.us
4. Jorge Poviões	305-531-6242	yes	JPovioes@bluegreendiamond.com
5. Honey Giller	305-538-6324		@
6. IRA GILLER	309-538-6324	yes	giller97@aol.com
7. GUSTAVO TAPPA	305-505-1852	yes	GTappon@BellSouth.net
8. TOM MUIA	305-695-7727	yes	Tom.Muia@marricott.com
9. Jennifer Heaney	954-524-8880	yes	jheaney@edsaplus.com
10. Colenda Phigos	305-431-7942	fairway partners@gnw.com	yes@
11. Eric Gonzalez	(954) 605-0311	YES	ERIC G @ RIC-MAN.US
12. DANIEL BRAVO	(646) 354-9651		DANNY B @ RIC-MAN.US
13. PAUL JANKOWSKI	3) 899.5168	YES	PAUL J @ RIC-MAN.US
14. Ethna Wasserman	31 415-9488	Yes	E.Wasserman@shutts.com
15. James Krasinski	305 672 9090	Yes	NOISE CONT.
16. Adam Shedoff	796-267-7720	yes	AM533139@YAHOO.COM
17. Forever Santos-Asociacion	CODE 6684		rsantos-alborca@MIAMIbeachfl.gov
18. Daniel Jelic	305 219 3708		ljelic@jibarecovery.com
19. GABRIELLE DEOFEN	305 673 7000 ext 6157	YES	GABRIELLE DEOFEN@MIAMIbeachfl.gov
20. Gail Frank	305-864-2831	Yes	gfrank@the-beach.net

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LAND USE AND DEVELOPMENT COMMITTEE MEETING
 April 23, 2013 @ 3:00 pm
 City Manager's Large Conference Room

Attendance Sheet

NAME	CONTACT NUMBER	I WISH TO RECEIVE THE LINK TO THE ELECTRONIC AGENDA	E-MAIL ADDRESS
21. KIRK PASKAL	305 469-2413	YES	KPASKAL @ GMAIL.COM
22. DEBORAH KUBBICKO	305 992 8163	YES	DVI #3 @ AOL.COM
23. Carol Housen	305 992 8163	YES	carol.housen @ gmail.com
24. CARL CRAWFORD	305 371 8889	YES	INFO @ CrawfordMiami
25. Matt Roy	786 368 9585	yes	matthew.roy @ mac.com
26. ABE BETHEL	786-499-5225	YES	ABEBETHEL @ GMAIL.COM
27. DANIEL FUENZALIDA	786 375-1687	YES	dannyfuenzalida @ hotmail.com
28. Koki Louiza		Yes	Sr. Louiza @ Gmail.com
29. PAUL DE OLIVEIRA		YES	Conquistador 305 @ gmail.com
30. MARTY EVANS	305-604-8923		Cyber 71 @ aol.com @
31. June Castro	305-861-7508	yes	dyncastrofamily @ outlook.com
32. Maria Fernandez	304 469 8937	yes	Ramisu35 @ ATLANTICBB.net
33. NAVEH KALAY	5 B+ 926		navetula @ well.south.fl
34. Ernesto Rodriguez	305 371 76 x3780	yes	ernestorodriguez @ miamiherald.com
35. Jose M. Beck	305-673-4866	Yes	josembeck @ hotmail.com
36.			@
37.			@
38.			@
39.			@
40.			@

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